

ORDINANCE NO. 19

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATERS AND WASTES INTO THE TOWNSHIP'S SEWER SYSTEM; AND ESTABLISHING AND PROVIDING FOR THE COLLECTION OF RATES AND CHARGES FOR USE OF THE TOWNSHIP'S SYSTEM IN THE TOWNSHIP OF IRON RIVER, IRON COUNTY, MICHIGAN.

THE TOWNSHIP OF IRON RIVER ORDAINS:

ARTICLE I DEFINITIONS

"Benefit charge" shall mean the amount charged at the time, and in the amount hereinafter provided, to each premise in the Township which must connect to the System. The charge is based upon the proportionate cost allocable to such premises of the trunkage and availability costs associated with providing sanitary sewers and sewage treatment.

"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 five (5) days at twenty (20) degrees Centigrade.

"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 five feet outside the inner face of the building wall.

"Building sewer" shall mean the extension from the building drain to the public sewer or other places of disposal.

"Commercial user" shall mean an establishment listed in the Office of the Management and Budget's Standard Industrial Classification Manual (1972 Edition) involved in a commercial enterprise, business or service which, based on a determination by the Township, discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

"Debt retirement charge" shall mean the charge levied to all users for retirement of bonded indebtedness associated with the System.

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

"Governmental user" shall mean any Federal, State or local government user of the System.

"High strength waste" shall mean any waste having waste characteristics greater than normal

domestic sewage.

"Industrial cost recovery" shall mean the recovery from each eligible industrial user of that portion of U.S. Environmental Protection Agency grants which are allocable to the collection and treatment of industrial wastes from said users.

"Industrial user" shall mean non-governmental, nonresidential users of the System that (i) discharge more than the equivalent of 25,000 gallons per day of sanitary waste, (ii) are identified in the Standard Industrial Classification Divisions A, B, D, E or I, and (iii) establishments discharging a trade or process waste.

"Industrial waste" shall mean the wastewater discharges from industrial, trade or business process, as distinct from their employees' domestic wastes or wastes from sanitary conveniences,

"Inspector" shall mean any person or persons duly authorized by the Township Board to inspect and approve the installation of sewers.

"Institutional user" shall mean non-governmental, noncommercial, nonresidential, nonindustrial users of the System.

"Normal domestic sewage" shall mean a combination of the water carried domestic wastes from residences, business buildings, institutions and industrial establishments, and normal amounts of infiltration. The normal domestic sewage shall be considered to have a loading of 200 mg/1. BOD and 250 mg/1 suspended solids.

"O, M&R charge" shall mean the charge levied to all users for operation, maintenance, replacement, and customer related administrative costs associated with the System.

"Operation and maintenance costs" shall mean all costs, direct and indirect, necessary to provide adequate wastewater collection and treatment on a continuing basis, to conform with all federal, state and local wastewater management requirements and to assure optimum long-term management of the sewage works. Operation and maintenance costs shall include replacement costs.

"Replacements Costs" shall mean expenditures made during the service life of the System to replace equipment, appurtenances and accessories necessary to maintain the intended performance of the System.

"Residential User" shall mean all dwelling units used as a domicile.

"Revenues" and "net revenues" shall have the meanings as defined in Section 3, Act 94, Public Acts of Michigan, 1933, as amended.

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

"Service demand charge" shall mean the charge levied to-all customers for customer related administrative costs associated with the System.

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

"Sewage treatment plant" shall mean any arrangement of devices and structures used for treating sewage.

"Sewage works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

"Sewer" shall mean a pipe or conduit for carrying sewage;

"Storm Sewer" or "storm drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial waste.

"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.

"System" shall mean all facilities of the Township and all subsequent additions, including all sewers, pumps, lift stations and all other facilities used or useful in the collection, treatment and disposal of domestic, commercial or industrial wastes, including all appurtenances thereto and including all extensions and improvements thereto which may hereafter be acquired.

"Township" shall mean the Township of Iron River, County of Iron, Michigan.

"Township Board" shall mean the Township Board of the Township.

