



Environmental Practices And Standards

August 2018



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Environmental Practices and Standards

At the May 8, 2018 City Council Worksession it was discussed how the City of Manistee has numerous environmental practices and standards in place. City staff was asked to compile all the practices and standards into a single document.

Practices

The City has been proactive in developing practices that reduce our carbon footprint and provide cost savings for City operations. These practices include:

Energy Evaluations ([Links to reports in Appendix](#))

The Energy Office of the Michigan Department of Labor and Economic Growth provided an Introductory Energy Evaluation for the City of Manistee that included an Energy Use Analysis for City Hall, Fire Station, City Garage, Ramsdell Theater and WWTP. The final report was issued in February of 2009 and included a discussion of energy conservation opportunities and energy consumption profiles.

The City entered into an agreement with the then Northwest Michigan Council of Governments currently Networks Northwest for a \$40,000 grant to go towards energy audits and / or implementation of energy efficiency improvements at public facilities. As part of this grant additional energy evaluations were conducted for the Ramsdell Theatre, City Garage and Fire Station. The Final report was issued in 2011. Based on the results of the studies, the City's "Green Team" recommended three projects to be funded with the grant.

City Garage

- Replacing all T12 lighting technology T8 with reflectors
- Replacing radiant heat systems.

Fire Station

- Replacing one furnace

With funding in part, by the Michigan Coastal Management Program, Office of the Great Lakes, Department of Environmental Quality, through a grant from the National Oceanic and Atmospheric Administration, U. S. Department of Commerce with the then Northwest Michigan Council of Governments currently Networks Northwest prepared the Manistee Environmental Stewardship Assessment 2012. The grant was used to implement environmental stewardship and economic opportunity in eleven coastal communities on Lake Michigan in the Northwest Michigan Council of Governments' region. The project included assessing the current level of coastal environmental

stewardship, provided additional education for the communities on best management practices that would enhance and protect the natural resources.

Buildings/Administration

- Lighting upgrades to LED, Replace existing bulbs with LED's
- HVAC Systems, boilers replaced/upgraded with energy efficient systems
- Council packets are sent electronically to save on paper consumption
- Meeting agendas and packets are available online for convenience and to reduce paper consumption
- All buildings have recycling containers for paper

Brownfield Redevelopment Program

The City of Manistee Brownfield Redevelopment Authority was established by resolution on June 6, 2006. Since 2006 the total estimated amount of remediation that has or will be funded is \$718,635 as shown below:

- | | |
|-------------------------|-----------|
| • American Materials | \$406,985 |
| • South Washington Area | \$166,750 |
| • 334 River Street | \$144,900 |

In addition over 60 properties have had environmental studies performed, most of these studies were done through grants obtained by the EPA or DEQ with little or no cost to the property owner.

Department of Public Works

The DPW Director works on sharing recycling efforts and programs with the county and is working on improving/expanding recycling activities in the region with an ultimate goal of creating economic development for utilizing post-consumer waste. The goal is to provide additional services while not duplicating efforts. Actions taken by the city include:

- Concrete and asphalt is recycled
- Scrap metals are recycled
- Waste from fish cleaning is recycled (It is used to make cat food)

Water and Sewer

- One million gallons of waste water each day is cleaned and recycled
- Over \$40 million has been spent to separate sewers and reduce overflows within the past 25 years
- Yearly direct drive units are installed with variable frequency drives on pumps in the water and sewer system to reduce energy consumption and chemical use
- New pumps at sanitary lift stations utilize 30-40% less energy

- Currently designing close to \$20m of additional projects to be constructed in the next two years to end the overflows

Equipment

- All our fleet maintenance oil is recycled
- Out of spec salt from Morton Salt is accepted and used to make brine and then used to pre-wet road salt making it more efficient. Salt consumption has been reduced by 50% in the past 4 years (2013-2017). That's 750 tons over four years!
- Routinely replace lighting fixtures with LED's to reduce energy

Bulky Item Garbage Pickup

City residents are able to place one bulky item out for pickup on the first collection of each month. These items need to be placed by 7am on the City Trash collection day. Acceptable items are as follows:

Acceptable Items for Large Item Pickup

General Guidelines: Furniture items should not exceed 6 ft. in length.

- | | | |
|---|--|--|
| • Barbecue Grills | • Dryers | • Ovens |
| • Bed Frames / Metal | • Electronic Equipment | • Patio Furniture |
| • Bike Parts | • Fences - Metal (cut, bundle into 3 ft. pieces) | • Scrap Metal |
| • Bird Cages – Metal | • File Cabinets - Metal | • Pool Heaters |
| • Blinds | • Garage Doors - Call (989) 779-5401 for Information | • Portable Basketball Hoops |
| • Box Springs | • Glass Windows - In Frame | • Printer / Fax Machines |
| • Cabinets | • Heaters | • Rain Gutters (cut, bundle into 3 ft. pieces) |
| • Carpet (cut, rolled into 3' diameter x 6' length; dry; and weighing 40 lbs. max.) | • Headboards | • Shelves |
| • Chairs | • Humidifiers | • Shower Doors |
| • Computers | • Ladders | • Sinks |
| • Coolers | • Lamps | • Stereos / Radios |
| • Copiers / Scanners | • Pipes - Metal (cut, bundle into 3 ft. pieces) | • Stoves |
| • Couch (sectional couch is priced per piece) | • Laptops | • Telephones / Cell Phones |
| • Cribs | • Mattresses – Queen / King | • Televisions - Any Size |
| • Desks | • Mattresses – Single / Double | • Toilets |
| • Dishwashers | • Microwaves | • Trash Compactors |
| • Doors | • Monitors | • VCR / DVD Players |
| • Dressers | | • Washing Machines |
| | | • Other Similar Items as Listed Above |

Items That Will Not Be Collected

- | | | |
|---|---|-----------------------------------|
| • Any Materials Resulting from Work Performed by a Commercial Contractor | • Dirt | • Paint and Other Hazardous Waste |
| • Automobile Parts - Motors, Tires on Rims, Doors, Fenders, Seats, Batteries, Bumpers | • Duct or Sheet Metal Materials | • Plaster |
| • Bricks | • Fence Posts with Concrete Attached | • Propane / Oxygen tanks |
| • Central Air Conditioning / Heating Units | • Fire-Damaged Items | • Railroad Ties |
| • Ceramic Tile | • Floor Coverings (except carpet/padding installed or removed by homeowner) | • Refrigerators |
| • Chain Link Fencing | • Freezers | • Rocks |
| • Cinderblocks | • Grocery Carts | • Roofing Materials, Shingles |
| • Concrete | • Hot Tubs / Spa Tubs | • Sand |
| • Dehumidifiers | • Marble or Simulated Marble Countertops | • Sheetrock |
| | • Nails or Boards with Protruding Nails | • Yard Waste |

Recycling

The city, through its prime contractor, Republic Services, offers residents two ways to recycle.

The first option is to take recyclables to the city recycling center, located at 350 N. Glocheski Drive. There is no direct charge for this service.

The second option is to pay a monthly \$7.25 fee to have curbside recycling. Curbside service is twice a month on the first and third Thursday. The following items are accepted:



Republic Services Recycling Program

City of Manistee, MI

Items You Can Recycle

Paper	Cardboard	Plastic	Aluminum/Metal
			
<ul style="list-style-type: none">✓ Newspaper✓ Envelopes✓ Junk mail✓ Phone books✓ Brochures✓ Magazines	<ul style="list-style-type: none">✓ Ream wrappers✓ File folders✓ Poster board✓ Frozen food boxes✓ Cardboard boxes✓ Milk cartons	<ul style="list-style-type: none">✓ Water bottles✓ Take-out containers✓ Soda bottles✓ Bagged film plastics✓ Glass	<ul style="list-style-type: none">✓ Aluminum beverage cans✓ Food cans✓ Pots, pans, tins & utensils

 **Quick tip:** When recycling, ensure your recyclables are **EMPTY, CLEAN** and **DRY**.

Non-Recyclable Items

<ul style="list-style-type: none">✗ Aerosol cans✗ Aluminum foil✗ Batteries✗ Clothing	<ul style="list-style-type: none">✗ Food waste✗ Mirrors✗ Ceramic	<ul style="list-style-type: none">✗ Plastic bags✗ Shredded paper✗ Stickers✗ Address labels	<ul style="list-style-type: none">✗ Styrofoam✗ Tissue✗ Paper towels✗ Napkins
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Additional Recycling Services for Citizens and Businesses (DPW)

- Forestry work is recycled by giving away wood for home heating
- In 2017 a scrap tire collect day was available to city residents through a grant from MDEQ (filled a semi in 4 hours)
- In 2018 a paint collection day was available to city residents (the paint collected was sent to a facility that remixed it for use in housing projects)
- (Future events may include metal, electronics, paper, mattresses, etc.)

Yard Services

The City of Manistee offers several services related to residents' yard waste. All yard waste is taken to the city's composting site where it eventually breaks down into black dirt for use in city projects and it is available to the public at the recycling center, no charge.

Yard Waste



Compostable yard waste bags are available at City Hall. These bags can be used for lawn clippings, leaves, garden clippings, small twigs or branches no larger than 1 inch in diameter, bags are picked up on Tuesdays. A yard waste dumpster is also available for yard waste bags at the city garage for anyone who wants to drop them off. This program runs from April through the fall.

Brush Pick-Up

Residents can have brush from their property disposed of. There is no charge for the first 15 minutes. After the first 15 minutes the owner will be billed \$25 for each additional 15 minutes. Brush pick-up is on Fridays and you must call the [city garage](#) at (231) 723-7132 to be placed on the list for pick-up. The program will not dispose of whole trees that have been taken down by professionals. This program begins in April and runs through the fall.



Leaf Collection



The city offers a fall leaf pick-up after the majority of the leaves have fallen. Residents may bag their leaves or rake their leaves into the street near the gutter where they will be collected by the city. This program is typically in November.

THE BURNING OF YARD WASTE IS NOT ALLOWED IN THE CITY



Christmas Trees

The City of Manistee will pick up your Christmas tree at curbside through the end of January. Please place the trees at the curb with the trunk end facing the street.



Red Med Box (Police Department)



Red Med Boxes look like a red mail box but are for the proper disposal of unwanted over-the-counter and prescription medications. By properly disposing of unused medications, you are contributing to a safer community by eliminating environmental waste and keeping them out of the reach of children or out of the hands of people who could misuse them.

Hazardous Waste Disposal (County Wide)

Manistee County hosts a Household Hazardous Waste, Electronics and Unwanted Medication Collection Day in summer time of each year. This event is typically held in late July or early August at the Manistee County Road Commission - 8946 Chippewa Hwy, Bear Lake MI.

Annually held the third Saturday in August, in cooperation with the Michigan Water Stewardship Clean Sweep Program, this service is provided to the residents of Manistee, Mason & Oceana counties. It is made possible by contributions of the three counties, townships, villages & cities, Occidental Chemical Corp., plus other organizations and local governmental entities.

In 2013, the disposal site hosted 263 vehicles arriving with hazardous materials from 283 households. NOTE: From 2007-2011, the Michigan Water Stewardship Program collected 336,627 pounds of household hazardous waste and pesticides in the three counties, from an average of 842 households and farms each year.

