

**IONIA COUNTY HEALTH DEPARTMENT
SANITARY CODE**

TABLE OF CONTENTS

Chapter I - General Provisions

Section 100 - Jurisdiction, Administration, and Fees	3
Section 101 - General Definitions	6

Chapter II – Enforcement, Appeals and Variances

Section 200 – Right of Entry	11
Section 201 – Compliance Order; Procedure for Abatement	11
Section 202 – Coordination of Enforcement	11
Section 203 – Conflict with Rest of Code	12
Section 204 – Notices and Orders	12
Section 205 – Hearing Procedure	13
Section 206 – Variances	13
Section 207 – Tools for Enforcement	14
Section 208 – Formal Hearing before the Health Officer	16
Section 209 – Board of Appeals	17

Chapter III – Sewage Disposal

Section 300 – Technical Definitions	18
Section 301 – General Sewage Disposal Requirements	27
Section 302 – Specific Requirements for a Sewage Disposal System	40
Section 303 – Sewage Disposal Contractor Licensing	49

Chapter IV – Water Supplies

Section 400 – Technical Definitions	51
Section 401 – Water Supply Requirements	53

Chapter V – Nuisance Abatement and Housing

Section 500 – Authority and Purpose	62
Section 501 – Jurisdiction	62
Section 502 – Nuisance	62
Section 503 – Definitions	63
Section 504 – Illegal to Maintain a Nuisance or Unsanitary Condition	65
Section 505 – Uninhabitable Premises	65
Section 506 – Minimal Fixture Standards	67
Section 507 – Minimum Maintenance Requirements	68

Section 508 – Minimum Space and Use Requirements	69
Section 509 – Open Burning Prohibited	69
Section 510 – Responsibility of Owners and Occupants	69
Chapter VI – Food Service Establishments	
Section 600 – Authority	70
Section 601 – Scope	71
Section 602 – Definitions	71
Section 603 – Food Service Enforcement	73
Chapter VII – Tattooing and Body Art	
Section 700 – Authority and Definitions	75
Section 701 – Powers and Duties	75
Section 702 – Power to Establish Guidelines	75
Section 703 – Licensing	76
Section 704 – Licensing Procedures	76
Section 705 – Inspection of Tattooing Premises	77
Chapter VIII – Public Assemblages	
Section 800 – Definitions	78
Section 801 – Jurisdiction and Administration	78
Section 802 – Suitable Sanitary Facilities for Public Assemblages	79
Section 803 – Permit Required	81
Section 804 – Notice to Departments	82
Section 805 – General Considerations	83
Chapter IX – Municipal Civil Infractions	
Section 900 – Violations as Municipal Civil Infractions	83

IONIA COUNTY SANITARY CODE

Chapter I - General Provisions

Section 100 - Jurisdiction, Administration, and Fees

100.01 - Purpose

The broad purpose of these regulations is to provide a means for protecting the health, safety, and well-being of the residents of and visitors to Ionia County, Michigan, and to prevent the spread of disease by the elimination of sources of contamination and public health nuisances within the environment of that jurisdiction.

For that reason, these regulations shall be liberally construed to meet those purposes in its enforcement and administration.

100.02 - Authority

By virtue of the power vested in the Ionia County Health Department under the Michigan Public Health Code, Act 368, of the Public Acts of 1978 (MCL 333.1101 – 333.25211), as amended, and specifically Part 24, Sections 2435 (d) and 2441, these regulations are hereby adopted for the protection and promotion of the health, safety, and welfare of the people of Ionia County.

100.03 - Jurisdiction

The Ionia County Health Department shall have jurisdiction throughout Ionia County, including all cities, villages and townships in the administration and enforcement of these regulations, including all amendments hereafter adopted, unless otherwise specifically stated.

100.04 - Enforcement and Right of Entry

These regulations shall apply to all residences, events, places of business, and commercial properties within Ionia County. All premises affected by this regulation shall be subject to inspection and investigation by the Health Officer, who may collect such samples for laboratory examination as he deems necessary for the enforcement of these regulations.

No person shall refuse to permit the Health Officer to inspect any premises at reasonable times, after displaying proper identification, nor shall any person molest or resist the Health Officer in the discharge of his duty. In the event that the Health Officer is refused permission to inspect any premises, he may seek an

administrative investigative warrant or other process, pursuant to the provisions of Sections 2241-2247 of the Public Health Code, against any person, to restrain, prevent, or correct violations of these regulations.

100.05 - Abatement of Public Health Nuisances

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

Notwithstanding the existence and pursuit of any other remedy, the Health Officer may maintain an action 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 he has the duty to enforce, or to restrain, prevent, or correct an activity which the Health Officer believes adversely affects the public health.

100.06 - Interference with Notices

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

100.07 - Fees and Civil Penalties Schedule

A schedule of fees for licenses, inspections, permits, civil penalties and other services authorized by these regulations shall be adopted from time to time by the Ionia County Board of Commissioners, pursuant to Section 2444 of the Public Health Code. Fees shall be made payable to the Ionia County Health Department, be receipted, and be deposited with the Treasurer of Ionia County, to the credit of the Ionia County Health Department.

100.08 - Validity and Severability

These regulations and the various parts, sections and clauses of these regulations are hereby declared to be severable. 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 thereby.

100.09 - Other Laws and Regulations

These regulations present minimum standards which are supplemental to the laws of the State of Michigan relating to public health and environment, and to the laws and regulations duly promulgated by State agencies relating to public health and building codes. Where any provision of these regulations and 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.

100.10 - Repeal of Other Regulations

These regulations shall supersede all previous existing regulations concerning these purposes, including any inconsistent or conflicting local ordinances. The Ionia County Health Department Sanitary Code, Sewage Disposal and Water Supply, effective January 6, 1981, is repealed and superseded by these regulations. The Public Health Code, Housing Regulations, and Nuisance Abatement Regulations, approved by the Ionia County Board of Commissioners on April 3, 1970 and February 14, 1972, respectively, are also repealed and superseded by these regulations.

100.11 - Pre-Existing Violations

No violation of any repealed article, item, section or provision shall be made legal or be allowed an extension of its existence 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 Ionia 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.

100.12 - Notification

Prior to the adoption of these regulations, the Ionia County Board of Commissioners shall give notice of a public hearing and offer any person an opportunity to present data, views, and arguments concerning any of the provisions thereof. This notice shall be given not less than ten (10) calendar days before the public hearing, and not less than twenty (20) calendar days before the adoption of these regulations, in accordance with the requirements of Section 2442 of the Public Health Code.

100.13 - Effective Date

These regulations and any amendments thereto shall become effective forty-five (45) calendar days after approval by the Ionia County Board of Commissioners.

100.14 - Municipal Civil Infractions Citations and Notices of Violation

The Health Officer or his duly authorized representative shall have the power to issue and serve municipal civil infraction citations and notices of violation as provided by Section 2461 of the Public Health Code. In addition, the procedures

described in Section 201 of this document may also be used for enforcement of these regulations.

100.15 - Amendments

The Ionia County Board of Commissioners may from time to time amend, supplement or change these regulations, in accordance with the provisions of the Public Health Code or other applicable laws and rules.

100.16 - Penalties

Any person who shall fail to comply with any provision herein shall be deemed responsible for a municipal civil infraction. In the case of continuing violations, each day's violation shall constitute a separate offense.

100.17 - Pre-Existing Permits

Any outstanding sewage disposal or well construction permits issued by the Ionia County Health Department prior to the effective date of these regulations shall remain valid for the period of time allowed, and are subject to the conditions of the requirements of the regulations in effect at the time the permit was issued. Any changes necessary to the permits due to changes in laws of the State of Michigan shall be made through addenda issued by the Ionia County Health Department.

Section 101 - General Definitions

When not inconsistent with the context, words used in the present tense include the future, words in singular number include the plural number, and words in the plural number include the singular. The word "shall" is always mandatory and not merely directory. For the purpose of these regulations, words denoting masculine gender, *e.g.*, "he," "him," and "his," shall be deemed to include the feminine gender and neuter gender. Words or terms not defined herein shall be interpreted in the manner of their common meaning.

101.01 - Acceptable

"Acceptable" shall mean any use, condition, activity, or work which does not fully comply with all of these regulations, but is deemed to be "accepted" for its intended use as judged by the Health Officer, utilizing public health rules, regulations, and technical data, and does not reasonably appear to present a health or safety hazard.

101.02 - Approved

"Approved" shall mean any use, condition, activity, or work which has been

judged by the Health Officer to be in compliance with these regulations.

101.03 - Authorized Enforcement Official

“Authorized Enforcement Official” shall mean the Ionia County Health Officer, Health Department employees designated by the Health Officer, and deputies of the Ionia County Sheriff, legally authorized to enforce these regulations and issue municipal civil infraction citations and notices of violation.

101.04 - Board of Appeals

“Board of Appeals” shall mean the hearing panel set up under Section 208.01 of these regulations. This board will consider matters of interpretation and application of these regulations that are brought to them by appeal of aggrieved persons.

101.05 - Board of Commissioners

“Board of Commissioners” shall mean the elected County Commissioners for Ionia County.

101.06 - Board of Health

“Board of Health” shall mean the board appointed by the Board of Commissioners to administer the Health Department.

101.07 - Citation

“Citation” shall mean a written complaint or notice to appear in District Court upon which an authorized enforcement official records the occurrence or existence of one (1) or more violations of these regulations by the party cited.

101.08 - Commercial

“Commercial” shall mean any premises or activity not related to the operations of a single or two-family residence.

101.09 - Dwelling

“Dwelling” shall mean any house, building, structure, tent, water craft, shelter, trailer, mobile home or vehicle, or portion thereof, which is occupied in whole or in part as a home, residence, living or sleeping place of one or more human beings, either permanently or transiently.

101.10 - Floodplain

“Floodplain” shall mean a nearly level alluvial plain that borders a river, lake, stream, or other similar body of water, and is subject to flooding unless protected

artificially.

101.11 - Habitable Building

“Habitable Building” shall mean any permanent or temporary building or other place where persons reside, live, sleep, cook, are employed, congregate, or any combination thereof.

101.12 - Health Department

“Health Department” shall mean the Ionia County Health Department.

101.13 - Health Officer

“Health Officer” shall mean the Administrator of the Ionia County Health Department or his/her duly authorized representative.

101.14 - Imminent or Substantial Hazard

“Imminent or Substantial Hazard” shall mean that, in the judgment of the Health Officer, there is a violation or condition that may cause or result in a violation of the Ionia County Sanitary Code or Section 2451 of the Public Health Code, requiring immediate action to prevent endangering the health of the public.

101.15 - Municipal Civil Infraction

“Municipal Civil Infraction” shall mean an act or omission that is prohibited by these regulations, and for which civil sanctions, including without limitation, fines, damages, expenses and costs may be ordered as authorized by Chapter 87 of Act 236, Public Acts of 1961, as amended.

101.16 - Notice of Violation

“Notice of Violation” shall mean a written complaint upon which an authorized enforcement official records the occurrence or existence of one (1) or more violations of these regulations by the party named in the notice, directing the party to pay a civil fine at the Municipal Civil Infractions Bureau.

101.17 - Nuisance

“Nuisance” shall mean a condition or activity which threatens, or could reasonably be expected to threaten, the health or safety of the public and shall include public, private and mixed nuisances. A threat to the health and safety of the public shall include any condition or activity which is reasonably likely to cause death, disease, illness, or physical harm, or is likely to create an unsanitary or unhealthy condition which may cause disease, illness, or death.

101.18 - Occupant

“Occupant” shall mean a person who lives, habitually uses, occupies, or otherwise is in possession of any property or premises.

101.19 - Owner

“Owner” shall mean any person, agent, firm, corporation, partnership, association or any other legal entity having a legal or equitable interest in property. “Owner” shall also include the lessor of a property or premises, or a land contract purchaser.

101.20 - Person

“Person” shall mean any individual, firm, partnership, party, corporation, company, society, association or other legal entity.

101.21 - Premises

“Premises” shall mean any tract of land with or without any building thereon. “Premises” includes any other parcel of property regardless of description that adjoins, abuts, or is in close proximity to the subject property.

101.22 - Residential

“Residential” shall mean premises intended for use as a single or two-family dwelling.

101.23 - Site Condominium

“Site Condominium” shall mean a tract or parcel of land that has been subdivided under the requirements of Act 59 of the Public Acts of 1978, as amended.

101.24 - Subdivision

“Subdivision” shall mean a tract or parcel of land that has been subdivided under the requirements of Act 288 of the Public Acts of 1967, as amended.

101.25 - Surface Water

“Surface Water” shall mean any natural or man-made body of water that exists on the ground surface for an extended period of time.

101.26 - Technical Guideline

“Technical Guideline” shall mean a manual of specifications and standards adopted by the Ionia County Health Department under the authorization of the Board of Commissioners, concerning matters pertaining to Public Health.. Such technical guideline manuals will be used in concert with, and to complement these regulations. Guidelines shall be developed by the Health Officer or applicable State

Agency.

101.27 - Variance

“Variance” shall mean a deviation or modification from these regulations, as may be permitted by the Health Officer.

