

**Jackson County**

**Sanitary Code**

**Jackson County Health Department**

**Environmental Health Division**

**1715 Lansing Ave, Suite 221**

**Jackson, MI 49202**

**24 Hour Phone (517) 788-4433**

**24 Hour Fax (517) 788-4616**

Effective December 3, 1992  
Amendments to Chapters 1,2,3, & 5  
plus new chapters 6 & 7 effective June 23, 1995



**Jackson County Health Department  
Guidelines for Interpreting Sanitary Code**

Occasionally questions arise regarding interpretation of sanitary code language. When needed to help clarify the language or set policy on how certain situations will be handled, guideline statements will be developed and added to this list. The related section(s) of the code, plus the effective date will be listed after each statement.

1. **The square feet of trench bottom under a main header will be calculated as part of the absorption system.** The header trench must be constructed the same as the laterals or footer, except that the header must be solid pipe. The area under a split header will not be included. Section 302.10. (3/1/93)
2. On a replacement system for an existing dwelling, the septic tank capacity will not normally need to be upgraded to the minimum required capacity unless the existing tank has less than 1000 gallons capacity or is: made of metal, in poor condition, inadequately isolated from wells, surface water, foundation or has a similar problem that would make a new tank necessary. Sections 301.20 and 302.3. (9/20/93)
3. Drywells are an option for a new home, if there is inadequate room for a bed or trench system along with any required reserve area. Section 301.12D. (3/1/93)
4. When determining if there is the 2.0 feet of naturally occurring soil needed to meet minimum site criteria, 1 foot of topsoil may be included. Section 301.12H. (3/1/93)
5. The sanitary code has sections that allow the Health Officer to grant variances for existing dwellings. This leaves the granting of some variances for new structures to the Sanitary Code Board of Appeals.

**"New structures" shall be defined as rebuilding after the existing structure is over 50% voluntarily demolished or removed. Structures rebuilt within one year after being damaged by fire or casualty shall be considered existing.**

Occasionally a proposal is made to connect a new structure to an existing well and/or sewage system that was used for a previous structure. Approval to connect to the existing systems will be considered on a case by case basis. Sections 301.12-13 & 301.20. (9/20/93)

Applicants must apply for well and septic permits. The Sanitarian will review the site along with the existing well and septic systems that are proposed for use. The permits will then be issued:

- A. approving use of existing well or septic system or
- B. approving installation of new well or septic system or
- C. approving modifications to existing well/septic system or
- D. Deny permits and refer to Board of Appeals.

## 6. Well Driller's: Inspection Notification Requirements\*

Call 517-788-4433 and notify the Environmental Health Division of the:

1. Dates and times the well will be under construction and
2. The date and time the well will be ready for final inspection. Please also provide the following information: well driller, address of well, permit number and the depth of well, casing and pump, if known.

### **\*NOTE THESE SPECIAL INSPECTION REQUIREMENTS:**

**Property owner installed portions of a water supply system.** Make an appointment so the Sanitarian can visually inspect all property owner installed components. This will require leaving the pressure line and pitless adapter exposed and providing access to the storage tank.

For these 2 categories please make appointments at least a day ahead so a Sanitarian can view grouting and well abandonment as it occurs.

**Type II non-community wells.** These are wells which will serve at least 25 people a day for at least 60 days a year.

**Specially constructed wells.** Typically these will be wells drilled in known groundwater contamination areas.

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kb/ scguide1

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## CHAPTER I GENERAL PROVISIONS

### PREAMBLE

The objective of these regulations is to provide a high level of environmental protection, be flexible to handle changing environmental concerns, and be reasonable and fair to Jackson County residents.

See Section 101 for definitions. Defined words are in "*Italics*" throughout this document for easy identification.

#### Section 100 Jurisdiction, Administration, and Fees

##### 100.1 Authority

By virtue of the power vested in the Jackson County Health Department under Act 368, of the Public Acts of 1978, there are hereby provided regulations affecting public health; welfare and safety; permits for the installation of *sewage disposal systems* and *water supply systems*; *sewage waste disposal*; housing, solid waste and provisions for penalties for violations of said regulation.

##### 100.2 Jurisdiction

The *Health Officer* shall have jurisdiction throughout Jackson 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.

##### 100.3 Right of Entry and Inspection

The *Health Officer* or his duly authorized representatives, after proper identification, may inspect any *premises* at any reasonable hour of the day. Sections 2241-2247 of Act 368 of the Public Acts of 1978 apply to an inspection or investigation made by the *Health Officer* or his duly authorized representative.

##### 100.4 Interference with Notices

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

##### 100.5 Abatement of Public Health Nuisances

The *Health Officer* shall have the power to order a person to avoid, correct or remove an imminent danger as allowed and defined in section 333.2451 of Act 368, Public Acts of 1976, commonly known as the Public Health Code.

##### 100.6 Fee Schedule

A schedule of fees for licenses, permits, fines and other services authorized by this code shall be adopted from time to time by the Jackson County Board of Commissioners, pursuant to Section 2444 of Act 368, Public Acts of 1978. Fees shall be made payable to the Jackson County Health Department.

##### 100.7 Handling of Fees

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

##### 100.8 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.

### **100.9 Amendments**

The Board of Commissioners of Jackson County may amend, supplement or change these regulations, in accordance with Act 368 of the Public Acts of 1978.

### **100.10 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. Each twenty-four (24) hours said person shall knowingly permit said violation of these regulations shall be deemed an additional offense.

### **100.11 Injunctive Proceedings**

Notwithstanding the existence and pursuit of any other remedy, the Health Department may maintain an action in the name of the people of the County of Jackson 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 Department has the duty to enforce, or to restrain, prevent, or correct an activity which the Health Department believes adversely affects the public health.

### **100.12 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.

### **100.13 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.

### **100.14 Notification**

Notification of the adoption of all regulations promulgated by the Board of Commissioners of Jackson County, under authority of Act 368 of the Public Acts of 1978 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.

### **100.15 Effective Date**

These regulations or amendments thereto shall become effective on the 30th day after the date of approval by the Jackson County Board of Commissioners and shall apply to all premises, within the County of Jackson.

### **100.16 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 existing Jackson 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.

### **100.17 Repeal of Other Regulations**

The Rules and Regulations governing Water Supply, Sewage Disposal, Habitable Buildings and Dwellings, Garbage and Rubbish and Land Subdivision in Jackson County effective May 10, 1967 is hereby repealed, along with any amendments which may have been adopted thereafter.

#### **100.18 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 Jackson County.

#### **100.19 Appearance Tickets**

In a manner prescribed in Sections 2441 and 2442 of Act 368 of the Public Acts of 1978, 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.

#### **100.20 Guidelines**

The Health Officer may prepare guidelines concerning the interpretation of this code.

### **Section 101 General Definitions**

See each chapter for definitions applicable to that chapter.

#### **101.1 Approved**

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

#### **101.2 Board of Health**

The Human Services Committee of Jackson County.

