



Livingston County Department of Public Health
Environmental Health Division

Sanitary Code

Effective January 4, 1993

**LIVINGSTON COUNTY DEPARTMENT OF PUBLIC HEALTH
SANITARY CODE**

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CHAPTER I GENERAL PROVISIONS

Section 100 Jurisdiction, Administration, and Fees

100.01 Authority

By virtue of the power vested in the Board of Health of the Livingston County Health Department under Act 368 of the Public Acts of 1978, as amended, there are hereby provided regulations affecting public health; welfare and safety.

100.02 Jurisdiction

The Health Officer shall have jurisdiction throughout Livingston County including all cities, villages and townships, in the administration and enforcement of these regulations and amendments hereafter adopted except in such governmental units that, by law, have adopted applicable regulations equal to or more stringent than those contained herein or unless otherwise specifically stated.

100.03 Right of Entry and Inspection

No person shall refuse to permit the Health Officer or his duly authorized representatives, after proper identification, to inspect any premise at reasonable hours of the day nor shall any person hinder, oppose or resist the Health Officer or his duly authorized representative in the discharge of his duty and the protection of the public health. Sections 2241-2247 of Act 368 of the Public Acts of 1978, as amended, apply to an inspection or investigation made by the Health Officer or his duly authorized representative.

100.04 Interference with Notices

No person shall remove, mutilate or conceal any notice or placard posted by the Health Officer except by written permission of the Health Officer.

100.05 Abatement of Public Health Nuisances

Nothing stated in these regulations shall be construed to limit the power of the Health Officer to order the immediate and complete abatement of a public health nuisance or menace to the public health.

100.06 Fee Schedule

A schedule of fees for licenses, permits and other services authorized by this Code shall be adopted from time to time by the Livingston County Board of Commissioners, pursuant to Section 2444 of Act 368 of the Public Acts of 1978, as amended. Fees shall be made payable to the Livingston County Health Department. Said fee schedule shall be effective as

prescribed therein and after publication at least once in a newspaper of general circulation in the county of Livingston.

100.07 Handling of Fees

All fees collected by the Health Officer shall be receipted for and deposited with the Treasurer of Livingston County to the credit of the Health Department.

100.08 Enforcement

All premises affected by the regulations of this Code shall be subject to inspection by the Health Officer and the Health Officer may collect such samples for laboratory examination as he deems necessary for the enforcement of these regulations.

100.09 Validity

If any section, subsection, clause or phrase of these regulations is for any reason judged unconstitutional or invalid, it is hereby provided that the remaining portions of these regulations shall not be affected.

100.10 Other Laws and Regulations

These regulations present minimum standards which are supplemental to laws of the State of Michigan relating to public health, environment and to the laws and regulations duly promulgated by the Michigan Department of Public Health or Michigan Department of Natural Resources. Where any provision of this Code or a provision of any other state or local statute, ordinance or regulation both apply, the more restrictive of any or all provisions, statutes, ordinances, or regulations shall prevail.

100.11 Notification

Notification of the adoption of all regulations promulgated by the Board of Commissioners of Livingston County, under authority of Act 368 of the Public Acts of 1978, as amended, shall be published in a newspaper circulated in the respective county within thirty (30) days after adoption, indicating where copies of such regulations may be obtained.

100.12 Effective Date

These regulations or amendments thereto shall become effective on the 45th day after the date of approval by the Livingston County Board of Commissioners or at such other time as specified by the Board of Commissioners in accordance with the requirement set forth in Section 2441 of Act 368 Public Act of 1978, as amended.

100.13 Pre-existing Violations

No violation of any repealed section or provision shall be made legal by virtue of a new effective date of these regulations. Any act, situation or condition of premises or things

which, when created or first allowed to exist was a violation of the Livingston County Regulations, shall continue to be a violation of these regulations if a similar section or provision is a part of these regulations. Any action, issuance of permit, or maintenance of a condition that was mandatory, under the provisions of the regulations now repealed, shall continue to be required if the same or similar provision is contained in these regulations.

100.14 Liberal Construction

These regulations and any amendments hereto are intended to be consistent with applicable Federal and State Law and shall be construed when necessary to achieve that consistency. Further, these regulations and amendments hereto shall be liberally construed for the protection of the health, safety, and welfare of the people of Livingston County.

100.15 Civil Citations

The Health Officer or his duly authorized representative, shall have the power and authority to issue and serve civil citations as provided by Section 2461 of Act 368 of the Public Acts of 1978, as amended.

100.16 Appearance Tickets

In a manner prescribed in Sections 2441 and 2442 of Act 368 of the Public Acts of 1978, as amended, the Health Officer and/or his duly authorized representative is authorized to issue and serve appearance tickets pursuant to Sections 9(A) - 9(G) of Chapter IV of Act 175 of the Public Acts of 1927, as amended, being Section 764.9(A) - 764.9(G) of the Michigan Compiled Laws.

100.17 Amendments

The Board of Commissioners of Livingston County may, from time to time, amend, supplement or change these regulations, in accordance with Act 368 of the Public Acts of 1978, as amended.

100.18 Penalties

Except as otherwise specifically provided herein, a person who violates a regulation of this Code shall be guilty of a misdemeanor, punishable by imprisonment for not more than 90 days or a fine of not more than two hundred dollars (\$200.00) or both.

100.19 Injunctive Proceedings

Notwithstanding the existence and pursuit of any other remedy, the Health Officer may maintain an action in his own name in a court of competent jurisdiction for an injunction or other process against any person to restrain, prevent, or correct a violation of a law, rule, or order which the Health Officer has the duty to enforce, or to restrain, prevent, or correct an activity which the Health Officer believes adversely affects the public health.

Section 101 General Definitions

101.01 Board of Health

The Board of Health of Livingston County

101.02 Health Department

The Livingston County Health Department.

101.03 Health Officer

The Director of the Livingston County Health Department or his duly authorized representative.

101.04 Municipality

Any incorporated city, village or township within the county of Livingston.

101.05 Habitable Building

Any permanent or temporary building or structure where persons reside, live, sleep, cook, work or congregate, or any combination thereof.

101.06 Interchangeability

When no inconsistent with the context, words used in the masculine form including the feminine, or the reverse; words used in the present tense include the future; words in singular number include the plural number, and words in the plural number include the singular.

101.07 Premises

Any tract of land with or without any building thereon. Premises includes any other parcels of property regardless of description, that adjoin, abut, or are in close proximity to the subject property.

101.08 Person

Any individual, firm partnership, party corporation, company, society, association or other legal entity.

101.09 Public Health Nuisance

The words "public health nuisance" shall be held to embrace public nuisance as known at common law or in equity and shall include public, private and mixed nuisances; conditions existing that injure, endanger, or a detrimental to human life.

101.10 Other Words or Terms

The word "shall" is always mandatory, and "may" is merely permissive. Words or terms not defined herein shall be interpreted in the manner of their common meaning.

101.11 Working Day

A day or any part thereof when the Health Department is open for business.

101.12 Owner

Any person, agent, firm, corporation, partnership, association or any other legal entity having a legal or equitable interest in the property.

CHAPTER II SANITARY CODE APPEALS PROCEDURE

Section 200 Board of Appeals

In order to provide for reasonable and equitable interpretations and applications of the provisions of these regulations, there is hereby created an "Appeals Board." The Board of Appeals shall consist of not less than five (5) members, who shall be representative of varied interests. All members shall be qualified electors of the county and shall be selected upon the basis of their respective qualifications and fitness to serve as members of the Appeals Board without consideration of their political activities.

The Livingston County Board of Health shall recommend members to serve on the Board of Appeals to the Livingston County Board of Commissioners. Appointment of members of the Board of Appeals shall be made by the chairman of the Board of Commissioners. One (1) of the five (5) members shall be a member of the Livingston County Board of Health who shall be appointed annually for a one (1) year term. Of the remaining positions there shall be appointed: one (1) registered sewage system installer, one (1) licensed well driller, and two (2) persons from the general public. Initially the four (4) members shall be appointed for one, two, three, and four year terms with eligibility for reappointment. Thereafter, the terms shall be for four (4) years. Vacancies shall be filled by appointment for the balance of the unexpired terms.

The Board of Appeals shall select a chairman and shall hear and maintain records of all appeals presented in accordance with rules and procedures established by said Board.

Section 201 Hearing of Appeals

201.1 Hearing Before the Health Officer

Any person affected by any order, decision, or notice issued by the Health Department in connection with the enforcement of any section of this Code, may file in the office of the Livingston County Health Department a written petition, along with the appropriate fee, requesting a hearing before the Health Officer, provided such petition is received within twenty (20) days after the order, decision, or notice issued is received by the petitioner. The Health Officer shall hold a hearing at a time, date, and place designated by him within thirty (30) days from the date on which the written petition was filed, except in instances where the petitioner's request for a variance will not impact upon other property owners as determined by the Health Officer. The petitioner shall be notified of the time, date, and place of the hearing not less than five (5) days prior to the date on which the hearing is to be held. The requirement to receive a written petition within twenty (20) days after the order, decision, or notice issued is received by the petitioner may be waived and extended by the Health Officer and/or his duly authorized representative when said order, decision, or notice does not require the correction or any remedial action to a known or suspected public health problem.

If, as a result of the hearing, the Health Officer finds that strict compliance with the order, decision, or notice issued would cause undue hardship on the petitioner, and that the public health, safety, or welfare of the people of Livingston County would be adequately protected and substantial justice done by varying or withdrawing the order, decision, or notice, the Health Officer may dismiss, or modify the order, decision, or notice and as a condition for such action may, where he deems it necessary, make requirements which are additional to those prescribed in this code for the purpose of properly protecting the public health. The Health Officer shall render a decision within ten (10) days after the date of the hearing which shall be reduced to writing and placed on file in the office of the Health Department as a matter of public record. The decision of the Health Officer shall be final, unless within sixty (60) days of the decision the petitioner requests in writing, along with the appropriate fee, a hearing before the Board of Appeals.

If, as a result of reviewing a written petition requesting a hearing before the Health Officer, the Health Officer finds that it would be in the petitioner's best interest to have the appeal heard directly by the Board of Appeals, the Health Officer may, within ten days of receiving said petition, inform the petitioner in writing that the request for a hearing before the Health Officer is denied and that said petition should be submitted, along with the appropriate fee, for a hearing before the Board of Appeals.

201.2 Hearing Before the Board of Appeals

Any person aggrieved by a decision of the Health Officer rendered as a result of a hearing held in accordance with this chapter of the Sanitary Code, or has had a hearing request denied by the Health Officer and waived for a hearing before the Board of Appeals, may file in the office of the Health Department a written petition, along with the appropriate fee, for a hearing before the Board of Appeals, provided such petition is received within sixty (60) days after notification is received of the Health Officer's final decision. Supporting documentation shall accompany the petition and shall include adequate information for the Board of Appeals to adequately review, discuss, and render a decision. Opportunity for a hearing before the Board of Appeals shall be granted at the discretion of the Board of Appeals at the next regularly scheduled monthly meeting, or at a special meeting specifically called for the purpose. The decision of the Board of Appeals to grant or deny an opportunity for a hearing before the Board of Appeals shall be reduced to writing and provided to the petitioner within thirty (30) days from the date on which the written petition was filed. The petitioner shall be notified of the time, date, and place of the hearing not less than five (5) days prior to the date on which the hearing is to be held. No hearing shall be scheduled within less than fifteen (15) days, nor more than forty-five (45) days after receipt of the written petition and fee. The Board shall furnish the petitioner with a written statement of its final decision to affirm, dismiss, or modify the decision of the Health Officer within thirty (30) days following the hearing of any appeal.

The Health Officer or Board of Appeals may grant individual variances from the requirements of these regulations only when the Health Officer or Board has determined that all the following conditions exist:

1. that no substantial health hazard or nuisance is likely to occur therefrom;
2. that strict compliance with regulations and requirements would result in unnecessary or unreasonable hardship;
3. that no State statute, or other applicable laws, would be violated by such variance;
4. that the proposed variance would provide essentially equivalent protection for the public health and would be in the public interest; and
5. the decision is not in significant conflict with the intent and purpose of the Livingston County Sanitary Code.

Any variance granted by the Health Officer or Board of Appeals is valid for a period of not more than one (1) year from the date issued unless otherwise specified in the variance.

CHAPTER III SEWAGE DISPOSAL

Section 300 Definitions Applicable to This Chapter

300.01 Approved

"Approved" shall mean acceptable for intended use as judged by the Health Officer by utilizing public health rules, regulations and technical data.

300.02 Aquifer

"Aquifer" means underground water-bearing earth or rock material through which groundwater moves in sufficient quantity to serve as a source of water supply.

300.03 Artesian

The action of water under pressure, rising above the permeable stratum.