101.28 - Well

“Well” shall mean an opening in the surface of the earth for the purpose of obtaining ground water, monitoring the quality or quantity of ground water, obtaining geological information on aquifers, recharging aquifers, purging aquifers, utilizing the geothermal properties of earth formations, or removing ground water for any purpose. Well, as defined, includes:

- (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 de-watering well over 25 feet deep, used to lower the ground water level temporarily at a construction site.
- (f) A heat exchange well used for the purpose of utilizing the geothermal properties of earth formations for heating and/or air conditioning.
- (g) An industrial well used to supply water for industrial processes, fire protection, or similar non-potable uses.
- (h) A fresh water well at an oil or gas well drilling site.
- (i) A test well for monitoring quality of the groundwater.

Chapter II - Enforcement, Appeals and Variances

Section 200 - Right of Entry

The Health Officer shall have the right to investigate at reasonable times all complaints or other evidence of non-compliance with these regulations. This may include authorizing additional inspections or investigations to be made. If the Health Officer is refused access to the premises stated in the complaint, the Health Officer may seek access through the appropriate legal proceedings, including, but not limited to, an administrative inspection or investigation warrant.

Section 201 - Compliance Order; Procedure for Abatement

The Health Officer shall have the authority to issue written orders to the owner and occupant of premises that do not comply with these regulations, directing the owner and occupants to fully comply with the code within a specified period of time. Violation of any such order shall constitute a violation of these regulations, in addition to any substantive violations of these regulations. Any such order shall be served on the property owner or occupant pursuant to Section 204 of these regulations. If the owner or occupant does not comply with the order, the Health Officer may cause the violation, nuisance, unsanitary condition, cause of illness, or unsafe condition to be removed, and may seek a warrant or court order for this purpose. The owner of the premises shall pay the expenses incurred. If the owner of the premises refuses on demand to pay the expenses so incurred, the costs incurred by the Health Department shall be assessed against the property as a lien and shall be collected and treated in the same manner as taxes assessed under the general laws of this State. A court, upon finding that a violation or nuisance may be injurious to the public health, may order the removal, abatement, or destruction of the violation or nuisance at the expense of the owner, under the direction of the Health Officer. Monetary penalties as specified in Section 900.02 of these regulations may also be sought and imposed. Appeals from any orders issued or decisions rendered by the Health Officer will be heard as stated in Section 208 of these regulations.

Section 202 - Coordination of Enforcement

Inspection of premises, the issuance of notices, orders, notices of violation and citations, and enforcement of various provisions of this chapter of the Sanitary

Code shall be the responsibility of the Health Officer, who shall coordinate enforcement efforts with the applicable local law enforcement authority as necessary.

Section 203 - Conflict with Rest of Code

Should there be a conflict between any provisions within these regulations, the more stringent of the two provisions or requirements shall apply.

Section 204 - Notices and Orders

Whenever the Health Department finds a condition or situation which violates any of the provisions of these regulations, notice of the violation shall be given to the person or persons responsible. In addition to such other things as the Health Department may consider appropriate, the notice shall:

- (a) Be in writing and be directed to the person responsible for correction of the violation, either the occupant, or the owner of the property or such other party as has been designated by the owner's agent. If the property is not owner-occupied, both the owner and the occupant shall receive a copy of the notice.
- (b) State the date of the inspection and the name of the inspector who found the violation. If it is unclear who is the owner of the property involved, the party listed on the most recent property tax records, or the party listed on a properly completed land contract, or the lessor of a property, shall be deemed to be the presumptive owner for purposes of such notice.
- (c) Include a description of the violation or violations and what must be done to correct the violation or violations.
- (d) Order that the violation or violations be corrected in a specified period of time, not to exceed 30 days.
- (e) Unless another method of service is required by law, be delivered to the responsible party either (1) in person, (2) by first class mail and/or

(3) registered mail, return receipt requested. If sent by first class mail and/or registered mail, the notice shall be sent to the address listed by the property owner in any application with the Health Department or at the address shown on the tax records. If the person to whom the notice is addressed cannot be found within ten (10) calendar days or more after the date of the violation notice, service may be made by physically posting the notice in or about the dwelling unit or other premises described in the notice.

Section 205 - Hearing Procedures

Any person affected by any order, decision, or notice issued by the Health Department in connection with the enforcement of any section of these regulations may file in the office of the Ionia County Health Department a written petition, along with the appropriate fee, requesting a hearing before the Health Officer, provided such petition is received within twenty (20) calendar days after the order, decision, or notice issued is received by the petitioner.

Section 206-- Variances

206.01 - Conditions

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

- (a) That no substantial health hazard or nuisance is likely to occur therefrom;
- (b) That strict compliance with these regulations and requirements would result in unnecessary or unreasonable hardship;
- (c) That no State statute, or other applicable laws, would be violated by such variance;
- (d) That the proposed variance would provide essentially equivalent protection for the public health and would be in the public interest; and

- (e) The decision is not in significant conflict with the intent and purpose of the Ionia County Sanitary Code.

206.02 – Duration

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

Section 207 – Tools for Enforcement

207.01 - Enforcement

Enforcement shall be progressive in nature and follow the Policies and Procedures recommended by the State of Michigan, except where deemed necessary by the Health Officer. The Health Officer may employ any or all of the enforcement options specified below:

- (a) **Warning letter** – A letter issued by the Health Officer that explains violations and establishes new compliance dates for correction of violations; a follow-up inspection is required to verify correction of violations.
- (b) **Administrative Fine** – The Health Department may issue civil infraction notices of violation or citations for non-compliance with the provisions of this Chapter.
- (c) **Prosecution** – The Health Department may file a complaint with the County Prosecutor for violation of applicable laws or regulations.
- (d) **Formal Hearing** - A meeting between a licensee or designated representative and a Health Department representative. A formal hearing is held for the purpose of determining whether a license shall be suspended or revoked; or to determine whether an order from the Health Officer should be relieved. The Health Officer shall be present at a formal hearing.
- (e) **Informal Hearing** - a meeting between a licensee or designated representative and a Health Department representative. This is preliminary to a formal hearing and may be held to discuss or

determine a compliance schedule for certain violations. The license holder may request an informal hearing if the license holder is aggrieved by an order of the Health Officer.

- (f) **License revocation or suspension** – A process that begins with a warning letter and follows progressive enforcement through office conference, informal hearing, and formal hearing unless the Health Officer determines that there is an Imminent or Substantial Hazard.
- (g) **Order to cease** – Cease all operations due to the presence of an imminent health hazard. An order to cease operations shall be complied with immediately. The licensee may request an informal hearing on the order to cease operations. Operations shall remain closed to the public pending the outcome of the hearing.
- (h) **Order construction, alterations, or conversions to cease**, until plans and specifications are submitted and approved. Also referred to as a “Stop Work” order.
- (i) **Summary suspension or revocation of license** – The Health Officer may summarily suspend or revoke a license or registration, based on evidence that an imminent threat to the public health, safety or welfare exists. The licensee may petition the Health Officer to dissolve the order. The Health Officer shall schedule a formal hearing to decide whether to grant or deny the petition to dissolve the order.
- (j) **Office Conference** - a meeting between a licensee or designated representative and a Health Department representative. This is preliminary to an informal hearing and may be held to clarify expectations for protection of public health, expectations for sanitation, and the consequences of failure to maintain standards. The meeting may also be an opportunity for the licensee to present a plan for addressing health safety issues.
The meeting may result in an agreement for compliance.
- (k) **Re-inspection fee** – may be assessed at the re-inspection for an uncorrected violation.

- (1) **Injunction** – The Health Department may apply to Circuit Court for a temporary or permanent injunction restraining any person from violating specified provisions of state laws and/or these regulations.

Section 208 – Formal Hearing before the Health Officer

208.01 - Date

The Health Officer shall hold a formal hearing at a time, date, and place designated by him within thirty (30) calendar days from the date on which the written petition was filed, except in instances where the petitioner's request for a variance will not impact upon other property owners as determined by the Health Officer. The petitioner shall be notified of the time, date, and place of the formal hearing not less than five (5) calendar days prior to the date on which the hearing is to be held. The requirement to receive a written petition within twenty (20) calendar days after the order, decision, or notice issued is received by the petitioner may be waived and extended by the Health Officer and/or his duly authorized representative when the order, decision, or notice does not require the correction or any remedial action to a known or suspected public health problem.

208.02 - Decision

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

208.03 - Appeal

If, as a result of reviewing a written petition requesting a hearing before the Health Officer, the Health Officer finds that it would be in the petitioner's best interest to

have the appeal heard directly by the Board of Appeals, the Health Officer may, within ten days of receiving the petition, inform the petitioner in writing that the request for a hearing before the Health Officer is denied and that the petition should be submitted, along with the appropriate fee, for a hearing before the Board of Appeals.

Section 209 - Board of Appeals

209.01 - Board of Appeals

In order to provide for reasonable and equitable interpretation and application of these regulations, there is hereby created a “Board of Appeals.” The Board of Appeals shall consist of not less than five (5) members, who shall be appointed by the Ionia County Board of Commissioners, and be representative of varied interests, one of whom shall be a County Commissioner. The remaining four (4) members shall be qualified electors of the county and shall be selected upon the basis of their respective qualifications and fitness to serve as members of the Board of Appeals without consideration of their political activities.

The Ionia County Board of Commissioners shall annually select their representative on the Board of Appeals. Initially, the remaining four (4) members shall be appointed for one, two, three, and four year terms, with eligibility for reappointment. Thereafter, the terms shall be for four (4) years. Vacancies shall be filled by appointment for the balance of the unexpired term.

The Board of Appeals shall select a chairman and shall hear all appeals presented in accordance with all applicable rules and procedures. Records of all appeals shall be maintained by the Board of Appeals.

209.02 - Hearing before the Board of Appeals

Any person aggrieved by a decision of the Health Officer rendered as a result of a hearing held in accordance with this chapter of the Sanitary Code, or who has had a hearing request denied by the Health Officer and has been waived for a hearing before the Board of Appeals, may file in the office of the Health Department a written petition, together with the appropriate fee, for a hearing before the Board of Appeals. The petition must be received within sixty (60) calendar days after notification is received of the Health Officer’s final decision. Supporting documentation shall accompany the petition and shall include adequate information for the Board of Appeals to adequately review, discuss, and render a

decision. Opportunity for a hearing before the Board of Appeals shall be granted at the discretion of the Board of Appeals at the next regularly scheduled monthly meeting, or at a special meeting specifically called for that purpose. The decision of the Board of Appeals to grant or deny an opportunity for a hearing before the Board of Appeals shall be reduced to writing and provided to the petitioner within thirty (30) calendar days from the date on which the written petition was filed. The petitioner shall be notified of the time, date, and place of the hearing not less than five (5) calendar days prior to the date on which the hearing is to be held. No hearing shall be scheduled within less than fifteen (15) calendar days, nor more than forty-five (45) calendar days after receipt of the written petition and fee. The Board shall furnish the petitioner with a written statement of its final decision to affirm, dismiss, or modify the decision of the Health Officer within thirty (30) calendar days following the hearing of any appeal.

Chapter III - Sewage Disposal

Section 300 - Technical Definitions

300.01 - Absorption System

“Absorption System” shall mean the part of a sewage disposal system in which septic tank effluent is distributed below the ground surface by means of drain tile, and is distributed into trenches, beds, seepage pits, or other approved structures to be absorbed and treated by the surrounding soil, and thence dispersed by evaporation, transpiration, or percolation.

300.02 - Aggregate

“Aggregate” shall mean the filtering medium surrounding the series of tiles or other structures used to distribute septic tank effluent within an absorption system. In addition to the aggregate listed as approved in Section 300.53, the Health Officer shall periodically issue a list of newly approved aggregate material as is necessary.

300.03 - Alternative On-Site Sewage Disposal System

“Alternative On-Site Sewage Disposal System” shall mean a sewage treatment and disposal system that is not a conventional system and provides for an equivalent or better degree of protection for public health and the environment. Alternative systems may utilize uniform distribution of effluent to the final disposal system, enhanced treatment prior to final disposal, or combinations thereof, and include but

are not limited to aeration treatment systems, pressurized mounds, sand filters, and pump systems.

300.04 - Available Public Sewer System

“Available Public Sewer System” shall mean a public sewer system located in a right-of-way easement, highway, street, or public way that passes not more than two hundred (200) feet at the nearest point from a structure from which sewage originates.

300.05 - Automatic Siphon or Sewage Ejector Pump

“Automatic Siphon or Sewage Ejector Pump” shall mean 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.

300.06 - Cesspool

“Cesspool” shall mean a pit that receives raw sewage, allows separation of solids and liquids, retains the solids, and allows liquids to seep into the surrounding soil through perforations in the lining.

300.07 - Conventional Sewage Disposal System

“Conventional Sewage Disposal System” shall mean an on-site sewage treatment and disposal system containing a watertight septic tank used in conjunction with absorption trenches, an absorption bed, or other means that utilizes non-uniform gravity distribution.

300.08 - Deep Cut

“Deep Cut” shall mean an excavation beginning at a depth of three (3) feet below ground surface and extending to a depth not to exceed twenty (20) feet below ground surface.

300.09 - Distribution Box

“Distribution box” shall mean a watertight receptacle with inlets and outlets and so designed for the purpose of equally distributing septic tank effluent to the soil absorption system.

300.10 - Distribution System

“Distribution system” shall mean the network of piping used to conduct septic tank effluent to and throughout the soil absorption system.

300.11 - Diversion Valve

“Diversion Valve” shall mean a mechanism provided to enable a switching of the effluent flow from one soil absorption system to another separate soil absorption system so as to permit alternate periods of loading and resting.