#### **101.3 Habitable Building**

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

#### **101.4 Health Department**

The Jackson County Health Department.

#### **101.5 Health Officer**

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

#### **101.6 Interchange ability**

When consistent with the context, words used in the masculine form include the feminine, or the reverse; words used in the present tense include the future; words in singular include the plural, and words in the plural include the singular.

#### **101.7 Municipality**

Any city, village or township within the county of Jackson.

#### **101.8 Occupant**

Occupant means any person living or sleeping in a Habitable Building or having actual possession of a Habitable Building for more than three (3) successive days.

**101.9 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.

**101.10 Owner**

Any *person*, agent, firm, or corporation having a legal or equitable interest in the property.

**101.11 Person**

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

**101.12 Premises**

A lot or parcel of land including the buildings or structures thereon.

**101.13 Public Health Nuisance**

The words "*public health nuisance*" shall be held to embrace *public nuisance* as known as common law or in equity jurisprudence; or whatever is dangerous to human life or detrimental to health; whatever building, structure, or *premises* is not sufficiently ventilated, sewerred, drained, or maintained, reference to its intended or actual use; or whatever renders the air or human food or drink or *water supply* unwholesome.

**101.14 Working Day**

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

## CHAPTER II SANITARY CODE APPEALS PROCEDURE

### PREAMBLE

The purpose of this section is to provide a formal procedure for persons wishing to appeal any Health Department order, decision or notice.

**Section 200 Board of Appeals** The Jackson County Board of Commissioners shall appoint a five (5) member appeals board to hear all appeals. Members shall be residents or properly owners in the county and selected to serve based on qualifications and fitness without consideration of political activities. Members shall be licensed in their vocation if required by the State or this ordinance and actively pursuing their profession in order to serve on the Appeals Board or as an alternate. The Human Services Committee shall recommend members to the Jackson County Board of Commissioners. One (1) member shall be a Jackson County Human Services Committee member and be appointed annually for a one (1) year term. The remaining members shall include: one (1) licensed sewage system installer, one (1) registered well driller, one (1) general contractor or builder and one (1) person from the general public. Initially, the four (4) non-commissioner members shall be appointed for one (1), two (2), three (3) and four (4) year terms with eligibility for reappointment. Thereafter, the terms shall be for four (4) years. Members may serve a maximum of two (2) consecutive appointments. Vacancies shall be filled by appointment for the balance of the unexpired terms.

An alternate member shall be appointed for each of the five (5) categories. Alternate members shall serve as needed to fill in for vacant members.

A person making an appeal shall pay a fee upon filing a hearing request. The fee amount shall be stated in the Health Department fee schedule and may be waived by the Health Officer if the applicant can demonstrate financial hardship.

The Board of Appeals may recommend to the Human Services Committee waiver of the fee if they believe that there was a violation of responsibility by the Health Officer which required the applicant to go to the Board of Appeals.

### Section 201 Hearing of Appeals

#### 201.1 Hearing Before the Health Officer

Any person affected by an order, decision, or notice issued by the Health Officer in connection with the enforcement of this code is encouraged to meet and resolve any concerns with the Director of Environmental Health and/or the Health Officer. At any time a person may cease efforts to reach an administrative resolution and request a hearing before the Board of Appeals.

#### 201.2 Hearing Before the Board of Appeals

A person requesting a hearing before the Board of Appeals shall make a written request to the Health Officer. The Health Officer shall schedule the hearing to be held within fifteen (15) days following the request. The Board shall render a decision at the end of the hearing unless the Board of Appeals requests that more information be submitted or that other individuals be contacted to provide input, but in no case extend past 15 days. Any Board of Appeals decision shall be put in writing and made available within three (3) working days. Appeals board decisions shall be final unless an appeal is filed in a court of competent jurisdiction, within thirty (30) days. (See section 201.4 for information regarding appeals over one (1) year old.)

#### 201.3 Documentation Required

Supporting documentation shall accompany a request and include adequate information for the Board of Appeals to adequately review, discuss, and render a decision. At a minimum, documentation shall include a brief statement of the problem and desired resolution.

**201.4 Guidelines Used For Deciding Appeals**

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

1. No health hazard or *nuisance* is likely to occur as a result of the decision;
2. Strict compliance with regulations and requirements would result in undue, unnecessary or unreasonable hardship;
3. No state statute, or other applicable laws would be violated;
4. The proposed variance would provide equivalent protection of public health and be in the public interest; and
5. The decision is not in conflict with the intent and purpose of the Jackson County Sanitary Code.

The Board of Appeals *may* decline to hear an appeal or deny an appeal heard solely on the basis that the appeal was applied for more than one (1) year after the *Health Officer's* decision was made.

**201.5 Expiration of Variances**

Any variance granted is valid for two (2) years from date issued unless otherwise specified. Construction, installation or other work *approved* must be complete before the variance expires.

## CHAPTER III SEWAGE DISPOSAL

### Section 300 Definitions Applicable to This Chapter

See Chapter I, Section 101, for additional definitions

#### 300.1 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.

#### 300.2 Artesian

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

#### 300.3 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.

#### 300.4 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.

#### 300.5 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.

#### 300.6 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 into the surrounding soil.

#### 300.7 Fill Sand

"Fill sand" shall be a medium sand meeting the following specifications:

Percent passing # 4 sieve	90-100%
Percent passing # 60 sieve	0-50%
Percent passing # 100 sieve	0-20%
Percent passing # 200 sieve / lost by washing	0-5%

#### 300.8 Flush Toilet

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

#### 300.9 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 upstream 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.

### **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 or solid waste products from industrial processes as distinguished from domestic sewage.

### **300.14 Installer**

"Installer" means any person or contractor who engages in the installation of any part of a sewage disposal system for another person or oneself.

### **300.15 Michigan Guidelines 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 guidelines apply to all semi-public or public subsurface sewage disposal systems.

### **300.16 Nuisance**

A "nuisance" shall include, but not be limited to, any conditions 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.

### **300.17 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 "inade land" is not considered as part of the naturally occurring soil profile.

### **300.18 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.

### **300.19 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 shall be at least 75% of the minimum area required in Section 302.10.

### **300.22 Scaled Plot Plan**

A drawing of accurate representation to a reasonable scale showing the following: (1) properly boundaries and dimensions, (2) house, structure or building location and dimensions, (3) location and distances of neighboring wells and septic systems to subject property, if known (4) location of proposed well and septic system, (5) location of surface water if applicable, (6) location of proposed or existing underground facilities if applicable, (7) location of proposed or existing buried fuel storage tanks, if known.

### **300.23 Semi-public 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 designed 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 outflows 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 Department of Transportation gradation specifications, unless otherwise specified.

### **300.30 Surface Water**

"*Surface water*" shall mean any lake, stream, or marsh.

### **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**

### **301.1 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.

### **301.2 Connections Required**

All sewage generated from a new habitable building constructed on a premise shall be connected with a publicly operated sewerage system when such system is available. In the absence of such sewerage system, connection shall be made to a sewage disposal system constructed in accordance with the provisions of these regulations. A publicly operated sewerage system shall be considered available if:

1. The government entity operating the system considers it feasible to connect and
2. The sewer system is 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 two hundred (200) feet at the nearest point from a structure in which sanitary sewage originates.

