

CHAPTER 52: SEWERS

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CONSTRUCTION AND USE

§ 52.01 DEFINITIONS.

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

B.O.D. (denoting ***BIOCHEMICAL OXYGEN DEMAND***). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in parts per million by weight.

(1989 Code, App. B, § 1.170)

BUILDING DRAIN. The part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drain pipes inside the walls of the building and conveys it to the building sewer, beginning approximately five feet outside the inner face of the building wall.

(1989 Code, App. B, § 1.150)

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

(1989 Code, App. B, § 1.160)

GARBAGE. Wastes from the preparation, cooking and dispensing of foods, and the handling, storage, processing and sale of perishable produce.

(1989 Code, App. B, § 1.130)

INDUSTRIAL WASTES. The liquid wastes, solids or semi-solids from industrial processes as distinct from domestic sanitary sewage.

(1989 Code, App. B, § 1.100)

MAY. The act referred to is permissive.

(1989 Code, App. B, § 1.210)

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

(1989 Code, App. B, § 1.080)

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

(1989 Code, App. B, § 1.200)

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

(1989 Code, App. B, § 1.180)

PPM. Parts per million by weight.

(1989 Code, App. B, § 1.220)

PROPERLY SHREDDED GARBAGE. The wastes from the cooking, preparation and dispensing of food that has been cut or shredded to such a degree that all particles will be carried freely from flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

(1989 Code, App. B, § 1.140)

PUBLIC SEWER. A sewer in which all owners of abutting property have equal rights, and which is controlled by public authority.

(1989 Code, App. B, § 1.040)

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

(1989 Code, App. B, § 1.050)

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

(1989 Code, App. B, § 1.020)

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

(1989 Code, App. B, § 1.090)

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

(1989 Code, App. B, § 1.010)

SEWER. Any pipe, tile, tube or conduit for carrying sewage.

(1989 Code, App. B, § 1.030)

SHALL. The act referred to is mandatory.

(1989 Code, App. B, § 1.210)

STORM SEWER. The part of the rainfall which reaches the sewers as run-off from natural land, building, roofs or pavements or as ground water infiltration.

(1989 Code, App. B, § 1.120)

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

(1989 Code, App. B, § 1.060)

SUSPENDED SOLIDS. The solids that either float on the surface of, or are suspended in water, sewage or other liquids, and which are removable by laboratory filtering.

(1989 Code, App. B, § 1.190)

UNCONTAMINATED INDUSTRIAL WASTES. Waste water which has not come into contact with any substance used in or incidental to industrial processing operations.

(1989 Code, App. B, § 1.110)

WATERCOURSE. An open natural channel in which a flow of water occurs, either continuously or intermittently.

(1989 Code, App. B, § 1.070)

§ 52.02 USE OF PUBLIC SEWERS REQUIRED.

(A) *Pollution.* 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 village or in any area under the jurisdiction of the village any human or animal excrement, garbage or other objectionable waste.

(1989 Code, App. B, § 2.000)

(B) *Water pollution.* It shall be unlawful to discharge to any natural outlet within the village or in any area under the jurisdiction of the village, any sanitary sewage, industrial wastes, except where suitable treatment has been provided in accordance with subsequent provisions in this subchapter.

(1989 Code, App. B, § 2.010)

(C) *Privies and septic tanks.* Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended or used for disposal of sewage.

(1989 Code, App. B, § 2.020)

(D) *Sewer connection required.* The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the village and abutting on any street, alley or right-of-way in which there is located (or may in the future be located) a public sanitary sewer of the village are hereby required, at their own expense, to install suitable toilet facilities therein, and to connect such facilities directly to the public sewer in accordance with the provisions of this subchapter, within 90 days after date of official notice to do so.

(1989 Code, App. B, § 2.030)

Penalty, see § 10.99

§ 52.03 BUILDING SEWERS AND CONNECTIONS.

(A) *Permit required.* No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the village.

(1989 Code, App. B, § 3.000)

(B) *Permit fees.*

(1) There shall be two classes of building sewer permits:

(a) For residential and commercial service; and

(b) For service to establishments producing industrial wastes.

