

**CITY COMMISSION
CITY OF OTSEGO
Allegan County, Michigan**

Commissioner Misner, supported by Commissioner Trobeck, moved the adoption of the following ordinance:

ORDINANCE NO. 157

**AN ORDINANCE TO AMEND SECTION 78-36 OF THE CODE OF
ORDINANCES OF THE CITY OF OTSEGO TO REGULATE BUILDING
SEWERS AND CONNECTIONS**

THE CITY OF OTSEGO ORDAINS:

Section 1. Amendment. Chapter 78, "Utilities," Article II, "Sewers," Section 78-36 of the Code of Ordinances of the City of Otsego, Michigan, is hereby amended to read as follows:

Sec. 78-36. Building sewers and connections.

(a) *Permit required.* No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any part or appurtenance of the sanitary sewer system without first obtaining a written permit from the superintendent.

(b) *Classes of permits; application.* There shall be two classes of building sewer permits: (1) for domestic wastes, and (2) for industrial users. The owner or the owner's agent shall make application on a form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information requested under the provisions of this division or considered pertinent in the judgment of the superintendent or building official. A permit and inspection fee as prescribed by resolution of the council shall be paid to the city treasurer at the time the application is filed.

(c) *Payment of costs; indemnification of city.* All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner or applicant. The city or a contractor hired or approved by the city shall construct any needed lateral or stub from the sanitary sewer system main to the property line. The property owner shall pay all costs of such construction. The owner or applicant shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(d) *Separate sewer required for each building; exception.* A separate and independent building sewer shall be provided for every building. Exceptions will be considered by the superintendent only for preexisting buildings which cannot otherwise be connected to the sanitary sewer system. Exceptions will also be considered by the superintendent for integrated manufacturing facilities with process or assembly connections between buildings.

(e) *Use of old building sewers.* Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent or building official, to meet all requirements of this division and adopted plumbing code standards.

(f) *Construction specifications.* The size, slope, alignment materials and construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing codes, or other applicable rules and regulations of the city. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing Materials (ASTM) and the Water Pollution Control Federation (WPCF) Manual of Practice No. 9 shall apply. All building drains shall have checkvalves or other backflow preventers or the city shall be immune from liability for and shall not pay any claims resulting from any backflow of wastewater into the building.

(g) *Elevation.* Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the sanitary sewer system, wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer at the expense of the owner.

(h) *Connection to sources of runoff prohibited.* No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of uncontaminated surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(i) *Connection specifications.* The connection of the building sewer into the sanitary sewer system shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city, or the procedures set forth in appropriate specifications, which shall require that the connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the building official before installation.

(j) *Notification of readiness for inspection and connection.* The applicant for the building sewer permit shall notify the superintendent when the sewer is ready for inspection and connection to the sanitary sewer system. The connection shall be made under the supervision of the building official.

(k) *Excavations.* All excavating for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city manager at the expense of the owner.

(l) *Capacity available downstream.* Connections will not be permitted if there is inadequate capacity available in the downstream portions of the sanitary sewer system.

(m) *Maintenance.* The owner of property which is served by the sanitary sewer system shall, at his or her own expense, maintain and repair the private sewer lines and laterals located on his or her property. The property owner shall be responsible for the maintenance, repair and cleaning of the entire sewer line or lateral connecting their building, structure or residence to the sanitary sewer system main, local collector, trunk or interceptor sewer, and shall also be responsible for replacement of sewer lines or lateral sections existing between the building, structure or residence and the sanitary sewer system main, local collector, trunk or interceptor sewer. The city shall be

responsible for the maintenance, cleaning and repair of the sanitary system sewer main and shall have no responsibility of any sort for private sewer lines or lateral lines located on the owner's property. The city's obligation to clean sewer lines extends only to the sanitary sewer system main which collects and transmits the sewage of various properties served by the sewer system. The city shall have no responsibility to clean any private sewer lines or lateral lines.

Section 2. Effective Date. This ordinance shall take effect upon the latter of publication or the passage of

YEAS: Commissioners: Tom Gilmer, Kathy Misner, Cyndi Trobeck, Ryan Wieber, and Stacey Withee.

NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.

ORDINANCE NO. 157 DECLARED ADOPTED.

CERTIFICATION

I certify that this is a true and complete copy of an ordinance adopted by the City Commission of the City of Otsego at a regular meeting held on April 18, 2016.

Dated: April 18, 2016

Angela Cronen, City Clerk

Introduced: April 4, 2016

Adopted: April 18, 2016

Published: April 25, 2016

Effective: May 15, 2016

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