
LEFT SIDE OF
PACKET

New Statewide Training Course on Natural Shoreline Landscaping Offered

Michigan's economy has taken another step towards making green options available to consumers. A new partnership, the Michigan Natural Shoreline Partnership (MNSP) has created a course for contractors on ecologically friendly landscaping methods for inland lake shorelines called the *Certified Natural Shoreline Professional (CNSP)*.

MNSP is made up of DNRE staff, Michigan State University Extension staff, industry representatives, trade associations, academic institutions and non-profit organizations.

"MNSP is good example of the DNRE working hand-in-hand with industry and stakeholders to address important resource issues, while working to expand green business opportunities in Michigan's marketplace," said John Skubinna, DNRE compliance assistance specialist, and MNSP facilitator.

MNSP certifies that contractors have successfully completed a four-day training course -- three-day classroom and one day field training -- and have passed a certification exam. A total of 56 participants from throughout the state attended the classroom component at one of the two locations offered this year in Kalamazoo and Pontiac. MNSP experts taught a course packed with information on green landscaping and erosion control methods, shoreline environments, lake health and shoreline permits. The course included a training manual, lectures and small group activities where participants learned to design natural shorelines. The field day involved hands-on construction of a bioengineered natural shoreline project on a lakeshore.



Contractors working in small groups to practice natural shoreline design concepts during Certified Natural Shoreline Professional in Kalamazoo. Photo: Jane Herbert

"The Certified Natural Shoreline Professional training course was outstanding." Scott Brown, MLSA Executive Director

Scott Brown, Executive Director of Michigan Lake and Stream Association, took the Pontiac course out of a personal interest in natural shorelines.

"The Certified Natural Shoreline Professional training course was outstanding," Brown said. "Those [participants] whom I spoke to seemed really enthused about the class and the untapped potential for serving the needs of riparians looking to give back to their lakes."

The Pontiac group recently completed the course in a final construction day on Ford Lake, building a bio-engineering demonstration project at a park in Ypsilanti Charter Township in Washtenaw County. The project was sponsored by the township,

JFNew, Inc., Eastern Michigan University, the Huron River Watershed Council (HRWC), and the Middle Huron Stormwater Advisory Group (MHSAG).

Ric Lawson, a Watershed Planner with HRWC, and facilitator of the MHSAG, assisted in the development of the project.

“The Ford Lake Demonstration Project not only served to train contractors from the CNSP courses, but will be used by its collaborators to educate the local communities on the benefits of natural landscaping methods and their impact on Ford Lake health and water quality,” Lawson said.

“Development of lakefront properties has impacted the shoreline of Ford Lake, as it has on lakes across the state, by removing the deep rooted plant material that hold the shore in place, and prevent lawn fertilizers and pesticides from running into the water. This training in natural protection techniques, as an alternative to traditional construction methods, is sorely needed.”

Participants completed their certification exams that same day.

The Kalamazoo group will finish in early June, taking their exam and participating in a construction day on Gull Lake sponsored by Wildtype Nursery, Gull Lake Quality Organization and the Kalamazoo Community Foundation. The construction day will provide participants with experience installing a natural shoreline including native plants, erosion control blankets and coir fiber logs – biodegradable logs made from coconut husk fiber – that protect plantings from wave and ice action until they can get established.

Ed Schmitt, a marine contractor who owns Trident Dock & Dredge, Inc. in Watervliet, is a member of MNSP who sees bioengineering as a viable alternative to rock riprap and vertical sea walls on low to moderate energy shorelines. Both Ed and his son, Matt, attended the Kalamazoo course and said it provided a balanced and technically sound approach to bioengineered shoreline erosion control. Schmitt said he regards “soft” shoreline erosion control techniques as a service he can offer to his customers to respond to the demand for green landscaping options.

MNSP has also assisted the DNRE in developing a new Bioengineering Minor Permit for low-energy sites on inland lakes. The DNRE plans to issue the new permit category in the next few months to enable property owners to obtain permits more quickly for soft shoreline projects. MNSP is also working on



Ford Lake demonstration project before construction (Top; MI photo Dave Kenyon), contractors working during construction (Middle; MI photo Dave Kenyon), and after construction was completed (Bottom; photo Rod Ginter, JFNew Inc.).

homeowner education materials and providing leadership to natural shoreline research and demonstration in Michigan.

The partnership plans to offer CNSP in 2011. Locations have yet to be determined. Shoreline property owners looking for more information about MNSP can go to the partnership's website at <http://www.michiganlakes.msue.msu.edu/MichiganNaturalShorelinePartnership.aspx>. Those looking to hire a Certified Natural Shoreline Professional should watch for the list on this same site after June 1.

For more information about the Michigan Natural Shoreline Partnership and its activities contact Jane Herbert at jherbert@msu.edu or John Skubinna at skubinnaj@michigan.gov

DEPARTMENTAL REPORTS

BUILDING DEPARTMENT MONTHLY REPORT - MAY, 2010												
Permit Type	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Building	60	35	76	86	101							
	\$ 9,412	\$ 8,480	\$ 11,744	\$ 12,686	\$ 15,529							
Electrical	19	19	35	28	26							
	\$ 1,440	\$ 1,680	\$ 2,355	\$ 2,610	\$ 1,935							
Mechanical	43	41	50	45	34							
	\$ 2,775	\$ 2,665	\$ 3,090	\$ 2,866	\$ 2,388							
Plumbing	34	41	43	32	21							
	\$ 1,875	\$ 2,745	\$ 2,595	\$ 2,430	\$ 1,350							
ZONING	0	0	7	21	29							
	\$ -	\$ -	\$ 315	\$ 990	\$ 1,305							
Sub Totals	156	136	211	212	211							
	\$ 15,502	\$ 15,570	\$ 20,099	\$ 21,582	\$ 22,507							
TOTAL YTD 2009					\$ 95,260							
PERMIT TYPE	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Building	25	48	68	78	87							
	\$15,046	\$16,548	\$ 14,999	\$10,672	\$9,300							
Electrical	17	30	36	23	28							
	\$1,485	\$ 2,490	\$ 2,580	\$1,710	\$2,115							
Mechanical	29	41	56	43	30							
	\$1,835	\$ 2,960	\$ 4,020	\$2,720	\$1,980							
Plumbing	25	25	34	14	48							
	\$2,010	\$ 1,440	\$ 2,700	\$1,125	\$2,970							
ZONING	1	0	9	13	10							
	\$ 45	\$ -	\$ 405	\$585	\$450							
Sub Totals	100	144	203	171	203							
	\$20,736	\$23,438	\$ 24,704	\$16,812	\$16,815							
TOTAL YTD					\$ 102,505							
INSPECTIONS	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Total 2010	292	220	361	366	379							
Total 2009	323	315	340	337	350							
Total 2008	460	352	326	432	432							
Total 2007	419	363	395	511	511							
Total 2006	595	449	638	628	628							
RENTAL INSPS	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Total 2010	214	170	139	216	223							
Total 2009	(Began tracking separate rental inspection totals Oct, 2009)											

YPSILANTI TOWNSHIP FIRE DEPARTMENT

MONTHLY REPORT

MAY 2010

Fire Department staffing levels are as follows:

1 Fire Chief	3 Shift Captains	3 Shift Lieutenants
24 Fire Fighters	1 Clerk III/Staff Support	

All fire department response personnel are licensed as emergency medical technicians by the State of Michigan Public Health. In May, four (4) fire fighters took advantage of the early retirement incentive approved by the township board. They included the Fire Marshal, one (1) lieutenant and two (2) fire fighters. Fire fighter Dave Crescio was promoted to the rank of lieutenant upon the retirement of Lt. Keith Wright.

During the month, the fire department responded to 352 requests for assistance. Of those requests, 213 were medical emergency service calls with the remaining 139 incidents classified as non-medical and or fire related.

Departmental Activities for the month of May 2010:

1. The Public Education Department participated in the following events:
 - a. Rawsonville Elementary School Career Day
 - b. Kaiser Elementary School Carnival (truck demonstration)
2. Infant car seat fitting open to public
3. Fire fighters attended four (4) neighborhood watch meetings
4. Fire fighters received training in the following areas:
 - a. Washtenaw County Hazmat training
 - b. Technical Rescue Training
 - c. Total Fitness Training Class
5. Chief Copeland and fire fighters attended the Masonic Temple's annual fire fighter appreciation day spaghetti dinner.

There were no injuries and no deaths reported this month for civilians.

There were no injuries and no deaths reported this month for fire fighters.

This month the total fire loss including vehicle fires is estimated at **\$399,200**. All occurred at the following locations:

DATE OF LOSS	ADDRESS	ESTIMATED LOSS
1) 5/1/10	835 Eugene	\$50,000
2) 5/9/10	620 Browning	\$1,500 (vehicle fire)
3) 5/9/10	7108 Stony Creek	\$280,000
4) 5/15/10	1572 Village	\$500 (dumpster fire)

Monthly Fire Report – May 2010
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5)	5/19/10	1690 E. Laurel Bay	\$8,000
6)	5/19/10	1698 E. Laurel Bay	\$8,000
7)	5/25/10	1104 S. Harris	\$500
8)	5/28/10	761 Holmes	\$700
9)	5/31/10	1351 Rue Deauville Blvd.	\$50,000

Respectfully submitted by,

Cheryl Lynn-Bruestle, Clerk
Charter Township of Ypsilanti Fire Department

Attachment: Fire House Incident Type Report (Summary) 5/1/10 – 5/31/10

Ypsilanti Township Fire Department

Incident Type Report (Summary)

Alarm Date Between {05/01/10} And {05/31/10}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
1 Fire				
100 Fire, Other	1	0.28%	\$0	0.00%
111 Building fire	4	1.14%	\$380,500	95.31%
113 Cooking fire, confined to container	4	1.14%	\$700	0.17%
131 Passenger vehicle fire	2	0.57%	\$1,500	0.37%
143 Grass fire	1	0.28%	\$0	0.00%
151 Outside rubbish, trash or waste fire	3	0.85%	\$0	0.00%
154 Dumpster or other outside trash receptacle fire	2	0.57%	\$500	0.12%
164 Outside mailbox fire	1	0.28%	\$0	0.00%
	18	5.11%	\$383,200	95.99%
2 Overpressure Rupture, Explosion, Overheat(no fire)				
251 Excessive heat, scorch burns with no ignition	3	0.85%	\$0	0.00%
	3	0.85%	\$0	0.00%
3 Rescue & Emergency Medical Service Incident				
300 Rescue, EMS incident, other	5	1.42%	\$0	0.00%
311 Medical assist, assist EMS crew	18	5.11%	\$0	0.00%
321 EMS call, excluding vehicle accident with injury	72	48.86%	\$0	0.00%
322 Motor vehicle accident with injuries	5	1.42%	\$0	0.00%
323 Motor vehicle/pedestrian accident (MV Ped)	2	0.57%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	7	1.99%	\$0	0.00%
331 Lock-in (if lock out , use 511)	1	0.28%	\$0	0.00%
381 Rescue or EMS standby	3	0.85%	\$0	0.00%
	213	60.51%	\$0	0.00%
4 Hazardous Condition (No Fire)				
400 Hazardous condition, Other	1	0.28%	\$0	0.00%
440 Electrical wiring/equipment problem, Other	1	0.28%	\$0	0.00%
444 Power line down	5	1.42%	\$0	0.00%
445 Arcing, shorted electrical equipment	3	0.85%	\$16,000	4.00%
463 Vehicle accident, general cleanup	3	0.85%	\$0	0.00%
	13	3.69%	\$16,000	4.00%
5 Service Call				
500 Service Call, other	1	0.28%	\$0	0.00%
510 Person in distress, Other	1	0.28%	\$0	0.00%
511 Lock-out	1	0.28%	\$0	0.00%

Ypsilanti Township Fire Department

Incident Type Report (Summary)

Alarm Date Between {05/01/10} And {05/31/10}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
5 Service Call				
522 Water or steam leak	1	0.28%	\$0	0.00%
531 Smoke or odor removal	5	1.42%	\$0	0.00%
550 Public service assistance, Other	1	0.28%	\$0	0.00%
551 Assist police or other governmental agency	2	0.57%	\$0	0.00%
552 Police matter	1	0.28%	\$0	0.00%
554 Assist invalid	2	0.57%	\$0	0.00%
561 Unauthorized burning	6	1.70%	\$0	0.00%
	21	5.97%	\$0	0.00%
6 Good Intent Call				
600 Good intent call, Other	4	1.14%	\$0	0.00%
611 Dispatched & cancelled en route	38	10.80%	\$0	0.00%
622 No Incident found on arrival at dispatch address	3	0.85%	\$0	0.00%
631 Authorized controlled burning	2	0.57%	\$0	0.00%
671 HazMat release investigation w/no HazMat	1	0.28%	\$0	0.00%
	48	13.64%	\$0	0.00%
7 False Alarm & False Call				
700 False alarm or false call, Other	3	0.85%	\$0	0.00%
730 System malfunction, Other	1	0.28%	\$0	0.00%
733 Smoke detector activation due to malfunction	5	1.42%	\$0	0.00%
735 Alarm system sounded due to malfunction	1	0.28%	\$0	0.00%
736 CO detector activation due to malfunction	1	0.28%	\$0	0.00%
743 Smoke detector activation, no fire - unintentional	9	2.56%	\$0	0.00%
744 Detector activation, no fire - unintentional	12	3.41%	\$0	0.00%
745 Alarm system activation, no fire - unintentional	3	0.85%	\$0	0.00%
746 Carbon monoxide detector activation, no CO	1	0.28%	\$0	0.00%
	36	10.23%	\$0	0.00%

Total Incident Count: 352

Total Est Loss:

\$399,200

CHARTER TOWNSHIP OF YPSILANTI

GREEN OAKS GOLF COURSE

MAINTENANCE DEPARTMENT

REPORT FOR THE MONTH OF MAY, 2010

The month of May ended with a record rainfall.

We were still able to keep up with the mowing and trimming despite the grass growing so quickly.

The cups on the greens were changed five times a week.

Greens are mowed daily at below 1/8 of an inch. The greens are also rolled daily to help smooth and speed up the greens.

Tees and fairways are mowed three times a week.

All greens were verticut to smooth and remove thatch.

Flowers were all planted in each tee box and around clubhouse area.

The clubhouse area was mowed, trimmed and cleaned as needed.

Deep Roots aerified all the greens.

IRRIGATION REPAIRS

There were only three broken heads and swing joints . Bob Edwards was able to repair them all.

EQUIPMENT REPAIRS

Greens mower needed new brushes.

Tee mower had a broken blade.

Push mowers and trimmers were all checked out for the season.

Fairway mower had a broken reel pivot arm.

Carry-All had steering problems.

Groundsmanager needed a deck spindle.

Groundsmanager needed a new bearing.

Groundsmanager had broken blade replaced.

Sand Pro had tines replaced.

Toro Workman had linkage problems.

Tee mower had leaking oil seal replaced.

Bob Edwards was able to repair most of the equipment. There were numerous repairs to be done. Most of the equipment is aging and may have to be replaced soon.

Thank you

Tim Smith, Superintendent

WORK SESSION AGENDA
CHARTER TOWNSHIP OF YPSILANTI
TUESDAY, JUNE 15, 2010

**** PLEASE NOTE START TIME ****

6:00 P.M.

**CIVIC CENTER
BOARD ROOM
7200 S. HURON RIVER DRIVE**

1. REVIEW AGENDA
2. OTHER DISCUSSION

REVIEW AGENDA

- A. SUPERVISOR STUMBO WILL REVIEW BOARD MEETING AGENDA

OTHER DISCUSSION

- A. BOARD MEMBERS HAVE THE OPPORTUNITY TO DISCUSS ANY OTHER PERTINENT ISSUES

NEW BUSINESS

1. BUDGET AMENDMENT #7
2. REQUEST TO RELEASE ESCROW FUNDS, IN THE SUM OF \$7,860 FOR 789 DORSET RECEIVED FROM FOREMOST INSURANCE ON MAY3, 2010 PER THE REQUIREMENTS OF MCL 500.2845
3. REQUEST OF ASIA CITY RESTAURANT LOCATED AT 2905 WASHTENAW TO AMEND CLASS C LIQUOR LICENSE TO PROVIDE SUNDAY ALCOHOL SALES AND OFFICIAL FOOD PERMITS
4. 1ST READING RESOLUTION NO. 2010-12, PROPOSED ORDINANCE NO. 2010-406, AMENDING ORDINANCE NO. 2001-280 – SEWER USE ORDINANCE
5. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IF NECESSARY, IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 7502 WARWICK
6. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IF NECESSARY, IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 599 E. GRAND BLVD.
7. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IF NECESSARY, IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 740 DORSET
8. 2010 PRELIMINARY TAX RATE

OTHER BUSINESS

AUTHORIZATIONS AND BIDS

1. REQUEST OF THE CIVIL SERVICE COMMISSION TO SELECT, IN CONJUNCTION WITH THE THREE FULL-TIME OFFICIALS AND FIRE CHIEF, THE LOWEST, MOST QUALIFIED BIDDER TO ADMINISTER THE CAPTAIN AND LIEUTENANT PROMOTIONAL TEST AND FIRE MARSHAL TEST.
2. REQUEST OF RON FULTON, BUILDING DIRECTOR TO AWARD BID FOR THE DEMOLITION OF 2158 WOODALE TO THE LOWEST, MOST QUALIFIED BIDDER.

STATEMENTS AND CHECKS

- A. JUNE 1, 2010
- B. JUNE 15, 2010

RESOLUTION 2010-11

WHEREAS, on September 19, 1978, the Ypsilanti Township Board established an Industrial Development District pursuant to Public Act 198, Act of 1974; and

WHEREAS, on April 29, 2010, *Integrated Sensing Systems Inc.* submitted an application for an Industrial Facilities Exemption Certificate regarding property within the Industrial Development District; and

WHEREAS, said application is as provided in Section 5(1) of said Act 198 and filed in the form and manner prescribed by the State Tax Commission; and

WHEREAS, all provisions of Section 9(1) of said Act 198 are complied with by said application and other matters investigated and considered by this Board; and

WHEREAS, the legislative body of each governmental unit which levies ad valorem taxes on said property has been afforded an opportunity to be heard on this matter at a public hearing held on the 15th day of June, 2010; and

WHEREAS, this Board approves the purpose behind the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, said Act 198 has been amended to allow local governments to enter into written agreements approving applications for Industrial Facilities Exemption Certificates; and

WHEREAS, the Industrial Facilities Exemption Certificate in an amount exceeding the 5% limitation found in Section 9(1) of Act 198 shall not have the effect when considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force of substantially impeding the operation of local government or impairing the financial soundness of any unit of local government or any affected taxing unit.

NOW THEREFORE,

BE IT RESOLVED AS FOLLOWS:

1. The Ypsilanti Township Board approves the application of **Integrated Sensing Systems Inc.** for an Industrial Facilities Exemption Certificate in the amount of **\$965,700** for the 10 year period, as requested, on the condition that **Integrated Sensing Systems Inc.** enter into a written agreement with the Township, subject to approval by the Township attorney, that will insure that the objectives of Act 198 are met as it pertains to retention/creation of jobs, and furthermore provide 100% reimbursement to the taxing units affected by said abatement of all tax dollars saved as a

result of said abatement if, for any reason, during the time period approved for said abatement, the tax abatement certificate is revoked, canceled or relinquished.

2. The Board finds that this Industrial Facilities Exemption Certificate, together with the aggregate amount of industrial facilities exemption certificates previously granted and currently in force in an amount exceeding the 5% limitation found in Section 9(1) of Act 198, shall not have the effect of substantially impeding the operation of the Charter Township of Ypsilanti or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the Charter Township of Ypsilanti in which the facility is located.

3. The Township Clerk is hereby directed to forward a copy of the application of ***Integrated Sensing Systems Inc.*** for the Industrial Facilities Exemption Certificate, together with a true copy of this Resolution approving same, to the State Tax Commission of the State of Michigan for appropriate action.

AGREEMENT BETWEEN
THE CHARTER TOWNSHIP OF YPSILANTI
AND INTEGRATED SENSING SYSTEMS, INC.

This Agreement (“*Agreement*”) is entered into this ___ day of June, 2010, between the **CHARTER TOWNSHIP OF YPSILANTI** (“*Township*”), a Michigan municipal corporation, whose address is 7200 South Huron River Drive, Ypsilanti, Michigan 48197-7099, and **INTEGRATED SENSING SYSTEMS, INC.** (“*ISSYS*”), a duly authorized corporation incorporated under the laws of the State of Michigan, whose address is 391 Airport Industrial Drive, Ypsilanti, Michigan 48198, through their undersigned authorized representatives.

Definitions: As used in this *Agreement*, the term “*Township*” shall mean the **CHARTER TOWNSHIP OF YPSILANTI**; the term “*ISSYS*” shall mean **INTEGRATED SENSING SYSTEMS, INC.**; the term “*Certificate*” shall mean the Industrial Facilities Exemption Certificate pursuant to Act 198 of 1974, as amended; the term “*Facility*” shall mean the facility located at 391 Airport Industrial Drive, Ypsilanti Township, Washtenaw County, Michigan 48198; the term “*Act*” shall mean Act 198 of 1974, as amended; and the term “*Application*” shall mean Application for Industrial Facilities Exemption Certificate.

WHEREAS, ISSYS has requested, and following a public hearing on June 15, 2010, the **Township** adopted a resolution approving a **Certificate** pursuant to Act 198 of 1974, as amended; for the **Facility** located at 391 Airport Industrial Drive, Ypsilanti Township, Washtenaw County, Michigan 48198, for a period of ten (10) years.

WHEREFORE, the parties hereto agree as follows:

1. **Real and Personal Property Improvements.** **ISSYS** will make the “**Real Property Improvements**,” as well as purchase and install the “**Personal Property**” set forth in the **Application** (a copy of which is attached hereto, labeled **Exhibit A**) within two (2) years of the approval date of the certificate. **ISSYS** shall also attach a copy of the legal description (labeled **Exhibit B**) for the real property which is the subject of this **Agreement**.

2. **Reimbursement of Abated Taxes to the Township and Other Taxing Units.** In the event that **ISSYS** revokes, cancels or relinquishes the **Certificate** prior to the end of the term of the **Certificate** as approved by the State Tax Commission, or in the event that **ISSYS** relocates its **Facility** located at 391 Airport Industrial Drive, Ypsilanti Township, Washtenaw County, Michigan, outside of the **Township** prior to the end of the term of the **Certificate** and such revocation, cancellation, relinquishment or relocation is effectuated without either

(a) the consent of the **Township**, or (b) the approval of the **Township** of a transfer of the **Certificate** by **ISSYS** to a new owner or lessee of the **Facility**, then in such event, **ISSYS** shall be obligated to reimburse the **Township** and all other taxing units affected by said abatement, an amount equal to 100% of the amount of property taxes abated pursuant to the issuance of the **Certificate**.

The reimbursement shall be immediately payable in full by **ISSYS** within 30 days upon receipt of an invoice and demand for reimbursement from the **Township** on behalf of itself and all other taxing units affected by said abatement.

If for any reason **ISSYS** fails to pay the amount of the invoice for abated taxes to the taxing units affected thereby within 30 days of the date of said invoice, **ISSYS** shall be responsible for any additional costs incurred by the **Township** in seeking recovery of said abated taxes, including, but not limited to administrative fees, court costs and actual attorney fees incurred.

3. **Responsibilities of Integrated Sensing Systems Inc.** If prior to the end of the term of the **Certificate** as issued by the State Tax Commission **ISSYS** chooses to vacate the **Facility**, **ISSYS** agrees to be responsible for the following:

A. **ISSYS** agrees to the cleanup of any environmental contamination which was caused by **ISSYS**, its employees or agents

acting within the scope of their agency, which cleanup shall include, but not be limited to, demolition of obsolete property.

B. **ISSYS** shall, if requested by the **Township**, post a surety bond in an amount equal to the unpaid amounts anticipated to be due from **ISSYS** under this **Agreement** as a result of **ISSYS** vacating the **Facility** prior to the term for which the **Certificate** was approved by the State Tax Commission, including, but not limited to, any reasonable cleanup or maintenance costs under this paragraph, including any appropriate administrative fees charged thereto.

C. **ISSYS** shall, during the time period in which this **Certificate** is in effect, prior to filing any petition with the Michigan Tax Tribunal seeking a reduction in the assessment of either real and/or personal property (which property is covered by the **Certificate** herein) shall request a meeting with the Township's full time administrative officials and the Township Assessor in a good faith effort to resolve any dispute, which meeting shall constitute a condition precedent to the filing of a petition in the Michigan Tax Tribunal. It is further agreed by the parties that in the event **ISSYS requests** a meeting with the Township to discuss real and/or personal property tax disputes, a meeting shall be held by the parties within 45 days of **ISSYS** making said request.

It is furthermore agreed by the parties that in the event the parties are not successful in resolving the real and/or personal property tax dispute, **ISSYS** shall pay prior to filing a petition with the Michigan Tax Tribunal the real and/or personal property taxes in dispute pending a final decision from the Michigan Tax Tribunal.

4. **Compliance with Applicable Laws and Regulations.** **ISSYS** agrees that it will operate the **Facility** in accordance with all applicable federal, state and local laws and regulations, including, but not limited to, zoning, outside storage, industrial waste disposal, air and water quality, noise control and other environmental regulations.

5. **State Education Tax.** **ISSYS** agrees that during the duration of this **Certificate** as approved by the State Tax Commission that it will not seek an abatement of the State Education Tax pursuant to Public Act 1993, effective March 15, 1994, entitled "**State Education Tax Act**", MCL 211.901 et seq.

6. **Administration Fee.** **ISSYS** agrees to remit to the **Township** during the duration of the **Certificate** as approved by the State Tax Commission the administrative fee provided in section 11(1) of Public Act 198 of 1974, MCL 207.561(1), as amended.

7. **Reporting.** **ISSYS** shall provide in a timely manner, all reports or other information required to be provided to the **Township** pursuant to the **Act**, and such supplemental information as may be reasonably requested by the **Township** in connection therewith, including, but not limited to the following:

A. Balance sheets which list the assets (both current and fixed), liabilities and net worth;

B. Detailed reports which verify all machinery and equipment, furniture, fixtures and special tools from the general ledger.

C. List of locations and their numbers as reflected on your trial balance.

D. Financial statements (Detailed Balance Sheet, Detailed Income Statement with footnotes).

E. Lease agreements in effect for all personal property.

F. Detailed Trial Balance which reflects ending balances for the audit locations.

G. Invoices as selected.

H. General Ledger.

I. Copy of Michigan Single Business Tax Return with supporting schedules.

J. Complete copy of Corporate Federal Income Tax returns including Depreciation Schedules and Attachments.

K. Any other document deemed necessary for completion of a complete audit of all personal property.

8. **Initial Status Report.** **ISSYS** will submit to the **Township Clerk**, not later than January 10th of the second year **ISSYS** occupies the **Facility** , an Initial Status Report, in a form requested by the **Township**, which shall indicate the actual project cost, the estimated project cost, the number of jobs created and projected to be created within the time period described in paragraph 1 of said **Agreement** with an explanation of any variations from what was set forth in the **Application** and the actual costs or actual employment levels achieved.

9. **Annual Status Report.** **ISSYS** further agrees to submit not later than December 31st of each year, beginning one year after submission of the Initial Status Report required by Paragraph 10, an Annual Status Report regarding status of employment in a form requested by the **Township**. If employment has not equaled or exceeded the numbers set forth in the **Application**, an explanation for this variance shall be provided by **ISSYS**.

10. **Fulfillment of Obligations.** In the event that **ISSYS** occupies the **Facility** for the full term of the **Certificate** as approved by the State Tax Commission or in the alternative **ISSYS** obtains either (a) the consent of the

Township to relocate its operation prior to the end of the term of the **Certificate**, or (b) the approval of the **Township** to transfer the **Certificate** to a new owner or lessee of the **Facility**, then **ISSYS** shall be considered to have fulfilled any and all of its obligations to the **Township** pursuant to the **Certificate** and this **Agreement**. Notwithstanding anything else in this **Agreement**, in the event **ISSYS** does not occupy the **Facility** or does not receive any tax abatement pursuant to this **Agreement**, **ISSYS** will not be liable for any costs, damages, fees or other amounts or payments of any kind under this **Agreement**.

11. **Corporate Authority**. The execution, delivery and performance by **ISSYS** of this **Agreement** has been duly authorized by all necessary corporation action and will not violate its articles of the corporation or its by-laws.

12. **Binding Agreement**. When executed by **Township** and **ISSYS**, this **Agreement** shall be a valid and binding obligation of **ISSYS** and shall be enforceable against the parties in accordance with its terms herein.