When any existing sewage disposal facility, serving any premise where a publicly operated sewerage system is available, is found in violation of any provision of these regulations, or of any other applicable health law, ordinance or regulation 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, as set forth in a written notice to the property owner.

### **301.3 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 removed.

### **301.4 Permits**

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

- A. All semi-public and two-family residential sewage disposal systems shall be installed or constructed by a properly licensed sewage disposal system installer.
- B. A sewage disposal system serving a single residence used for the purposes of the property owner's own personal residence shall be installed either by a licensed sewage disposal system installer or the property owner.
- C. A copy of the permit shall be available at the construction site throughout the installation of the sewage system.

### **301.5 License Required**

#### **A) Initial Licensing**

Any person or contractor, prior to commencing any work of installing sewage disposal systems for hire within Jackson County, shall apply for and obtain a license from the Jackson County Health Department. Each applicant for such license shall successfully pass a written examination developed and administered by the Jackson County Health Department. A fee, as stated in the Health Department Fee Schedule, shall accompany each application. The annual licensing period shall expire on December 31 of each year.

#### **B) License Renewal**

Any person or contractor licensed under the provisions of Section 301.5 and wishing to renew that license may be required to successfully pass a written examination prior to licensing renewal.

#### **C) Private Property Owners**

No person other than a person licensed under this regulation shall commence any work of installing sewage disposal systems within Jackson County unless said person is the owner of the property on which the sewage disposal systems are being installed; and that the installation is for a single-family dwelling; and said person furnishes a Health Department provided affidavit before beginning the installation that he intends to use said dwelling as his permanent residence for a period of at least one (1) year.

#### **D) Revocation of License**

Any license issued pursuant to Section 301.5 of these provisions may be forthwith revoked by the Jackson County Health Department if one or more of the following conditions are present:

- 1) The contractor installs any sewage disposal system without first obtaining a permit from the Jackson County Health Department; or
- 2) Violations of construction requirements as stated in the construction permit and/or other provisions of these regulations.

Licenses shall be revoked for a specific period of time, to be determined by the Health Officer. A contractor may be required to obtain a performance bond not to exceed \$5,000, and maintain the bond for a period of up to two years, as a condition of license reinstatement.

#### **E) Fines**

When a licensed installer installs a sewage disposal system without first obtaining a permit, the installer shall be responsible for any applicable fines specified in the Health Department fee schedule. When a person installs their own sewage disposal system without first obtaining a permit, that person shall be responsible for any applicable fines specified in the Health Department fee schedule.

### **301.6 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, or their representatives, to the Health Officer. The application may be required to include:

a. Name and address of the applicant and property owner.

b. Location of the property and tax identification number.

c. A scaled plot plan showing the proposed sewage disposal system, all relevant isolation distances, easements, deed and plat restrictions and all information necessary to determine the suitability of the premises for issuance of a permit and

d. The actual or proposed use of the property.

The *Health Officer* may require substantiating engineered data including but not limited to: soil analysis test borings, hydrogeological information and flood elevations, along with design plans and specifications for a *sewage disposal system* prepared by a registered professional engineer or registered architect.

### **301.7 Design Requirements for a Semi-public Permit**

Design plans to construct a *sewage disposal system* serving semi-public buildings with less than ten thousand (10,000) gallons per day of sewage flow shall be prepared in accordance with the Michigan Criteria for Sub-Surface Sewage Disposal. Detailed construction plans, calculations and specifications, prepared and sealed by a registered professional engineer, for systems constructed under these guidelines will be required. Submittal of detailed construction plans may be waived by the *Health Officer* for calculated design flows less than two thousand (2,000) gallons per day.

### **301.8 Priority Over Building Permits**

Since there are potential public health hazards if a habitable building is constructed upon land not having proper *sewage disposal* available, no *municipality*, township or other agency shall issue a building permit, or allow construction of any new habitable dwelling on any land where municipal sewers are not available until the *Health Officer* has either issued a permit or given other authorization to commence construction.

### **301.9 Permit Termination**

Any permit for a *sewage disposal system* shall be valid for construction and approved completion thereof within a period not to exceed one (1) year after date of issuance, unless declared void by the *Health Officer*. Permits shall be renewed, if no changes are necessary, for one year upon written request. Said permits shall not be transferrable to another location on the same parcel of land. Said permits shall be transferrable to a new owner, if no changes in the permit are required.

### **301.10 Void Permits - Stop Work Order**

A permit, as issued by the *Health Officer*, 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, compaction, 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.

### **301.11 Holding Tanks**

"Pump and Haul" as a means of sewage disposal from holding tanks for existing structures may be permitted if the *Health Officer* determines that a holding tank is the best public health option. The use of holding tanks shall be minimized. Holding tanks shall be permitted for new structures on a temporary basis. Audio and Visual high water alarms must be provided for each set of holding tanks.

### **301.12 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 Section 301.2 of this code.
- 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 there is insufficient space for: the sewage absorption system, *reserve area*, proper isolation from existing or proposed water wells, surface waters, footing drains and storm drains. A *reserve area* is not required for existing structures or subdivision lots approved prior to January 1, 1968.
- E. Where the highest zone of groundwater saturation is less than two (2.0) feet below the *original ground surface*. 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 Jackson County, site drainage, and observation of actual soil characteristics as observed during onsite investigations.
- F. Where unsuitable soils are found as defined in section 302.10.
- G. Where conditions exist or may be created which may endanger the public health or the environment.
- H. Where there exists less than two (2.0) 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 or by an on-site soils evaluation made by the *Health Officer*.
- I. When any of the provisions of 301.13 can not be met or altered to comply.

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*.

### **301.13 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.
- 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 not confined to an area less than that required for the absorption system and *reserve area*, if a *reserve area* is required by Section 301.12D.
  - 2. Water bearing formations found are not *artesian*.
  - 3. There is sufficient information to substantiate that contamination of existing or future water wells will not occur.

4. No less than three (3) feet of permeable soils exist below the unsuitable soils. The upper two (2) feet of these permeable soils must be unsaturated.

5. The unsuitable soils above the permeable soils are not saturated.

- D. Seasonal High Groundwater - Seasonable high groundwater shall be at least three (3) feet below the bottom of the trench or bed and four (4) feet below the bottom of a drywell. (See also 302.7 and 302.9)
- E. Hardpan, Clay, Impervious Material - Impervious hardpan, clay, or shale, if present, shall be at least three (3) feet below the bottom of the trench or bed and four (4) feet below the bottom of a drywell. (See also 302.7 and 302.9)
- 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 unsuitable soils, 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 (H) 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 ten (10) feet beyond the edge of the slope 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. The Health Officer may require that "filled ground" or "made land" lay idle through a freeze/thaw cycle prior to construction of the sewage absorption field or bed.