300.04 Automatic Siphon or Sewage Ejector Pump

An "automatic siphon or sewage ejector pump" is a device which will cause a liquid entering a receptacle to be retained until a predetermined high water level has been attained, after which it is automatically released or pumped from the receptacle until a second predetermined low water level has been reached, at which time the flow from such receptacle ceases until the high water level has again been attained.

300.05 Distribution Box

A "distribution box" is a watertight receptacle with inlets and outlets and so designed for the purpose of equally distributing septic tank effluent to the soil absorption system.

300.06 Dosing Chamber

A "dosing chamber" is a watertight receptacle used for the purpose of receiving and retaining the overflow or effluent from a septic tank, pending its automatic discharge to a selected point by siphon or pump.

300.07 Drywell

A "drywell" is an underground enclosure connected to the outlet of a septic tank, commercially pre-cast with open slots or constructed of concrete blocks, bricks or similar material loosely laid with open joints and surrounded with washed stone so as to allow the septic tank overflow or effluent to be absorbed directly into the surrounding soil.

300.08 Flush Toilet

A "flush toilet" shall mean a plumbing receptacle containing a portion of water which receives human excrete and so designed as by means of a flush of water to discharge the contents of the receptacle into a sewer.

300.09 Garbage Disposal Unit

A "garbage disposal unit" is a mechanical device generally located in a sink drain and so designed to macerate garbage prior to discharge into a sewer.

300.10 Grease Trap

A "grease trap" is a baffled watertight tank or receptacle located forward of the septic tank having an inlet and outlet and so designed to permit the separation and removal of the more buoyant, greasy, fatty, and oily wastes from the sewage prior to discharge into the septic tank.

300.11 High Groundwater Elevation

"High groundwater elevation" means the elevation of the groundwater at the upper surface of the zone of saturation as may occur during wettest periods of the year as observed as a free water surface in an unlined hole or has been saturated as may be indicated by mottling (soil color patterns), whichever of the two levels is higher. Highest groundwater elevation shall be determined by using generally accepted soils evaluation practices and shall be consistent with practices used by the U.S. Soils Conservation Service. Data used in determining highest groundwater elevation shall include the Soils Survey of Livingston County, site drainage, and observation of actual soil characteristics as observed during onsite investigations.

300.12 Holding Tank

A "holding tank" is a watertight tank or receptacle used for the purpose of receiving and retaining sewage with no outlet for soil absorption disposal.

300.13 Industrial Wastes

"Industrial wastes" mean the liquid waste products from industrial processes as distinguished from domestic sewage.

300.14 Michigan Criteria for Subsurface Sewage Disposal

A Michigan Department of Public Health publication adopted by the Michigan Water Resources Commission as a policy statement to provide minimum standards for the underground disposal of sanitary sewage up to 10,000 gallons/day. The criteria apply to all semi-public or public subsurface sewage disposal systems.

300.15 Nuisance

A "nuisance" shall include, but not be limited to, any condition where effluent from any sewage disposal system is exposed to the surface of the ground or is permitted to drain on or to the surface of the ground, into any ditch, storm sewer, lake or stream or when the odor, appearance, or presence of sewage effluent has an obnoxious or detrimental effect on or to the senses and/or health of persons or when it shall obstruct the comfortable use or sale of adjacent property.

300.16 Original Ground Surface

The highest elevation of a natural occurring soil profile as altered by climatic elements and living matter originally formed mainly from materials that were deposited by or associated with glaciers. "Filled ground" or "made land" is not considered as part of the naturally occurring soil profile.

300.17 Other Toilet Devices

"Other toilet devices" shall mean privies, septic toilets, chemical toilets, electric toilets, composting toilets, and other devices used for the disposal of human excreta as may be approved by the Health Officer.

300.18 Percolation Test

A method of estimating the capacity of an existing soil formation to receive, disperse and absorb (percolate) the anticipated quantities of effluent (outflow) from a septic tank or other treatment device.

300.19 Portable Toilet

A "portable toilet" shall mean an enclosed facility containing an easily cleanable watertight container, which is vermin proof, for reception of human excreta and is used on a temporary basis at transitory gatherings or construction sites.

300.20 Private Sewage Disposal System

An onsite subsurface sewage disposal system serving a single or two family dwelling unit.

300.21 Reserve Area

The area and location that shall be maintained for the construction and operation of a replacement onsite subsurface sewage disposal system. This area and location is subject to and shall meet the same minimum criteria for permit approval as the location of the original system.

300.22 Scaled Plot Plan

A drawing of accurate representation to a specified scale which shall include but not limited to: (1) property boundaries and dimensions, (2) house, structure or building locations and dimensions, (3) location and distances of neighboring wells, septic systems, underground fuel oil tanks and storm drains within 100 feet of property boundaries, (4) location of proposed well and onsite sewage disposal system including area designated for replacement systems, (5) location of acceptable soil borings, (6) location of surface water, wetlands and flood plains if applicable, (7) location of proposed or existing underground utilities if applicable (e.g. telephone cable, electric, water supply, sewers, gas, (8) all easements located on the proposed building site, (9) location of proposed or existing underground facilities if applicable, (10) location of proposed or existing above or below ground swimming pools, decks, detached garages, storage structures or other structures and facilities which may impact water supply and/or sewage disposal systems or construction of same.

300.23 Semi-public or Public Sewage Disposal Systems

Any onsite subsurface sewage disposal system serving premises other than single and two family dwellings.

300.24 Septic Tank

A "septic tank" is a watertight tank or receptacle used for the purpose of receiving sewage, having an inlet and outlet and so designated to permit the separation of solids in suspension and to permit such retained solids to undergo decomposition therein prior to releasing the treated effluent or outflow to an approved soil absorption system.

300.25 Sewage

"Sewage" is a combination of the domestic liquid or semi-solid wastes conducted away from a dwelling or habitable building. This includes human excreta, garbage disposal wastes, dish water, bath water, laundry wastes, basement drains, etc. but excludes roof storm water, water softener discharge, footing drains and storm water discharge.

300.26 Sewage Disposal System

A "sewage disposal system" shall mean a system, other than a public system, which is under the jurisdiction of Act 98 of the Public Acts of 1913, as amended, being Sections 325.201 through 325.214 of the compiled laws of Michigan which receives either human excreta, sewage waste or both. Included within the scope of this definition are septic tank-soil absorption systems, aeration systems, package treatment plants, lagoons, privies, chemical toilets, composting toilets, or any similar contrivance used in the treatment and disposal of sewage as may be approved by the Health Officer.

300.27 Sewer

A "sewer" is a watertight conduit used for transporting sewage.

300.28 Soil Absorption Field

A "soil absorption field" is a system utilizing the soil for subsequent absorption of septic tank effluent; e.g., a drywell, drainfield bed, absorption trench, or other approved disposal systems.

300.29 Stone

"Stone" shall mean stone graded according to Michigan State Highway "6A" gradation specifications:

100% passes 1 ½" screen
95-100% passes 1" screen
30-60% passes ½" screen
0- 8% passes #4 screen
1% maximum lost by washing

300.30 Surface Water

"Surface water" shall mean any lake, stream, or permanent open body of water. This does not include storm water retention or detention basins.

300.31 Variance

"Variance" shall mean a deviation or modification from the rules and regulations printed herein as may be permitted by the Health Officer or Appeals Board.

Section 301 General Sewage Disposal Requirements

301.01 Separate Systems for Each Building

Unless otherwise specifically approved by the Health Officer, each habitable building or dwelling shall be served by its own individual sewage disposal system within its own property boundaries.

301.02 Connections Required

All facilities such as flush toilets, urinals, lavatories, sinks, bathtubs, showers, wash machines or any other facility from which sewage emanates shall be connected to an approved sewage disposal system except that any such facilities hereafter installed on a premise where public sewer is available shall be connected to said public sewer. Available public sanitary sewer system means a public sanitary sewer system located in a right-of-way, easement, highway, street or public way which crosses, adjoins or abuts upon the property and passing not more than 200 feet at the nearest point from a structure in which sanitary sewage originates.

After the effective date of this amendment to the Livingston County Sanitary Code, which is January 4, 1993, the water softener line shall not be connected or discharged into an onsite

sewage disposal system. Units installed in buildings constructed prior to the effective date of this amendment may be permitted to discharge into an existing onsite sewage disposal system if no other possibility exists due to the physical constraints of the structure and if approved by the Health Officer. All discharge lines shall be constructed and installed in accordance with the Michigan State Plumbing Code, including but not limited to a proper air gap.

301.03 Connection Required to a Municipal Sewerage System

In the absence of a publicly operated sewerage system, connection shall be made to a sewage disposal system constructed in accordance with the provisions of these regulations.

When any existing sewage disposal system serving any premises where a publicly operated sewerage system is available and reasonably accessible as defined in Sections 12751-12758, Act 368 of the Public Acts of 1978, as amended, is found in violation of any provision of these regulations, or of any other applicable health law, the owner shall correct the violation by proper connection to said publicly operated sewerage system. Such connection shall be made within a time limitation, as specified by the Health Officer.

301.04 Abandonment of Sewage Disposal Systems

When any existing sewage disposal system is abandoned or its use terminated, the existing septic tank(s), drywell(s), etc. shall be pumped out and filled with sand or an approved material. When an existing sewage disposal system is abandoned due to connection to a municipal sewer system the sewer authority shall have a program in place or shall address in an ordinance a requirement for septic tanks, dry wells, etc. to be abandoned in accordance with these rules. The sewer authority shall be responsible for enforcement.

301.05 Permits

No person shall construct, alter or extend any private or semi-public sewage disposal system unless he has obtained a permit issued by the Health Officer or his duly authorized representative. All permit forms shall be provided by the Livingston County Health Department.

- A. All public and semi-public sewage disposal systems shall be installed or constructed by a properly licensed sewage disposal system installer.
- B. A sewage disposal system serving a single or two family residence used for the purposes of the property owner's own personal residence may be installed either by a licensed sewage disposal system installer or the property owner.

301.06 Contractor Licensing

Any person, firm, company or corporation that shall engage in the business of installation of a sewage disposal system or any part thereof under the provisions of this regulation must be licensed with the Livingston County Health Department in accordance with Chapter VIII of

the Livingston County Sanitary Code. In no way shall this provision be construed to prohibit an individual from installing his own sewage disposal system to serve his own personal single or two family residence provided that he obtains a permit from the Livingston County Health Department.

301.07 Application for Permit

Application for a permit to construct, alter or replace a private or semi-public sewage disposal system shall be made in writing by the property owner, a licensed building contractor, a licensed sewage disposal system installer or their representatives, to the Health Officer. The application shall include the name and address of the applicant and property owner, location of the property, and a survey (on property less than 15 acres) or a recorded platted lot showing lot dimensions on which said construction is proposed. Each application shall be accompanied by three (3) copies of a scaled plot plan showing the proposed sewage disposal system and all relevant isolation distances. The actual or proposed use of the property shall be indicated in all instances.

At his discretion, the Health Officer may require substantiating engineered data including but not limited to: soil analysis test borings, percolation tests, hydrogeological information and flood elevations.

The Health Officer may, at his discretion, require that the design plans and specifications for a sewage disposal system be prepared by a registered professional engineer or registered architect.

301.08 Application for Semi-public Permit

Design plans to construct a sewage disposal system serving other than a single or two family dwelling with less than 10,000 gpd of sewage flow shall be prepared in accordance with the Michigan Department of Natural Resources, Water Resources Commission policy statement regulating underground disposal of sanitary sewage through subsurface soil absorption systems. Detailed construction plans, prepared by a registered professional engineer, for systems constructed under these guidelines will be required. Submittal of detailed construction plans may be waived at the discretion of the Health Officer for calculated low flows less than 1,000 gallons per day.

301.09 Priority Over Building Permits

No municipality or township or other agency shall issue a building permit or otherwise allow commencement of construction of any habitable building on any land where public sewers are not available until a permit has first been obtained from the Health Officer for a sewage disposal system and proof of permit has been received. No municipality or township or other agency shall issue a permit or allow commencement of construction of an addition, major alteration, or extensive remodeling of any existing habitable building located on any land where public sewers are not available until a permit has first been obtained for construction of an onsite sewage disposal system or acceptance of continued use of the existing onsite sewage disposal system has been obtained from the Health Officer.

301.10 Permit Termination

Any permit for a sewage disposal system shall be valid for construction and approved completion thereof within a period not to exceed two (2) years after date of issuance, unless declared void by the Health Officer. Prior to final inspection, said permit shall not be transferable to any new owner, nor to another location on the same parcel of land.

