

CHAPTER 60: SEWERS

Article

I. SEWERS

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ARTICLE I: SEWERS

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§ 60.101 TITLE.

This article shall be referred to and known as "The City of Clio Sewer Ordinance."
(Ord. 124, passed 5-15-72)

§ 60.102 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUILDING DRAIN. 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 five feet outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal.

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CITY. The City of Clio, Genesee County, Michigan.

CITY SUPERINTENDENT and **SUPERINTENDENT.** That person now commonly known as the "Clio City Administrator."

COMBINED SEWER. A sewer receiving both surface runoff and sewage.

GARBAGE. Solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

INDUSTRIAL WASTES. The liquid wastes from industrial processes as distinct from sanitary sewage.

MAY. This term is permissive.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

PERSON. Any individual, firm, company, association, society, corporation, or group.

PRIVATE SEWER LEAD. The extension from the private sewer lead to the public sewer main. The private sewer lead is not owned, operated or maintained by the City of Clio.

PRIVATE SEWER MAIN OR SYSTEM. A sanitary building drain and/or sewer privately owned and not directly controlled, operated or maintained by public authority.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of foods that have been shredded to such degree that all particles will be carried freely under the flow conditions normal prevailing in public sewers, with no particle greater than ½ inch in any dimension.

PUBLIC SEWER. A sewer in which all owners of abutting properties have equal rights and is controlled, owned, operated and maintained by the City of Clio.

PUBLIC SEWER MAIN. The main line sewer usually running parallel to the street owned, operated and maintained by the City of Clio.

SANITARY SEWER. A sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground waters as may be present.

SEWAGE WORKS. All facilities for collecting, pumping, and disposing of sewage.

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SEWER. A pipe or conduit for carrying sewage.

SHALL. This term is mandatory.

STORM SEWER or **STORM DRAIN.** A sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

SUSPENDED SOLIDS. 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.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently.

(Ord. 124, passed 5-15-72; amended by Ord. 141, passed 1-6-75; amended by Ord. 337, passed 4-1-02)

§ 60.103 USE OF PUBLIC SEWERS REQUIRED.

(A) It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the city, or in any area under the jurisdiction of said city, any human or animal excrement, garbage or other objectionable waste.

(B) It shall be unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of said city, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

(C) Except as hereinafter provided, it shall be unlawful to construct any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage, unless approval is obtained from the City Commission on the basis of undue hardship or unavailability of other facilities.

(D) In the event any private sewage system shall, in the opinion of the City Commission, become a hazard to health, safety, or general welfare of any persons or property, then the owner thereof shall be required at his expense to install suitable sewage facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within 90 days after the date of official notice to do so.

(Ord. 124, passed 5-15-72) Penalty, see § 60.199

§ 60.104 PRIVATE SEWAGE DISPOSAL.

(A) Where a public sanitary sewer is not available under the provisions of § 60.103(D), the building sewer shall be connected to a private sewage disposal system, according to specifications of the Genesee County Health Department and the City Health Officer.

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(B) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in § 60.103(D), a direct connection shall be made to the public sewer in compliance with this article, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned for sanitary use.

(C) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the city.

(D) In the event that the owner or occupant of the property upon which the same is located shall fail to abandon and correct upon reasonable notice a private sewage disposal system, then and in such case the city may do so, and charge the cost thereof to the property owner and to the occupant of said property, and such charges shall become a debt, collectible as such.

(Ord. 124, passed 5-15-72) Penalty, see § 60.199

§ 60.105 PRIVATE SEWER LEADS AND CONNECTIONS.

(A) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City Superintendent. Tapping of any public sewer or the installation of any portion of a private sewer lead situated between the property line and the public sewer shall be done only by a licensed contractor under the supervision of the City Superintendent or his/her designee.

(B) After the permit for a service connection has been granted and before the connection is made, the owner shall pay the following permit fee for tapping into the public sewer main:

(1) The "tap-in fee" for tapping the sewer main shall be:

<i>Fee to Tap into City of Clio Sewer System</i>	
<i>Meter Size</i>	<i>Rate</i>
5/8 inch	\$677
1 inch	1,129
1½ inch	2,258
2 inch	3,612
3 inch	6,773
4 inch	11,288

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<i>Meter Size</i>	<i>Rate</i>
6 inch	22,575
8 inch	36,120
10 inch	51,923
The City Commission may from time to time adjust this “tap-in fee” by resolution.	