#### **301.14 Inspection Required**

- 1) One or more inspections during construction of a sewage disposal system may be required by the Health Officer. Typically, inspections during construction will be to observe excavations for deep cut systems prior to adding fill sand. A sample of fill sand used beneath a system must be available for inspection when requested. The Health Officer or installer may perform an analysis if fill sand is of questionable quality. The permit shall detail what inspections are necessary during construction. It shall be the responsibility of the installer to notify the Health Officer of the following:
- a) Dates and times the sewage disposal system will be under construction.
  - b) Date and time the sewage disposal system will be ready for final inspection.
- 2) 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. The Health Officer may waive the final inspection requirement and allow the installer to submit a combination of photographs, drawings and affidavits to document proper installation.
- 3) 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) is installed: a bed shall be exposed with the aggregate in place, and a field shall have the header and at least one trench exposed the entire length.
  - f. The entire top of a dry well shall be exposed.

- g. The *Health Officer* may specify special requirements in addition to those listed in (A) through (F) above if such are deemed necessary to conduct an adequate final inspection.

### **301.15 Certification**

When an 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*.

### **301.16 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. The *Health Officer* may revoke his previous approval if there is evidence of damage.

### **301.17 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. A condemned *sewage disposal system* shall be repaired, rebuilt, or replaced by a system constructed according to these regulations within a period of time specified by the *Health Officer*. (Also see 301.4 and 301.18)

### **301.18 Drains**

Whenever the *Health Officer* determines 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 these regulations. Public notice shall consist of the posting of at least three (3) 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 any private drain until such time as the sources of the *sewage* have been located and corrections made. Owners of properties known to be discharging improperly treated *sewage* into a public or private drain 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. (Also see 301.17)

### **301.19 Reviews for Proposed Property Changes**

Whenever changes on a property are proposed that may impact an existing *sewage disposal system* the *Health Officer* shall, upon request, review the proposal. The review shall determine if the proposed changes will disturb, cover or come to close to the *sewage disposal system*, leave inadequate room for a replacement system, use up designated *sewage system reserve area*, result in water usage increase that may overload the system, make the system inaccessible, direct surface water drainage onto the system or create other problems that would be in conflict with the intent and language of this code.

Examples of changes to a property that may impact an existing *sewage disposal system* include:

1. A change in the use of a building that would create more waste water, such as adding bedrooms or an in-home business.
2. Increasing the living or working area of an existing building.
3. Adding additional structures (i.e. outbuildings, pools).

4. Repair or rebuilding following a fire or voluntary demolition. NOTE: Approval to use an existing well and/or sewage system may require Health Officer approval and issuance of permits. (See sections 301.8 & 506)
5. Creating an easement on the property or installing underground lines.

The recommendations made from this review may be used by a municipality in making decisions regarding land use planning, zoning, or the issuance of building permits.

The Health Department may establish fees for reviews required under this section.

### **301.20 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 an 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.

### **301.21 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 including, but not limited to, frozen or saturated soils are present 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 licensed *installers*. Special consideration may be given to certain installations when those installations would be in the best interest of public health.

### **301.22 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 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 premises 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 and the rules and regulations adopted pursuant to said act; and when cleaned or serviced, the agency performing such service shall comply with Act 181 of the Public Acts of 1986, as amended.

## **Section 302 Specific Requirements for a Sewage Disposal System**

### **302.1 Sewer Lines**

#### A. Materials

Sewer lines between the building and septic tanks, or between septic tanks, shall be constructed of cast iron soil pipe with sealed joints, schedule #40 PVC with supported glued joints or other materials approved by the State Plumbing Code. Said sewer lines shall have at least twelve (12) inches of soil cover or be run through a sleeve.



B. Size

The minimum size sewer line shall be based upon the number of fixture units as set forth in the State Plumbing Code. The minimum size sewer line in any case shall be not less than three (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.

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.

F. Frost Protection

Sewer lines must be protected against frost when run beneath an area that receives regular vehicle traffic, such as a driveway.

**302.2 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 on firm soil.

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 (eighteen (18) inches minimum diameter) shall be provided. Where the top of the septic tank is located more than eighteen (18) inches below the final grade, manholes shall be built up to within eighteen (18) inches of the finished grade. (Also see 302.6A)

C. Inlets and Outlets

The bottom of the inlet line into the septic tank shall be at least two (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 eight (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 they will be subjected. The concrete tank shall be constructed of washed aggregate, properly vibrated and reinforced

to produce a minimum wall thickness of three (3) inches. Tanks constructed of concrete blocks shall be laid on a three (3) inch reinforced concrete bottom and mortar joints shall be well filled. The interior of the tank shall have a smooth cemented surface and be watertight. The top is to be a minimum of three (3) inch reinforced concrete. Onsite construction of a septic tank for single and two family dwellings shall meet the minimum requirements set forth in this code. The liquid level of the septic tank shall not be less than four (4) feet. The length of the septic tank shall not be less than five (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 two (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 one-thousand (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 four (4) inches in diameter and permit the withdrawal of liquid from the middle one-third (1/3) 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.

**302.3 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	1500 Gallons
5 and 6	2000 Gallons

B. When a single tank is installed, the tank must have two (2) compartments. A two (2) tank system may be substituted providing the primary tank has a minimum capacity of 1000 gallons.

C. Footing drain water, roof runoff water and storm drainage, shall not be connected to or discharged into a sewage disposal system. The Health Officer may require that water softener discharge not be connected into a sewage disposal system.

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) days average daily flow or 1500 gallons, whichever is larger.

**302.4 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 schedule #40 PVC where the pipe spans an excavated area and shall extend at least two (2) feet onto natural, undisturbed soil when possible. Any remaining distance shall be approved rigid watertight pipe laid at any appropriate grade. 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. A split header must be installed prior to any main header exceeding 30 feet. No split header shall serve more than four lines.

**302.5 Lift Pumps for Elevated Drainfields**

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

A. Size: Dosing or pumping chambers for one (1) or two (2) family dwellings shall be a minimum of two-hundred

fifty (250) gallons liquid capacity.

- B. Pumps: Pumps used shall be of the submersible type and specifically designed for sewage pumping.
- 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.
- D. An audio and visual high water alarm is required for any system utilizing an electrical or mechanical dosing pump. The alarm must be wired on a separate circuit from the pump.

### 302.6 Sewage Disposal System

- A. Location: In no case shall any driveway, parking area, paved or concrete surface, stockpiled material or building be placed over the disposal system. The system shall remain accessible for maintenance and all surface drainage must be diverted away. When a variance is given to place septic tanks beneath a paved or concrete surface, risers must be installed over all access covers. Covers on such risers must terminate flush with the surface and be sealed to prevent surface water from entering the tanks.
- B. Headers: Solid, watertight header shall be required at all soil absorption fields. A header shall be set level to afford an even distribution of all septic tank effluent throughout the sewage disposal system.
- C. Distribution System: All perforated drainfield tubing approved by the Michigan Department of Public Health are acceptable. The tubing must be stamped with the ASTM listed numbers (American Standard Test Methods) signifying certification under Michigan standards. All laterals shall be connected to a solid watertight header and perforated footer.