300.12 - Dosing Chamber

“Dosing Chamber” shall mean 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.

300.13 - Drain Bed

“Drain Bed” shall mean a method of distributing septic tank effluent below the ground surface by means of a series of lines of drain tile laid on a bed of stone (or other approved media), so as to allow the effluent to be absorbed into the soil.

300.14 - Drain field

“Drain Field” shall mean a method of distributing septic tank effluent below the ground surface by means of a line or series of lines of drain tile laid on an 18 to 36 inch wide bed of stone (or other approved media), so as to allow the effluent to be absorbed into the soil.

300.15 - Drywell

“Drywell” shall mean 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 or other approved media so as to allow the septic tank overflow or effluent to be absorbed directly into the surrounding soil.

300.16 - Effluent

“Effluent” shall mean partially treated sewage which is discharged from a septic tank or other treatment device.

300.17 - Effluent Filter

“Effluent Filter” shall mean a filtering device approved by the Health Officer(used in connection with or to replace the effluent outlet baffle of a septic tank) and designed to remove suspended and/or excessive solids from the sewage effluent.

300.18 - Failing System

“Failing System” shall mean a sewage disposal system exhibiting any of these conditions:

- (a) The absorption system fails to accept effluent at the rate of application.
- (b) Sewage effluent seeps from, or ponds on or around the sewage system.
- (c) The Health Officer has determined that the sewage system has contaminated the ground waters or surface waters of the state.
- (d) A situation in which no drainfield or drainbed can be found.
- (e) More than 50% of the stone (or other medium) in the drainfield or drainbed exhibits black sludge.

300.19 - Fill Sand

“Fill Sand” shall mean coarse washed sand, or other material as approved by the Health Officer.

300.20 - Footer

“Footer” shall mean that portion of the absorption system that interconnects the rear portion of the distribution line laterals.

300.21 - Footing Drains

“Footing Drains” shall mean a conduit installed around foundation footings to transport ground water away from the foundation.

300.22 - Flush Toilet

“Flush Toilet” shall mean a plumbing receptacle containing a portion of water which receives human excretion and so designed as by means of a flush of water to discharge the contents of the receptacle into a sewer or septic tank.

300.23 - Garbage Disposal/Grinder

“Garbage Disposal/Grinder” is a mechanical device generally located in a sink drain and so designed to macerate garbage prior to discharge into a sewer or septic tank.

300.24 - Geotextile Fabric

“Geotextile Fabric” shall mean a material used to cover stone or other approved media in a newly constructed absorption system, to keep backfill soils from entering open spaces in the media. Such material may be used instead of straw for this purpose. A variety of unbacked, permeable woven fabrics may be used, as approved by the Health Officer.

300.25 - Grease Trap

“Grease Trap” shall mean a baffled watertight tank or receptacle located forward of the septic tank, having an inlet and outlet and so designed to permit the separation and removal of the more buoyant, greasy, fatty, and oily wastes from the sewage prior to discharge into a sewer or septic tank.

300.26 - Hardpan

“Hardpan” shall mean a hardened layer in soil caused by cementation of soil particles with either silica, calcium carbonate, magnesium carbonate, iron and/or organic matter. The hardness does not change appreciably with changes in moisture content. Hardpan impedes movement of water, air, and the growth of plant roots.

300.27 - High Groundwater Elevation

“High Groundwater Elevation” shall mean the elevation of the groundwater at the upper surface of the zone of saturation as may occur during wettest periods of the year as observed as a free water surface in an unlined hole or has been saturated as may be indicated by mottling (soil color patterns), whichever of the two levels is higher. Highest groundwater elevation shall be determined by using generally accepted soils evaluation practices and shall be consistent with practices used by the U.S. Soil Conservation Service. Data used in determining highest groundwater

elevation shall include the Soils Survey of Ionia County, site drainage, and observation of actual soil characteristics as observed during onsite investigations.

300.28 - Holding Tank

“Holding Tank” shall mean a watertight tank or receptacle used for the purpose of receiving and retaining sewage to be disposed of at another location. A Holding Tank may also be referred to as a Pump-and-Haul system.

300.29 - Individual On-Site Sewage Disposal System

“Individual On-Site Sewage Disposal System” shall mean the component parts, including tanks, piping, pumps, vents, valves, privies, and soil absorption areas, including conventional and alternative systems as approved by the Health Officer, used to treat and/or dispose of sewage produced from a residence, business, or industrial establishment that is located entirely on the property occupied by the system. Such systems shall not mean public sewer systems.

300.30 - Industrial Wastes

“Industrial Wastes” shall mean the liquid waste products from industrial processes, as distinguished from domestic sewage.

300.31- Installing

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

300.32 - Limiting Layer

“Limiting Layer” shall mean any horizon or condition in the soil profile or underlying strata which will interfere in any way with the treatment of sewage effluent before entering the ground water table. Such horizons include hardpan, clay layers, compacted soils, bedrock, and permanent/perched water tables.

300.33 - Michigan Criteria for Subsurface Sewage Disposal

“Michigan Criteria for Subsurface Sewage Disposal” shall mean a Michigan

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

300.34 - Original Ground Surface

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

300.35 - 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.

300.36 - Percolation Test

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

300.37 - Permeability

“Permeability” shall mean the quality of the soil which enables it to transmit water or air.

300.38 - Portable Toilet

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

300.39 - Private Sewage Disposal System

“Private Sewage Disposal System” shall mean a sewage disposal system meeting the definition of an “Individual On-Site Sewage Disposal System.”

300.40 - Privy

“Privy” shall mean a building or other structure not connected with a sewer system or a properly installed and operated sewage disposal system, and which is used for the reception, disposition, or storage, either temporarily or permanently, of feces or other excreta from the human body. A privy may also be known as an “outhouse.”

300.41 - Repairing

“Repairing” shall mean the making of alterations, modifications, additions, changes, corrections, repairs, building, installing, adding of materials to subsurface or surface facilities or septic tanks or treatment devices, and the correction of deficiencies occasioned by malfunctioning, nonfunctioning, inadequate functioning of subsurface or surface facilities or septic tanks or treatment devices.

300.42 - Reserve Area

“Reserve Area” shall mean the area and location that shall be maintained for the construction and operation of a replacement onsite subsurface sewage disposal system. This area and location is subject to and shall meet the same minimum criteria for permit approval as the location of the original system. Permits issued to replace a failed existing onsite sewage disposal system shall not require a reserve area.

300.43 - Scaled Plot Plan

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

300.44 - Seasonal High Groundwater Elevation

“Seasonal High Ground Water Elevation” shall mean the elevation of the groundwater at the upper surface zone of saturation as may occur during the wettest periods of the year, as indicated by soil mottling or by an observable water surface in an unlined hole, whichever of the two levels is higher.

300.45 - Semi-Public or Public Sewage Disposal System

“Semi-Public or Public Sewage Disposal System” shall mean any onsite subsurface sewage disposal system serving premises other than single and two family dwellings.

300.46 - Septage Hauler

“Septage Hauler” shall mean a person who holds a Septage Waste Servicing License issued by the State of Michigan, also known as a “Septic Tank Pumper.”

300.47 - Septic Tank

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

300.48 - Sewage

“Sewage” shall mean 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.

300.49 - Sewage Disposal System

“Sewage Disposal System” shall mean a system, other than a public sewage disposal system, which receives either human excreta, sewage waste or both. Included within the scope of this definition are septic tank - soil absorption systems, aeration systems, package treatment plants, lagoons, privies, chemical toilets, composting toilets, or other similar contrivances used in the treatment and disposal of sewage as may be approved by the Health Officer.

300.50 - Sewer

“Sewer” shall mean a watertight conduit used for transporting sewage.

300.51 - Soil Evaluation

“Soil Evaluation” shall mean a textural and structural analysis of soil to determine the estimated percolation rate, water table elevation, and other pertinent soil characteristics through physical evaluation.

300.52 - Soil Mottling

“Soil Mottling” shall mean the presence of irregular areas of different colors in the soil observed during a soil evaluation. Such mottling indicates poor aeration and impeded drainage characteristics, usually from seasonal saturation of the soil. Anaerobic activity in the saturated zone triggers a reduction process, changing the color of minerals in the soil, and enabling a determination of the high ground water elevation when present.

300.53 - Stone

“Stone” shall mean clean aggregate utilized for structural support and sewage effluent dispersal within an absorption system, graded according to Michigan Department of Transportation “6A” gradation specifications:

100% passes 1 ½” screen

95-100% passes 1” screen

30-60% passes ½” screen

0- 8% passes #4 screen

1% maximum lost by washing

“Stone” may also be a generic term referring to other media use for this purpose and approved by the Health Officer.

Section 301 - General Sewage Disposal Requirements

301.01 - Separate Systems Required

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

301.02 - Connections Required

All facilities such as flush toilets, urinals, lavatories, sinks, bathtubs, showers, washing machines or any other facility from which sewage emanates shall be connected to an approved sewage disposal system, except that any such facilities hereafter installed on premises where public sewer is available shall be connected to the public sewer.

After the effective date of these regulations, water softener backwash shall not be connected to or discharge into any onsite sewage disposal system. Water softener backwash may be connected to a municipal sewer system if it is properly air-gapped to prevent backflow. Units installed in buildings constructed prior to the effective date of these regulations may be permitted to discharge into an existing onsite sewage disposal system if no other possibility exists due to the physical constraints of the structure, and if approved by the Health Officer. In such cases, all discharge lines shall be constructed and installed in accordance with the Michigan Plumbing Code, including but not limited to, a proper air gap.

301.03 - Connection Required to a Municipal Sewerage System

In the absence of a publicly operated sewerage system, connection shall be made to a sewage disposal system constructed in accordance with the provisions of these regulations. When any existing sewage disposal system serving any premises where a publicly operated sewerage system is available and reasonably accessible as defined in Sections 12751-12758 of the Public Health Code, is found in violation of any provision of these regulations, or of any other applicable health law, the owner shall correct the violation by proper connection to the publicly operated sewerage system. Such connection shall be made within a time limitation as specified by the Health Officer. See also Section 300.04.

301.04 - Abandonment of Sewage Disposal System

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 other approved material. When an existing sewage disposal system is abandoned due to connection to a municipal sewer system, the sewer authority shall have a program in place or shall address in an ordinance a requirement for septic tanks, drywells, etc., to be abandoned in accordance with these rules. The sewer authority shall be responsible for enforcement.

301.05 - Permits

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

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

301.06 - Contractor Licensing

Any person, firm, company or corporation that shall engage in the business of installation of a sewage disposal system or any part thereof under Section 301 of these regulations must be licensed with the Ionia County Health Department in accordance with Section 303. This provision shall not be construed to prohibit an individual from installing his own sewage disposal system to serve his own personal single or two family residence, provided that he obtains a permit from the Ionia County Health Department.

301.07 - Application for Permit

Application for a permit to construct, alter or replace a private or semi-public sewage disposal system shall be made in writing to the Health Officer by the property owner, a licensed building contractor, a licensed sewage disposal system installer or their representatives. The application shall include the name and address of the applicant and property owner, location of the property, and a survey or scaled plot plan showing (at a minimum) lot dimensions, building locations, well location, and proposed sewage disposal system location. The actual or proposed use of the property shall be indicated in all instances.

At his discretion, the Health Officer may require substantiating engineered data including but not limited to: soil analysis test borings, percolation tests, hydrogeological information, and flood elevations. The Health Officer may, at his discretion, require that the design plans and specifications for a sewage disposal system be prepared by a registered professional engineer or registered sanitarian.

301.08 - Application for Semi-Public Permit (“Commercial”)

Design plans to construct a sewage disposal system serving other than a single or two- family dwelling with less than ten thousand (10,000) gallons per day of sewage flow shall be prepared in accordance with the “Michigan Criteria for Subsurface Sewage Disposal.” Detailed construction plans, prepared by a registered professional engineer, for systems constructed under these guidelines will be required. Submittal of detailed construction plans may be waived at the discretion of the Health Officer for calculated low flows less than one thousand (1,000) gallons per day.

301.09 - Priority Over Building Permits

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

301.10 - Permit Termination/Transfer/Extension

Any permit for a sewage disposal system shall be valid for construction and approved completion thereof within a period not to exceed twelve (12) months after the date of issuance, unless declared void by the Health Officer. The permit may be extended an additional twelve (12) months by written request submitted prior to the expiration date with payment of the appropriate fee. The permit shall not be transferable to any new owner, nor to another location on the same parcel of land.

301.11 - Void Permits – Stop Work Order

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

- (a) The area designated on the permit for the soil absorption system is

disturbed by major unapproved filling, excavating, paving or flooding.

- (b) The area designated on the permit for the sewage disposal system 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 the 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.

Where information provided on the application is found to be inaccurate or untrue.

301.12 - Application Rejection

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

- (a) Where a publicly operated sewage system is available as defined by Sections 12751-12758 of the Public Health Code.
- (b) Where the absorption system would be inaccessible for repairs or alterations, or would lie beneath a driveway, parking area, paved surface, stockpiled material, or a building.
- (c) Where the septic tank would be inaccessible for cleaning or inspection purposes.
- (d) Where the property served (i) is too small for proper isolation

distances from existing water wells, the proposed water well to serve the premises, surface waters, footing and storm drains, (ii) has insufficient area for the sewage absorption system and reserve area, or (iii) does not meet requirements of the local municipality for minimum lot size or setback distances.