Standards

In addition to the Practices the City has several standards in various documents Master Plan, Zoning Ordinance, Charter, and Codified Ordinances, and Council Policies that further efforts to be environmentally friendly. Excerpts from the documents are as follows:

City of Manistee Master Plan

The general purpose of a master plan is to guide and accomplish, in the planning jurisdiction and its environment and development. The City of Manistee Master Plan (adopted August 4, 2016) was reviewed and the following are excerpts from the document:

Section 2.3: Natural Recreational and Cultural Features

The City of Manistee is located in the northwest portion of the Lower Peninsula of Michigan. The City rests at 581 feet above sea level and totals about four square miles of land area. The trading area of the City encompasses a thirty- mile radius and serves a population of approximately 25,000.

Four main bodies of water directly affect the City. The western boundary of the City is Lake Michigan. The City owns and maintains approximately one mile of beach front for recreational use. The eastern boundary of the City is Manistee Lake. Man-made Lake is located on the North end of the City, and is 27 acres in size, created approximately 50 years ago by sand mining operations. Dividing the northern and southern portions of the City is the Manistee River Channel. The Channel is used primarily for transit to and from Lake Michigan to Manistee Lake for pleasure boaters, private and commercial fishing and freighter access to Manistee Lake industries. There is over a mile and a half of riverwalk along the Manistee River Channel.



Overall, water quality in the area is good and plays an important part in industrial operations. Protecting water quality is crucial for consumption and use of residents as well as for recreational use for boating, fishing and swimming. See map 2.2 for Natural Features and Coastal Management areas.

2.3.1 Climate

Latitude and Lake Michigan are the primary factors in determining the climate of Manistee. A moderate climate prevails with lake effect accounting for an average snowfall of 106 inches per year, and rainfall of 29 inches between March and November. The average daytime temperature for June and July is 75°, while December through February average is 23°.



Map 2.2 Natural Features

2.3.2 Environmental Issues

The industry of the City of Manistee included lumber in the latter half of the 19th century, paper, salt and other extractive industries from the late 1800's to today. These industries have based their operations around Manistee Lake with access to freighter traffic both for delivery of product and supplying fuel to the industries. Manistee Lake is fed by the Little Manistee and Big Manistee Rivers with a combined flow of a billion gallons per day. The lake and rivers which flow into it are vital to the local economy not only for local industries which rest upon the shores and rely upon the water for manufacturing and transportation, but also for the recreational benefits tied to water such as fishing and boating. The importance of water quality to the City and surrounding area should remain a priority. The lake provides habitat which supports diverse species of plants and animals.

2.3.3 Green Infrastructure

Wellhead Protection

The City of Manistee relies exclusively on groundwater for its drinking water source. In response to the concern over safety of public water supplies, the City has instituted a Wellhead Protection Program (WHPP). WHPPs develop long-term strategies aimed at protecting community drinking water supplies. The purpose of developing a WHPP is to identify the Wellhead Protection Area (WHPA) and develop long-term strategies aimed at safeguarding the area from contamination. (See maps 2.3 & 2.4) A WHPA is defined as the surface and subsurface areas surrounding a water well or well field, which supplies a public water system, and through which contaminants are reasonably likely to move toward and reach the water well or well field within a 10-year time-of-travel. The State of Michigan requires communities to identify seven elements to be included in the WHPP. These elements along with a brief description are below.

- Roles and Responsibilities – Identify individuals responsible for the development, implementation, and long-term maintenance of the local WHPP.
- WHPA Delineation – Determine that area which contributes groundwater to the public water supply wells.
- Contaminant Source Inventory – Identify known and potential sites of contamination within the WHPA and include in a contaminant source inventory list and map.
- Management Strategies – Provide mechanisms which will reduce the risk of existing and potential sources of contamination from reaching the public water supply wells or well field.
- Contingency Planning – Develop an effective contingency plan in case of a water supply emergency.
- Siting of New Wells – Provide information on existing groundwater availability, the ability of the PWSS to meet present and future demands and the vulnerability of the existing wells to contamination.
- Public Education and Outreach – Generate community awareness in the WHPP by focusing on public education and the dissemination of WHPP information.

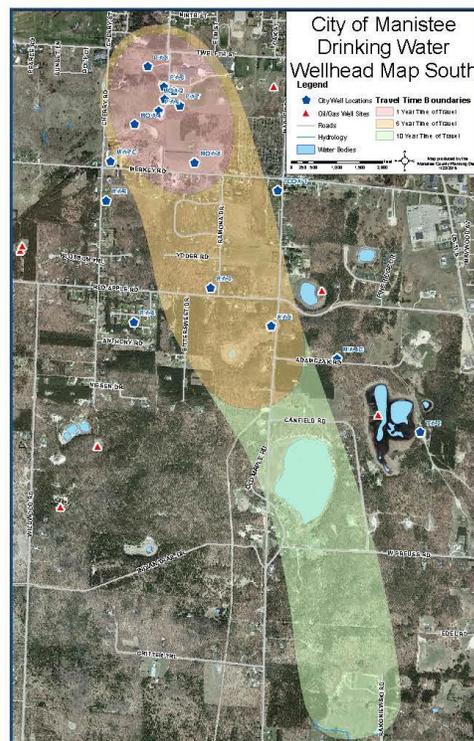
It is the intent of this Master Plan to encourage protection of the City's public water supply wells through the establishment of a Wellhead Protection Zoning Ordinance. Within the ordinance, zoning

regulations will limit land uses and practices that may degrade groundwater quality within and outside the WHPA.

The most significant sources of water supply contamination are landfills, surface impoundment areas, subsurface percolation from septic tanks and cesspools, open dumps, uncapped or improperly capped abandoned wells, injection wells and underground storage tanks. These uses represent both point and non-point contamination sources. Point source is the term used to describe contaminants, which originate in the immediate area of the well or tap. All of the above, if located in close proximity to the water supply source, are examples of potential point source polluters. Contaminants from these uses may seep directly down through the soil to the water source.



Map 2.3 Wellhead Protection (North)



Map 2.4 Wellhead Protection (South)

Non-Point Source Pollution

Non-point source contamination is much more difficult to control because the cause of the problem may actually be located a considerable distance from the well. This type of contamination is caused by pollutants that filter into an underground aquifer and then migrate slowly through the groundwater aquifer to off-site wells and water sources. Prevention of this type of contamination must involve a collective effort on the part of property owners and local officials from a large geographic area. It is the recommendation of this Plan that all existing and future wells be protected from both point and non-point source contamination to the greatest degree possible.

The City, through zoning, should examine policy and adopt regulatory measures in an effort to combat stormwater runoff as a source of water pollution. Methods of “Low Impact Design (LID)” can be utilized effectively to retain and cleanse stormwater prior to it reaching surface waters or groundwater resources. Through bio-retention, porous pavement/concrete, buffers, rain barrels and level spreaders simple methods can be employed which will have lasting impacts on local water quality.

Section 3.1: Goals and Tasks

Theme: Land Use and Zoning - Goal 4: Explore application of Low Impact Development requirements for environmental sustainability.

Task: Utilization of stormwater requirements to allow retention and infiltration of stormwater runoff for protection of property and surface waters.

Theme: Aesthetics and Environment - Goal 5: Promote environmental quality of air, land and water.

Task: Ensure soil erosion protection practices are utilized and enforced for development and soil disturbance activities.

Task: Support building practices which utilize Low Impact Design (LID) measures and meet Leadership in Energy and Environmental Design (LEED) practices.

Task: Support and work through watershed and other environmental land use planning processes which impact local water and land resources.

City of Manistee Zoning Ordinance

The following excerpt from the Michigan Zoning Enabling Act (Act 110 of 2006) explains the basis for a zoning ordinance.

Sec. 203. (1) A zoning ordinance shall be based upon a plan designed to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability, to limit the improper use of land, to conserve natural resources and energy, to meet the needs of the state's residents for food, fiber, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land, to ensure that uses of the land shall be situated in appropriate locations and relationships, to avoid the overcrowding of population, to provide adequate light and air, to lessen congestion on the public roads and streets, to reduce hazards to life and property, to facilitate adequate provision for a system of transportation including, subject to subsection (5), public transportation, sewage disposal, safe and adequate water supply, education, recreation, and other public requirements, and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources, and properties. A zoning ordinance shall be made with reasonable consideration of the character of each district, its peculiar suitability for particular uses, the conservation of property values and natural resources, and the general and appropriate trend and character of land, building, and population development.

As part of the RRC certification process the Zoning Ordinance was updated and reviewed for compliance including updates to environmental standards. Excerpts from City of Manistee Zoning Ordinance

Section 503 Performance Standards, Item A.3:

3. No storm water runoff, which is a result of development site design, or other manmade features, shall be allowed to be directed to neighboring parcels, or shall be allowed to result in water standing on the surface, unless the standing water is a part of a properly managed and maintained storm water retention system, sediment pond; or the standing water is in a naturally occurring wetland or water body. As an alternative, if in the opinion of the City's consulting engineer, the soils are of a type which will allow for efficient drainage, the use of drywells, infiltration trenches, swales, bio-retention or other best management practices for controlling urban runoff quality may be permitted. Single-family standalone residences are exempt from having to receive permitting and design approval for placement of rain gardens, bio-swales, rain barrels or other stormwater management practice, but all stormwater structures must meet applicable setbacks and other general standards. Methods used may include attached or detached accessory stormwater control features as follows:
 - a. Swales: both biofiltration and vegetated/rock swales subject to engineering review.
 - b. Rain Gardens may be permitted subject to engineering review.
 - c. Rain Barrels or Cisterns are permitted in all districts and require a land use permit.
 - 1) Underground cisterns or rain barrels are subject to engineering review and constructed in accordance with the State Building Code.
 - 2) Aboveground rain barrel or cistern systems in excess of 250 gallons must conform to the setbacks for accessory buildings and structures and are subject to engineering review. These systems must be constructed in accordance with the State Building Code. These above ground rain barrels or cistern systems shall be fully enclosed to avoid attracting mosquitos or becoming a hazard.
 - d. Vegetated roof systems may be permitted in accordance with the State Building Code.
 - e. Other methods of onsite stormwater control may be submitted to the Zoning Administrator and, at their discretion, may be approved, approved subject to engineering review, approved subject to Planning Commission review, or denied.

[Annotation: Section 503.3 was amended by adding language for green infrastructure options by amendment Z15-05, effective 7/14/15]

Section 504 Water Supply and Sewage Facilities

A structure intended or used for human occupancy shall be connected to a public sewer and water supply or to such private facilities in compliance with the City Code, as amended, and approved by the Manistee-Mason District Health Department.

Section 505 Water Protection

Notwithstanding anything to the contrary contained in this Ordinance, the following provisions shall apply:

- A. Where any building, structure or improvement is proposed for property abutting Manistee Lake, the Manistee River Channel, Lake Michigan or any man-made lake, additional waterfront setbacks shall be provided to offer protection for said water body. Such setbacks shall be increased to the following (see Table 7-1 for a complete schedule of regulations):

B.

