

HAMPTON TOWNSHIP ORDINANCE NO. 11
SEWER ORDINANCE OF THE CHARTER TOWNSHIP OF HAMPTON
BAY COUNTY, MICHIGAN

ADOPTED: May 12, 1965
EFFECTIVE: May 30, 1965

THE CHARTER TOWNSHIP OF HAMPTON, BAY COUNTY, MICHIGAN, ORDAINS:

ARTICLE I - Preamble

That the following rules and regulations and those hereafter adopted shall be considered a part of the contract with every person, company or corporation that is connecting to and using the sewer system of the township; and every person, company or corporation by using the sewer, shall be considered to express his or her consent to be bound thereby.

ARTICLE II - Definitions

Section 1. "ASTM" means American Society for Testing Materials.

Section 2. "B. O. D. " (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20°C. , expressed in milligrams per liter.

Section 3. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall and continuing to the property line.

Section 4. "Building Sewer" shall mean the extension from the building drain at the property line to the public sewer or other place

of disposal.

Section 5. "Cesspool" shall mean an underground pit into which raw household sewage or other untreated liquid waste is discharged and from which the liquid seeps into the surrounding soil or is otherwise removed.

Section 6. "Combined Sewer" shall mean a sewer receiving both surface runoff and sewage.

Section 7. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

Section 8. "Grease Interceptor" (or "Grease Trap") shall mean a tank of suitable size and material located in a sewer line and designed to remove grease and oily wastes from the sewage.

Section 9. "Health Officer" shall mean the legally designated health authority of Hampton Township, Bay City, or his authorized representative.

Section 10. "Industrial Wastes" shall mean the liquid wastes from industrial, manufacturing processes, trade or business as distinct from sanitary sewage.

Section 11. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater..

Section 12. "Nuisance" shall mean, but is not limited to, any condition where sewage (or garbage) is exposed to the surface of the ground or is permitted to drain on or to the surface of the ground, into any ditch, storm sewer, lake or stream, or when the odor, appearance, or presence of this material has an obnoxious or detrimental effect on or to the senses and for health of persons, or when it shall obstruct the comfortable use or sale of adjacent property.

Section 13. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Section 14. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 15. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

Section 16. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Section 17. "Sanitary Sewer" shall mean a sewer which carries and to which storm, surface, and ground waters are not intentionally admitted.

Section 18. "Seepage Pit" (or, "Dry Well") shall mean a cistern underground enclosure constructed of concrete blocks, bricks, or similar material loosely laid with open joints so as to allow the septic tank overflow or effluent to be absorbed directly into the surrounding soil.

Section 19. "Septic Tank" shall mean water-tight receptacle receiving sewage and having an inlet and outlet designed to permit the separation of solids in suspension from such wastes and to permit such retained solids to undergo decomposition therein.

Section 20. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm water as may be present.

Section 21. "Sewage Disposal Facilities" shall mean privy, cesspool, seepage pit, septic tank, absorption field, or other devices used in disposal of sewage or human excreta.

Section 22. "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Section 23. "Sewage Works" shall mean all facilities for collection, pumping, treating and disposal of sewage and industrial wastes.

Section 24. "Sewer" shall mean a pipe or conduit for carrying sewage

Section 25. "Sewer User" as herein used shall mean any property from which emanates that quantity of sanitary sewage ordinarily arising from the occupancy of a residential building by a single family of ordinary size.

Section 26. "Shall" is mandatory; "May" is permissive.

Section 27. "Slug" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration on flows during normal operation.

Section 28. "Storm Sewer" or ("Storm Drain") shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Section 29. "Sub-surface Disposal Field" shall mean a facility for the distribution of septic tank overflow or effluent below the ground surface through a line, or a series of branch lines, of drain tile laid with open joints to allow the overflow or effluent to be absorbed by the surrounding soil throughout the entire field.

Section 30. "Superintendent" shall mean the legally designated authority of the Charter Township of Hampton or his authorized representative being in charge of the maintenance and operation of sewage works.