301.11 Void Permits - Stop Work Order

A permit, as issued by the Livingston County Health Department, authorizing construction of a sewage disposal system may be declared void and a stop work order posted by the Health Officer because of, but not limited to, any of the following conditions:

- A. The area designated on the permit for the soil absorption system is disturbed by major unapproved filling, excavating, paving or flooding.
- B. The area designed encroaches on the required isolation distances from an existing well water supply, property lines, dwelling, footing drains, surface waters, etc.
- C. Increase or other alteration in the scope of the project prior to, during, or following construction of said system which was not disclosed on the permit.
- D. Specific conditions under which permit application approval was granted cannot be adhered to or attained.
- E. A change or alteration of the submitted plot plan in which the permit was issued without approval from the Health Officer.
- F. Where information provided on the application is found to be inaccurate or untrue.

301.12 Holding Tank

- A. "Pump-and-haul" as a means of disposal from holding tanks for new construction shall not be permitted. "Pump-and-haul" may, at the Health Officer's discretion, be used to alleviate an imminent health hazard from an existing structure on a temporary basis until an acceptable means of sewage disposal is available. Vehicles to be used for pump-and-haul shall be licensed under provisions of Act 243 of the Public Acts of 1951, as amended.

The method of disposal shall be in accordance with the Department of Natural Resources Water Resources Commission Policy Statement on "Sanitary Sewage Disposal Facilities Utilizing Onsite Storage, Hauling and Final Disposal at an Offsite Receiving Facility," adopted by the Michigan Water Resources Commission at its December 15, 1983 meeting and its subsequent guidelines.

301.13 Rejection of Applications

The Health Officer shall reject an application for permit to construct a sewage disposal system when one or more of the following conditions are found to exist:

- A. Where a publicly operated sewage system is available as defined by Sections 12751-12758 of Act 368 of the Public Acts of 1978, as amended.
- B. Where the absorption system would be inaccessible for repairs or alterations.
- C. Where the septic tank would be inaccessible for cleaning or inspection purposes.
- D. Where the property served is too small for proper isolation distances from existing water wells, the proposed water well to serve the premises, surface waters, footing and storm drains, or has insufficient area for the sewage absorption system and reserve area. If the property served was established and described prior to is May 1, 1986, a reserve area shall not be required.
- E. Where the highest zone of groundwater saturation is less than two and one-half (2 ½) feet below the original ground surface.
- F. Where the stabilized percolation rate is in excess of 45 minutes per inch of fall. Soil such as silt loam, clay loam, clays and silts are considered to have a stabilized percolation rate in excess of 45 minutes per inch.
- G. Where the soil classification as determined by the U.S. Department of Agriculture Soil Conservation Service, or other physical conditions are deemed to be unsatisfactory for the disposal of sewage.
- H. Where conditions exist or may be created which may endanger the public health or the environment.
- I. Where the proposed site is subject to flooding or is within the one hundred (100) year flood prone area.
- J. Where there exists less than 2 ½ feet of naturally occurring permeable soil that is considered as suitable for the disposal of liquid sewage wastes as determined by the U.S. Department of Agriculture Soil Conservation Service.

However, variances may be granted for existing structures where sewage disposal system repairs, corrections and/or alterations are necessary in the opinion of the Health Officer.

301.14 Site Acceptance Criteria

The following criteria shall be used in determining the suitability of the site to provide satisfactory operation of a sewage disposal system utilizing one or more septic tanks and an absorption field, absorption bed, or drywell:

- A. Soil Analysis - The soil classification system and interpretations as provided by the United States Department of Agriculture, Soil Conservation Service, and the use limitations pertaining to that soil classification may be considered by the Health Officer and used as part of the soil and drainage evaluation.

- B. Soil Borings - Test borings or excavations shall be made within the area proposed for the sewage disposal system in order to determine the highest indicated groundwater level and soil formations. Test borings and excavations shall be conducted to a minimum depth of 8 feet and be made available for the inspection and evaluation of soil types and conditions. There shall be an adequate number of soil borings conducted to determine if suitable soil conditions exist to construct both an original and a replacement onsite sewage disposal system, except as provided for in Section 301.13 (D).

- C. Deep Excavations - Where the upper soil profile is unsuitable for the installation of a sewage disposal system, a "deep excavation" or "cutdown system" may be acceptable providing:
 - 1. Permeable soils encountered are within twelve (12) feet of the ground surface and are not confined to an area less than 2,400 square feet (sf) except as provided for in Section 301.13 (D) of these regulations.
 - 2. There is sufficient information to substantiate that contamination of existing or future water wells will not occur. A hydrogeological evaluation may be required to determine acceptability of the formation for sewage disposal.
 - 3. No less than 3 feet of permeable soils exist below the unsuitable soils.
 - 4. The unsuitable soils above the permeable soils are not saturated (i.e., muck, peat, marl).
 - 5. If the permeable soils encountered in the deep cut system are saturated, the site shall be considered unsuitable until the following information is provided:
 - a. The site shall be monitored through the wettest period of the year to determine the high water level.
 - b. Monitoring of the site and submittal of recommendations for construction specifications shall be completed under the direction of an engineer registered in the State of Michigan.
 - c. The high water level shall not exceed thirty (30) inches below grade which is equal to the requirements for seasonally saturated conditions.

- d. Specifications shall be submitted to the Livingston County Health department on what construction practices are necessary for a system to be installed and function properly.
 - e. Other site and construction requirements as stated in the Livingston County Sanitary Code shall be followed.
 - f. The right of appeal is in effect and can be used as per the requirements of these regulations.
 - g. If a construction permit is issued based on the specifications submitted by an engineer, final construction approval cannot be granted unless an engineer, registered in the State of Michigan, submits a statement that construction was completed in accordance with the submitted specifications.
- D. Seasonal High Groundwater - Seasonal high groundwater shall be at least four (4) feet below the bottom of the trench or bed.
- E. Hardpan, Clay, Impervious Material - Impervious hardpan or clay, or shale, if present, shall be at least 4 feet below the bottom of the trench or bed.
- F. Filled Ground - Installation of a sewage disposal system on or in "filled ground" or "made land" shall be acceptable only with specific written approval of the Health Officer and filling shall not be allowed over or on soils having a stabilized percolation rate over 45 min/inch, flooded land, or unstable soil (peat, muck, marl, organic material). Filling shall not be approved for sewage disposal systems where the natural soils do not meet the permeability criteria stated in Section 301.13 (J) of this Code. Care must be taken around the perimeter of fill systems to gradually slope fill to match existing grades. Fill should be carried a minimum of 10 feet beyond the edge of the stone before beginning slope.

A minimum of a 4 to 1 slope shall be maintained around the perimeter of all raised or mounded sewage disposal systems placed on or in filled ground. It is recommended that "filled ground" or "made land" lay idle through a freeze/thaw cycle or be compacted in layers not to exceed 12-inch increments prior to placement or construction of the sewage absorption field or bed.

301.15 Inspection Required

An inspection by the Health Officer is required after the sewage disposal system has been completed but before any portion of the system has been covered or placed in operation. It shall be the responsibility of the contractor, homeowner or installer to notify the Health Officer that the sewage disposal system is ready for inspection.

The following site conditions shall exist at the time of the final inspection or be viewed and approved by the Health Officer prior to issuance of final approval.

- A. The building sewer line shall be exposed.
- B. All inlets and outlets to the septic tank(s) shall be exposed.
- C. The access cover(s) of the septic tank(s) shall be exposed.
- D. The sewer line from the septic tank(s) to the soil absorption or disposal system shall be exposed.
- E. When a soil absorption bed or field (i.e. trenches) are installed, the individual trenches or bed shall be exposed with the aggregate in place.
- F. The entire top of a dry well shall be exposed.
- G. The Health Officer may specify special site requirements in addition to those listed in (A) through (F) above if such are deemed necessary to conduct an adequate final inspection.
- H. All pumps and portions of the pressure distribution systems shall be available for inspection. A registered engineer's certification will be accepted in lieu of a visual inspection by the health officer.

301.16 Certification

After construction of the sewage disposal system has been completed to the extent of the placement of all sewer lines, septic tanks, stone, distribution tile lines and before any portion of the system has been covered or placed in operation, a request for an inspection shall be made to the Health Officer. Two (2) working days shall be allowed for inspection after notification of the completion of the sewage disposal system. If the inspection has not been made within two (2) working days after notification to the Health Officer that the system is complete and ready for inspection, the installer may proceed to cover the system and place it into operation. The installer in such an instance shall furnish a written statement to the Health Officer, certifying that the system was installed exactly as shown on the permit. A final "as-built" plan shall also be submitted by the installer.

301.17 Backfilling of a Sewage Disposal System

After final approval of the sewage disposal system is granted by the Health Officer it shall be backfilled or covered within five (5) days. Failure to do so may cause the system to become damaged. Stone shall be covered with a material to prevent backfill from entering void spaces between the stones. Materials used for this purpose shall be approved in writing by the Health Officer. Frozen soils shall not be used for backfill since it will damage the system during grading. The Health Officer may revoke his previous approval if there is evidence of damage.

301.18 Condemnation of Existing Installations

The Health Officer may condemn any existing or hereafter constructed individual sewage disposal system when such system will not accept sewage effluent resulting in interference with plumbing fixture use; or where the sewage effluent exceeds the infiltrative capacity of the soil resulting in objectionable odors, seepage therefrom, or is exposed to the surface, or is permitted to drain onto the surface of the ground or into any lake, river, county drain, ditch, storm sewer, or stream, or where the seepage of effluent therefrom may endanger or contaminate groundwater, surface water, a public or private water supply or where an improperly constructed or maintained system creates a nuisance. Such a sewage disposal system as condemned shall be repaired, rebuilt, or replaced by a system constructed according to the provisions of these regulations within a period of time specified by the Health Officer.

301.19 Drains

Whenever the Health Officer shall determine that sewage is flowing into any private or public drain, he may issue public notices requiring persons owning premises from which such sewage originated, to connect such sewage flow to a publicly operated sewerage system, if available, or in the absence thereof to comply with provisions of these regulations. Public notice shall consist of posting of at least five (5) conspicuous notices in the probable area served by said drain. After not less than thirty (30) days following posting of the notices, the Health Officer may plug, or cause to be plugged, the outlet of said drain until such time as the sources of the sewage have been located. Owners of properties known to be discharging improperly treated sewage in such drain posted by the Health Officer, shall be given written notice of corrections required within the time allowed by the Health Officer. Failure to comply with this notice or malicious destruction or removal of public notices shall be considered a violation of these regulations. The Health Officer shall not be liable for any damage which results or might result from action authorized by this section.

301.20 Change of Use

It shall be unlawful to convert or change the intended use of a building premise from which the sewage disposal system was designed, without the prior written approval of the Health Officer.

301.21 Altered or Repaired Existing Buildings

- A. The Health Officer shall determine if an existing sewage disposal system is sufficient and adequate to allow an increase in living or working area to existing buildings and/or that the proposal will not interfere with current or future use of onsite sewage disposal. This would include but not be limited to adding bedrooms to an existing dwelling, additions to industrial or commercial establishments, construction of garages, outbuildings, decks, porches, swimming pools and/or driveways.

- B. The Health Officer shall determine if an existing sewage disposal system is sufficient and adequate to allow a repair or the rebuilding of an existing building. All industrial, commercial or residential buildings shall conform to the minimum requirements of this regulation if the following apply:
1. Rebuilding after existing structure is voluntarily demolished.
 2. Rebuilding after fire or casualty destroys over 50% of building.

301.22 Exceptions for Repairs of Sewage Disposal Systems on Premises with Existing Dwelling

At the discretion of the Health Officer, modifications of the required distances, materials or size as stated in this Code may be applied if local conditions warrant and in cases where dimensions or features of the premises create a physical impossibility for compliance. In such event, if the Health Officer finds that public health would not be jeopardized, he may approve a modified sewage disposal system if, in his opinion, it would provide equal or better treatment than the existing system.

301.23 Moratorium on Construction

The Health Officer, at his discretion, may institute a moratorium or a restriction on construction of individual onsite sewage disposal facilities when conditions such as freezing or frost are present in the soils and when said conditions would adversely affect the proper construction and operation of the sewage disposal facilities. Notice of the moratorium or restrictions shall be sent to all sewage disposal licensed contractors and be published in a newspaper of general circulation. Special consideration may be given to certain installations when those installations would be in the best interest of public health.

301.24 Non-Water Carried Toilet Devices

A. Privies and Similar Non-Water Carried Toilet Devices

All privies and similar non-water carried toilet devices shall be constructed and maintained in accordance with Section 12771 of Act 368 of the Public Acts of 1978, as amended and rules and regulations adopted pursuant to said act.

B. Prohibition of Privies

A privy shall not be maintained or be constructed on or moved to any premise as a permanent means of sewage disposal except as approved by the Health Officer.

C. Temporary Portable Privies

Temporary portable privies used at construction sites, places of public assembly, camps, etc. shall comply with Section 12771 of Act 368 of the Public Acts of 1978, as amended and the rules and regulations adopted pursuant to said act, and when

cleaned or serviced, the agency performing such service shall comply with Act 243 of the Public Acts of 1951, as amended.