13. **Notices**. Any notice required or permitted to be given or served upon any party hereto in connection with this **Agreement** shall be deemed to be completed and legally sufficient when:

A. Personally delivered with written acknowledgment of receipt; or,

- B. Deposited with an expedited mail service company for delivery on the next business day; or,
- C. Sent by telegram; or,
- D. By facsimile transmission; or,
- E. On the next business day after the date when deposited in the United States Mail, certified, return receipt requested, postage pre-paid, addressed as follows:

If to the **Township**: Charter Township of Ypsilanti
7200 S. Huron River Drive
Ypsilanti, MI 48197
ATTN: Karen Lovejoy Roe, Twp. Clerk
and/or her successor

If to **ISSYS**: Nader Najafi, President
Integrated Sensing Systems Inc.
391 Airport Industrial Dr.
Ypsilanti, MI 48198

14. **Entire Agreement and Amendment.** Subject to the provisions of the Act, this **Agreement** and the Exhibits attached thereto contain the entire agreement between the **Township** and **ISSYS with** respect to the matters described herein. This **Agreement** may not be amended, except with the written consent of the **Township** and **ISSYS and** approval by the State Tax Commission.

15. **Captions.** The captions in this **Agreement** are for convenience only and in no way define, limit or describe the scope of intent of any provisions or sections of this **Agreement**.

16. **Interpretation.** This **Agreement** shall be governed by and interpreted in accordance with the laws of the State of Michigan.

17. **Acceptance.** The terms of this **Agreement** are hereby accepted this _____ day of _____, 2010.

18. It is the intent of the parties that this **Agreement** shall be filed and recorded with the Washtenaw County Register of Deeds.

CHARTER TOWNSHIP OF YPSILANTI

Brenda L. Stumbo, Supervisor

Karen Lovejoy Roe, Township Clerk

INTEGRATED SENSING SYSTEMS, INC.

By: Nader Najafi
Its: President

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) Integrated Sensing Systems, Inc.		▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3674	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 391 Airport Industrial Drive, Ypsilanti, MI 48198		▶ 1d. City/Township/Village (indicate which) Ypsilanti Township	▶ 1e. County Washtenaw
▶ 2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		▶ 3a. School District where facility is located Willow Run	▶ 3b. School Code 81150
		▶ 4. Amount of years requested for exemption (1-12 Years) 10	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Integrated Sensing Systems manufactures MEMS-based sensors and measuring devices. Recent increased demand for our products requires expansion and additional clean-room build-out.

6a. Cost of land and building improvements (excluding cost of land)	▶ \$94,158.00
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures	▶ \$871,542.00
* Attach itemized listing with month, day and year of beginning of installation, plus total	Personal Property Costs
6c. Total Project Costs	▶ \$965,700.00
* Round Costs to Nearest Dollar	Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>		
Real Property Improvements ▶	10/30/09	10/30/11	▶ <input checked="" type="checkbox"/> Owned	<input type="checkbox"/> Leased
Personal Property Improvements ▶	10/30/09	10/30/11	▶ <input checked="" type="checkbox"/> Owned	<input type="checkbox"/> Leased

▶ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. **33** ▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. **5**

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)	_____
b. TV of Personal Property (excluding inventory)	_____
e. Total TV	_____

▶ 12a. Check the type of District the facility is located in:

Industrial Development District Plant Rehabilitation District

▶ 12b. Date district was established by local government unit (contact local unit) ▶ 12c. Is this application for a speculative building (Sec. 3(8))?
 Yes No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Donna Shirilla	13b. Telephone Number (734) 821-0077	13c. Fax Number (734) 761-9062	13d. E-mail Address donna@annarborusa.org
14a. Name of Contact Person Homa Najafi	14b. Telephone Number (734) 547-9896	14c. Fax Number (734) 547-9964	14d. E-mail Address homa@mems-issys.com
▶ 15a. Name of Company Officer (No Authorized Agents) Nader Najafi			
15b. Signature of Company Officer (No Authorized Agents) <i>Nader Najafi</i>		15c. Fax Number (734) 547-9964	15d. Date 4/29/10
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 391 Airport Industrial Drive, Ypsilanti MI 48198		15f. Telephone Number (734) 547-9896	15g. E-mail Address nader@mems-issys.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for ____ Yrs Real (1-12), ____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	16d. School Code
16c. LUCI Code	▶ 18. Date of Resolution Approving/Denying this Application
17. Name of Local Government Body	

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Legal Description

391 Airport Industrial, Ypsilanti Township, Mich.

K-11-11-100-018

COMM AT THE NE CORNER OF SEC 11, TH S 88-57-8 W 1320.85 FT, TH S 1-32-17 E 353.74 FT FOR A POB, TH S 1-32-17 E 412 FT, TH S 88-27-43 W 200 FT, TH S 1-32-17 E 781.84 FT, TH S 36-22-00 W 558.95 FT, TH S 49-35-38 W 218.52 FT, TH S 36-22-00 W 80 FT, TH S 23-8-22 W 218.52 FT, TH N 1-32-17 W 1701.68 FT, TH N 88-27-43 E 324.91 FT, TH N 1-32-17 W 332 FT, TH N 88-27-43 E 529 FT TO THE POB CONTAINING 23.30 +/- AC SUBJECT TO INGRESS AND EGRESS EASEMENT T3S R7E WASHTEAW COUNTY

Tax Abatement Info For Integrated Sensing Systems, Inc.

NEW MACHINERY AND EQUIPMENT

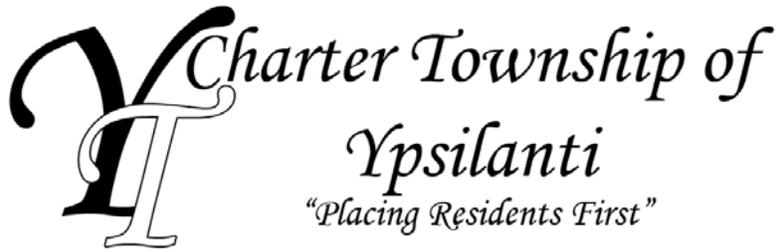
Item	Qty	Total Cost	Purchase Date
LG 19" Monitor	1	\$ 120	3/1/2010
Dell Optiplex Desktop	1	\$ 280	3/1/2010
Samsung Laser Printer	1	\$ 180	3/1/2010
HP Compaq Desktop	3	\$ 660	3/1/2010
Dell Latitude Desktop	1	\$ 330	3/1/2010
i-inc 19" Widescreen Monitor	3	\$ 330	3/1/2010
STS DRIE	1	\$ 775,000	1/20/2010
calibration system	1	\$ 3,000	TBD
18" Air Knife	1	\$ 100	1/21/2010
LED Power Supply	1	\$ 404	
Scope	1	\$ 12,500	3/16/2010
Temp Chambers	4	\$ 8,000	TBD
Wedge Wire Bonder	1	\$ 23,425	1/21/2010
ESD Microscope	1	\$ 1,863	1/21/2010
Temp Controller	1	\$ 608	1/21/2010
Furnace Workholder	1	\$ 1,334	1/21/2010
Assembly Kit	1	\$ 629	1/21/2010
Dell Opti MiniTower Desktop	1	\$ 807	11/2/2009
Toshiba Laptop	1	\$ 977	1/4/2010
Toshiba docking station	1	\$ 183	1/4/2010
Acer Laptop	1	\$ 708	11/20/2009
HP Desktop	1	\$ 652	11/20/2009
Viewsonic Monitors	2	\$ 251	11/20/2009
Pick and Place	1	\$ 800	10/30/2009
ESD Simulator	1	\$ 2,777	11/23/2009
SMT Soldering Paste Stencil Printer	1	\$ 109	1/13/2010
USB Digital Microscope	1	\$ 55	2/3/2010
CNC Mill	1	\$ 12,500	3/8/2010
Motion control Touchscreen	1	\$ 1,500	3/8/2010
Integrated Motion Controller	1	\$ 500	3/8/2010
Agilent Multi Meters	6	\$ 2,964	2/23/2010
Camera with flat screen Monitors	1	\$ 3,197	1/21/2010
Machine Leveling Mount Kit	1	\$ 150	3/8/2010
CNC Mill	1	\$ 14,650	3/25/2010
TOTAL EQUIPMENT			\$ 871,542

COST OF CONSTRUCTION

Structural	32,378
Electrical	28,298
Mechanical	33,482
TOTAL CONSTRUCTION	\$94,158

TOTAL CONSTRUCTION AND EQUIPMENT \$ **965,700**

Supervisor
BRENDA L. STUMBO
Clerk
KAREN LOVEJOY ROE
Treasurer
LARRY J. DOE
Trustees
JEAN HALL CURRIE
STAN ELDRIDGE
MIKE MARTIN
DEE SIZEMORE



Clerk's Office

7200 S. Huron River Drive
Ypsilanti, MI 48197
Phone: (734) 484-4700
Fax: (734) 484-5156
www.twp.ypsilanti.mi.us

MEMORANDUM

To: Wm. Douglas Winters, Attorney

From: Karen Lovejoy Roe, Clerk

Date: May 19, 2010

Subject: **Application for Industrial Facilities Exemption Certificate –
Integrated Sensing Systems, Inc.
391 Airport Industrial Drive
Ypsilanti, MI 48198**

At the Regular Meeting held on May 18, 2010, the Charter Township of Ypsilanti Board of Trustees set a public hearing date of June 15, 2010 at approximately 7:00 p.m. to consider the request of Integrated Sensing Systems, Inc. for an Industrial Facilities Exemption Certificate.

Attached is the IFT application and corresponding information. Please prepare an agreement and resolution for the June 15, 2010 board meeting using Resolution No. 2010-11. It would be appreciated if I could have the agreement and resolution by Monday, June 7, 2010.

If you have any questions, please contact my office.

nkW

cc: File

McLAIN & WINTERS

ATTORNEYS AND COUNSELORS AT LAW

61 N. HURON
YPSILANTI, MICHIGAN 48197
(734) 481-1120

DENNIS O. McLAIN
WM. DOUGLAS WINTERS
ANGELA B. KING

FAX (734) 481-8909
[E-MAIL: mcwinlaw@gmail.com](mailto:mcwinlaw@gmail.com)

May 28, 2010

Nader Najafi
nader@mems-issys.com

Homa Najafi
homa@mems-issys.com

Re: 1. **Resolution 2010-11**
 2. **Agreement Between the Charter Township of Ypsilanti
 and Integrated Sensing Systems Inc.**

Gentlemen:

As I am sure your file reflects, on Thursday, **April 29, 2010**, the Charter Township of Ypsilanti received the **Application for Industrial Facilities Tax Exemption Certificate (Application)** signed by President Nader Najafi on behalf of **Integrated Sensing Systems Inc.** This **Application** seeks a 10 year tax abatement in the amount of **\$965,700**, of which **\$871,542** is for the purchase and installation of personal property.

I have attached for your review a copy of **Resolution 2010-11** that will be considered by the Ypsilanti Township Board of Trustees at its regular meeting scheduled for Tuesday, **June 15, 2010**, along with the **Tax Abatement Agreement** which will need to be executed by both parties in the event said **Resolution** is approved by the Board. Once you have had an opportunity to review these attachments, if you have any questions or I can be of further assistance, please contact me.

On behalf of the Charter Township of Ypsilanti, we certainly look forward to **Integrated Sensing Systems Inc.** continuing as part of the Township's business community and certainly wish you continued success in all of your endeavors.

Very truly yours,



Wm. Douglas Winters
Ypsilanti Township Attorney

rsk
enclosures

cc: Township Board
 Linda Gosselin
 Dan Dzierbicki
 Donna Shirilla (donna@annarborusa.org)

PUBLIC NOTICE

The Board of Trustees of the Charter Township of Ypsilanti, Washtenaw County, Michigan, will hold a public hearing at 7200 S. Huron River Drive, Ypsilanti Township on June 15, 2010 at approximately 7:00 p.m. on the application of Integrated Sensing Systems, Inc. (ISSYS, Inc.), 391 Airport Industrial Drive Ypsilanti, MI 48198, to consider the application for an industrial facilities exemption certificate pursuant to the authority granted by P.A. 198 acts of 1974. Project for which exemption is sought is as follows: renovation of manufacturing space and additional clean-room build-out for the development and manufacturing MEMS-based sensors and measuring devices. The application and related information are on file in the Ypsilanti Township Clerk's Office for public examination.

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

The Charter Township of Ypsilanti will provide necessary reasonable auxiliary aids and services to individuals with disabilities such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting upon 10 days notice. Individuals requiring assistance should contact Karen Lovejoy Roe, Clerk, Charter Township of Ypsilanti, 7200 S. Huron River Drive, Ypsilanti, MI 48197, phone (734) 484-4700, fax (734) 484-5156 or e-mail klovejoyroe@ytown.org.

Published: Thursday, May 27, 2010

Proposed Ordinance No. 2010-407

The Charter Township of Ypsilanti *ordains* that the Charter Township Code of Ordinances is amended as follows:

Mobile Home Community Rental Inspection Ordinance

Section 1. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

Certificate of Compliance means a certificate issued by the Township Community and Economic Development Department indicating that the mobile home identified on the certificate is in compliance with this article and other applicable Township Ordinances. The certificate shall show the name and address of the mobile home owner and the expiration date. It shall be valid unless suspended by the department upon a subsequent reinspection disclosing violations, until its expiration date.

Temporary Certificate of Compliance means a certificate issued for a mobile home, following an inspection, which is found to be in substantial compliance with the Code and which, in the opinion of the building official, has no life-, health-, or safety-threatening violations. Such certificate shall state any remaining violations to be corrected and the date it expires. A reasonable extension may be granted at the discretion of the department. Failure by the owner to correct the violations within the specified time shall constitute a violation of this article.

Code means the Property Maintenance Code of Ypsilanti Charter Township.

Department means the Community and Economic Development Department of the Township.

Mobile Home means a structure, transportable in one or more sections, which is built on a chassis and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.

Landlord means the owner, lessor, or sublessor of a mobile home, or his agent, or any person authorized to manage the premises or to receive rent from a tenant under a rental agreement.

Owner means a person having an interest in a mobile home.

Owner's Agent means any employee, or any person with implied consent or apparent authority, or acting under color of authority, of the landlord, housing cooperative board or other controlling entity.

Rental Agreement means any agreement or lease, written or oral, which establishes or modifies the terms, conditions, rules, regulations or any other provisions concerning the use and occupancy of a mobile home.

Tenant means the person entitled under a rental agreement to the use and occupancy of a mobile home.

Section 2. *Registry of owners and premises.*

- (a) All persons owning a mobile home which is subject to a rental agreement shall register with the department within 60 days after the effective date of the ordinance from which this article is derived. Owners of new mobile homes which are subject to rental agreements shall register prior to the date of issuance of the first certificate of occupancy. The registration shall indicate their name, physical and mailing address, date of birth, telephone number and the address of the mobile home within the township owned by such persons which are rented in whole or in part, including the number and type of each unit in the structure.
- (b) If the mobile home is managed or operated by an agent, the owner shall supply the agent's name, address, telephone number and the name of that person's representative, and a statement that the agent is authorized to receive notices and process under this article.
- (c) If the owner is a corporation, the names, addresses and telephone numbers of its officers shall be listed as shall the name, address and telephone number of the registered agent along with the state registration number. If the corporation is controlled in whole or in part by another corporation, the same information shall be provided for the other corporation.
- (d) Any change in the name or address of the owner or the owner's agent, or in any other information required in this section shall be reported to the department within 15 days.
- (e) Owners of mobile homes who permit persons to occupy a mobile home are exempt from the provisions of this article provided:

- (1) No compensation is received by the owners for the use and occupancy of the mobile home by non-owners.
- (2) The owner pays the personal property taxes and if applicable, homeowners insurance, for the mobile home used and occupied by non-owners.
- (3) The owner signs an affidavit attesting under oath that:
 - a. No compensation is received for the use and occupancy of the mobile home;
 - b. The personal property taxes and if applicable, homeowners insurance, are paid by the mobile home owner;
 - c. The exemption automatically terminates when the owner receives compensation for the use and occupancy of the mobile home or the personal property taxes and/or homeowners insurance are paid by a non-owner.

Section 3. Certificate of compliance required.

- (a) The department shall provide for the systematic inspection of all mobile homes which are subject to rental agreements in the township for the purposes of determining whether such mobile homes are in compliance with the code and this article. Those mobile homes that are in compliance shall be issued a certificate of compliance.
- (b) The department shall schedule initial inspections, at its discretion, of mobile homes which are subject to rental agreements to determine if the units qualify for a certificate of compliance. The owner of the mobile home shall receive not less than 30 days' prior notice of the department's intent to inspect the mobile home. The owner shall provide to the tenant a minimum of 72 hours written notice of the township's intent to inspect the mobile home. After the initial phase-in period, all mobile homes which are subject to rental agreements will be required to be inspected at not less than 30 month intervals, or at the reasonable discretion of the building official.
- (c) No person, either the owner or the owner's agent, shall rent or lease mobile homes after the initial inspection, to any tenant, unless that owner or agent has first obtained a valid certificate of compliance from the department covering that mobile home. For new mobile homes the original certificate of occupancy shall serve as the certificate of compliance for a period of 30 months.

- (d) The department shall advise the landlord and tenant that either has the right to refuse entry for purposes of inspection unless a search warrant is first obtained. If entry is refused, the department shall apply to the appropriate judicial officer for a search warrant and shall not inspect until a valid search warrant is obtained. Inspections shall be limited to only the areas necessary to ascertain compliance with the Code.
- (e) An owner or owner's agent who is provided, during an inspection of a mobile home, with written notice of a Code violation or violations, shall correct the code violations within the period specified in the notice of violations.

Section 4. Issuance of certificate of compliance.

- (a) A certificate of compliance shall not be issued until all required inspection and reinspection fees have been paid in full.
- (b) A certificate of compliance shall be issued on the condition that the mobile home remains in compliance with the Code. If upon valid complaint the department determines that violations exist, the full certificate may be suspended as to the affected areas, and the areas may be ordered vacated until the mobile home is brought into compliance.

Section 5. Right to examine certificate of compliance, registry of certificate holders.

- (a) The owners or the owner's agent shall provide a copy of a valid certificate of compliance to the tenant or prospective tenant at the tenant's request.
- (b) The department shall maintain a registry of all mobile homes that have obtained valid certificates. Such registry shall be available for public inspection.

Section 6. Expiration of certificate of compliance.

Certificates of compliance shall be valid for a minimum of 30 months or longer at the reasonable discretion of the building official, after the date of issuance unless suspended by the department. The date of issuance and expiration shall be recorded on the certificate. It is the duty of the owner of the mobile home to arrange for the inspection necessary for the renewal of the certificate at least 30 days prior to its expiration.

Section 7. Transfer of certificate of compliance.

Certificates of compliance shall be transferable when the ownership of a mobile home changes provided that a valid certificate of compliance is in effect for each mobile home the

owner intends to rent or lease. It shall be the duty of the new owner to register with the department consistent with section 2.

Section 8. *Scope of inspection authority.*

Nothing in this article shall be construed to restrict the lawful authority of the department to inspect any units in the Township more frequently than such periodic inspection as outlined in this article.

Section 9. *Fees.*

- (a) *Fee schedule.* The township board shall, by resolution, establish the fees to be charged by the department in the discharge of its duties pursuant to this article and reinspections required by this article. Fees adopted by resolution, unless otherwise provided for in the resolution, shall be effective upon publication in a newspaper having general circulation in the township.
- (b) *Applicable fees.* The following fees are applicable:
 - 1. *Initial inspection/registration.* The fee for the inspection of each mobile home that has not previously received a certificate of compliance or for which the certificate has been expired for 12 months or longer.
 - 2. *Reinspection.* Inspections required subsequent to an initial or renewal inspection, or a tenant complaint, for the purpose of determining that violations have been corrected.
 - 3. *Broken appointments.* Broken appointments shall be defined as situations where the owner or agent fails to honor an appointment scheduled by the department, or the owner or agent fails to provide proper notification to the tenant, and the tenant refuses to allow the inspection. Cancellation of the appointment shall not occur less than 4 business days prior to the scheduled appointment. Broken appointment fees may be waived at the discretion of the department upon showing of good cause.
 - 4. *Renewal inspections.* Inspections for the purpose of renewing a certificate of compliance if the unit complies with the Code and the certificate is renewed after one inspection.
 - 5. *Tenant complaints.* The department shall make an initial inspection after receiving a written complaint from the tenant. If a violation is found and reinspection is required, the owners shall be billed for all required inspections.

6. *Search warrants.* An additional charge shall be assessed over and above any inspection charges for each unit for which a search warrant is issued by the court because the owner or agent has failed to respond to the department's requests to gain admission to the unit.

Section 10. *Collection of fees.*

The fees charged pursuant to section 9 shall be payable as follows:

- (a) *Phase-in requirement.* The department shall schedule initial inspections at its discretion. The owner of a mobile home shall receive not less than 30 days prior notice of the department's intent to inspect the property. All initial inspection fees shall be paid seven days prior to the scheduled inspection date.
- (b) *Renewal inspections.* All required fees for renewal inspections shall be paid upon application for such inspections as specified in section 6.
- (c) Fees for all required reinspections shall be paid prior to the reinspections being scheduled.
- (d) *Other Fees.* All other fees required under this article are due when incurred. No certificate of compliance shall be issued until all required fees are paid.

Section 11. *Penalty.*

- (a) Persons who violate any section of this article shall be responsible for a municipal civil infraction as provided in Chapter 40, Article II, of this Code of Ordinances for the Charter Township of Ypsilanti, and shall be subject to a maximum fine of not more than \$500.00.
- (b) The imposition of a fine for violation shall not excuse the violations or permit it to continue. All such persons shall be required to correct or remedy such situation or defects within a reasonable time and each act or violation and every day upon which such violation shall occur shall constitute a separate offense.
- (c) The application of the penalties of this section shall not be held to prevent the enforced removal of prohibited conditions by injunctive or other relief.

Section 12. *Severability.*

Should any section, subdivision, sentence, clause or phrase of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 13. Publication Clause.

This Ordinance shall be published in a newspaper of general circulation as required by law.

Section 14. Effective Date.

This Ordinance shall be effective after publication in a newspaper of general circulation as required by law.

**PUBLIC NOTICE
ORDINANCE TEXT AMENDMENT**

The Board of Trustees of the Charter Township of Ypsilanti, Washtenaw County, Michigan, will hold a public hearing at 7200 S. Huron River Drive, Ypsilanti Township on June 15, 2010 at approximately 7:00 p. m. to consider modifications to the Charter Township of Ypsilanti Code of Ordinances to require that all mobile home units available for rent within a licensed mobile home park first be registered, inspected and issued a certificate of compliance by the Township prior to the occupancy of a given unit. All are invited to attend the public hearing to comment on, or raise objections, if any, to the proposed ordinance amendment. The proposed ordinance is on file in the Ypsilanti Township Clerk's Office for public examination.

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

The Charter Township of Ypsilanti will provide necessary reasonable auxiliary aids and services to individuals with disabilities such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting upon 10 days notice. Individuals requiring assistance should contact Karen Lovejoy Roe, Clerk, Charter Township of Ypsilanti, 7200 S. Huron River Drive, Ypsilanti, MI 48197, phone (734) 484-4700, fax (734) 484-5156 or e-mail klovejoyroe@ytown.org.

Published: Thursday, June 3, 2010

PUBLIC COMMENTS

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE MAY 18, 2010 WORK SESSION**

PROPOSED

Supervisor Brenda L. Stumbo called the meeting to order at approximately 6:00 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township.

Members Present: Supervisor Brenda L. Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees Stan Eldridge, Jean Hall Currie, Mike Martin and Dee Sizemore

Members Absent: None

Legal Counsel: Wm. Douglas Winters

REVIEW AGENDA

Supervisor Stumbo reviewed the agenda and

PUBLIC HEARING

A. REQUEST OF FORD MOTOR COMPANY (RAWSONVILLE PLANT), LOCATED AT 10300 TEXTILE ROAD IN YPSILANTI TOWNSHIP, FOR EXEMPTION OF NEW PERSONAL PROPERTY, RESOLUTION NO. 2010-8

Supervisor Stumbo stated a Ford Motor Company representative would be at the board meeting. She explained the approximate \$9 million dollar investment would retain about 40 employees. Supervisor Stumbo further stated the Township traditionally approved 198 tax exemptions for personal property that abated 50% of personal property taxes for twelve (12) years but the 398 tax exemption would abate 100% of the taxes on the personal property for six (6) years.

Clerk Lovejoy Roe stated the exemption would abate 100% of the personal property tax on any equipment placed in the plant for six years, not for just this new line. She said the 398 exemption was different from the traditional 198 exemption that covered specific equipment, with a specific new manufacturing process.

Attorney Winters said this was the first 398 exemption to come before the Board and hopefully the exemption, along with Ford's investment would help balance out the jobs. He stated the exemption was another tool to help with economic development.

Supervisor Stumbo said that Pittsfield Township and the City of Ann Arbor had given 398 abatements but it was the first for Ypsilanti Township.

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Clerk Lovejoy Roe explained the Rawsonville Plant was eligible for the abatement because Ford Motor Company was considered a distressed company under State guidelines.

Supervisor Stumbo stated that Ford Motor Company was moving the battery pack assembly from Mexico to the Rawsonville Plant.

CLERK REPORT

Clerk Lovejoy Roe introduced Aaron Dietz, an intern from the Public Administration Program and Eastern Michigan University.

ATTORNEY REPORT

Attorney Winters provided an update on the Tuscan Creek Apartment Complex where 33 units were significantly damaged in a September 2009 fire. He indicated the \$108,000 held in escrow by the Township could be used to demolish the building once ownership became clear. Attorney Winters reported the units had been vacated and secured and hoped the building would be repaired or demolished before the end of the summer.

Attorney Winters provided an update on the River's Edge Apartment Complex that was also involved in a fire. He explained that reaching a resolution was more complicated because the complex had four different insurers. He further explained that once an agreement was reached, the Township would receive funds from the insurance companies that would be held in escrow until repairs were complete. Attorney Winters stressed the importance of keeping a focus on the complex because the condition of some of the units that could lead to increased vandalism, police calls and risk to Township residents.

OLD BUSINESS

- 1. 2ND READING RESOLUTION NO. 2010-05, ORDINANCE NO. 2010-404 – AMENDING THE TOWNSHIP'S ZONING CODE, ORDINANCE 74, ARTICLE II, SECTION 201 (DEFINITIONS) AND ARTICLE XII LIGHT INDUSTRIAL DEFINE MEDICAL MARIHUANA DISPENSARIES, MEDICAL MARIHUANA NURSERIES, AND REGULATE THEIR LOCATION (1ST READING AT THE MAY 5, 2010 SPECIAL MEETING)**

Supervisor Stumbo indicated she received approximately 10 calls from residents that were angry because the Township was not allowing dispensaries in residential areas. She said the ordinance may not be perfect but it would not allow dispensaries in residential neighborhoods where currently, a caregiver could grow 72 plants in their home.

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Supervisor Stumbo said she was contacted by the Michigan Townships Association who wanted to have a symposium at Ypsilanti Township to help other communities face the challenges with the Medical Marijuana Law, its application and impact on municipalities.

NEW BUSINESS

1. BUDGET AMENDMENT #6

Supervisor Stumbo explained the first amendment was to deal with the Governmental Consultant Service, Inc. (GCSI) contract.

She explained amendment two (2) was to authorize a budget amendment to purchase tax foreclosure land located between Glenwood Ave. and Harris Road. She explained the tax foreclosure process and the township's rights of first refusal to purchase the property from the County Treasurer. Supervisor Stumbo said land was appraised at \$96,000 and the Township could purchase with funds from the Parks and Recreation Fund for \$59,245.

Trustee Martin questioned the intent of the township for the parcel.

Supervisor Stumbo said the intent would be to keep it as a park.

Arola Kaiser, Township Resident indicated her disapproval of the purchase and questioned where Township would get the money.

Supervisor Stumbo explained the dollars would come from the Parks And Recreation Millage Fund, which was passed by the residents specifically for parks, recreation and land purchase for parks.

Treasurer Doe stated this was an older neighborhood that was developed before the Township had the foresight to ask developers for open space and parklands. He stressed this was a great parcel at a low price and great opportunity to provide parkland for the families and children in that area.

Trustee Martin shared there was nowhere for the children to play in that area of the community. He said someone suggested a dog park for that area which could generate revenue. Trustee Martin stated the cost to the Township was approximately \$6,700 an acre, which would be a great deal.