Section 31. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids; and which are removable by laboratory filtering.

Section 32. "Township" shall mean the charter township of Hampton, Bay County, Michigan.

Section 33. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

ARTICLE III - Use of Public Sewers Required

Section 1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public, or private property, within the Township, or in any area under the jurisdiction of the Township, any human or animal excrement, garbage, or other objectionable waste, except where animal excrement is used as fertilizer in a proper manner.

Section 2. It shall be unlawful to discharge to any natural outlet within the Township, or in any area under the jurisdiction of the Township, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Section 3. Except as hereinafter provided, it shall be unlawful to construct or maintain for continuous use any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Section 4. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Township and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Township, or the City of Bay City, is hereby required at his expense to install suitable sanitary facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within sixty (60) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet of the property line.

ARTICLE IV - Private Sewage Disposal

Section 1. Where a public sanitary sewer is not available under the provisions of Article III, Section 4, the building sewer shall be connected to a private sewage disposal system.

Section 2. Before commencement of construction of a private sewage disposal system, the owner or his agent shall first obtain a written permit signed by the Township Superintendent or Bay County

Department of Health. The application for such permit shall be made on a form furnished by the Township or health department which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee shall be paid to the Township at the time the application is filed, and shall be in such amounts as the Township Board shall, from time to time, determine by resolution.

Section 3. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Superintendent.

Section 4. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Michigan State Department of Health or any other Health authority having jurisdiction of the Township. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 12 thousand (12,000) square feet.

Section 5. No septic tank, cesspool or subsurface disposal field tile shall be permitted to discharge directly or indirectly to any public sewer or natural outlet.

Section 6. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Township.

Section 7. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Article IV, Section 4, a direct connection from sanitary facilities or plumbing shall be made to the public sewer within sixty (60) days after official notice to do so in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be cleaned of sludge, any kind of covers removed; and be abandoned by filling with suitable material.

Section 8. In the event that the owner or occupant of the property upon which the same is located, shall fail to comply with the requirements as provided in Article IV, Section 7, upon a reasonable notice, then and in such case the Township may do so charging all costs thereof to the property owner or to the occupant of said property, and such charges shall become a debt, collectable as such.

Section 9. The health officer of the Township, or of Bay County in order to protect the health and safety of the people of the Township and of the general public, is authorized and directed to promulgate and amend, from time to time, regulations establishing minimum standards governing the design, construction, installation, and operation of individual sewage disposal facilities.

Said regulations shall establish such minimum standards as, in the judgment of the health officer, will insure that the wastes discharged to various individual sewage disposal facilities:

- a. Do not contaminate any drinking water supply.
- b. Are not accessible to insects, rodents, or other possible carriers of disease which may come into contact with food or drinking water.
- c. Are not a health hazard by being accessible to children.
- d. Do not give rise to a nuisance due to odor or unsightly appearance.
- e. Will not violate any other laws or regulations governing water pollution or sewage disposal.

Section 10. The health officer is authorized to promulgate such additional regulations as are necessary in his judgment to carry out the provisions of this ordinance. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer, or by any other governmental unit or body having jurisdiction as to which the Township has delegated such jurisdiction or entered into cooperative agreement.

ARTICLE V - Building Sewers and Connections

Section 1. Only authorized persons shall uncover and make any connections with or openings into, use, alter, or disturb any public sewer or appurtenance thereof and then only after first obtaining a written permit from the Superintendent.

Section 2. There shall be two (2) classes of building sewer and building drain permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Township before any connection is made to a public sewer. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. Permit and inspection fees shall be paid to the Township at the time the application is filed, and shall be in such amounts as the Township Board shall, from time to time, determine by resolution.

Section 3. All costs and expenses incident to the installation and connection of the building sewer and drain shall be borne by the owner. The owner shall indemnify the Township from any loss or damage that may directly or indirectly result from the installation of the building sewer and drain.