Section 302 Specific Requirements for a Sewage Disposal System

302.01 Sewer Lines

A. Materials

Sewer lines between the building and septic tanks, between septic tanks, and between septic tanks and dosing chambers shall be constructed of cast iron soil pipe with sealed joints, schedule 40 PVC or other materials approved by the Michigan State Plumbing Code.

B. Size

The minimum size sewer line shall be based upon the number of fixture units as set forth in the Michigan State Plumbing Code. The minimum size sewer line in any case shall be not less 3 inches in diameter.

C. Grade

A building sewer between the building and septic tank shall be laid at a grade of not less than 1/8 inch per foot and not more than 1/4 inch per foot unless otherwise approved by the plumbing inspector having jurisdiction or by the Health Officer.

D. Bends

Bends in a sewer line located between the building and septic tank shall be limited to a combined maximum total of 135 degrees with no individual bend exceeding 45 degrees. Each bend of 45 degrees shall be provided with a cleanout.

E. Cleanouts

Cleanouts may be provided within 2 feet outside of the foundation wall and an additional cleanout shall be provided at each 50 feet of concealed piping. All cleanouts shall be properly sized and installed and shall be exposed at final grade level.

302.02 Septic Tanks

A. Location

No septic tank shall be located where it is inaccessible for cleaning or inspection purposes, nor shall any structure be placed over any existing tank making the same

inaccessible for cleaning and inspection purposes. A septic tank shall be installed in a level position on a firm base.

B. Manholes

Every septic tank shall be provided with two (2) suitable openings with covers fitted with hand grips over the inlet and outlet ends of the tank. A service access hole (18 inches minimum diameter) shall be provided. Where the top of the septic tank is located more than 18 inches below the final grade, manholes shall be built up to within 18 inches of the finished grade. Risers shall be a minimum of 24 inches in diameter.

C. Inlets and Outlets

The bottom of the inlet line into the septic tank shall be at least 2 inches above the operating water level of the tank. The outlet shall be constructed to permit withdrawal of liquid from the middle third of the depth of the liquid in the tank. To prevent the escape of floating or settled solids the tank must have a minimum scum clearance of 8 inches. The inlet must be so designed to permit gas above the liquid level to pass through the inlet line and out the vent pipe servicing the sewer line leading to the tank. If baffles are used they shall extend below the liquid level at least six (6) inches, but not more than twenty percent (20%) of the total liquid depth, and be located a minimum of six (6) inches from the inlet pipe. All pipe connections to a septic tank shall be watertight and sturdy.

D. Construction Material

Concrete prefabricated tanks shall be sound and durable, able to support the loads to which it will be subjected. The concrete tank shall be constructed of washed aggregate, properly vibrated and reinforced to produce a minimum wall thickness of 3 inches. Tanks constructed of concrete blocks shall be laid on a 3-inch reinforced concrete bottom and mortar joints shall be well fitted. The interior of the tank shall have a smooth cemented surface and be watertight. The top is to be a minimum of 3-inch reinforced concrete. Onsite construction of a septic tank for single and two family dwellings shall meet the minimum requirements set forth in the Livingston County Sanitary Code. The liquid level of the septic tank shall not be less than 4 feet. The length of the septic tank shall not be less than 5 feet (1.5 m) and should be approximately 2-3 times the width. In no instance shall the tank or any compartment have an inside horizontal dimension less than 2 feet.

E. Multiple Compartments

When a septic tank is divided into two compartments, the liquid volume of the first compartment shall be no less than 1,000 gallons. A vent space shall be provided between compartments. Inlets and outlets to a compartment tank shall be proportioned and located as for a single tank. The opening from the first

compartment to the second compartment shall be a minimum of 4 inches in diameter and permit the withdrawal of liquid from the middle third of the depth of the liquid in the tank. A service access shall be provided for both compartments.

F. Non-Concrete Septic Tanks

Tanks constructed of fiberglass, plastic or other materials shall not be installed without prior written approval of the Health Officer and should only be considered in situations where the installation of a conventional concrete tank is impractical or impossible.

302.03 Mechanical Systems for Sewage Treatment

The Health Officer may, under special circumstances, authorize the installation of a mechanical system for sewage treatment. Before the installation of any privately owned mechanical device or system for treatment of sewage by aeration, flotation or other processes exclusive of septic tanks, written application shall be made to the Health Officer for approval. Complete information shall be furnished as to manufacturer, model number, design criteria, and other data needed for evaluation.

- A. If the device or system will serve only one residence or establishment, evidence shall be presented of a satisfactory contract for continuing maintenance by a qualified service company authorized to do business in Michigan and bonded as provided in this section.
- B. If the device or system will serve more than one single family residence or more than one commercial establishment, evidence shall be presented of passage of a resolution by the appropriate township board of trustees, city or village council, county board of commissioners or other governing body of elected officials, accepting perpetual responsibility for the maintenance and operation of the sewage treatment device or system.
- C. This section shall not apply to public sewerage facilities built and operated under provisions of Act 98 of the Public Acts of 1913, as amended.
- D. A five (5) year bond in the amount of \$5,000.00 for the first five (5) or fewer such sewer treatment systems and \$1,000.00 for each additional system within the jurisdiction of this Code shall be made, executed and delivered to the Health Officer in the name of Livingston County. Said bond shall be posted by the permit applicant and executed by a surety company authorized to do business in Michigan. The bond shall be made available for payment to the Livingston County Health Department in the event of necessary servicing, repair, and/or replacement of any sewage treatment system covered by said bond, and said bond shall at all times be kept current. If at any time the required bond is found to have expired, the Health Officer may declare void the permit for each private sewage treatment system covered by said bond and may forthwith order the vacating of any or all premises served by such system, in accordance with Section 301.18. Charges against this bond may include necessary

costs of servicing, repair, replacement, and subsequent inspection of said sewage treatment system, with customary allowance for overhead charges.

302.04 Septic Tank Capacities

- A. The following minimum capacity for septic tanks shall be required for single/two family dwellings:

<u>Number of Bedrooms</u>	<u>Minimum Liquid Capacity</u>
1 through 4	1,500 gallons
5 and 6	2,000 gallons

- B. A two-tank system may be substituted providing the primary tank has a minimum capacity of 1000 gallons.
- C. Footing drain water, roof runoff water, storm drainage, and water softener discharge and any other wastes not considered domestic sewage shall not be connected to or discharged into a sewage disposal system except as provided for in Section 301.02.
- D. Septic tanks for other than single family and two family dwellings shall be sized on the basis of being equal in capacity to one (1) day's average daily flow or in accordance with the Michigan Criteria for Subsurface Sewage Disposal, whichever is more stringent.

302.05 Lines Between Septic Tank and Absorption Field (Headers)

The line carrying liquid from the septic tank outlet to the nearest portion of the absorption field shall be approved rigid watertight pipe and may be laid at any appropriate grade except that ten feet beyond the last septic tank the pipe shall be PVC Schedule 40 or equivalent. Connection to the upper portion of the absorption field shall be made using a tee fitting, set perfectly level on a firm support in order to divide the flow evenly in each direction, or to a level header conveying the divided flow to two separate points of connection with the distribution tile. If more than eight (8) lines of distribution tile are installed, distribution boxes or branch headers shall be installed. If branch headers are used, no branch header shall be connected to more than four (4) lines.

302.06 Lift Pumps for Elevated Drainfields

When a sewage lift pump is determined necessary, the system shall conform to the following requirements:

- A. Size: Dosing or pumping chambers, when used for one (1) or two (2) family dwellings, shall be a minimum of five-hundred gallons liquid capacity.
- B. Pumps: Pumps used shall be of the submersible type and specifically designed for sewage pumping. Dosing pumps and accessories shall be designed and installed in accordance with the "recommended criteria for sewage pumping at non-municipal

installations" as published by the Bureau of Environmental and Occupational Health, Michigan Department of Public Health. Sewage pumping facilities shall comply with the National Electrical Code and a minimum of a visual alarm shall be provided unless otherwise specified by the Health Officer.

- C. Design: The design and materials used in a lift pump installation shall be approved by the Health Officer prior to issuance of a permit.

302.07 Sewage Disposal System

- A. Location: In no case shall any driveway, parking area, paved surface, stockpiled material or building be placed over the disposal system. It shall remain accessible for maintenance and all surface drainage must be diverted away from the sewage disposal system.
- B. Distribution Header: A solid, watertight header or distribution box shall be required at all soil absorption fields. A header or distribution box shall be set level to afford an even distribution of all septic tank effluent throughout the sewage disposal system. Footings for distribution boxes shall extend below the frost line where the top of the distribution box is located more than 18 inches below the final grade an access port shall be built up to within 18 inches from the finished grade.
- C. Distribution System: The absorption field may be constructed of open joint clay or cement drain tile or perforated, non-metallic pipe approved by the Health Officer. All perforated drainfield tubing approved by the Michigan Department of Public Health are acceptable. The tubing must be stamped with the letters "MS" (signifying certification under Michigan standards). All laterals shall be connected to a solid watertight distribution header and open joint or perforated footer.

Drain tile shall be laid with one-fourth (1/4) to one-half (1/2) inch open joints, the top half of which shall be covered with tar paper or other approved material.

Stone used shall be washed and sized to Michigan State Department of Transportation aggregate grade standard (6A). Stone must be placed level throughout the trench or bed with not less than 6 inches below the invert and 2 inches above the top of the distribution pipe for no less than a total depth of 12 inches of stone throughout the entire trench or bed. There shall be no crowning of the stone above the tile.

302.08 Drywell

- A. Location: Drywells may, at the Health Officer's discretion, be installed in lieu of a conventional tile field or bed when all of the following conditions are found to exist:

1. The installation of a conventional tile field or bed is restricted by area in that required isolation distances for sewage disposal systems cannot be obtained or the area is severely sloped.
 2. The percolation rate of the surrounding soils is less than 20 minutes/inch and the seasonal high water table, bedrock or other limiting layer is not less than 5 feet below the bottom of the drywell.
 3. Replacement area equal to the area of the initial installation is available and reserved for future installations.
 4. The drywell installation is not less than 25 feet from any drop-off or embankment or less than 100 feet from any well or body of surface water.
- B. Construction Requirements: A minimum of 190 square feet of absorption area per bedroom is required for drywell installations.

A minimum of 6 inches of stone on the bottom and 1 foot of stone shall be placed around the perimeter of the drywell.

Example:

A 1,000 gallon pre-cast drywell with 1 foot of stone equals 192 square feet of absorption area.

A 1,000 gallon pre-cast drywell with 2 feet of stone equals 240 square feet absorption area.

When more than one drywell is used, a distribution box shall be installed between the septic tank and all drywells to equally distribute the septic tank effluent. The distribution box shall be connected individually to each drywell with pipe of watertight construction at least 4 inches in diameter and sloped at least 1/8 inch per foot.

When more than one drywell is used, they shall be separated by a minimum of 8 feet of undisturbed soil.

Final cover on drywells shall be a minimum of 4 inches and a maximum of 2 feet. Where the top of the drywell is located more than 2 feet below the finished grade, manholes shall be built up to within 2 feet of the unfinished grade.

302.09 Required Minimum Isolation Distances

Table 302.09: Required Minimum Isolation Distances for Single & Two Family Dwellings

From	To Septic Tank (Feet)	To Absorption System (Feet)	To Sewer Line (Feet)
Wells	50	75 [a] (drywells 100)	10
Property lines	10 [b]	10 [b]	10 [b]
Foundation walls	5	10 (drywells 25)	-
Foundation walls without footing drains	5	5	-
Surface waters	50	100	10
Pressurized water lines	10	10	
Ravines, banks, drop-offs	5	15 (drywells 25)	5
Swimming pools	10	10	10
Designated county drains	50	50	50
Storm drains designed to lower groundwater table	25	50	25
Storm drains not designed to lower groundwater table	25	25	10

Notes for Table 302.09:

[a] This minimum isolation distance may be decreased to 50 feet if the well construction meets the requirements of Chapter IV Water Supplies, Livingston County Sanitary Code.

[b] This minimum isolation distance may be decreased to 5 feet at the discretion of the Health Officer.

302.10 Sewage Disposal System Construction Requirements

Table 302.10: Sewage Disposal System Construction Requirements

System Component	Maximum	Minimum
Number of laterals or trenches	-	2
Size of gravity distribution conduit	-	4 in.
Size of pressurized distribution conduit	-	1 in.
Length of laterals or trenches	100 ft.	-
Width of trenches	36 in.	12 in.
Space between trenches, wall to wall	-	4 ft.