(2) When a licensed contractor is ready to install the “sewer tap-in” to the public sewer main, such installation shall be made under the direct supervision of the Superintendent of Public Services or his/her designee and in accordance with the requirements of the Superintendent of Public Services or his/her designee; and such licensed contractor making such installation shall obtain an inspection by the Superintendent of Public Services or his/her designee of the installation prior to the commencement of any backfilling. The fee for such inspection shall be \$50. The City Commission may from time to time adjust this “inspection fee” by resolution.

(3) If the City Commission, upon request being made, shall find that it would be a financial hardship for the owner to pay the foregoing fees in cash, the City Commission shall have the authority to allow payment on an installment basis of 12 approximately equal consecutive monthly payments. This section applies only to residential sewer customers. If a residential customer fails to make the required installment payments within the 12-month period, the city may assess the remaining payments to the individual’s property tax. A person, firm, corporation or similar entity developing property to sell for profit will not be allowed to make monthly installments except as provided under § 60.105(B)(4). (The city would have no recourse to recover the debt if they defaulted.)

(C) A separate and independent private sewer lead shall be provided for every building; that where one building stands at the rear of another on an interior lot, the rear building shall install an independent private sewer lead to the nearest public sewer main. If no public sewer main is available for connection, the private sewer lead from the front building may be extended to the rear building, only upon permission from the Superintendent of Public Services and payment of the “tap-in fee” as outlined in § 60.105(B)(1). The failure of an individual to secure an easement to the nearest public sewer main will not qualify the person for any exceptions.

(D) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the City Department of Public Services Supervisor, to meet all requirements of this article. A \$50 inspection fee will be charged to examine old lines. The owner shall expose old lines for inspection. If the City Department of Public Services Supervisor approves the use of old lines, an additional \$50 final hook up fee will be charged. If the City Department of Public Services Supervisor determines the old lines cannot be used, the owner will have to meet all requirements for a new tap in and installation of new lines.

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(E) The private sewer lead shall be PVC (polyvinyl chloride). Joints shall be tight and water proof. Six-inch PVC (polyvinyl chloride Schedule 40 pipe) meeting the City of Clio design standards, may be used. Provided further, that in the event of the use of such polyvinyl chloride, only city-approved solvent cements, fittings and transitions shall be used.

(F) The size and slope of the private sewer lead shall be subject to the approval of the City Engineer, but in no event shall the diameter be less than six inches. The slope of such private sewer lead shall be not less than one-eighth inch per foot if six-inch or larger diameter pipe is used.

(G) Whenever possible the private sewer lead shall be brought to the building at an elevation below the basement floor. No private sewer lead shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The private sewer lead shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.

(H) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the private sewer main.

(I) All joints and connections shall be made gastight and watertight. Existing cast iron pipe joints shall be firmly packed with oakum or hemp and filled with molten lead, not less than one inch deep if it is necessary to repair an existing line. Lead shall be run in one pouring and chalked tight. No paint, varnish or other coatings shall be permitted on the jointing materials until after the joint has been tested and approved. All joint in vitrified clay pipe or between such pipe and metals shall be made with approved premium hot-poured jointing material or other approved premium jointing material, and not asphalt. In the event of the use of such polyvinyl chloride, only city-approved solvent cements, fittings (fernco) and transitions shall be used.

(J) All excavations required for the installation of a private sewer lead shall be open-trench work unless otherwise approved by the City Superintendent. Pipe laying and backfill shall be performed in accordance with good practice, except that no backfill shall be placed until the work has been inspected.

(K) The connection of the private sewer lead into the public sewer shall be made at the Wye branch, if such branch is available at a suitable location. The invert of the private sewer lead at the point of connection shall be at least two inches higher than the invert of the public sewer, but the private sewer lead shall not extend past the inner surface of the public sewer. A smooth, neat joint shall be made, and an adapter shall be used, and the connection made secure and watertight by encasement in concrete. The connection shall be made under the supervision of the City Superintendent.

(Ord. 124, passed 5-15-72; amended by Ord. 141, passed 1-6-75; amended by Ord. 161, passed 5-23-77; amended by Ord. 311, passed 4-17-00; amended by Ord. 337, passed 4-1-02; amended by Ord. 382, passed 5-15-06; amended by Ord. 406, passed 6-16-08; amended by Ord. 412, passed 6-15-09; amended by Ord. 421, passed 6-21-10; amended by Ord. 429, passed 6-20-11; Amended by Ord. 455, passed 6-17-13; amended by Ord. 470, passed 6-16-14; amended by Ord. 478, passed 6-1-15) Penalty, see § 60.199

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§ 60.106 CONNECTION OF PRIVATELY INSTALLED SEWER MAINS TO CITY SYSTEM.