Clerk Lovejoy Roe stated the Parks and Recreation Millage was designed for capital and land purchases and could not be used for operations. She shared that to provide open space and a park to long-time residents who had paid into the millage for years, would be great. Clerk Lovejoy Roe further stated the parcel was close to major bike paths and could easily be connected.

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Treasurer Doe stated the Township could possibly sell the three buildable lots on Glenwood to recoup some of the cost of the purchase.

2. RESOLUTION NO. 2010-9 AUTHORIZING RECEIVING BOARD FOR ELECTIONS

Clerk Lovejoy Roe stated the State required a Receiving Board when electronic poll books are used.

3. RESOLUTION NO. 2010-10 CHANGE IN BOARD MEETING DATES

Clerk Lovejoy Roe explained the additional board meetings were being proposed to help alleviate the problems associate with scheduling special meetings.

4. REQUEST TO APPOINT DOUG LAMPE AS ALTERNATE ON THE WATER CONSERVATION ADVISORY COMMISSION

Supervisor explained the request for an alternate on the Commission was received by Mark Clancy.

DISCUSS EXTENSION OF CONTRACT WITH GOVERNMENTAL CONSULTANT SERVICES, INC.

Supervisor Stumbo welcomed Kirk Profit, GCSI, representing Ypsilanti Township in Lansing. She asked Mr. Profit to give an update regarding Township projects in which his company was involved.

Mr. Profit began by explaining the negative impact the State budget issue had on local government and stated one of his tasks was to work to protect revenue sharing, which he hoped would be maintained at the current rates. He pointed out that the State of Michigan would have a new government next year with a new Governor, Lt. Governor, Attorney General, Secretary of State, 30 new Senators and 58 new House Representatives.

Mr. Profit stated he was working with Ypsilanti Township to support Willow Run Airport, which had incredible opportunity for growth. He said that he was hopeful that National Air Cargo would be moving their headquarters from Buffalo to Willow Run and Eagle Flight had worked with the Township for assistance in bringing their company to Willow Run. He also reported on the success of the Eastern Leaders Group that worked throughout the county on economic development.

Mr. Profit said on behalf of the Township, he was involved in leveraging funds for the Ford Lake Boathouse Project; the Huron River Restoration Project to clean up the river and reduce the algae in Ford Lake and had worked directly with the Township Attorney, writing legislation to provide better inspection opportunities for daycare operations. He

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concluded with issues surrounding the need to restructure the transportation system and to provide funding to meet the need.

Supervisor Stumbo added that Mr. Profit had assisted with the mobile home rental inspection legal changes which allowed the Township to conduct inspections; the MDOT improvements on Michigan Avenue due to fatalities that have occurred; was working on allowing townships to put the costs incurred by townships for maintaining blighted properties on the tax rolls; provided contact information for the Wayne County Airport Authority and assisted with several other economic development issues.

Supervisor Stumbo also stated when we had these issues Kirk brought the state leaders to the township to work on the problems together resulting in legislative changes and obtaining funding for projects

Trustee Martin inquired how Aerotropolis could be moved from a conceptual idea to reality.

Mr. Profit explained it would take a major marketing effort and Aerotropolis continued to be a high economic development priority.

ADJOURNMENT

The meeting adjourned at approximately 6:56 p.m.

Respectfully submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE MAY 18, 2010 REGULAR MEETING**

PROPOSED

The meeting was called to order by Supervisor Brenda L. Stumbo at approximately 7:00 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township. The Pledge of Allegiance was recited and a moment of silent prayer was observed.

Members Present: Supervisor Brenda L. Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees Jean Hall Currie, Stan Eldridge, Dee Sizemore and Mike Martin

Members Absent: None

Legal Counsel: Wm. Douglas Winters and Angela King

PUBLIC HEARING

7:00 P.M. – REQUEST OF FORD MOTOR COMPANY (RAWSONVILLE PLANT), LOCATED AT 10300 TEXTILE ROAD IN YPSILANTI TOWNSHIP, FOR EXEMPTION OF NEW PERSONAL PROPERTY, RESOLUTION NO. 2010-8

The Public Hearing opened at 7:03 p.m.

Kathleen McIntire, Ford Motor Company representative explained the request was for six-year abatement on their new investment at the Rawsonville facility. The electric Ford Focus would be build at Michigan Assembly, formerly known as Wayne Assembly and the Rawsonville facility would be producing the battery packs. She stated the battery pack operation was being move from their Mexico facility. The investment was expected to be between five and ten million dollars. Ms. McIntire said this would currently be the only battery pack assembly in the United States. She said production of the battery pack was scheduled to begin in 2012.

Linda Gurka, Township Resident questioned if the improvements would create new jobs in the plant.

Ms. McIntire said the estimate for this job and this line was forty (40) jobs.

Attorney Winters explained this was a six-year exemption and traditionally with the 198 exemption, applicants were encouraged to be precise in their request because personal property rapidly depreciated. He said a list of the personal property was not included in the application and requested that information be provided.

Lori Seafore, Township Resident wonder if the newly created jobs would benefit Ypsilanti Township residents.

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Ms. McIntire explained the additional jobs would be filled by the UAW protocol, seniority and work rules. Ford Motor Company did not have the ability to preference Township residents for those jobs.

The Public Hearing closed at 7:13 p.m.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Currie to approve Resolution No. 2010-8, Exemption of New Personal Property (see attached). The motion carried unanimously.

Supervisor Stumbo said she was glad the community had the opportunity to have green jobs, which was the future. She hoped this was just the beginning of a long-term relationship with Ford Motor Company. Supervisor Stumbo stressed that moving a product from Mexico to America was huge and Ford Motor Company was in the forefront of many things.

PUBLIC COMMENTS

Donna DeButts, Community Relations Director at the Ypsilanti District Library (YDL) provided a presentation of their 2009 Annual Report. She also reviewed many of the programs and opportunities available at the library.

MINUTES

- A. APRIL 20, 2010 WORK SESSION, REGULAR MEETING AND EXECUTIVE SESSION**
- B. MAY 5, 2010 SPECIAL MEETING**

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve the minutes of the April 20, 2010 Work Session, Regular Meeting and Executive Session and the May 5, 2010 Special Meeting . The motion carried unanimously.

SUPERVISOR REPORT

Supervisor Stumbo stated Chief Eric Copeland would be introduced to the community at the 4th Annual Firefighter Spaghetti Luncheon at the Masonic Temple on Saturday, May 22, 2010. She said that because of Ford Motor Company's investment, the Road Commission said money was available to resurface Textile Road between Bridge and Rawsonville Roads. A public meeting regarding the Mansfield Road closure would be held at West Middle School at 6:00 p.m. on June 3, 2010 and the official announcement and celebration of the battery pack production at the Rawsonville was scheduled for 11:30 a.m. on May 24, 2010. She also provided an overview of meetings attended by the three full-time officials and Township staff.

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CLERK REPORT

Clerk Lovejoy Roe stated the primary election was scheduled for August 3, 2010. Anyone interested in obtaining an absentee ballot should contact the Clerk's office. She stated that during a tour of the ProQuest, they expressed their appreciation for the great job done by the Office of Community Standards.

TREASURER REPORT

A. April 2010

Treasurer Doe gave the report for April 2010. The beginning balance was \$33,598,821.18 and the ending balance was \$31,716,323.23.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Sizemore to receive and file the April 2010 Treasurer's report (see attached). The motion carried unanimously.

TRUSTEE REPORT

Trustee Martin stated Supervisor Stumbo was re-elected as alternate delegate of the Executive Board at a recent SEMCOG meeting. He attended the Eastern Leadership Group meeting where the Aerotropolis program was discussed. He also provided a brief summary of Ypsilanti Pride Day and he said it was a great success.

Trustee Eldridge said he attend the Executive Council meeting for St. Mark's Lutheran Church where he learned the leadership was interested in getting involved with the neighborhoods by providing some type of humanitarian services. He said discussion continued with the City regarding law enforcement and a detailed packet of information was expected to be presented to the Board in August or September.

ATTORNEY REPORT

Attorney Winters said he wanted to recognize Attorney King's son, Luke, who on Saturday would become a 2010 graduate of West Point Academy and would be commissioned as a 2nd Lieutenant.

A. GENERAL LEGAL UPDATE

Attorney Winters provided a brief general legal update on the public nuisance property issues. He said the problems were not isolated to a particular area of the township.

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B. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IF NECESSARY, IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 1122 LAUREL

Attorney Winters explained the property was being used for a barbeque operation of manufacturing and selling barbeque grills over a fence. He stated it was actually Township property that had been cordoned off by the homeowners. Attorney Winters said this was not an appropriate use of the property and was causing problems with the neighbors.

Mike Radzik, Office of Community Standards Director provided an overview of the business. He said the owner had erected a large shed and converted it into a manufacturing facility to build the barbeque grills.

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to initiate legal action, if necessary in Washtenaw County Circuit Court to abate public nuisance for the property located at 1122 Laurel. The motion carried unanimously.

OLD BUSINESS

- 1. 2ND READING RESOLUTION NO. 2010-05, ORDINANCE NO. 2010-404 – AMENDING THE TOWNSHIP’S ZONING CODE, ORDINANCE 74, ARTICLE II, SECTION 201 (DEFINITIONS) AND ARTICLE XII LIGHT INDUSTRIAL DEFINE MEDICAL MARIHUANA DISPENSARIES, MEDICAL MARIHUANA NURSERIES, AND REGULATE THEIR LOCATION (1ST READING AT THE MAY 5, 2010 SPECIAL MEETING)**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Martin to approved the 2nd reading of Resolution No. 2010-05, Ordinance No. 2010-404 – amending the Township’s Zoning Code, Ordinance 74, Article II, Section 201 (Definitions) and Article XII Light Industrial - define medical marihuana dispensaries, medical marihuana nurseries, and regulate their location (see attached).

Laura Seafore, Township Resident asked why the nurseries were restricted to a light industrial zone. She felt doing so would make it a focal point for crime and restricting the growth to local nurseries instead of households would add cost to the consumer. She asked the Board for further consideration.

Attorney King stated the nurseries were being regarded as similar to the regular nurseries that cultivated plants, already in existence in the Township.

Keith Seafore, Township Resident said they were talking about 60 plants versus the thousands of plants grown by Pinters. He said they would not be growing commercially, only for a small focus group.

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An anonymous resident felt requiring caregivers to move into a light industrial zone would make it part of the public record which was a violation of the law. The ordinance hurt the caregivers that were following what the law was set up to do. He understood any caregiver that was licensed prior to the passage of the ordinance, would be grandfathered.

Arloa Kaiser, Township Resident said the marihuana was still a controlled substance and she preferred it being kept in an industrial area.

Attorney King stated the law was silent on the location of the nurseries and the dispensaries and the Township had the right to zone them to the area considered to be best suited. She clarified that with all ordinances, any use that was present before an ordinance was adopted, by law, in Michigan, was grandfathered in.

Supervisor Stumbo stated this was a controversial issue and her concern was the possibility of every home in a residential area, growing 72 plants. She said it was not good planning and not the best approach for the community. Supervisor Stumbo stated she supported the ordinance for that reason, from a zoning standpoint.

Clerk Lovejoy Roe agreed with Supervisor Stumbo because of the business aspect. She felt it was inappropriate for a home occupation.

The motion carried as follows:

Doe: Yes	Roe: Yes	Stumbo: Yes	Sizemore: Yes
Currie: Yes	Eldridge: Yes	Martin: Yes	

- 2. 2ND READING RESOLUTION NO. 2010-07, PROPOSED ORDINANCE NO. 2010-405, AMENDING CHAPTER 42, ARTICLE VII, DIVISION 1, SECTION 324, ENTITLED “CURFEW FOR MINORS AND PARENTAL RESPONSIBILITY” OF THE CHARTER TOWNSHIP OF YPSILANTI CODE OF ORDINANCES (1ST READING AT THE MAY 5, 2010 SPECIAL MEETING)**

A motion was made by Clerk Lovejoy Roe, supported by Trustee Currie to approve the 2nd reading of Resolution No. 2010-07, Ordinance No. 2010-405, amending Chapter 42, Article VII, Division 1, Section 324, entitled “Curfew for Minors and Parental Responsibility” of the Charter Township of Ypsilanti Code of Ordinances (see attached).

Supervisor Stumbo explained the revision changed the time from 11:00 p.m. to 10:00 p.m. for juveniles. She also said it was consistent with the City of Ypsilanti ordinance.

The motion carried as follows:

Doe: Yes	Roe: Yes	Stumbo: Yes	Sizemore: Yes
Currie: Yes	Eldridge: Yes	Martin: Yes	

NEW BUSINESS

1. BUDGET AMENDMENT #6

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve Budget Amendment #6 (see attached). The motion carried unanimously

2. WASHTENAW COUNTY ROAD COMMISSION 2ND AGREEMENT

A motion was made by Clerk Lovejoy Roe, supported by Trustee Eldridge to the Washtenaw County Road Commission 2nd Agreement and to authorize signing of the agreement (see attached). The motion carried unanimously.

Supervisor Stumbo stated each year the Board invested in the infrastructure of the roads in Ypsilanti Township by authorizing road improvements.

3. RESOLUTION NO. 2010-9 AUTHORIZING RECEIVING BOARD FOR ELECTIONS

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to approve Resolution No. 2010-9, Authorizing Receiving Board for Elections (see attached). The motion carried unanimously.

Clerk Lovejoy Roe explained that electronic poll books would be used in the August Primary and a receiving board was required by the State.

4. RESOLUTION NO. 2010-10 CHANGE IN BOARD MEETING DATES

A motion was made by Clerk Lovejoy Roe, supported by Trustee Martin to approve Resolution No. 2010-10, Change in Board Meeting Dates. The motion failed five to two, with Supervisor Stumbo and Trustee Martin voting in favor.

Trustee Martin stated he supported structured meetings because he had another full-time job and it was harder to coordinate his schedule for special meetings.

Clerk Lovejoy Roe said the additional meetings were scheduled around holidays and the primary and general elections.

Supervisor Stumbo stressed there still may be a need for special meetings if an urgent matter arose. She said the additional meetings would help to alleviate the need for special meetings.

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5. REQUEST TO APPOINT DOUG LAMPE AS ALTERNATE ON THE WATER CONSERVATION ADVISORY COMMISSION

A motion was made by Clerk Lovejoy Roe, supported by Treasurer Doe to appoint Doug Lampe as alternate on the Water Conservation Advisory Commission. The motion carried unanimously.

6. AUTHORIZATION TO PURCHASE FOUR PARCELS ON GLENWOOD AVE FOR POSSIBLE PARK LAND OR NATURAL PRESERVATION AREA FROM WASHTENAW COUNTY FOR \$59,245 OR TO PROCEED TO PURCHASE AT PUBLIC AUCTION.

A motion was made by Trustee Eldridge, supported by Trustee Martin to approve the purchase of four parcels on Glenwood Avenue for possible park land or natural preservation area from Washtenaw County, in the amount of \$59,245. The motion carried unanimously.

Trustee Eldridge clarified the dollars used to purchase the property could only be used for this type of investment and could not be used for operating costs.

Trustee Martin reiterated that Treasurer Doe mentioned in the Work Session the possibility of sell the three parcels on Glenwood as residential lots to recoup part of the Township's investment. He said, as discussed earlier that was one of the older neighborhoods of the Township and it had very little green space.

Trustee Eldridge asked that once a decision was made about the use of the land, that the area residents be notified so they could provide their input.

Clerk Lovejoy Roe said this was a great opportunity to purchase the property for back taxes and to provide some open space for one of the older neighborhoods.

Supervisor Stumbo said she whole heartedly supported purchasing the property for the future of the residents in that area.

7. SET PUBLIC HEARING DATE:

A. TUESDAY, JUNE 15, 2010 AT APPROXIMATELY 7:00 P.M. – REQUEST OF INTEGRATED SENSING SYSTEMS, INC. FOR AN INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE

B. TUESDAY, JUNE 15, 2010 AT APPROXIMATELY 7:15 P.M. – PRESENT THE MOBILE HOME RENTAL INSPECTION ORDINANCE AS REQUIRED BY THE STATE OF MICHIGAN

**CHARTER TOWNSHIP OF YPSILANTI
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A motion was made by Trustee Eldridge, supported by Trustee Sizemore to set the public hearing date of June 15, 2010 at approximately 7:00 p.m. to hear the request of Integrated Sensing Systems, Inc. for an Industrial Facilities Tax Exemption Certificate and to present the Mobile Home Rental Inspection Ordinance as required by the State of Michigan. The motion carried unanimously

STATEMENTS AND CHECKS

A motion was made by Treasurer Doe, supported by Clerk Lovejoy Roe to approve Statements and Checks, in the amount of \$987,000.16. The motion carried unanimously

ADJOURNMENT

A motion was made by Trustee Eldridge, supported by Trustee Martin to adjourn the meeting. The motion carried unanimously.

The meeting adjourned at approximately 8:35 p.m.

Respectfully submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

**CHARTER TOWNSHIP OF YPSILANTI
MINUTES OF THE MAY 27, 2010 SPECIAL MEETING**

The meeting was called to order by Supervisor Brenda L. Stumbo at approximately 1:30 p.m. in the Ypsilanti Township Civic Center Board Room, 7200 S. Huron River Drive, Ypsilanti Township.

Members Present: Supervisor Brenda L. Stumbo, Clerk Karen Lovejoy Roe, Treasurer Larry Doe, Trustees Jean Hall Currie, Stan Eldridge and Dee Sizemore

Members Absent: Trustee Mike Martin

Legal Counsel: Wm. Douglas Winters

1. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR PROJECT KNOWN AS “LIBERTY SQUARE”

A motion was made by Treasurer Doe, supported by Trustee Sizemore to authorize legal action in Washtenaw County Circuit Court to abate public nuisance for project known as “Liberty Square”. The motion carried unanimously.

Ron Fulton, Building Director provided an overview of the deplorable conditions of the 63 units that had received violations notices. He said they had been classified as blighted and were cited.

Attorney Winters explained a lot of time had been invested in the issues at Liberty Square and the challenges were well known. He stated that due to tax foreclosures, the Washtenaw County Treasurer was currently the largest owner. He said he wished there was a better solution to the problem but all other avenues had been exhausted and demolition was the last resort. Attorney Winters stressed the decision was not made lightly and the Board would welcome the opportunity to reach a different resolution.

Supervisor Stumbo state the Liberty Square Association had until May 29, 2010 to abatement the notices of violation. She stated the notices had been issued on April 23, 2010 and no corrective action had yet been taken.

Mr. Fulton explained he had been approached by some owners that would like to repair their own individual unit. He further explained the 63 condemned properties were interspersed throughout the development making it virtually impossible to repair one independent unit. The units shared roof space with condemned units, many of which contained mold.

Bruce Gatword, owner stated he had addressed Mr. Fulton’s concerns but the only problem was the roof shingles. He said he had no mold and did not share attic space. He questioned why he should be affected if he was 100% in compliance.

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Mr. Fulton stated that in many cases the firewalls were compromised and because they were not tightly sealed, mold could spread to adjacent units. He said fire could also easily spread from one unit to another because of the compromised firewalls.

Joe Koenig, Liberty Square Board of Directors stated he had invested his life savings in the Liberty Square community. He proceeded to say an inspection needed to be completed to determine how many and which units were in violation. Mr. Koenig said the association had spent \$200,000 replacing roofs. He said the whole complex would have been done but about 12 homeowners had not paid their association fees and approximately 28 properties had been forfeited to the association. He further stated these were the properties the Township had problems with for many years and progress had been made to get these owners out of the complex. Mr. Koenig said he had an issue with what had occurred prior to 2003 and the condition of Liberty Square was not due to what had transpired over the last seven years. The Ordinance Department and Building Department prior to 2003 did nothing, turned their head and looked the other way. He said their Board had spent over \$400,000 in the community, part of which was legal fees. One of the major property owners had filed bankruptcy and their attorney had spoken to the County about paying the maintenance fees for the units they own. The County Treasurer has refused and they were heading toward litigation. As of June 1st, the County owed over \$40,000 which would have gone toward repairs. Mr. Koenig said their attorney had sent a letter saying they wanted to cooperate but unfortunately the timetable may not be fast enough. He said if the complex was condemned, the owners would not be able to pay their maintenance fees and there would not be money to do the needed repairs.

Attorney Winter stated it was his intention to be nice but it was difficult to hear Mr. Koenig say the Township had turned its head, looked the other way and ignored the issues. He stressed that Liberty Square had been on top of the Township's radar screen for twenty years and during that time, there had been a tremendous amount of man hours put into the complex. The money owed by the County only came about after a change in the by-laws in the twelfth hour, when the foreclosure was about to occur. He said the striping of the interior of the units took place before the county took possession. Attorney Winters said if it truly was a good faith effort to do right by the people that live there, it would remain even after the Board authorized litigation. He stated he took very strong exception that the Township had turned a deaf ear or turned away from Liberty Square. Liberty Square turned away from the Township. Attorney Winters stressed that Ypsilanti Township did not isolate any part of the community for selective enforcement. The problem lied with the management, the leadership, the ownership and the association. The Township did not have any choice but to move forward with legal action but there still remained room for a resolution, with the County being a major partner. Attorney Winters made it clear there was no hidden agenda but for the health, safety and welfare of the Township community as a whole.

Adam Aliyu, 2151 Margery said he appreciated everything the Township had done. He had lived in Liberty Square for 22 years and looked forward to having someone take care of the problems. He wondered where they would go if the Board moved forward.

Trustee Eldridge questioned who the legal action would be against.

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MAY 27, 2010 SPECIAL MEETING MINUTES
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Attorney Winters stated legal action would be against the association (23 units) LLC owners, individuals owners and Grove Park Homes (17 units). He said moving forward would put the Township at the table with the authority to determine the best course action. He felt this may be an opportunity for a resolution that would finally get things moving.

2. REQUEST AUTHORIZATION TO INITIATE LEGAL ACTION IN WASHTENAW COUNTY CIRCUIT COURT TO ABATE PUBLIC NUISANCE FOR THE PROPERTY LOCATED AT 2997 WASHTENAW AVENUE, COMMONLY REFERRED TO AS "ZEER SECURITY"

A motion was made by Trustee Currie, supported by Trustee Sizemore to authorize legal action in Washtenaw County Circuit Court to abate public nuisance for the property located at 2997 Washtenaw, commonly referred to as "Zeer Security". The motion carried unanimously.

Attorney Winters provided a brief overview of the deplorable condition of the commercial property located at the corner of Golfside and Washtenaw. He said the Washtenaw Corridor was the main artery between Ann Arbor and Ypsilanti Township.

3. YPSILANTI TOWNSHIP / LINCOLN CONSOLIDATED SCHOOLS COLLABORATION CONTRACT

A motion was made by Clerk Lovejoy Roe, supported by Trustee Currie to approve the agreement to assign the Lincoln Consolidated School District Contractual Deputy to Ypsilanti Township for the period of June 13, 2010 through September 4, 2010 and to authorize signing of the agreement. The motion carried unanimously.

Mike Radzik, Office of Community Standards Director stated his memo clarified the questions raised at the previous meeting.

Trustee Eldridge was concerned about accountability and wanted to know if the Board would be able to obtain information on what was being done with the dollars being spent.

Lieutenant Anuskiewicz assured the Board that all information would be readily available.

Meeting was adjourned at approximately 2:13 p.m.

Respectfully submitted,

Brenda L. Stumbo, Supervisor
Charter Township of Ypsilanti

Karen Lovejoy Roe, Clerk
Charter Township of Ypsilanti

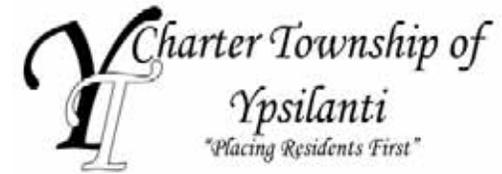
SUPERVISOR REPORT

- A. SUPERVISOR STUMBO WILL REPORT ON MEETINGS ATTENDED BY OFFICIALS AND STAFF

CLERK REPORT

THERE IS NO WRITTEN CLERK REPORT

OFFICE OF THE TREASURER
LARRY J. DOE



MONTHLY TREASURER'S REPORT
MAY 1, 2010 THROUGH MAY 31, 2010

<u>Account Name</u>	<u>Beginning Balance</u>	<u>Cash Receipts</u>	<u>Cash Disbursements</u>	<u>Ending Balance</u>
ABN AMRO Series "B" Debt Red. Cap.Int.	126,175.81	0.00	0.00	126,175.81
Bicycle Path	152,443.37	300,779.54	230,437.66	222,785.25
Bonds & Escrow/GreenTop	751,799.84	37,526.15	12,000.00	777,325.99
Building Department Fund	232,409.20	27,556.02	20,388.69	239,576.53
Capital Improvement 2006 Bond Fund	349,702.10	148.50	0.00	349,850.60
Comerica Series B Bond	2,314.87	0.00	0.00	2,314.87
Compost Site	954,930.65	13,934.27	16,671.35	952,193.57
Current Tax Collections	12,787,373.74	1,009.66	0.00	12,788,383.40
Economic Development	66,852.44	28.39	0.00	66,880.83
Environmental Clean-up	442,163.61	187.77	0.00	442,351.38
Environmental Services	3,943,449.46	1,986.70	327,886.63	3,617,549.53
Fire Department	3,518,749.32	3,734.47	419,189.97	3,103,293.82
Fire Withholding Bonds	162,371.55	27,297.94	0.00	189,669.49
General Fund	4,111,420.00	892,624.88	739,520.39	4,264,524.49
General Obligation	471,402.34	166.18	0.00	471,568.52
General Tax Collection	93,154.71	26,928.56	19,991.04	100,092.23
Green Oaks Golf Course	147,548.34	86,678.19	73,137.34	161,089.19
Hydro Station Fund	468,688.28	41,560.00	13,063.37	497,184.91
Law Enforcement Fund	1,597,464.01	603.18	418,302.31	1,179,764.88
LDFA 2006 Bonds	143,712.24	61.03	0.00	143,773.27
LDFA Tax	303.72	0.13	0.00	303.85
Motor Pool	364,064.45	152.64	5,501.09	358,716.00
Neighborhood Stabilization	20,112.66	8.45	495.00	19,626.11
Nuisance Abatement Fund	42,533.12	901.22	1,235.63	42,198.71
Parks Fund	27,383.49	11.53	259.35	27,135.67
Payroll	81,696.16	848,626.31	849,179.03	81,143.44
Public Improvement	420,383.03	178.52	0.00	420,561.55
Recreation	43,861.39	266,460.62	118,386.13	191,935.88
Rental Inspections	445.90	21,061.54	4,726.55	16,780.89
Series "A" Bond Payments	8,613.39	3.66	0.00	8,617.05
Series "B" Cap. Cost of Funds	23,627.75	9.23	2,187.50	21,449.48
State Grants	18,294.62	7.77	0	18,302.39
Willow Run Escrow	140,877.67	59.83	0.00	140,937.50
GRAND TOTAL	31,716,323.23	2,600,292.88	3,272,559.03	\$ 31,044,057.08

TRUSTEE REPORT

THERE IS NO WRITTEN TRUSTEE REPORT

ATTORNEY REPORT

GENERAL LEGAL UPDATE

CHARTER TOWNSHIP OF YPSILANTI

2010 BUDGET AMENDMENT #7

JUNE 15, 2010

101 - GENERAL FUND

Total Increase \$150,000.00

Increase the Assessing budget for Tax Appeals. Currently, more is budgeted in revenues than expenditures allowing for net income of \$87,081.00. The Tax Appeal costs are to be funded by a reduction of the 2010 excess net revenue budget of \$87,081.00 to \$0.00 and an appropriation of Prior Year Fund Balance of \$62,919.00.

Revenues:	Prior Year Fund Balance	101.000.000.699.000	\$62,919.00
	Excess 2010 Revenues over 2010 Expenditures		<u>\$87,081.00</u>
		Net Revenues	<u><u>\$150,000.00</u></u>
Expenditures:	Assessing - Tax Appeals	101.209.000.811.001	\$150,000.00
		Net Expenditures	<u><u>\$150,000.00</u></u>

Motion to Amend the 2010 Budget (#7):

Move to increase the General Fund budget by \$150,000.00 to \$8,281,938.00 and approve the department line item changes as outlined.