(2) In either case, the owner or his or her agent shall make application on a special form furnished by the village. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Village Clerk. A permit and inspection fee, as set annually by resolution of the Village Council, for a building sewer permit shall be paid to the village at the time the application is filed.

(1989 Code, App. B, § 3.010)

(C) *Installation costs.*

(1) All costs and expenses incident to the installation and connection of the building sewer to the public sewer shall be borne by the owner. The owner shall indemnify the village for any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(2) When subdivisions are added to or made in the village, it shall be required by the subdivider to install all sewer lines, make all connections and run all sewer lines to each lot in subdivision. The village shall refund the subdivider 25% of the connection service fee for each lot as homes are built, service required, and fee paid.

(1989 Code, App. B, § 3.020)

(D) *Separate building sewers.* 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 building 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.

(1989 Code, App. B, § 3.030)

(E) *Used building sewers.* Old building sewers may be used in connection new buildings only when they are found, on examination and test by the Village Sewer Commission, to meet all requirements of this subchapter.

(1989 Code, App. B, § 3.040)

(F) *Pipe specifications.* The building sewer shall be case iron pipe, soil pipe ASTM specifications, A74-42 or equal, vitrified clay sewer pipe ASTM specification C200-NCPI ER4-67 scheduled 40 plastic pipe, state approved plastic or equal, or other suitable material approved by the Village Sewer Commission. Joints shall be tight and water-proof. Cast iron pipe with leaded joints may be required by the Village Sewer Commission where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe; except that, non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Village Sewer Commission.

(1989 Code, App. B, § 3.050)

(G) *Slope.* The slope of the building sewer shall be subject to the approval of the Village Sewer Commission, but in no event shall the diameter be less than four inches for single residences only. All others to be determined on an individual basis by the Sewer Commission. The slope of such pipe shall be not less than one-eighth inch per foot.

(1989 Code, App. B, § 3.060)

(H) *Connections at building.*

(1) No gravity building sewer connection shall be permitted from the lower level floor level of a building unless said floor level is at least one and one-half feet above the record high water level in Lake Huron; said high water level being determined by the records of the United States Lake Survey based on the International Great Datum of 1955.

(2) 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 and in straight alignment in so far as possible. Changes in direction shall be made only with properly curved pipe and fittings.
(1989 Code, App. B, § 3.070)

(I) *Sump pump.* 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 for discharge into the main. Appropriate flow valves, system function monitors and other devices shall be installed to prevent flooding, siphon or reverse flow. The cost of installation and maintenance shall be borne by the property owner. On adoption day of this subchapter and thereafter, all sump pumps in the village now in service for the purpose of getting sewage to the main sewer line which are maintained and allowance given for electric power therefor (by resolution of the Village Council), will end upon the sale or transfer or ownership or occupancy of said property, other than present named owner or owners. Ownership of pumps will be transferred to subsequent property owners when property is sold, leased or otherwise transferred.
(1989 Code, App. B, § 3.080)

(J) *Excavations.* All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Village Inspector. Pipe laying and backfill shall be performed in accordance with ASTM specifications C12-54; except that, no backfill shall be placed until the work has been inspected.
(1989 Code, App. B, § 3.090)

(K) *Joints.*

(1) All joints and connections shall be made gas-tight and water-tight. Cast iron pipe joints shall be firmly packed with oakum and hemp and filled with molten lead, Federal Specifications QQ-L-156, not less than one inch deep. Lead shall be run in one pouring and calked tightly. No paint, varnish or other coating material shall be permitted on the jointing material until after the joint has been tested and approved.

(2) Joints for vitrified clay sewer pipe shall conform to ASTM Designation C425-66T, Type I and III, and shall be of the flexible compression type. Joint material on both bell and spigot shall be polyurethane or other approved equal. Type III joints, if used, shall have a gasket or compression ring of resilient material which will be compressed within the annular space to form a closing seal.

(3) Material for hot poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of 160°F, nor be soluble in any of the wastes carried by the drainage system.

(4) Other jointing materials and methods may be used solely by approval of the Village

Inspector.