Number of distribution lines per trench	1	-
Distance between distribution lines (bed const.)	6 ft.	
Distance between distribution lines and bed wall	2 ft.	6 in.
Depth of distribution lines below finish grade	36 in.24 in.	12 in.
Slope of distribution lines	6 in./100 ft	level preferred
Depth of aggregate under distribution lines (includes entire trench or bed bottom)	-	6 in.
Depth of aggregate over distribution lines	-	2 in.
Size of aggregate	1 ½ in.	¼ in.
Depth of highest indicated groundwater or depth to hardpan from trench or bed bottom	-	4 ft.
Depth to highest indicated groundwater or depth to hardpan from bottom of drywell	-	5 ft.
Distance to underground utilities (gas, electric, telephone, etc.)	-	5 ft.
Distance to pressurized water line	-	10 ft.
Hole size for a pressure distribution system	9/16 in.	¼ in.

302.11 Minimum Absorption Area Requirements

Table 302.11: Minimum Absorption Area Requirements for Conventional Systems

Soil Texture & Soil Structure	Stabilized Percolation Rate (min/inch)	Type of Absorption System	Minimum Absorption Area Requirements for Single & Two Family Residence [a] (Sq. Ft)			
			1,2	3	4	5
Coarse Sand Medium Sand	10	Bed	850	1,000	1,200	1,450
		Trench [b]	425	500	600	725
Fine Sand Loamy Sand	11-20	Bed	1,000	1,200	1,400	1,700
		Trench [b]	500	600	700	850
Sand Loam	31-20	Bed	1,100	1,400	1,600	2,000
		Trench [b]	550	700	800	1,000
Loam Sandy Clay Loam Sandy Silty Loam	31-45	Elevated Bed Only (See Section 302.12)	1,200	1,600	2,000	2,200
		Trench [b]	600	800	1,000	1,250
Silt Loam Clay Loam	Over 45	Unsuitable	-	-	-	-
Clays, Silts, Muck, Peat, Marl	Over 45	Unsuitable	-	-	-	-

Notes for Table 302.11:

[a] Number indicates the number of bedrooms or equivalent flow based on two (2) people per bedroom and a maximum of 100 gallons per day.

[b] Calculations for the trench absorption system are based upon a 24-inch trench width, which is equal to 4 square feet per linear foot (includes trench bottom and two (2) 1-foot sidewalls). The following conversions are used for varying trench widths:

18-inch trench = 1.5 sq.ft./lin.ft.3.5 square feet per linear foot

24-inch trench = 2 sq.ft./lin.ft.4.0 square feet per linear foot

36-inch trench = 2 sq.ft./lin.ft.5.0 square feet per linear foot

302.12 Bed Construction in Slow Permeable Soils

If a bed is installed in soils having a percolation rate of between 31 and 45 minutes per inch (loams, sandy clay loams, sandy silt loams) the bottom of the stone bed shall be no lower than the existing grade (prior to construction) or 4 feet above the high groundwater elevation, whichever causes the bottom of the system to be at the highest elevation. The area for both the original and replacement system shall be barricaded to prevent driving over the area and causing soil compaction. The system shall be installed when conditions are suitable to prevent smearing, sealing and compaction of the soil. Failure to comply with the above is sufficient reason for the construction of the system to be denied and its use not allowed.

302.13 Wastewater Flow Reduction and Sewage System Sizing

If through the installation of permanent water saving devices, elimination of water carried waste systems, etc. It can be demonstrated that a reduction in wastewater flow will be accomplished, a reduction in the size of the soil absorption sewage disposal system will be permitted. A reduction in the size of the soil absorption sewage disposal system shall be proportional to the amount of decreased wastewater flow, except that sufficient area meeting the requirements for permit approval as stated in Section 301.13 to install an approved onsite soil absorption sewage disposal system without the use of flow reduction devices shall be present and available for use.

302.14 Premises Occupancy; Penalties for Non-Compliance

It shall be unlawful for any person to occupy, or permit to be occupied, any premises which is not equipped with an approved sewage disposal system for the disposal, in a sanitary manner, of all forms of sewage. Such facilities shall be constructed in accordance with these regulations.

Where any occupied premises is in non-compliance with the regulations of Chapter III, the owner shall be guilty of a misdemeanor as provided in this Code and/or subject to civil penalties of not more than \$1,000.00 for each violation or day that the violation continues.

CHAPTER IV WATER SUPPLIES

Section 400 Definitions Applicable to This Chapter

400.01 Abandoned

The term "abandoned" shall mean the giving up of the use of water from a particular source for any purpose.

400.02 Approved

"Approved" shall mean acceptable for intended use as judged by the Health Officer by utilizing public health rules, regulations, technical data and advice of the Livingston County Water Well Advisory Committee.

400.03 Contaminant

A contaminant means a biological, physical or radiological constituent which when present in groundwater is or may become injurious to public health, safety or welfare or adversely impacts domestic, commercial, industrial, agricultural or other uses that are being made of groundwater.

400.04 Extensive Changes

Work performed on an existing water well system which includes but is not limited to replacing the casing, removing a casing from the ground for any reason, changing aquifers, deepening or plugging back a bedrock well, installing a liner, changing pump type or increasing the capacity of the pump by more than 50 gallons per minute.

400.05 Imminent Health Hazard

"Imminent Health Hazard" shall mean that, in the judgement of the Health Officer, there is a violation or condition that may cause or result in a violation of any of the provisions of this chapter of the Livingston County Sanitary Code or Section 2451 of Act 368 of the Public Acts of 1978, as amended, requiring immediate action to prevent endangering the health of the public.

400.06 Minor Changes or Repairs

Work performed on an existing water well supply which includes replacing a telescoped well screen, replacing a similar pump, drop pipe, pressure tank or controls, chemical rehabilitation, well disinfection or redevelopment.

400.07 Water Supply System

A "water supply system" is an integrated system of pipes, controls, reservoirs, and mechanical devices used for the purpose of extracting and providing potable water for domestic or commercial use.

400.08 Well

"Well" means a man-made opening in the surface of the earth used for the purpose of removing, evaluating or monitoring groundwater.

400.09 Water Well Advisory Committee

There shall be created a Livingston County Water Well Advisory Committee whose duty it shall be to assist the Health Officer in the formulation of policy and to advise the Health Officer in carrying out, executing and implementing this Code.

The "Water Well Advisory Committee" consists of three (3) registered water well contractors whose principal place of business is located in Livingston County. Appointments to the Water Well Advisory Committee are made by the Board of Health for a non-concurrent term of two (2) years.

Section 401 General Water Supply Requirements

401.01 Jurisdiction

These regulations apply to water supplies intended for use or used to supply groundwater within the County of Livingston including but not limited to wells which are used to provide potable water, irrigate, provide water for industrial processes including supplying water for oil exploration, air conditioning or heating or to obtain hydrogeological information for the purpose of designing or operating a water supply well or to obtain hydrogeological information for the purpose of determining the adequacy of water supply for developments or to replenish water into an aquifer.

401.02 State Laws and Regulations

Unless otherwise specified the requirements as set forth in Part 127 Act 368 of the Public Acts of 1978, as amended and Act 399 of the Public Acts of 1976, as amended and the rules and regulations adopted pursuant to said acts are hereby adopted as requirements of these regulations.

401.03 Water Supplies Required

Every habitable building shall be provided with an approved potable water supply system.

401.04 Water Quality

The quality of water furnished to any lavatory, drinking fountain, dishwasher, bathtub, shower, or other fixture, device or equipment wherein or from which direct consumption or human body contact is possible, shall be safe for human consumption and potable as approved by the Health Officer.

Acceptability shall be based upon the minimum chemical and bacteriological standards of the Michigan Department of Public Health.

401.05 Treatment of Unsatisfactory Water Supplies

Water supplies which do not comply with the minimal chemical or bacteriological requirements of the Michigan Department of Public Health shall be treated by methods approved by said agency. If it is not possible to secure satisfactory compliance, said water supply shall be abandoned and, when applicable, the well shall be sealed to protect the water-bearing formation against further contamination.

401.06 Imminent Health Hazard

Water supply systems which, in the judgment of the Health Officer, represent a potential, imminent health hazard may be condemned by the Health Officer. Unless otherwise provided for in these regulations, condemned water supplies used for other than a water supply for the owner or his family shall be repaired or replaced within 30 days of receiving a notice of condemnation from the Health Officer. Contaminated water supplies which, in the judgment of the Health Officer, represent an immediate health hazard shall be posted with suitable signs at each outlet or the outlet shall be made inoperative.

401.07 Connections Required

Where connection can be made to an available approved public or municipal water supply, the Health Officer shall not issue a permit to construct a private water supply system unless approved by the local municipality. No cross connections between a public and private water supply system shall be allowed.

401.08 Permanently Abandoned Well

A permanently abandoned well means a well whose use has been permanently discontinued or which has not been used for a period of three years or more or a well that is in such disrepair that its continued use for the purpose of obtaining groundwater is impractical or a well which is a threat to groundwater resources or a well which is or may be a health or safety hazard.

- A. A permanently abandoned well shall be sealed by filling with materials in accordance with the specifications and procedures outlined in Act 368 of the Public Acts of 1978, as amended and Act 399 of the Public Acts of 1976, as amended. It shall be accomplished so as to prevent it from acting as a channel for vertical contaminant

- movement or the escape of subterranean gases. Pumps, drop pipes or other debris or obstructions shall be removed from the well prior to sealing if at all possible.
- B. A well drilled by a person other than the property owner or by a person other than a licensed well drilling contractor registered under Act 368 of the Public Acts of 1978, as amended, shall be considered to be permanently abandoned and shall be sealed in accordance with these regulations.
 - C. The Health Officer may order the well owner or well drilling contractor to seal a permanently abandoned well or dry hole.

401.09 Temporarily Abandoned Well

A temporarily abandoned well means a well whose use has been discontinued but is intended to be used as a source of water by the owner within the next three years. A temporarily abandoned well shall meet the construction and isolation distance requirements of Act 368 of 1978, the Michigan Public Health Code and these regulations.

- A. A temporarily abandoned well shall be disconnected from any water distribution piping and shall have the top of the casing capped to prevent the entrance of surface water or foreign materials and to prevent access into the well. The casing shall extend a minimum of 12 inches above grade or as directed by the Health Officer. The casing shall be constructed to prevent the entrance of water or foreign material into the well.
- B. The owner shall notify the Health Officer in writing not more than 30 days after the well which has been temporarily abandoned has been taken out of service.
- C. The Health Officer shall investigate to determine if a well meets the requirements to be temporarily abandoned.
- D. After a well has been temporarily abandoned for not less than 3 years, it shall be considered permanently abandoned and shall be sealed in accordance with these regulations unless the owner requests an extension indicating reasons why the well should not be permanently abandoned. The request to extend the status of a temporarily abandoned well shall be made in writing to the Health Officer and shall state the reasons why the well should not be permanently abandoned. The Health Officer shall grant an extension of up to three years if well construction meets the requirements of Act 368 of the Public Acts of 1978, as amended and these regulations, the well does not present a health hazard and the owner intends at a future date to place the well in production. Additional extensions may be requested by the owner.
- E. The Health Officer shall notify the owner of a temporarily abandoned well in writing at least 60 days prior to changing the status to a permanently abandoned well.

401.10 Abandonment for Improperly Constructed Wells

The Health Officer may require the sealing of a well constructed in violation of the Livingston County Sanitary Code, Act 368 of the Public Acts of 1978, as amended or Act 399 of the Public Acts of 1976, as amended.

401.11 Location of Wells

All water supply systems shall be located wholly upon the property served, except that under certain conditions where suitably executed and recorded easements or right-of-way agreements exist, this provision may be waived by specific written permission of the Health Officer.

401.12 Permit Required

No person shall install or construct a new water supply system or make an extensive change to an existing water well system unless a valid permit has been issued by the Health Officer authorizing such installation or construction. This provision shall not encompass the normal routine maintenance of a water supply system or when minor changes or repairs are made to the system (i.e. replacing pump, screen, pressure tank, piping, wiring, or treatment devices).

- A. Application for a permit shall be made by the property owner(s) or their authorized representative. The application shall be made upon such forms and shall contain such reasonable information as required by the Health Officer.
- B. Permits are not transferable with respect to property or specific parcel served. Should the ownership of the property for which a permit has been issued change, the permit may be transferred to the new owner. Such transfer shall be requested in writing on forms to be provided by the Health Officer and signed by the current permit holder.
- C. A permit for installation or construction shall become void twenty four (24) months from the date of issuance.
- D. Application for a permit shall be accompanied by the appropriate service fee, adequate plans showing locations of pertinent features of the proposed water system, including potential sources of contamination, and all necessary data which may be required by the Health Officer.
- E. The Health Officer shall refuse to issue a permit for a water supply system where the submitted information is not in compliance with the provisions of these regulations and the location & construction will not meet the requirements and provisions of these regulations.

401.13 Extensive Changes or Repairs

When extensive changes or repairs are made to the water well system they shall conform to these regulations unless otherwise approved by the Health Officer. A permit shall be obtained from the Livingston County Health Department prior to any extensive changes being completed on a water well system except as provided for in Section 401.31 Under Emergency Conditions.