Section 4. A separate and independent building sewer and drain shall be provided for each building except where one building stands at the rear of another on an interior lot and no private sewer is available nor can one be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building drain from the front building may be extended to the rear building and the whole considered as one building sewer and drain.

Section 5. Old building sewers may be used in connection with new buildings provided that upon examination and test by the Superintendent, the old sewer is found to meet all requirements of this ordinance.

Section 6. The building sewer and drain shall be cast iron soil pipe, vitrified clay sewer pipe, or cement asbestos pipe class 1500. In filled or unstable ground the pipe shall be extra heavy cast iron, except that the non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Superintendent.

Section 7. The size and slope of the building sewer and drain shall be subject to the approval of the Superintendent, but in no event shall the diameter of the pipe be less than four (4) inches. Where four (4) inch diameter pipe is used, it must be cast iron. The slope of building sewer and drain shall be not less than one-eighths ($1/8$) inch per foot if six (6) inch or larger diameter pipe is used, and one-quarter ($1/4$) inch slope per foot if four (4) inch diameter pipe is used.

Section 8. All joints and connections shall be made gas tight and water tight. Concrete encasement will not be considered water tight. Cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, not less than one (1) inch deep. Lead shall be run in one pouring and caulked. Building sewer and drain pipe of vitrified clay shall have premium joints, ASTM C-425. Use of cement-asbestos pipe requires D-1869 joints. No paint, varnish or other coatings shall be permitted on the jointing material until after the joint has been tested and approved.

Section 9. All excavations required for the installation of a building drain on private property shall be open trench work, unless otherwise approved by the Superintendent. Trenches shall be adequately guarded with barricades and lights so as to protect the public from hazard.

Backfill shall be performed in accordance with good practice to 95% density, except that no backfill shall be placed until the work has been inspected.

Streets, sidewalks, parkways, and other public property, disturbed in the course of the work, shall be restored in a manner satisfactory to the Township.

Section 10. Whenever possible, the building drain shall be brought to the building at an elevation below the basement floor. No building sewer nor building drain shall be laid parallel to and within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer and drain shall be laid at uniform grade and in straight alignment insofar as possible in accordance with good practice. Changes in direction shall be made only with properly curved pipe or long-radius fittings. Each bend of 45° or over shall have a cleanout.

Section 11. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Section 12. The connection of the building sewer into the public sewer shall be made at the wye branch, if such branch is available at a suitable location, otherwise a smooth, round hole, machine-drilled into the main sewer pipe shall be made. The invert of the building sewer at the point of connection shall be at least two (2) inches higher than the invert of the public sewer, but the building sewer shall not extend past the inner surface of the public sewer. A smooth, neat water tight joint shall be made with an approved joint material and secured in a manner capable of withstanding normal stress and strain likely to be developed in sewer construction and maintenance. The connection shall be made under the supervision of the Township Superintendent in conformance with good practice as defined in Manual of Practice No. 9 prepared by the Water Pollution Control Federation.

Section 13. No person shall make connection of roof downspouts, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Section 14. The applicant for the building sewer and drain permit shall notify the Superintendent when the building sewer or drain is ready for inspection and connection to the public sewer.

Section 15. Any deviation from the procedures and materials prescribed in this Article must be approved by the Superintendent before installation.

Section 16. The maintenance of building sewers and building drains shall be the responsibility of the owner of the premises.

ARTICLE VI - Use of the Public Sewers

Section 1. No person shall discharge or cause to be discharged any storm water, surface water, roof runoff, subsurface drainage, cooling water, unpolluted air-conditioning water, or unpolluted industrial process waters to any sanitary sewer.

A normal amount of groundwater leakage into basements may be drained to the sanitary sewer; however, any excessive volume of drainage as determined by the Superintendent will not be permitted.

Section 2. Storm water and all other unpolluted drainage shall be discharged to sewers specifically designated as storm sewers, or to a natural outlet approved by the Superintendent.

Industrial cooling water, unpolluted air-conditioning water, unpolluted process waters may be discharged to a storm sewer or to a natural outlet upon approval of the Superintendent.