(1989 Code, App. B, § 3.100)

(L) *Connection to public sewer.*

(1) The connection of the building sewer into the public sewer shall be made at the “Y” branch, if such branch is available at a suitable location. If the public sewer is 12 inches in diameter or less, and no properly located “Y” branch is available, the owner shall, at his or her expense, install a “Y” branch in the public sewer at the location specified by the Village DPW.

(2) Where the public sewer is greater than 12 inches in diameter and no properly located “Y” branch is available, a bell and spigot section shall be used to make the type of connection in division (L)(2)(b) below, with the spigot section shall be used not to extend past the inner surface of the public sewer the owner shall:

(a) Install a “Y” branch as heretofore specified; or

(b) Shall obtain entry by cutting a neat hole into the public sewer to receive the building sewer, either at the top for entry by means of a vertical riser, or at the side with entry in the downstream direction at an angle of about 45 degrees.

(3) The invert of the building sewer at the point of connection shall be at the same or at a high elevation than the invert of the public sewer. A smooth, neat joint shall be made and the connection made secure and water-tight by encasement in concrete. Special fittings may be used for the connection only when approved by the Village DPW.

(1989 Code, App. B, § 3.110)

(M) *Inspections.* The applicant for the building sewer permit shall notify the Village Clerk when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Village Inspector.

(1989 Code, App. B, § 3.120)

(N) *Guard excavations.* 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 village.

(1989 Code, App. B, § 3.130)

Penalty, see § 10.99

§ 52.04 USE OF PUBLIC SEWERS.

(A) *Unpolluted water.* No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, sub-surface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer. Footing drains and sump pump discharge shall not be

connected to the sanitary sewer.
(1989 Code, App. B, § 4.000)

(B) *Storm drainage.* Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the village. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the village to a storm sewer or natural outlet.
(1989 Code, App. B, § 4.010)

(C) *Prohibited uses.* Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes into a public sewer, to wit:

- (1) Any liquid or vapor having a temperature higher than 100°F;
- (2) Any water or wastes which may contain more than 100 parts per million by weight of fat or grease;
- (3) Any gasoline, benzene, naphtha, fuel oil or other inflammable or explosive liquid, solid or gas;
- (4) Any grease, oil or other substance that will become solid or viscous at temperatures between 32° and 150°F;
- (5) Any garbage that has not been properly shredded;
- (6) Any mineral oil or grease, ashes, cinders, sand, nuts, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
- (7) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having other corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
- (8) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in receiving waters of the sewage treatment plan;
- (9) Any noxious or malodorous gas or substance capable of creating a public nuisance;
- (10) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment facility;
- (11) Any wastes that contain insoluble solids in excess of 10,000 PFM or exceeds a daily average of 500 PFM or that contains a combination of soluble and insoluble material in excess of

20,000 PFM or exceeds a daily average of 2,000 PPM; and/or

(12) Any wastes containing any insoluble substance that will not pass four mesh per inch screen.

(1989 Code, App. B, § 4.020)

(D) *Interceptors*. Grease, oil and sand interceptors shall be provided when, in the opinion of the Village Inspector, they are necessary for proper handling of liquid wastes containing grease in excessive amounts any inflammable wastes, sand or other harmful ingredients; except that, such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Village Inspector, and shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures. They shall be of substantial construction, water-tight and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight.

(1989 Code, App. B, § 4.030)

(E) *Interceptor maintenance*. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

(1989 Code, App. B, § 4.040)

(F) *Preliminary treatment facilities*.

(1) The admission into the public sewer of any waters or wastes having:

(a) A five-day biochemical oxygen demand greater than 300 parts per million by weight;

(b) Containing more than 350 parts per million of suspended solids;

(c) Containing any quantity of substance having the characteristics described in division (C) above; or

(d) Having an average daily flow greater than 2% of the average daily sewage flow of the village.

(2) Where necessary, in the opinion of the village, the owner shall provide, at his or her expense, such preliminary treatment as may be necessary to:

(a) Reduce the biochemical oxygen demand to 300 parts per million by weight, and the suspended solids to 350 parts per million by weight;

(b) Reduce objectionable characteristics or constituents to within the maximum limits provided for in division (C) above; or

(c) Control the quantities and rates of discharge of such waters or wastes.