Stone used for bed and trench systems shall be washed and sized to Michigan State Department of Transportation aggregate grade standard (6A):

100% passes 1 1/2" screen  
95-100% passes 1" screen  
36-60% passes 3/4" screen  
0-8% passes #4 screen  
1% maximum lost by washing

Stone must be placed throughout the trench or bed with not less than six (6) inches below the invert and two (2) inches above the top of the distribution pipe for no less than a total depth of twelve (12) inches of stone throughout the entire trench or bed. There shall be no crowning of the stone above the tile. Before adding final soil cover, stone must be covered with straw or other material approved by the Health Officer.

### 302.7 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 soil is a coarse, medium, fine or loamy sand and bedrock or other limiting layer is not less than four (4) feet below the bottom of the drywell.
  3. The seasonal high groundwater table must be at least four (4) feet below the bottom of the drywell.
- B. Construction Requirements: Minimum drywell sizes are listed in Section 302.10. A minimum of two (2) feet of clean, washed 6A stone shall be placed around the perimeter of the drywell, unless larger stone is specified on the permit. 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 or the dry wells must be connected in series. A distribution box, if used, shall be connected individually to each drywell with pipe of water-tight construction at least four (4) inches in diameter and sloped at least one-eighth (1/8) inch per foot.

Final cover on drywells shall be a minimum of four (4) inches and a maximum of two (2) feet. When a variance is granted to allow the top of a drywell to be buried more than two (2) feet below the finished grade, manholes shall be built up to within two (2) feet of the finished grade. (See 302.6C)

**302.8 Required Minimum Isolation Distance in Feet for Single and Two Family Dwellings**

<u>From</u>	<u>To Septic Tank</u>	<u>To Absorption System</u>	<u>To Sewer Line</u>
Well	50	50	10
Property Line	5	5	10
Road Right-of-Way	5	5	--
Foundation	10	15	--
Surface Water	25	*50	10
Pressurized Water Line	10	10	
Ravine, Bank or Dropoff	5	15	5
Swimming Pool	10	10	10
Drain**	25	*50	10
Buried Utilities	5	5	--

\*For lots of record existing prior to December 3, 1992 the system must be isolated as close to fifty (50) feet as possible, with a minimum of twenty-five (25) feet required.

\*\* No part of a sewage disposal system shall be placed in a drain right of way without approval of the person or municipality responsible for the drain.

**302.9 Sewage Disposal System Construction Requirements**

	<u>Maximum</u>	<u>Minimum</u>
Number of laterals or trenches	-	2
Size of gravity distribution conduit	-	4 in.
Size of pressurized distribution conduit	-	1 in.
Length of lateral or trenches	100 ft.	-
Width of trenches	36 in.	18 in.
Space between trenches, wall to wall	-	4 ft.
Number of distribution lines per trench	1	-
Distance between distribution lines (Bed. const.)	6 ft.	4 ft.
Distance between distribution lines and bed wall	2 ft.	6 in.
Depth of distribution lines below finish grade	36 in.	12 in.
Depth of sewer line below finish grade from building wall to inlet of last septic tank	-	12 in.
Slope of distribution lines	7 in./100ft.	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 (See 302.6C & 302.7B)	1 1/2 in.	1/4 in.
High groundwater or hardpan from bottom of bed or trench	-	3 ft.
High groundwater or hardpan from bottom of drywell (See 302.7-A.2 & A.3)	-	4 ft.

**302.10 Minimum Absorption Area Requirements**

Number of Bedrooms		1,2	3	4	5	
Design Flow (GAL/DAY)*		(300)	(450)	(600)	(750)	
Soil Texture and Structure	Application Rate (GAL/SF/DAY)	Type of Absorption System	Minimum SF of Absorption Area Requirements for Single and Two Family Residences			
Coarse Sand & Medium Sand	0.75	Bed	800	800	900	1000
	1.00	Trench	500	500	600	700
Fine Sand & Loamy Sand	0.50	Bed	800	900	1200	1500
	0.75	Trench	500	600	800	1000
Sandy Loam	0.33	Bed	1000	1400	1600	2000
	0.60	Trench	600	800	1000	1250
Sandy Clay Loam & Loam	0.28	Bed	1100	1600	2000	2500
	0.50	Trench	600	900	1200	1500

**Clay & Silt Loam, Clays:** Approval on site specific basis. Approval, if given, may require but is not limited to: flow reduction devices in dwelling, use of modified conventional, mechanical or alternative technology disposal system, minimum lot size, and engineered proposal.

Sills, Muck, Peat, Marl      Unsuitable

18" trench = 1.5 SF/LF      **Abbreviations:** SF=square feet    LF=lineal feet  
 24" trench = 2.0 SF/LF      GAL=gallons  
 36" trench = 3.0 SF/LF

Drywells	Number of Bedrooms	Minimum Capacity In Gallons			
		1,2	3	4	5
	Coarse, medium, fine or loamy sand	2000	2500	3000	4000

Other soils unsuitable

\* Based on two (2) people per bedroom, seventy-five (75) gallons per person per day.

When a proposed trench type sewage disposal system has inadequate space to install the required square feet of absorption system, the lineal feet of trenches required may be reduced by placing up to eighteen (18) inches of stone beneath the distribution lines. The sidewall area gained by adding stone may be counted as square feet. For each six (6) inches of stone added, one (1) SF/LF is gained.

### **302.11 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 violation continues.

### **302.12 Undue Hardship**

When provisions of these regulations make their application an undue financial hardship, and in the opinion of the Health Officer, the public health can be temporarily protected by means of an alternative installation, variations may be approved by the Health Officer. The Health Officer may file a sworn affidavit with the register of deeds to be recorded on the property abstract listing the variations and restrictions.

### **302.13 Alternative Systems**

An alternate method of sewage disposal may be approved by the Health Officer if, in his opinion, it would provide equal or better treatment than the minimum requirements of this code. Request for approval of such variances shall be made in writing by the owner or installer to the Health Officer.

### **302.14 Establish Guidelines**

The Health Officer may prepare guidelines concerning the interpretation of this chapter. Guidelines may include, but are not limited to: maximum density of sewage systems per acre in areas that are highly vulnerable to groundwater contamination or the installation and use of systems utilizing alternative sewage treatment or disposal technologies or reduced absorption system sizes for homes that utilize water flow reduction devices.

## CHAPTER IV SEPTAGE WASTE

See Chapter I, section 101 for additional definitions

### Section 401 Definitions

#### 401.1 Act 181

"Act 181" shall mean Act number 181 of the Public Acts of 1986, being sections 325.311 to 325.332 of the Michigan Compiled Laws, any administrative rules promulgated pursuant to that Act, and any subsequent revisions thereto.