(A) Any person, firm or corporation, after the effective date of this article, installing sewer mains at their own expense shall first submit plans and specifications for such work to the city for engineering review and the engineer's recommendation to the City Administrator for his/her approval. After such plans and specifications have been approved by the City Administrator, the work shall be done under the oversight of a representative of the city, at the person, firm or corporation's own expense, who shall require that such tests be made as he/she may consider necessary and no sewage shall be admitted into such mains until he/she accepts the installation on behalf of the city. The provisions of this division shall apply to any installation of sewer mains and appurtenances outside the corporate limits of the city where permission has first been granted by the City Commission to connect such mains and appurtenances to the existing city public sewer system.

(B) The City Commission shall not, after the effective date of this article, grant permission to connect sewer mains constructed outside the corporate limits of the city to the existing city public sewer system, except upon the following conditions:

(1) That all engineering relative to said sewer main outside the corporate limits of the city shall be done by the city's engineer.

(2) That all construction relative to said sewer main shall have been done under the supervision of the City Superintendent and according to the city's specifications.

(3) That all costs of installation or laying of the sewer main outside the corporate limits of the city, including all legal, engineering and incidental costs, shall have been paid for by the properties involved and no part shall have been paid by the city.

(4) That all properties to be serviced by the said sewer main constructed outside the corporate limits of the city shall also be served by the City Water Department.

(C) Subsequent to February 1, 1975, no plat of subdivided lands shall be accepted or approved by the City Commission until the installation and construction and completion of the improvements hereinafter enumerated shall have been approved by the City Commission, except as hereinafter provided.

(1) Sanitary sewers and storm sewers with the necessary manholes shall be constructed and laid in all streets or in easements approved by the City Commission. There shall be provided at least one sanitary sewer connection and one storm sewer connection to every lot fronting on either side of said streets, or at such other intervals as the City Commission shall require, which connection shall extend from the sewer mains to the lot lines.

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(2) Other provisions of this article notwithstanding, the City Commission may accept and approve a proposed plat without the installation or construction of the improvements required hereunder, provided the proprietor of such proposed plat shall have filed with the City Commission a good and sufficient surety bond of a surety company authorized to do business in this state, or a personal bond, approved by the City Commission, secured by a deposit of cash to be released to the obligor as and when no longer required for full assurance of complete payment of the cost of the improvement. The said bond shall be conditioned that the proprietor of the property platted will within a specified period, as determined by the City Commission and set forth in said bond, cause to be installed and constructed, without expense to the city, all of the improvements as hereinbefore provided. The City Commission may further require that the bond provide that in case of default in the performance of the conditions of such bond, the city or its nominee may enter into and upon the platted property, with necessary machinery and equipment, for the purpose of installing or constructing improvements not installed or constructed by the obligor, at the expense of the obligor and the surety or sureties named in the bond. If the City Commission shall at any time after the giving of such bond determine that any improvement covered thereby is not required by the public interest or safety the bond may be canceled or modified pro tanto to release the obligor's liability with respect to such improvement.

(3) A fee of two percent of the cost of the improvements required by this article shall be paid to the city prior to the approval of any proposed plat to provide for the expense of inspection of such improvements, and other related expenses; as to improvements not installed at the time of the approval of the plat, the fee shall be based upon estimated costs, as determined by the City Commission.

(Ord. 124, passed 5-15-72; amended by Ord. 141, passed 1-6-75; amended by Ord. 337, passed 4-1-02)
Penalty, see § 60.199

§ 60.107 PROTECTION FROM DAMAGE.

No unauthorized person shall maliciously, wilfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the municipal sewage works.

(Ord. 124, passed 5-15-72) Penalty, see § 60.199

§ 60.108 POWER AND AUTHORITY OF INSPECTORS.

The City Superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this article.

(Ord. 124, passed 5-15-72)

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§ 60.109 CHARGES FOR USE.

(A) Sewage charges shall be made monthly and shall be made in conjunction with water charges and billed as provided in "The City of Clio Water Ordinance."

(B) Owners of property benefitted by or using public sewer facilities shall pay the following charges for such benefit or use:

(1) If such property is furnished a metered service by the City Water Department, then the owner shall pay a per-month Ready to Serve Charge of (see Rates for Readiness to Serve Charge in division (B)(3)). The Readiness to Serve Charge consists of 84% of Department 536 (Sewer-General), 100% of Department 538 (Sewer-New), 70% of Department 905 (Debt Service). The sewer debt principal and debt interest are made up of bond payment fees designated for upgrades. The charge for every 1,000 gallons of water consumed will be \$6.71 per month. The per-1,000 gallons charge consists of 16% of Department 536 (Sewer-General), 100% of Department 537 (Sewer Lift Station), 100% of Department 539 (Sewer-Billing) and 30% of Department 905 (Debt Service). The sewer debt principal and debt interest are made up of bond payment fees designated for upgrades. The City Commission may from time to time adjust these sewer use charges by resolution.