- (e) Where the highest zone of groundwater saturation is less than four (4) feet below the original ground surface.
- (f) Where the stabilized percolation rate is in excess of sixty (60) minutes per inch of fall. Soil such as clays and silts are considered to have a stabilized percolation rate in excess of 60 minutes per inch.
- (g) Where the soil classification as determined by the U.S. Department of Agriculture Soil Conservation Service or other physical conditions are deemed to be unsatisfactory for the disposal of sewage.
- (h) Where conditions exist or may be created which may endanger the public health or the environment.
- (i) Where the proposed site is subject to flooding or is within the one hundred (100) year flood plain area.
- (j) Where there exists less than four (4) feet of naturally occurring permeable soil that is considered suitable for the disposal of liquid sewage wastes as determined by the U.S. Department of Agriculture Soil Conservation Service. Sites exhibiting at least two (2) feet of highly permeable soils (having a percolation rate of 20 minutes per inch or less) may be utilized with the addition of two (2) feet of clean sand fill, where the sewage disposal system is then elevated on top of the fill. 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.
- (k) Where slopes are in excess of a 12% grade.

301.13 - Site Acceptance Criteria

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

- (a) Soil Analysis - The soil classification system and interpretations as provided by the United States Department of Agriculture, Soil Conservation Service, and the use limitations pertaining to that soil classification may be considered by the Health Officer and used as part of the soil and drainage evaluation.
- (b) Soil Borings - Test borings or excavations shall be made within the area proposed for the sewage disposal system in order to determine the highest indicated groundwater level and soil formations. Test borings and excavations shall be conducted to a minimum depth of five (5) feet and be made available for the inspection and evaluation of soil types and conditions. There shall be an adequate number of soil borings conducted to determine if suitable soil conditions exist to construct both an original and a replacement onsite sewage disposal system, except as provided for in Section 300.42. Unless deemed by the Health Officer to be physically impossible because of site restrictions, backhoe cuts shall be used for evaluation of soil formations and groundwater level.
- (c) Seasonal High Groundwater - Seasonal high groundwater shall be at least four (4) feet below the bottom of the trench or bed.
- (d) Hardpan, Clay, Impervious Material - Impervious hardpan or clay, or shale, if present, shall be at least four (4) feet below the bottom of the trench or bed.
- (e) 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. Filling shall not be allowed over or on soils having a stabilized percolation rate over 20 min./inch, flooded land, or unstable soil (peat, muck, marl, organic material). Filling shall not be approved for sewage disposal systems where the natural soils do not meet the permeability criteria stated in Section

301.12 (j) of these regulations.

- (f) 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 stone before beginning slope unless otherwise directed by the Health Officer. A minimum of a 6 to 1 slope shall be maintained around the perimeter of all raised or mounded sewage disposal systems placed on or in filled ground.
- (g) It is recommended that “filled ground” or “made land” lay idle through a freeze/thaw cycle or be compacted in layers not to exceed twelve (12) inch increments prior to placement or construction of the sewage absorption field or bed. Fill material shall be clean, non-organic, chemically inert, and be approved in writing by the Health Officer.
- (h) 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) Highly permeable soils are encountered within twenty (20) feet of the ground surface and are not confined to an area less than 2400 sq. ft., except as provided for in Section 301.12 (j) of these regulations. Such highly permeable soils shall have a percolation rate of 20 minutes per inch or less.
 - (2) There is sufficient information to substantiate that underlying soils being exposed have no direct hydraulic connection to a useable aquifer intended for drinking or household purposes, so that contamination of existing or future water wells will not occur. A hydrogeological evaluation may be required to determine acceptability of the formation for sewage disposal.
 - (3) No less than two (2) feet of highly permeable soils exist below the unsuitable soils.
 - (4) The unsuitable soils above the highly permeable soils are not saturated.

- (5) If the highly permeable soils encountered in the deep cut system are saturated, proposals to lower the high groundwater elevation may be considered for approval by the Health Officer. The site shall be considered unsuitable until the following information is provided:
- (a) The site shall be monitored through the wettest period of the year to determine the high water level.
 - (b) Monitoring of the site and submittal of recommendations for construction specifications shall be completed under the direction of an engineer registered in the State of Michigan.
 - (c) The high water level shall not exceed forty eight (48) inches below grade which is equal to the requirements for seasonally saturated conditions.
 - (d) Specifications shall be submitted to the Ionia County Health department on what construction practices are necessary for a system to be installed and function properly.
 - (e) Other site and construction requirements as stated in the Ionia County Sanitary Code shall be followed.
 - (f) The right of appeal is in effect and can be used in accordance with the requirements of these regulations.
 - (g) If a construction permit is issued based on the specifications submitted by an engineer, final construction approval cannot be granted unless an engineer, registered in the State of Michigan, submits a statement that construction was completed in accordance with the submitted specifications.

- (6) Fill material used in deep cut systems will consist of coarse washed sand or highly permeable material as approved by the Health Officer.

301.14 - Inspection Required

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

These 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, the individual trenches or bed shall be exposed with the aggregate in place.
- (f) The entire top of a drywell shall be exposed.
- (g) The Health Officer may specify special site requirements in addition to those listed in (a) through (f) above, if deemed necessary to conduct an adequate final inspection.
- (h) All pumps and portions of the pressure distribution systems shall be available for inspection. A registered engineer's certification will be accepted in lieu of a visual inspection by the Health Officer.

301.15 - Certification/Inspection

After construction of the sewage disposal system has been completed to the extent of the placement of all sewer lines, septic tanks, stone, and distribution tile lines, and before any portion of the system has been covered or placed in operation, a request for an inspection shall be made to the Health Officer. Two (2) working days shall be allowed for inspection after notification of the completion of the sewage disposal system. If the inspection has not been made within two (2) working days after notification to the Health Officer that the system is complete and ready for inspection, the installer may 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) calendar days. Failure to do so may cause the system to become damaged. Stone shall be covered with a filter material to prevent backfill from entering void spaces between the stones. Materials used for this purpose shall be approved in writing by the Health Officer. Frozen soils shall not be used for backfill since it will damage the system during grading. The Health Officer may revoke his previous approval if there is evidence of damage.

301.17 - Condemnation of Existing Installations

The Health Officer may condemn any existing or hereafter constructed individual sewage disposal system (a) when such system will not accept sewage effluent resulting in interference with plumbing fixture use, or (b) 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 (c) where the seepage of effluent therefrom may endanger or contaminate groundwater, surface water, a public or private water supply, or (d) where an improperly constructed or maintained system creates a nuisance. Such a sewage disposal system as condemned shall be repaired, rebuilt, or replaced by a system constructed according to the provisions of these regulations within a period of time specified by the Health Officer.

301.18 - Drains of Unknown Origin

Whenever the Health Officer shall determine that sewage is flowing into any

private or public drain of unknown course and origin, he may issue public notices requiring persons owning premises from which such sewage could originate, to connect such sewage flow to a publicly operated sewerage system, if available, or in the absence thereof to comply with provisions of these regulations. Public notice shall consist of posting of at least five (5) conspicuous notices in the probable area served by said drain. After not less than thirty (30) calendar days following posting of the notices, the Health Officer may plug, or cause to be plugged, the outlet of the drain until such time as the sources of the sewage have been located.

Owners of properties known to be discharging improperly treated sewage in such drain posted by the Health Officer shall be given written notice of corrections required within the time allowed by the Health Officer. Failure to comply with this notice or malicious destruction or removal of public notices shall be considered a violation of these regulations. The Health Officer shall not be liable for any damage which results or might result from action authorized by this section.

301.19 - Change of Use

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

301.20 - Altered or Repaired Existing Building

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

The Health Officer shall determine if an existing sewage disposal system is sufficient and adequate to allow a repair or the rebuilding of an existing building. All industrial, commercial or residential buildings shall conform to the minimum requirements of this regulation if the following apply:

- (a) Rebuilding after existing structure is voluntarily demolished.

- (b) Rebuilding after fire or casualty destroys over 50% of building.

301.21 - Exceptions for System Repairs for Existing Dwellings

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

301.22 - Moratorium on Construction

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

301.23 - 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 the Public Health Code and rules and regulations promulgated there under.

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 the Public Health Code and the rules and regulations promulgated thereunder, and when cleaned or serviced, the agency performing such service shall comply with

Part 117 of Public Act 451 of 1994, as amended.

301.24 - Proprietary Systems and Components

Specialized sewage disposal systems and system components developed and marketed by individuals or corporations may be accepted by the Health Officer for use in Ionia County only after such products have been performance-tested by a third party organization and received a favorable review by such organization. The testing organization shall be a well-known impartial body whose determination of proper application and approval of the product may be accepted, rejected, or modified by the Health Officer as he sees fit.

301.25 - Technical Manuals

The Health Department is authorized to develop and adopt technical manuals as guidance documents for the installation, operation, and maintenance of alternative sewage disposal systems, and to carry out the provisions of these regulations. Such manuals shall be adopted after authorization by the Board of Health.

301.26 – Irrigation Systems

Under no circumstances shall a lawn irrigation system and sewage disposal system be installed where water from the irrigation system falls upon the location of the sewage disposal system.

Section 302 - Specific Requirements for a Sewage Disposal System

302.01 - Sewer Lines

A. Materials

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

B. Size

The minimum size sewer line shall be based upon the number of fixture units as set forth in the Michigan Plumbing Code. The minimum size sewer line in any case shall be not less 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. Each bend of 45 degrees shall be provided with a cleanout.

E. Cleanouts

A cleanout shall be provided at each 50 feet of concealed piping. All cleanouts shall be properly sized and installed and shall be exposed at final grade level.

302.02 - Septic Tanks

A. Location

No septic tank shall be located where it is inaccessible for cleaning or inspection purposes, nor shall any structure be placed over any existing tank making the same inaccessible for cleaning and inspection purposes. A septic tank shall be installed in a level position on a firm base.

B. Manholes

Every septic tank shall be provided with two (2) suitable openings with covers fitted with hand grips, over the inlet and outlet ends of the tank. Service access holes (eighteen (18) inches minimum diameter) shall be provided. A riser at least twenty-four inches in diameter shall be installed on new septic tanks so that the outlet opening is brought to final grade. Risers must meet safety and performance standards approved by the Health Officer.

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. An outlet baffle shall extend below the liquid level at least twelve (12) inches, 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.

Outlet filters shall be installed on all newly installed tanks and on all existing tanks at time of repair except where deemed impossible by the Health Officer. Outlet filters must meet size and quality standards approved by the Health Officer.

302.03 - Septic Tank Construction

A. Materials

Concrete prefabricated tanks shall be constructed of washed aggregate, properly vibrated and reinforced to produce a minimum compressive strength of 3,500 pounds per square inch. Tanks constructed on-site out of concrete blocks shall be laid on a four (4)- inch reinforced concrete bottom and mortar joints shall be thoroughly filled. The interior of the tank shall have a smooth cemented surface and must be watertight. The top is to be a minimum thickness of four (4) - inch reinforced concrete, with manholes provided as noted in Section 302.02(B).

B. Multiple Compartments

When a septic tank is divided into two compartments, the liquid volume of the first compartment shall be no less than 1000 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 baffled as required in Section 302.02 (C), and be a minimum of four (4) inches in diameter.

C. Non-Concrete Tanks

Tanks constructed of fiberglass, plastic or other materials shall not be installed without prior written approval of the Health Officer.

302.04 - Septic Tank Capacities

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

Number of Bedrooms	Minimum Liquid Capacity
One through three	1000 gallons
Four	1500 Gallons
Five	2000 gallons add 250 gallons of additional capacity for each additional bedroom

- B. A two-tank system may be substituted for a single tank, providing the primary tank has a minimum capacity of 1000 gallons.
- C. Footing drain water, roof runoff water, storm drainage, water softener discharge, and any other wastes not considered domestic sewage shall not be connected to or discharged into a sewage disposal system except as provided for in Section 301.02.
- D. Septic tanks for other than single family and two family dwellings shall be sized on the basis of being equal in capacity to one (1) day's average daily flow, or in accordance with the "Michigan Criteria for Subsurface Sewage Disposal," whichever is more stringent.
- E. Add 500 gallons to the tank capacity when accommodating a garbage disposal.

302.05 - Distribution System Pipe Specifications

All distribution pipe placed in a sewage disposal system shall meet the requirements of the Michigan Plumbing Code. Piping approved by the State of Michigan for use in subdivisions shall be used in all absorption systems.

The line carrying effluent from the septic tank outlet to the absorption field shall be

approved rigid watertight pipe and may be laid at any appropriate grade. Pipe used between septic tanks and ten feet beyond the last septic tank shall be Schedule 40 PVC or equivalent. Connection to the upper portion of the absorption field shall be made using a tee fitting, set perfectly level on a firm support in order to divide the flow evenly in each direction from the center of the header. If more than eight (8) lines of distribution tile are installed, distribution boxes or branch headers shall be installed. If branch headers are used, no branch header shall be connected to more than four (4) lines.