#### 401.2 Septage Waste

"Septage waste" means any human excrement, other domestic and restaurant waste, or other material or substance removed from a portable toilet, septic tank, seepage pit, cesspool, sewage lift station, or other enclosure as determined by the Health Officer, but does not include liquid industrial waste regulated under the authority of Act number 136 of the Public Acts of 1969, being sections 323.721 to 323.280 of the Michigan Compiled Laws.

#### 401.3 Septage Waste Servicing

"Septage waste servicing" shall mean cleaning, removing, transporting, disposing of, or land applying septage waste.

### Section 402 Land Application

Septage waste may be applied on the ground surface as provided for in Act 181. Septage waste application must be by a person approved by the Health Officer and licensed under the authority of Act 181. All land application sites must be approved by the Health Officer. The Health Department shall establish fees for permits required under this chapter.

### Section 403 Septage Servicers Program

All persons who perform septage waste servicing in Jackson County shall conform to the requirements of Act 181, or any federal or state laws that may supersede Act 181, and only perform service when:

- A. A Jackson County Septage Servicers permit has been issued to the person by the Health Officer. Permits are valid for a twelve (12) month period beginning on the first day of January.
- B. The person has paid the permit fee and completed required application forms.
- C. The person has presented to the Health Officer all vehicles used by the person to transport septage waste for the purpose of vehicle inspection and application of decals.
- D. The person has an approved disposal location.

### Section 404 Void Permits

The Health Officer may void any permit when a permit holder performs septage waste servicing in violation of this code.

### Section 405 Site Inspections

The Health Officer shall make inspections of licensed land application sites and waste hauling vehicles as needed to assure that transportation and application of septage waste is being done in accordance with Act 181.

### Section 406 Records

Permit holders shall maintain a record of the address where septage waste is received, vehicle driver, amount received, disposal site, date applied to site and total volume disposed of at each site. Said records shall be made available to the Health Officer at the permit holder's place of business during regular business hours or, if requested, be submitted at least monthly on forms provided by the Health Officer.



## CHAPTER V WATER SUPPLY

### PREAMBLE

It is hereby recognized that supply of safe potable water is fundamental to individual, public, and community health; that *water supply* facilities installed and operated in a proper manner are necessary for safeguarding public health; that water supplies furnishing water for human consumption need to be isolated and protected from sewage or other sources of pollution; and that contamination of water resources and supplies, or the creation of conditions menacing the public health, should be prevented. These regulations governing water supplies are hereby adopted pursuant to Sections 2435 and 2441 of Act 368 of the Public Acts of 1978, State of Michigan, as amended, being Sections 333.2435 and 333.2441 of the Michigan Compiled Laws.

#### **500 Scope**

This regulation shall apply to all premises not connected to Type I public water supplies, as defined by Michigan's Safe Drinking Water Act, Act 399 of the Public Acts of 1976, and Administrative Rules, as amended. . . .

#### **Section 501 - Definitions**

See Chapter I, Section 101 for additional definitions

##### **501.1 Abandoned Well**

"Abandoned well" means a well whose use has been permanently discontinued, is in such disrepair that its continued use for the purpose of obtaining water is impractical, has been left uncompleted, is a threat to other sources of water, or a well which is or may be a health hazard or safety hazard.

##### **501.2 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.

##### **501.3 Public Water Supply**

"Public water supply" means a water supply which provides water for drinking or household purposes to persons other than the supplier of water, except those water supplies which supply water to only one living unit.

##### **501.4 Safe and Adequate Water Supply**

"Safe and adequate water supply" means a water supply which is constructed and located in such a manner as to provide water which will not endanger the health of the user and which provides sufficient water pressure to operate all connected plumbing fixtures.

##### **501.5 Water Supply**

"Water supply" means a system of pipes and structures through which water is obtained, including but not limited to, the source of the water such as wells, surface water intakes, or hauled water storage tanks; and pumping and treatment equipment, storage tanks, pipes and appurtenances, or a combination thereof, used or intended to furnish water for domestic or commercial use.

##### **501.6 Well**

"Well" means an opening in the surface of the earth for the purpose of obtaining ground water, monitoring the quality or quantity of ground water, obtaining geologic information on aquifers, recharging aquifers, purging aquifers, utilizing the geothermal properties of earth formations, or removing ground water for any purpose. Wells as defined in this section include:

- a. A *water supply well* used to obtain water for drinking or domestic purposes.
- b. An *irrigation well* used to provide water for plants, livestock, or other agricultural processes.
- c. A *test well* used to obtain information on ground water quantity, quality, or *aquifer* characteristics, for the purpose of designing or operating a *water supply well*.
- d. A *recharge well* used to discharge water into an *aquifer*.
- e. A *dewatering well* used to lower the ground water level.
- f. A *heat exchange well* used for the purpose of utilizing the geothermal properties of earth formations for heating or air conditioning.
- g. An *industrial well* used to supply water for industrial processes, fire protection, or similar nonpotable uses.
- h. A *fresh water well* at an oil or gas well drilling site, when the fresh water well is to be retained after completion of the oil or gas drilling operation.

## **Section 502 - Powers and Duties of the Health Officer**

### **502.1 Regulate**

The *Health Officer* shall have the authority to regulate the design, installation, operation, and maintenance of all water supplies under the jurisdiction of the Jackson County Health Department.

### **502.2 Establish Guidelines**

The *Health Officer* may establish guidelines concerning the interpretation of this code.

### **502.3 Environmental Contamination Sites**

Recognizing that Jackson County has locations where groundwater is known or suspected to be contaminated, the *Health Officer* may deny a permit for a well, or require that a well meet specific construction requirements, depths and isolation distances as a condition of permit approval if, in his opinion, the proposed well would be either:

- a. At risk of becoming contaminated or;
- b. A pathway for contaminants to enter a deeper *aquifer*.

Information used in making permit decisions may include, but is not limited to: well logs, water sample results, groundwater flow direction, hydrogeological studies and contamination site studies. When inadequate information exists to make a permit decision, the owner may be required to provide sample results from certain wells, drill test wells, conduct hydrogeological studies or provide other data that the *Health Officer* deems necessary. (also see 510.1 and 510.5)

## **Section 503 - Incorporation of Other Regulations**

The Jackson County Health Department incorporates by reference, and adopts as part of this code, the following:

- a. The "Safe Drinking Water Act", Act No 399 of the Public Acts of 1976, being sections 325.1001 through 325.1023 of the Michigan Compiled Laws, and the following sections of Administrative Rules promulgated pursuant to that Act: Part 1, being R 325.10101 to R 325.10115; Part 4, being R 325.10401 to R 325.10409; Parts 7 and 8, being R 325.10701 to R 325.10833; and Parts 10 through 14, being R 325.11001 to R 325.11407 of the Michigan Administrative Code, and any subsequent revisions thereto, and

- b. Part 127 of Act No 368 of the Public Acts of 1978, of Michigan's Public Health Code, being sections 333.12701 through 333.12715 of the Michigan Compiled Laws, and the administrative rules promulgated pursuant to that Act, being R 325.1601 through R 325.1676 of the Michigan Administrative Code, and any subsequent revisions thereto.