Supervisor
BRENDA L. STUMBO
Clerk
KAREN LOVEJOY ROE
Treasurer
LARRY J. DOE
Trustees
JEAN HALL CURRIE
STAN ELDRIDGE
MIKE MARTIN
DEE SIZEMORE



**Office of
Community Standards**
7200 S. Huron River Drive
Ypsilanti, MI 48197
www.ytown.org

June 3, 2010

To: Karen Lovejoy Roe, Clerk
From: Mike Radzik, Director of Community Standards
Subject: **Liquor License Application for Xingsheng, Inc., 2905 Washtenaw (Asia City)**
Copy: Township Board
W. Douglas Winters, Attorney

The Office of Community Standards has no cause to object to the approval of an amended liquor license application for 2905 Washtenaw, known as Asia City restaurant, and applicant Xingsheng, Inc.

The application dated May 13, 2010, amends the original application for a new Class C license that was previously approved by the Township Board on February 22, 2010. A copy of the original resolution is enclosed for reference.

The amendments that are requested are for a Sunday Sales permit and an Official Food permit.

I respectfully recommend approval by resolution of the Board of Trustees at its next regularly scheduled meeting. Please contact me with any questions or concerns.



Michigan Department of Energy, Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive, P.O. Box 30005
 Lansing, Michigan 48909-7505

FOR MLCC USE ONLY

Request ID # 555823

Business ID # 223500

LOCAL APPROVAL NOTICE

[Authorized by MCL 436.1501]

April 16, 2010

*AMENDMENT
5/13/2010*

TO: YPSILANTI CHARTER TOWNSHIP BOARD
 ATTENTION CLERK
 7200 SOUTH HURON RIVER DRIVE
 YPSILANTI, MI 48197-7007

**NOTE: Applicant requests
Sunday Sales permit
and Official permit
(Food). See letter attached.*

APPLICANT: XINGSHENG, INC.

Home Address and Telephone No. or Contact Address and Telephone No.:

KE QUAN WANG, 4394 CENTER VALLEY DRIVE, YPSILANTI, MI 48108
 H(734)358-6393/B(734)528-3388
 XING SHOU WANG, 4406 CENTER VALLEY DRIVE, ANN ARBOR, MI 48108
 H(734)218-6500/B(734)528-3388
 HING CHING WONG, 4418 CENTER VALLEY DRIVE, ANN ARBOR, MI 48108
 H(734)255-8811/B(734)829-0999

2010 APR 17 PM 2 28

CONTACT: STEVE XIAO, 2905 WASHTENAW, YPSILANTI, MI 48197 B(734)528-3388

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact Unit 3 of the Retail Licensing Division at (517) 636-0204.

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN
 TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request from XINGSHENG, INC.

IN ADDITION TO PRIOR APPROVAL ALREADY GRANTED AS PER ATTACHED COPY OF RESOLUTION ADOPTED ON FEBRUARY 22, 2010.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)



亞洲城 酒樓

Asia City Restaurant

Xingsheng Inc.

2905 Washtenaw Ave.,

Ypsilanti, MI 48197

Tel: 734-829-0999 Fax: 734-829-0998

E-mail: asiacityrestaurant@yahoo.com

To: MLCC
Attn: LaVette Anderson
24155 Drake Rd.
Farmington, MI 48335
Tel: 517-242-8712

May 11th, 2010

**Subject: Class C License Request ID #555823
Sunday Alcohol Sales and Official Food Permits**

Dear Inspector Anderson,

We would like to apply for Sunday alcohol sales and official food permits for our Asia City Restaurant.

Should you have any questions, please feel free to contact us at:

Tel: 734-528-3388

Fax: 734-528-3355

Thank you.

Wang Xing Shou 5-13-10
Xingsheng Inc.

McLAIN & WINTERS

ATTORNEYS AND COUNSELORS AT LAW

61 N. HURON
YPSILANTI, MICHIGAN 48197
(734) 481-1120

DENNIS O. McLAIN
WM. DOUGLAS WINTERS
ANGELA B. KING

FAX (734) 481-8909
[E-MAIL: mcwinlaw@gmail.com](mailto:mcwinlaw@gmail.com)

May 26, 2010

Brenda L. Stumbo, Supervisor
Karen Lovejoy Roe, Clerk
Larry J. Doe, Treasurer
Charter Township of Ypsilanti
7200 S. Huron River Dr.
Ypsilanti, MI 48197

Re: **Fire Incident Date:** *January 30, 2010*
Location: *789 Dorset St., Ypsilanti Township,
Washtenaw County*
Claim No. *850-4928*
Foremost Policy No. *381-006-746-1459-02*

Property Owners: *William C. & Denise S. Abraham*

***Issuance of Final Certificate of Occupancy Dated April 30, 2010;
Request that Ypsilanti Township Release From Escrow Account
the Sum of \$7,860 Received From Foremost Insurance on
May 3, 2010 Per the Requirements of MCL 500.2845***

Dear Board Members:

As I am sure your respective files reflect, on Monday, **May 3, 2010**, Township Building Director Ron Fulton sent an email to my attention wherein he attached a copy of the **Final Certificate of Occupancy** that was issued on **April 30, 2010** for the property located at 789 Dorset Ave. Thus, the monies that were received from Foremost Insurance claim representative Dwight Drysdale in the amount of **\$7,860**, previously forwarded to the Township pursuant to the requirements of MCL 500.2845, can be released from the escrow account established by Township Treasurer Larry Doe.

Enclosed for your review is a copy of a letter addressed to William C. & Denise S. Abraham (who are the owners of 789 Dorset Ave.) wherein I advised that I have requested the escrow monies be released by the Township Board at its regular

Township Board
Re: 789 Dorset
May 26, 2010
Page 2

meeting scheduled for Tuesday, **June 15, 2010**. Once the Board has approved the release of these funds, I would appreciate if Treasurer Larry Doe would forward the original check to our office so I can forward it to Mr. & Mrs. Abraham with a copy being sent to claims representative Drysdale.

If after review of this correspondence and attachment hereto you have any questions or I can be of further assistance, please contact me.

Very truly yours,

A handwritten signature in blue ink that reads "Wm. Douglas Winters". The signature is written in a cursive style.

Wm. Douglas Winters

rsk/enclosure

cc: Mike Radzik
Ron Fulton
Joe Lawson
Dan Dzierbicki
Eric Copeland, Fire Chief
Dennis O. McLain

McLAIN & WINTERS

ATTORNEYS AND COUNSELORS AT LAW

61 N. HURON
YPSILANTI, MICHIGAN 48197
(734) 481-1120

DENNIS O. McLAIN
WM. DOUGLAS WINTERS
ANGELA B. KING

FAX (734) 481-8909
[E-MAIL: mcwinlaw@gmail.com](mailto:mcwinlaw@gmail.com)

May 26, 2010

William & Denise Abraham
5721 Blue Grass Lane
Saline, MI 48176

Re: **Fire Incident Date:** *January 30, 2010*
Location: *789 Dorset St., Ypsilanti Township,
Washtenaw County*
Claim No. *850-4928*
Foremost Policy No. *381-006-746-1459-02*

Property Owners: *William C. & Denise S. Abraham*

***Issuance of Final Certificate of Occupancy Dated April 30, 2010;
Request that Ypsilanti Township Release From Escrow Account
the Sum of \$7,860 Received From Foremost Insurance on
May 3, 2010 Per the Requirements of MCL 500.2845***

Dear Mr. & Mrs. Abraham:

As I am sure your file reflects, on Friday, **April 30, 2010**, Ypsilanti Township Building Director Ron Fulton issued a **Final Certificate of Occupancy** (Cert. No. 0F10-0154) for your rental property located at 789 Dorset Ave that was heavily damaged by fire back on **January 30, 2010**, a copy of said certificate being enclosed. As a result of this fire, the Township received from Foremost Insurance claim representative Dwight Drysdale a check in the amount of **\$7,860** which was deposited into a separate escrow account. These funds were required to remain in this escrow account until such time as repairs to the subject property had been completed and approved.

In light of the issuance of the **Final C of O**, I have requested Township Treasurer Larry Doe to release the aforementioned sums from the separate escrow account and forward those sums to our office which will then be remitted to you. Since the Township Board's next meeting in which these funds can be released will be on Tuesday, **June 15, 2010**, I anticipate receiving these funds after that date.

William/Denise Abraham
Re: 789 Dorset
May 26, 2010
Page 2

On behalf of the Township Board, as well as the Building and Ordinance Depts., we certainly appreciate your due diligence in making the repairs to 789 Dorset Ave. which greatly contributes to the stabilization of the neighborhood. If after review of this correspondence and attachment you have any questions or I can be of further assistance, please contact me.

Very truly yours,



Wm. Douglas Winters

rsk

enclosure

cc: Township Board
Eric Copeland, Fire Chief
Mike Radzik
Ron Fulton
Dennis O. McLain
Dwight Drysdale

RESOLUTION No. 2010-12

Sewer Use Ordinance Amendments

Whereas, the Ypsilanti Township Public Sewer Use and Industrial Waste Pretreatment Ordinance (hereinafter “Sewer Use Ordinance”), Chapter 62, section 106 thru section 190, was last revised in 2004; and

Whereas, revisions of sections 106 thru 190 are necessary due to recent changes in the Federal Water Pollution Control Act of 1972 and the Michigan Natural Resources and Environmental Protection Act; and

Whereas, federal and state law grants the Township authority to require businesses and industries that discharge certain pollutants to: (1) pretreat wastewater before discharge to the YCUA collection and treatment system, and (2) allow YCUA to conduct on-site random and unannounced sampling of wastewater discharges; and

Whereas, both federal and state laws require revisions to the Sewer Use Ordinance which incorporate updated technical data regarding the “local limits” on the concentration of certain pollutants and wastewater discharged into the YCUA wastewater treatment plant; and

Whereas, Ordinance 2010-406 (hereinafter referred to as the “Ordinance”) expands the scope of the Sewer Use Ordinance to include all users of the sanitary sewer system, including residential, industrial, commercial, institutional, and governmental; and

Whereas, the Ordinance contains improved and enhanced definitions of words and phrases contained within the ordinance, including: “best management practices”, “composite sample”, “daily maximum”, “domestic sewage”, “fats, oils and grease”, “flow proportional sample”, “food service establishment”, “industrial user”, “instantaneous maximum concentration”, “significant non-compliance”, “slug, slug loading, slug discharge”; and

Whereas, the Ordinance contains revisions to the reporting required prior to connection to the YCUA system; and

Whereas, the Ordinance contains revisions to the reporting required after promulgation or revision of a pretreatment standard and reporting source; and

Whereas, the Ordinance provides that significant sewer users must perform repeated sampling and analysis within 30 days of becoming aware of a violation; and

Whereas, the Ordinance requires that periodic compliance reports:
(1) comply with sampling requirements, (2) specify the number of grab samples necessary in periodic non-categorical significant user reports, and (3) be signed by an authorized representative of the industrial user; and

Whereas, the Ordinance requires any industrial user subject to reporting requirements maintain records of all information related to monitoring activities required by the Ordinance; and

Whereas, the Ordinance provides for a revised enforcement process including: notice letter, notification of violation, and show cause order; and

Whereas, the Ordinance provides for recovery of costs from YCUA user as established by the Board to meet the costs of operation, maintenance, improvement or replacement of the system; and

Whereas, the Ordinance requires that if a user discharges liquid waste containing a concentration of fats, oils, grease in a grab sample exceeding permissible limits, an interceptor must be installed. Interceptors must also be installed if a user discharges flammable wastes, sand or other harmful ingredients. This requirement does not include single or multiple family dwelling units; and

Whereas, the Ordinance prohibits pollutants which: (1) result in toxic gases, vapors or fumes within the YCUA system in a quantity that may cause worker health and safety problems, (2) noxious or malodorous material which creates a public nuisance or hazard to life or sufficient to prevent entry into the sewers for maintenance or repair, and (3) exceed daily maximum concentration or mass loading limits in any single calendar day; and

Whereas, the Ordinance prohibits wastewater discharge with concentrations of pollutants in one grab sample exceeding certain defined limits; and

Whereas, the Ordinance requires the implementation of best management practices to control, contain, treat, prevent or reduce the discharge of wastewater, pollutants or other substances from users' premises to the YCUA treatment system; and

Whereas, the Ordinance requires sampling and analysis performed in accordance with the techniques prescribed in 40 CFR part 136 (March 26, 2007) unless EPA determines the techniques are inappropriate for the pollutant in question; and

Whereas, the Ordinance requires slug control requirements be included in the significant user control mechanism; and

Whereas, the Ordinance requires that significant users be evaluated for the need for a slug control discharge plan within one year of becoming a significant user; and

Whereas, the Ordinance requires that significant users notify YCUA immediately of any changes at its facility affecting the potential for a slug discharge; and

Whereas, the Ordinance requires reports of samplings which indicate a violation must be filed with YCUA within 30 days of the user becoming aware of the violation.

Now therefore,

Be it resolved that Ordinance 2010-406, attached hereto, is adopted in its entirety.

**PROPOSED
ORDINANCE NO. 2010-406
AMENDING ORDINANCE NO. 2001-280**

Ypsilanti Township Sewer Use Ordinance

DIVISION 1. GENERALLY

Sec. 62-106. Applicability of Ordinance.

This Ordinance shall apply to all Users that discharge into the Ypsilanti Community Utilities Authority's (YCUA) publicly owned treatment works (the POTW). In addition, it shall be unlawful for any User located outside the township limits to continue discharges to the POTW except as provided in this Ordinance. In addition, this Ordinance shall establish permit requirements for connections or alterations to township or YCUA sewage works facilities or the POTW; govern the design, construction, alteration or use of and connection to the sewage works and POTW; regulate the discharge of wastewater into the sewage works and POTW; prohibit certain detrimental conduct; authorize the issuance of permits; authorize inspections; provide for administration and enforcement of this Ordinance; establish civil and criminal penalties for violations; and authorize the enforcement of and ensure compliance within the township of the Federal Water Pollution Control Act, the Clean Water Act and the Michigan Natural Resources and Environmental Protection Act, more specifically defined herein, and regulations promulgated and adopted under said acts and statutes.

(Code 1975, § 20-61; Ord. No. 94-131, 6-21-94)

Sec. 62-107. Definitions.

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Act*, *"the Act," the Federal Water Pollution Control Act and the Clean Water Act* are used interchangeably in this Ordinance and refer to Public Law 92-500, as adopted in 1972 and amended by Public Law 95-217 in 1977, and any succeeding amendments and any administrative rules promulgated there under, as amended or revised from time to time.

Alternative discharge limit means limits set by the YCUA in lieu of the promulgated national categorical pretreatment standard for integrated facilities in accordance with the combined waste stream formula as set by the EPA.

Authorized representative of Industrial User means (1) a responsible corporate officer, if the Industrial User is a corporation, who shall be a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation or means the principal manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having a gross annual sales or expenditures exceeding \$25,000,000.00 (in second quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; (2) A general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively; (3) A duly authorized representative of the individual designated above and if all of the following apply: (a) The authorization is made in writing by the individual described in subsections 1 or 2 of this definition. (b) This authorization specifies either an individual or a

position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and (c) The written authorization is submitted to the Director. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of this definition shall be submitted to the Director or YCUA prior to or together with any reports to be signed by an authorized representative.

Best Management Practices (BMP) means programs, practices, procedures or other directed efforts, initiated and implemented by Users, which can or do lead to the reduction, conservation or minimization of pollutants being introduced into the ecosystem, including but not limited to the Ypsilanti Community Utilities Authority (YCUA) publicly owned treatment system. BMPs include, but are not limited to, equipment or technology modifications, process or procedure modifications, reformulation or design of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control, and may include technical and economic considerations. BMP's may be structural or non-structural or both. In determining what BMPs will be required of an User in a particular case, the Director may consider all relevant technological, economical, practical, and institutional considerations as determined relevant and appropriate by the Director, consistent with achieving and maintaining compliance with the requirements of this Ordinance and other applicable laws and regulations.

Best Management Practices Plan (BMPP) means a written document that describes how the BMPs will be accomplished.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at 20 degrees Celsius expressed in terms of weight and concentration (milligrams per liter).

Board means the Board of Commissioners of the Ypsilanti Community Utilities Authority.

Building drain means that part of the lowest horizontal piping of a drainage system which receives the drainage from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

Building sewer means that extension from the building drain to the public sewer or other places of disposal.

Bypass means intentional diversion of waste streams from any portion of an Industrial User's treatment facility.

Chemical oxygen demand (COD) means a measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen consumed from a chemical oxidant in a specified test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand. Also known as OC and DOC, oxygen consumed and dichromate oxygen consumed, respectively.

Chlorine demand means the difference between the amount of chlorine added to water or Waste water and the amount of residual chlorine remaining at the end of a specified contact period. The demand for any given water varies with the amount of chlorine applied, time of contact and temperature.

City means the City of Ypsilanti, or the City Council of Ypsilanti.

Combined sewer means a sewer receiving both surface runoff and sewage.

Combined waste stream means the waste stream at industrial facilities where regulated process effluent is mixed with other wastewaters (either regulated or unregulated) prior to treatment.

Compatible pollutant means a substance amenable to treatment in the wastewater treatment plant such as biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the publicly owned treatment works was designed to treat such pollutants, and in fact does remove such pollutant to a substantial degree. Examples of such additional pollutants may include: chemical oxygen demand, total organic carbon, and phosphorus and phosphorus compounds, nitrogen compounds, fats, oils and greases of animal or vegetable origin.

Composite sample means a sample formed either by continuous sampling or by mixing discrete samples obtained at intervals over a period of time. The individual samples shall be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the YCUA. Where time-proportional composite sampling or grab sampling is authorized by the YCUA, the samples must be representative of the Discharge. Manual generation of a composite sample through the collection and combining of grab samples may be approved if the User demonstrates to the satisfaction of the Director that this will provide a representative sample of the effluent being discharged.

The decision to allow the alternative sampling must be documented in the Industrial User's file for that facility or facilities. Composite sampling protocols delineated in the User's Permit take precedence. *Cooling water* means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

Daily maximum means the concentration or mass loading that shall not be exceeded on any single calendar day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetical average measurement of the pollutant concentration derived from all measurements taken that day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged during the day. If a composite sample is required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a single calendar day shall be based on the composite sample collected for that parameter on that calendar day. If grab samples are required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a calendar day shall be based on the average of all grab samples collected for that parameter on that calendar day. If only one grab sample is collected for a parameter on a given day, the determination whether the daily maximum limitation for that parameter has been exceeded for the day shall be based on the results of that single grab sample. If the pollutant concentration in any sample is less than the applicable detection limit, that value shall be regarded as zero (0) when calculating the daily maximum concentration. *Debt service charges* means the charges levied to customers of the wastewater system which are used to pay principal, interest and administrative costs of retiring the debt incurred for construction of the sewage works.

Department of Natural Resources and Environment or DNRE means the State of Michigan Department of Natural Resources and Environment, Administrator or other duly authorized official.

Director or Director means the Director of the YCUA or his authorized deputy, agent or representative.

Domestic sewage means waste and wastewater from humans or household operations, which is discharged to, or otherwise enters, a POTW.

Environmental protection agency, or EPA means the U.S. Environmental Protection Agency, administrator or other duly authorized official.

"Fats, Oils, and Grease" (FOG) means any hydrocarbons, fatty acids, soaps, fats, waxes, oils, or any other non-volatile or semi-volatile material of animal, vegetable or mineral origin that is extractable by solvents in accordance with standard methods.

Flow Proportional Sample means a composite sample taken with regard to the flow rate of the waste stream.

Food Service Establishment (FSE) means a non-domestic User that engages in one or more of the following food preparation activities: cooking by frying (all methods); baking (all methods); grilling; sautéing, rotisserie cooking; broiling (all methods); boiling; blanching; roasting; toasting; poaching; infrared heating; searing; barbecuing; and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

Footing drain means a pipe or conduit, which is placed around the perimeter of a building foundation and which intentionally admits ground water.

Garbage means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

Grab sample means a sample taken from a waste stream on a 1-time basis over a period of time of not more than 15 minutes without regard to the flow in the waste stream.

Holding tank waste means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.

An incompatible pollutant means any pollutant, which is not a compatible pollutant.

Industrial wastes means the wastewater discharges from industrial, manufacturing, trade or business processes, or wastewater discharge from any structure with these characteristics, as distinct from their employee's domestic wastes or wastes from sanitary conveniences.

Industrial User means a person who contributes, causes or permits wastewater to be discharged into the POTW, including, but not limited to, a place of business, endeavor, arts, trade or commerce, whether public or private, commercial or charitable, but excludes single family and multi-family residential dwellings with discharges consistent with domestic waste characteristics.

Industrial User Permit or Industrial User Pretreatment Permit means a discharge permit issued by the Director under this Ordinance and the YCUA Industrial Pretreatment Program.

Infiltration means that portion of ground water, which is unintentionally admitted to a sewer.

Interference means a discharge, alone or in conjunction with a discharge or discharges from other sources, to which both of the following provisions apply: (1) the discharge inhibits or disrupts the publicly owned treatment works, its treatment processes or operations, or its sludge processes, use or disposal; (2) pursuant to paragraph (1) of this definition, the discharge is a cause of a violation of any requirement of the YCUA or the Act or the State Act, including an increase in the magnitude or duration of a violation, or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under, or more stringent state or local regulations: Section 405 of the clean water act; the solid waste disposal act, 42 USC Section 2601 et seq, including Title II, more commonly referred to as the resource conservation and recovery act, and including state regulations contained in any state sludge management plan

prepared pursuant to subtitle D of the solid waste disposal act: the clean air act, 42 USC Section 7401 et seq; the toxic substances control act, 15 USC Section 2601 et seq; the marine protection, research, and sanctuaries act, 33 USC Section 1401 et seq.

Instantaneous maximum concentration means the maximum concentration of a pollutant allowed to be discharged at any instant in time (independent of the flow rate or duration of the sampling event). If the concentration determined by analysis of any grab sample, composite sample, or discrete portion of a composite sample exceeds the instantaneous maximum concentration, the instantaneous maximum concentration shall be deemed to have been exceeded. Any discharge of a pollutant at or above a specified instantaneous maximum concentration is a violation of this Ordinance and the YCUA Industrial Pretreatment Program.

Mercury reduction plan means a plan to ensure that the maximum allowable mercury loading to the POTW is not exceeded as described in Section 62-181 of this ordinance.

National categorical pretreatment standard, categorical pretreatment standard or categorical standard means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with sections 307(b) and (c) of the clean water act, 33 USC Section 1317, which apply to a specific category of nondomestic Users and which appear in 40 CFR Chapter I, subchapter N (1990), parts 405-471.

National pollutant discharge elimination system or NPDES permit means a permit issued pursuant to section 402 of the Act (33 USC 1342).

National prohibitive discharge standard or prohibitive discharge standard means any regulation developed under the authority of 307(b) of the Act and 40 CFR 403.5.

Natural outlet means any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

New source means any building, structure, facility, or installation from which there is or may be a discharge and for which construction commenced after the publication of proposed pretreatment standards under section 307(c) of the clean water act will be applicable to the source if the standards are thereafter promulgated in accordance with section 307(c), and if any of the following provisions apply: (1) the building, structure, facility, or installation is constructed at a site at which no other source is located; (2) the building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (3) the production of wastewater-generated processes of the building, structure, facility, or installation is substantially independent of an existing source at the same site. The extent to which the new facility is engaged in the same general type of activity as the existing source and the extent of integration of the new facility with the existing plant should be considered in determining whether the process is substantially independent.

Nondomestic User means an industry, commercial establishment, or other entity that discharges wastewater to a publicly owned treatment works other than, or in addition to, sanitary sewage.

Operation and maintenance means all work, materials, equipment, utilities, administration and other effort required to operate and maintain the sewage works consistent with insuring adequate treatment of wastewater to produce an effluent in compliance with the NPDES permit and other applicable state and federal regulations, and includes the cost of replacement.

Operator means the person responsible for the overall operation of a facility.

Owner means the person who owns a facility or part of a facility.

Pass through means a discharge that exits the WWTP into State waters in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Act, the State Act, or the NPDES permit, including an increase in the magnitude or duration of a violation.

Person means any individual, partnership, copartnership, firm, company, corporation, limited liability company, association, joint stock company, trust, estate, governmental entity or any other legal entity, or its legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

pH means the logarithm (base ten) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution or expressed in Standard Units (SU).

Pollutant means any of the following: substances regulated by categorical standards; substances discharged to the POTW that are required to be monitored, are limited in the POTW's permit, or are or are to be identified in the POTW's permit application; substances for which control measures on nondomestic Users are necessary to avoid restricting the approved residuals management program of the POTW; substances for which control measures on nondomestic Users are necessary to avoid operational problems at the POTW; substances for which control measures on nondomestic sources are necessary to avoid worker health and safety problems in the POTW.

Pollution means the manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of water.

Pretreatment or treatment means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the sewage works. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by 40 CFR 403.6(d).

Pretreatment requirements means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on a nondomestic User.

Pretreatment standards means any regulation containing pollutant discharge limits promulgated in accordance with section 307(b) and (c) of the clean water act and the state act. This term includes prohibited discharges and local limits defined in R 323.2303 and categorical standards.

Properly shredded garbage means garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

Publicly owned treatment works (POTW) means the treatment works owned and/or operated by the YCUA and includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. The term also includes sewers, pipes, and other conveyances if they convey wastewater to or through the publicly owned treatment works. The term also means the municipality (the Township of Ypsilanti) that has jurisdiction over indirect discharges to, and discharges from, the treatment works.

Public sewer means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Replacement means the replacement in whole or in part of any equipment in the wastewater transportation or treatment systems to ensure continuous treatment of wastewater in accordance with the NPDES permit and other state and federal regulations.

Sanitary Sewer means a sewer, which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Severe property damage means substantial physical damage to property, damage to the treatment facilities which cause them to become inoperable, or substantial or permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Sewage or wastewater means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the sewage works.

Sewage treatment or wastewater treatment plant means any arrangement of devices and structures used for treating sewage.

Sewage works means all municipal facilities for collecting, pumping, treating and disposing of sewage. *Sewer* means a pipe or conduit for carrying sewage.

Sewer service charge means the sum of any applicable User charges, surcharges and debt service charges. *Shall* is mandatory; *may* is permissive.

Significant Industrial User (SIU) means either of the following: (1) A nondomestic User subject to categorical pretreatment standards under 40 CFR S403 (1992) and 40 CFR Chapter I, subchapter N (1990); or (2) A nondomestic User that, in the opinion of YCUA or of the township, has a reasonable potential to adversely affect the POTW's operation, or for violating any pretreatment standard or requirement or that contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant, or that discharge an average of 25,000 gallons per day or more of process wastewater to the POTW, excluding sanitary, noncontact cooling, and boiler blow down wastewater. Any User designated as significant may petition the township to be deleted from the list of Significant Industrial Users on the grounds that it has no potential for adversely affecting the POTW's operation or violating any pretreatment standard or requirement.

The Director may determine that a User that meets the criteria of Subsections (1) and (2) of this definition above is not currently a Significant Industrial User, if the Director finds that the User has no reasonable potential to adversely affect the operation of the POTW, to violate any pretreatment standard or requirement, or that a Industrial User Permit is not required to meet the purposes and objectives of this Ordinance. A determination that a User is not a Significant Industrial User (or that a permit is therefore not required) shall not be binding and may be reversed by the Director at any time based on changed circumstances, new information, or as otherwise determined necessary by the Director to meet the purposes and objectives of this Ordinance.

Significant noncompliance means any of the following: (1) chronic violations of wastewater discharge limits, defined as results of analyses in which 66% or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed, by any magnitude, a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l); (2) technical review criteria (TRC) violations, defined as results of analyses in which 33% or more of all of the measurements taken for the same pollutant parameter taken during a 6-month period equal or exceed the product of the Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable technical review criteria. (Technical review criteria

equals 1.4 for compatible pollutants and 1.2 for all other pollutants, except pH.); (3) any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l), (daily maximum, longer-term average, instantaneous limits, or Narrative Standard) that the YCUA determines has caused, alone or in combination with other discharges, interference or pass-through, including endangering the health of township or YCUA personnel or the general public; (4) any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the YCUA's exercise of its emergency authority under Rule 323.2306(a) (vi) of the Part 23 Rules under the State Act or its emergency authority under this Ordinance to halt or prevent the discharge; (5) failure to meet, within 90 days after a scheduled date, a compliance schedule milestone contained in a YCUA or other local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance; (6) failure to provide, within 30 days after the due date, a required report such as, but not limited to, a baseline monitoring report, 90 day or other compliance report, periodic self-monitoring report, or report on compliance with a compliance schedule; (7) failure to timely or accurately report noncompliance; or (8) any other violation or group of violations, which may include a violation of Best Management Practices, that YCUA determines will affect or has adversely affected the operation or implementation of the YCUA pretreatment program or operation of the POTW.

