

**ORDINANCE NO. 56A**  
**TOWNSHIP OF WHITEFORD, COUNTY OF MONROE, STATE OF MICHIGAN**  
**AMENDMENT TO WHITEFORD TOWNSHIP SEWAGE DISPOSAL SYSTEM NO. 2**  
**ORDINANCE**

An Ordinance enacted pursuant to the authority granted in Act 246 of the Public Acts of 1945 to amend portions of the Whiteford Township Sewage Disposal System No. 2 Ordinance which was adopted September 18, 2012 (“Ordinance 56”); to generally provide for the public health, safety, and general welfare of the persons and property of Whiteford Township; and to repeal all Ordinances or parts of Ordinances in conflict hereof.

**THE TOWNSHIP BOARD OF THE TOWNSHIP OF WHITEFORD, COUNTY OF  
MONROE, STATE OF MICHIGAN, ORDAINS:**

**SECTION 1: AMENDMENT TO ORDINANCE 56**

Article 2, Section 4 is hereby deleted in its entirety and the following language is substituted in its place as follows:

**SECTION 4. LANDOWNERS’ AND TOWNSHIP RESPONSIBILITIES UPON INITIAL  
COMMISSIONING/START-UP OF SYSTEM**

A. In order to facilitate the orderly initial commissioning/starting-up of the system, a contractor chosen by the Township shall perform the initial installation of: i) the connection lateral to the main sewer line in the public right-of way, or in the case of a property that has a grinder pump, to the grinder pump; ii) the grinder pump and holding tank, if required; and iii) other equipment necessary for the system to be commissioned/started-up on the landowner’s property. To the maximum extent permitted by law, the Township shall not be liable for the actions or omissions of said contractor.

B. All costs, incurred by the Township and/or the contractor, associated with the initial commissioning/starting-up of the system on the landowner’s property shall be the responsibility of the landowner and included as part of the landowner’s assessment, fees and charges.

C. The user shall be responsible for configuring his plumbing and electric to adapt to the sewage system.

D. After the system has been initially commissioned/started-up by the Township, the Township shall no longer be responsible for installing the connection lateral to the main sewer line in the public right-of-way, or in the case of a property that has a grinder pump, to the grinder pump.

Article 2, Section 5 is hereby deleted in its entirety and the following language is substituted in its place as follows:

**SECTION 5. LANDOWNERS' RESPONSIBILITIES, MAINTENANCE AND SERVICE CONNECTION AFTER INITIAL COMMISSIONING/START-UP OF THE SYSTEM**

A. The Township shall own, operate and maintain the main sewer line including any grinder pumps that it purchases and collection tanks installed on the landowner's real estate. The landowner shall own the gravity service lateral from the residence or building to the main sewer line or, where applicable, the gravity service lateral from the residence or building to the grinder pump and holding tank. If the Township requires the landowner to purchase a grinder pump, the landowner shall own and be responsible for the purchase, operation, maintenance and replacement of the grinder pump.

B. The Township shall maintain its lines, pumps and tanks in an operational condition. The landowner shall maintain the service lateral and shall keep it repaired and operational without leakage as required by Federal, State and local ordinances, statutes and law, including but not limited to the Michigan Public Health Code.

1. The landowner shall grant to the Township a perpetual easement for operation, repair, maintenance and replacement of the facilities on his property. If the landowner fails to so provide said easement and litigation is commenced to acquire an easement, then the property shall be assessed with its pro rata costs of the total costs of any additional proceedings and that cost shall be attached as an additional charge added to the sewer bill for that real estate.

C. The Township shall install all main collection lines, holding tanks and grinder pumps that it purchases. The landowner shall at his own cost and expense configure his plumbing to adapt to the Township's collection system, shall pay for the cost of the connection lateral and installation connecting to the Township's system and shall pay for the electric associated with operating the grinder pump, if applicable.

1. The landowner shall pay the entire cost of the new installation of each sewer connection lateral to the main sewer line in the public right-of-way or, in the case of a property that has a grinder pump, to the grinder pump and holding tank.