401.14 Minor Changes or Repairs

Upgrading of a water system to conform with these regulations is not required when making minor changes or repairs to the system. A permit shall not be required for any work conducted by a well owner or registered well driller when performing these activities.

401.15 Permit Issued by Michigan Department of Public Health

If required under Act 399 Public Acts of 1976, as amended and the rules and regulations pursuant to said Act, the owner, well driller or pump installer is required to obtain a permit directly or exclusively from the Michigan Department of Public Health, it shall not be a requirement to obtain a permit from the Livingston County Health Department. When the Livingston County Health Department issues a permit for the installation or alteration of a public water supply system under an agreement, contract or cooperative arrangement as stated in Act 399 Public Acts of 1976, as amended, said permit shall be issued in accordance with Section 401.12 of these regulations.

401.16 Stop Work Order - Void Permit

When during construction any new work, major change or extensive change to an onsite water supply system is found in violation of the provisions of these regulations, the Health Officer may issue a "Stop Work Order" by posting said notice at the site. Any valid water supply construction permit shall be declared void when a "Stop Work Order" is posted.

401.17 Permit Required Before Construction

No municipality, township or other agency shall issue a building permit or otherwise allow construction to commence on any land where an approved public or municipal water supply is not available until an onsite water supply construction permit has first been issued by the Health Officer or until written approval from the Health Officer is presented allowing the continued use of the existing water well system.

401.18 Altered or Repaired Existing Buildings

The Health Officer shall determine if the construction and location of an existing onsite water supply system is adequate to allow an increase in living or working area to an existing building. This would include, but not be limited to, adding bedrooms to an existing dwelling or additions to industrial or commercial establishments. The Health Officer shall determine if an existing onsite water supply system is sufficient and adequate to allow a repair or the

rebuilding of an existing building. All industrial, commercial or residential buildings shall conform to the minimum requirements of this regulation if the following apply:

1. Rebuilding after existing structure is voluntarily demolished.
2. Rebuilding after fire or casualty destroys over 50% of building.

401.19 Well Development Restrictions, Emergency Powers

In areas of suspected or possible groundwater contamination, the Health Officer may place restrictions and/or conditions for well development in these areas for up to a one hundred twenty (120) day period.

401.20 Restrictions or Conditions on Well Development

The Livingston County Board of Health may place restrictions or conditions on well development in areas of known or suspected groundwater contamination, concerns for general water quality, problems with yield, problems with protection or based on other factors present which in their opinion may adversely affect public health.

401.21 Water Supply Inspection and Approval

The Health Officer may make such inspections or evaluations and collect samples that are necessary to determine that a water supply system complies with the provisions of the Livingston County Sanitary Code. approval from the health officer shall be received prior to a new water well or extensively repaired water well being placed into service. The owner shall supply the Health Officer with adequate information regarding the construction of the water well system and water quality so as to determine if the system is in compliance with the permit requirements and the provisions of these regulations. Unless otherwise specified on the permit, the submittal of an acceptable well log, safe bacteriological sample analysis and nitrate analysis showing levels below public health concern will be sufficient to provide adequate information to the Health Officer.

401.22 Inspection Authority

The Health Officer may enter and inspect, at any reasonable hour, on private or public property, an installation for the development or abandonment of a water supply.

401.23 Water Well Records

Within sixty (60) days after the completion of a water well or pump installation, and prior to approval for use, the well driller or pump installer shall submit a completed Water Well Record to the homeowner and the Livingston County Health Department. In the event the well driller does not install the pumping equipment, the pump installer shall submit a completed Water Well Pump Record. These records shall be kept on file in the office of the Livingston County Health Department.

401.24 Well Grouting Requirements

All wells constructed after the effective date of these regulations shall be grouted in accordance with the requirements of these regulations.

- A. When grouting a well, shell traps, cementing baskets, packers or other devices shall not be used nor shall actions such as excessive development, washing, shoveling cuttings be used for the purpose of suspending grout above an open annular space or reducing the amount of open annular space surrounding a permanent casing.
- B. When grouting a well, neat cement or bentonite grout shall be placed through a permanent casing or grout pipe from the bottom of the annular space and upward to the established ground surface in continuous operation without interruption. The density of grout flowing from the annular space at the established ground surface shall be the density of the grout being pumped in.
- C. When grouting a well using a displacement method, the bore hole shall be a minimum of two (2) inches larger than the nominal size of the permanent casing.
- D. Neat cement shall be allowed to set a minimum of 24 hours when standard Type I, Type IA or High-Early Type III cement is used and 48 hours if bentonite is added before drilling operations are resumed.
- E. Grout and grout additives shall be stored in clean containers and shall be free of material that may adversely effect the well, aquifer, or quality of the water to be pumped from the well and shall not be capable of supporting microbiological growth.
- F. A well constructed in a location where flowing artesian conditions are expected to occur shall be accomplished in accordance with the requirements of Act 368 of the Public Acts of 1978, as amended.

401.25 Specific Grouting Requirements for Rotary Bored or Augered Wells

- A. Wells shall be grouted from the bottom of the open annular space or from a depth of not less than 25 feet, which ever is greater in depth up to the established ground surface.
- B. When the permanent casing is placed in an oversized bore hole and if the grout is placed through the casing or through a grout pipe within the casing, the permanent casing shall be installed in a bore hole having a diameter of not less than 2 inches larger than the nominal size of the permanent casing.
- C. When the permanent casing is placed in an oversized bore hole and if grout is placed through a grout pipe outside the permanent casing, the bore hole shall not be less than 3 inches larger than the nominal size of the casing.

401.26 Specific Grouting Requirements for Driven Casing Wells

A well constructed by cable tool, hollow rod, jetting or other drilling method where the permanent casing is driven into an undersized bore hole shall be constructed in the following manner:

- A. If no temporary casing or bore hole is used, or where the temporary casing or oversized bore hole is less than 25 feet in depth the well shall be grouted by maintaining dry granular bentonite around the permanent casing as it is being driven.
- B. If a temporary casing or oversized bore hole not less than 3 inches less than the nominal size of the permanent casing and extending not less than 25 feet below the established ground surface is used, the annular space between the permanent casing and bore hole or temporary casing shall be grouted during temporary casing removal by pumping neat cement or bentonite grout from the bottom of the annular space upward to the ground surface in a continuous operation without interruption or by pouring bentonite chips, bentonite pellets or granular bentonite into the annular space. Granular bentonite shall not be poured into the annular space when fluid is present between the temporary casing and permanent casing or between the oversized bore hole and the permanent casing.
- C. The bottom of the well casing shall be protected from damage during the construction of the well with a drive shoe. A drive shoe is not required on a permanent casing installed without driving and which is to be grouted in an oversized borehole.

401.27 Isolation Distances from Contamination Sources

Water well supplies shall be isolated the following distances from potential sources of contamination:

- A. A well furnishing water for any beneficial use shall be located where it is not subject to contamination.
- B. A well shall be located at least 300 feet from any major source of contamination such as large scale waste disposal facilities including but not limited to wastewater lagoons, municipal sewage treatment infiltration basins, etc., land application of sanitary wastewater or sludges, landfills and oil and gas well production facilities.
- C. A well shall be located at least 150 feet from the preparation area or storage area of fertilizers, agricultural chemicals, petroleum fuels or other chemicals that may result in contamination of the soil or groundwater.

- D. A well shall be located at least 75 feet from a buried sanitary sewer, sewage pump chamber, pressurized sewer or grease trap, except as specified in "F" in this section, septic tank, subsurface disposal field, dry well, seepage pit, cesspool, animal poultry yard, outhouse, other wastewater handling or disposal unit, liquid waste draining into the soil, chemical storage tank systems with secondary containment, or petroleum fuel or chemical storage tanks located entirely above grade or within an approved basement.
- E. A well that has been properly grouted and constructed under the requirements of these regulations shall have the isolation reduced to 50 feet for sources of contamination as indicated in "D" of this section.
- F. A well shall be located no less than 10 feet from a buried gravity flow sewer constructed of service weight or heavier cast iron soil pipe with leaded joints or cast iron water pipe with water tight joints or a Schedule 40 plastic with water type joints or other material and joints given written approval by the Health Officer, 10 feet from a surface water body such as a lake, pond, river or stream, 10 feet from a sump pit or unfilled space below an established ground surface except an approved basement or pump room, 10 feet from a residential sewage pump chamber constructed so as to be watertight, 10 feet from a pressurized sewer line maintaining pressures not exceeding 20 psi and constructed of materials approved by both the Health Officer and the state plumbing board and 10 feet from a storm water drain.
- G. Wells serving as public water supplies, as defined in Act 399, Public Acts of 1976, as amended shall be isolated from contamination sources in accordance with the requirements specified in the Administrative Rules for that Act.

401.28 Notification by Oil Well Drilling Contractors

All oil well drilling contractors, subcontractors, etc. Shall notify the Health Officer in writing at least 30 days prior to beginning oil well drilling activities. This will enable water sampling of private water supplies in the area to be completed prior to drilling beginning.

401.29 Access to Well Location

It shall be the responsibility of the well owner to maintain access to a well by a well drilling machine.

401.30 Premises Occupancy

It shall be unlawful for any person to occupy, or to permit to be occupied, any newly constructed or extensively remodeled habitable building (refer to Section 401.18) which is not equipped with an approved potable water supply system for drinking and culinary purposes. Such system shall be constructed in accordance with the provisions of these regulations and approved in writing by the Health Officer prior to any local municipality or other agency granting approval for said building or residence to be occupied.

Any violation of the above is in non-compliance with the regulations of Chapter IV and the owner shall be guilty of a misdemeanor as provided in this Code and/or subject to civil penalties of not more than \$1,000.00 for each violation or day that the violation continues.

401.31 Emergency Conditions

In the event an emergency arises when the office of the Livingston County Health Department is closed or when the well driller is involved with major repair work and it is deemed necessary to begin construction immediately on a new well or begin an extensive change, a registered well driller may begin construction on a new water supply system or extensive change without notification or permit. The property owner shall then contact the Health Officer on the next official working day and obtain a permit for such installation. Any modification to an existing water well system shall be in accordance with the requirements of these regulations.

CHAPTER V - MAINTENANCE OF HOUSING AND PROPERTY

Section 500 Jurisdiction and Administration

500.01 General

A regulation establishing minimum standards governing the condition and maintenance of all structures and dwellings; establishing minimum standards governing supplied utilities and facilities and other physical things and conditions essential to insure that structures are safe, sanitary, and fit for occupancy and use; establishing minimum standards governing the condition of dwellings offered for rent; fixing certain responsibilities and duties of owners and occupants of structures; and condemnation of dwellings unfit for human habitation and the demolition of such dwellings and structures.

This regulation is intended to protect the public health and welfare of residents and the general public. It is not intended as a blight control regulation.

500.02 Jurisdiction

The provisions of this chapter shall apply to all structures, dwellings, habitable buildings and premises within Livingston County including travel trailers and mobile homes, which are substandard with respect to conditions and which may be deemed to constitute a nuisance to the health, safety or welfare of their occupants or the general public.

500.03 Adoption by Reference

The "Basic Property Maintenance Code, 5th Edition, 1990" as published by the Building Officials and Code Administrators (BOCA) International, Inc., and such subsequent editions as may be published by BOCA thereafter, is hereby adopted by reference as the Housing and Property Maintenance Code of Livingston County governing the condition and maintenance of all structures and dwellings as herein provided. Each and all of the regulations of the "Basic Property Maintenance Code, 5th Edition, 1990", as well as any subsequent editions thereof, are hereby referred to as adopted and made a part hereof, as if fully set forth in this Regulation, except that the following sections of the "Basic Property Maintenance Code, 5th Edition, 1990" are specifically not adopted:

104.1	110.0 (including all	301.3
104.11	subsections)	301.4
105.5	111.2	301.8
105.6 (second sentence)	111.2.1	403.5
108.4	111.2.2	403.6
108.5	111.2.3	506.1
109.0 (including all subsections)	111.3	603.0 (including all
	300.3	subsections)

301.2

901.0 (including all
subsections)

902.0 (including all
subsections)

Copies of the "Basic Property Maintenance Code, 5th Edition, 1990" are on file in the office of the County Clerk of Livingston County.

500.04 Conflict With Rest of Code

Should there be a conflict between this Housing and Property Maintenance Code and any other provisions within the County Sanitary Code, the more stringent of the two provisions shall apply.

500.05 Penalties

A person who violates a regulation of the Housing and Property Maintenance Code shall be guilty of a misdemeanor, punishable by imprisonment for not more than ninety (90) days, or a fine of not more than \$200.00, or both.