District	PD	GC	R-1	R-2	R-3	R-4	C-2	C-3	W-F	L-I	G-I
Waterfront Yard (feet)	20	100	100	20	20	20	20	20	20	N/A	50

Provided, that these increased setback standards shall not apply to walkways, boat docks, boat slips, boat houses and boat launches. The increased setback areas shall be designed to provide additional protection for the water bodies. [Annotation: Section 505.A was changed by amendment 07-07, effective 5/29/07] [Annotation: GC was added by amendment Z10-06, effective 10/30/10] [Annotation: PD was added by amendment Z12-08, effective 10/27/12]

- C. A site plan for any improvement proposed for property abutting the Manistee Lake or River Channel shall provide for a filter and buffer landscape strip a minimum of ten (10) feet in width along the edge of the water. Natural shoreline and existing vegetation shall be preserved where appropriate. It shall be the landowner's responsibility to maintain (and establish, if necessary) this vegetation belt in a healthy state.
- D. No building or structure shall be built, located or constructed within a 100 year flood plain, as may be determined by the Michigan Department of Natural Resources or the Federal Emergency Management Agency, unless constructed according to the Michigan Construction Code, as it applies to construction in flood plains, consistent with criteria set forth in Section 1910 of National Flood Insurance Program Regulations, promulgated under the National Flood Insurance Act of 1968.
- E. Where buildings and structures are proposed to be located within or adjacent to floodplains and areas of high-risk erosion, techniques shall be implemented to mitigate any impact on water bodies and bluff lines. The mitigation techniques shall also be designed to minimize the economic hardships that individuals and the City may face in the event of property loss due to severe erosion or flooding. The Planning Commission may require an applicant to submit an Environmental Assessment on the condition of the floodplain or the bluff line. Where a bluff is determined to be eroding or in danger of eroding, structures and buildings shall be setback a minimum of ten (10) feet in addition to the respective minimum waterfront yard setback, from the bluff line; provided, that a minimum of 30 years protection from shore land or bluff erosion is provided by said setback, as determined by the Department of Natural Resources.
- F. The City encourages property owners, developers, and others to construct walkways, or to dedicate easements to the City for the eventual construction of walkways, along lands abutting the Manistee Lake or River Channel. Where an easement or walkway will be provided, it shall be illustrated on a site plan and may be located within or on posts or pilings above the ten (10) foot filter and buffer landscape strip required per [Section 505 B](#).
 - 1. The easement or walkway shall be a minimum of ten (10) feet wide and shall be aligned to connect with existing, anticipated, or future walkways on neighboring properties.
 - 2. A walkway shall be approved by the City Engineer and shall conform to the City of Manistee's sidewalk standards, as promulgated under [Section 1024](#) of the General Law Ordinances of the City of Manistee.

Section 507 Conditions of Approval

The Zoning Administrator, Planning Commission, City Council and Zoning Board of Appeals may attach reasonable conditions with the approval of special land uses, planned unit developments, site plans, variances, and other discretionary zoning decisions. These conditions may include those necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the

natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Any conditions imposed, however, shall meet all of the following requirements:

- A. Be designed to protect natural resources, the health, safety, and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- B. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
- C. Be necessary to meet the intent and purpose of this Zoning Ordinance, be related to the standards established in the Ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

Section 515 Accessory Buildings and Structures, Item G

G. Accessory Wind Energy System

1. Design and Installation. - All accessory wind energy conversion systems (ground and roof mounted) shall comply with the building code currently adopted by the City of Manistee. Applications shall be accompanied by engineering drawings of the accessory wind energy conversion system structure including the tower, base, and footings. An engineering analysis of the tower showing compliance with the currently adopted building code and certified by a licensed professional engineer shall also be submitted. The installation of the accessory wind energy conversion system shall meet manufacturer's specifications.
2. Plan Submittal – A Basic Site Plan is required for accessory wind energy conversion systems. The plan must include a drawing showing the rotor clearance from the finished median grade elevation of the site.
3. Height – Accessory wind energy conversion systems shall be measured from the finished median grade elevation of the site as follows:
 - a. Accessory wind energy conversion systems in the P-D, G-C, R-1, R-2, R-3, R-4, and W-F District shall not be constructed to a height higher than thirty five (35) feet. [Annotation: PD was added by amendment Z12-08, effective 10/27/12]
 - b. Accessory wind energy conversion systems in the C-1 District shall not be constructed to a height higher than forty (40) feet.
 - c. Accessory wind energy conversion systems in the C-3, L-I, and G-I shall not be constructed to a height higher than fifty (50) feet.
4. Rotor Clearance - A minimum ten (10) foot clearance from the ground shall be maintained to the vertical blade tip of a Horizontal Axis Wind Turbine and to the bottom of the rotating spire or helix of a Vertical Axis Wind Turbine.
5. Guy Wires - The use of Guy wires shall be prohibited.
6. Placement on Parcel - Accessory wind energy conversion systems shall not be located closer to an adjoining parcel than the height of the accessory wind energy conversion system or setback requirements for the zoning district, whichever is greater.
7. Noise – The property owner of an accessory wind energy conversion system shall provide for measures acceptable to the Planning Commission to prevent any noise in excess of 60 decibels at any property line or in excess of five decibels above the background noise, whichever is greater, as measured at the nearest property line.

8. Vibration - Accessory wind energy conversion systems shall not cause vibrations through the ground which are perceptible beyond the property line of the parcel in which it is located.
9. Spacing - Minimum spacing between accessory wind energy conversion systems (on and off site) shall be per the manufacturers specifications. Accessory wind energy conversion systems shall not be located closer than ten (10) feet to the principal structure on the property which it is located.
10. Accessory Equipment - All electrical equipment and battery storage shall be located within a locked panel or building (principal or accessory structure) so as not to be readily accessible. A small sign shall be placed on the panel or building with emergency contact information. Manufacturers Materials Safety Data Sheet (s) for all coolants, lubricants, batteries (acid), etc. shall be provided to the City prior to installation, and updated or amended sheets provide as may be required and a copy must be maintained on site.
11. Reception Interference - Accessory wind energy conversion systems shall not cause interference with television, microwave, navigational or radio reception to neighboring areas.
12. Shadow Flicker - The property owner of an accessory wind energy conversion system shall minimize shadow flicker to any occupied building on nearby properties.
13. Potential Ice Throw - Any potential ice throw or ice shedding from the accessory wind energy conversion system shall not cross the property lines of the site or impinge on any right-of-way or overhead utility line.
14. Visual Impact - All visible components of an accessory wind energy conversion system shall be painted a non-reflective, non-obtrusive neutral color and maintained in good repair in accordance with industry standards.
15. Safety – Accessory wind energy conversion systems shall have an automatic braking system to prevent uncontrolled rotation.
16. Other Regulations - On-site use of Accessory wind energy conversion systems shall comply with all applicable State Construction and Electrical Codes, Federal Aviation Administration requirements, Michigan Aeronautics Commission requirements, the Michigan Tall Structures Act (P.A. of 1959, as amended), and the Michigan Public Service Commission and Federal Energy Regulatory Commission standards.
17. Historic District – Prior to the issuance of any permits the City of Manistee Historic District Commissions shall review and approve any proposal to locate an accessory wind energy conversion system within a historic district, approval being subject to the requirements for the Historic District.

Section 520 Hazardous Substance Ground Water Protection

- A. Applicability. All businesses and facilities (except fuel stored in a fuel tank which is part of a motor vehicle for purposes of use by that vehicle's motor) which:
 1. use or generate hazardous substances in quantities greater than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) per month or ninety five (95) liters (approximately twenty five (25) gallons) per month, whichever is less; or
 2. store greater than one hundred (100) kilograms (approximately two hundred twenty (220) pounds) or ninety five (95) liters (approximately twenty five (25) gallons), whichever is less, shall comply with the following groundwater protection requirements.
- B. Groundwater Protection Requirements:
 1. Groundwater Protection, generally:

- a. The project and related improvements shall be designed to prevent groundwater contamination from hazardous substance discharge to the natural environment, including lakes, ponds, streams, wetlands, floodplains, groundwater, street slopes, and natural and man-made drainage systems.
 - b. Stormwater management and drainage facilities shall be designed to retain the natural retention and storage capacity of any wetland, water body, or watercourse, and shall not increase flooding or the potential for pollution of surface or groundwater, on-site or off-site.
 - c. General purpose floor drains and storm drains shall be:
 - 1) connected to an on-site holding tank (not a septic tank/drain field or a dry well) in accordance with state, county and municipal requirements; or
 - 2) authorized through a state groundwater discharge permit; or
 - 3) connected to a storm water system.
 - d. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances and polluting materials shall be met. No discharge to groundwater, including direct and indirect discharges, shall be allowed without appropriate state and county permits and approvals.
 - e. In determining conformance with the standards in this Ordinance, the Administrator or Commission, whichever is applicable, shall take into consideration the publication titled "Small Business Guide to Secondary Containment; Practical Methods for Above-ground Storage and Containment of Hazardous Substances and Polluting Materials" published by the Clinton River Watershed Council, May 1990, and other references.
 - f. Out-of-service water wells shall be sealed and abandoned in accordance with applicable requirements of the Michigan Department of Public Health and the Manistee-Mason District Health Department.
 - g. If the site plan includes territory within a Wellhead Protection Overlay Area submit a signed statement providing permission for periodic follow-up groundwater protection inspections by the Administrator, county and state officials.
3. Above-ground Storage
- a. Primary containment of hazardous substances shall be product-tight containers which are protected from weather, leakage, accidental damage, and vandalism.
 - b. Secondary containment for the storage of hazardous substances and polluting materials is required. Secondary containment shall be one of the following, whichever is greatest:
 - 1) sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance; or
 - 2) shall be at least as great as volumes required by state or county regulations; or
 - 3) shall, if not protected from rainfall, contain a minimum of
 - a) 110 percent of the volume of the largest storage container within the dike of the secondary containment area, plus
 - b) the volume that is occupied by all other objects within and below the height of the dike of the secondary containment area plus
 - c) the volume of a 6 inch rainfall.
 - c. Secondary containment structures such as out buildings, storage rooms, sheds and pole barns shall not have floor drains which outlet to soils, groundwater, or nearby drains or rivers.
 - d. Areas and facilities for loading/unloading of hazardous substances and polluting materials, as well as areas where such materials are handled, stored or used, shall be designed and constructed to prevent discharge or runoff to floor drains, rivers, lakes, wetlands, groundwater or soils.

- e. State of Michigan and Federal agency requirements for storage, leak detection, record keeping, spill prevention, emergency response, transport and disposal shall be met.
 - f. Bulk storage of pesticides shall be in accordance with requirements of the Michigan Department of Agriculture.
4. Underground Storage
- a. Underground storage tank installation, operation, maintenance, closure and removal shall be in accordance with the requirements of the State Police Fire Marshal Division and the Michigan Department of Natural Resources.
 - b. Bulk storage facilities for pesticides and fertilizers shall be in compliance with requirements of the Michigan Department of Agriculture.