#### **504 Unlawful to Occupy**

No person shall occupy, permit to be occupied, or offer for rent, lease, or occupancy, any habitable building which is not provided with a safe and adequate water supply. The water supply must be adequate in design and capacity to meet the peak water demands of the habitable building. Any habitable building which is not served with a safe and adequate water supply may be declared unfit for habitation and may be so posted by the Health Officer. The Health Officer may order the owner to connect the building to a municipal water supply, if available, or to construct a water supply in compliance with this code within 30 days.

#### **505 Location of Well**

All wells shall be located not closer than fifty (50) feet from any sewage disposal system. Non-community water supply systems shall be isolated as required by the Safe Drinking Water Act. The Health Officer may modify the isolation distances for individual well installations. Modified isolation distances shall be described on the Water Supply Construction Permit, along with the reason for the modification. 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. (Also see 510.5)

#### **506 Priority Over Building Permits**

Where an approved municipal water supply is not available, a municipality, township, or other agency shall not issue a building permit, or otherwise allow construction to commence, for any habitable building, until a water supply construction permit has first been issued by the Health Officer. Availability for connection to a municipal water supply shall be determined by the entity operating the supply.

#### **507 Water Supply Construction Permit Required**

No person shall begin construction of a new water supply, or make extensive changes to existing water supplies, without first obtaining a water supply construction permit from the Jackson County Health Department. Extensive changes include replacing the well casing, removing a well casing from the ground, changing aquifers or sources of water, changing screen elevation, deepening or plugging back a bedrock well, changing the pump type, installing a liner pipe, or making a significant increase in the capacity of the water supply. (also see 509)

#### **508 Project Permit**

Where multiple wells of a similar nature are proposed to be constructed for the same project, a project permit may be issued. This shall be a single permit. (also see 509)

### **Section 509 - Permit Application Procedure**

#### **509.1 Application Form**

The water supply Construction permit application shall be made on forms provided by the Jackson County Health Department.

#### **509.2 Completed Application**

A completed application may be required to include:

- a. The signature of the property owner(s) or their authorized representative.
- b. The appropriate application fee.

- c. A scaled plot plan of the proposed or existing water supply showing the location of the proposed source of water (well, hauled water storage tank, etc.) in relation to the buildings, property lines, all known, suspected, or potential contamination sources, onsite sewage systems and all wells whether usable or abandoned, and data which may be required by the Health Officer. For water supplies utilizing other than a well as the source of water, a scaled engineering drawing may be required.
- d. The location of property lines, legal description, tax identification number, easements, deed and plat restrictions, and all information necessary to determine the suitability of the premises for issuance of a permit.

## **Section 510 - Water Supply Construction Permits**

### **510.1 Issuance**

The Health Officer shall issue a water supply construction permit when the data obtained indicates that the requirements of this code and/or applicable state statutes have been or will be met, and that the quality of the groundwater will not be degraded. A site evaluation shall be required prior to the issuance of the permit. The permit may impose limitations or conditions which the Health Officer deems necessary to protect the public health or ground water quality. (also see 502.3)

### **510.2 Expiration**

A water supply construction permit expires and becomes invalid one year from the date of issuance. Permits shall be renewed, if no changes are necessary, for one year upon written request.

### **510.3 Transfer**

Permits are not transferrable to another location on the same parcel of land or to another parcel. Permits shall be transferrable to a new owner if no changes to the permit are required.

### **510.4 Voidance**

The Health Officer may declare a previously issued water supply construction permit to be null and void for any of the following reasons:

- a. False, inaccurate, or incomplete information supplied by the permit holder.
- b. A change in the plans of the permit holder affecting circumstances relative to the water supply design, location, or use.
- c. Acquisition of new knowledge or information about the aquifer in the area that may result in a health hazard.

### **510.5 Denial**

The Health Officer shall deny an application for a water supply construction permit when incomplete, inaccurate, or false information has been supplied by the applicant, or when the Health Officer determines that the requirements of this code or applicable state statutes have not or cannot be met. The denial shall be furnished to the applicant in writing. (also see 502.3 and 505)

### **511 Notification**

The Health Officer shall be notified by the permit holder or well driller when the well installation will be complete and ready for inspection, unless otherwise specified.

### **512 Inspection**

The Health Officer shall make inspections of water supplies during and/or after completion of construction as deemed necessary. It shall be the responsibility of the well driller to notify the Health Officer of the dates and times the well will be ready for the

required inspections. Well drillers may be required to notify the *Health Officer* of the dates and times the well will be under construction.

### **513 Approval**

A water supply installed or modified under permit shall not be used until the construction and installation have been approved by the *Health Officer*. The following conditions shall be met before the *Health Officer* may approve a new water supply:

- a. Any onsite inspections required by the *Health Officer* have been completed, and the water supply is found to be in compliance with applicable code and permit requirements.
- b. A completed "Water Well and Pump Record", prepared by the well driller and/or pump installer, as applicable, has been submitted to the *Health Officer*.
- c. The *Health Officer* has received a copy of the results of the analysis of water samples indicating that raw water quality meets minimum public health standards. Water sample analysis shall include coliform bacteria and any other parameter deemed necessary by the *Health Officer*. Analysis of water samples shall be performed by laboratories certified by the Michigan Department of Public Health.

### **514 Stop Work Order**

If the *Health Officer* determines that a water supply under construction does not comply with the requirements of this code, the *Health Officer* may issue a written stop work order. Work shall not resume until the owner and/or contractor have agreed to make corrections to comply with this code, and the *Health Officer* rescinds the stop work order.

### **515 Emergency Conditions**

In the event an emergency arises where the lack of water will result in undue hardship and the office of the Jackson County Health Department is closed, or when the well driller is involved with repair work and it is deemed necessary to begin construction immediately on a new well, a registered well driller may begin extensive changes to or construction of a new water supply without notification or permit. The well driller shall contact the *Health Officer* on the next regular working day and obtain a permit for such installation. Any late application fees outlined in the fee schedule shall be waived in such a situation.

### **516 Well Abandonment**

The *Health Officer* may require the abandonment of a well that is constructed without a permit or is constructed in violation of this code or permit requirements. In addition:

- 1) Wells abandoned as a result of a *habitable building* being connected to a municipal water supply shall be filled and sealed as described below.
- 2) Any abandoned well shall be properly filled and sealed to prevent it from becoming a hazard or serving as a channel for possible contamination of groundwater or the escape of subterranean gases. Procedures to be followed in properly filling and sealing an abandoned water well shall be approved by the *Health Officer* and be consistent with those recommended by the Michigan Department of Public Health.

## **Section 517 - Existing Water Supplies**

### **517.1 Inactive Water Supplies**

A water supply which has not been in use for more than one year shall not be put back into operation unless it can be shown to be in substantial compliance with this code.