ARTICLE II OPERATION

SECTION 1. The operation, maintenance, alteration, repair and management of the System shall be under the supervision and control of the Township. The Township may employ such person or persons in such capacity or capacities as it deems advisable to carry out the efficient management and operations of the System and may make such rules, orders and regulations as it deems advisable and necessary to assure the efficient management and operation of the System. As part of the operation of the System the Township shall review not less than every 2 years the waste water contribution of users and user classes, the total costs of operation and maintenance of the sewage works, and its approved user charge system. The Township shall revise the charges for users or user classes within sixty (60) days following the completion of any such review, and at such other times as may be required, to accomplish the following:

(a) Maintain the proportionate distribution of operation and maintenance costs among users and user classes as required by applicable federal regulation:

(b) Generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance (including replacement) of the sewage works; and

(c) Apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly

SECTION 2. 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 Township (or any area under its jurisdiction), any human or animal excrement, garbage or other objectionable waste.

B. It shall be unlawful to discharge to any natural outlet any sanitary sewage, industrial wastes or other polluted water, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

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

D. Each person having control of a structure in which sanitary sewage originates, and each owner and each occupant of such a structure, shall cause such structure to be connected to an available public sanitary sewer. Such connection shall be completed promptly but in no case later than 90 days from the date of occurrence of the last of the following events:

(i) Publication of a notice by the Township Clerk of the availability of the public sanitary system in a newspaper of general circulation in the Township, (ii) Modification of a structure so as to become a structure in which sanitary sewage originates.

(iii) This Ordinance becomes effective.

E. Failure to complete connection where the structure in which sanitary sewage, originates, has not been connected to any available public sanitary sewer within the 90 days of the period provided in Item D above, Township Clerk shall require the connection to be made forthwith after notice by first class mail or certified mail to the owners, occupants and persons having control of the property on which the structure is located. The notice shall give the approximate location of the public sanitary sewer which is available for connection of the structure involved and shall advise such persons of the requirements and the enforcement provisions of this ordinance.

F. Where any structure in which sanitary sewage originates is not connected to an available public sanitary sewer system within 90 days after the date of mailing or posting of the written notice, the Township may bring an action for a mandatory injunction or order in the district, municipal or circuit court in the county in which the structure is situated to compel the owner to connect to the available sanitary sewer system forthwith. The Township in one or more of such actions may join any number of owners or structures situated within the Township to compel each owner to connect to the available sanitary sewer system forthwith.

SECTION 3 - Private Sewage Disposal

A. Where a public sanitary sewer is not available under/the provisions hereof, the building sewer shall be connected to a private sewage disposal system complying with all requirements of the State Board of Health.

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

C. At such times as a public sewer becomes available to a property served by the System as provided herein, a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be

abandoned, and filled with suitable material.

D. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the State Board of Health.

SECTION 4. Building Sewers and Connections

A. No unauthorized person shall uncover, make any connections with, or opening into, use, alter or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Township Board. Before a permit may be issued for excavating for plumbing in any public street, way or alley, the person applying for such permit shall have executed unto the Township, and deposited with the Treasurer a corporate surety in the sum of \$10,000 conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules and regulations established under the authority of any ordinances of the Township, pertaining to the plumbing. This bond shall state that the person will indemnify and save harmless the Township and the owner of the premises against all damages, costs, expenses, outlays, and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with plumbing or excavating for plumbing as prescribed in this ordinance. Such bond shall remain in force and must be executed for a period of two years except that on such expiration it shall remain in force as to all penalties, claims and demands that may have accrued thereunder prior to such expiration.

B. There shall be two (2) classes of building sewer permits: one for residential service, and the second for service to establishments producing industrial waste. In either case, the owner or his agent shall make application on a special form furnished by the Township. The permit applications shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Township. A permit and inspection fee of twenty-five Dollars (\$25.00) for a residential or commercial building sewer permit and an amount established on an individual basis for an industrial building sewer permit shall be paid to the Township Treasurer at the time the application is filed.

C. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner (the "Owner"). The owner or the person installing the building sewer for the Owner shall indemnify the Township from any loss or damage that may directly or indirectly be occasioned by said installation.

D. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Other exceptions will be allowed only by special permission granted by the Inspector.

E. Old building sewer or portions thereof may be used in connection with new buildings only when they are found on examination and test by the Township to meet all requirements of this ordinance.

F. The building sewer shall be constructed of either Vitrified Clay Sewer Pipe and Fittings meeting the current A.S.T.M. Specifications for Standard or Extra Strength Clay Sewer Pipe, Extra Heavy Cast Iron Soil Pipe meeting the current A.S.T.M. Specifications or the Department of Commerce; Commercial Standards for Extra Heavy Cast Iron Soil Pipe and Fittings-or Polyvinyl chloride (P.V.C.) plastic pipe SDR-35 meeting the current requirements of

A.S.T.M. D-3034 and D-1784. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that one of the other three pipes may be accepted if laid on a suitable improved bed or cradle as approved by said inspector.

G. All joints and connections shall be made gas tight and water tight. Vitrified clay sewer pipe shall be fitted with factory made Resilient Compression Joints meeting the current A.S.T.M. "Specifications for Vitrified Clay Pipe Joints Having Resilient Properties" (Designation C425). P.V.C. plastic pipe joints shall be the push-on type equal to A.S.T.M. D3212. The joints and connections shall conform to the manufacturer's recommendations. All fittings shall be as manufactured by the pipe supplier with joints equal to that of the pipe.

H. The size and slope of the building sewers shall be subject to the approval of the Township, but in no event shall the diameter be less than four (4) inches. The slope of such four (4) inch pipe shall not be less than one-fourth (1/4) inch per foot, except as otherwise approved by the Inspector. All building sewers shall be laid on a sand cushion having a minimum thickness of three (3) inches.

All irregularities and depression in the sub-grade shall be fitted with sand so the pipe will be firmly supported for its entire length. To "provide sewer embedment, the remainder of the trench to the top of the pipe shall be backfilled with compacted sand. The sand adjacent to the pipe shall be shovel sliced.

I. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the said Inspector. Pipe laying and backfill shall be performed in accordance with current A.S.T.M. Specifications except that no backfill shall be placed until the work has been inspected by the Township.

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

K. The connection of the building sewer into the public sewer shall be made at a location designated by the Inspector.

L. The applicant for the building sewer shall notify the Township when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Township.

M. All excavations 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 Township.

SECTIONS 5. Use of the Public Sewers

A. The Township Board shall prohibit any new connections from inflow sources to the System and shall refuse to accept inflow sources from existing connections which are not consistent with the System's design capacity including discharge of storm water, surface water, ground water, roof runoff, foundation drainage, cooling water or unpolluted industrial process waters to any sanitary sewer; and, shall further prohibit new connections unless there is capacity in all downstream sewers, lift stations, force mains and treatment plant facilities including

capacity for BOD and suspended solids.

B. It shall be unlawful for any person to place, deposit or permit to be deposited substances as are listed in Exhibit A attached hereto and made part hereof deposited in an unsanitary manner upon public or, private property within the Township (or any area under its jurisdiction), any human or animal excrement, garbage or other objectionable waste including but not limited to such substances as are listed in Exhibit A attached hereto and made part hereof.

C. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(i) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(ii) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

(iii) Any waters or wastes having a pH lower than [5.5], or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(iv) 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, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

D. No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Township that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the Township will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treat-ability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(i) Any liquid or vapor having a temperature higher than one hundred fifty (150) °F (65°C).

(ii) 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 may solidify or become viscous at temperatures between thirty-two (32° F) and one hundred fifty (150°F) (0 and 65°C).

(iii) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4), horsepower (0,76 hp. metric) or greater shall be subject to the review and approval by the Township.

(iv) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not

(v) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an 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 Township for such materials.

(vi) Any waters, or wastes -containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Township as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(vii) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Township in compliance with applicable State or Federal regulations.

(viii) Any waters or wastes having a pH in excess of [9.5].