Section 523 Parcel Divisions. Item 3

1. Siting Criteria for New Parcels: Creativity and originality in parcel layout shall be encouraged to achieve the best possible relationship between buildable land and open space. The Planning Commission shall evaluate proposals to determine whether the proposed site plan meets the site plan criteria of [Article 22](#) and the following:
 - a. Protection and preservation of beach areas contiguous to a lake or stream, wetland, flood plain; existing public utility easements; existing public rights-of-way; waterfront setback areas; slopes over twenty five (25%) percent; and buffer areas around such features from clearing, grading, filling, and construction.
 - b. Maintenance or creation of a significant an upland buffer of natural native species vegetation adjacent to wetlands and surface waters.
 - c. Preservation of scenic views and vistas unblocked and uninterrupted, particularly as seen from adjacent roads and surface water.
 - d. Protection of wildlife habitat areas of species listed as endangered, threatened or of special local concern.
 - e. Protection and preservation of sites of historic, archaeological, or cultural value
 - f. Provision of reasonable and contiguous open space areas that are attractive and useful for future residents and the larger community.
 - g. Documentation that a homeowners association made up of parcel owners in the development, or a recognized non-profit land conservancy shall own or control the open space. The owner(s) of the open space shall be required to maintain the open space. In the alternative, the City of Manistee may, but shall in no way be required to, accept title to the open space as an addition to the City's park system.

Section 529 Solar Energy Systems

- A. **Intent and Purpose:** To promote the safe, effective and efficient use of Solar Energy Systems. Preserve and protect public health, safety, welfare and quality of life by minimizing the potential adverse effects of Solar Energy Systems, including aesthetic impacts and risks to the property values of adjoining properties. To establish standards and procedures by which the siting, design, engineering, installation, operation and maintenance of Solar Energy Systems shall be governed.
- B. **General Provisions:**
 1. Active and passive solar energy devices, systems or structures shall be permitted in all zoning classifications by right, subject to administrative approval, except when such solar devices or architectural features project into required front or side yards, or are free-standing elements in

a required front or side yard, in which case they are subject to site plan review in accordance with Section 2203.

2. Maximum Height of Structures. Passive solar energy structures, such as flat plate collectors, photovoltaic cells, etc., which are roof-mounted or integrated otherwise into the roof structure shall not be included in the calculation of maximum height. Active solar energy structures, when mounted on either freestanding structural elements or integrated architecturally with a principal or accessory building shall not exceed a height of forty (40) feet.
3. A building permit and electrical permit shall be required for any ground-mounted solar energy system.
4. When batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure when in use, and when no longer used shall be disposed of in accordance with applicable laws and regulations.
5. If a solar energy system ceases to perform its intended function for more than twelve (12) consecutive months, the property owner shall remove the collector, mount, and associated equipment and facilities no later than ninety (90) days after the end of the twelve (12) month period.

[Annotation: Section 429 Solar Energy System was added by amendment Z17-04, effective 6/16/17]

Section 804 (R-1) AND 904 (R-2) Wellhead Protection Overlay

- A. Applicability. Every parcel of land which lies in whole or in part within Wellhead Protection Overlay as depicted on the Official Zoning Map around public Type I water wells is subject to the regulations of this Section. The regulations of this Section are in addition to any regulations in the underlying zoning district, provided that in the event of a conflict between the regulations of this section and those of the underlying zoning district, the requirements of this Section shall prevail.
- B. Land Use Restrictions.
 1. Special Land Uses. Except as provided in Subparagraph 2 of this section, and the provisions of **Section 802** notwithstanding, all uses permitted in the R-1 Zoning District and located within the Wellhead Protection Overlay shall be treated as Special Land Uses with review and approval subject to the provisions of [Article 18](#) and [Section 520](#), hereof.
 2. Prohibited Uses. Within the Wellhead Protection Overlay, any land use that uses, generates or stores a minimum threshold quantity of any hazardous substance as defined herein and which has not received and maintained in good standing a bona fide permit for the use, generation and/or storage of such substance, shall be prohibited. For the purpose of this subparagraph, a minimum threshold quantity of hazardous substances shall mean
 - a. For the use or generation of hazardous substances: Quantities of at least one hundred (100) kilograms (approximately two hundred twenty (220) pounds), or ninety-five (95) liters (approximately 25.1 gallons), whichever is less, per month; or
 - b. For the storage of hazardous substances: Quantities of at least one hundred (100) kilograms (approximately two hundred twenty (220) pounds) or ninety-five (95) liters (approximately 25.1 gallons), whichever is less, routinely stored on site.
- C. Conflicting Federal or State Regulations. The regulations of this Overlay Zone are not intended to conflict with any law or administrative regulation, on groundwater protection, of the United States, the State of Michigan or any agencies thereof.
- D. Nonconforming Land Uses. If a land use prohibited pursuant to Paragraph B, 2 of this **Section 804** legally existed within this Wellhead Protection Overlay on January 31, 1997, and has continued in use since that date, then;

1. Such nonconforming use of land shall not be moved in whole or in part to any other portion of such land, added to, extended, reconstructed, structurally altered or expanded during its life, [Article 4 Nonconformities](#) notwithstanding.
2. Nothing herein shall prevent the completion of structures for a land use which shall have been diligently prosecuted prior to the passage of this section.
3. Nothing herein shall prevent the normal repair, reinforcement, rehabilitation of a structure.

Charter

The Charter of the City of Manistee was adopted April 1, 1968. The preamble reads: “We, the people of the city of Manistee, Michigan, in order to secure the benefits of efficient self-government and to promote our common welfare, do hereby enact and establish this charter. The Charter was reviewed and the following are excerpts from the document:

Section 11-1 General Powers of City Respecting Utilities

The City shall possess and hereby reserves to itself all the powers granted to cities by law to acquire, construct, own, operate, improve, enlarge, extend, repair, maintain, encumber, convey, dispose of, or sell, either within or without its corporate limits, public utilities, including but not by the way of limitation, aeronautical facilities, hospitals and public utilities for treating and supplying water and for supplying light, heat, power, gas, sewage treatment, garbage disposal, public transportation and facilities for the storage and parking of vehicles and marina, port and harbor facilities for boats and ships, or any of them; and also to sell and deliver the products or services thereof, both within and without its corporate limits. The power to supply said utility services as herein possessed and reserved, shall include the power to extract, process, manufacture, transport or purchase the same from others. No public utility owned and operated by the City may be sold unless the proposition shall first have been approved by a majority vote of the electors voting thereon.

Section 11-6 Conditions of Public Utility Franchise

All public utility franchises granted after the adoption of this Charter, whether it be so provided in the granting ordinance or not, shall be subject to the following rights of the City, but this enumeration shall not be exclusive or impair the right of the Council to insert in such franchise any provision within the power of the City to impose or require:

- A. To repeal the same for misuse, non-use or failure to comply with the provisions thereof;
- B. To require the proper and adequate extension of plant and service and maintenance thereof at the highest practicable standard of efficiency;
- C. To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates;
- D. To require continuous and uninterrupted service to the public in accordance with the terms of the franchise throughout the entire period thereof;
- E. To impose such other regulations as may be determined by the Council to be conducive to the safety, welfare and accommodation of the public;
- F. To use, control and regulate the use of its streets, alleys, bridges and public places and space above and beneath them;

G. To make independent audit and examination of accounts at any time, and to require reports annually.

The City Council shall cause to be instituted such actions or proceedings as may be necessary to prosecute a public utility company for violations of its franchise, the City Charter, or ordinances, and may revoke, cancel, or annul all franchises granted by the City which for any reason have become inoperative, illegal or void.

Section 13-5 Other Express Powers

The City shall also have power:

- A. To use, control and regulate the streams, waters and watercourses within its boundaries.
- B. To acquire, establish, extend, operate, and maintain parks, boulevards, cemeteries, hospitals, almshouses, and all works which involve the public morals, peace, health, safety and welfare as provided by law.
- C. To provide by ordinance for the establishment of districts or zones within which the use of lands and structures, the height, the area, the size and location of the buildings, and the required open spaces for light and ventilation of such buildings, and the density of population may be regulated.
- D. To establish and maintain a Planning Commission having the powers and duties prescribed by law.
- E. Any powers expressed in this Charter shall not be deemed to be exclusive, and the City shall have all powers permitted by law, whether enumerated or not.

Section 13-9 Health

The City Council shall be the Board of Health of the City and may appoint a Health Officer, organize and maintain a Health Department, have and exercise all powers and authority conferred upon boards of health by the general laws, and enact such ordinances as may be deemed necessary for the preservation and protection of the health of the inhabitants of the City. The City shall have power to establish, maintain, and regulate suitable hospitals within or without its corporate limits. The City is hereby authorized to consider, negotiate, determine and agree upon the terms and conditions under which this City may join in the organization and maintenance of a County health department, or similar agency authorized by law. It may delegate to such department, or agency such powers, functions and duties relating to health as it may deem proper, contract therewith for extra services, and appropriate thereto money, services, or both. It may make applicable to the area of the City any rules or regulations promulgated by said department or agency, and penalties for the violation thereof.

Codified Ordinances

The Codified Ordinances were reviewed and the following are excerpts from the document:

Chapter 670 River, Lake and Harbor Regulations

670.01 Placing Oil or Other Substances in Manistee River or Manistee Lake

No person shall put, cause to be put or allow to be put, any refuse oils, refuse or other material from the manufacture of gas, or any other substance detrimental or injurious to watercraft or fishing, into any portion of the Manistee River or Manistee Lake, within the City. Whoever violates any of the provisions

of this section is guilty of a misdemeanor and shall be subject to penalties in accordance with section 202.99.

670.02 Depositing of Waste Matter or Debris in Manistee River or Manistee Lake

No person shall cast, put or deposit into the Manistee River or Manistee Lake within the limits of the City, any refuse lumber, sawdust, slabs, waste materials, sand, filth, manure or obstruction, or allow the same to be done. Whoever violates any of the provisions of this section is guilty of a misdemeanor and shall be subject to penalties in accordance with section 202.99.

Chapter 674 Safety Sanitation and Health

674.02 Emission of Noxious Odors; Burning of Garbage

No person shall cause or allow noxious odors to be emitted into the open air in such a manner as to annoy or offend the public. This prohibition shall apply to the burning of garbage outside of a building or dwelling as provided in Section 674.01.

674.03 Abandoned Refrigerators; Open Cesspools, Septic Tanks and Wells; Other Attractive Nuisances; Correction of Violations

- A. No person shall leave outside of any building or dwelling or in any unlocked building or dwelling, in a place accessible to children, any abandoned, unattended or discarded ice box, refrigerator or other box or container having a capacity of over one and one-half cubic feet, of the type or kind which has a snap lock or other automatic locking device, without first removing the locking device or the doors from such ice box, refrigerator or container.
- B. No person shall have on his, her or its premises accessible to children an open cesspool, septic tank, sewer, well, pit or hole or a cesspool, septic tank, sewer, well, pit or hole covered with a weak, insecure and unsafe cover or lid which can be easily removed by a child or which might or could break through easily. No person shall have in places accessible to children overhanging lumber, cement or other material which is insecure and unsafe, or have any condition on his or her or its premises which could or might attract and allure children and cause them to play about such condition, the natural or probable result of which might or could cause injury or death to such children.
- C. Immediately upon the discovery of any of the dangerous conditions described in this section, it shall be the duty of any employee of the City to notify the owner of the premises or person in possession thereof to forthwith correct such condition. Such City employee shall forthwith notify the City Manager of the condition and give him or her the name of the person and the time such person was requested to correct the condition complained of. Should the owner of the premises or person in possession thereof fail, neglect or refuse to correct such dangerous condition, or if no one appears to be in possession of such premises, then the City shall correct the dangerous condition and charge to the owner of the premises the cost of such repairs. If the owner neglects or refuses to pay for such repairs, such charges shall be assessed against the premises and collected in the same manner as are general City real estate taxes. Such charges shall be in addition to the penalty provided in Section 674.99.