Section 3. No person shall discharge or cause to be discharged the following described substances, materials, waters, or waste which appears likely in the opinion of the Superintendent that such discharge will cause harm either to the sewers, sewage treatment process or equipment, or cause an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent shall give consideration to such factors as quantities of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of sewage treatment facilities, degree of treatability of wastes and other pertinent factors. The substances prohibited are, but not limited to:

- a. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65 degrees Centigrade.)
- b. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which solidify or become viscous at temperatures between thirty-two (32) degrees Fahrenheit and one hundred fifty (150) degrees Fahrenheit (0° and 65°C.)
- c. Any gasoline, benzene, naphtha, fuel oil, or explosive liquid, solid or gas.
- d. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder with a motor of three-fourth (3/4) horsepower (0.75 metric) or greater shall be subject to the review and approval of the Superintendent.

approval of the Superintendent.

- e. Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not;
- f. Any waters or wastes containing iron, chromium, copper, zinc, cyanides and similar objectionable, corrosive, or toxic substances; or wastes exerting excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
- g. Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the Bay City, State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- h. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or ground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- i. Any radioactive wastes or isotopes of such half life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
- j. Any waters or wastes having a pH lower than 5.5 or a pH in excess of 9.5, or any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

k. Materials which exert or cause:

- (1) Unusual concentrations of inert suspended solids such as, but not limited to, Fuller's earth, lime slurries and lime residues, or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
- (2) Excessive discoloration such as, but not limited to dye wastes, vegetable tanning solutions.
- (3) Unusual B. O. D. , chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

l. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

Section 4. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 3 of this Article, and which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Superintendent may:

- a. Reject the wastes.
- b. Require pre-treatment to an acceptable condition for discharge to the public sewers.
- c. Require control over the quantities and rates of discharge.

- d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes, sewer charges, under the provisions of Section 9 of this Article.

If the Superintendent permits the pre-treatment or equilization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Superintendent, and subject to the requirements of all applicable codes, ordinances and laws. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities, or additions to, or expansion of existing treatment facilities, shall be submitted for the approval of the Superintendent, and of the appropriate state agency. No construction of such facilities shall be commenced until approval is obtained in writing.

Section 5. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located so as to be readily and easily accessible for cleaning and inspection.

Section 6. Sand interceptors shall be installed in garages, filling stations and other establishments which have washing facilities producing sandy waste waters.

Section 7. Where installed, all grease, oil and sand interceptors, and preliminary treatment facilities for any waters or wastes shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Section 8. When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be located in a safe and accessible position, and shall be constructed in accordance with plans approved by the Superintendent. The manhole and metering devices shall be installed by the owner at

his expense, and shall be maintained by him so as to be safe and accessible at all times.

Section 9. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Township and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Township or Bay City for treatment, subject to payment therefor, by the industrial concern.

ARTICLE VII - Charge for Use of Public Sewer

Section 1. The Township Board shall from time to time establish charges for the use of and connection to the public sewer.

Section 2. Should any user fail or neglect to pay the charge imposed by the Township for the use of the public sewer, the Township may collect same by suit in a court of competent jurisdiction. In addition, the Township may shut-off and discontinue any further sewer service to the premises in default and may also shut-off and discontinue any water service to such premises.

Section 3. The Township shall have as security for the collection of any sewer rates or any assessments, charges or rental due or to become due for the use of sewer supplied to any house or other building on any premises, lot or lots, or parcel or parcels of land, a lien upon such house or other buildings and upon the premises, lot or lots, or parcel or parcels of land upon which such house or other building shall be situated or to which such sewer was supplied. Such lien shall become effective immediately upon the connection and/or use of sewer at the premises or property supplied as aforesaid but shall not be enforceable for more than three years thereafter in accordance with the provisions of Act 178 of the Public Acts of Michigan 1939, as amended.