(ix) Materials which exert or cause:

(1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers 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 and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load of the sewage treatment works.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(x) 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 plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

E. When required by the Township, the Owner of any property served by a building sewer carrying high strength wastes shall install and maintain at his expense suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. All measurements, tests and analysis of the characteristics of waters and wastes shall be determined in accordance with "Guidelines Establishing Test Procedures for Analysis of Pollutants" (40 CFR 136, October 16, 1973) and shall be determined at the control manhole or upon suitable samples taken at said control manhole. In the event that no special manhole has been required the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

F. The Township may exclude from the System a portion or all waste from a user which may be harmful to or have a deleterious effect on the System.

G. A surcharge may be imposed on the rate charged to users for the treatment, of high strength waste. The surcharge shall be based on the volume, strength and character of the high strength waste treated as compared to the volume, strength and character of the normal domestic sewage experienced in the Township.

H. Special assessments or contracts may be executed with users which shall be coordinated with this Ordinance for the derivation of the rate to be used for the receiving of high strength waste, where such high strength wastes are of unusual strength or volume and the treatment facility is capable of handling such -high strength waste.

SECTION 6. Protection from Damage

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 municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

SECTION 7. Powers and Authority of Inspectors

The duly authorized employees of the Township 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 ordinance.

SECTION 8. Penalties

A. Any person found to be violating any provision of this ordinance except Section 6, shall be served by the Township Board with written notice the nature of the violation and providing a reasonable time limit or the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who shall continue any violation beyond the time limit provided. for in Section 8 A, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not less than Fifteen Dollars (\$15.00) and not more than One Hundred Dollars (\$100.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

G. Any person violating any of the provisions of this ordinance shall become liable to the Township, for any expense, loss, or damage occasioned the Township by reason of such violation.

SECTION 9. Conditions of Service

A. The Township shall install and maintain at its expense that portion of the building sewer from the public sewer to near the lot or easement line, and the customer shall install and maintain at his expense that portion of the building sewer from the public sewer to his premises. The size and slope of the building sewers shall be subject to the approval of the authorized personnel of the Township, but in no event shall the diameter be less than four (4) inches. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor.

B. Applications may be canceled and/or sewer service discontinued by the Township for any violation of any rule, regulation, or condition of service and especially for any of the following reasons:

1. Misrepresentation in the application as to the property or fixtures to be serviced by the System.
2. Nonpayment of bills.
3. Improper or imperfect service pipes and fixtures or failure to keep same in suitable state of repair.

C. Bills and notices relating to the conduct of the business of the Township will be mailed to the customer at the address listed on the application, unless a change of address has been filed in writing at the business office of the Township Board; and the Township shall not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from nonpayment of a bill or from any performance required in said notice.

D. The Township shall, in no event, be held responsible for claim made against it by reason of the breaking of any mains for service pipes, or by reason of any other interruption of the service caused by the breaking of machinery or stoppage for necessary repairs, and no person shall be entitled to damages nor have any portion-of a payment refunded for any interruption.

E. The premises receiving sanitary sewer service shall at all reasonable hours be subject to inspection by duly authorized personnel of the Township.

F. All substances and quantities which are prohibited from discharge to the System by P.L.92-500, the regulations thereto, and other applicable United States law and regulation as same shall from time to time be published shall be and are hereby prohibited from discharge to the System.

SECTION 10. Sewage Charges for Premises Connected to the System

Commencing January 1, 1987, or such earlier date upon which sewage disposal services are provided to any users of the System, charges for sewage . disposal services to each premises within the service area having any connection to the System, shall be as follows:

'Benefit Charge: 'For the benefit conferred by the System upon all premises connecting thereto, or connecting to any sewer line tributary thereto, a benefit charge shall be paid for all premises so connecting as follows:

1. For each single family dwelling unit connected on or before January 1, 1987, \$25.00; provided, that for each dwelling having more than one single family dwelling unit, \$25.00 for each such unit.