302.06 - Lift Pumps

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

- (a) Size: Dosing or pumping chambers, when used for one (1) or two (2) family dwellings, shall be a minimum of five-hundred gallons liquid capacity.
- (b) Pumps: Pumps used shall be of the submersible type and specifically designed for sewage pumping. Dosing pumps and accessories shall be designed and installed in accordance with the “Recommended Criteria for Sewage Pumping at Non-Municipal Installations,” as published by the Michigan Department of Environmental Quality or applicable portions of the Michigan Plumbing Code.
- (c) Electrical: Sewage pumping facilities shall comply with applicable Electrical Code, and a minimum of a visual alarm shall be provided unless otherwise specified by the Health Officer.
- (d) Design: The design and materials used in a lift pump installation shall be approved by the Health Officer prior to issuance of a permit.

302.07 - Drywells

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

- (1) The installation of a conventional tile field or bed is restricted by area

in that required isolation distances for sewage disposal systems cannot be obtained or the area is severely sloped.

- (2) The percolation rate of the surrounding soils is less than twenty (20) minutes/inch and the seasonal high water table, bedrock or other limiting layer is not less than five (5) feet below the bottom of the drywell.
- (3) Replacement area equal to the area of the initial installation is available and reserved for future installations.
- (4) The drywell installation is not less than twenty-five (25) feet from any drop-off or embankment or less than 100 feet from any well or body of surface water.

B. Construction Requirements:

A minimum of one-hundred ninety (190) square feet of absorption area per bedroom is required for drywell installations.

A minimum of twelve (12) inches of stone shall be placed on the bottom and around the perimeter of the drywell.

Where possible, risers that meet the requirements of Section 302.02 (B) shall be installed on drywells.

302.08 - Isolation Distances for Single and Two-Family Dwellings

From:	To Septic Tank:	To Absorption System:	To Sewer Line:
Well	50 feet	75 feet** (Drywells 100)	10 feet
Property Line	10 feet*	10 feet*	10 feet*
Foundation Wall	10 feet	10 feet (Drywells 25)	
Foundation Wall without Footing Drains	5 feet	5 feet	
Surface Water	50 feet	100 feet	10 feet
Pressurized Water Line	10 feet	10 feet	
Ravine, Bank or Dropoff	10 feet	15 feet (Drywells 25)	5 feet
Swimming Pools	10 feet	10 feet	10 feet
Designated County Drain	50 feet	50 feet	50 feet
Storm Drains designed to lower the Groundwater Table	25 feet	50 feet	25 feet
Storm Drains not designed to lower the Groundwater Table	25 feet	25 feet	10 feet

**10 feet from road right of way lines*

*** This minimum isolation distance shall be decreased to 50 feet if the well construction meets the requirements of Chapter IV Water Supplies*

302.09- Absorption System Construction Requirements

<i>Condition:</i>	<i>Maximum</i>	<i>Minimum</i>
<i>Number of laterals or trenches</i>	<i>--</i>	<i>2</i>
<i>Size of gravity distribution conduit</i>	<i>--</i>	<i>4 inches</i>
<i>Size of pressurized distribution conduit</i>	<i>--</i>	<i>1 inch</i>
<i>Length of laterals or trenches</i>	<i>100 feet</i>	<i>--</i>
<i>Width of trenches*</i>	<i>36 inches</i>	<i>18 inches</i>
<i>Space between trenches, wall to wall</i>	<i>--</i>	<i>4 feet</i>
<i>Number of distribution lines per trench</i>	<i>1</i>	<i>1</i>
<i>Bed construction: distance between distribution lines</i>	<i>4 feet</i>	<i>2 feet</i>
<i>Distance between distribution lines and bed wall</i>	<i>2 feet</i>	<i>6 inches</i>
<i>Slope of distribution lines</i>	<i>6 inches/100 feet</i>	<i>Level</i>
<i>Depth of aggregate under distribution lines (includes entire trench or bed bottom)</i>	<i>--</i>	<i>6 inches</i>
<i>Depth of aggregate over distribution lines</i>	<i>--</i>	<i>2 inches</i>
<i>Size of aggregate</i>	<i>1 ½ inches</i>	<i>½ inch</i>
<i>Depth of highest indicated groundwater or depth to hardpan from bottom of absorption bed or trench.</i>	<i>--</i>	<i>4 feet</i>
<i>Depth of highest indicated groundwater or depth to hardpan from bottom of Drywell</i>	<i>--</i>	<i>5 feet</i>
<i>Distance to underground utilities (gas, electrical, telephone, etc.)</i>	<i>--</i>	<i>5 feet</i>
<i>Distance to pressurized water line</i>	<i>--</i>	<i>10 feet</i>
<i>Hole size for a Pressure Distribution System</i>	<i>9/16 inch</i>	<i>¼ inch</i>
<i>*No reduction in the length of trenches will be granted due to the use of a backhoe bucket width in excess of 36 inches.</i>		

302.10 - Absorption System Minimum Area Requirements

<i>Soil texture & structure</i>	<i>Stabilized percolation rate (min/inch)</i>	<i>Type of absorption system</i>	<i>Minimum absorption area requirements for single & two family residence (sq. ft. of absorption area)</i>			
			<i>1, 2*</i>	<i>3*</i>	<i>4*</i>	<i>5*</i>
<i>Coarse sand & medium sand</i>	<i>>10</i>	<i>Bed</i>	<i>750</i>	<i>950</i>	<i>1150</i>	<i>1350</i>
		<i>Trench</i>	<i>450</i>	<i>550</i>	<i>700</i>	<i>900</i>
<i>Fine Sand & Loamy Sand</i>	<i>10 – 20</i>	<i>Bed</i>	<i>900</i>	<i>1100</i>	<i>1300</i>	<i>1500</i>
		<i>Trench</i>	<i>500</i>	<i>600</i>	<i>800</i>	<i>950</i>
<i>Sandy Loam</i>	<i>20 – 30</i>	<i>Bed</i>	<i>1100</i>	<i>1350</i>	<i>1600</i>	<i>1850</i>
		<i>Trench</i>	<i>700</i>	<i>900</i>	<i>1100</i>	<i>1300</i>
<i>Loam, Sandy Clay Loam, Sandy Silt Loam</i>	<i>30 – 45</i>	<i>Bed</i>	<i>1300</i>	<i>1550</i>	<i>1800</i>	<i>2050</i>
		<i>Trench</i>	<i>900</i>	<i>1200</i>	<i>1400</i>	<i>1600</i>
<i>Silt Loam, Clay Loam</i>	<i>45 – 60</i>	<i>Trench only</i>	<i>1450</i>	<i>1700</i>	<i>1950</i>	<i>2300</i>
<i>Clay, Silts, Muck, Peat, Marl</i>	<i>> 60</i>	<i>Unsuitable</i>	<i>--</i>	<i>--</i>	<i>--</i>	<i>--</i>
<p><i>18" trench = 1.5 sq.ft./lin.ft. 24" trench = 2 sq.ft./lin.ft. 36" trench = 3 sq.ft./lin.ft.</i></p> <p><i>For designing trench systems, the maximum width of 36" shall be used unless otherwise requested. Footer and header sections shall not be included in calculating trench lengths necessary to meet square footage requirements.</i></p>						
<p><i>*Number indicates the number of bedrooms or equivalent flow based on two (2) people per bedroom and a maximum of 100 gallons per person per day. Add 200 square feet per each additional bedroom beyond five (5). Add 20% additional area when accommodating a garbage disposal.</i></p>						

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 responsible for a municipal civil infraction as provided in these regulations and/or subject to civil penalties of not more than \$500.00 for each violation or day that the violation continues.

Section 303 - Sewage Disposal Contractor Licensing

303.01 - Licensing Required

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

303.02 - License Exception

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

303.03 - Application

Each person engaged in the business described in Sec. 303.01 shall file an application directly with the Health Officer with such information as he may require. The application for a license shall be submitted to the Health Department prior to January 1st of the year in which the license expires, accompanied by a license fee, as established by a fee schedule, made payable to the Ionia County Health Department.. The application shall state the name of the business, the name and address of the applicant, and the primary and any additional address locations of the business. The application shall state any additional information the Health Officer may require.

303.04 - Issuance of License

Prior to a person being issued a license as a sewage disposal contractor, all regulations pertaining to sewage disposal shall be reviewed by the applicant and a statement signed that he and/or his firm, company or corporation will comply with such regulations. If the Health Officer, after such investigation as he deems necessary, is satisfied the applicant has the qualifications, experience, reputation and equipment to perform the services in a manner not detrimental to safety and public health, and upon submission of the necessary bonding requirements as stated in Section 303.04 and the completed application as indicated in Section 303.03, he shall issue or cause to be issued a license to the applicant.

The license shall cover a three year period, and shall expire on December 31 of the third year.

303.05 - Suspension of License

Any sewage disposal contractor's license issued pursuant to Section 303.05 of these regulations may be suspended by the Health Officer if in his judgment one or more of the these conditions are present:

- (a) The contractor installs any sewage disposal system prior to a permit being issued by the Ionia County Health Department.
- (b) Violations of the construction requirements as stated in the construction permit and/or other provisions of these regulations or Technical Guidelines. The contractor shall be notified in writing of the suspension and the conditions which caused the suspension.
- (c) The contractor consistently fails to perform in a workmanlike manner, as described pursuant to Section 303.09.

303.06 - Reinstatement of Suspended License

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

303.07 - Certificate of Licensure

The Ionia County Health Department shall issue certificates to individuals who are licensed to install sewage disposal systems in Ionia County. The certificates shall

indicate that the installer is authorized to install such systems for a three (3) year period from the date issued. Licensed installers shall carry the certificate or wallet-sized versions provided by the Ionia County Health Department whenever they are on a work site, and display it upon request to a representative of the Health Department, a law enforcement officer, or the property owner.

303.08 - Workmanship

All work done such as repairs, installation or alterations, or sewage disposal system modifications shall be performed in a workmanlike manner, and the property served left in a safe and sanitary condition.

303.09 - Rights to Appeal

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

303.10 - Sewage Disposal Contractor's Advisory Board

There shall be created an Ionia County Sewage Disposal Contractor's Advisory Board whose duty it shall be to advise and assist the Health Officer in the formulation of policy and in the execution and implementation of these regulations in matters pertaining to sewage disposal. This Board shall also advise and assist in the process of examining sewage disposal contractor license applications, and participate in enforcement activities against same.

The Sewage Disposal Contractor's Advisory Board consists of two (2) licensed sewage contractors whose principal place of business is located in Ionia County, and one (1) representative from the general public. Appointments to the Sewage Disposal Advisory Board are made by the Board of Health for a non-concurrent term of up to two years.

Chapter IV - Water Supplies

Section 400 - Technical Definitions

400.01 - Abandoned Well

“Abandoned Well” shall mean a water well whose use has been permanently discontinued; a water well or portion thereof which is in such disrepair that its

continued use for the purpose of obtaining water is impractical; a water well which has been left uncompleted; a water well which is a threat to other sources of water; or a water supply well which is or may be a health hazard or safety hazard.

400.02 - Aquifer

“Aquifer” shall mean subsurface water-bearing geologic material that transmits water in sufficient quantities to supply a well.

400.03 - Artesian

“Artesian” shall mean a water supply subject to hydrostatic pressure, causing the static water level to rise above the level of the aquifer, whether above or below the ground surface.

400.04 - Contaminant

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

400.05 - Extensive Changes

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

400.06 - Minor Changes or Repairs

“Minor Changes or Repairs” shall mean work performed on an existing water well supply, which includes replacing a telescoped well screen, replacing a similar pump, drop pipe, pressure tank or controls, chemical rehabilitation, well disinfection or redevelopment.

400.07 - Public Water Supply

“Public Water Supply” shall mean 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 (1) living unit.

400.08 - Water Supply System

“Water Supply System” shall mean an integrated system of pipes, controls, reservoirs, and mechanical devices used for the purpose of extracting and

providing water for domestic or commercial use. See also Section 101.27.

400.09 - Water Well Advisory Committee

“Water Well Advisory Committee” shall mean the Ionia County Water Well Advisory Committee, whose duty shall be to assist and advise the Health Officer in carrying out, executing and implementing these regulations in matters pertaining to water wells.

The “Water Well Advisory Committee” shall consist of two (2) registered water well contractors whose principal place of business is located in Ionia County, and one representative from the general public. Appointments to the Water Well Advisory Committee are made by the Board of Health for a non-concurrent term of two (2) years.

400.10 – Well

See sections 101.27 and 400.09.

Section 401-- Water Supply Requirements

401.01 – Jurisdiction

These regulations apply to water supplies intended for use or used to supply groundwater within the County of Ionia. Such uses include, but are not limited to, wells which provide potable water, irrigation wells, water wells for industrial processes including water for oil or gas exploration, air conditioning or heating, wells used to obtain hydrogeological information for the design or operation of a water supply well, wells constructed to obtain hydrogeological information for determining the adequacy of water supply for developments, or wells intended to replenish water into an aquifer.

“Closed-loop” heat pump systems will be considered as needing a single well permit, regardless of the number of actual holes/casings installed in the ground for the system.

401.02 - State Laws and Regulations

Unless otherwise specified the requirements as set forth in Part 127 of the Public Health Code, Act 368 of the Public Acts of 1978, as amended, and the Safe Drinking Water Act, Act 399 of the Public Acts of 1976, as amended, and the rules and regulations adopted pursuant to those acts, are hereby adopted as requirements

of these regulations.

401.03 - Approved Water Supplies Required

Every habitable building shall be provided with an approved potable water supply system meeting the requirements of these regulations and applicable State of Michigan regulations.

