

CHAPTER 1

SEWAGE DISPOSAL

SECTION 1.00 TITLE

This Chapter shall be known and cited as the Rives Township Sewage Disposal Ordinance. (Ord. No. 2014-1)

SECTION 1.01 PURPOSE

The purpose of this Chapter is to protect health, safety and welfare by requiring compliance with the Jackson County Health Department and the State of Michigan Health Code for the disposal and movement of sewage and other materials to and from properties in the Township.

SECTION 1.02 REGULATIONS

All sewage and environmental activities must conform to the rules and guidelines of the Jackson County Health Dept. and the State of Michigan Health Code.

SECTION 1.03 SPECIFIC ENVIRONMENTAL ACTIVITIES SUBJECT TO REGULATIONS

The following environmental activities are subject to approval of the Environmental Health Division of the Jackson County Health Department

- A. Septic Systems
- B. Water Wells
- C. Water Quality
- D. Public Water Supply
- E. Soil Erosion
- F. Household Hazardous Waste

SECTION 1.04 CONNECTIONS TO SEWER REQUIREMENT

- A. Existing homes with well and septic within 300 feet of a sewer line within an adjacent or abutting road must connect to the sewer line when their septic system fails.
- B. New homes or businesses built within 300 feet of a road having the sewer system must be connected to the system.
- C. New Subdivisions connecting that adjoin or abut a road with a sewer line must connect to the sewer system.

SECTION 1.05 PENALTY FOR VIOLATION

A person who violates any provision of this Chapter is responsible for a municipal civil infraction and subject to payment of a civil fine of not less than one hundred (\$100.00) dollars and not more than five hundred (\$500.00) dollars, plus costs, attorney fees and other sanctions as permitted under Chapter 87 of the Revised Judicature Act, P.A. 236 of 1961, being MCL 600.8701 et. seq., as amended. An authorized local official is hereby authorized to issue and process municipal civil infraction citations in accordance with the Rives Township Municipal Civil Infractions Ordinance and as otherwise permitted by law. If a person is found responsible for a municipal civil infraction under this Chapter, a civil fine shall be assessed as follows:

1st offense - Minimum fine of one hundred (\$100.00) dollars and maximum of five hundred (\$500.00) dollars, plus costs;

1st repeat offense - Minimum fine of two hundred (\$200.00) dollars and maximum of five hundred (\$500.00) dollars, plus costs;

2nd repeat offense - Minimum fine of three hundred (\$300.00) dollars and maximum of five hundred (\$500.00) dollars, plus costs.

For the purpose of this section, a "repeat offense" means a second or subsequent violation of the same requirement or provision of this Chapter. Nothing in this subsection shall be interpreted as abrogating the Township's right to proceed with an appropriate equitable action in the Jackson County Circuit Court to enjoin and/or abate any violation of the terms of this Chapter. Each day that a violation is permitted to continue shall constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Chapter.

SECTION 1.06 SEVERABILITY

If any section, subsection, subparagraph, sentence, clause, phrase, or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 1.07 CONFLICTING REGULATIONS

The provisions of this Chapter shall control over any ordinance or parts of ordinances in conflict with any provision herein except the Rives Township Sewer Connection, Use and Rate Ordinance, Ordinance 2007-1, as amended. If any conflict occurs between this Chapter and Ordinance No. 2007-1, as amended, the regulation which is more restrictive shall apply.

SECTION 1.08 ADOPTION HISTORY

Ordinance No. 2014-1 was adopted on August 14, 2014 repealing and replacing Ordinance No. 1 of 1954, formerly recognized as Chapter 1 in this Code of Ordinances.