Slug, Slug Loading, Slug Discharge means either:

1. Any discharge of pollutants at a volume or concentration that causes upset of or interference with the POTW or causes the pass-through of pollutants to receiving waters, or
2. Any discharge of a pollutant(s), measured by a grab sample, at a concentration exceeding five (5) times the composite or grab sample discharge limit, or
3. Any discharge of wastewater outside the pH range of 5 – 11 S.U. for either a continuous duration of greater than or equal to fifteen minutes or for a sum total of thirty minutes within one day, or
4. Any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or non-customary batch discharge.

State means State of Michigan.

State Act means Public Act 451 of 1994, the Natural Resources and Environmental Protection Act (NREPA), as amended, and any administrative rules promulgated there under, as amended or revised from time to time.

Storm sewer or storm drain means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Storm water means any flow occurring during or following any form of natural precipitation and resulting there from.

Surcharge means an extra charge to cover the cost of treating, sampling and testing extra strength sewage.

Suspended solids means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

Township means the Charter Township of Ypsilanti, Michigan or its board of trustees.

Toxic pollutant means any pollutant or combination of pollutants, which is or can potentially be harmful to the public health or the environment including those listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provisions of CWA 307(a) or other acts.

User means any person who contributes, causes or permits the contribution of wastewater into the sewage works.

User charge means a charge levied on Users of a treatment works for the cost of operation and maintenance of sewerage works pursuant to Section 204(b) of PL 92-500 and includes the cost of replacement.

User class means the kind of User connected to sanitary sewers including but not limited to residential, industrial, commercial, institutional and governmental, defined as follows:

(1) *Residential User* means a User of the treatment works whose premises or buildings are used primarily as a domicile for one or more persons, including dwelling units such as detached, semidetached and row houses, mobile homes, apartments, or permanent multifamily dwellings (transient lodging is not included, it is considered commercial);

(2) *Industrial User* means any User who discharges an "industrial waste" as defined in this Ordinance or any nondomestic source who discharges pollutants to the sewage works or POTW;

(3) *Commercial User* means an establishment involved in a commercial enterprise, business or service, which, based on a determination by the YCUA discharges primarily segregated domestic wastes or wastes from sanitary conveniences and which is not a Residential User or an Industrial User;

(4) *Institutional User* means any establishment involved in a social, charitable, religious, or educational function which, based on a determination by the YCUA discharges primarily segregated domestic wastes or wastes from sanitary conveniences; and

(5) *Governmental User* means any federal, state or local government User of the wastewater treatment works.

Waters of the state means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

(Code 1975, § 20-62)

Sec. 62-108. Abbreviations.

The following abbreviations shall have the following meanings:

ASTM -- American Society for Testing and Materials

BMP -- Best Management Practices

BMPP -- Best Management Practices Plan BOD -- Biochemical oxygen demand

CFR -- Code of Federal Regulations

COD -- Chemical oxygen demand

CWA -- Clean Water Act

DNRE -- Department of Natural Resources and Environment (State of Michigan)

EPA -- Environmental Protection Agency

FOG -- Fats, Oils, and Grease

l -- liter

MRP -- Mercury Reduction Plan

mg -- milligrams

mg/l -- milligrams per liter

NPDES -- National Pollutant Discharge Elimination System

O&M -- Operation and Maintenance

POTW -- Publicly Owned Treatment Works

SIC -- Standard Industrial Classification

SS -- Suspended solids

USC -- United States Code

WWTP – The Ypsilanti Community Utilities Authority Wastewater Treatment Plant

WEF – Water Environment Federation

YCUA -- Ypsilanti Community Utilities Authority

(Code 1975, § 20-63)

Sec. 62-109. Protection from damage.

It shall be unlawful for any unauthorized person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment, which is a part of the sewage works or POTW.

(Code 1975 § 20-64)

Secs. 62-110 – 62-120. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 62-121. Permit or authorization required.

It shall be unlawful to discharge to the waters of the state within the township, or in any area under the jurisdiction of such township and/or to the sewage works, any wastewater except as provided by an NPDES permit and/or as authorized by the township and the YCUA in accordance with the provisions of this Ordinance.

(Code 1975, § 20-75)

Sec. 62-122. Information required prior to connection to system.

All Industrial Users proposing to connect to or to contribute to the sewage works shall submit information on the use, processes and wastewater to the Director before connecting to or contributing to the sewage works. The information submitted must be sufficient for the YCUA to determine the impact of the User's discharge on the sewage works and the need for pretreatment. The User shall submit, in units and terms appropriate for evaluation, the following information:

(1) The name, address and location of the User.

(2) The SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended and the Industrial Category subject to National Categorical Pretreatment Standards, 40 CFR, Chapter 1, Subchapter N, Part 403, Appendix C, if applicable.

(3) Wastewater constituents and characteristics including but not limited to those pollutants mentioned in section 62-177 through 62-187 of this Ordinance, when required by the Director, as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR part 136 (March 26, 2007), as amended from time to time. Where 40CFR part 136 (March 26, 2007) does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the part 136 (March 26, 2007) sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods of any other applicable sampling and analytical procedures, including procedures suggested by the publicly owned treatment works or other parties, approved by the EPA.

(4) The time and duration of contribution.

(5) The average daily wastewater flow rates, including daily, monthly and seasonal variations, if any.

(6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation, if the User is a SIU or as required by the YCUA.

(7) A description of activities, facilities and plant processes on the premises including all materials, which are or could be discharged.

(8) The nature and concentration of any pollutants in the discharge, which are limited by any YCUA, 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 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 shall be provided. 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 subsection (9) a of this section shall exceed nine months.

(c) Not later than 14 days following each date in the schedule and the final date for compliance, the User shall submit a progress report to the Director 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 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 Director.

(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 plant and proposed or actual hours of operation of pretreatment system.

(13) Any other information as may be deemed by the Director to be necessary to evaluate the impact of the discharge on the sewage works.

(Code 1975, § 20-76)

Sec. 62-123. Reporting required after promulgation or revision of a pretreatment standard and reporting from a new source.

Within 180 days of the promulgation or revision of a categorical pretreatment standard, or 180 days after the final administrative decision made upon a category determination submission under R 323.2311(2) of the Part 23 Rules promulgated under the State Act, whichever is later, existing nondomestic Users subject to the categorical pretreatment standards and currently discharging, or scheduled to discharge, to the POTW shall submit, to the YCUA, a report that contains all of the information listed in this Section. Where reports

containing this information already have been submitted to the YCUA or EPA in compliance with the requirements of 40 C.F.R. S128.140 (b) (1977), the nondomestic User will not be required to submit the information again. Not less than 90 days before the commencement of a discharge, sources that become nondomestic Users subsequent to the promulgation of an applicable categorical standard and new sources shall be required to submit, to the YCUA, a report that contains the information listed in subdivisions (1) to (5) of this Section. New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New sources shall give estimates of the information requested in subdivisions (4) and (5) of this Section. All of the following information shall be submitted pursuant to this Section.

(1) The name and address of the facility including the name of the operator and owners.

(2) A list of any environmental control permits held by or for the facility.

(3) A brief description of the nature, average rate of production, and standard industrial classification of the operation or operations carried out by the nondomestic User. The description shall include a facility drawing and schematic process diagram that indicates points of discharge to the POTW and from which processes the discharges originate.

(4) Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW for each of the following:

(a) Regulated process streams.

(b) Other streams as necessary to allow use of the combined waste stream formula specified in R 323.2311(6). YCUA may allow for verifiable estimates of these flows where justified by cost or feasibility considerations.

(5) All of the following information shall be provided with respect to the measurement of pollutants:

(a) The identity of the pretreatment standards, including state or local standards, applicable to each regulated process.

(b) The results of sampling and analysis identifying the nature and concentration or mass, where required by the standard or YCUA, of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentration or mass, where required, shall be reported. The sample shall be representative of daily operations.

(c) A minimum of 4 grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples shall be obtained through flow-proportional composite sampling techniques. The YCUA may waive flow-proportional composite sampling for any nondomestic User that demonstrates that time-proportional sampling is representative of the discharge during the sampling period. Samples obtained through time-proportional composite sampling techniques or through a minimum of 4 grab samples may be approved by the Director or designee when the User demonstrates that this will provide a representative sample of the effluent being discharged.

(d) With the exception of the pollutants specified in paragraph (c) of this subsection, the User shall take a minimum of 1 representative sample to compile the data necessary to comply with the requirements of this sub-section.

(e) Samples should be taken immediately downstream from pretreatment facilities if

the facilities exist or immediately downstream from the regulated process if pretreatment facilities do not exist. If other wastewaters are mixed with the regulated wastewater before pretreatment, the nondomestic User should measure the flows and concentrations necessary to allow use of the combined waste stream formula specified in R 323.2311(7) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with R 323.2311(5), the adjusted limit and supporting data shall be submitted to YCUA.

(f) Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 C.F.R. part 136 (March 26, 2007). Where 40 C.F.R. part 136 (March 26, 2007) does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 (March 26, 2007) sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by YCUA or other parties, approved by the EPA.

(g) The YCUA may allow the submission of a baseline report that utilizes only historical data if the data provides information sufficient to determine the need for industrial pretreatment measures.

(h) The baseline report shall indicate the time, date, and place of sampling and the methods of analysis and shall certify that the sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.

(6) A statement, reviewed by an authorized representative of the nondomestic User and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance or additional pretreatment is required for the nondomestic User to meet the pretreatment standards and requirements.

(7) If additional pretreatment or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the nondomestic User will provide such additional pretreatment or operation and maintenance. The completion date in the schedule shall not be later than the compliance date established for the applicable pretreatment standard. All of the following conditions shall apply to compliance schedules:

(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 nondomestic User to meet the applicable categorical pretreatment standards. The events may include any of the following: (i) The hiring of an engineer; (ii) Completing preliminary plans; (iii) Completing final plans; (iv) Executing contracts for major components; (v) Commencing construction; (vi) Completing construction; or (vii) Other similar major events;

(b) An increment referred to in this sub-section shall not be more than 9 months.

(c) Not later than 14 days following each date in the schedule and the final date for compliance, the nondomestic User shall submit a progress report to YCUA, including, at a minimum, whether or not the User complied with the increment of progress to be met on a particular date and, if not, the date on which the User expects to comply with the increment of progress, the reason for delay, and the steps being taken by the nondomestic User to return the construction to the schedule established. Not more than 9 months shall elapse between progress reports to YCUA.

(8) Where the nondomestic User's categorical pretreatment standard has been modified by

a removal allowance under R 323.2311(7) or a fundamentally different factors variance under R 323.2313(b) at the time the nondomestic User submits the report required by this rule, the information required by subdivisions (6) and (7) of this section shall pertain to the modified limits.

(9) Any changes to information requested under subdivisions (1) to (5) of this section shall be submitted by the nondomestic User to YCUA within 60 days.

(Code 1975, 20-77)

Sec. 62-124. Additional reporting required and periodic report requirements.

(1) Within 90 days following the date for final compliance with applicable categorical pretreatment standards or, in the case of a new source, following commencement of the introduction of wastewater into the sewage works, POTW or the WWTP, any nondomestic User subject to pretreatment standards and requirements shall submit to the Director and/or YCUA a report containing the information required in subsections (4) through (6), inclusive, of Section 62-123 of this Ordinance. For Industrial Users subject to equivalent mass or concentration limits established by YCUA in accordance with the procedures in R 323.2311(5) of the Part 23 Rules promulgated under the State Act or otherwise established by the Act or the State Act or rules promulgated there under, the report shall contain a reasonable measure of the nondomestic User's long-term production rate. For all other nondomestic Users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production, or other measure of operation, the report shall include the nondomestic User's actual production during the appropriate sampling period.

(2) The YCUA may impose mass limitations on Users, which are using dilution to meet applicable pretreatment standards or requirements, or in other cases in which the imposition of mass limitations is appropriate.

(3) All of the following provisions shall apply to periodic reports on continued compliance:

(a) Any nondomestic User subject to a categorical pretreatment standard after the compliance date of the pretreatment standard or, in the case of a new source, after commencement of the discharge into the publicly owned treatment works shall submit, to the YCUA semiannually, unless required more frequently in the pretreatment standard or by the YCUA, a report indicating the nature and concentration of pollutants in the effluent that are limited by the categorical pretreatment standards. In addition, the report shall include a record of measured or appropriately estimated average and maximum daily flows for the reporting period for the discharge reported in subsection 62-123 (4) or this Ordinance, except that YCUA may require more detailed reporting of flows.

(b) Where YCUA has imposed mass limitations on nondomestic Users as provided for by R 323.2311(5) of the Part 23 Rules promulgated under the State Act or where such limitations are otherwise established by the Act or the State Act or Rules promulgated there under, the report required by subsection (1) immediately above shall indicate the mass of pollutants regulated by pretreatment standards in the discharge from the nondomestic User.

(c) For nondomestic Users subject to equivalent mass or concentration limits established by the YCUA or under the Act or the State Act or Rules promulgated there under, the report required by subsection (1) immediately above shall contain a reasonable measure of the nondomestic User's long-term production rate. For all other nondomestic Users subject to categorical pretreatment standards expressed only in terms of allowable pollutant discharge per unit of production, or other measure of operation, the report required by

subsection (1) immediately above shall include the nondomestic User's actual average production rate for the reporting period.

(4) All categorical and non-categorical nondomestic Users shall notify the YCUA immediately of all discharges that could cause problems to the POTW, including any slug loadings.

(5) All of the following provisions apply to Significant Industrial Users that are Categorical Industrial Users or Non-categorical Industrial Users in regards to monitoring and analysis to demonstrate continued compliance:

(a) The reports required in Section 62-123 or this Ordinance or in this Section shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the YCUA, of pollutants contained in the discharge that are limited by the applicable pretreatment standards. The sampling and analysis may be performed by the YCUA instead of the nondomestic User. Where the YCUA elects to perform the required sampling and analysis instead of the nondomestic User, the nondomestic User will not be required to submit the compliance certification required under Section 62-123 (6) and subsection (1) of this Section. In

addition, where the YCUA collects all the information required for the report, including flow data, the nondomestic User will not be required to submit the report. The YCUA shall provide, to the nondomestic User, within 10 days after the results are available, the results of any sampling the YCUA performs for nondomestic User self-monitoring that show a violation of any pretreatment standard.

Any certification required by a categorical pretreatment standard shall be included with the semiannual compliance reports.

(b) If sampling performed by a nondomestic User indicates a violation of pretreatment standards, the nondomestic User shall notify the YCUA within 24 hours of becoming aware of the violation. The nondomestic User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the YCUA within 30 days after becoming aware of the violation; however, the nondomestic User is not required to resample if the YCUA performs sampling at the nondomestic User at a frequency of at least once per month or if the YCUA performs sampling at the nondomestic User between the time when the nondomestic User performs its initial sampling and the time when the nondomestic User receives the results of the sampling.

(c) The reports required in subsection (c) of this Section shall be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data is representative of conditions occurring during the reporting period. The YCUA may require a frequency of monitoring that is necessary to assess and assure compliance by nondomestic Users with applicable pretreatment standards and requirements.

(d) All analyses shall be performed in accordance with procedures established by the E.P.A. pursuant to section 304(h) of the clean water act and contained in 40 C.F.R. part 136 (March 26, 2007) or with any other test procedures approved by the E.P.A. Sampling shall be performed in accordance with the techniques approved by the E.P.A. Where the provisions of 40 C.F.R. part 136 (March 26, 2007) do not include sampling or analytical techniques for the pollutants in question, or where the E.P.A. determines that the part 136 (March 26, 2007) sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the YCUA or other parties and approved by the E.P.A.

(e) If a nondomestic User monitors any pollutant more frequently than required by the

YCUA using the procedures prescribed in subsection (d) immediately above, the results of the monitoring shall be included in the report.

(f) A minimum of one (1)-grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples shall be obtained through flow-proportional composite sampling techniques. The YCUA may waive flow-proportional composite sampling for any nondomestic user that demonstrates that time-proportional sampling is representative of the discharge during the sampling period. Samples obtained through time-proportional composite sampling techniques or through a minimum of 4 grab samples may be approved by the Director or designee when the user demonstrates that this will provide a representative sample of the effluent being discharged.

(6) The YCUA may require appropriate reporting from nondomestic Users that have discharges, which are not subject to categorical pretreatment standards. Significant industrial Users shall submit, to the YCUA, at least semiannually, a description of the nature, concentration, and flow of the pollutants required to be reported by the YCUA. The Reports shall be based on sampling and analysis performed in the period covered by the report and performed in accordance with the techniques described in 40 C.F.R. part 136 (March 26, 2007). Where the provisions of 40 C.F.R. part 136 (March 26, 2007) do not contain sampling or analytical techniques for the pollutant in question, or where the E.P.A. determines that the part 136 (March 26, 2007) sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the YCUA or other persons and approved by the E.P.A. The sampling and analysis may be performed by the YCUA instead of the significant Industrial User. Where the YCUA collects all of the information required for the report, the Significant Industrial User will not be required to submit the report. The YCUA shall provide, to the nondomestic User, within 10 days after the results are available, the results of any sampling it performs for nondomestic User self-monitoring that show a violation of any pretreatment standard. Where YCUA performs sampling for a Significant Industrial User, YCUA must perform any required repeat sampling and analysis within thirty (30) days of becoming aware of a violation.

(7) All periodic compliance reports shall be certified and signed by the authorized representative of the industrial user. The authorized representative shall state the following certification when submitting the periodic compliance reports to YCUA: ***“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 inquire 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.”***

(Code 1975, § 20-79)

Sec. 62-125. Powers of the YCUA.

Wastewater discharges shall be expressly subject to all provisions of this Ordinance, the Act and State Act and all other applicable regulations established by the YCUA. The YCUA may:

- (1) Limit the average and maximum wastewater constituents and characteristics.
- (2) Limit the average and maximum rate and time of discharge or make requirements for flow regulations and equalization.
- (3) Require the installation and maintenance of inspection and sampling facilities.

(4) Establish specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.

(5) Establish compliance schedules.

(6) Require submission of technical reports or discharge reports.

(7) Require the maintaining, retaining and furnishing of plant records relating to wastewater discharge as specified by the YCUA, and affording YCUA access thereto, and copying thereof.

(8) Require notification of slug discharges and accidental spills.

(9) Require other conditions as deemed appropriate by the YCUA to ensure compliance with this Ordinance, the Act and the State Act. The YCUA shall require notification of the YCUA for 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.

(Code 1975, § 20-78)

Sec. 62-126. Sampling and monitoring facilities may be required.

The YCUA shall, when determined necessary by the Director, require to be provided and operated at the User's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The facility, 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 YCUA and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the YCUA.

(Code 1975, § 20-80)

Sec. 62-127. Right to access of facilities for inspection, sampling, records examination, record copying or other duties.

The YCUA shall inspect the facilities of any User to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the YCUA 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 in the performance of any of their duties. The YCUA, DNRE and EPA shall have the right to set up on the User's property, at the User's expense, 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 their premises, the User shall make necessary arrangements with their security guards or other appropriate personnel so that upon presentation of suitable identification, personnel from the YCUA, DNRE and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

(Code 1975, § 20-81)

Sec. 62-128. Compliance with Ordinance provisions required.

(1) Industrial Users shall provide necessary wastewater treatment as required to comply with this Ordinance, the Act and State Act and shall achieve compliance with all pretreatment standards within the time limitations as specified by the federal pretreatment regulations and as required by the YCUA, the Act or the State Act. Any Industrial User that qualifies, as a new source is required to have pretreatment equipment installed and operational before

discharging and shall be in full compliance within 90 days of initial discharge. Any facilities required to pretreat wastewater to a level acceptable to the YCUA 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 YCUA for review, and shall be approved by the YCUA 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 YCUA under the provisions of this Ordinance, the Act or the State Act. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the YCUA prior to the User's initiation of the changes.

(2) As required by Section 403.8(D)(viii) of the Federal Register, the YCUA shall publish at least annually in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW of the Industrial Users, which during the previous 12 months, Were in significant noncompliance with any applicable pretreatment requirements. All records relating to compliance with pretreatment standards shall be made available to officials of the EPA or DNRE upon request.
(Code 1975, § 20-82)

Sec. 62-129. Confidentiality of information.

Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the DNRE and the EPA without restriction and shall be available to the public without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the Director that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the User, in accord with applicable provisions of the state freedom of information act, Public Act 442 of 1976, as amended and Rule 323.2314 of the Part 23 Rules promulgated under the State Act.
(Code 1975, § 20-83)

Sec. 62-130. Enforcement by township.

All orders, directives, legal and/or equitable actions, which are necessary and appropriate to enforce this Ordinance, the Act and State Act shall be carried out by YCUA and/or the township. Nothing contained in subsection (a) of this section shall preclude the township or YCUA from instituting, maintaining or joining any legal and/or equitable actions to enforce this Ordinance, the Act and State Act.
(Code 1975, § 20-84)

Sec. 62-131. Records, accounts, audits, classification of Users, insurance.

(1) The YCUA will maintain and keep proper books of records and accounts, separate from all other records and accounts, in which shall be made full and correct entries of all transactions relating to the POTW. The YCUA will cause an annual audit of such books of record and account for the preceding operating year to be made by a recognized independent certified public accountant, and will supply such audit report to authorized public officials on request.

(2) In conjunction with the audit there shall be an annual review of the sewer charge system for adequacies meeting expected expenditures for the following year.

(3) Classification of old and new Industrial Users may also be reviewed annually.

(4) The YCUA will maintain and carry insurance on all physical properties of the system, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of sewage disposal systems.

(5) Retention of Records A User shall retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Ordinance, an order, or a permit, all documentation associated with Best Management Practices, and the records of all data used to complete the application for a permit, for a period of at least three years from the date of a sample, measurement, report application or orders. This period may be extended by the Ypsilanti Community Utilities Authority at any time.

(Code 1975, § 20-85)

Sec. 62-132. Powers and authority of inspectors.

The Director and other duly authorized employees of the Ypsilanti Community Utilities Authority bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance, the Act and State Act.

(Code 1975, § 20-86)

Sec. 62-133. Enforcement Process.

(1) **Emergency Suspension.** The Director may suspend the wastewater treatment service and/or any permit issued under this Ordinance when such a suspension is necessary, in the opinion of the Director, in order to stop an actual or threatened discharge that presents or may present an imminent or substantial danger to the health or welfare of persons or the environment, the POTW, or constitutes a violation of any condition of a NPDES or other permit, this Ordinance, the Act or State Act. Any User notified of a suspension of wastewater treatment services or a permit shall immediately stop or eliminate its discharge into a township or YCUA sanitary sewer. If a User fails to immediately comply with such a suspension order and as required in this section, the YCUA shall take such steps as deemed necessary, including immediate termination or severance of the User's sewer connection to prevent or minimize damage to any person, the POTW or the environment. The YCUA shall allow the User to recommence its discharge upon receipt of proof of compliance with this Ordinance and the elimination of the discharge and/or identified danger. A User whose wastewater treatment service or permit has been suspended under this Ordinance shall submit, within fifteen (15) days of the suspension, a written statement to the Director describing the causes of the harmful discharge and the measures taken to prevent future harmful discharges in addition to other information required by this Ordinance or otherwise required by the Act or State Act under such circumstances.

(2) **Notice Letter** – The minimum enforcement response that the Director or his/her designee will use to notify an User that a violation of the local applicable sewer use ordinance or YCUA Industrial Pretreatment Program has occurred or is occurring.

(3) **Notification of Violation.** Whenever the Director finds that any User has violated or is violating any provision of this Ordinance or a wastewater discharge permit, an order issued under this Ordinance, the Act or State Act, the Director may serve upon said User written notice of the violation. Within thirty (30) days of receipt of such notice the User shall submit to the Director or designee an explanation of the violation and a written plan for satisfactory correction. Submission of this plan does not relieve the User of liability for any violations occurring before or after receipt of the notice of violation or as otherwise provided in this Ordinance, the Act or State Act.

(4) **Show Cause Order.** The Director may order any User violating this Ordinance or the IPP a permit, an order issued under this Ordinance, the Act, or State Act, to show cause why a proposed enforcement action should not be taken. The show cause notice shall require the User to appear before the Director for a show cause meeting within a reasonable time, not less than ten (10) days after first class mailing of the order to the User's recorded or last

known address. Enforcement action may be pursued whether or not a User appears at a show cause meeting and issuance of a show cause order does not relieve the User of liability for any violation occurring before or after receipt of the notice or as otherwise provided in this Ordinance, the Act, or State Act.

(5) **Consent Order.** The Director is empowered to enter into Consent Orders, Assurances of Voluntary Compliance and other similar documented agreements establishing an agreement with a User responsible for non-compliance with an order, permit, this Ordinance, the Act or State Act. Such a document may include compliance schedules, stipulated fines or penalties, the amount of which shall not be limited by the civil fine assessment provision of this Ordinance, remedial actions and signatures of the Director and User. Consent Orders or similar documented agreements prepared and executed under this section shall have the same force and effect as other orders issued under this Ordinance.

(6) **Compliance Order.** When the Director finds that a User has violated or continues to violate this Ordinance, a permit, an order issued under this Ordinance, the Act or State Act, an order may be issued to the User directing that, following a specified time period, sewer service shall be discontinued unless aDNREuate treatment facilities, devices or other related appurtenances have been installed and are properly operated and compliance is otherwise achieved. Such an order may contain other requirements as might be reasonably necessary and appropriate to address the non-compliance, including, but not limited to, the installation of pre-treatment technology, additional self-monitoring and new management practices. Issuance of a compliance order does not relieve the User of liability for any violation occurring before or after receipt of the notice or as otherwise provided in this Ordinance, the Act or State Act.

(7) **Cease and Desist Order.** When the Director finds that a User has violated or continues to violate this Ordinance, a permit, an order issued under this Ordinance, the Act or State Act, an order may be issued to the User responsible for the violation directing that such violations cease and desist immediately. In an emergency, the order to cease and desist may be given by telephone. In a nonemergency situation, the cease and desist order may be used to suspend or permanently revoke an industrial wastewater discharge permit or permits. A cease and desist order may require the User to take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge. Issuance of a cease and desist order does not relieve the User of liability for any violation occurring before or after receipt of the order or as otherwise provided in this Ordinance.

(8) **Termination of Wastewater Discharge Permit.** Any User who has a permit who violates the following conditions of a wastewater discharge permit or violates this Ordinance, the Act or State Act or any applicable state or federal law or regulation is subject to permit termination:

- (a) Failure to accurately report wastewater constituents and characteristics;
- (b) Failure to report significant changes in operations or wastewater constituents and characteristics;
- (c) Refusal of reasonable access to the User's premises or records for the purpose of inspection, monitoring or sampling or for any other purpose permitted under this Ordinance, the Act or State Act;
- (d) Failure to comply with an order issued under this Ordinance; or
- (e) For those reasons stated in Section 62-138 or for any other reason permitting such termination as provided in this Ordinance, the Act or State Act.

Such Users shall be notified of the proposed permit termination and shall be offered an opportunity to show cause under the provision of subsection (4) of this Section, why the proposed action should not be taken.

(9) **Administrative Assessments.** Notwithstanding any other section of this Ordinance, any User who violates any provision of this Ordinance, a permit, an order issued under this Ordinance, the Act or State Act, shall be liable to the YCUA and/or township for any expense loss or damage occasioned by reason of such violation, including but not limited to reasonable attorney's fees and may be subject to an administrative assessment by the YCUA in an amount of \$1,000 per violation, per day. Each day on which non-compliance shall occur or is continued shall be deemed a separate and distinct violation. Such expense, loss, damage or assessments may be added to a User's sewer service charges and the YCUA and the township shall have such other collection rights and remedies as designated by law, the Act, the State Act and this Ordinance to collect these sewer service charges.

(10) **Judicial Remedies.** A person who violates any provision of this Ordinance, a permit, an order issued under this Ordinance, the Act or State Act, is subject to the judicial remedies described below in addition to being responsible for a civil fine assessment or a misdemeanor or any administrative remedy or enforcement action provided for in this Ordinance:

(a) Whenever a User has violated or continues to violate the provisions of this Ordinance, a permit, an order issued under this Ordinance, the Act or the State Act, the Director, through counsel, may petition the Circuit Court for issuance of a preliminary or permanent injunction or both to restrain or compel certain activities on the part of the User.

(b) Any User who has violated or continues to violate any order or permit issued hereunder may be liable to the YCUA in such judicial proceedings for a civil fine assessment of \$1,000, plus actual damages, direct or indirect, incurred by the YCUA, per violation, per day, for as long as the violation continues. Additionally, the YCUA may recover reasonable attorney's fees; court costs and other expenses associated with any enforcement activities, including sampling, monitoring and analysis expenses.