401.04 - Water Quality Standards

The quality of water furnished to any lavatory, drinking fountain, dishwasher, bathtub, shower, or other fixture, device or equipment wherein or from which direct consumption or human body contact is possible, shall be safe for human consumption and potable as approved by the Health Officer. Acceptability shall be based upon the minimum chemical and bacteriological standards of the Michigan Department of Environmental Quality.

401.05 - Upgrade of Water Supply Construction and Quality

Existing water supplies that do not comply with the minimal construction standards and chemical or bacteriological requirements of the Michigan Department of Environmental Quality (MDEQ) shall be upgraded and/or treated by methods approved by the MDEQ. If it is not possible to secure satisfactory compliance, the water supply shall be abandoned and, when applicable, the well shall be sealed to protect the water-bearing formation against further contamination.

401.06 - Imminent or Substantial Hazard

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

401.07 - Connection Required

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

401.08 - Abandoned Well Closure

An abandoned well shall be sealed by filling with materials in accordance with the specifications and procedures outlined in Act 368 of the Public Acts of 1978, as amended, and Act 399 of the Public Acts of 1976, as amended. It shall be accomplished so as to prevent it from acting as a channel for vertical contaminant movement or the escape of subterranean gases. Pumps, drop pipes or other debris or obstructions shall be removed from the well prior to sealing if at all possible.

The Health Officer may order the well owner or well drilling contractor to seal an abandoned well or dry hole.

401.09 - Temporarily Abandoned Well

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

- (a) A temporarily abandoned well shall be disconnected from any water distribution piping, and shall have the top of the casing capped to prevent the entrance of surface water or foreign materials and to prevent access into the well. The casing shall extend a minimum of twelve (12) inches above grade or as directed by the Health Officer. The casing shall be constructed to prevent the entrance of water or foreign material into the well.
- (b) The owner shall notify the Health Officer in writing not more than 30 calendar days after the well that has been temporarily abandoned has been taken out of service.
- (c) The Health Officer shall investigate to determine if a well meets the requirements to be temporarily abandoned.
- (d) After a well has been temporarily abandoned for not less than 3 years, it shall be considered permanently abandoned and shall be sealed in accordance with these regulations unless the owner requests an extension indicating reasons why the well should not be permanently abandoned. The request to extend the status of a temporarily

abandoned well shall be made in writing to the Health Officer and shall state the reasons why the well should not be permanently abandoned. The Health Officer may grant an extension of up to three years if (i) the well construction meets the requirements of the Public Health Code and these regulations, (ii) the well does not present a health hazard and (iii) the owner intends at a future date to place the well in production. Additional extensions may be requested by the owner.

401.10 - Abandonment of Improperly Constructed Wells

The Health Officer may require the sealing of a well constructed in violation of the Ionia County Sanitary Code, the Public Health Code or Act 399 of the Public Acts of 1976, as amended. All costs of sealing the well shall be borne by the property owner.

401.11 - Location of Wells

All water supply systems shall be located wholly upon the property served, except that under certain conditions where suitably executed and recorded easements or right-of-way agreements exist, this provision may be waived by specific written permission of the Health Officer. Wells shall not be located in road right-of-ways, easements, or within 10 (ten) feet of any property line.

401.12 - Permit Required/Termination/Extension/Denial

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

- (a) Application for a permit shall be made by the property owner(s) or their authorized representative. The application shall be made upon such forms and shall contain such reasonable information as required by the Health Officer.
- (b) Permits are not transferable with respect to property or specific parcel served. Should the ownership of the property for which a permit has

been issued change, the permit may be transferred to the new owner. Such transfer shall be requested in writing on forms to be provided by the Health Officer and signed by the current permit holder.

- (c) A permit for installation or construction shall become void twelve (12) months from the date of issuance, but may be extended an additional twelve (12) months upon written request previous to the expiration date, and payment of the appropriate fee.
- (d) Application for a permit shall be accompanied by the appropriate service fee, adequate plans showing locations of pertinent features of the proposed water system, including potential sources of contamination, and all necessary data which may be required by the Health Officer.
- (e) The Health Officer shall refuse to issue a permit for a water supply system where the submitted information is not in compliance with the provisions of these regulations, and/or the location and construction will not meet the requirements and provisions of these regulations.

401.13 - Extensive Changes or Repairs

When extensive changes or repairs are made to the water well system, they shall conform to these regulations unless otherwise approved by the Health Officer. A permit shall be obtained from the Ionia County Health Department prior to any extensive changes being completed on a water well system, except as provided for in Section 401.27 under "Emergency Conditions."

401.14 - Minor Changes or Repairs

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

401.15 - Permits Issued by State Agencies

If, under Act 399, Public Acts of 1976, as amended, and the rules and regulations promulgated pursuant to that Act, the owner, well driller or pump installer is required to obtain a permit directly or exclusively from the Michigan Department

of Environmental Quality, it shall not be a requirement to obtain a permit from the Ionia County Health Department. When the Ionia County Health Department issues a permit for the installation or alteration of a public water supply system under an agreement, contract or cooperative arrangement as stated in Act 399, Public Acts of 1976, as amended, the permit shall be issued in accordance with Section 401.12 of these regulations.

401.16 - Stop Work Order – Void Permit

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

401.17 - Permit Required Before Building Construction

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

401.18 - Altered or Repaired Existing Buildings

The Health Officer shall determine if the construction and location of an existing onsite water supply system is adequate to allow an increase in living or working area to an existing building. This would include, but not be limited to, adding bedrooms to an existing dwelling or additions to industrial or commercial establishments. The Health Officer shall determine if an existing onsite water supply system is sufficient and adequate to allow a repair or the rebuilding of an existing building. All industrial, commercial or residential buildings shall conform to the minimum requirements of this regulation if these circumstances apply:

- (a) Rebuilding after existing structure is voluntarily demolished.
- (c) Rebuilding after fire or casualty destroys over 50% of building

401.19 - Well Development Restrictions; Emergency Powers

In areas of suspected or possible groundwater contamination, the Health Officer may place restrictions and/or conditions for well development in these areas for up to a one hundred twenty (120) calendar day period. Well permits may be temporarily withheld for this period of time while investigations are being conducted.

401.20 - Restrictions or Conditions on Well Development

The Ionia County Board of Health may place restrictions or conditions on well development in areas where there is known or suspected groundwater contamination, concerns for general water quality, problems with yield, problems with protection or based on other factors present which in its opinion may adversely affect public health. A written policy shall govern the procedures to be followed in such situations.

401.21 - Inspection Authority

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

401.22 - Water Supply Inspection and Approval

The Health Officer may make such inspections or evaluations and collect samples that are necessary to determine that a water supply system complies with the provisions of the Ionia County Sanitary Code. Approval from the Health Officer shall be received prior to a new water well or extensively repaired water well being placed into service. Unless otherwise specified on the permit, the submittal of an acceptable water well record and safe bacteriological sample analysis will be sufficient to provide adequate information to the Health Officer.

401.23 - Well Grouting

All wells constructed after the effective date of these regulations shall be grouted in accordance with techniques approved by the Michigan Department of Environmental Quality.

401.24 - Isolation Distances From Contamination Sources

As required under Part 127 of the Public Health Code, as amended, and the rules

promulgated thereunder, water well supplies shall be isolated the following distances from potential sources of contamination:

- (a) A well furnishing water for any beneficial use shall be located where it is not subject to contamination.
- (b) A well shall be located at least 800 feet from the active work area of a landfill or land surface application of septage waste, as described in Part 117 of Act 451 of the Public Acts of 1994, as amended.
- (c) A well shall be located at least 300 feet from any major source of contamination such as land application or subsurface injection of effluent or digested sludge from a municipal wastewater treatment facility, oil and gas wells, petroleum product processing or storage facilities, and underground or above grade storage tank systems of not less than 1100 gallons which are regulated under Part 211 of Act 451 of the Public Acts of 1994, as amended.
- (d) A well shall be located at least 150 feet from the preparation area or storage area of fertilizers, agricultural chemicals, or other chemicals that may result in contamination of the soil or groundwater.
- (e) A well shall be located at least 50 feet from a buried sewer, septic tank, subsurface disposal field or bed, drywell, sewage pump chamber, pressurized sewer, grease trap, seepage pit, cesspool, animal or poultry yard, outhouse, other wastewater handling or disposal unit, liquid waste draining into the soil, storm water drain, underground or above grade storage tanks which have a capacity of less than 1,100 gallons and are regulated under Part 211 of Act 451 of the Public Acts of 1994, as amended, and having secondary containment, and underground or above grade storage tanks having a capacity of less than 1,100 gallons which store motor or heating oil for noncommercial purposes or consumptive use on the premises.
- (f) A well shall be located no less than (i) 10 feet from a buried gravity flow sewer constructed of service weight or heavier ductile iron pipe with water tight joints, Schedule 40 PVC plastic with water tight

joints, or other material and joints given written approval by the Health Officer, (ii) 10 feet from a surface water body such as a lake, pond, river or stream, or (iii) 10 feet from a sump, pit, or unfilled space that is below the ground surface, except for a crawl space.

- (g) Wells serving as public water supplies, as defined in Act 399, Public Acts of 1976, as amended, shall be isolated from contamination sources in accordance with the requirements specified in the administrative rules for that Act.

401.25 - Access to Well Location

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

401.26 - Premises Occupancy

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

Violation of any of these requirements is non-compliance with the regulations of Chapter IV and the owner shall be responsible for a municipal civil infraction as provided in these regulations and/or subject to civil penalties of not more than \$500.00 for each violation or day that the violation continues.

401.27 - Emergency Conditions

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

requirements of these regulations. “Emergency Conditions” shall be limited to situations where no potable water is available at a residence, commercial site, or livestock housing facility.

Chapter V - Nuisance Abatement and Housing

Section 500 - Authority and Purpose

The provisions of this Chapter are authorized by Section 2455 of the Public Health Code, and all other applicable Michigan statutes. This chapter sets forth minimum standards governing the condition and maintenance of dwellings to ensure that they are safe and fit for human occupancy, establishing certain responsibilities of owners and occupants of dwellings, and procedures for the abatement of violations of this chapter.

Section 501 - Jurisdiction

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

The regulations of this Chapter apply to any building, use, or condition which violates health laws or these regulations, or which the Health Officer reasonably believes to be a nuisance, unsanitary condition, cause of illness or unsafe condition within the County of Ionia.

Section 502 - Nuisance

Any structure, building, use, activity, or condition which violates any provision or requirement of these regulations, or State code or law, shall be deemed to be a nuisance.

Section 503 - Definitions

503.01 - Basement

“Basement” shall mean that portion of a building located partly underground, but having less than half its clear floor-to-ceiling height below the average grade of the adjoining ground.

503.02 - Cellar

“Cellar” shall mean that portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

503.03 - Dwelling Unit

“Dwelling Unit” shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used as a dwelling.

503.04 - Garbage

“Garbage” shall mean the animal and vegetable waste resulting from the handling, preparation, discarding, cooking, or consumption of food.

503.05 - Infestation

“Infestation” shall mean the presence of insects, rodents, vermin, or other pests within or contiguous to a structure or premises.

503.06 - Habitable Room

“Habitable Room” shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding laundries, pantries, foyers, or connecting corridors, closets, and storage spaces.

503.07 - Harborage

“Harborage” shall mean any place where rodents or vermin can live, nest, or seek shelter.

503.08 - Pest Control

“Pest Control” shall mean the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poison, spraying, fumigating, trapping, or by any other approved pest elimination methods.

503.09 - Refuse

“Refuse” shall mean solid wastes, except body wastes, and including garbage and rubbish.

503.10 - Refuse Container

“Refuse Container” shall mean a watertight container that is constructed of durable material impervious to vermin. Openings such as a cover or lids shall be tight-fitting and fly-tight.

503.11 - Rubbish

“Rubbish” shall mean combustible and noncombustible waste materials, except garbage.

503.12 - Safety

“Safety” shall mean the condition of being free from danger and hazards which may cause accidents or disease.

503.13 - Temporary Dwelling

“Temporary Dwelling” shall mean a dwelling intended to be used for human habitation for a time period not exceeding 30 days, and shall include tents, camping trailers, boats, recreational vehicles, and other similar vehicles or equipment.

503.14 - Unsanitary Condition

“Unsanitary Condition” shall mean any structure or condition which the Health Officer reasonably believes to be a potential cause of illness, or which otherwise poses a threat to the health of the public.

503.15 - Vermin

“Vermin” shall mean noxious small animals or insects such as lice, fleas, worms, rats, mice, cockroaches, etc.

Section 504 - Illegal to Maintain a Nuisance or Unsanitary Condition

It shall be a violation of these regulations to own, maintain, permit, or cause a nuisance or unsanitary condition.

Section 505 - Uninhabitable Premises

505.01 - Uninhabitable Premises: Vacation Order

Whenever it shall be certified by the Health Officer that any premises are unsafe or are infected with contagious disease, or that are unfit for human habitation, or dangerous to the public health, safety, or welfare by reason of want of repair, or defects in the drainage, plumbing, electrical, heating, ventilation, or the construction of the same, or by reason of the existence of the dwelling, the Health Officer may issue an order requiring all persons therein to vacate the premises. In case such order is not complied with within the specified time, the Health Officer may cause the premises to be vacated by court order. Once vacated, the Health Officer may require such measures as may be necessary to prevent re-entry to the premises. Violation of any such order shall also constitute a violation of these regulations.