Section 501 Enforcement

501.01 Coordination of Enforcement

Inspection of premises, the issuance of notices, orders, appearance tickets, and enforcement of various provisions of this chapter of the Sanitary Code shall be the responsibility of both the Health Officer and the County Building Official, except where a local city, village, or township has its own building department and that department is responsible for the particular system(s) at issue (i.e. water, plumbing, heating, or electrical). The Health Officer shall have enforcement responsibility over all provisions of the Code dealing specifically with the maintenance and operation of sanitary facilities (i.e. private water and sewage disposal systems), on-site storage of solid waste, insect and rodent control, and the general sanitary conditions of the exterior premises. The County Building Official, except where the local city, village, or township has its own building department responsible for the particular system(s) at issue, shall be responsible for the structural and mechanical aspects of the Code, including, but not limited to, lighting, ventilation, spacial requirements, plumbing, heating, electrical, and facility provisions.

On March 3, 1986 Livingston County Board of Commissioners approved Resolution 368-063 dealing with Coordination of Enforcement Action of Vacant, Dilapidated Structures in Livingston County.

WHEREAS, Livingston County Board of Commissioners approved a resolution to form a task force of representatives from various county agencies and local municipalities to discuss procedures for dealing with vacant, dilapidated structures, and

WHEREAS, this committee met on several occasions to discuss the problem with vacant, dilapidated structures within Livingston County, and

WHEREAS, this task force has developed a recommended County-wide procedure to follow in dealing with the enforcement of old vacant, dilapidated structures, which is as follows:

1. Old vacant, dilapidated structure causes concern among local residents
2. A complaint is made to the city, village and/or township
3. City, village and/or township officials review concerns of local residents and contact the Livingston County Health Department and/or Livingston County Building Department
4. County officials investigate, evaluate the condition of the structure and report findings to the complainant (city, village or township)
5. City, village and township contacts property owners requesting remedial measures
6. If owner fails to proceed, local municipalities initiates legal action

WHEREAS, the Livingston County Board of Health approved the recommended procedures at its regularly scheduled meeting on January 24, 1986.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners agrees with the procedures outlined herein for dealing with vacant, dilapidated structures within Livingston County and

BE IT FURTHER RESOLVED that the Livingston County Board of Commissioners directs the Livingston County Building Department and/or Livingston County Health Department to follow the procedure as outlined.

CHAPTER VI FOOD SERVICE SANITATION

Section 600 Jurisdiction and Administration

600.1 General

A regulation defining food, potentially hazardous food, food service establishment, mobile food unit, temporary food service establishment, regulatory authority, utensils, equipment, etc., providing for the sale of only sound, properly labeled food; regulating the sources of food; establishing sanitation standards for food, food equipment and utensils, food service personnel, food service operations, food protection, sanitary facilities and controls, and other facilities; requiring licenses for the operation of food service establishments; regulating the inspection of such establishments, providing for the examination and condemnation of food; providing for incorporation by reference of the 1976 edition of the Food and Drug Administration "Food Service Sanitation Manual," and providing for the enforcement of this regulation.

600.2 Jurisdiction

The provisions of this chapter shall apply to all food service establishments, mobile food units, temporary food service establishments, and similar places where food is prepared and served or provided to the public within Livingston County.

600.3 State Laws and Regulations

Requirements with respect to definitions; the inspection of food service establishments; the issuance, suspension, and revocation of licenses to operate food service establishments; the prohibiting of the sale of unsold or mislabeled food or drink; investigation of foodborne outbreaks; and the enforcement of this regulation shall be those requirements as set forth in Part 129 of Act 368 of the Public Acts of 1978 and all rules and regulations adopted pursuant to said Act.

600.4 Management Training

All food service establishments licensed under this Code shall have the majority of time at least one person on the premise who has satisfactorily completed an applied food service sanitation training program approved of the department. This program shall be directed toward training supervising and management personnel. Proof of successful completion shall be presented when requested by representatives of the Livingston County Health Department. All food service establishments shall comply with this provision no later than April 30, 1994. In the event a licensed food service operation is not in compliance with this Section due to a certified and trained employee leaving employment, the operation shall be allowed a period of not more than 6 months to regain compliance with this Section. A food service operation

not in compliance with this Section shall immediately notify the Livingston County Health Department.

600.5 Employee Training

Each fixed food service establishment shall conduct an employee food service sanitation training program and require each employee to successfully complete the program prior to beginning employment. The content of the training program shall be approved by the Livingston County Health Department. Proof that all employees have successfully completed the approved food service sanitation training program shall be presented when requested by a representative of the Livingston County Health Department. All food service establishments shall comply with this provision no later than April 30, 1994.

600.6 Septic Tank/Grease Trap Capacity

All food service establishments with onsite sewage disposal systems shall have septic tanks which are designed to provide a minimum of 72 hours retention. Either multiple tanks or a multiple compartment tank shall be used. Existing food service establishments need only comply with the requirement to provide 72 hours retention if failure of the existing sewage disposal system occurs or there is any anticipated increase in wastewater flows due to renovation, enlargement and/or change of operation. Alternatively, separate plumbing with a grease interception device for kitchen waste may be installed and septic tank capacity reduced to 24 hour retention time for a total waste water flow. Grease interception devices shall be designed in accordance with the Environmental Protection Agency Design Manual on Onsite Sewage Treatment and Disposal. All plumbing must comply with Local and State Plumbing Codes.

600.7 Septic Tanks/Grease Trap Maintenance

Food service establishments utilizing septic tanks or grease traps connected to onsite sewage disposal systems shall have the tanks or traps pumped and maintained on an annual basis. Upon request proof of proper maintenance shall be submitted to a representative of the Livingston County Health Department. Hauling and disposal of these wastes shall be in accordance with Act 181, the Septage Waste Servicers Act. Pumping will not be required if either a registered engineer or registered sanitarian inspects the system and provides written documentation to the Livingston County Health Department that the tanks and traps do not need to be pumped.

The above is designed as a minimum requirement. It is recommended that owners and operators of the food service establishments develop maintenance schedules which will prevent premature failure of onsite sewage disposal systems. This maintenance schedule will in most instances be more frequent than on an annual basis.

CHAPTER VII PUBLIC ASSEMBLAGES

Section 700 Definitions

700.01 Public Assemblage

A public assemblage is any event with an expected or actual attendance of more than five-hundred (500) persons and expected to last longer than four (4) hours, in which the event, or any part thereof, includes a public show, display, theatrical, entertainment, amusement or other exhibition, including but not limited to music festivals, rock festivals, or similar gatherings. This definition shall not include:

- A. An event which is conducted or sponsored by a governmental unit or agency on publicly owned land or property;
- B. An event held entirely within the confines of a permanently enclosed and covered structure; or
- C. An event for which a rally campground permit has been issued in accordance with Part 125 of Act 368 of the Public Acts of 1978.

Section 701 Jurisdiction and Administration

701.01 General

This regulation establishes the minimum number of required facilities for the proper disposal of human waste and other health related considerations at large public assemblages.

701.02 Jurisdiction

The provisions of this chapter shall apply to all public assemblages occurring within Livingston County except that a city, village, or township may elect to exempt itself by adopting and enforcing a similar or more stringent standard.

Section 702 Suitable Sanitary Facilities for Public Assemblages

702.01 Approved Toilet Facilities

If water flushed fixtures are provided, they shall be supplied with adequate water for flushing and shall be connected to a public sewer or to a private sewage disposal system constructed in accordance with Chapter III of this Code. Toilet facilities of the non-water-flush type shall be constructed so as to be reasonably fly-tight, easily cleanable, and to retain all human

wastes pending collection and disposal. All toilet facilities shall be so equipped and arranged so as to provide shelter, privacy, segregation of sexes, adequate ventilation and lighting; toilet tissue in suitable dispensers shall be furnished. Suitable hand washing facilities as approved by the Health Officer shall be available in locations convenient to the toilet facilities.

702.02 Number of Facilities for Public Assemblages

Based on expected or actual attendance, whichever is greater, the number of fixtures or toilet units at a public assemblage shall be no less than required by Table 7-1. Where the event is expected to extend beyond twenty-four (24) hours in duration, showers shall be provided on the basis of one (1) shower head for each one hundred (100) persons of each sex. Sufficient water heating capacity shall be provided to maintain a constant flow of tempered water at no less than 90 degrees F. to every shower head.

702.03 Water Supply

Water furnished to any lavatory, drinking fountain, shower, or other fixture, device or equipment wherein or from which direct consumption or human body contact is possible shall be potable and be obtained from an approved source in accordance with Chapter IV of this Code.

702.04 Garbage and Rubbish Removal

Garbage and rubbish storage containers shall be provided in sufficient quantity and shall be strategically located throughout the site. Each container shall be serviced as often as is necessary to preclude unsightliness and problems with insects and rodents. A minimum of one (1) thirty gallon metal container per twenty-five (25) people is recommended. All waste shall be removed from the premises and shall be disposed of at an approved licensed solid waste disposal facility. Onsite burning of garbage and rubbish is prohibited.

Section 703 Permit Required

703.01 Permit

No person shall conduct or allow a public assemblage upon any premises within Livingston County without first having obtained a valid operating permit issued by the Health Officer authorizing such assemblage.

1. Application for a permit shall be made by the property owner(s) or their authorized representative. The application shall be made upon forms provided by the Health Officer and shall be submitted along with the appropriate service fee.
2. The Health Officer shall refuse to issue a permit for a public assemblage where the submitted information is incomplete or when it is determined the public assemblage is not in compliance with this Code.

3. The applicant shall post a minimum cash bond of \$250.00 plus \$25.00 for each one hundred (100) persons in excess of one thousand (1,000) at the time application for a permit is submitted. The requirement for posting of cash bond may be waived at the discretion of the Health Officer.

Section 704 Notice to Departments

The permit holder shall be responsible for notifying the various departments and local units of government as enumerated below, in writing at least ten (10) days before the scheduled public assemblage.

704.01 Roads

Roads leading to the proposed location of the public assemblage shall be maintained in a dust free condition. The Livingston County Road Commission shall be notified of the expected increase in traffic volume and type of vehicles anticipated. Responsibility for compliance with this provision shall be that of the permit holder and shall be accomplished in a manner approved by the Livingston County Road Commission.

704.02 Traffic Control and Safety

The Livingston County Sheriff and the Michigan State Police shall be notified of the planned public assemblage for the purpose of assigning officers to direct and monitor traffic and providing protection to assure personal safety.

704.03 Fire Department

All fire department districts having jurisdiction over the site where the event is to occur shall be notified of the planned public assemblage.

704.04 Local Ordinances and Zoning

The appropriate township or local unit of government shall be notified of the planned public assemblage and proper zoning approvals and permits shall be obtained. Where a permit is not required by the township or local unit of government, a written waiver of permit shall be obtained from said office.

704.05 Building Department

The Livingston County Building Department or appropriate local building department shall be notified and proper permits obtained for any temporary or permanent construction activities anticipated. Where a permit is not required by the Livingston County Building Department or local building department, a written waiver of permit shall be obtained from said office.

Section 705 General Considerations

705.01 Electrical Facilities

Any electrical facilities, whether temporary or permanent, shall be installed by a licensed electrician.

705.02 First Aid and Emergency Services

Persons possessing first aid knowledge, along with proper first aid equipment, shall be available at all times during the public assemblage. At large assemblages [six thousand (6,000) persons or more] a licensed physician, nurse, or paramedic shall be present. Hospitals and ambulance services shall be notified by the permit holder when large assemblages are planned.

TOILET FIXTURE REQUIREMENTS FOR PUBLIC ASSEMBLAGES

NUMBER OF MALES	MALES			NUMBER OF FEMALES	FEMALES	
	CLOSET	LAVA- TORIES	URINALS		CLOSETS	LAVA- *** TORIES
1-100	1	1	1	1-75	1	1
101-250	2	1	1	76-200	2	1
251-600	2	2	2	201-400	3	2
601-775	3	3	3	401-600	4	2
776-950	3	3	4	601-800	5	3
951-1125	4	4	5	801-1100	6	3
1126-1300	4	4	6	1101-1400	7	4
1301-1500	5	5	7	1401-1700	8	4
1501-1700	5	5	8	1701-2000	9	5
1701-1900	6	6	9	2001-2300	10	5
1901-2100	6	6	10	2301-2600	11	6
2101-2350	7	7	11	2601-2900**	12	6
2351-2600*	7	7	12			

* WATER CLOSETS, LAVATORIES

In addition, provide one (1) water closet and one (1) lavatory for each additional five hundred (500) males, or fraction thereof, starting at two thousand six hundred (2600).

* URINALS

In addition, provide one (1) urinal for each additional two hundred fifty (250) males, or fraction thereof, starting at two thousand six hundred (2600).

** WATER CLOSETS

In addition, provide one (1) water closet for each additional three hundred (300) females, or fraction thereof, starting at two thousand nine hundred (2900).

