

ORDINANCE NO. 20-347

Amendment to Chapter 21 of the City Code

An ordinance to amend Chapter 21 of the City Code of the City of Morenci regarding sewer service.

CITY OF MORENCI, LENAWEE COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1. Amendment to Chapter 21, Article III. Chapter 21, Article III of the municipal code of the City of Morenci is hereby amended to read to wit as follows:

Sec. 21-66. - Building sewer and connections.

- (a) No person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer, street, or appurtenances thereof, without first obtaining a written permit from the city. No building sewer shall be covered until after it has been inspected and approved by the city.
- (b) The owner or his agent shall make application for a sewer permit on a form furnished by the city. The permit application shall be supplemented by any plans, specifications, or other information required by chapter 21 of the Morenci City Code or which, in the judgment of the city, is considered pertinent. There shall be a connection charge for each and every connection to the sewer system and when there is more than one building or structure being served by a single connection there shall be a separate connection charge for an additional building or structure connected to the sewer system. The amount of the connection charge shall, from time to time, be set by the Morenci City Council.
- (c) All cost and expense incident to the installation, connection and maintenance of the building sewer to the public sewer connection shall be borne by the property owner.
- (d) All liabilities incident to the installation and connection of the building sewer shall be borne by property owner. The property owner shall indemnify and save harmless the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(1) It shall be the duty of each property owner to maintain, clean and repair the private sewer lines on his property and the sewer lateral to the trunk line at his own expense as necessary to keep such lines free and clear of obstructions and in good working order and to maintain and keep clear of obstructions the lateral lines servicing his property. A private sewer line is considered from the property building to the sewer main.

(2) It shall be the duty of the city to maintain, clean and repair as necessary and at its expense the sewer main (trunk line). The city shall

not be responsible for cleaning, maintenance, or repair of sewer lateral or private sewer lines from a property building to the sewer main. The city shall have no responsibility to clean a sewer lateral or private sewer line from a property building to the sewer main.

(3) Any property owner who shall violate the provisions of this article shall be liable to the city for civil damage incurred in correcting the defect, and in addition, shall be guilty of a misdemeanor. If any property owner fails to maintain a private sewer line as required by this article, in addition to the other penalties prescribed, the sewer may be declared a public nuisance by the county health officer and the defect may be corrected by the city. Any costs so incurred shall be assessed against the property and become a lien on the property if not timely paid.

- (e) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another or an interior (lot) and no private sewer is available or can be constructed to the rear building through an adjoining alley, yard or driveway, the building sewer from the front building may be extended to the rear building.
- (f) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the city, to meet all requirements of this article.
- (g) The building sewer shall be constructed of PVC—Schedule 40, PVC—Schedule 80, or cast-iron soil pipe, as approved by the city. The city reserves the right to specify and require the encasement of any sewer pipe with concrete, or the installation of the sewer pipe in concrete cradle if foundation and construction are such as to warrant such protection in the opinion of the city.
- (h) The size and slope of the building sewer shall be subject to approval by the city, but in no event shall the diameter be less than four inches. The slope of such four-inch pipe shall be not less than one quarter ($\frac{1}{4}$) inch per foot, unless otherwise permitted. The slope of pipe, the diameter of which is six inches or more, shall be not less than one-eighth ($\frac{1}{8}$) inch per foot unless otherwise permitted.
- (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 feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade. The line shall be straight or laid with properly curved pipe and fittings. Changes in direction greater than 45 degrees shall be provided with cleanouts accessible for cleaning.

- (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 drain shall be lifted by artificial means approved by the city, and discharged to the building sewer.
- (k) All joints and connections shall be made gastight and watertight. All joints shall be approved by the city.
- (l) No sewer connection will be permitted unless there is capacity available in the POTW.
- (m) All newly constructed building sewers shall have a properly sized cleanout at the head of said sewer that is accessible at all times. This cleanout shall allow access of sewer cleaning equipment of a size equivalent to the size of the building sewer.
- (n) All sewers shall be constructed in accordance with the latest edition of the "Ten States Standards."
- (o) Any new connections of private sewer lines or laterals or repairs to existing private sewer lines or laterals must be permitted by the city with inspection done by a chosen inspector of the city who is a licensed plumber. All new connections of private sewer lines or laterals or repairs to private sewer lines and laterals shall conform to the requirements of Section 22-66 and the Michigan Building and Plumbing Codes.
- (p) All excavations in the public road or street shall be completed by the city or a contractor at the city's choice. The installation shall then be by representative of the property owner with inspection by the city before restoration of the public road or street is complete. The property owner shall be responsible for the cost of the excavation and restoration of the public road or street.
- (q) All excavations for building sewer and lateral installation, connection, or repair 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.

Section 2. Repealer. All ordinances or resolutions or parts of ordinances or resolutions in conflict herewith, to the extent of such conflict, are hereby changed and amended to be in compliance with this Ordinance; and to the extent the same cannot be so amended, are hereby repealed to the extent of such inconsistency.

Section 3. Effective date. This ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

Section 4. Publication and Effective Date.

Publication of this ordinance shall be made by causing a true copy thereof to be inserted once in the State Line Observer, a newspaper circulating within the City of Morenci. This ordinance shall take immediate effect after its passage and approval, as provided by law.

YEAS: Councilors Bussell, Emmons, Jarrell, Lampson, Lonis, Molitierno, & Mayor Seger
NAYS: None
ABSENT: None

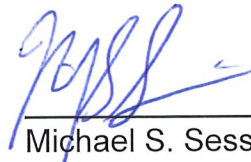
Ordinance declared adopted on February 10, 2020.



Sean D. Seger, Mayor
City of Morenci

CERTIFICATION OF ADOPTION AND PUBLICATION

I, Michael S. Sessions, the City Clerk, certify that the foregoing ordinance was properly enacted by the City Council of the City of Morenci, Lenawee County, Michigan on February 10, 2020 and that it was published in the State Line Observer on February 12, 2020.



Michael S. Sessions, City Clerk
City of Morenci