505.02 - Designation of Dwellings as Unfit for Habitation

The Health Officer shall declare unfit for human habitation, and a public nuisance, any dwelling or dwelling unit which shall have any of these defects:

- (a) Those which have been damaged by fire, wind, water, or other causes so as to become dangerous to the life, safety, and the general health and welfare of the occupants or to the general public.
- (b) Those which have become so blatantly unsafe, unsanitary, are in such an obvious state of decay, or which so utterly fail to provide the basic amenities essential to healthful living or are likely to cause sickness or disease, so as to work injury to the health, safety, or general welfare of

the public.

- (c) Those in which the owner or occupant fails to comply with the orders of the Health Officer, based upon the provisions of these regulations.

505.03 - Procedure for Placarding and Vacating Unfit Dwellings

- (a) Any dwelling or dwelling unit declared as unfit for human habitation shall be posted in a conspicuous place on the premises with a placard stating such by the Health Officer.
- (b) No dwelling or dwelling unit which has been designated as unfit for human habitation and placarded as such shall again be used for habitation until written approval has been secured from, and the placard removed by, the Health Officer.
- (c) No person shall deface, cover, or remove the placard from any dwelling or dwelling unit which has been so designated by the Health Officer until the defect or defects found therein have been corrected, and it is determined by the Health Officer that the dwelling is fit for human habitation.
- (d) Any dwelling that has been designated and placarded as unfit for human habitation by reason of structural deficiencies shall be evaluated within 45 days by the Building Official having jurisdiction as to the feasibility of rehabilitating the structure. If it is determined by the Building Official that the cost to rehabilitate the structure will cost more than half of the true market value of the structure, it shall be demolished, and all health and safety hazards removed within 90 days of that determination. If the owner fails to comply with an order from the Health Officer to demolish the structure, the Health Officer is authorized to either request the municipality in which the structure is located to demolish the dwelling, or arrange such demolition in the name of the Health Department, and to charge the cost of such demolition to the owner of the property, as authorized under Section 201 of these regulations.

- (d) If an owner of a damaged dwelling or structure that is determined to be

suitable for rehabilitation refuses to make repairs ordered by the Health Officer, restorative work as directed by the Building Official may be undertaken at the owner's expense to eliminate the immediate health or safety hazard. The cost of the reconstruction shall be charged as directed under Section 201.

Section 506 - Minimum Fixture Standards

No person shall occupy or let to another person a dwelling which does not comply with these requirements:

- (a) Every dwelling shall be provided with adequate sewage disposal and water supply facilities. Where public services are not available, private on-site facilities shall be provided, the design and installation of which shall meet the requirements of Chapters III and IV of these regulations.
- (b) Every dwelling shall contain a kitchen sink, a lavatory basin, a flush water closet, and a bathtub or shower in good working condition, and properly connected to an approved water supply and sewage disposal system.
- (c) Every dwelling shall have garbage and rubbish disposal facilities or storage containers which are approved by the Health Officer, and are capable of storing at least one week's accumulation of solid waste materials generated from the facility.
- (d) Every dwelling shall be provided with water under pressure.
- (e) Windows intended to be used for ventilation shall be screened to prevent the entry of rodents or other pests.
- (f) Every dwelling shall be provided with heating facilities which are safe, installed and maintained according to applicable codes, and capable of providing an ambient air temperature of 65 degrees Fahrenheit within all habitable rooms.

- (g) Temporary dwellings and certain seasonal housing for organized recreational and occupational groups are exempted from the specific requirements of Section 506 of these regulations, provided they are regulated through other Michigan or federal laws and rules governing housing standards, and no nuisance or health hazard is allowed to exist. Individuals submitting written objections to complying with this section on religious grounds may be granted an exemption or variance by the Health Officer. Alternative systems to meet the requirements of this section may be provided, with the approval of the Health Officer.

Section 507 - Minimum Maintenance Requirements

No person shall occupy or let to another for occupancy any dwelling for the purpose of living therein that does not comply with the these requirements:

- (a) Every foundation, floor, wall, ceiling, interior door, and roof shall be reasonably weather-tight, rodent-proof, and kept in good repair.
- (b) Every window, exterior door, and basement or cellar access shall be reasonably weather-tight, vermin and rodent-proof, and shall be kept in sound working condition and good repair.
- (c) Every wastewater pipe and water supply pipe shall be properly installed and maintained in good sanitary working condition, free from defects, leaks, and obstructions.
- (d) No owner or occupant shall cause any required service, equipment, or utility to be removed from, shut off, or discontinued for any occupied dwelling, except as a temporary interruption while repairs or alterations are in process or during emergencies when discontinuance is approved by the Health Officer. Unless a shorter period of time is agreed upon with the occupant, at least 24 hours advance notice will be given by the owner that such services will be temporarily interrupted, when repairs or alterations are not of an emergency nature.
- (e) No owner shall occupy or let to any other occupant occupy dwelling

unless it is clean, safe, free from vermin infestation, and fit for human occupancy.

Section 508 - Minimum Space and Use Requirements

No person shall occupy or let to another for occupancy any dwelling for the purpose of living therein, which does not comply with these requirements:

- (a) No basement shall be used as a dwelling unless it otherwise conforms to the requirements of these regulations.
- (b) No cellar shall be used as a habitable room or dwelling.

Section 509 - Open Burning Prohibited

Open burning outside of a fireproof container is prohibited when the burning is done under such conditions that the products of combustion, in the opinion of the Health Officer, cause a nuisance or health hazard. This may include, but is not limited to the burning of such things as refuse, rubbish, and demolition materials. Garbage may not be burned, but must be placed in a licensed sanitary landfill or be buried on the property where generated, in a sanitary manner approved by the Health Officer. Closed burning of approved materials must be done as permitted by local and State codes.

Section 510 - Responsibility of Owners and Occupants

- A. Every owner of a dwelling containing 3 or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.
- B. Every occupant shall dispose of rubbish, garbage, and refuse generated in that dwelling in a sanitary manner, placing it in containers as noted in Section 506(c), and arrange for such materials to be removed to a licensed sanitary landfill, or other such disposal as may be approved by the Health Officer at least once each week. It shall be the responsibility of the owner to

supply such containers and refuse removal services when there are 3 or more dwelling units in a dwelling.

- C. Every occupant of a dwelling shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises in his control. Whenever infestation exists in two or more dwelling units in a dwelling, or in the shared or public areas of such a dwelling, extermination thereof shall be the responsibility of the owner.
- D. The owner of a dwelling shall be responsible for the maintenance of all sewer lines, private sewage disposal systems, private water systems, electrical services, and any other supplied equipment. The owner shall be responsible for the maintenance of the dwelling and its component structures.
- E. A property owner shall not allow a temporary dwelling to be occupied for more than 30 days in any calendar year without the approval of the Health Officer. An extension of this 30 day limit may be granted upon written request of the property owner, where the temporary dwelling is connected to water supply and sewage disposal systems approved by the Health Officer.

Chapter VI - Food Service Establishments

Section 600 - Authority

600.01 - Legal Basis

The Michigan Food Law, being Act 92 of the Public Acts of 2000, as amended shall be the basis for the authority and inspection, licensing, and enforcement activities undertaken by the Ionia County Health Department in this Section.

600.02 - Authorized Activities

The Ionia County Health Department is authorized by the Michigan Food Law to license and regulate certain persons engaged in preparing, selling, serving, or offering for sale food or drink for human consumption; to provide standards for food establishments; to enforce the act; to provide penalties and remedies for violation of the act; and to provide for fees, through delegation of these powers to the Health Department from the State of Michigan.

Section 601 - Scope

The provisions of the Michigan Food Law regarding the selling of food shall be considered to include the manufacture, production, processing, packing, exposure, offer, possession, and holding of any food for sale; and the sale, dispensing and giving of food, serving, and the supplying of food in the conduct of any food establishment. This shall include those establishments that provide medical marijuana in edible form.

Section 602 - Definitions

602.01 - Continuous Violation

“Continuous Violation” shall mean a specific violation that is documented, persists, and is not corrected within an allowed or agreed-upon time period.

602.02- Core Item

“Core Item” means a provision in the Food Code that documents conditions that are in violation of the law, but are not classified as priority or priority foundation violations.

602.03 - Food Code

“Food Code” shall mean the Michigan Modified Food Code adopted by the Michigan Food Law, as amended.

602.04 - Imminent or Substantial Hazard

“Imminent or Substantial Hazard” for a food service establishment shall mean a condition that may include, but is not limited to, loss of power to the establishment, loss of the water supply, backup of sewage wastes into the building, severe structural damage, an ongoing foodborne illness caused by the establishment, a severe vermin infestation that threatens the integrity of the establishment’s food supply, or any condition which in the opinion of the Health Officer is an imminent threat to the public’s health.

602.05 - Non-Compliance

“Non-Compliance” at the time of an inspection shall mean any or all of the following:

- (a) An Imminent or Substantial Hazard is documented.

- (b) Priority or Priority Foundation items are present and determined to be chronic or continuous violations.
- (c) Core items are substantial, present and not corrected according to an agreed-upon schedule, or noted as chronic violations.

602.06 - Priority Item

“Priority Item” means a provision in the Food Code whose application contributes directly to the elimination, prevention or reduction to an acceptable level, hazards associated with foodborne illness or injury and there is no other provision that more directly controls the hazard.

602.07 – Priority Foundation Item

“Priority Foundation Item” means a provision in the Food Code that supports, facilitates, or enables Priority items.

602.08 - Prohibited Acts

“Prohibited acts” shall mean one of the enumerated prohibited acts in Chapter 5 of the Michigan Food Law.

602.09 – Re-Inspection

“Re-inspection” (or follow-up inspection) shall mean a partial inspection that focuses only on those violations previously documented and scheduled for follow-up. Follow-up inspections are generated by (1) the presence of an uncorrected critical violation or prohibited act, (2) an enforcement action, or (3) request of the licensee.

602.10 - Routine Inspection

“Routine inspection” shall mean a full inspection that occurs at a specified time interval. It is expected that all areas of a licensed food service establishment will be evaluated during this inspection and all significant violations documented. In addition to notification of violations, the routine inspection provides the opportunity for education to correct violations and achieve compliance.

602.11 - Recurring Violation

“Recurring violation” shall mean a specific violation that is observed during a routine inspection, is documented, is corrected, and recurs.

602.12 - Substantial Compliance

“Substantial Compliance” shall mean that, at a minimum, at the time of an Inspection (routine or re-inspection):

- (a) No Imminent or Substantial Hazards exist; and
- (b) Priority or Priority Foundation items are not present or are corrected immediately; and
- (c) Core items are insubstantial.

Section 603 – Food Service Enforcement

603.01 – Inspections

(a) Routine Inspection

Each licensed food service establishment shall be evaluated at routine inspection intervals. Assessment is based on presence of violations at the time of inspection, as well as history of violations and/or enforcement. All violations noted shall be corrected in a timely manner.

(b) Re-inspection

Re-inspections verify whether violation corrections were completed or if there is a need for further enforcement action. A re-inspection may occur as the result of a routine inspection, office conference, informal hearing, or formal hearing.

603.02 - Violations

Violations are categorized with regard to severity or type. They are classified as follows:

- (a) Priority items must be corrected immediately, if possible. A follow-up inspection will occur within 0-10 days to document corrections.
- (b) Priority Foundation items must be corrected immediately, if possible. A follow-up inspection will occur within 0-10 days to document corrections.
- (c) Core items are at a minimum, re-assessed at each routine inspection. They shall be re-assessed more frequently if they become continuous or evolve into a priority or priority foundation item.
- (d) **Imminent or Substantial hazard** will result in closure of the facility or an order to cease.

603.03 – Tools for Food Service Enforcement

Enforcement shall be progressive in nature and follow the Policies and Procedures recommended by the State of Michigan, except where deemed necessary by the Health Officer. The Health Officer may employ any or all of the enforcement options in Chapter 2 of these regulations or as specified below:

- (a) **Mandatory food safety training** – After a conference with the licensee for a repeated failure to correct a critical violation, the Health Department may require certain individuals to complete manager food safety training for that establishment.
- (b) **Order to cease all food preparation and services** – The operator does not possess a food service license. The agency shall order the operator to cease all food service operations at once. Operations may not resume until the operator is in full compliance with all licensing requirements. Ignoring this order means operating a food service establishment without a license.
- (c) **License Limitation** – The Health Department may place restrictions on a food service license, limiting the preparation of food for the purpose of protecting the public's health. A licensee must be provided an opportunity for an administrative hearing on the issue of the imposition of the license limitation. A licensee may, at any time,

request a re-inspection of the food establishment for removing the limitation and reinstating the full license.

- (d) **Seizure** – Order issued to hold food found to be sold, held for sale, or exposed for sale in violation of state laws and regulations, or suspected of being in violation of state laws and regulations. Follow-up inspection is required to record disposition of product.

Chapter VII - Tattooing and Body Art

Section 700 – Authority and Definitions

Public Act 375 of 2010, as amended shall be the basis for the inspection, licensing, and enforcement activities undertaken by the Health Department in this Chapter.