(c) The Director, through counsel, may petition the Circuit Court to impose, assess, and recover such assessments and sums. In determining the amount of liability, the court shall take into account all relevant circumstances, including, but not limited to the extent of harm caused by the violation, the magnitude or duration of the violation, any economic benefit gained by the User through the violation, corrective actions by the User, the compliance history of the User and any other relevant factor.

(11) **Liens.** Any fine or other assessment issued or imposed under this Ordinance or other costs or charges imposed under this Ordinance may be added to the User's sewer service charges and the YCUA shall have such other collection rights and remedies as designated by law and this Ordinance to collect said charges and all unpaid charges, fines, assessments, penalties and service charges shall constitute and may be recorded as a lien against the User's property if not paid within the time frame allocated by YCUA or a court for payment.

(12) **Appeals.** Any person or User subject to enforcement action under the provisions of this Ordinance, the Act or State Act, except for civil fine assessment notices, consent orders, emergency actions under this Ordinance or judicial actions by YCUA, may request a hearing

before the Director within ten (10) days of receipt of notification of the proposed enforcement action. A hearing shall then be held by the Director concerning the violation, the reasons why the enforcement action has been taken, the proposed enforcement action, and the User's explanation or other relevant evidence. An appeal may be taken from the Director's final decision. The following rules shall apply to the hearing and appeal:

- (a) The Director may issue notices of such a hearing requiring the attendance and testimony of witnesses or the production of evidence relative to the hearing.
- (b) In the event a request for hearing is not filed within ten (10) days of the User's notice of an enforcement action, failure to file such a request shall be deemed a waiver of any and all hearing or appeal rights established under this Ordinance.
- (c) A request for hearing shall state the basis for the request, the reasons in support of the request and any alternative relief, which the aggrieved party seeks.
- (d) During the pendency of any hearing process or appeal the User must comply with the enforcement action or YCUA order from which the appeal is taken.
- (e) At the hearing, testimony may be taken under oath and recorded stenographically. A transcript of the hearing shall be made available to any member of the public or any party to the hearing upon payment of usual and reasonable charges.
- (f) After the Director has held such a hearing and reviewed the evidence, he may issue an order affirming, modifying or withdrawing the enforcement action.
- (g) Within fifteen (15) days from receipt of the Director's final decision, the aggrieved party may appeal the decision to the board stating the grounds on which the appeal is based together with all documents, evidence, transcripts and information in support of the aggrieved party's position. In addition, the aggrieved party shall file five (5) copies of the appeal and supporting documentation with the board and serve an additional copy on the Director.
- (h) The Director shall have thirty (30) days to respond to the appeal and to submit all evidence, documents and information in support of the Director's decision and shall file five (5) copies with the board and shall serve an additional copy on the aggrieved party.
- (i) Within thirty (30) days of receiving the Director's response the board shall meet and review all documents and evidence pertaining to the appeal and shall issue an order affirming the Director's order, affirming the Director's order in part and reversing in part, or reversing the Director's order in full. The board shall forward a copy of its decision to all interested parties.

(13) Industrial Pretreatment Program (IPP) and Enforcement Response Plan (ERP).

This Ordinance, the Act and State Act shall also be enforced by the YCUA pursuant to a written Industrial Pretreatment Program adopted by YCUA as required by the Act and State Act which plan shall include those plan elements required by the Act and State Act including, but not limited to, an Enforcement Response Plan designed to achieve enforcement of that Program. That Enforcement Response Plan shall provide for, at minimum, those powers of enforcement granted by this Ordinance, the Act and State Act.

(14) "Time Limits: YCUA's failure to strictly comply with and/or to meet an enforcement procedure time deadline or other time deadline specified in this Ordinance, the Act, State

Act, or the Enforcement Response Plan, shall not prohibit or prevent YCUA from taking enforcement or other action outside of or not in compliance with such a time deadline, unless the User or permittee in question has been and is able to demonstrate that it has been materially prejudiced by action taken by YCUA outside of or not in compliance with such a time deadline.”

(Code 1975, 20-87)

Sec. 62-134. Same -- Surcharges, fees.

The Director shall also establish appropriate surcharges or fees to reimburse the YCUA for the additional cost of operation and maintenance of the sewage works or POTW due to the violations of this Ordinance, the Act or State Act.

(Code 1975, 20-91)

Sec. 62-135. Permit – Requirements for nondomestic Users.

(1) All nondomestic Users must notify the Director of the nature and characteristics of their wastewater prior to commencing their discharge. The Director is authorized to prepare a form for this purpose.

(2) It shall be unlawful for Significant Industrial Users to discharge wastewater, either directly or indirectly, into the sewage works or POTW without first obtaining an Industrial User pretreatment permit from the YCUA. Any violation of the terms and conditions of an Industrial User pretreatment permit shall be deemed a violation of this Ordinance. Obtaining an Industrial User pretreatment permit does not relieve a permittee of its obligation to obtain other permits required by federal, state or local law.

(3) The Director may require that other Industrial Users, including liquid waste haulers, obtain Industrial User pretreatment permits as necessary to carry out the purposes of this Ordinance.

(4) Any Industrial User located beyond the township limits shall submit a permit application within 60 days of the effective date of the ordinance from which this Ordinance is derived. New Industrial Users located beyond the township limits shall submit such applications to the Director 60 days prior to discharging into the sewage works or POTW. Upon review and approval of such application, the Director may enter into a contract with the User, which requires the User to subject itself to, and abide by this Ordinance, including all permitting, compliance monitoring, reporting, and enforcement provisions contained in this Ordinance, the Act or State Act.

(5) Any Significant Industrial User which discharges nondomestic waste into the sewage works or POTW prior to the effective date of the ordinance from which this Ordinance is derived and who wishes to continue such discharges in the future, shall, within 90 days after such date, apply to the YCUA for an Industrial User pretreatment permit and shall not cause or allow discharges to the POTW to continue after 180 days from and after the effective date of the ordinance from which this Ordinance is derived except in accordance with a permit issued by the Director.

(6) Any Significant Industrial User proposing to begin or recommence discharging nondomestic wastes into the sewage works or POTW must obtain a pretreatment permit prior to beginning or recommencing such discharge. An application for this permit must be filed at least 60 days prior to the anticipated start up date.

(Code 1975, § 20-94; Ord. No. 94-131, 6-21-94)

Sec. 62-136. Same – Application.

(1) In order to be considered for a pretreatment permit, all Industrial Users required to have a permit must submit the information required by Section 62-122 on an application form approved by the Director.

(2) When required, plans must be certified for accuracy by a state - registered professional engineer.

(3) All applications must contain the following certification statement and be signed by an authorized representative of the Industrial User: "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."

(4) The Director will evaluate the data furnished by the Industrial User and may require additional information. After evaluation of the data furnished, the Director may issue an Industrial User pretreatment permit subject to terms and conditions provided herein.

(5) At the time an application for a permit is made, the User shall pay to YCUA a permit fee in an amount established from time to time by the board, which fee shall be refunded to the User in the event the permit is denied. In addition to the above-stated permit fee, the User shall pay to YCUA a nonrefundable permit application fee equal to YCUA's expenses, and YCUA expenses incurred in hiring laboratories, engineers, or other consultants, for the purpose of evaluating the permit application submitted by the User to YCUA.

(Code 1975, § 20-95; Ord. No. 94-131, 6-21-94)

Sec. 62-137. Same -- contents.

Pretreatment permits shall include such conditions as are reasonably deemed necessary by the Director to prevent pass through or interference, protect the quality of the water body receiving the POTW's effluent, protect worker health and safety, facilitate POTW sludge management and disposal, protect ambient air quality, and protect against damage to the POTW collection system or plant and ensure compliance with this Ordinance, the Act and State Act. Permits shall contain a statement of the duration of the permit, which shall not be more than 5 years; a statement of permit non transfer ability without prior notification to the YCUA and provision of a copy of the existing permit to the new owner or operator; effluent limits based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and state and local law; 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 limit, and state and local law; and a statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements and any applicable compliance schedule. The schedule may not extend the compliance date beyond applicable federal or state deadlines. Permits may contain, but need not be limited to, the following:

(1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.

(2) Limits on the average and/or maximum concentration, mass, or other measure of identified wastewater constituents or properties.

(3) Requirements for the installation of pretreatment technology or construction of appropriate containment devices, or similar requirements designed to reduce, eliminate, or prevent the introduction of pollutants into the sewage works or POTW.

- (4) Development and implementation of spill control plans or other special conditions including additional management practices necessary to aDNREuately prevent accidental, unanticipated, or routing discharges.
- (5) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the sewage works or POTW.
- (6) Requirements for installation and maintenance of inspection and sampling facilities.
- (7) Specifications for monitoring programs, which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
- (8) Compliance schedules.
- (9) Requirements for submission of technical reports or discharge reports.
- (10) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Director and affording the Director, or his representatives, access thereto.
- (11) Requirements for notification of any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater being introduced in the sewage works or POTW.
- (12) Requirements for the notification of any change in the manufacturing and/or pretreatment process used by the permittee.
- (13) Requirements for notification to YCUA of excessive, accidental, or slug discharges.
- (14) Other conditions as deemed appropriate by the Director to ensure compliance with this Ordinance and state and federal laws, rules, and regulations, including the Act and State Act.
- (15) A statement that compliance with the permit does not relieve the permittee of responsibility for compliance with all applicable federal, State or local pretreatment standards or limits, including those which become effective during the term of the permit.
(Code 1975, § 20-96)

Sec. 62-138. Same – Issuance process.

- (1) Permits shall be issued for a specified time period, not to exceed five years. A permit may be issued for a period less than five years, at the discretion of the Director.
- (2) The Director will provide all interested persons with notice of final permit terms. Upon notice by the Director, any person, including the Industrial User, may petition to appeal the terms of the permit within 30 days of the notice.
 - (a) Failure to submit a timely petition for review shall be deemed to be a waiver of the appeal.
 - (b) In its petition, the appealing party must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.
 - (c) The effectiveness of the permit shall not be stayed pending a reconsideration by the board. If, after considering the petition and any arguments put forth by the Director, the

board

determines that reconsideration is proper, it shall remand the permit back to the Director for reissuance. Those permit provisions being reconsidered by the Director shall be stayed pending reissuance.

(d) A board's decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review.

(3) The Director may modify or terminate the permit for good cause including, but not limited to, the following:

(a) To incorporate any new or revised federal, state or local pretreatment standards or requirements.

(b) Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.

(c) A change in any condition in either the Industrial User or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.

(d) Information indicating that the permitted discharge poses a threat to the sewage works or POTW or POTW personnel or the receiving waters.

(e) Violation of any terms or conditions of the permit.

(f) Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.

(g) Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13.

(h) To correct typographical or other errors in the permit.

(i) To reflect transfer of the facility ownership and/or operation to a new owner/operator.

(j) Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

(k) Falsifying self-monitoring reports.

(l) Tampering with monitoring equipment.

(m) Refusing to allow timely access to the facility premises and records.

(n) Failure to meet effluent limitations.

(o) Failure to pay fines.

(p) Failure to pay sewer charges.

(q) Failure to meet compliance schedules.

(r) As provided in Section 62-133.

(4) The filing of a request by the permittee for a permit modification, revocation and

reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

(5) Permits may be reassigned or transferred to a new owner and/or operator with prior approval of the Director, if:

(a) The permittee must give at least 30 days advance notice to the Director; and

(b) The notice must include a written certification by the new owner which:

(i) States that the new owner has no immediate intent to change the facility's operations and processes.

(ii) Identifies the specific date on which the transfer is to occur.

(iii) Acknowledges full responsibility for complying with the existing permit.

(6) The User shall apply for permit reissuance by submitting a complete permit application a minimum of 90 days prior to the expiration of the User's existing permit. An expired permit will continue to be effective and enforceable until the permit is reissued, if:

(a) The Industrial User has submitted a complete permit application at least 90 days prior to the expiration date of the User's existing permit; and

(b) The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the Industrial User.

(7) Nothing in this Ordinance shall be construed as preventing any special agreement or arrangement between the POTW and any User whereby wastewater of unusual strength or character is accepted into the POTW and specially treated and subject to any payments or User charges, as may be applicable. However, no discharge which violates pretreatment standards will be allowed under the terms of such special agreements. If, in the opinion of the Director, the wastewater may have the potential to cause or result in any of the following circumstances, no such special agreement will be made:

(a) Pass through or interference; or

(b) Endanger municipal employees or the public.
(Code 1975, § 20-97)

Sec. 62-139. Penalty for violation of Ordinance; liability of User.

(1) Any person who violates any provision of this Ordinance, a permit, an order issued under this Ordinance, the Act or State Act, shall become liable to the township for and may be subject to a civil fine assessment of \$1000.00 per violation, per day, plus any costs, damages and expenses, direct or indirect, incurred by the township or YCUA in connection with the violation. Each day on which a violation continues shall be deemed a separate and distinct violation.

(2) Any person who violates any provision of this Ordinance that is listed below shall be guilty of a misdemeanor, and upon conviction is subject to a fine of not more than \$500, exclusive of any civil fine assessment or other costs, damages and expenses, or by imprisonment for not more than ninety (90) days, or both. Misdemeanor violations include:

(a) intentional unpermitted discharge;

(b) falsification of a monitoring report or the making of any false statement, representation

or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this ordinance;

(c) improper sampling, with evidence of an intent to falsify or mislead;

(d) intentional failure to install monitoring equipment after a deadline established by an order issued under this ordinance or the tampering with or knowingly rendering inaccurate any monitoring device or equipment or method required under this ordinance;

(e) intentional recurring violation of a compliance schedule in a permit or a violation of a compliance schedule in an order issued under this ordinance; or

(f) illegal discharge when the discharge causes harm and there is evidence of intent.

(Code 1975, 20-98)

Sec. 62-140. Funding/Fees

- (a) The purpose of this section is to provide for the recovery of costs from Users of the POTW. The applicable charges or fees established by the Board shall be sufficient to meet the costs of the operation, maintenance, improvement or replacement of the system, or as provided by law or by Board action.
- (b) The Board shall adopt charges and fees which shall include, but not necessarily limited to:
 - (1) Fees for reimbursement of costs of establishing, operating, maintaining, or improving the YCUA's Industrial Pretreatment Programs; and Enforcement Response Plan.
 - (2) User fees based upon volume of waste and concentration or quantity of specific pollutants in a discharge, and to cover other treatment costs including sludge handling and disposal; and
 - (3) Reasonable fees for reimbursement of costs for enforcement hearings or other enforcement action including, but not limited to, expenses regarding hearings officers, court reporters, and transcriptions; and
 - (4) Other fees, which the Board may deem necessary, to carry out the requirements contained herein and continued in other IPP & ERP, or as may be required by law.

Secs. 62-141 -- 62-155. Reserved.

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DIVISION 3. BUILDING SEWERS AND CONNECTIONS

Sec. 62-156. Permit required.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof or any part of the sewage works or POTW without first obtaining a written permit from the Director.

(Code 1975, § 20-110)

Sec. 62-157. Classes of permits; application; fees.

There shall be two classes of building sewer permits: (1) For residential and commercial service; and (2) For service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the township or YCUA. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent, in the judgment of the township or YCUA. A permit and inspection fee for a residential or commercial building sewer permit and for an industrial building sewer permit shall be paid to the township at the time the application is filed.

(Code 1975, § 20-111)

Sec. 62-158. Costs of connection to be borne by owner; indemnification of township and YCUA.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the township and the YCUA from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(Code 1975, § 20-112)

Sec. 62-159. Separate building sewer for each building required; exception.

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

(Code 1975, § 20-113)

Sec. 62-160. Use of old building sewers with new buildings.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the township or YCUA, to meet all requirements of this Ordinance.

(Code 1975, § 20-114)

Sec. 62-161. Construction specifications.

The size, slope, alignment, and materials of construction of a building sewer; and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the township or YCUA. In the absence of the Code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WEF Manual of Practice No. 9 shall apply.

(Code 1975, § 20-115)

Sec. 62-162. Elevation.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(Code 1975, § 20-116)

Sec. 62-163. Prohibited connections.

(1) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer or combined sewer.

(2) The YCUA shall not allow any connection to the sanitary sewer unless there is sufficient capacity in the sewage works to convey and adequately treat the additional wastewater from the proposed connection.

(Code 1975, § 20-117)

Sec. 62-164. Connection specifications.

(1) The connection of the building sewer into the public sewer shall conform to the

requirements of the building and plumbing code or other applicable rules and regulations of the YCUA or the procedures set forth in appropriate specifications of the ASTM and the WEF Manual of Practice No. 9. All such connections shall be made gastight and watertight.

(2) Any deviation from the prescribed procedures and materials must be approved by the YCUA before installation.

(Code 1975, § 20-118)

Sec. 62-165. Inspection; supervision of connection.

The contractor installing the building sewer shall notify the YCUA when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of YCUA.

(Code 1975, § 20-119)

Sec. 62-166. Guards for excavations; restoration of public property.

All excavations for building sewer installation 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 township and YCUA.

(Code 1975, § 20-120)

Secs. 62-167 – 62-175. Reserved.

DIVISION 4. USE OF PUBLIC SEWERS

Sec. 62-176. Required.

(1) It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the township, or in any area under its jurisdiction, any human or animal excrement, garbage or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet, any sanitary sewage, industrial wastes, or other polluted water, except where suitable treatment has been provided in accordance with provisions of this Ordinance.

(3) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation or other purpose situated within the township 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 sewer or combined sewer of the township, is hereby required at his expense to install suitable sewage facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within 90 days after the date of official notice to do so provided that such public sewer is within 200 feet of the property line.

(Code 1975, § 20-131)

Sec. 62-177. Unpolluted discharges.

(1) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, water from footing drains, roof water, or other unpolluted water to any sanitary sewer or sewer connection except as otherwise provided in this Ordinance. Any premises connected to a storm sewer shall comply with county, state and federal requirements as well as those by the township and the YCUA.

(2) Storm water, groundwater, water from footing drains and all other unpolluted drainage shall be discharged into such sewers as are specifically designated as combined sewers, or to a natural outlet, except as otherwise provided in this Ordinance. Industrial cooling water or unpolluted process waters may be discharged upon application and approval of the YCUA and the appropriate state agency to a storm sewer, or natural outlet.

(Code 1975, § 20-132)

Sec. 62-178. Fats, Oils, and Grease (FOG) Interceptor and Sand Interceptors.

Fats, oils, and grease (FOG) and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of liquid wastes containing fats, oils, or grease discharges in which the concentration in a grab sample exceeds the 100 mg/l limit,

or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for single-family or multiple-family dwelling units. All interceptors shall be of a type and capacity approved by the Director 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 into place shall be gastight and watertight. When installed, all fats, oils, and grease, and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. A User may petition the Director for an exemption from having to install a Fats, Oils, and Grease (FOG) Interceptor in accordance with provisions specified in the YCUA FOG Mitigation Program Policy, as amended from time to time. Upon approval by the Director, YCUA's Contract Communities that have a Fats, Oils, and Grease Ordinance/Policy can implement said Ordinance/Policy in lieu of this Section and the YCUA Fats, Oils, and Grease Mitigation Program Policy.

(Code 1975, § 20-133)

Sec. 62-179. Prohibited discharges.

No User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through or interfere with the operation or performance of the sewage works.

A User may not contribute the following substances to the sewage works:

- (1) Any liquids, solids or gases which by reason of their nature or 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 sewage works or to the operation of the sewage works.
- (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.
- (3) Any wastewater having a pH less than 5.0 or greater than 11.0; or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the sewage works.
- (4) Any wastewater containing toxic pollutants or of high chlorine demand 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 sewage works, or exceed the limitation set forth in the EPA categorical pretreatment standard, or any other federal, state or county standards.
- (5) Pollutants that result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause worker health and safety problems. This prohibition includes, but is not limited to, wastewaters which contain liquids, solids, or gases that cause gases, vapors, or fumes from the discharge to exceed 10% of the immediately dangerous to life and health (IDLH) concentration. Discharges which contain more than one pollutant which may contribute to fume toxicity shall be subject to more restrictive limitations, as determined necessary by the Director. The more restrictive discharge limits shall be calculated based on the additive fume toxicity of all compounds identified or reasonably expected to be present in the discharge.
- (6) Any noxious or malodorous liquids, gases, or solids which 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.
- (7) Any substance, which may cause the sewage, works such as residues, sludges, or scums, to be unsuitable for land application or reclamation and reuse or to interfere with the reclamation process.
- (8) Any substance, which will cause the sewage, works to violate its NPDES permit or the receiving water quality standards.
- (9) Any wastewater with color of sufficient light absorbency to interfere with treatment plant process, prevent analytical determinations, or create any aesthetic effect on the treatment plant effluent, such as, but not limited to, dye wastes and vegetable tanning solutions.

(10) Daily maximum concentration or mass loading shall not be exceeded on any single calendar day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetical measurement of the pollutant concentration derived from all measurements taken that day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged during the day. If a composite sample is required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a single calendar day shall be based on the composite sample collected for that parameter on that calendar day. If grab samples are required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a calendar day shall be based on the average of all grab samples collected for that parameter on that calendar day. If only one grab sample is collected for a parameter on a given day, the determination whether the daily maximum limitation for that parameter has been exceeded for the day shall be based on the results of that single grab sample. If the pollutant concentration in any sample is less than the applicable detection limit, that value shall be regarded as zero (0) when calculating the daily maximum concentration.

(11) Any wastewater having a temperature, which will inhibit biological activity in the sewage, works resulting in interference, but in no case wastewater with a temperature at the introduction into the sewage works, which exceeds 60 degrees Celsius (140 degrees Fahrenheit) or is lower than zero degrees Celsius (32 degrees Fahrenheit).

(12) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by applicable state or federal regulations.

(13) Any wastewater which causes a hazard to human life or creates a public nuisance.

(14) Organic solvent extractable substances such as fats, wax, grease, or oils of petroleum origin, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit (zero degrees Celsius) and 140 degrees Fahrenheit (60 degrees Celsius).

(15) Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases; or other pollutants which cause the wastewater to have a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius), or which cause an exceedance of ten percent of the lower explosive limit (LEL) at any point within the collection system or containing gasoline, benzene, xylene or toluene which causes the wastewater to exceed the state surface water quality standard.

(16) Any garbage that has not been ground by household type or other suitable garbage grinders.

(17) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch, manure or any other solids or viscous substances capable of causing obstructions or other interferences with the proper operation of the sewer system.

(18) Toxic or poisonous substances in sufficient quantity to injure or interfere with any wastewater treatment process, or to constitute hazards to humans or animals, or to create any hazard in waters which receive the POTW effluent, which shall include, but are not limited to wastes containing cyanide, chromium, cadmium, mercury, copper, and nickel ions.

(19) Solids of such character and quantity that special and unusual attention is required for their handling.

(20) Any substance which would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under section 405 of the federal Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or other regulations or criteria for sludge management and disposal as required by the state.

(21) Any medical or infectious wastes prohibited from being discharged under federal or state law and regulations.

(22) Material considered a hazardous waste under the Resource Conservation and Recovery Act (RCRA).

(23) Any commercial or industrial waste that may cause pass through of pollutants or interference with the wastewater treatment plant operations or that violates federal, state, or

local restrictions.

(24) Any pollutant, including oxygen demanding pollutants (BOD etc.) released at a flow rate and/or pollutant concentration which will cause interference with the POTW.

(25) Trucked and hauled waste, except at discharge points designated by the POTW.

(26) Pollutants causing toxic gases, vapors, and fumes.

(27) Any leachate from a hazardous waste landfill.

(28) Any landfill leachate unless permitted and authorized under a written contract, within YCUA's sole discretion, between YCUA and the User.

(29) Any pollutant discharge which constitutes a slug.

(Code 1975, § 20-134; Ord. No. 94-131; 6-21-94)

Sec. 62-180. Promulgation of more stringent standards.

Upon the promulgation of the national categorical pretreatment standards, alternative discharge limits, or other federal or state limitations, for a particular industrial subcategory, the pretreatment standard, if more stringent than limitations imposed under this Ordinance for sources in that subcategory, shall immediately supersede the limitations imposed under this Ordinance and shall be considered part of the Ordinance. The YCUA shall notify all affected Users of the applicable reporting requirements.

(Code 1975, § 20-135)

Sec. 62-181. Prohibited concentrations of certain pollutants and mercury reduction plan.

(1) No person shall discharge wastewater such that the concentration of pollutants in one grabsample exceeds the following limits for oil and grease or pH:

100 mg/l oil and grease

< 5 or > 11 standard units pH

1.0 mg/l Total Cyanides

1.0 mg/l Total Phenolic Compounds

(2) No person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample is at or above the following surcharge threshold, except as otherwise permitted in writing by the Director and on payment of a surcharge fee, and no person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample exceeds the following upper limits, with respect to the following compatible pollutants:

COMPATIBLES

<u>Surcharge Threshold</u>	<u>Upper Limits</u>	
300 mg/l	1000 mg/l	5-day BOD (Biochemical Oxygen Demand)
350 mg/l	2500 mg/l	Total SS (Suspended Solids)
600 mg/l	2000 mg/l	COD (Chemical Oxygen Demand)
15 mg/l	75 mg/l	Total Phosphorus
30 mg/l	700 mg/l	Ammonia-Nitrogen

(3) No person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample shall exceed the following limits with respect to the following inorganic or organic pollutants or phenolic compounds:

INORGANICS

1.0 mg/l	Arsenic
0.002 mg/l	Beryllium
0.50 mg/l	Cadmium
4.0 mg/l	Chromium (Total)
3.0 mg/l	Copper

0.3 mg/l	Lead
Nondetectable	Mercury
3.0 mg/l	Nickel
0.15 mg/l	Silver
3.0 mg/l	Zinc

ORGANICS

Nondetectable U.S.	Polychlorinated Biphenyls (Nondetectable per EPA Method 608. Any detectable sample exceeds this limit.)
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The local discharge limitation for Polychlorinated Biphenyls is established at the level of detection in accordance with the following:

There shall be no detectable amounts of Polychlorinated Biphenyls discharged to a township or YCUA sanitary sewer. Polychlorinated Biphenyls sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA Method 608. The level of detection, developed in accordance with the procedure specified in 40 CFR 136, shall not exceed 0.2 ug/L for Polychlorinated Biphenyls, unless higher levels are appropriate due to matrix interference.

(4) The total phenols limit is based on the discharge of any or all of the following phenolic compounds: 2-Chlorophenol, 4-Chlorophenol, 2,4-Dichlorophenol, 2,4-Dimethylphenol, 2,4-Dinitrophenol, 2-Methylphenol, 3-Methylphenol, 4-Methylphenol, 2-Nitrophenol, 4-Nitrophenol, and Phenol. Discharge of other phenolic compounds is prohibited except as specifically authorized by the Director.

(5) The Director shall annually review the quantities of industrial pollutants listed above which are discharged or proposed to be discharged to the sewage works. The Director shall recommend any revisions to these limits necessary to insure that the NPDES Permit, Federal Pretreatment Standards and Water Resources limits are met and to insure that the industrial discharge will not interfere with the treatment process of sludge disposal. At such time as the previously cited limits are changed by the township or YCUA, the unit authorizing such change shall notify the remaining units of such change.

(6) The local discharge limitation for mercury is established at the level of detection in accordance with the following:

(a) There shall be no detectable amounts of mercury discharged to a township or YCUA sanitary sewer. Mercury sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA Method 245.1. The level of detection, developed in accordance with the procedure specified in 40 CFR 136, shall not exceed 0.2 ug/L for Mercury, unless higher levels are appropriate due to matrix interference.

(b) The evaluation of potential matrix interference(s) shall include, at a minimum, the following:

(i) A demonstration that the laboratory conducting the analysis is capable of achieving the level of detection of 0.2 ug/L in reagent water;

(ii) A demonstration that the level of detection of 0.2 ug/L cannot be achieved in the effluent;

and (iii) A demonstration that an attempt has been made to resolve the matrix interference(s).

(c) In cases where true matrix interference(s) can be demonstrated, a discharge-specific level of detection will be developed in accordance with the procedure in 40 CFR 136. Discharge specific levels of detection will be incorporated into the wastewater discharge permit of the nondomestic User.

(d) To ensure that the maximum allowable mercury loading to the POTW is not exceeded, YCUA may require any non-domestic User with a reasonable potential to discharge mercury to develop, submit for approval and implement a Mercury Reduction Plan (MRP). The MRP may be required by permit if the non-domestic User has not violated the local limit for mercury, but YCUA has determined that a reasonable potential for such violation may exist. MRP's may be required in notices of violations, orders or other enforcement actions when the non-domestic User has violated the mercury local limit.