### **517.2 Altered or Repaired Existing Buildings**

All residential, industrial or commercial buildings *shall* conform to the minimum requirements of this regulation if the following apply:

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

### **517.3 Imminent Health Hazard**

The *Health Officer* may condemn water supply systems which, in his judgement represent a potential or imminent health hazard. 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 written notice of condemnation from the *Health Officer*. Contaminated water supplies which, in the judgement of the *Health Officer*, represent an immediate health hazard *shall* be posted with suitable signs at each outlet or made inoperative.

## CHAPTER VI SOLID WASTE

See Chapter I, Section 101 for additional definitions.

This chapter shall apply to all premises within Jackson County, whether residential or commercial.

**Section 601 - Definitions. Defined words in *Italics*.**

### 601.1 Bio-hazard

"Bio-hazard" means:

(A) medical waste as defined by the Michigan Medical Waste Regulatory Act of 1990, Act 368, Public Acts of 1978, Part 138, Medical Waste and any subsequent revisions thereto, and

(B) any waste generated from a household or facility not regulated under Part 138 that consists of or has been contaminated by pathological, infectious or blood waste. This does not include urine or feces from humans or animals.

### 601.2 Garbage

"Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food or other putrescent material. This does not include urine or feces from humans or animals.

### 601.3 Refuse

"Refuse" means *garbage, rubbish, toxic material, bio-hazard material* or any combination of these materials.

### 601.4 Rubbish

"Rubbish" means combustible and noncombustible waste materials, except *garbage*. The term shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust and other similar materials, along with the residue from the burning of wood, coal, coke and other combustible materials.

### 601.5 Toxic Material

"Toxic Material" means any chemical waste that is potentially harmful to a *person* or the environment.

### 601.6 Vermin

"Vermin" means any animal, insect or rodent other than domestic pets.

### **Section 602 Accumulation and Disposal of Refuse**

Except as noted below, neither the occupant nor owner of any premises shall permit the accumulation of refuse on that premises. A person shall not place refuse upon another premises without first obtaining written permission from the owner. The intent of the Health Department will be to focus any enforcement action on the person found to be most at cause for creating the refuse problem.

- A. Refuse shall be stored a maximum of two (2) weeks upon a premise, unless the Health Officer judges there to be an immediate health hazard and order the refuse removed sooner.
- B. Garbage and bio-hazards shall be stored in covered containers that are reasonably watertight and vermin proof.
- C. Rubbish shall be stored in durable containers with close-fitting covers. Bulky rubbish may be stored in a manner that does not create a public health nuisance, health hazard or provide a harborage or breeding place for vermin.
- D. Toxic material shall be handled and stored in a manner that protects the public and prevents the release of environmental pollutants.
- E. Refuse must be disposed of in a manner that complies with existing laws and does not create a public health nuisance.

This section does not apply to:

1. Commercial operations licensed to handle, process and store a particular material on its premises, as long as that material is not found to be creating a public health nuisance.
2. Residential premises storing firewood, properly composted yard clippings, tree branches, and normal household items, as long as that material is not found to be creating a public health nuisance.

NOTE: See Act 641, P.A. 1978 as amended, Michigan's Solid Waste Management Act, for more specific state regulations. Composting is regulated under Act 641 in the following sections: 299.407 (7), 299.418a-b, 299.4120 and 21, 299.4128 (7), 299.4129 (4), 299.4102 Rule 102 (d,e&f), 299.4104 (xiii,ix,x). Other information on how to properly compost residential yard waste may be obtained from such agencies as the MSU Co-Operative Extension Service.

### **Section 603 Enforcement by a Municipality**

Chapter six (6) of this code may be enforced by any municipality that has entered into a contract with Health Department to conduct this enforcement. Section 100.10 shall apply when a municipality is taking enforcement action.



## CHAPTER VII HOUSING

See Chapter I, Section 101 or the beginning of other chapters for definitions.

This chapter shall apply to all *premises* within Jackson County, whether residential or commercial. The objective of this chapter is to provide a minimum public health housing standard for Jackson County residents.

### Section 701 Correcting/Condemning a Substandard Habitable Building

Providing there exists a hazard to the *occupants* or public, the *Health Officer* may order corrections to, or condemn as unfit for habitation, a *habitable building* that is found to have any of the problems listed below:

- A. One which is damaged, decayed, dilapidated, unsanitary, unsafe or vermin-infested.
- B. One which lacks a properly functioning electrical system, heating system, *safe and adequate water supply* (See 504), *adequate sewage disposal system* (See 301.17), or interior plumbing and attached sanitary facilities such as toilet, sink and bath.
- C. One which, because of its general condition or location, is unsanitary or otherwise dangerous.
- D. One which contains lead-based paint or other *toxic material*. (See 706)

A condemnation or corrective order may be limited to a specified portion of a multi-unit *habitable building*.

### Section 702 Placarding a Condemned Building

Following condemnation, a building *shall* be placarded and the *owner* notified in writing of the reasons for condemnation as soon as possible. No *person shall* remove or deface a condemned building placard without written permission. (See 100.4)

### Section 703 Occupying a Condemned Building

Any building which has been condemned, but is still occupied, *shall* be vacated within a time period specified by the *Health Officer*. No uninhabited condemned building *shall* be occupied except to make necessary corrections until the condemnation is lifted in writing.

### Section 704 Correction Orders

The *Health Department* may issue an order to avoid, correct or remove a building or condition which violates health laws or which the *Health Officer* reasonably believes to be a nuisance, unsanitary condition or cause of illness. An order may be given to the *occupant* and/or *owner* of the building. The intent of the *Health Department* will be to focus any enforcement action on the *person* found to be most at cause for creating the violation.

The *Health Officer* may request a *municipality* review a *habitable building* and make recommendations concerning items that municipal officials have expertise in, such as: structural safety, functioning of internal plumbing, heating, electrical systems, etc.. An official of a *municipality* may request that the *Health Officer* review a *habitable building* and make recommendations concerning items that *Health Department* staff have expertise in.

The recommendation of a qualified municipal official, such as a building inspector, *may* be used by the *Health Officer* when determining if a *habitable building*:

- A. Should be condemned or have a condemnation lifted.
- B. Have a corrective order issued or consider a corrective order properly complied with.

### **Section 705 Cooperation with Municipalities**

The appropriate *municipality* shall be notified in writing of all condemnations so that the *municipality* may make any inspections or issue any orders they consider appropriate. When a *municipality* condemns a structure, that has any of the health related aspects listed in section 701 the Environmental Health Division of the *Health Department* shall be notified in writing.

### **Section 706 Lead-Based Paint**

Guidelines shall be developed outlining how corrections to buildings with lead-based paint hazards will be pursued. Guidelines shall be effective upon approval by the Human Services Committee. The *Health Department* shall work with the Jackson Area Landlord's Association and any other parties that express a written interest in developing these guidelines. Before submitting guidelines to the Human Services Committee for approval, the *Health Department* shall assure that all involved parties receive a notice 15 days in advance. The notice must include the date, time and location of the meeting and include a copy of the proposed guidelines. Nothing in this section shall limit the power of the *Health Officer* to condemn a *habitable building* or order corrections necessary to protect the health of an *occupant* with lead exposure. (See 701 D)