(3) Plans, specifications and any other pertinent information relating to the proposed preliminary treatment facilities shall be submitted for the approval of the village and the appropriate agency of the state and no construction of such facilities shall be commenced until the said approvals are obtained in writing.

(1989 Code, App. B, § 4.050)

(G) *Maintenance of preliminary treatment facilities.* Where preliminary treatment facilities are provided for any wastes or waters, they shall be maintained continuously in satisfactory and effective operation by the owner at his or her expense.

(1989 Code, App. B, § 4.060)

(H) *Control manholes.* When required by the village, the owner of any property served by a building sewer carrying industrial wastes shall install such control or safety devices as may be deemed necessary for the proper protection of persons or property and/or a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of waste. Such manhole, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the village. The manhole shall be installed by the owner at his or her expense and shall be maintained by him or her so as to be safe and accessible at all times.

(1989 Code, App. B, § 4.070)

(I) *Measurements and tests.* All measurements, tests and analysis of the characteristics of waters and wastes shall be determined in accordance with *Standard Methods for the Examination of Water and Sewage* 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.

(1989 Code, App. B, § 4.080)

(J) *Agreements.* No statement contained in this section shall be construed as preventing any special assessment or arrangement between the village and any person whereby any waste or unusual strength or character may be accepted by the village for treatment, subject to payment therefor by the industrial concern.

(1989 Code, App. B, § 4.090)

(K) *Point conditions apply.* All the preceding specific conditions are to apply at the point where wastes are discharged into a public sanitary sewer and all chemical and/or mechanical corrective treatment must be accomplished to practical completion before this point is reached.

(1989 Code, App. B, § 4.100)

Penalty, see § 10.99

§ 52.05 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.

(1989 Code, App. B, § 5.000) Penalty, see § 10.99

§ 52.06 POWERS AND AUTHORITY OF INSPECTORS.

The Village Inspector and other duly authorized employees of the village bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this subchapter.

(1989 Code, App. B, § 6.000) Penalty, see § 10.99

§ 52.07 REGISTRATION.

(A) No person, firm or corporation shall lay, alter or repair any house drain or sewer, or make any connection whatever with any sewer or house or building belonging to the sanitary sewer system, or do any kind of work connected with the laying of house drains or house sewers or making any repairs, additions or alterations to any drain or sewer connected, or designed to be connected, with the sanitary sewer system, unless regularly registered by the village and bond posted in amount required by the village. Any person doing such work without registration shall be deemed guilty of a violation of this subchapter and shall be subject to penalties as hereinafter provided.

(1989 Code, App. B, § 7.000)

(B) Any person, firm or corporation desiring to do business as a sewer builder and to construct house drains connecting with the sewer system of the village shall file with the Village Clerk a petition giving the name of the individual, firm or corporation, together with his or her place of business and such other information as may be required by the village and asking to be registered by the Village Clerk as a sewer builder. Such petition must show that he or she is experienced in his or her trade and willing to be governed in all respects by the rules and regulations which are or may be adopted by the village. Each applicant shall, at the time of making his or her application, pay an annual registration fee, to be set annually by resolution of the Village Council, application shall contain an agreement on the part of the applicant that if licensed he or she will indemnify and save harmless the village from all accidents and damages by any negligence in protecting his or her work, or by an unfaithful, imperfect, inadequate careless or unskilled work done by him or her, and that he or she will also promptly and at proper time replace and restore sidewalk, pavement or street surface or any opening he or she may have made, to as good a state and condition as he or she found previous to opening the same, and keep and maintain the same in good order to the satisfaction of the village for a period of one year thereafter and shall post bonds in the amounts required by the village. On receiving his or her license, the Village Clerk shall make a record thereof and of the actual place of business, the name under which the business is transacted and the licensee shall immediately notify the Village Clerk of any change in either thereafter. No license shall be granted for more than one year and all licenses shall be granted to expire on May 1 next succeeding their issue. The contractor shall provide bond as required by the village.
(1989 Code, App. B, § 7.010)

OPERATION AND MAINTENANCE

§ 52.20 OPERATION.