674.09 Littering; Obstructing Ditches, Drains, Culverts or Gutters

- A. No person shall place, deposit, throw, scatter or leave on any street, highway, lane, alley, public place, public square or private property, any tree or bush trimmings, grass clippings, leaves, refuse, waste or such other materials, provided, however, that such materials may be deposited on City

streets at such times and as directed by the City during designated City-wide clean-up periods or leaf pick-up by the City.

- B. No person shall transport, dump or deposit any refuse or other waste materials in such a manner as to cause the littering of any stream, public place or private property, or to cause the obstruction of any public ditch, drain, culvert or gutter.

674.10 Dust From Coal, Sand or Gravel Operations

- A. No person engaged in the wholesaling or retailing of coal in or near a residential area shall unload coal from railroad cars or trucks, or load the same into railroad cars or trucks, unless the coal is dampened sufficiently to prevent coal dust from being blown beyond the confines of the coal yard. This provision shall not be construed as to prevent the operator of the coal yard from adopting other suitable measures to prevent the coal dust from becoming a public nuisance.
- B. No person engaged in the handling, storing, hauling or sale of sand or sand and gravel, whose stockpiles are in or near a residential area, shall unload these materials from railroad cars or trucks until suitable measures have been taken to prevent sand and dust from being blown into or onto the residential area.

Chapter 1040 Combined Water Supply and Sewage Disposal System excerpts

1040.12 Tampering With Hydrants, Stop Cocks, Stop Gates, Etc.; Authority of Fire Chief

No person shall meddle or interfere with any hydrant, stop cock, stop gate or tools or appliances of the City, except by authority of the City Manager or designee, provided, however, that in case of fire, the Chief of the Fire Department, or any person acting under his or her authority, may open or close any hydrant where, in his or her judgment, it may be necessary to do so.

1040.13 Tampering With and Polluting Wells

No person shall commit any nuisance or deposit any substance or matter or do any other act at, about or near wells or sources of water supply of the City that may tend to make such water impure or unwholesome.

1040.14 Tampering With or Destruction of Combined Water and Sewer System

No person shall deface or injure any building or other improvements, or disturb or injure any lawn, grass plot, flowers, vines, bushes or trees, belonging to the combined water supply and sewage disposal system.

1040.15 Prohibition of Private Wells and Septic Systems In City

Private water wells and septic systems are prohibited in the City limits. All users must connect to the public water supply and sanitary sewer unless provided a waiver by the City. Any individual or company using an existing well or septic system for potable water or wastewater disposal must connect to the City water supply or sanitary sewer upon failure, abandonment or substantial repair needed to the existing well or septic system. Wells for non-potable or process water may be allowed upon approval by the City.

Chapter 1042 Water Discharge Regulations

1042.04 Unlawful Deposits or Discharges of Solid or Liquid Wastes; Septic Tanks Prohibited; Installation of Toilet Facilities and Connection to Public Sewers Required

- A. No person shall place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the City, or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste.
- B. No person shall discharge to any natural outlet within the City, or in any area under the jurisdiction of the City, any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this chapter and statutes and regulations of the State.
- C. Except as hereinafter provided, no person shall construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- D. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the City and abutting on any street, alley or right of way in which there is now located, or may in the future be located, a public sanitary or combined sewer for the City, is hereby required, at his or her expense, to install suitable toilet facilities directly with the proper public sewer in accordance with the provisions of this chapter. The City Council may require any such owner, pursuant to the authority conferred upon it by law or ordinance, to make such installation or connection.

1042.05 Private Sewage Disposal Systems

- A. Where a public sanitary or combined sewer is not available under the provisions of Section 1042.04(d), the building sewer shall be connected to a private sewage disposal system constructed in compliance with State law and the regulations of the City Council.
- B. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 1042.04(d), a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material.
Upon application of the owner of such property, the City Council may grant a delay of not more than two years before making connection to a public sewer. Such delay shall be granted only if private facilities are satisfactory and create no nuisance or health hazard.
- C. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.
- D. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the City Council or the Michigan Department of Health with respect to private sewage disposal.

1042.06 Building Sewers and Connections

- A. No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Manager or from such official as he or she may designate.
- B. All connections with any sewer of the City shall be made only after written authorization and permits issued by the City are obtained, and upon completion of such forms and the paying of such fees as shall be established from time to time by the City Council.
- C. All costs and expenses incident to the installation and connection of a building sewer shall be borne by the owner of such property. The owner shall indemnify the City from all loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- D. All applicants for sewer connection permits shall, when required, submit plans and specifications for all plumbing construction within such building or premises, and such plans and specifications shall meet the requirements of the Michigan Building Code, as adopted in Section 1420.01 of the Building and Housing Code, and all orders, rules and regulations of the Michigan Department of Health.

When such plans and specifications have been approved by the City Council or by such official as it may designate, a sewer or plumbing permit shall be issued, subject to final inspection and approval when construction is completed.

- E. The applicant for a building sewer permit shall notify the Manager or the Code Official when the building sewer is ready for inspection. The Manager or the Code Official, or their designated representatives, shall then inspect the building and plumbing construction therein, and if such construction meets the previous requirement as approved in the construction permit, a sewer connection approval shall be issued, subject to the applicable provisions of other sections of this chapter.
- F. The cost of all repairs, maintenance and replacements of existing building sewers and their connections to public sewers shall be borne by the property owner. Such owner shall make application to the City through its designated representative for a permit to perform work.
- G. The applicant for a building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the City's representative.
- H. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

1042.07 General Discharge Prohibitions

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage water, cooling water or unpolluted industrial process waters to any sanitary sewer.
- B. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the City. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the City, to a storm sewer, combined sewer or natural outlet.
- C. No user shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will interfere with the operation or performance of the POTW. These general prohibitions apply to all such users of a POTW, whether or not the user is subject to the national categorical pretreatment standards or any other national, State or local pretreatment standards or requirements. A user may not contribute the following substances to any POTW:
 - 1. Any liquids, solids or gases, including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit, which, by reason of their nature and quantity, are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.
 - 2. Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities, such as, but not limited to, the following: grease, petroleum oil, non-biodegradable cutting oil, products of mineral oil origin, garbage with particles greater than one-half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from the refining or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes. (Ord. 00-01, passed 1-18-00)

3. Any wastewater having a pH less than 5.5 or greater than 9.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the POTW.
 4. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the POTW or exceed a limitation set forth in a categorical pretreatment standard.
 5. Any noxious or malodorous liquids, gases or solids which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair, including pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
 6. Any substance which may cause the POTW's effluent or any other product of the POTW, such as residues, sludges or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
 7. Any substance which will cause the POTW to violate its NPDES permit or the receiving water quality standards.
 8. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
 9. Any wastewater having a temperature which will inhibit biological activity in the POTW, resulting in interference, but in no case wastewater with a temperature which exceeds sixty-six degrees centigrade (150 degrees Fahrenheit).
 10. Any pollutants, including suspended solids and/or oxygen-demanding pollutants (BOD, etc.), released at a flow rate and/or pollutant concentration which will cause interference to the POTW.
 11. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable State or Federal regulations.
 12. Any wastewater which causes a hazard to human life or creates a public nuisance.
 13. Any unpolluted water, including, but not limited to, non-contact cooling water.
 14. Any trucked or hauled wastewater, except as specifically allowed by the City.
- D. No user shall discharge wastewater containing in excess of the local limits established below.
1. Non-permitted Users. Unless specially authorized via approval of the Superintendent and issue of a wastewater discharge permit, no wastewater containing pollutants in excess of the following background concentrations shall be discharged:

Concentration	Pollutant	Sample Basis
*	arsenic	24-hour composite
0.001 mg/l	cadmium	24-hour composite
*	chromium, total	24-hour composite
0.065 mg/l	copper	24-hour composite
0.007 mg/l	lead	24-hour composite
*	mercury	24-hour composite
0.002 mg/l	nickel	24-hour composite
0.001 mg/l	silver	24-hour composite
0.082 mg/l	zinc	24-hour composite
*	cyanide, total	average of grab(s) over 24 hour period
0.1 mg/l	phenols, total	average of grab(s) over 24 hour period
*	xylenes, total	average of grab(s) over 24 hour period
*	tetrachloroethylene	average of grab(s) over 24 hour period

- * Any discharge of indicated pollutant at or above the level of detection shall be a specific violation of this ordinance. The sampling procedures, preservation/handling, and analytical protocol for compliance monitoring shall be in accordance with the following EPA methods; the detection levels shall not exceed the indicated values, unless higher levels are appropriate because of sample matrix interference:

Pollutant	Test Method	Level of Detection
arsenic	EPA 206.2	0.001 mg/l
chromium	EPA 218.2	0.001 mg/l
mercury	EPA 245.1	0.0005 mg/l
cyanides, total	EPA 335.2	0.005 mg/l
xylenes, total	EPA 602	0.001 mg/l
tetrachloroethylene	EPA 601	0.001 mg/l

2. Permitted Users. Upon approval of the Superintendent and issue of a wastewater discharge permit, wastewater not in excess of the following local limits may be discharged:

Concentration	Pollutant	Sample Basis
0.94 mg/l	arsenic	24-hour composite
0.026 mg/l	cadmium	24-hour composite
4.3 mg/l	chromium, total	24-hour composite
0.73 mg/l	copper	24-hour composite
0.75 mg/l	lead	24-hour composite
*	mercury	24-hour composite
1.2 mg/l	nickel	24-hour composite
0.032 mg/l	silver	24-hour composite
2.0 mg/l	zinc	24-hour composite
0.05 mg/l	cyanide, total	average of grab(s) over 24 hour period
0.53 mg/l	phenols, total	average of grab(s) over 24 hour period
0.75 mg/l	xylenes, total	average of grab(s) over 24 hour period
0.88 mg/l	tetrachloroethylene	average of grab(s) over 24 hour period

- * Any discharge of indicated pollutant at or above the level of detection shall be a specific violation of this ordinance. The sampling procedures, preservation/handling, and analytical protocol for compliance monitoring shall be in accordance with the following EPA methods; the detection levels shall not exceed the indicated values, unless higher levels are appropriate because of sample matrix interference:

Pollutant	Test Method	Level of Detection
mercury	EPA 245.1	0.0005 mg/l

1042.08 Incorporation of National Categorical Pretreatment Standards

- Upon the promulgation of the national categorical pretreatment standards for a particular industrial subcategory, the pretreatment standard, if more stringent than limitations imposed under this chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this chapter and shall be considered part of this chapter. The Superintendent shall notify all affected users of the applicable reporting requirements.
- Existing users subject to new national categorical pretreatment standards shall achieve compliance within three years of the date the standard is promulgated, unless a shorter compliance schedule is specified in the standard. New sources subject to national categorical pretreatment standards shall

install, have in operating condition and have started-up all pretreatment equipment required to achieve compliance before beginning to discharge, and shall meet all applicable pretreatment standards within the shortest feasible time, but not to exceed ninety days after beginning to discharge.

1042.09 State Discharge Limitations

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those provided in this chapter.

1042.10 Local Discharge Limitations

The City reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if such limitations or requirements are deemed necessary to comply with the objectives presented in Section 1042.01.

1042.11 Grease, Oil and Sand Interceptors

A. Grease, oil and sand interceptors shall be provided when, in the opinion of the City, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection.

Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.

B. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his or her expense, in continuously efficient operation at all times.

1042.12 Review and Approval of Certain Discharges

A. The admission into the public sewers of any waters or wastes

1. containing five-day biochemical oxygen demand greater than 300 parts per million by weight, or
2. containing suspended solids greater than 350 parts per million by weight, or
3. containing chemical oxygen demand greater than 600 parts per million by weight, or
4. containing total Kjeldahl nitrogen greater than 40 parts as N per million by weight, or
5. containing total phosphorus greater than 15 parts per P per million by weight, or
6. containing oil and grease greater than 100 parts per million by weight, or
7. having an average daily flow which imposes an unreasonable burden upon the public sewers, pumping stations, or the POTW treatment plant, shall be prohibited unless reviewed and approved by the City and covered by a wastewater discharge permit.

B. Such excess discharges may be assessed per-pound and/or per-gallon surcharge fees, as appropriate, in accordance with Section 1042.18 of this Ordinance. The sample basis for per-pound surcharge fees shall be 24-hour composites or, when appropriate in the opinion of the City, the average of grab(s) collected of a 24-hour period.

In no case, however, shall a User discharge wastewater containing in excess of:

Concentration	Pollutant	Sample Basis
980 mg/l	5-Day Biochemical Oxygen Demand	24-Hour Composite, or Average of Grab(s) over 24 Hour Period
1,200 mg/l	Total Suspended Solids	24-Hour Composite, or Average of Grab(s) over 24 Hour Period
2,280 mg/l	Chemical Oxygen Demand	24-Hour Composite, or Average of Grab(s) over 24 Hour Period
290 mg/l	Total Kjeldahl Nitrogen	24-Hour Composite, or Average of Grab(s) over 24 Hour Period
45 mg/l	Total Phosphorus	24-Hour Composite, or Average of Grab(s) over 24 Hour Period
550 mg/l	Oil & Grease	24-Hour Composite, or Average of Grab(s) over 24 Hour Period

1042.13 Dilution of Discharges

Except where expressly authorized to do so by an applicable national categorical pretreatment standard, no user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the national categorical pretreatment standards, or in any other pollutant-specific limitation developed by the City or State

1042.14 Accidental Discharges

- A. Protective Facilities and Procedures; Emergency Notification. Where required, a user shall provide protection from accidental discharges of prohibited materials or other substances regulated by this chapter. The City will evaluate, at least once every two years, whether a user without such protection will be subjected to these requirements. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or users own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the City for review and shall be approved by the City before construction of the facility. All required users shall complete such a plan within six months of the adoption of this chapter. If required by the City, a user who commences contribution to the POTW after the effective date of this chapter shall not be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the City. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter. In the case of an accidental discharge, it is the responsibility of the user to immediately telephone and notify the POTW of the incident. The notification shall include the location of the discharge, the type of waste, the concentration and volume of such waste and corrective actions.
- B. Written Notice. Within five days following an accidental discharge, the user shall submit to the Superintendent a detailed written report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, fish kills or any other damage to persons or property, nor shall such notification relieve the user of any fines, civil penalties or other liability which may be imposed by this chapter or other applicable law.
- C. Notice to Employees. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees of whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure.

1042.16 Upsets

- A. An upset shall constitute an affirmative defense by users in unintentional and temporary noncompliance with applicable national categorical pretreatment standards or pretreatment requirements, provided that it can be proved that:
 - 1. An upset occurred and the user can identify the causes of the upset;
 - 2. The facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures;
 - 3. The user submitted the following information to the City within twenty-four hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five days):
 - (a) A description of the discharge and the cause of noncompliance;
 - (b) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - (c) Steps being taken and/or planned to reduce eliminate and prevent recurrence of the noncompliance.
- B. In any enforcement proceedings, the user seeking to establish the occurrence of an upset shall have the burden of proof. Users shall not have an affirmative defense for the discharge of pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute health and safety problems to workers.

1042.17 Bypasses

- A. A bypass producing a discharge which violates applicable national categorical pretreatment standards or pretreatment requirements is prohibited, and the City may take enforcement action against a user for such bypass, unless the bypass was unavoidable to prevent loss of life, personal injury or severe property damage; there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes or maintenance during normal periods of equipment downtime (except where adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to operate during normal periods of equipment downtime or preventive maintenance); and the user submitted required notices.
- B. If the user knows in advance of the need for a bypass, a prior notice shall be submitted to the City at least ten days before the date of the bypass. The City may approve or disapprove this anticipated bypass, after considering its adverse effects.
- C. A user shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment requirements to the City within twenty-four hours from the time the user becomes aware of the bypass. Unless waived by the City, a written submission shall then be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the bypass.

1042.19 Disclosure of Information from Industrial Users Prior to Connection and Contribution to POTW; Additional Powers of City RE Control of Discharges

- A. No person shall discharge to the waters of the State within the City, or in any area under the jurisdiction of said City, and/or to the POTW, any wastewater, except as authorized by the Superintendent in accordance with the provisions of this chapter, except as provided by an NPDES permit.
- B. All industrial users proposing to connect or contribute to the POTW shall submit information on the user, processes and wastewater to the City before connecting to or contributing to the POTW. All

existing industrial users connected to or contributing to the POTW shall submit this information within 180 days after the effective date of this chapter. The information submitted must be sufficient for the City to determine the impact of the user's discharge on the POTW and the need for pretreatment. The user shall submit, in units and terms appropriate for evaluation, on a disclosure form prescribed by the City, the following information:

1. The user's name, address and location (if different from the address).
2. The user's SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended.
3. Wastewater constituents and characteristics, including, but not limited to, those mentioned in Section 1042.07, as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with the procedures and methods detailed in:
 - (a) Standard Methods for the Examination of Water and Wastewater, American Public Health Association;
 - (b) Manual of Methods for Chemical Analysis of Water and Wastes, United States Environmental Protection Agency;
 - (c) Annual Book of Standards, Part 131, "Water, Atmospheric Analysis," 1975, American Society for Testing and Materials
4. The time and duration of contribution;
5. Average daily wastewater flow rates, including daily, monthly and seasonal variations, if any;
6. For industries identified as significant industries or subject to the national categorical pretreatment standards, or those required by the City, site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections and appurtenances by size, location and elevation;
7. A description of activities, facilities and plant processes on the premises, including all materials which are or could be discharged;
8. Where known, the nature and concentration of any pollutants in the discharge which are limited by any City, State or Federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O & M) and/or additional pretreatment is required by the industrial user to meet applicable pretreatment standards;
9. If additional pretreatment and/or O & M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to this schedule:
 - (a) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards.
 - (b) No increment referred to in paragraph (b)(9)A. hereof shall exceed nine months.
 - (c) Not later than fourteen days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the Superintendent, including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for the delay and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the Superintendent.
10. Each product produced by type, amount, process or processes and rate of production;
11. The type and amount of raw materials processed, average and maximum per day;

12. The number and type of employees, hours of operation of the plant and the proposed or actual hours of operation of the pretreatment system.
 13. Any other information as may be deemed by the City to be necessary to evaluate the impact of the discharge on the POTW.
The disclosure form shall be signed by a principal executive officer of the user and a qualified engineer.
The City will evaluate the complete disclosure form and data furnished and may require additional information. Within ninety days after full evaluation and acceptance of the data furnished, the City shall notify the user of the acceptance thereof.
- C. Within 180 days after the effective date of the promulgation or revision of a national categorical pretreatment standard, all affected existing users must submit to the City the information required by paragraphs (b)(8) and (9) hereof. At least ninety days prior to commencement of discharge, new sources and existing sources that become affected users subsequent to the promulgation of an applicable national categorical pretreatment standard shall submit to the City information on the method of pretreatment they intend to use to meet the applicable pretreatment standard and estimates of flow and pollutants to be discharged. Industrial users shall report any changes in the Baseline Monitoring Report to the POTW within 60 days.
- D. Wastewater discharges shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the City. The City may:
1. Set unit charges or a schedule of user charges and fees for the wastewater to be discharged to the POTW;
 2. Limit the average and maximum wastewater constituents and characteristics;
 3. Limit the average and maximum rate and time of discharge or make requirements for flow regulations and equalization;
 4. Require the installation and maintenance of inspection and sampling facilities;
 5. Establish specifications for monitoring programs, which may include sampling locations, the frequency of sampling, the number, types and standards for tests and reporting schedules;
 6. Establish compliance schedules;
 7. Require the submission of technical reports or discharge reports;
 8. Require the maintaining, retaining and furnishing of plant records relating to wastewater discharge as specified by the City, and affording City access thereto and copying thereof;
 9. Require notification of the City in advance of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater treatment system, including ground waters purged for remedial action programs and ground waters containing pollutants that infiltrate into sewers;
 10. Require immediate notification of all discharges that could cause problems to the POTW, including any slug discharges;
 11. Require other conditions as deemed appropriate by the City to ensure compliance with this chapter.
 12. Convert concentration-based national categorical pretreatment standards to equivalent mass-based or production-based pretreatment requirements.
 13. Control through permit, order, or similar means, the contribution to the POTW by each User to ensure compliance with applicable National Categorical Pretreatment Standards, Pretreatment Requirements, or this Ordinance. The control mechanism may have the following minimum conditions, which are enforceable:
 - (a) A statement of the duration of the control mechanism, which shall not be more than 5 years;

- (b) A statement of not-transferability without prior notification to the publicly owned treatment works, and provisions that a copy of the existing control mechanism conditions shall be provided to the new
 - (c) Effluent limits based on applicable general pretreatment standards, local limits, and state and local law;
 - (d) Self-monitoring, sampling, reporting, notification, and record keeping requirements, including identification of the pollutants to be monitored, sampling location, sampling frequency, and sample type based on the applicable general pretreatment standards, categorical pretreatment standards, local limits, and state and local law;
 - (e) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and applicable compliance schedules that do not extend the compliance date beyond applicable federal deadlines;
 - (f) A provision for the modification of the control mechanism by the City in the event of revised NPDES permit conditions, water quality standards, categorical pretreatment standards, or objectives of the City's Industrial Pretreatment Program; and
 - (g) Provisions whereby the City may issue, revoke, suspend, or formulate a control mechanism based upon the User's compliance with National Categorical Pretreatment Standards, Pretreatment Requirements, or this Ordinance, using discharge data provided via periodic compliance reports pursuant to Paragraph 1042.20(b) of this Section.
14. Adjust national categorical pretreatment standards to reflect the presence of pollutants in a user's intake water.

1042.20 Reporting Requirements

- A. Generally. Within ninety days following the date for final compliance with applicable pretreatment standards, or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any user subject to pretreatment standards and requirements shall submit to the Superintendent a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by pretreatment standards and requirements and the average and maximum daily flow for these process units in the user's facility which are limited by such pretreatment standards or requirements. For users subject to equivalent mass-based or concentration-based limits established by the City, this report shall contain a reasonable measure of the long-term production rate. For users subject to categorical pretreatment standards expressed per unit of production, the report shall include the actual production during the sample period. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional O & M and/or pretreatment is necessary to bring the user into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by an authorized representative of the industrial user and certified to by a qualified representative.
- B. Periodic Compliance Reports.
 - 1. Any Significant Industrial User discharging into the POTW shall submit to the Superintendent during June and December, unless required more frequently in a control mechanism or by the Superintendent a report indicating the nature and concentration of pollutants in the effluent which are limited by National Categorical Pretreatment Standards, Pretreatment Requirements, or a control mechanism. The nature and concentration of pollutants reported shall be on the basis of representative sampling. Where required, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported in Paragraph 1042.19(d)(3) of this section. At the discretion of the Superintendent and in consideration of

such factors as local high or low flow rates, holidays, budget cycles, etc., the Superintendent may agree to alter the months during which the above reports are to be submitted.