At a minimum, an approvable MRP shall contain the following:

(i) A written commitment by the non-domestic User to reduce all non-domestic discharges of mercury to levels below the level of detection within 3 years of the MRP's original approval date; (ii) Within 60 days of notification by YCUA that a MRP is required, the non-domestic User shall supply an initial identification of all potential sources of mercury which could be discharged to the sanitary sewer system;

(iii) Specific strategies for mercury reduction with reasonable time frames for implementation, capable of ensuring that mercury discharges will be below the specified level of detection within 3 years;

(iv) A program for quarterly sampling and analysis of the non-domestic discharge for mercury in accordance with EPA method 245.1;

(v) A demonstration of specific, measurable and/or otherwise quantifiable mercury reductions consistent with the goal of reducing mercury discharges below the specified level of detection. Where such reductions cannot be demonstrated through normal effluent monitoring (e.g., mercury discharges are already near level of detection), the demonstration should incorporate the following:

a. Internal process monitoring, documenting the results of mercury reduction strategies at sampling locations within the facility (e.g., a program of regular monitoring of sink traps where mercury containing reagents had previously been disposed, but have since been substituted by non-mercury containing compounds).

b. Internal and/or effluent sampling utilizing clean and/or ultra-clean sampling and analytical methods as referenced by EPA Federal Register. The results of such monitoring will not be used for compliance purposes unless performed in accordance with EPA Method 245.1 and collected at the appropriate compliance measurement location.

c. Loading calculations wherein the non-domestic User calculates the total mass of mercury reduced from the sanitary sewer discharge through reagent substitutions, changes in disposal practices and/or other approved MRP strategies implemented.

(vi) A semi-annual report on the status of the mercury reduction efforts. At a minimum, these reports shall: identify compliance or noncompliance with specific reduction commitments in the MRP; summarize the analytical, mass-based or other quantifiable demonstrations of mercury reductions performed to date; provide all applicable analytical data; provide an evaluation of effectiveness of actions taken to date; provide updates to the initial list of mercury containing compounds discharged to the sanitary sewer and propose for approval new strategies and/or modifications to the current MRP to continue and improve mercury reduction efforts; and (vii) Any other conditions that YCUA deems necessary to ensure that mercury reduction efforts are effective in achieving the goals of this Section.

(e) Failure to submit an approvable MRP within 30 days of the required due date shall constitute significant non-compliance in accordance with this Section, and will result in publication as a significant violator.

(f) A MRP may be evaluated for adequacy at any time by YCUA. If such an evaluation determines that the Mercury Reduction Plan is inadequate or the non-domestic User has not complied with its approved MRP, the non-domestic User will be notified. Failure to comply with the MRP requirement constitutes non-compliance. YCUA will follow its Enforcement Response Plan (ERP) to ensure that corrective actions are taken.

(g) A non-domestic User may request a release from MRP requirements if all samples of the discharge for a period of one year are less than the specified level of detection; the non-

domestic User has complied with the minimum monitoring frequency of quarterly sampling events; and YCUA deems that MRP commitments have been fulfilled sufficiently to ensure continued compliance with the mercury limitation. YCUA shall notify the non-domestic User of any release from MRP requirements in writing.

(h) If the MRP requirement is waived by YCUA, the non-domestic User remains subject to the local limitation for mercury in accordance with the requirements of this Ordinance.

(i) Re-discovery of mercury in the non-domestic User discharge subjects said User to the submission of a new MRP, or escalation of enforcement in accordance with the ERP.

(Code 1975, § 20-136; Ord. No. 94-131, 6-21-94)

(7) Implementation of Best Management Practices or Best Management Practices Plan

a. The Director may require any User to develop and implement Best Management Practices (BMP) to control, contain, treat, prevent, or reduce the discharge of wastewater, pollutants, or other substances from the User's premises to the POTW, as determined necessary by the Director.

b. In addition, the Director may require a User to develop and submit a Best Management Practices Plan ("BMPP"), including an enforceable implementation schedule, for review and approval by the Director. The BMPP shall be submitted within 30 days after notification by the Director or as otherwise required by a User Permit. The BMPP shall be directed at preventing the entrance of pollutants, directly or indirectly, into the POTW. The BMPP shall be available for inspection at all times at the User's premises. At a minimum, a User's BMPP shall contain all of the following elements, as determined necessary by the Director, at a level of detail and in units and terms as determined necessary by the Director to adequately evaluate the plan:

- I. A statement of the purpose and objectives of the plan.
- II. A description of the strategies, methods, policies and procedures to prevent, minimize or reduce the introduction of pollutants into the User's discharge and to minimize waste generation.
- III. A description of the options available to the User to control accidental spillage, leaks and drainage.
- IV. A description of best available or practicable control technologies available for the User's specific circumstances.
- V. A detailed facility layout and site diagram showing points of entry into the (POTWs).
- VI. A description of the waste handling, treatment and discharge disposal facilities, including flow diagrams and process schematics.
- VII. A description of operating and maintenance processes and procedures.
- VIII. An inventory of raw materials and a list of waste sources, including a list of all chemicals used or stored at the facility.
- IX. A description of employee training programs, policies and procedures; continuing education programs; and participation.
- X. A description of the User's documentation, including record keeping and forms.
- XI. A description of monitoring activities.
- XII. An information log of facility personnel, organization chart, emergency phone numbers, contact persons and maintenance or service representatives.
- XIII. A Certification by a qualified professional that the plan is adequate to prevent spills, leaks, slug loads, or non-customary discharges of regulated substances, directly or indirectly, to the POTW.
- XIV. Such other information, documents or diagrams as required by the Director, including, but not limited to, any of the information required under this Ordinance, the Act, or State Law.

c. The BMPs or BMPP required of a User or approved for a User shall be incorporated in a User Permit issued to the User. If the User already has a User Permit, the existing permit shall be modified to incorporate the BMP requirements. If the User does not currently have a User Permit, a permit shall be issued for that purpose.

d. The Director may require revisions to a User's BMPP if the Director determines that the Plan contains elements that are inadequate, or as otherwise determined necessary by the Director to ensure compliance with applicable requirements of this Ordinance, the Act or

State Law. Review of a BMPP by the Director shall not relieve the User from the responsibility to modify its facility as necessary to comply with this Ordinance, the Act or State Law.

e. The User reports to the Director must include Best Management Practices compliance information. The User reports must be certified and signed by the User's authorized representative.

f. The User shall retain all documentation associated with Best Management Practices for a period of at least three years from the date of an activity associated with the practices. This period may be extended by the Ypsilanti Community Utilities Authority at any time.

Sec. 62-182. Sampling, measurements, tests and analyses.

Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR part 136 (March 26, 2007). Where 40 CFR part 136 (March 26, 2007) does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the part 136 (March 26, 2007) sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by YCUA or other parties, approved by the EPA.

(Code 1975, § 20-137)

Sec. 62-183. Surcharge for discharges of unusual strength.

(1) If the character of the wastewater from any manufacturing or industrial plant or any other building or premises exceeds the limits for compatible pollutants established in Section 62-181 or shall be such as to impose any unreasonable burden upon the sewers of the system or upon the sewage works or POTW in excess of a maximum limit prescribed in this Ordinance, then an additional charge shall be made over and above the regular rates, or the Director shall require that such sewage be treated by the person, firm or corporation responsible for the sewage being emptied into the sewer or the right to empty such sewage shall be denied, if necessary, to protect the system or any part thereof.

Surcharges required shall be computed as the weight of excess compatible pollutant in pounds multiplied by the cost per pound specified in the applicable township rate ordinance. The strength of such wastes shall be determined by composite samples taken over a sufficient period of time to insure a representative sample. The cost of sampling and testing shall be borne by the industry or establishment, whether owner or lessee. Tests shall be made by the User, at an independent laboratory, or at the YCUA wastewater treatment plant.

(2) Any wastewater discharged into the sewage works having a compatible pollutant in excess of those prescribed in section 62-181 may be permitted by the Director provided payment by the industrial concern for the full cost of treating such excess constituents in the wastewater is made and acceptance of the waste does not cause violation of EPA guidelines, NPDES requirements, the Act or State Act.

(Code 1975, § 20-138)

Sec. 62-184. Special agreements authorized.

With respect to compatible pollutants only, no statement contained in this Ordinance shall be construed as preventing any agreement between the Director and any industrial concern whereby an industrial waste of unusual strength or character may be accepted, subject to payment therefore by the industrial concern, provided such agreement shall not violate EPA guidelines or NPDES requirements and provided User charges and surcharges as provided in this Ordinance are agreed to in the agreement.

(Code 1975, § 20-139)

Sec. 62-185. Dilution of discharge.

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, alternative discharge limits, or in any other pollutant-specific limitation developed by the YCUA or the State.

(Code 1975, § 20-140)

Sec. 62-186. Accidental discharges.

(1) Where required, a User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Ordinance, the Act or State Act. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Director for review, and shall be approved by the Director before construction of the facility. All required Users shall complete such a program within 90 days of notification by the Director. If required by the Director a User who commences contribution to the sewage works after the effective date of the ordinance from which this Ordinance derives shall not be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the Director. 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 Ordinance, the Act or State Act. In the case of any discharge, whether accidental or not, that could cause problems to the YCUA, the WWTP or POTW, including any slug loadings by the User, it is the responsibility of the User to immediately telephone and notify the YCUA of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

(2) Within five days following any discharge, whether accidental or not, that could cause problems to the YCUA, the WWTP or POTW, including any slug loadings by the User, the User shall submit to the Director 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 sewage works or POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this Ordinance, the Act or State Act, or other applicable law. Failure to file a report shall be a separate violation of this Ordinance.

(3) Slug Control Plan

(a) Each Significant Industrial User shall prepare and implement an individualized slug control plan when in the opinion of the Director a slug control is required. Existing Significant Industrial Users that do not have a YCUA approved slug control plan shall provide an approvable slug control plan to the Director within ninety (90) days of being notified by YCUA that a slug control plan is required. New sources that are Significant Industrial Users shall submit a slug control plan to the Director for approval before beginning to discharge. Upon written notice from the Director, Users that are not Significant Industrial Users may also be required to prepare and implement a slug control plan, and the plan shall be submitted to the Director for approval as specified in the notice. Slug control requirements must be included in the SIU Control Mechanism (Industrial User's Permit).

(b) All slug control plans shall contain at least the following elements:

- I. A description of discharge practices, including non-routine batch discharges;
- II. A description of stored chemicals;
- III. The procedures for immediately notifying the Director of slug discharges, including any discharge that would violate any discharge prohibition, limitation or requirement under this Ordinance, and procedures for follow-up written notification within five (5) days of the discharge;
- IV. The procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and measures and equipment for emergency response.

(c) If a User has submitted to the Director plans or documents pursuant to other requirements of local, state or federal laws and regulations which meet all applicable requirements of the Ordinance, the Director may in its discretion determine that the

User has satisfied the slug plan submission requirements of this section.

(d) Significant Industrial Users must immediately notify the Director of any changes at their facilities affecting their slug control plan or spill/slug potential.

(4) Secondary Containment Requirements

- (a) Each User when in the opinion of the Director is required must provide and maintain at the User's sole expense secondary spill containment structures (including diking, curbing or other appropriate structures) aDNREuate to protect all floor drains from accidental spills and discharges to the POTW of any pollutants or discharges regulated by this ordinance, the Act or State Law.
- I. The containment area shall be constructed so that no liquid polluting material can escape from the area by gravity through the building sewers, drains, or otherwise directly or indirectly into the POTW .
 - II. The containment or curbing shall be sufficient to hold not less than ten (10) percent of the total volume of the tanks or containers within the secondary containment structure or provide a capacity of one hundred (100) percent of the largest single tank or container within the secondary containment structure, whichever is larger, unless a lesser containment area or alternate control measures are approved in advance by the Director.
 - III. The containment structure must accommodate "squirt distance". Containers within the containment structure must be able to be placed sufficiently back from the edge of the structure so if punctured, the resulting leak will be contained.
 - IV. The containment structure must be designed or operated to prevent run-on or infiltration, rain or other liquids into the secondary containment system unless the containment system has sufficient excess capacity to contain run-on, infiltration, rain, or other liquids. Excess capacity when such prevention is not provided in the system must be sufficient to contain rain precipitation from a 25-year, 24-hour rainfall event.
 - V. The containment structure shall be constructed with chemical-resistant water stops in place at all joints (if any) to be free of cracks or gaps.
 - VI. The containment structure shall be designed and installed to completely surround the tank or containers and to cover all surrounding earth likely to come into contact with the waste if released from the tank(s) or containers (i.e., capable of preventing lateral as well as vertical migration of the material).
 - VII. All floor drains found within the containment area must be plugged and sealed.
- (b) Spill troughs and sumps within process areas must discharge to appropriate pretreatment tanks.
- (c) Emergency containment shall also be provided for storage tanks that may be serviced by commercial haulers and for chemical storage areas.
- (d) Solid pollutants shall be located in security areas designed to prevent the loss of the materials to the POTW .
- (e) Detailed plans showing facilities and operating procedures to provide the protection required by this Ordinance shall be submitted to the Director for review, and shall be approved by the Director before construction. Construction of approved containment for existing sources shall be completed within the time period specified by the Director.
- (f) No new source shall be permitted to discharge to the POTW until emergency containment facilities have been approved and constructed as required by this Ordinance.
- (g) The Director may order a User to take interim measures for emergency containment as determined necessary by the Director under the circumstances.

(Code 1975, § 20-141)

Sec. 62-187. Determination of sewage flow.

To determine the sewage flow from any establishment, the YCUA may use one of the following methods:

- (1) The amount of water supplied to the premises by the public water system as shown

upon the water meter if the premises are metered.

(2) If the premises are supplied with river water or water from private wells, the amount of water supplied from such sources may be metered at the source or metered at its point of discharge prior to entry into the public sewer.

(3) If such premises are used for an industrial or commercial purpose of such a nature that the water supplied to the premises cannot be entirely discharged into the sewer system, the estimate of the amount of sewage discharged into the sewer system made by the utilities authority from the water, gas or electric supply, or metered at its point of discharge prior to entry into the public sewer.

(4) The volume of sewage discharged into the sewer system as determined by measurements and samples taken at a manhole installed by the owner of the property served by the sewer system at his own expense in accordance with the terms and conditions of the permit issued by the YCUA pursuant to this Ordinance.

(5) A figure determined by the YCUA by any combination of the foregoing or by any other equitable method.

(Code 1975 § 20-142)

Sec. 62-188. Disposal at sewage treatment plant.

Waste from industrial sewage disposal systems shall be disposed of at the sewage treatment plant or at any other refuse or disposal site approved by the Director. No waters or wastes described in section 62-179 shall be disposed of at the sewage treatment plant.

(Code 1975, § 20-143)

Sec. 62-189. Bypass.

(1) An Industrial User may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it is for essential maintenance to ensure efficient operation. If an Industrial User knows in advance of the need for bypass, it shall submit prior notice to the Director, if possible at least ten days before the date of the bypass. An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards to the Director within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within five days of the time the Industrial 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.

(2) Bypass is prohibited, and the Director may take enforcement action against an Industrial User for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) 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. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and

(c) The Industrial User submitted notice as required under this section. The Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that it will meet the three conditions listed in this subsection (b).

(Code 1975, § 20-144)

Sec. 62-190. Report of violation.

If the results of any sampling performed by the User indicates that any violation of this Ordinance, a permit, an order issued under this Ordinance, the Act or State Act has occurred, the User shall notify the YCUA within 24 hours of becoming aware of the violation and shall repeat the sampling and pollutant analysis and shall submit, in writing, the results of this repeat analysis within 30 days after becoming aware of the violation. A written follow

up report shall be filed by the User with the YCUA within thirty (30) days of a User becoming aware of the violation. The report shall specify the following:

(1) A description of the violation, the cause thereof, and the violation's impact on the User's compliance status.

(2) Duration of the violation, including exact dates and times of the violation, and if not corrected, the anticipated time the violation is expected to continue.

(3) All steps taken or intended to be taken to reduce, eliminate and prevent reoccurrence of such a violation.

(Code 1975, § 20-145)

Sec. 62-191. Notification of authorities upon discharge of hazardous waste.

All Industrial Users shall notify the YCUA, the EPA regional waste management division Director and the DNRE in writing of any discharge to the YCUA of a substance that would be a regulated hazardous waste under any federal statute if disposed of otherwise. Such notice shall be given in accordance with CFR 403.12(p).

(Code 1975, § 20-146)

Secs. 62-192 -- 62-200. Reserved.

DIVISION 5. PRIVATE SEWAGE DISPOSAL

Sec. 62-201. Authorized under certain conditions.

Where a public sanitary or combined sewer is not available under the provisions of section 62-176(d), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Ordinance.

(Code 1975, § 20-160)

Sec. 62-202. Permit required; application; fees.

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the plumbing inspector. The application for such a permit shall be made on a form furnished by the township or YCUA and shall include specifications and other information deemed necessary by the township and YCUA. A permit and inspection fee shall be paid to the township treasurer at the time the application is filed.

(Code 1975, § 20-161)

Sec. 62-203. Inspection by township and YCUA

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the township and YCUA. The township and YCUA shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the township and YCUA when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the township or YCUA.

(Code 1975, § 20-162)

Sec. 62-204. Specifications.

The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the county health department. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 10,000 square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

(Code 1975, § 20-163)

Sec. 62-205. Connection with public sewer.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 62-204, a direct connection shall be made to the public sewer in compliance with this Ordinance and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(Code 1975, § 20-164)

Sec. 62-206. Sanitary maintenance required.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the township or the YCUA.

(Code 1975, § 20-165)

Sec. 62-207. Other requirements.

No statement contained in this Ordinance shall be construed to interfere with any additional requirements that may be imposed by the state or county health department or DNRE.

(Code 1975, § 20-166)

Secs. 62-208 -- 62-229. Reserved.

I, Karen Lovejoy-Roe, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan, hereby certify adoption of Ordinance No. by the Charter Township of Ypsilanti Board of Trustees assembled at a regular meeting held after first being introduced at a regular meeting held . The motion to approve was made by Member and seconded by Member. The vote on the motion is as follows: YES:, , , , . NO: . ABSENT:. ABSTAIN:

Karen Lovejoy-Roe, Clerk
Charter Township of Ypsilanti
PUBLISH:



YPSILANTI COMMUNITY UTILITIES AUTHORITY

2777 STATE ROAD
YPSILANTI, MICHIGAN 48198-9112
TELEPHONE: (734) 484-4600
FAX: (734) 484-3369
WEBSITE: www.ycua.org

May 14, 2010

VIA FIRST CLASS MAIL

Mr. Paul Schreiber, Mayor
CITY of YPSILANTI
One South Huron Street
Ypsilanti, Michigan 48197



Ms. Brenda Stumbo, Supervisor
CHARTER TOWNSHIP of YPSILANTI
7200 South Huron River Drive
Ypsilanti, Michigan 48197

Re: **City and Township – Sewer Use Ordinance Revision - 2010**

Dear Mayor Schreiber and Supervisor Stumbo:

The City and Township Sewer Use Ordinance (SUO) implements the provisions of the *Federal Water Pollution Control Act of 1972*, commonly known as the *The Clean Water Act*, *Michigan's Natural Resources and Environmental Protection Act*, and all federal and state regulations adopted under these laws. These ordinances and the provisions contained therein are required by these statutes and regulations and the ordinances also contain local provisions that address, for example, sewer connections, use, and construction.

Significantly, these local ordinances set “local limits” on the concentration of certain pollutants and wastewater discharged to the YCUA wastewater treatment plant and empower the City and the Township, through YCUA, to enforce these environmental provisions, provisions that also protect the integrity and operation of the wastewater treatment plant. This local enforcement authority is required by the referenced federal and state laws. It includes, in part, the authority to require businesses and industries that discharge certain pollutants to monitor their own discharge, to provide self-monitoring reports to YCUA, and to pre-treat wastewater before discharge to the YCUA collection and treatment system. These ordinances also empower YCUA to sample and test wastewater discharges, including on-site random and unannounced sampling, and to take administrative and civil enforcement action against violators.

These SUOs were last revised by the City and the Township in 2004. They now require revisions due to new federal and state regulations and to clarify, improve and enhance these ordinances and YCUA’s environmental enforcement options and authority. In addition, YCUA has acquired updated technical data that forms the basis for “local limits,” which must be updated on a periodic basis under both federal and state law.

Your respective ordinance (City or Township) is enclosed in red-lined version, reflecting all strike-outs and additions. Also enclosed you will find a clean (non-red-lined) version of your respective ordinance and an Executive Summary. The Executive Summary should prove to be helpful to you, your attorney, and other interested officials and staff in understanding these SUO

Mr. Paul Schreiber, Mayor
CITY of YPSILANTI
Ms. Brenda Stumbo, Supervisor
CHARTER TOWNSHIP of YPSILANTI
May 14, 2010
Page 2

revisions. This Summary identifies each section of the ordinance that has been revised and the "Reason" for each revision. These documents are available in electronic format upon request.

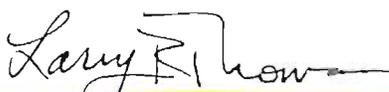
These revised ordinances have been reviewed and approved by the Michigan Department of Natural Resources and the Environment (MDNRE) and the YCUA Board of Commissioners. The YCUA Board approved these revisions on April 27, 2010, and instructed us to submit these revised ordinances to the City and the Township for approval and adoption.

To that end, we are available to the City Council and the Township Board of Trustees for working sessions, public meetings or otherwise, according to your call and desire. We look forward to working with you, your counsel, and staff to see that these SUO revisions are adopted at the earliest possible date.

Following adoption by the Township and the City, YCUA's ten wastewater contract communities are required to adopt similar ordinance revisions within no more than 90 days, thereby ensuring YCUA's enforcement authority and up-to-date and enhanced SUOs in all municipalities that discharge wastewater to the YCUA system and treatment plant.

We will be in touch with you shortly to answer any questions you may have and to learn how we can assist the City and the Township in this ordinance approval process. Thank you for your kind attention and assistance. We look forward to working with you on this important matter.

Sincerely,



LARRY R. THOMAS, Director
Ypsilanti Community Utilities Authority

Sincerely,



PERRY M. THOMAS, Chief Compliance Officer
Ypsilanti Community Utilities Authority

LRT - PMT/kks

Enclosures

cc w/encl.: Edward B. Koryzno, Jr., Ypsilanti City Manager
Francis McMullen, Ypsilanti City Clerk
John Barr, Ypsilanti City Attorney
Karen Lovejoy Rowe, Township Clerk
Larry J. Doe, Township Treasurer
William Douglas Winters, Township Attorney
Thomas E. Daniels, YCUA Attorney

ORDINANCE NO. 2001-280

Ypsilanti Township Sewer Use Ordinance

DIVISION 1. GENERALLY

Sec. 62-106. Applicability of [articleOrdinance](#).

This [articleOrdinance](#) shall apply to all ~~non~~~~domestic~~ ~~user~~~~Userss~~ that discharge into the Ypsilanti Community Utilities Authority's (YCUA) publicly owned treatment works (the POTW). In addition, it shall be unlawful for any ~~non~~~~domestic~~ ~~user~~~~User~~ located outside the township limits to continue discharges to the POTW except as provided in this [articleOrdinance](#). In addition, this [articleOrdinance](#) shall establish permit requirements for connections or alterations to township or YCUA sewage works facilities or the POTW; govern the design, construction, alteration or use of and connection to the sewage works and POTW; regulate the discharge of wastewater into the sewage works and POTW; prohibit certain detrimental conduct; authorize the issuance of permits; authorize inspections; provide for administration and enforcement of this [articleOrdinance](#); establish civil and criminal penalties for violations; and authorize the enforcement of and ensure compliance within the township of the Federal Water Pollution Control Act, the Clean Water Act and the Michigan Natural Resources and Environmental Protection Act, more specifically defined herein, and regulations promulgated and adopted under said acts and statutes. (Code 1975, § 20-61; Ord. No. 94-131, 6-21-94)

Sec. 62-107. Definitions.

The following words, terms and phrases, when used in this [articleOrdinance](#), shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act, "the Act," the Federal Water Pollution Control Act and the Clean Water Act are used interchangeably in this [articleOrdinance](#) and refer to Public Law 92-500, as adopted in 1972 and amended by Public Law 95-217 in 1977, and any succeeding amendments and any administrative rules promulgated thereunder, as amended or revised from time to time.

Alternative discharge limit means limits set by the YCUA in lieu of the promulgated national categorical pretreatment standard for integrated facilities in accordance with the combined wastestream formula as set by the EPA.

Authorized representative of ~~industrial user~~[Industrial User](#) means (1) A responsible corporate officer, if the

~~industrial user~~[Industrial User](#) is a corporation, who shall be a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy

or decision making functions for the corporation or means the principal manager of one or more

manufacturing, production, or operation facilities employing more than 250 persons or having a gross

annual sales or expenditures exceeding \$25,000,000.00 (in second quarter 1980 dollars) if authority to

sign documents has been assigned or delegated to the manager in accordance with corporate

procedures; (2) A general partner or proprietor if the ~~industrial user~~ Industrial User is a partnership or proprietorship, respectively; (3) A duly authorized representative of the individual designated above and if all of the following apply:

(a) The authorization is made in writing by the individual described in subsections 1 or 2 of this definition.

(b) This authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position

of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and

(c) The written authorization is submitted to the Director. If an authorization is no longer accurate because a different individual or position has responsibility for the overall operation of the

facility, or overall responsibility for environmental matters for the company, a new authorization

satisfying the requirements of this definition shall be submitted to the ~~eD~~ Director or YCUA prior to or

together with any reports to be signed by an authorized representative.

2

Best Management Practices (BMP) means programs, practices, procedures or other directed efforts, initiated and implemented by ~~Users~~ Users, which can or does lead to the reduction, conservation or minimization of pollutants being introduced into the ecosystem, including but not limited to the Ypsilanti Community Utilities Authority (YCUA) publicly owned treatment system. BMPs include, but are not limited to, equipment or technology modifications, process or procedure modifications, reformulation or design of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control, and may include technical and economic considerations. BMP's may be structural or non-structural or both. In determining what BMPs will be required of an ~~User~~ User in a particular case, the Director may consider all relevant technological, economical, practical, and institutional considerations as determined relevant and appropriate by the Director, consistent with achieving and maintaining compliance with the requirements of this Ordinance and other applicable laws and regulations.

Best Management Practices Plan (BMPP) means a written document that describes how the BMPs will be accomplished.

Biochemical oxygen demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at 20 degrees Celsius

expressed in terms of weight and concentration (milligrams per liter).

Board means the Board of Commissioners of the Ypsilanti Community Utilities Authority.

Building drain means that part of the lowest horizontal piping of a drainage system which receives the drainage from soil, waste and other drainage pipes inside the walls of the building and

conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

Building sewer means that extension from the building drain to the public sewer or other places

of disposal.

Bypass means intentional diversion of wastestreams from any portion of an ~~industrial user~~ Industrial User'ss treatment facility.

Chemical oxygen demand (COD) means a measure of the oxygen-consuming capacity of inorganic and organic matter present in water or wastewater. It is expressed as the amount of oxygen

consumed from a chemical oxidant in a specified test. It does not differentiate between stable and unstable organic matter and thus does not necessarily correlate with biochemical oxygen demand. Also known as OC and DOC, oxygen consumed and dichromate oxygen consumed, respectively. *Chlorine demand* means the difference between the amount of chlorine added to water or wastewater and the amount of residual chlorine remaining at the end of a specified contact period. The demand for any given water varies with the amount of chlorine applied, time of contact and temperature.

City means the City of Ypsilanti, or the City Council of Ypsilanti.

Combined sewer means a sewer receiving both surface runoff and sewage.

Combined wastestream means the wastestream at industrial facilities where regulated process

effluent is mixed with other wastewaters (either regulated or unregulated) prior to treatment.

Compatible pollutant means a substance amenable to treatment in the wastewater treatment plant such as biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus

additional pollutants identified in the NPDES permit if the publicly owned treatment works was designed

to treat such pollutants, and in fact does remove such pollutant to a substantial degree.

Examples of

such additional pollutants may include: chemical oxygen demand, total organic carbon, ~~phosphorus~~ and phosphorus

and phosphorus compounds, nitrogen compounds, fats, oils and greases of animal or vegetable origin.