**** LAVATORIES**

In addition, provide one (1) lavatory for each additional six hundred (600) females, or fraction thereof, starting at two thousand nine hundred (2900).

***** SUBSTITUTION OF URINALS FOR WATER CLOSETS**

Urinals may be substituted for up to 50% of the water closets required.

CHAPTER VIII - SEWAGE DISPOSAL CONTRACTOR LICENSING

Section 800 Definitions Applicable to this Chapter

800.01 Installing

The construction, alteration, modification, building or digging, excavation, adding to, changing, trenching, filling, extending, setting in place, connecting up, fixing into position for use or ready for use of a septic tank, septic tank excavation or hole, absorption field, disposal trench or other surface or subsurface sewage disposal system, placement of stone, tile or other materials, in absorption fields or leech beds or other subsurface trenches, fields, beds, holes, dry wells or excavations.

800.02 Repairing

The making of alterations, modifications, additions, changes, corrections, repairs, building, installing, adding of materials to subsurface or surface facilities or septic tanks or treatment devices, correction of deficiencies occasioned by malfunctioning, nonfunctioning, inadequate functioning of subsurface or surface facilities or septic tanks or treatment devices.

800.03 Sewage Disposal System

A system, other than a public system which is under the jurisdiction of Act 98 of the Public Acts of 1913, as amended, being Sections 325.201 through 325.214 of the compiled laws of Michigan, which receives either human excreta, sewage waste or both. Included within the scope of this definition are septic tank - soil absorption systems, aeration systems, package treatment plants, lagoons, privies, chemical toilets, composting toilets, or other similar contrivance used in the treatment and disposal of sewage as may be approved by the Health Officer.

801 Licensing Requirements

801.01 Licensing Required

It shall be unlawful for any person to engage in or carry on the business of installing or repairing septic tanks or treatment devices, seepage pits, dry wells, tile fields or other surface or subsurface sewage disposal systems within Livingston County unless duly licensed and bonded as hereinafter provided.

801.02 License Exception

Nothing in this regulation shall be construed to require an individual from installing his own sewage disposal system to serve his own personal single or two family residence providing that a permit is obtained from the Livingston County Health Department and said construction is in accordance with these regulations. Also excluded are manufacturers of septic tanks, tile, stone processors and persons making delivery of these products to the job site, provided they do not install such products.

801.03 Application

Each person engaged in such business for the purposes of aforesaid shall file an application directly with the Health Officer with such information as he may require. Said application for a license shall be submitted to the Health Department prior to January 1st of each year, accompanied by a license fee, as established by a fee schedule, made payable to the Livingston County Health Department and also accompanied by a bond as required in Section 801.04 of these regulations. The application shall state the nature of the business, the post office address of the applicant, post office address at or from where the business is to be conducted, and if the applicant shall operate a branch or other place of business. The application shall state any additional information the Health Officer may require.

801.04 License Contractor Bond Requirement

The application for a license shall be accompanied by a Michigan company surety bond or with such sureties, form and sufficiency as shall be approved by the Health Officer, covering the period for which the license shall be issued to indemnify persons for whom service and maintenance work is performed. Such bonds shall be \$25,000 for each licensee. The Health Officer shall be the obligee and the bond shall be for the benefit of and for the purpose of protecting any person or persons damaged by faulty workmanship in the installation or repair of septic tank or treatment devices, seepage pits, tile fields or other subsurface sewage disposal systems and shall guarantee the appearance of the licensee to answer any warrant within 30 days of notice to the bonding company of the issuance of such warrant. Such bonds shall be conditioned upon the performance of the services in a safe good workmanlike manner and in compliance with the Livingston County Sanitary Code.

801.05 Issuance of License

Prior to a person being issued a license as a sewage disposal contractor, all regulations pertaining to sewage disposal shall be reviewed by the applicant and a statement signed that he and/or his firm, company or corporation will comply with such regulations. If the Health Officer after such investigation as he deems necessary is satisfied the applicant has the qualifications, experience, reputation and equipment to perform the services in a manner not detrimental to safety and public health and submission of the necessary bonding requirements as stated in Section 801.04 and the completed application as indicated in Section 801.03 he shall issue or cause to be issued a license to the applicant.

801.06 Suspension of License

Any sewage disposal contractor's license issued pursuant to Section 801.05 of these regulations may be suspended by the Health Officer if it is his judgement one or more of the following conditions are present:

- A. The contractor installs any sewage disposal system prior to a permit being issued by the Livingston County Health Department.
- B. Violations of the construction requirements as stated in the construction permit and/or other provisions of this Code.

The contractor shall be notified in writing of the suspension and the conditions which caused the suspension.

801.07 Reinstatement of Suspended License

Whenever a contractor believes the condition(s) for which his license was suspended has been resolved he may request his license to be reinstated. After determination by the Health Officer that the causes for suspension has been satisfactorily resolved he shall reinstate the contractor's license.

801.08 Identification of Equipment

All equipment such as tractors, trenchers, trucks used in connection with the installation, repairing, alteration or extending of a sewage disposal system shall be lettered with 2 inch letters giving the name of the licensed contractor or firm. All licensed sewage disposal contractors shall display the decals provided to them by the department.

801.09 Workmanship

All work done such as repairs, installation or alterations or sewage disposal system modifications shall be performed in a workmanlike manner and the property served left in a safe and sanitary condition free from any unprotected hole such as dry wells and the premises free of any pooled sewage, sludge or septic tank effluent.

801.10 Rights to Appeal

Whenever a licensed sewage disposal contractor feels he has been aggrieved by a decision of the Health Officer to suspend or refuse to issue his license, he may appeal that decision to the Livingston County Sanitary Code Board of Appeals as per the requirement stated in Chapter II of these regulations.

801.11 Sewage Disposal Contractor's Advisory Board

There shall be created a Livingston County Sewage Disposal Contractor's Advisory Board whose duty it shall be to assist the Health Officer in the formulation of policy and to advise the Health Officer in carrying out, executing and implementing these regulations.

The Sewage Disposal Contractor's Advisory Board consists of three licensed sewage contractors whose principal place of business is located in Livingston County. Appointments to the Sewage Disposal Contractor's Advisory Board are made by the Board of Health for a nonconcurrent term of up to two years.

CHAPTER IX PUBLIC BATHING BEACH WATER QUALITY

Section 900 Definitions Applicable to this Chapter

900.01 Public Bathing Beach

An area of land accessible to the public and bordering on a body of water which is used collectively by a number of individuals, primarily for the purpose of swimming or wading, recognized as intended for use by the public as a designated swimming area and is owned by a governmental entity, used in conjunction with a licensed permanent or temporary campground, day-care center, school or other educational institution or children's camp or operated on a user fee or membership fee basis.

900.02 Standard Methods

A national publication detailing acceptable methods for the examination of water and wastewater.

Section 901 General Requirements

901.01 Public Bathing Beach Operation

A public bathing beach shall not be operated unless it is in compliance with the following:

1. Owner/operator is conducting water sampling, collection and analyses as specified by these regulations.
2. Public bathing beach meets the water quality standards as specified by these regulations.

901.02 Sample Collection and Analyses

An owner or operator of a public bathing beach shall collect a minimum of two 100 ml. Water samples each week for a period beginning two weeks prior to the proposed operation of the public bathing beach and throughout the time of the bathing beach operation and arrange for the analyses of those samples for fecal coliform. Samples shall be collected and analyzed as per the approved listing procedures outlined in standard methods. Analyses shall be completed in a laboratory approved by the Health Officer. A public bathing beach with more than 1000 lineal feet of beach front area will require one 100 ml. Sample be collected and analyzed for each 500 lineal feet of beach or portion thereof.

901.03 Submittal of Analyses to the Health Officer

Within 48 hours of the completion of the analyses the results shall be submitted to the Health Officer for review. The Health Officer shall review the analyses to determine if the water quality meets the requirements as specified in these regulations. If during the sampling program the water quality is determined to not meet the water quality standard as specified by these regulations the Health Officer shall order discontinuance of swimming at the public bathing beach.

901.04 Water Quality Standards

The water quality of a public bathing beach following standard methods of bacterial determinations shall contain not more than 200 fecal coliforms per 100 ml. Determined on the basis of the geometric average of any series of five or more consecutive samples taken over a period of not more than 30 days.

901.05 Reopening of a Closed Public Bathing Beach

The Health Officer shall allow a public bathing beach to operate if it is in conformance with the water quality standards of these regulations.

901.06 Frequency of Collection Analysis

When a sanitary survey shows that a problem is not likely to develop and the public bathing beach has a satisfactory history of fecal coliform counts the Health Officer may deem it satisfactory to decrease sampling frequency to bi-weekly or monthly sample collections and analyses.

901.07 Limited Intent

These regulations are intended to protect the public health from disease transmission due to bacterial contamination and does not include chemical hazards, safety hazards, inadequate supervision, etc.

CHAPTER X CIVIL CITATIONS

Section 1000.01 Civil Citations

Pursuant to Section 2461 and 2462 of Act 368 of the Public Acts of 1978, as amended, the Health Officer is hereby authorized to issue civil citations to be assessed for a specific violation of these regulations at this time or not later than 90 days after discovery of the alleged violation. The citation shall be written and shall state specifically the nature of the violation, including reference to the section, rule, order or regulation alleged to have been violated, the civil penalty established for the violation, if any, and the right to appeal the citation. The citation shall be delivered or sent by certified mail to the alleged violator.

Section 1000.02 Appeal of the Civil Citation

Not later than thirty (30) days after receipt of the civil citation an alleged violator may petition the Health Department for an administrative hearing which shall be held within 30 days after receipt of the petition. After the administrative hearing the Health Officer may affirm, dismiss or modify the citation. The decision of the Health Officer shall be final unless within 60 days of the decision the Board of Health grants review of the citation. After the review, the Board of Health may affirm, dismiss or modify the citation. A person aggrieved by a decision by the Board of Health may petition the circuit court of Livingston County for review. The petition for court review shall be filed not later than 60 days following receipt of the final decision concerning the civil citation.

Section 1000.03 Monetary Civil Penalties

By authority of Section 2461 of Act 368 of the Public Acts of 1978, as amended, the following schedule of monetary civil penalties is hereby adopted.

Schedule of Monetary Civil Penalties

This schedule sets forth monetary penalties for certain specific violations of these regulations and other laws which the Health Department must enforce. One or more monetary penalties may be assessed concurrently. Each day the violation continues shall be considered a separate offense.

- | | | |
|----|--|----------|
| A. | Installation of an onsite sewage disposal system without a permit.
(Owner and/or licensed contractor) | \$500.00 |
| B. | Failure to abate a public health nuisance | \$500.00 |
| C. | Construction of an onsite sewage disposal | \$500.00 |

	system without a license.	
D.	Operation of a food service establishment or a temporary food service establishment without a license.	\$500.00
E.	Construction of a food service establishment without approved plans.	\$500.00
F.	Construction of a private onsite water supply without a permit. (Owner and/or licensed well driller)	\$500.00
G.	Construction of a Type II or Type III water well as defined by Act 399 Public Acts of 1976 as, amended, (MCL 325.1001 <u>Et. Seq.</u>) Without a permit. (Owner and/or licensed well driller)	\$1,000.00
H.	Operation of a public swimming pool or public bathing beach without submittal of required water sample results or with unacceptable bacteriological water quality.	\$500.00
I.	Construction of a private and/or non-community water supply system in violation with Part 127 of Act 368 and Act 399 of 1976, as amended.	\$500.00
J.	Operation of a Type II public water supply with unacceptable water quality and/or failure to submit the required water sample results.	\$500.00
K.	Failure to comply with a stop work order. (Contractor, owner and/or other responsible party)	\$500.00
L.	Failure to comply with a Public Health Order issued in accordance with Section 2451 of the Michigan Public Health Code, Act 368 Public Acts of 1978, as amended, (MCL 333.2451).	\$1,000.00
M.	Allow sewage to accumulate on the surface of the ground or to flow into an open drain, ditch or body of water.	\$500.00

The amount of monetary penalty shall be doubled for a second citation for the same violation. Thereafter, each citation shall be a maximum of \$1,000 for each violation. When a violation of these regulations or another law, regulation or rule which the Health Officer has the duty to enforce exists, and for which no specific monetary penalty has been published, the monetary penalty shall be \$500 for the first citation, \$1,000 for a second citation and \$1,000 for any succeeding violation. A civil penalty imposed under this part is payable to Livingston County and shall be deposited with the Livingston County Treasurer and credited to the Health Department.

A civil penalty shall become final if a petition for an administrative hearing or review is not received within 30 days of its issuance. A civil penalty may be recovered in a civil action brought in the county in which the violation occurred or where the defendant resides.

In the specific case of a licensed food service establishment or any other licensed entity, an unpaid civil penalty shall be charged in addition to the regular license fee for the next licensing period.