The lien created herein may be enforced by the Township in the manner prescribed by the general laws of the State of Michigan providing for the enforcement of tax liens. The provisions of this section shall not apply in any instance where a lease has been legally executed containing provisions that the lessor shall not be liable for payment of sewer bills as to any such bills accruing subsequent to the filing of an affidavit with respect to the execution of such lease and containing the expiration date thereof, when such affidavit has been filed with the Township sewer

department; and provided further, that twenty days notice shall be given by the lessor of any cancellation, change in or termination of the lease.

ARTICLE VIII - Protection from Damage

Section 1. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the township sewage works. Any person found violating this provision shall be subject to immediate arrest and charged of disorderly conduct, and punished under Article X hereof.

ARTICLE IX - Powers and Authority of Inspectors

Section 1. The Superintendent and other duly authorized employees of the Township or City of Bay City bearing proper credentials and identification shall be permitted at all reasonable hours to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this ordinance.

ARTICLE X - Penalties

Section 1. Any person who shall violate any provision of this Ordinance shall be served by the Township with a written notice stating the nature of the violation and providing a maximum of ten (10) days for the satisfactory correction thereof; provided, however, that in cases of serious danger to public health, or potential damage to the sewer system, a forthwith notice to cease the violation may be served, which notice shall have immediate effect.

Section 2. Any person who shall violate any provision of this Ordinance shall, upon conviction of such violation, be punished by a fine of not to exceed One Hundred (\$100.00) Dollars, or by imprisonment for a period of not to exceed ninety (90) days, or by both such fine and imprisonment, in the discretion of the Court. Each day in which any such violation shall continue shall be deemed a separate offense.

ARTICLE XI - Repeal

Section 1. All Ordinances, or parts of Ordinances in conflict herewith heretofore adopted by the Township are hereby repealed.

ARTICLE XII - Validity

Section 1. Each section of this Ordinance is declared to be severable and, should any section or provision be declared unconstitutional or invalid, the same shall not affect the validity of the Ordinance as a whole, nor of any other part thereof.

ARTICLE XIII - Restrictions Imposed by other Township Ordinances and/or Statutes of the State of Michigan

Section 1. If any provision of any other Ordinance of the Township and/or contractual agreements with Bay City, and/or the statutes of the State of Michigan imposes greater restrictions than herein set forth, then the provisions of such Ordinances and/or statutes shall control.

ARTICLE XIV - Abatement of Nuisances

Section 1. Nothing stated in these regulations any be construed to limit the power of the Township or Health Officer to order the immediate and complete abatement of a public nuisance or menace to the public health or of a condition which, in the opinion of the Township, may be a menace to the public health.

SEWER INSTALLATION CHARGE

The following sewer installation charge shall be made by all persons connecting to the Hampton Township sewer system or to sewers of Bay City administered by the Township.

Sewer Service Installation Fee

Inspection of Building Drain	\$ 5.00
Connection of 4" and 6"	
Building Sewers	\$125.00
Connection of Building Sewers	
other than 4" or 6" will be	Cost + 10%

DEPOSIT FOR TENANTS

The following deposit must be made with the Township prior to turn-on of sewer service connection to premises. This deposit must be made by all persons who are not owners of premises for which application is made for sewer service.

Residential Sewer Service	\$ 30.00
Commercial Sewer Service	\$ 50.00

RESIDENTIAL SEWER RATES

The following rates and charges shall apply for residential sewer users connected to the Hampton Township sewer system or to sewers of Bay City administered by the Township.

Sewer Service Charge	\$ 8.00 per quarter
Sewer Debt Service Charge	3.50 per quarter

Pursuant to agreement dated, December 3, 1964, with the City of Bay City, each unit of multiple residential units shall be declared a sewer user and each unit shall be charged in accordance therewith.

NONRESIDENTIAL SEWER RATES

The following rates and charges shall apply for nonresidential sewer users connected to the Hampton Township Sewer System or to the sewers of Bay City administered by the Township.