It is hereby determined to be desirable and necessary, for the public health, safety and welfare of the village, that the County Sanitary Sewer Disposal System No. 1 (Village of Port Sanilac) be operated by said village and the County Board of Public Works on a public utility rate basis, in accordance with the provisions of Public Act 94 of 1933, being M.C.L. §§ 141.101 through 141.140 as amended.
(1989 Code, App. A, § 1.000)

§ 52.21 DEFINITIONS.

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

REVENUES and ***NET REVENUES***. The meanings as defined in Public Act 94 of 1933, § 3, being M.C.L. § 141.103, as amended.

SYSTEM. The complete County Sanitary Sewage Disposal System No. 1 (Village of Port

Sanilac), including all sewers, pumps, lift stations, treatment facilities 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.

(1989 Code, App. A, § 1.010)

§ 52.22 MANAGEMENT OF SYSTEM.

The operation, maintenance, alteration, repair and management of the system shall be under the supervision and control of the Village Council, subject to the terms of the previously executed contract between the county and the village. Said Village Council may employ such person or persons in such capacity or capacities as it deems advisable to carry on the efficient management and operation of the system and may make such rules, orders and regulations as it deems advisable and necessary to assure the efficient management and operations of the system.

(1989 Code, App. A, § 1.020)

§ 52.23 RATES AND CHARGES; PUBLISHED IN ANNUAL FEE SCHEDULE.

(A) *Rates.* Rates to be charged for service furnished by the system shall be published in the Annual Fee Schedule set out in § 10.99.

(1) *Sewer use charges.* Charges for sewer use shall be levied upon all premises having any sewer connection with the public sewers at a rate equal to 100% of the charges for water furnished to such premises. Where all or part of the water service to the premises is from a source other than the village system, water consumption may be estimated.

(2) *Sewer use charges.*

(a) There shall be paid on behalf of each single-family residential premises tapping into any of the sewer lines comprising the system, in cash, at the time of application for the tap use, permit, a charge for the privilege of using the facilities and receiving the service of the system in the amount of \$750, plus such sums as will compensate for the cost of making and inspecting the tap.

(b) The village shall adopt and revise from time to time a schedule of tap charges, published in the Annual Fee Schedule, for premises other than single-family residences based on the ratio of sewage use of such class of premises to normal single-family residential use.

(3) *Special rates.* For miscellaneous or special services for which a special rate shall be established, such rates shall be fixed by the Village Council and published in the Annual Fee Schedule.

(B) *Billing.* Bills will be rendered quarterly at the same time as the village water billings.

(C) *Enforcement.*

(1) The charges for services which are under the provisions of Public Act 94 of 1933, § 21, being M.C.L. § 141.121, as amended, made a lien on all premises served thereby, unless notice is given that a tenant is responsible, are hereby recognized to constitute such lien, and whenever any such charge against any piece of property shall be delinquent for six months, the village official or officials in charge of the collection thereof shall certify annually on June 1 of each year, to the Tax Assessing Officer of the village the facts of such delinquency, whereupon such charge shall be by him or her 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 village taxes against such premises are collected and lien thereof enforced. Where notice is given that a tenant is responsible for such charges and services as provided by said § 21, no further service shall be rendered such premises until a cash deposit in the amount of \$50 shall have been made as security for payment of such charges and service.

(2) In addition to the foregoing, the village shall have the right to shut off sewer service to any premises, as the law regulates, for which charges for sewer service are more than six months delinquent, and such service shall not be reestablished until all delinquent charges and penalties and a turn-on charge, to be specified by the Village Council have been paid. Further, such charges and penalties may be recovered by the village by court action.
(1989 Code, App. A, § 1.030)

(D) *Schedule of sewer use charges.* The schedule of sewer use charges shall be in the Annual Fee Schedule, if applicable.
(1989 Code, App. A, Schd.)

§ 52.24 NO FREE SERVICE.