2. For each single family dwelling unit connected after January 1, 1987, \$150.00; provided, that for each dwelling having more than one single family .dwelling unit, \$150.00 for each such unit.

3. For all other miscellaneous buildings (including industrial and commercial buildings publicly or privately owned) not otherwise provided for in this subparagraph, the benefit charge shall be in an amount determined by resolution of the Township Board.

The benefit charge shall be paid upon application for a permit to connect such premises to the System.

Surcharge: Any premises connecting to the System from which high strength waste emanates shall be charged a surcharge equal to the proportionately greater flow and strength of the sewage from such premises multiplied by the rate charged to such premises.

Monthly Charge to Users: The rates to be charged for service furnished by the System to each residential user shall be a minimum of \$25.00 per month. Users of the System other than single family residences shall be charged in accordance with a schedule to be set from time to time by ordinance by the Township Board.

Miscellaneous Services: For miscellaneous services or where a premises receives sewer service for which a special rate shall be established, such rates shall be fixed from time to time by ordinance by the Township Board.

BILLING

Sewer bills for the rates herein charged shall be rendered monthly during each operating year on the first day of each month and shall represent charges for the period immediately preceding the date of rendering the bill. The bills shall be due and payable within 30 days from the date thereof, and all bills not paid when due shall be deemed delinquent and a penalty of 10 percent of the

amount of such billing shall be added thereto and become due and owing as a part hereof.

ENFORCEMENT

Benefit charges and charges for sewage disposal services are made a lien on all premises served thereby, are hereby recognized to constitute such lien and whenever any such charge against any property shall be delinquent for six (6) months, the Township official or-officials in charge of the collection thereof shall certify annually, not later than June first of each year, to the tax assessing officer the fact of such delinquency, whereupon such charge shall be by him entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general taxes against such premises are collected and the lien thereof enforced.

SECTION 11. No free service shall be furnished by the System to any person, firm or corporation, public or private, or to any public agency or instrumentality.

SECTION 12. The rates hereby fixed are estimated to be sufficient to provide for the payment of the expenses of administration and operation and such expenses for maintenance of the System as are necessary to preserve the same in good repair and working order, and to provide for such other expenditures and funds for the System as this Ordinance may require. Such rates shall be fixed and revised periodically as may be necessary to produce these amounts. Further the rates for use of the System shall be based on the following:

(a) Debt Retirement Charge: Each user of the System shall pay a monthly debt retirement charge to be determined from time to time by the Township Board.

(b.) 0, M&R Charge: Each user of the System shall pay a monthly 0, M&R charge in proportion to the user's wastewater contributions to the System. Users that are also metered customers of the Township water system shall be charged in an amount equal to the charge for the water system use. Users that are not metered water customers shall be charged a flat amount per residential equivalent unit assigned to the user's premises, as hereinbefore stated.

(c) Surcharges: Each user that discharges wastewater strengths exceeding normal domestic sewage, as defined, shall pay appropriate surcharges for treatment of excess waste strengths in accordance with Section 10 hereof.

SECTION 13. The Township shall have the right to adjust the user charge rates based on an audit review of the System's operation and maintenance costs. Such an-audit review shall be conducted annually by the Township.

SECTION 14. Each industrial user shall pay the proportionate share of the operation, maintenance and replacement depreciation costs of the System that are allocable to the treatment of said user's industrial wastes.

SECTION 15. Each industrial user that discharges process wastewater which does not exceed the limits of normal domestic sewage shall be charged and shall make payments to the Township in amounts based on the actual waste volume from such premises.

SECTION 16. Each user that proposes to discharge wastewater to the System which exceeds the limits of normal domestic sewage will be required to either: (a) provide satisfactory pretreatment

to reduce the strength of the wastewater to normal domestic sewage or (b) pay a surcharge determined by the relative concentration of BOD, suspended solids, or other pollutant as compared to normal domestic sewage.

SECTION 17. The System shall be operated on the basis of the same operating year as the Township.