2. The landowner shall obtain a sewer connection permit and pay the inspection fee prior to connecting to the Township's system.

3. The service lateral must be installed in accordance with the standards designated by the township engineer and approved by the Township Board or its authorized agent.

4. The landowner shall hire a qualified and licensed contractor from an approved list of contractors provided by the Township to install the sewer connection lateral and perform all maintenance and repair of the lateral and all equipment. The Township shall not be liable for any actions or omissions taken by the contractor. Extra inspections as a result of improper installation shall be charged against the landowner and paid prior to final connection.

5. The costs of additional inspections done by the Township, its authorized agent or by a designated engineering company shall be set by the Township board and

shall be paid before the work on the sewer connection is begun. Any additional costs due to multiple inspections or requests for inspections outside regular working hours shall be paid within 30 days to the Township upon billing the individual. If there are any inspections that are required after the close of the project due to the landowner delaying his connection to the system, then the owner shall be required to hire his own licensed inspector to perform this service and shall be responsible to pay any cost associated therewith.

A new Article 2, Section 6 shall be added and shall state in its entirety as follows:

## **SECTION 6. PRETREATMENT STANDARDS**

A. Users shall provide wastewater pretreatment, as necessary, to comply with all categorical pretreatment standards, local limits, and the prohibitions set out in this ordinance within the time limitations specified by the EPA, the State of Michigan, the Township or the City of Sylvania, whichever is more stringent. The national categorical pretreatment standards set forth in 40 CFR Chapter I, Subchapter N, Parts 405-471, the categorical pretreatment standards established pursuant to 40 CFR 403 and the state requirements and limitations on discharges are incorporated by reference.

B. Any pretreatment facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Township for review and acceptance. Any review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities, as necessary, to produce a discharge acceptable to the Township under the provisions of this ordinance.

C. Where a landowner leases premises to any other person as a tenant under any rental or lease agreement, either or both the tenant and the landowner may be held responsible for compliance with the provisions of this ordinance.

## **SECTION 2: CONFLICT**

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. All other provisions of said ordinances, including the remainder of Ordinance 56, which are not repealed, modified, or amended by this Ordinance, shall remain as is and be in full force and effect.

## **SECTION 3: EFFECTIVE DATE**

This Ordinance shall take effect thirty (30) days after publication.

THE TOWNSHIP BOARD OF THE  
TOWNSHIP OF WHITEFORD, COUNTY  
OF MONROE, STATE OF MICHIGAN

By: \_\_\_\_\_  
Angela Christensen,  
Whiteford Township Clerk

AUTHENTICATED:

By: \_\_\_\_\_  
Walter Ruhl,  
Whiteford Township Supervisor

I, Angela Christensen, do hereby certify that I am the duly elected and acting Clerk of the township of Whiteford, and I do hereby certify that this Ordinance was adopted by the Township Board of the Township of Whiteford, County of Monroe, State of Michigan, at a regular meeting of the Township Board held at the Whiteford Township Hall, 8000 Yankee Road, Suite 100, Ottawa Lake, Michigan 49267, on the 19th day of February, 2013.

The vote on said Ordinance, \_\_\_5\_\_\_ members being present and \_\_\_0\_\_\_ members being absent, was as follows:

AYE: \_\_\_\_\_5\_\_\_\_\_

NAY: \_\_\_\_\_0\_\_\_\_\_

ABSENT: \_\_\_\_\_0\_\_\_\_\_

I, Angela Christensen, the Township Clerk of the Township of Whiteford, do hereby certify that this Ordinance, or a summary of it, was published on the \_\_\_\_\_ day of \_\_\_\_\_, 2013 in the Monroe Evening News, located in the City of Monroe, Monroe County, Michigan, a newspaper of general circulation in the Township of Whiteford, within thirty (30) days after adoption of the Ordinance.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Angela Christensen,  
Whiteford Township Clerk

ATTEST:

\_\_\_\_\_  
Walter Ruhl,  
Whiteford Township Supervisor

ADOPTED: February 19, 2013

PUBLISHED: \_\_\_\_\_

EFFECTIVE: \_\_\_\_\_