No free service shall be furnished by said system to any person, firm or corporation, public or private, or to any public agency or instrumentality.
(1989 Code, App. A, § 1.040)

§ 52.25 RATES SUFFICIENT FOR PAYMENT OF EXPENSES.

The rates hereby fixed are estimated to be sufficient to provide for the payment of the expenses of administration and operation, such expenses for maintenance of the said system as are necessary to preserve the same in good repair and working order, to provide for the payment of the contractual obligations of the village to the county pursuant to the aforesaid contract between said county and the village as the same become due, and to provide for such other expenditures and funds for said system as this subchapter may require. Such rates shall be fixed and revised from time to time as may be necessary to produce these amounts.
(1989 Code, App. A, § 1.050)

§ 52.26 OPERATING YEAR.

The system shall be operated on the basis of a fiscal year corresponding with that of the village's water system.

(1989 Code, App. A, § 1.060)

§ 52.27 SET ASIDE REVENUES.

(A) *Receiving Fund.* The revenues of the system shall be set aside, as collected, and deposited in a separate depository account in a bank duly qualified to do business in the state, in an account to be designated Sewage Disposal System Receiving Fund (hereinafter, for brevity, referred to as the "Receiving Fund"), and said revenues so deposited shall be transferred from the Receiving Fund periodically in the manner and at the times hereinafter specified.

(B) *Operation and Maintenance Fund.* Out of the revenues in the Receiving Fund, there shall be first set aside quarterly into a depository account, designated Operation and Maintenance Fund, a sum sufficient to provide for the payment of the next quarter's current expenses of administration and operation of the system and such current expenses for the maintenance thereof as may be necessary to preserve the same in good repair and working order.

(C) *Contract Payment Fund.* There shall next be established and maintained a depository account, to be designated Contract Payment Fund, which shall be used solely for the payment of the village's obligations to the county pursuant to the aforesaid contract. There shall be deposited in said Fund quarterly, after requirements of the Operation and Maintenance Fund have been met, such sums as shall be necessary to pay said contractual obligations when due. Should the revenues of the system prove insufficient for this purpose, such revenues may be supplemented by any other funds of the village legally available for such purpose.

(D) *Replacement Fund.* There shall next be established and maintained a depository account designated Replacement Fund, which shall be used solely for the purposes of making major repairs and replacements to the system if needed. There shall be set aside into said Fund, after provision has been made for the Operation and Maintenance Fund and the Contract Payment Fund, such revenues as the Village Council shall deem necessary for this purpose.

(E) *Improvement Fund.* There shall next be established and maintained an Improvement Fund for the purpose of making improvements, extensions and enlargements to the system. There shall be deposited in said Fund, after providing for the foregoing fund, such revenues as the Village Council shall determine.

(F) *Surplus moneys.* Moneys remaining in the Receiving Fund at the end of any operating year, after full satisfaction of the requirements of the foregoing funds, may, at the option of the Village Council, be transferred to the Improvement Fund or used in connection with any other project of the village reasonably related to purposes of the system.

(G) *Bank accounts.* All moneys belonging to any of the foregoing funds or accounts may be kept in one bank account, in which event the moneys shall be allocated on the books and records of the village within this single bank account, in the manner above set forth.
(1989 Code, App. A, § 1.070)

§ 52.28 INSUFFICIENT FUNDS; RECEIVING FUND.

In the event the moneys in the Receiving Fund are insufficient to provide for the current requirements of the Operation and Maintenance Fund, any moneys or securities in other funds of the system, except sums in the Contract Payment Fund derived from tax levies and special assessments, shall be transferred to the Operation and Maintenance Fund to the extent of any deficit therein.
(1989 Code, App. A, § 1.080)

§ 52.29 INVESTMENTS.

Moneys in any fund or account established by the provisions of this subchapter may be invested in obligations of the United States of America in the manner and subject to the limitations provided in Public Act 94 of 1933, being M.C.L. §§ 141.101 through 141.140 as amended. In the event such investments are made, the securities representing the same shall be kept on deposit with the bank and trust company having on deposit the fund or funds from which such purchase was made. Income received from such investments shall be credited to the fund from which said investments were made.
(1989 Code, App. A, § 1.090)