SECTION 18. The Township will maintain and keep proper books of records and accounts, separate from all other records and accounts, in which shall be made full and correct entries of all transactions relating to the System. The Township will cause an annual audit of such books of record and account for the preceding operating year to be made by a recognized independent certified public accountant, and will supply such audit report to authorized public officials on request. The township will maintain and carry insurance on all physical properties of the System, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of sewage disposal systems. All moneys received for losses under any such insurance policies shall be applied solely to the replacement and restoration of the property damaged or destroyed.

SECTION 19. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 20. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 21. This Ordinance shall be published in full in The Reporter, a newspaper of general circulation in the Township qualified under State law to publish legal notices, within 30 days after its adoption, and the same shall be recorded, in the Ordinance Book of the Township and such recording authenticated by the signatures of the Supervisor and Township Clerk. Section 22. This Ordinance shall become effective upon its publication.

CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 19 duly adopted by the Township Board of the Township of Iron River at the Regular meeting held on Dec. 13, 1984, at which all Members were present.

I further certify that Member Lanning moved adoption of said Ordinance, and that Member Heikkila supported said motion.

I further certify that all Members voted for adoption of said. Ordinance. I further certify of the Township and that such recording has been authenticated by the signatures of the Supervisor and Township Clerk and that said meeting was conducted and public notice of such meeting was given pursuant to and in conformity with Act 267 of the Public Acts of 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required by said Act.

/s/ Joan Luhtanen, Township Clerk

EXHIBIT A Toxic Pollutants

Acnaphlhene	trichlorofluoromethaha. dichlorodiriuoromethane)
Acrbleia	Heptachlor and metabolites
Acrylontrile	Hexachlorobutadiene
Aldrin/Diildrin	Kaxachlorocyclohexana (all Isomers)
Antimony and compounds	Hexachlorocyclopentadiene
Arta-nic and compounds	Isophorone
Asbestos	Lead and compounds
.Benzene	Mercury and compounds
Benzidine	Naphthalene
Beryllium and compounds	Nickel and compounds
Cadmium and compounds	Nitrobenzene
Carbon tetrachloride	NiCrophenols (Including 2,4-dinitrophenol
Cholrdane (technical mixture and metabolites)	dinitrocresol
Chlorinated benzenes (other than dichlorobenzenes)	Nitroamines
Chlorinated ethanes (including 1,2-dichloroethane, 1,1,1-trichloroelhane. and hexachlorothane)	Pentachlorophenol
Chloralkyl (chloromethyl chloroethyl, and mixed ethers)	Phenol .
Chlorinated naphthalene Chlorinated phenols (other than those listed elsewhere: includes trichlorophenols and chlorinated cresols) Chloroform	Phthalate esters
2-chlorophenol	Polychlorinated biphenyla (PCBs)
Chromium and compounds	Polynuclear aromatic hydrocarbons (including benzauthracenes, benzopyrenes, benzofluoranthene, chrysenes. dibenzanthracenes, and indenopyrenes
Copper and compounds	Selenium and compounds
Cyanides	Silver and compounds
DOT and metabolites	2,3,7,8 - Tetrachlorodibeno-p-dioxin (TCDD)
Dichlorobenzenes (1,2-, 1,5-, and 1,4- dichlorobenzenes	Tetrachloroethylene
Dichlorobenzldine	Thallium and compounds
Dichloroethylenes (1,1- and 1,2- dichloroethylene	Toluene
2,4-dlichlorophenol	Toxaphene
Dichloropropane and dichloropropene	Trichloroethylene
2,4-dimethyiphenol	Vinyl chloride
Dinitrotoluent	Zinc and compounds
Diphenylhydradne	
Endosulfan and metabolites	
Endrin and metabolites	
Ethylbenzene	
Fluoroanthene	
Haloethcrs (other than those listed elsewhere; includes chlorophenylphcnyl ethers, bromophenylphcnyl ether, bis(dischlorotsopropyl) ether, bis- (chloroethoxy) methane and poly chlorinated diphenyl ethers)	
Halomethanes (other than those listed elsewhere; Includes methylene chloromethyl-chloride methylbromldt bromoform. dichlorobromonethane,	