700.01 - Body Art or Body Modifications

“Body Art” or “Body Modifications” shall mean any form of manipulation of the human body to produce tattoos, scars, piercings, or other permanent or semi-permanent changes in the appearance of the human body for cosmetic purposes, other than procedures performed by a licensed physician.

700.02 - Tattooing

“Tattooing” shall mean the creation of an indelible mark or figure upon the human body by insertion of pigment into or under the skin. “Tattooing” as used in these regulations shall also include body art, but shall not include scarification.

Section 701 - Powers and Duties of the Health Officer

The Health Officer shall have the authority to regulate the design, installation, operation, and maintenance of any tattooing or body art practice, business, or occupation.

Section 702 - Power to Establish Guidelines

The Michigan Department of Community Health may establish guidelines concerning the implementation of this Chapter. Such guidelines shall be subject to review and approval by the Board of Commissioners.

Section 703 - Licensing

It shall be unlawful for any person to operate any practice, business, or occupation of tattooing unless he possesses a valid license then in force, issued by the State of Michigan.

Section 704 - Licensing Procedures

704.01- Application for License

Any person desiring to engage in the practice, business, or occupation of tattooing shall make written application for a license on forms provided by the State of Michigan. Before application, the business owner must demonstrate in writing that the proposed body art facility will meet design and construction standards required by the State of Michigan and the Health Officer.

704.02 - License Issuance

Upon receipt of request for inspection from the State of Michigan, the Health Officer shall make an inspection and make a determination regarding compliance with applicable state and local laws and requirements. Upon confirmation that the applicable laws and requirements have been satisfactorily met, the license application shall be approved by the Health Officer. The applicant may thereafter be referred to as a "licensee." The license shall be displayed at all times in a conspicuous place in the establishment.

704.03 - License Denial

The Health Officer shall recommend to the State of Michigan that a body art license not be granted when any of these conditions exist:

- (a) Incomplete, inaccurate, false or misleading information is supplied by the applicant.
- (b) The establishment's premises and/or practices do not comply with any provisions of the laws and requirements of the State of Michigan or these regulations.
- (c) A proposed body art facility does not meet design and construction standards required by the State of Michigan and the Health Officer.

A license denial shall be issued in writing and shall state the reason(s) for the rejection.

704.04 - License Suspension

Any body art license issued pursuant to the provisions of these regulations may be suspended by the Health Officer for failure of the licensee to comply with the applicable requirements of these regulations, State law and requirements, or the license. A license may also be suspended when in the opinion of the Health Officer, the continued operation of a body art practice, business, or occupation would create a substantial hazard to the public health. Upon notification of such suspension, the licensee shall immediately cease operations.

704.05 - Revocation of License

For serious or repeated violations of any of the requirements of these regulations, for interference with the Health Officer in the performance of his duties, or because of the presence of an imminent or substantial hazard, a license may be revoked by the Health officer. Prior to such action to revoke a license, the Health Officer shall notify the licensee in writing stating the reasons for which the license is subject to revocation and advising that the license shall be revoked at the end of five (5) calendar days following such service of notice, unless the licensee files a written request for a hearing within the same period. The licensee shall be advised that the license will be revoked at the hearing unless the licensee can satisfactorily show cause why his license should not be revoked. A license may be suspended for cause, pending its revocation or a hearing and decision relative thereto.

Section 705 - Inspection of Tattooing Premises

The Health Officer shall have the authority to inspect every premises and location at which the practice of tattooing is being carried on, and shall make as many inspections and re-inspections as is deemed necessary for the enforcement of these regulations and applicable statutes.

Chapter VIII - Public Assemblages

Section 800 - Definitions

800.01- Public Assemblage

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

- (a) An event which is conducted or sponsored by a governmental unit or agency on publicly owned land or property;
- (b) An event held entirely within the confines of a permanently enclosed and covered structure; or
- (c) An event for which a rally campground permit has been issued in accordance with Part 125 of the Public Health Code.

Section 801 - Jurisdiction and Administration

801.01- General

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

801.02 - Jurisdiction

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

Section 802 - Suitable Sanitary Facilities for Public Assemblages

802.01 - Approved Toilet Facilities

If water flushed fixtures are provided, they shall be supplied with adequate water for flushing and shall be connected to a public sewer or to a private sewage disposal system constructed in accordance with Chapter III of these regulations. Toilet facilities of the non-water-flush type shall be constructed so as to be reasonably fly-tight, easily cleanable, and to retain all human wastes pending collection and disposal. All toilet facilities shall be so equipped and arranged so as to provide shelter, privacy, segregation of sexes, adequate ventilation and lighting; toilet tissue in suitable dispensers shall be furnished. Suitable hand washing facilities as approved by the Health Officer shall be available in locations convenient to the toilet facilities.

802.02 - Number of Facilities for Public Assemblages

Based on expected or actual attendance, whichever is greater, the number of fixtures or toilet units at a public assemblage shall be no less than required by Table 8-1. Where the event is expected to extend beyond twenty-four (24) hours in duration, showers shall be provided on the basis of one (1) shower head for each one hundred (100) persons of each sex. Sufficient water heating capacity shall be provided to maintain a constant flow of tempered water at no less than 90 degrees F. to every shower head.

Number:	Males			Number:	Females	
	Closet	Lavatories	Urinals		Closets***	Lavatories
1- 100	1	1	1	1- 75	1	1
101 – 250	2	1	1	76 – 200	2	1
251 – 600	2	2	2	201 – 400	3	2
601 – 775	3	3	3	401 – 600	4	2
776 – 950	3	3	4	601 – 800	5	3
951 - 1125	4	4	5	801 – 1100	6	3
1126 – 1300	4	4	6	1101 – 1400	7	4
1301 – 1500	5	5	7	1401 – 1700	8	4
1505 – 1700	5	5	8	1701 – 2000	9	5
1701 – 1900	6	6	9	2001 – 2300	10	5
1901 – 2100	6	6	10	2301 – 2600	11	6
2101 – 2350	7	7	11	2601 – 2900**	12	6
2351 – 2600*	7	7	12			

* Water Closets, Lavatories: in addition, provide one (1) water closet and one (1) lavatory for each additional five hundred (500) males, or fraction thereof, starting at two thousand six hundred (2600)

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

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

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

*** Substitution of Urinals for Water Closets: Urinals may be substituted for up to 50% of the water closets required.

802.03 - Water Supply

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

802.04 - Garbage and Rubbish Removal

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

Section 803 - Permit Required

803.01 - Permit

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

- (a) Application for a permit shall be made by the property owner(s) or their authorized representative. The application shall be made upon forms provided by the Health Officer and shall be submitted along with the appropriate service fee.
- (b) The Health Officer shall refuse to issue a permit for a public assemblage where the submitted information is incomplete, or when it is determined the public assemblage is not in compliance with these regulations.
- (c) The applicant shall post a minimum cash bond as specified in the approved fee schedule at the time application for a permit is submitted. The requirement for posting of cash bond may be waived at the discretion of the Health Officer.

Section 804 - Notice to Departments

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

804.01 - Roads

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

804.02 - Traffic Control and Safety

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

804.03 - Fire Department

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

804.04 - Local Ordinances and Zoning

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

804.05 - Building Department

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

Section 805 - General Considerations

805.01 - Electrical Facilities

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

805.02 - First Aid and Emergency Services

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

Chapter IX - Municipal Civil Infractions

Section 900 - Violations as Municipal Civil Infractions

- A. Any violation of these regulations shall be a municipal civil infraction. A violation includes any act which is prohibited or made or declared to be unlawful or an offense, and any omission or failure to act where the act is required by these regulations.
- B. The sanction for any violation of these regulations, which is a municipal civil infraction, shall be a civil fine as provided herein, plus any cost, damages, expenses and other sanctions, as authorized under Chapter 87 of 1961 PA 236, as amended, and other applicable laws. The District Court may issue and enforce any order necessary to enforce these regulations
- C. The Ionia County Health Officer, Health Department employees designated by the Health Officer, deputies of the Ionia County Sheriff's Office, and other persons specifically designated by this Ordinance, are the County's authorized enforcement officials to issue municipal civil infraction citations and municipal civil infraction violation notices for violations of these regulations.
- D. Each day that a violation exists constitutes a separate infraction.

900.01 - Monetary Civil Penalties

A. Fines to be Established by County Board Resolution

The County Board of Commissioners shall by Resolution adopt a schedule of fines for violations of these regulations, which may be amended by subsequent Resolution.

B. Fines for Municipal Civil Infractions

By authority of Section 2461 of the Public Health Code, the following schedule of monetary civil penalties is hereby adopted.

Schedule of Monetary Civil Penalties	
This schedule sets forth monetary penalties for certain specific violations of these regulations and other laws which the Health Department must enforce. One or more monetary penalties may be assessed concurrently. Each day the violation continues shall be considered a separate offense.	
Installation of an onsite sewage disposal system without a permit.	\$500.00
Failure to abate a public health nuisance	\$500.00
Construction of an onsite sewage disposal system without a license.	\$500.00
Backfilling an onsite sewage disposal system without an inspection	\$500.00
Construction of a private onsite water supply without a permit.	\$500.00
Construction of Type II or Type III water well as defined by Act 399 Public Acts of 1976 as, amended, (MCL 325.1001, <u>et seq.</u>) without a permit. (Owner and/or licensed well driller)	\$1,000.00
Construction of a private and/or non-community water supply system in violation of Part 127 of the Public Health Code or Act 399 of 1976, as amended.	\$500.00
Failure to comply with a stop work order (Contractor, owner and/or other responsible party)	\$500.00
Failure to comply with a Public Health Order issued in accordance with Section 2451 of the Michigan Public Health Code (MCL 333.2451).	\$1,000.00
Allowing sewage to accumulate on the surface of the ground or to flow into an open drain, ditch or body of water.	\$500.00
Operation of a tattooing establishment without a license.	\$500.00
Occupation of a residence that is not provided with an approved water supply or sewage disposal system.	\$500.00
The amount of monetary penalty shall be doubled for a second citation for the same violation. Thereafter, each citation shall be a maximum of \$1,000 for each violation. When a violation of these regulations or another law, regulation or rule which the Health Officer has the duty to enforce exists, and for which no specific monetary penalty has been published, the monetary penalty shall be \$500 for the first citation. A \$1,000 penalty shall be assessed for the second, and any succeeding violation.	
A civil penalty imposed under this part is payable to Ionia County and shall be deposited with the Ionia County Treasurer and credited to the Health Department. A civil penalty shall become final if a petition for an administrative hearing or review is not received within thirty (30) calendar days of its issuance. A civil penalty may be recovered in a civil action brought in the county in which the violation occurred or where the defendant resides.	

C. Establishment of Municipal Civil Infractions Violations Bureau for Disposition of Violations of these Regulations.

The Municipal Civil Infractions Violations Bureau, for disposition of violation notices issued under these regulations, shall be located at the Ionia County Health Department, 175 E. Adams St., Ionia, MI 48846.

Due process rights shall be extended to persons receiving notice of a civil infraction violation. Judgment as to guilt and fines to be assessed shall be made by a local court having jurisdiction, if the infraction notice is contested.

Index

Key Words	Page
Absorption System	18, 19, 20, 21, 22, 26, 27, 30, 31, 32, 43, 46, 47, 48
Appeals	7, 11, 16, 17, 18, 51
Application	7, 13, 17, 21, 29, 30, 31, 40, 49, 50, 51, 56, 57, 60, 72, 76, 81
Authority	3, 11, 12, 28, 59, 62, 70, 75, 77, 84
Board of Appeals	7, 16, 17, 18, 51
Board of Health	7, 40, 51, 53, 59
Body Art	75, 76, 77
Change of Use	38
Civil Infraction	5, 6, 7, 8, 14, 49, 61, 83, 84, 86
Civil Penalties	4, 49, 61, 84, 85
Drywell	20, 23, 28, 33, 36, 44, 45, 46, 47, 49, 60
Dwelling	7, 9, 13, 26, 27, 30, 31, 38, 39, 43, 44, 46, 58, 62, 63, 64, 65, 66, 67, 68, 69, 70
Enforcement	3, 6, 7, 8, 11, 12, 13, 14, 15, 28, 51, 70, 72, 73, 74, 75, 77, 83
Fee	3, 4, 13, 15, 16, 17, 18, 30, 49, 57, 70, 81
Food Service	70, 71, 72, 73, 74
Hearing	5, 7, 13, 14, 15, 16, 17, 18, 73, 74, 77, 85
Housing	5, 62, 68
Inspection	3, 4, 11, 12, 14, 15, 31, 33, 36, 37, 41, 59, 70, 71, 72, 73, 74, 75, 76, 77, 85
Isolation	31, 45, 46, 55, 59
Monetary Civil Penalties	84, 85
Municipal Civil Infraction	5, 6, 7, 8, 49, 61, 83, 84, 86
Notices	4, 5, 7, 11, 12, 14, 38, 83, 86
Nuisance Abatement	5, 62
Open Burning	69
Public Assemblage	39, 78, 79, 81, 82, 83
Right of Entry	3, 11
Septic Tank	18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 31, 33, 36, 37, 40, 41, 42, 43, 44, 46, 49, 60
Sewage Disposal Contractor	39, 49, 50, 51
Site Acceptance	33
Tattoo	75, 76, 77, 85
Technical Manuals	40
Variance	10, 11, 13, 14, 16, 32, 68
Void Permit	30, 58
Water Softener	26, 28, 43
Well Permit	53, 59