Any User who discharges into the POTW shall, upon direction from the Superintendent, submit data indicating the nature and concentration of pollutants in the effluent which are limited by this Ordinance. This data may be collected by the User or may be collected by the City with the costs reimbursed by the User. The Superintendent may, based upon this data, require additional reporting or may designate the User as a Significant Industrial User and issue a control mechanism to apply to the discharge.

2. The Superintendent may also impose mass limitations on users who or which are using dilution to meet applicable pretreatment standards or requirements, or in other cases in which the imposition of mass limitations is appropriate. In such cases, the report required by paragraph (b)(1) hereof shall also indicate the mass of pollutants regulated by pretreatment standards in the effluent of the user.
3. If a user is subject to reporting requirements and is required to demonstrate continued compliance and monitors any pollutant more frequently than required by the City, using approved procedures, the results of this additional monitoring shall also be included in the periodic compliance report.
4. If sampling performed by a user indicates a violation, the user shall notify the City within twenty-four hours of becoming aware of the violation. The user shall also repeat the sampling and submit the results of re-analysis to the City within thirty days after becoming aware of the violation, except when the City will be performing scheduled surveillance sampling/analysis within this thirty-day period.

1042.21 Monitoring Facilities

The City may require monitoring facilities to be provided and operated at the user's own expense to allow inspection, sampling and flow measurement of the building sewer and/or internal drainage systems. Normally, the monitoring facility should be situated on the user's premises, but the City may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles. There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility and sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with plans and specifications submitted to and approved by the City and all applicable local construction standards and specifications. Construction shall be completed within ninety days following written notification by the City.

1042.22 Inspections and Sampling

The City shall inspect the facilities of any user to ascertain whether the purposes of this chapter are being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the City or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination, records copying or the performance of any of the City's or its representative's duties. The City, the Michigan Department of Environmental Quality and the EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into such user's premises, the user shall make necessary arrangements with its security guards so that upon presentation of suitable identification,

personnel from the City, the Michigan Department of Environmental Quality and the EPA will be permitted to enter the premises of such user without delay, for the purposes of performing their specific responsibilities.

1042.23 Pretreatment Facilities

Industrial users shall provide necessary wastewater treatment as required to comply with this chapter and shall achieve compliance with all national categorical pretreatment standards within the time limitations as specified by Federal pretreatment regulations and as required by the City. Any facilities required to pre-treat wastewater to a level acceptable to the City shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the City for review, and shall be approved by the City before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City under the provisions of this chapter. Any subsequent changes in the pretreatment facilities or the method of operation shall be reported to and be acceptable to the City prior to the user's initiation of the changes.

1042.24 Publication of Names of Industrial Users in Significant Noncompliance; Records of Compliance

The City will annually publish in the major local newspaper a list of the users subject to Categorical Standards which were in significant noncompliance with any pretreatment requirements or standards at any time during the previous twelve months. The notification will also summarize any enforcement actions taken against such users during the same twelve months.

All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or the Michigan Department of Environmental Quality upon request.

1042.26 Signing of Reports; Certification Statement

All reports required by this section shall be signed by the authorized representative of an industrial user and include the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

If the authorized representative of an industrial user changes because a different individual has responsibility for the overall operation of the facility or for environmental matters of the company, a new authorization satisfying the requirements of Section 1042.02(2)C. must be submitted to the City prior to or together with any reports to be signed by that representative.

1042.27 Discharges of Hazardous Waste

All users shall notify the POTW, the EPA Regional Waste Management Division Director and the State Hazardous Waste Authority in writing of any discharge into the POTW of a substance which would be a hazardous waste under 40 CFR 261 if disposed via other means. Notification details, as well as allowable exceptions, shall be in accordance with 40 CFR 403.12(p). In the case of any new regulations under Section 3001 of the Resource Conservation and Recovery Act (RCRA) identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user

must provide notification of the discharge of such substance within ninety days of the effective date of such regulations. In the case of any notification of hazardous waste discharges, the user shall further certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

1042.28 Opening and Closing Holes in Sewers

No person shall cut, break or make any opening into any of the sewers, trunk line or otherwise, in any street or alley in the City, without first having permission from the City Manager of the City to do so. After having received such permission to open, make or break a hole in such sewer, the same shall not be closed except under the supervision and direction of the City Manager, or his or her designee.

1042.29 Falsification

No person shall knowingly make any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter, or who falsify, tamper with or knowingly render inaccurate any monitoring device or method required under this chapter.

1042.30 Retention of Records

All users subject to this chapter shall retain and preserve for no less than three years any records, books, documents, memoranda, reports and correspondence, and any and all summaries thereto, relating to monitoring, sampling and chemical analyses made by or in behalf of a user in connection with such user's discharge. All records which pertain to matters which are the subject of administrative adjustment or any other enforcement or litigation activities brought by the City pursuant to this chapter shall be retained and preserved by the user until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

1042.31 Suspension and Termination of Service; Violations; Enforcement Actions; other Remedies

- A. The City may suspend wastewater treatment services to any User when such suspension is necessary, in the opinion of the City, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment, causes or may cause interference to the POTW, or causes or may cause the City to violate any condition of its NPDES Permit.
- B. The City may revoke, suspend, or terminate the wastewater discharge permit of any User which
 1. fails to accurately report the wastewater constituents and characteristics of its discharge;
 2. fails to report significant changes in wastewater constituents or characteristics;
 3. refuses reasonable access to the User's premises by representatives of the City for the purpose of inspection or monitoring; or
 4. violates the conditions of this Ordinance or any final judicial order entered with respect thereto.
- C. Any person notified of a suspension of wastewater treatment service shall immediately stop or eliminate contribution. In the event of a failure of the person to comply voluntarily with the suspension order, the City shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The City shall reinstate the wastewater treatment service upon proof of the elimination of the non-complying discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the City within fifteen days of the date of occurrence.
 1. Whenever the City finds that a User has violated any provision of this Ordinance, Industrial Waste Permit or order issued hereunder, or other Pretreatment Standard or Requirement, the

Superintendent will issue a Notice of Violation to formally document the noncompliance. This document will specify the nature of the violation, establish a date by which the violation shall be corrected, and notify the affected User that failure to correct the violation would constitute a further violation which may result in additional enforcement action. A notice of Violation will be sent via first-class mail or personally served on an Authorized Representative of the User.

Receipt, or not-receipt, of a Notice of Violation shall in no way relieve the affected User of any and all liability associated with the violation. Issuance of a Notice of Violation shall not be a bar against, or a prerequisite for, any other enforcement actions by the City against the affected User.

2. When the City finds that a User has violated any provision of this Ordinance, Industrial Waste Permit or Order issued hereunder, or other Pretreatment Standard or Requirement, the Superintendent may issue and Administrative Order to Show Cause requiring the affected User to appear at a hearing to demonstrate why escalated enforcement action should not be pursued. This document will specify the nature of the violation, establish the time and place for the hearing, and notify the affected User that failure to comply would constitute a violation of this Ordinance which may result in additional enforcement action. An Order to Show Cause will be issued at least ten (10) days prior to the hearing, and will be sent via certified mail/return receipt requested or personally served on an Authorized Representative of the User.

Receipt, or non-receipt, of an Order to Show Cause shall in no way relieve the affected User of any and all liability associated with the violation. Issuance of an Order to Show Cause or conducting of the show cause hearing shall not be a bar against, or prerequisite for, any other enforcement actions by the City against the affected User.

3. When the City and an affected User agree to a violation and to the remedial solution, the Superintendent may issue and Order of Consent or similar document to formally establish such agreement. This document will specify the nature of the violation and required actions such as compliance schedules, stipulated fines, additional self-monitoring, and improvements to treatment facilities or management practices designed to control the User's discharge to the sewer. An Order of consent will be sent via certified mail/return receipt requested, or personally served on an Authorized Representative of the User, and will require signatures of representatives from both the City and the affected User.

An Order of consent or similar document shall have the same force and effect as other administrative orders issued by the City pursuant to this Ordinance, shall be judicially enforceable, and shall not modify the requirements or extend the deadline for compliance established by a Pretreatment Standard or Requirements. Receipt, or non-receipt, of an Order of Consent or similar document shall in no way relieve the affected User of any and all liability associated with the violation. Issuance of a Consent Order or similar document shall not be a bar against, or a prerequisite for, any other enforcement actions by the City against the affected User.

4. When the City and affected User do not agree to the violation or to the remedial solution, the Superintendent may issue an Order to Achieve Compliance. This document will specify the nature of the violation and include required actions such as compliance schedules, stipulated fines, additional self-monitoring, and improvements to treatment facilities or management practices designed to control the User's discharge to the sewer. An Order to Achieve Compliance will be issued unilaterally in that terms need not be agreed to by the affected User, and will be sent via certified mail/return receipt requested, or personally served on an Authorized Representative of the User.

An Order to Achieve Compliance shall have the same force and effect as other administrative orders issued by the City pursuant to this Ordinance, shall be judicially enforceable, and shall not

modify the requirements or extend the deadline for compliance established by the Pretreatment Standard or Requirement. Receipt, or non-receipt, of an Order to Achieve Compliance shall in no way relieve the affected User of any and all liability associated with the violation. Issuance of an Order to Achieve compliance shall not be a bar against, or prerequisite for, any other enforcement actions by the City against the affected User.

5. When the City finds that a user has violated and continues to violate any provision of this Ordinance, Industrial Waste Permit or order issued hereunder, or other Pretreatment Standard or Requirement, the Superintendent and City Attorney may jointly issue a Cease and desist order requiring the affected User to eliminate the violation within twenty-four 24 hours following issuance of the order, the City may suspend sewer service without further notice until such time as the affected User is able to demonstrate to the City that it can comply with the discharge requirements. A Cease and Desist Order will be personally served on an Authorized Representative of the User.

Receipt, or non-receipt, of a Cease and Desist Order shall in no way relive the affected User of any and all liability associated with the violation. Issuance of a Cease and Desist Order shall not be a bar against, or a prerequisite for, any other enforcement actions by the City against the User.

6. Whenever the City finds that a User's discharge is in violation of any provision of this Ordinance or any permit issued hereunder and that the violation creates or threatens to create an emergency situation such as damage to the sanitary sewer system, pass-through or interference to the wastewater treatment plant, hazard to Manistee Lake, endangerment to the public health and safety, or violation of any condition of the NPDES permit issued to the City, the Superintendent and City Attorney will jointly issue an Emergency cease and desist order notifying the affected User to eliminate the violating discharge immediately or face service severance via a temporary plug in its sewer connection at any time and without further warning. this document will specify the nature of the violation, an require that the violating discharge cease until such time as the affected User is able to demonstrate to the City that it can comply with the discharge requirements. This document will also establish the time and place for a hearing where the affected User shall present a written Statement regarding the causes of the violation and measures taken to prevent future occurrences, and further will notify the affected User of its liability for any costs incurred by the City to conduct this enforcement action. An Emergency Cease and Desist Order will be personally served to an Authorized Representative of the User, or may be delivered verbally via telephone to an Authorized Representative of the User and then served personally.