- A. The charge for each nonresidential sewage disposal service shall be on the basis of all water delivered to the premises from all sources. It shall be the obligation of the customer to furnish accurate metering of all such water sources. The basic rate for such service shall be as follows:

First 250,000 cu. ft. per quarter, 25¢ per 100 cu. ft.
Over 250,000 cu. ft. per quarter, 20¢ per 100 cu. ft.
Minimum charge: \$7.00 per quarter, \$28.00 per year.

To this shall be added \$1.00 per quarter for township costs.

- B. Sewer Debt Service Charge \$3.50 per quarter

SPECIAL SEWER RATE

Where expressly agreed upon between the City and the Township, sewage service may be provided for industrial and commercial and other wastes in such quantities and having such characteristics as would not overload or have adverse effect on the City or Township facilities. The basic nonresidential rates shall be charged in those instances where the Township provides only sanitary sewerage services to nonresidential users. Where commercial, industrial, or other wastes are accepted, a separate addendum hereto, to be agreed upon between the parties relative to the individual commercial or industrial user, may provide modification of said basic rate giving due consideration to the character, quality, and type of waste involved, whether or not pretreatment is given, whether water delivered to the premises does not enter the sewer, and all other factors affecting transportation or treatment.

AMENDMENT TO AGREEMENT
FOR USE OF CERTAIN BAY CITY SEWERS

This Amendment, made this 16th day of June,

A. D. 1970, by and between the City of Bay City, A Municipal Corporation in the County of Bay, State of Michigan (hereinafter referred to as the "City"), and the Charter Township of Hampton, A Municipal Corporation in the County of Bay, State of Michigan (hereinafter referred to as the "Township");

WITNESSETH:

WHEREAS, the parties hereto previously entered into an "Agreement for Use of Certain Bay City Sewers" dated December 11, 1963; and

WHEREAS, the parties hereto, in accordance with the terms of said Agreement, desire to amend Paragraph 6 of said Agreement:

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN the parties hereto, for and in consideration of the mutual covenants and agreements herein contained to be kept and performed and the benefits to accrue as a result thereof, as follows:

Paragraph 6 of the aforementioned Agreement shall be amended to read in whole as hereinafter set forth:

"6. The City agrees to furnish sewage disposal services and flowage rights for the sanitary sewage from Hampton Sewage District No. 1 and the Township agrees to pay for such service in accordance with the terms and conditions of this Agreement. Charges for the furnishing of services to the Township by the City shall be set at rates equitable and just to all parties, as determined by the application of public utility rate making principles, which rates shall be set by a general ordinance of the City and shall involve no unreasonable discrimination.

The charges for said sewage collection and disposal services shall be billed quarterly, based on sewage flow to be computed and determined as follows:

- A. Residential; which is hereby defined to mean one, two and three family units.

By water consumption as measured through a water meter or meters during the winter quarter of each year and computed according to the rate schedule set forth below. Said winter quarter flow shall be the basis for the sewer charge for the ensuing quarterly bills each year. In instances where service is initiated to a structure without a previous water meter reading to establish a winter quarter consumption and charge, then and in that event, the City Manager or his delegated representative, may establish by approximation, a quarterly sewer charge for the first year or portion thereof.

- B. All Other

By water consumption as measured through a water meter or meters and computed according to the rate schedule set forth below.

- C. Service Rates

<u>Water Consumption</u>	<u>Charge Per 100 Cubic Feet</u>
First 3,000 Cubic Feet Per Quarter	\$ 0.55
Next 27,000 Cubic Feet Per Quarter	\$ 0.30
Over 30,000 Cubic Feet Per Quarter	\$ 0.10

- D. Minimum Bill (Quarterly) \$ 9.00

Note: The above minimum does not include surcharges required by outside City sewer districts.

- E. Due Date

Due date for a sewer charge shall be fifteen (15) days after date bill is rendered. Bills paid after the due date shall be subject to a 10% penalty.

- F. Additional Charges

Nothing herein shall prevent the Township from levying a surcharge to be billed and collected either separately or simultaneously with the City billing.