(2) If such property does not have a water meter for water service from the City Water Department, then the owner thereof shall pay a Ready to Serve Charge of \$11.28 per month. The Ready to Serve Charge consists of 84% of Department 536 (Sewer-General), 100% of Department 538 (Sewer-New), 70% of Department 905 (Debt Service). The sewer debt principal and debt interest are made up of bond payment fees designated for upgrades. The City Commission may from time to time adjust these sewer charges by resolution.

(3) Charges for sewage treatment services to each premises within the city connected with the water supply system shall be determined as follows:

<i>Rates for Readiness to Serve Charge</i>	
<i>Meter Size</i>	<i>Rate</i>
5/8 inch	\$11.28
1 inch	18.80
1½ inch	37.60
2 inch	60.16
3 inch	112.80

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<i>Meter Size</i>	<i>Rate</i>
4 inch	188.00
6 inch	376.00
8 inch	601.60
10 inch	864.80

(4) The City of Clio will charge for different size water meters according to the above Rates for Readiness to Serve Charge. In case of apartments, the \$11.28 Readiness to Serve Charge is charged per each apartment, that is, per "unit". The city will charge the Ready to Serve Charge every month for every residence, apartment or business with access to city sewage treatment services, if the water has been turned off or if the building or apartment is vacant will not affect the Ready to Serve Charge. The city, upon written request, will inspect and make a determination as to whether an apartment or business has removed the possibility of being separate from the primary residence or business when it comes to the Ready to Serve Charge.

(C) Sewer charges or sewer use fees which have been billed to the owner of occupant of premises or property in accordance with the above rates and within the time described herein, shall be a lien upon said premises or property as of the due date thereof, and on May 1st of each year the City Treasurer shall certify any such charges which have been delinquent , plus penalties and interest accrued thereon, to the City Assessor who shall enter the same upon the next tax roll against the premises to which such service shall have been rendered, and said charges, with penalties and interest accrued thereon, shall be collected and said lien shall be enforced in the same manner as provided in respect to taxes assessed upon such rolls.

(Ord. 124, passed 5-15-72; amended by Ord. 189, passed 2-1-82; amended by Ord. 265, passed 1-4-93; amended by Ord. 271, passed 2-21-94; amended by Ord. 326, passed 5-21-01; amended by Ord. 337, passed 4-1-02; amended by Ord. 359, passed 5-17-04; amended by Ord. 366, passed 3-7-05; amended by Ord. 369, passed 5-2-05; amended by Ord. 384, passed 7-5-06; amended by Ord. 395, passed 7-2-07; amended by Ord. 400, passed 11-19-07; amended by Ord. 406, passed 6-16-08; amended by Ord. 412, passed 6-15-09; amended by Ord. 421, passed 6-21-10; amended by Ord. 429, passed 6-20-11; amended by Ord. 444, passed 6-4-12; amended by Ord. 455, passed 6-17-13; amended by Ord. 462, passed 12-16-13; amended by Ord. 470, passed 6-16-14; amended by Ord. 478, passed 6-1-15)

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§ 60.110 NOTICE OF VIOLATION.

Any person, firm or corporation found to be violating any of the provisions of this article, except § 60.107(A), shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit (but not exceeding 60 days) for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
(Ord. 124, passed 5-15-72) Penalty, see § 60.199

§ 60.111 LIABILITY.

Any person, firm or corporation violating any of the provisions of this article shall become liable to the city for any expense, loss or damage occasioned to the city by reason of such violation.
(Ord. 124, passed 5-15-72)

§ 60.112 REMEDY; COSTS BORNE BY CITY.

In the event that the owner or occupant of the property upon which the same is located, shall fail to correct any connection to the public sewer which is in violation of this article, upon reasonable notice, the city shall cause such correction to be made and the costs of such correction shall be charged to the occupant of said property and such costs shall become a debt, collectible as such.
(Ord. 124, passed 5-15-72)

§ 60.199 PENALTY.

Any person, firm or corporation who shall continue any violation beyond the time limit provided for in § 60.110 of this article or who shall be in violation of § 60.107(A), shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine in an amount not to exceed \$300 and costs of prosecution or by imprisonment in the Genesee County Jail for a period not to exceed 90 days or by both such fine and imprisonment in the discretion of the court. Each day in which any violation of this article shall continue shall be deemed a separate offense.
(Ord. 124, passed 5-15-72)

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