Receipt, or non-receipt, of an Emergency Cease and Desist Order shall in no way relieve the affected User of any and all liability associated with the violation. Issuance of an Emergency Cease and Desist Order shall not be a bar against, or a prerequisite for, any other enforcement actions by the City against the affected User.

7. Except for emergency situations covered under Subparagraph 2f. of this Section, whenever the city finds that a User's continuing violation warrants revocation of its permit or privilege to discharge into the Wastewater System, the Superintendent and City Attorney will jointly issue a Notice of Termination to warn of the impending suspension of the sewer service up to and including severance via temporary plug in the affected User's sewer connection. This document will specify the date and time of scheduled service suspension in order to allow the affected User to either voluntarily cease the violating discharge or arrange appropriate actions such as production shutdown or alternative means of wastewater disposal. This document will also establish the time and place for a hearing where the affected User shall present a written statement regarding the causes of the violation and measures taken to prevent future

occurrences, and further will notify the affected User of its liability for any costs incurred by the City to conduct this enforcement action. A Notice of Termination will be personally served on an Authorized Representative of the User at least ten (10) days before the scheduled service suspension.

Receipt, or non-receipt, of a Notice of Termination shall in no way relieve the affected User of any and all liability associated with the violation. Issuance of a Notice of Termination shall not be a bar against, or a prerequisite for, any other enforcement actions by the City against the affected User.

8. In addition to the sanctions, orders, liabilities, and other remedies prescribed under Subparagraphs 4.a through 4.g in this section, a User shall be liable to the city for any and all fines, penalties, and associated legal and other costs incurred or expended by the City as the result of any violation of the City's NPDES permit that is attributable, in whole or in part, to the User's violation of this Ordinance or a permit issued to the User hereunder.

- D. When the City finds that a User has violated or continues to violate any provision of this Ordinance, an Industrial Waste Permit or Order issued hereunder, or other Pretreatment Standard or Requirement, and administrative fine may be assessed against the affected User in an amount up to \$500 per violation. Each day during which the violation occurred or continues to occur may be deemed a separate violation and, in the case of a violation of monthly or other long-term average discharge limits, the fine may be assessed for each day during the period of averaging.

Receipt, or non-receipt, of an administrative fine shall in no way relieve the affected User of any and all liability associated with the violation. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, any other enforcement actions by the City against the affected User.

- E. Except for emergency situations covered under Subparagraph 2.f of this section, any User desiring to dispute a Notice of Violation or order of the City, pursuant to this Ordinance, including but not limited to fines, may present a written request for reconsideration. such a request shall be submitted to the City manager within ten (10) days of first being notified of the corresponding order for all but a Notice of Termination, where such a request shall be submitted within five (5) days of notification. If, in the opinion of the City Manager, the request has merit, he will convene a hearing on the matter as soon as possible to collect testimony of appropriate persons, take evidence, and render a final determination. In the even the affected User's appeal is unsuccessful, any original fine will become immediately due and the City may also add any additional costs incurred to administer this appeal. Further appeal of the City Manager's final determination shall be to the City Council.

Submittal of an appeal in no way relieves the affected User of any and all liability associated with the violation. An appeal shall not stay the corresponding order, or limit any other reinforcement proceedings by the City against the affected User.

- F. When the City finds that a User has violated or continues to violate any provision of this Ordinance, Industrial Waste Permit or order issued hereunder, or other Pretreatment Standard or Requirement, the City Attorney may petition the Circuit Court of Manistee County for appropriate legal and/or equitable relief.

1. A User who has violated or continues to violate any provision of this Ordinance, Industrial Waste Permit or order issued hereunder, or other Pretreatment Standard or Requirement will be liable to issuance of a preliminary injunction or permanent injunction, or both as may be appropriate. This action will be sought to restrain or compel activities on the part of the affected User.

A petition of injunctive relief shall in no way relieve the affected User of any and all liability associated with the violation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, any other actions by the City against the affected User.

2. A User who has violated or continues to violate any provision of this Ordinance, Industrial Waste Permit or order issued hereunder, or other Pretreatment Standard or Requirement will be liable

for a civil penalty of up to five-hundred dollars (\$500) per violation. Each day during which the violation occurred or continues to occur may be deemed a separate distinct violation and, in the case of a violation of monthly or other long-term average discharge limits, the penalty may be assessed for each day during the period of the averaging. the affected User will also be liable for all costs incurred by the City for associated enforcement action such as reasonable attorney's fees, court costs, additional sampling and monitoring expenses, as well as costs or any environmental damage and any fines imposed upon the City for NPDES permit violations that result in whole or in part from the User's violation and expenses associated with remediation of sites thereby contaminated. The City Attorney may petition the court to impose, assess, and recover sums up to this limit of liability. In determining the appropriate amount of civil penalty to seek, the City may take into account all relevant circumstances including but not limited to the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained by the affected User as a result of the violation, corrective actions implemented or proposed to be implemented by the affected User, and history of compliance or noncompliance by the affected User.

A suit for civil penalties shall not be a bar against, or a prerequisite for, any other actions by the City against the affected User.

3. A User who has willfully or negligently violated or continues to willfully or negligently violate any provision of this Ordinance, Industrial Waste Permit or order issued hereunder, or other Pretreatment Standard or Requirement will be liable to criminal prosecution. If convicted, the affected User will be guilty of a misdemeanor and may be punished by a monetary penalty of up to five-hundred dollars (\$500) per violation, imprisonment for up to ninety (90) days, or both. Each day during which the violation occurred or continues to occur may be deemed a separate distinct violation and, in the case of a violation of monthly or other long-term average discharge limits, the penalty may be assessed for each day during the period of averaging. Criminal prosecution shall not be a bar against, or a prerequisite for, any other actions by the City against the affected User.
4. A User who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Ordinance, Industrial Waste Permit or order issued hereunder, or Pretreatment Standard or Requirement will be liable to criminal prosecution. If convicted, the affected User will be guilty of a misdemeanor and may be punished by a monetary penalty of up to five-hundred (\$500) per violation, imprisonment for up to ninety (90) days, or both. Each day during which the violation occurred or continues to occur may be deemed a separate distinct violation and, in the case of a violation of monthly or other long-term average discharge limits, the penalty may be assessed for each day during the period of averaging. Criminal prosecution shall not be a bar against, or a prerequisite for, other actions by the City against the affected User.
5. A User who falsifies, tampers with, or knowingly renders inaccurate any data device or test method used to monitor a discharge pursuant to this Ordinance, Industrial Waste Permit or order issued hereunder, or Pretreatment Standard or Requirement will be liable to criminal prosecution. If convicted, the affected User will be guilty of a misdemeanor and may be punished by a monetary penalty of up to five hundred dollars (\$500) per violation, imprisonment for up to ninety (90) days, or both. Each day during which the violation occurred or continues to occur may be deemed a separate distinct violation and, in the case of a violation of monthly or other long-term average discharge limits, the penalty may be assessed for each day during the period of averaging.

Criminal prosecution shall not be a bar against, or a prerequisite for, any other actions by the City against the affected User.

City Council Policy

Stormwater Control Policy – CP7 Adopted: November 20, 1990

PURPOSE: The City of Manistee operates a combined sewer system. The City's discharges are regulated by the Department of Natural Resources. The City is obligated to the DNR and to our natural resources and receiving waters to minimize these combined sewer overflows. To that end, the City has begun the construction of a separated sewer system. Because of the limitations of the combined sewer system, the following provisions will apply.

1. If an existing, separated stormwater line is available on an adjacent street, and appropriately sized and designed to handle additional stormwater flows, all new developments must pipe any new surface drainage to that existing stormwater line.
2. If a separated stormwater line is not available on an adjacent street, on-site stormwater disposal may be appropriate. The applicant may propose an on-site retention and/or disposal system which may include leaching basins, French drains, etc. if soil borings and percolation tests demonstrate appropriate soil conditions; and if sealed engineering plans are submitted demonstrating appropriate design.
3. If a separated storm line is not available and if on-site disposal is not appropriate then all new stormwater flows shall be piped to a catch basin (either existing or new) if a catch basin is available or desirable on an adjacent City street; provided however that the City shall be responsible for determining whether the existing system is reasonably sound and appropriately sized to handle the additional flows.
4. If new stormwater flows cannot be appropriately handled in accordance with 1, 2 or 3 above, then the City will work with the developer to create an appropriate site specific design.

Stormwater flows must be shown on all site plans submitted to the Planning Commission for consideration. The Building Inspector and Sewer Department Foreman shall be responsible to review and approve the proposed stormwater control methods.

All costs associated with stormwater controls shall be at the expense of the project.

General Policy

Resolution Contaminated Wastewater Discharge GP-50 Adopted October 21, 1997

WHEREAS, the Manistee City Council desires to provide a schedule of fees for the acceptance of contaminated wastewater discharge at the Manistee Wastewater Treatment Plant; and

WHEREAS, Chapter 1042 of the Code of Ordinances authorizes such action.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Manistee that the Wastewater Treatment Plant (WWTP) will accept wastewater discharge from groundwater cleanup sites. The discharge shall be treated using two carbon filters. An analysis of the discharge is required. Wastewater may be disposed of at the WWTP at a rate of 100 gallons per minute, not to exceed 20,000 gallons per day. The superintendent of the WWTP reserves the right to cease acceptance due to increased flow to

the plant, any operational difficulties or for any reason that may potentially jeopardize compliance with its NPDES Permit.

BE IT FURTHER RESOLVED that an analysis must initially perform BETX, (Benzene, Ethyl Benzene, Toluene and Xylene) sampling of the raw contaminated water, then perform a second BETX sample of the treated discharge after the first carbon filter. Any other chemicals deemed necessary by the WWTP Supervisor will be sampled before discharging into the system. Sampling requirements are required monthly. All discharge samples to be disposed of at the WWTP shall be collected between the first and second carbon filter.

BE IT FURTHER RESOLVED that the WWTP pretreatment requires all discharged water to be treated by a two carbon filter system.

BE IT FURTHER RESOLVED that the following schedule of fees be adopted for the acceptance of contaminated wastewater discharge:

The City of Manistee WWTP will charge three (.03) cents per gallon, plus WWTP operator costs of \$25.00 per hour for receiving during the hours of 6:00 a.m. through 5:00 p.m.

The City of Manistee WWTP will charge five (.05) cents per gallon, plus WWTP operator costs of \$45.00 per hour for receiving during the hours of 5:00 p.m. through 6:00 a.m.

FURTHER SAYETH NOT THIS RESOLUTION.

Appendix

[**Introductory Energy Evaluation – City of Manistee February 27, 2009**](#)

[**Manistee City Garage, Level I – Energy Audit Report November 2010**](#)

[**Manistee Fire Department, Level I – Energy Audit Report November 2010**](#)

[**Manistee Ramsdell Theatre, Level I – Energy Audit Report November 2010**](#)

[**Energy Efficiency and Renewable Energy Action Plan – City of Manistee 2011**](#)

[**Manistee Environmental Stewardship Assessment 2012**](#)