Composite sample means a sample formed either by continuous sampling or by mixing discrete samples obtained at intervals over a period of time. The collection of individual samples which are shall be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the YCUA. Where time-proportional composite sampling or grab sampling is authorized by the YCUA, the samples must be representative of the Discharge. Manual generation of a composite sample through the collection and combining of grab samples may be approved if the user>User demonstrates to the satisfaction of the Director that this will provide a representative sample of the effluent being discharged.

The decision to allow the alternative sampling must be documented in the Industrial UserIndustrial User'ss file for that facility or facilities. Composite sampling protocols delineated in the User User'ss Permit take precedence. at regular intervals, collected on a time-proportional or flow-proportional basis, over a specified time period and

which provides a representative sample of the average stream during the sampling period.

Cooling water means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.

Daily maximum means the concentration or mass loading that shall not be exceeded on any single calendar day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic arithmetical average measurement of the pollutant concentration derived from all measurements taken that day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged during the day. If a composite sample is required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a single calendar day shall be based on the composite sample collected for that parameter on that calendar day. If grab samples are required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a calendar day shall be based on the average of all grab samples collected for that parameter on that calendar day. If only one grab sample is collected for a parameter on a given day, the determination whether the daily maximum limitation for

that parameter has been exceeded for the day shall be based on the results of that single grab sample. If the pollutant concentration in any sample is less than the applicable detection limit, that value shall be regarded as zero (0) when calculating the daily maximum concentration.

Debt service charges means the charges levied to customers of the wastewater system which are used to pay principal, interest and administrative costs of retiring the debt incurred for construction of the sewage works.

Department of Environmental Quality ~~Department of Natural Resources and Environment or DEQDNRE~~ means the State of Michigan Department of Natural Resources and Environment ~~Environmental Quality~~, Administrator or other duly authorized official.

Director or ~~d~~*Director* means the ~~d~~*Director* of the YCUA or his authorized deputy, agent or representative.

Domestic sewage means waste and wastewater from humans or household operations, which is discharged to, or otherwise enters, a publicly owned treatment works. POTW.

Environmental protection agency, or EPA means the U.S. Environmental Protection Agency, administrator or other duly authorized official.

"Fats, Oils, and Grease" (FOG) means any hydrocarbons, fatty acids, soaps, fats, waxes, oils, or any other non-volatile or semi-volatile material of animal, vegetable or mineral origin that is extractable by solvents in accordance with standard methods.

Flow Proportional Sample means a composite sample taken with regard to the flow rate of the wastestream.

Food Service Establishment (FSE) means: a non-domestic user that engages in one or more of the following food preparation activities: cooking by frying (all methods); baking (all methods); grilling; sautéing, rotisserie cooking; broiling (all methods); boiling; blanching; roasting; toasting; poaching; infrared heating; searing; barbecuing; and any other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

Footing drain means a pipe or ~~conduit which~~ conduit, which is placed around the perimeter of a building foundation and which intentionally admits ground water.

Garbage means solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

Grab sample means a sample taken from a wastestream on a 1-time basis over a period of time of not more than 15 minutes without regard to the flow in the wastestream.

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Holding tank waste means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

~~*Incompatible pollutants* means~~ *Incompatible pollutants* means any ~~pollutant which~~ pollutant, which is not a compatible pollutant.

Industrial wastes means the wastewater discharges from industrial, manufacturing, trade or business processes, or wastewater discharge from any structure with these characteristics, as distinct

from their employee's domestic wastes or wastes from sanitary conveniences.

Industrial User means a person who contributes, causes or permits wastewater to be discharged into the POTW, including, but not limited to, a place of business, endeavor, arts, trade or commerce, whether public or private, commercial or charitable, but excludes single family and multi-family residential dwellings with discharges consistent with domestic waste characteristics.

~~*Industrial User*~~ *Industrial User* Permit or ~~*Industrial User*~~ *Industrial User* Pretreatment Permit means a discharge permit issued

by the Director under this ~~Article~~ Ordinance ~~and the YCUA Industrial Pretreatment Program.~~

Infiltration means that portion of groundwater ~~which~~ is unintentionally admitted to a sewer.

Interference means a discharge, alone or in conjunction with a discharge or discharges from

other sources, to which both of the following provisions apply: (1) the discharge inhibits or disrupts the publicly owned treatment works, its treatment processes or operations, or its sludge processes, use or disposal; (2) pursuant to paragraph (1) of this definition, the discharge is a cause of a violation of any requirement of the YCUA or the Act or the State Act, including an increase in the magnitude or duration of a violation, or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under, or more stringent state or local regulations: Section 405 of the clean water act; the solid waste disposal act, 42 USC Section 2601 et seq, including Title II, more commonly referred to as the resource conservation and recovery act, and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the solid waste disposal act: the clean air act, 42 USC Section 7401 et seq; the toxic substances control act, 15 USC Section 2601 et seq; the marine protection, research, and sanctuaries act, 33 USC Section 1401 et seq.

Instantaneous maximum concentration means the maximum concentration of a pollutant allowed to be discharged at any instant in time (independent of the flow rate or duration of the sampling event). If the concentration determined by analysis of any grab sample, composite sample, or discrete portion of a composite sample exceeds the instantaneous maximum concentration, the instantaneous maximum concentration shall be deemed to have been exceeded. Any discharge of a pollutant at or above a specified instantaneous maximum concentration is a violation of this [article Ordinance](#) and the [YCUA Industrial Pretreatment Program](#).

Mercury reduction plan means a plan to ensure that the maximum allowable mercury loading to the POTW is not exceeded as described in Section 62-181 of this ordinance.

National categorical pretreatment standard, categorical pretreatment standard or categorical standard means any regulation containing pollutant discharge limits promulgated by the EPA in

accordance with sections 307(b) and (c) of the clean water act, 33 USC Section 1317, which apply to a

specific category of nondomestic ~~user~~[Userss](#) and which appear in 40 CFR Chapter I, subchapter N (1990), parts 405-471.

National pollutant discharge elimination system or NPDES permit means a permit issued pursuant to section 402 of the Act (33 USC 1342).

National prohibitive discharge standard or prohibitive discharge standard means any regulation

developed under the authority of 307(b) of the Act and 40 CFR 403.5.

Natural outlet means any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

New source means any building, structure, facility, or installation from which there is or may be

a discharge and for which construction commenced after the publication of proposed pretreatment

standards under section 307(c) of the clean water act will be applicable to the source if the standards

are thereafter promulgated in accordance with section 307(c), and if any of the following provisions apply: (1) the building, structure, facility, or installation is constructed at a site at which no other source is located; (2) the building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (3) the production of wastewater-generated processes of the building, structure, facility, or installation is substantially independent of an existing source at the same site. The extent to which the new facility is engaged in the same general type of activity as the existing source and the extent of integration of the new facility with the existing plant should be considered in determining whether the process is substantially independent.

Nondomestic ~~user~~User means an industry, commercial establishment, or other entity that discharges wastewater to a publicly owned treatment works other than, or in addition to, sanitary sewage.

Operation and maintenance means all work, materials, equipment, utilities, administration and other effort required to operate and maintain the sewage works consistent with insuring ~~adequate~~ adequate treatment of wastewater to produce an effluent in compliance with the NPDES permit and other applicable state and federal regulations, and includes the cost of replacement.

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Operator means the person responsible for the overall operation of a facility.

Owner means the person who owns a facility or part of a facility.

Pass through means a discharge that exits the WWTP into State waters in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Act, the State Act, or the NPDES permit, including an increase in the magnitude or duration of a violation.

Person means any individual, partnership, copartnership, firm, company, corporation, limited liability company,

association, joint stock company, trust, estate, governmental entity or any other legal entity, or its legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular

shall include the plural where indicated by the context.

pH means the logarithm (base ten) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution or expressed in Standard Units (SU).

Pollutant means any of the following: substances regulated by categorical standards; substances discharged to the POTW that are required to be monitored, are limited in the POTW's permit, or are or are to be identified in the POTW's permit application; substances for which control

measures on nondomestic ~~user~~Userss are necessary to avoid restricting the approved residuals

management program of the POTW; substances for which control measures on nondomestic ~~user~~Userss are

necessary to avoid operational problems at the POTW; substances for which control measures on

nondomestic sources are necessary to avoid worker health and safety problems in the POTW.

Pollution means the manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of water.

Pretreatment or treatment means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the sewage works. The reduction or alteration can be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by 40 CFR 403.6(d).

Pretreatment requirements means any substantive or procedural requirement related to pretreatment, other than a pretreatment standard, imposed on a nondomestic ~~user~~User.

Pretreatment standards means any regulation containing pollutant discharge limits promulgated in accordance with section 307(b) and (c) of the clean water act and the state act. This term includes prohibited discharges and local limits defined in R 323.2303 and categorical standards.

Properly shredded garbage means garbage that has been shredded to such a degree that all ~~Particle Ordinance particles~~ will be carried freely under the flow conditions normally prevailing in public sewers, with no ~~Particle Ordinance particle~~ greater than one-half inch in any dimension.

Publicly owned treatment works (POTW) means the treatment works owned and/or operated by the YCUA and includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. The term also includes sewers, pipes, and other conveyances if they convey wastewater to or through the publicly owned treatment works. The term also means the municipality (the Township of Ypsilanti) that has jurisdiction over indirect discharges to, and discharges from, the treatment works.

Public sewer means a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

Replacement means the replacement in whole or in part of any equipment in the wastewater transportation or treatment systems to ensure continuous treatment of wastewater in accordance with the NPDES permit and other state and federal regulations.

Sanitary Sewer means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial or permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

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Sewage or wastewater means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, which is

contributed

into or permitted to enter the sewage works.

Sewage treatment or wastewater treatment plant means any arrangement of devices and structures used for treating sewage.

Sewage works means all municipal facilities for collecting, pumping, treating and disposing of sewage.

Sewer means a pipe or conduit for carrying sewage.

Sewer service charge means the sum of any applicable ~~user~~User charges, surcharges and debt

service charges.

Shall is mandatory; *may* is permissive.

Significant ~~industrial user~~Industrial User (SIU) means either of the following: (1) A

nondomestic ~~user~~User

subject to categorical pretreatment standards under 40 CFR S403 (1992) and 40 CFR Chapter I,

subchapter N (1990); or (2) A nondomestic ~~user~~User that, in the opinion of YCUA or of the township, has a

reasonable potential to adversely affect the POTW's operation, or for violating any pretreatment

standard or requirement or that contributes a process wastestream which makes up five percent or

more of the average dry weather hydraulic or organic capacity of the POTW treatment plant, or that

discharge an average of 25,000 gallons per day or more of process wastewater to the POTW,

excluding sanitary, noncontact cooling, and boiler blowdown wastewater. ~~The township need not~~

~~designate as significant any nondomestic user that, in the opinion of the township and with the~~

~~agreement of the YCUA has no potential for adversely affecting the POTW's operation or for violating~~

~~any pretreatment standard or requirement.~~ Any ~~user~~User designated as significant may petition the

township to be deleted from the list of ~~significant industrial user~~ Significant Industrial Users

on the grounds that it has no potential

for adversely affecting the POTW's operation or violating any pretreatment standard or

requirement.

The Director may determine that a User that meets the criteria of Subsections (1) and (2) of this definition above is not currently a Significant Industrial User, if the Director finds that the User has no reasonable potential to adversely affect the operation of the POTW Director, to violate any pretreatment standard or requirement, or that a Industrial User Permit is not required to meet the purposes and objectives of this Ordinance. A determination that a User is not a Significant Industrial User (or that a permit is therefore not required) shall not be binding and may be reversed by the Director at any time based on changed circumstances, new information, or as otherwise determined necessary by the Director to meet the purposes and objectives of this Ordinance.

Significant noncompliance means any of the following: (1) chronic violations of wastewater discharge limits, defined as results of analyses in which 66% or more of all of the

measurements taken ~~for the same pollutant parameter~~

during a 6-month period exceed, by any magnitude, ~~the daily maximum limit or the average limit for the~~

~~same pollutant parameter;~~ a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l); (2) technical review criteria (TRC)

violations, defined as results of analyses in

which 33% or more of all of the measurements ~~taken~~ for ~~the same each~~ pollutant parameter taken during a 6-month

period equal or exceed the product of the ~~daily maximum limit or the average~~ Pretreatment

Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) limit multiplied by the applicable technical review criteria. (Technical review criteria equals 1.4 for compatible pollutants and 1.2 for all other pollutants, except pH.); (3) any other violation of a Pretreatment Standard or Requirement effluent limit as defined by 40 CFR 403.3(l), (daily maximum, or longer-term average, instantaneous limits, or Narrative Standard) that the YCUA determines has caused, alone or in combination with other discharges, interference or pass-through, including endangering the health of township or YCUA personnel or the general public; (4) any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the YCUA's exercise of its emergency authority under Rule 323.2306(a) (vi) of the Part 23 Rules under the State Act or its emergency authority under this article Ordinance to halt or prevent the discharge; (5) failure to meet, within 90 days after a scheduled date, a compliance schedule milestone contained in a YCUA or other local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance; (6) failure to provide, within ~~30~~ 30 days after the due date, a required report such as, but not limited to, a baseline monitoring report, 90 day or other compliance report, periodic self-monitoring report, or report on compliance with a compliance schedule; (7) failure to timely or accurately report noncompliance; or (8) any other violation or group of violations, which may include a violation of Best Management Practices, that YCUA determines will affect or has adversely affected the operation or implementation of the YCUA pretreatment program or operation of the POTW.

Slug, Slug Loading, Slug Discharge means either:

1. Any discharge of pollutants at a volume or concentration that causes upset of or interference with the POTW or causes the pass-through of pollutants to receiving waters, or
2. Any discharge of a pollutant(s), measured by a grab sample, at a concentration exceeding five (5) times the composite or grab sample discharge limit, or
3. Any discharge of wastewater outside the pH range of 5 – 11 S.U. for either a continuous duration of greater than or equal to fifteen minutes or for a sum total of thirty minutes within one day, or
4. Any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or non-customary batch discharge.

~~Slug means any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration of flows during normal operation.~~

State means State of Michigan.

State Act means Public Act 451 of 1994, the Natural Resources and Environmental Protection

Act (NREPA), as amended, and any administrative rules promulgated there under, as amended or revised from time to time.

Storm sewer or storm drain means a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Stormwater means any flow occurring during or following any form of natural precipitation and resulting therefrom.

Surcharge means an extra charge to cover the cost of treating, sampling and testing extra strength sewage.

Suspended solids means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

Township means the Charter Township of Ypsilanti, Michigan or its board of trustees.

Toxic pollutant means any pollutant or combination of pollutants which is or can potentially be

harmful to the public health or the environment including those listed as toxic in regulations promulgated by the administrator of the Environmental Protection Agency under the provisions of CWA

307(a) or other acts.

User means any person who contributes, causes or permits the contribution of wastewater into the sewage works.

User charge means a charge levied on *users* of a treatment works for the cost of operation and maintenance of sewerage works pursuant to Section 204(b) of PL 92-500 and includes the cost of replacement.

User class means the kind of *user* connected to sanitary sewers including but not limited to

residential, industrial, commercial, institutional and governmental, defined as follows: (1)

Residential

user means a *user* of the treatment works whose premises or buildings are used primarily as a domicile

for one or more persons, including dwelling units such as detached, semidetached and row houses,

mobile homes, apartments, or permanent multifamily dwellings (transient lodging is not included, it is

considered commercial); (2) *Industrial user* means any *user* who discharges an "industrial waste" as

defined in this [article Ordinance](#) or any nondomestic source who discharges pollutants to the sewage works or

POTW; (3) *Commercial user* means an establishment involved in a commercial enterprise, business or

service which, based on a determination by the YCUA discharges primarily segregated domestic

wastes or wastes from sanitary conveniences and which is not a [residential user Residential User](#) or an [industrial user Industrial User](#);

(4) *Institutional user* means any establishment involved in a social, charitable, religious, or educational

function which, based on a determination by the YCUA discharges primarily segregated domestic

wastes or wastes from sanitary conveniences; and (5) *Governmental user* means any federal, state or

local government *user* of the wastewater treatment works.

Waters of the state means all streams, lakes, ponds, marshes, watercourses, waterways, wells,

springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are

contained within, flow through, or border upon the state or any portion thereof.

(Code 1975, § 20-62)

Sec. 62-108. Abbreviations.

The following abbreviations shall have the following meanings:

ASTM -- American Society for Testing and Materials

BMP – Best Mangement Practices

BMPP – Best Mangement Practices Plan

BOD -- Biochemical oxygen demand

CFR -- Code of Federal Regulations

COD -- Chemical oxygen demand

CWA -- Clean Water Act

DEQDNRE - - Department of Environmental QualityDepartment of Natural Resources and Environment (State of Michigan)

EPA -- Environmental Protection Agency

FOG – Fats, Oils, and Grease

l – liter

MRP - - Mercury Reduction Plan

mg – milligrams

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mg/l -- milligrams per liter

NPDES -- National Pollutant Discharge Elimination System

O&M -- Operation and Maintenance

POTW -- Publicly Owned Treatment Works

SIC -- Standard Industrial Classification

SS -- Suspended solids

USC -- United States Code

WWTP – The Ypsilanti Community Utilities Authority Wastewater Treatment Plant

WEF – Water Environment Federation

YCUA -- Ypsilanti Community Utilities Authority

(Code 1975, § 20-63)

Sec. 62-109. Protection from damage.

It shall be unlawful for any unauthorized person to maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is

a part of the sewage works or POTW.

(Code 1975 § 20-64)

Secs. 62-110 – 62-120. Reserved.

DIVISION 2. ADMINISTRATION AND ENFORCEMENT

Sec. 62-121. Permit or authorization required.

It shall be unlawful to discharge to the waters of the state within the township, or in any area under the jurisdiction of such township and/or to the sewage works, any wastewater except as provided

by an NPDES permit and/or as authorized by the township and the YCUA in accordance with the

provisions of this articleOrdinance.

(Code 1975, § 20-75)

Sec. 62-122. Information required prior to connection to system.

All industrial userIndustrial Userss proposing to connect to or to contribute to the sewage works shall submit

information on the use, processes and wastewater to the eDirector before connecting to or contributing

to the sewage works. The information submitted must be sufficient for the YCUA to determine the

impact of the userUser's-s discharge on the sewage works and the need for pretreatment.

The userUser shall

submit, in units and terms appropriate for evaluation, the following information:

(1) The name, address and location of the userUser.

(2) The SIC number according to the Standard Industrial Classification Manual, Bureau of

the Budget, 1972, as amended and the Industrial Category subject to National Categorical Pretreatment Standards, 40 CFR, Chapter 1, Subchapter N, Part 403, Appendix C, if applicable.

(3) Wastewater constituents and characteristics including but not limited to those pollutants mentioned in section 62-177 through 62-187 of this [articleOrdinance](#), when required by the Director, as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR part 136 (~~1992 March 26, 2007~~), as amended from time to time. Where 40 CFR part 136 (~~1992 March 26, 2007~~) does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the part 136 (~~1992 March 26, 2007~~) sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods of any other applicable sampling and analytical procedures, including procedures suggested by the publicly owned treatment works or other parties, approved by the EPA.

(4) The time and duration of contribution.

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(5) The average daily wastewater flow rates, including daily, monthly and seasonal variations, if any.

(6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation, if the [userUser](#) is a SIU or as required by the YCUA.

(7) A description of activities, facilities and plant processes on the premises including all materials, which are or could be discharged.

(8) The nature and concentration of any pollutants in the discharge which are limited by any YCUA, 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 and/or additional pretreatment is required by the [industrial-userIndustrial 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 [userUser](#) will provide such additional pretreatment shall be provided. 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 [userUser](#) to meet the applicable pretreatment standards.

(b) No increment referred to in subsection (9)a of this section shall exceed nine months.

(c) Not later than 14 days following each date in the schedule and the final date for compliance, the [userUser](#) shall submit a progress report to the [dDirector](#) 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 delay, and the steps being taken by

the userUser to return the construction to the schedule established. In no event shall more than nine months elapse between such progress reports to the eDirector.

(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 plant and proposed or actual hours of operation of pretreatment system.

(13) Any other information as may be deemed by the eDirector to be necessary to evaluate the impact of the discharge on the sewage works.

(Code 1975, § 20-76)

Sec. 62-123. Reporting required after promulgation or revision of a pretreatment standard

and reporting from a new source.

Within 180 days of the promulgation or revision of a categorical pretreatment standard, or 180

days after the final administrative decision made upon a category determination submission under R

323.2311(2) of the Part 23 Rules promulgated under the State Act, whichever is later, existing

nondomestic userUserss subject to the categorical pretreatment standards and currently discharging, or

scheduled to discharge, to the POTW shall submit, to the YCUA, a report that contains all of the

information listed in this Section. Where reports containing this information already have been

submitted to the YCUA or EPA in compliance with the requirements of 40 C.F.R.

S128.140(b) (1977),

the nondomestic userUser will not be required to submit the information again. Not less than 90 days before

the commencement of a discharge, sources that become nondomestic userUserss subsequent to the

promulgation of an applicable categorical standard and new sources shall be required to submit, to the

YCUA, a report that contains the information listed in subdivisions (1) to(5)of this Section.

New sources

shall also be required to include in this report information on the method of pretreatment the source

intends to use to meet applicable pretreatment standards. New sources shall give estimates of the

information requested in subdivisions (4)and (5)of this Section. All of the following information shall be

submitted pursuant to this Section.

(1) The name and address of the facility including the name of the operator and owners.

(2) A list of any environmental control permits held by or for the facility.

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(3) A brief description of the nature, average rate of production, and standard industrial classification of the operation or operations carried out by the nondomestic userUser. The description shall

include a facility drawing and schematic process diagram that indicates points of discharge to the

POTW and from which processes the discharges originate.

(4) Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW for each of the following:

(a) Regulated process streams.

(b) Other streams as necessary to allow use of the combined wastestream formula specified in R 323.2311(6). YCUA may allow for verifiable estimates of these flows where justified by

cost or feasibility considerations.

(5) All of the following information shall be provided with respect to the measurement of pollutants:

(a) The identity of the pretreatment standards, including state or local standards, applicable to each regulated process.

(b) The results of sampling and analysis identifying the nature and concentration or mass, where required by the standard or YCUA, of regulated pollutants in the discharge from each

regulated process. Both daily maximum and average concentration or mass, where required, shall be

reported. The sample shall be representative of daily operations.

(c) A minimum of 4 grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples shall be

obtained through flow-proportional composite sampling techniques, ~~where feasible~~. The YCUA may

waive flow-proportional composite sampling for any nondomestic ~~user~~User that

demonstrates that ~~flow-proportional time-proportional sampling is representative of the discharge during the sampling period.~~

~~sampling is infeasible. In such cases, S~~samples may be obtained through time-proportional composite sampling techniques or through a minimum of 4 grab ~~samples~~ ~~samples may be~~

~~approved by the Director or designee~~ when ~~re~~ the ~~user~~User demonstrates

that this will provide a representative sample of the effluent being discharged.

(d) With the exception of the pollutants specified in paragraph (c) of this subsection, the ~~user~~User shall take a minimum of 1 representative sample to compile the data necessary to

comply with the requirements of this sub-section.

(e) Samples should be taken immediately downstream from pretreatment facilities if the facilities exist or immediately downstream from the regulated process if pretreatment facilities do

not exist. If other wastewaters are mixed with the regulated wastewater before pretreatment, the

nondomestic ~~user~~User should measure the flows and concentrations necessary to allow use of the

combined wastestream formula specified in R 323.2311(7) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in

accordance with R 323.2311(5), the adjusted limit and supporting data shall be submitted to YCUA.

(f) Sampling and analysis shall be performed in accordance with the techniques

prescribed in 40 C.F.R. part 136 (~~March 26, 2007~~1992). Where 40 C.F.R. part 136 (~~March 26, 2007~~1992) does not contain sampling

or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136

(~~March 26, 2007~~1992) sampling and analytical techniques are inappropriate for the pollutant in question, sampling and

analysis shall be performed by using validated analytical methods or any other applicable sampling

and analytical procedures, including procedures suggested by YCUA or other parties, approved by the

EPA.

(g) The YCUA may allow the submission of a baseline report that utilizes only

historical data if the data provides information sufficient to determine the need for industrial pretreatment measures.

(h) The baseline report shall indicate the time, date, and place of sampling and the

methods of analysis and shall certify that the sampling and analysis is representative of normal work

cycles and expected pollutant discharges to the POTW.

(6) A statement, reviewed by an authorized representative of the nondomestic [userUser](#) and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance or additional pretreatment is required for the nondomestic [userUser](#) to meet the pretreatment standards and requirements.

(7) If additional pretreatment or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the nondomestic [userUser](#) will provide such

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additional pretreatment or operation and maintenance. The completion date in the schedule shall not

be later than the compliance date established for the applicable pretreatment standard. All of the

following conditions shall apply to compliance schedules:

(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 nondomestic [userUser](#) to meet the applicable categorical pretreatment

standards. The events may include any of the following: (i) The hiring of an engineer; (ii) Completing

preliminary plans; (iii) Completing final plans; (iv) Executing contracts for major components; (v)

Commencing construction; (vi) Completing construction; or (vii) Other similar major events;

(b) An increment referred to in this sub-section shall not be more than 9 months.

(c) Not later than 14 days following each date in the schedule and the final date for compliance, the nondomestic [userUser](#) shall submit a progress report to YCUA, including, at a minimum,

whether or not the [userUser](#) complied with the increment of progress to be met on a particular date and, if

not, the date on which the [userUser](#) expects to comply with the increment of progress, the reason for delay,

and the steps being taken by the nondomestic [userUser](#) to return the construction to the schedule

established. Not more than 9 months shall elapse between progress reports to YCUA.

(8) Where the nondomestic [userUser's's](#) categorical pretreatment standard has been modified by

a removal allowance under R 323.2311(7) or a fundamentally different factors variance under R

323.2313(b) at the time the nondomestic [userUser](#) submits the report required by this rule, the information

required by subdivisions (6) and (7) of this section shall pertain to the modified limits.

(9) Any changes to information requested under subdivisions (1) to (5) of this section shall be submitted by the nondomestic [userUser](#) to YCUA within 60 days.

(Code 1975, 20-77)

Sec. 62-124. Additional reporting required and periodic report requirements.

(1) Within 90 days following the date for final compliance with applicable categorical pretreatment

standards or, in the case of a new source, following commencement of the introduction of wastewater into the sewage works, POTW or the WWTP, any nondomestic [userUser](#) subject to

pretreatment standards and requirements shall submit to the [eD](#)irector and/or YCUA a report containing

the information required in subsections (4) through (6), inclusive, of Section 62-123 of this

[ArticleOrdinance](#). For [industrial userIndustrial Userss](#) subject to equivalent mass or concentration limits established by YCUA in accordance with the procedures in R 323.2311(5) of the Part 23 Rules promulgated under the State Act or otherwise established by the Act or the State Act or rules promulgated thereunder, the report shall contain a reasonable measure of the nondomestic [userUser's's](#) long-term production rate. For all other nondomestic [userUserss](#) subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production, or other measure of operation, the report shall include the nondomestic [userUser's's](#) actual production during the appropriate sampling period.

(2) The YCUA may impose mass limitations on [userUserss](#) which are using dilution to meet applicable pretreatment standards or requirements, or in other cases in which the imposition of mass limitations is appropriate.

(3) All of the following provisions shall apply to periodic reports on continued compliance:

(a) Any nondomestic [userUser](#) subject to a categorical pretreatment standard after the compliance date of the pretreatment standard or, in the case of a new source, after commencement of the discharge into the publicly owned treatment works shall submit, to the YCUA semiannually, unless required more frequently in the pretreatment standard or by the YCUA, a report indicating the nature and concentration of pollutants in the effluent that are limited by the categorical pretreatment standards. In addition, the report shall include a record of measured or appropriately estimated average and maximum daily flows for the reporting period for the discharge reported in subsection 62-123 (4) or this [ArticleOrdinance](#), except that YCUA may require more detailed reporting of flows.

(b) Where YCUA has imposed mass limitations on nondomestic [userUserss](#) as provided for by R 323.2311(5) of the Part 23 Rules promulgated under the State Act or where such limitations are otherwise established by the Act or the State Act or Rules promulgated thereunder, the report required by subsection (1) immediately above shall indicate the mass of pollutants regulated by pretreatment standards in the discharge from the nondomestic [userUser](#).

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(c) For nondomestic [userUserss](#) subject to equivalent mass or concentration limits established by the YCUA or under the Act or the State Act or Rules promulgated thereunder, the report required by subsection (1) immediately above shall contain a reasonable measure of the nondomestic [userUser's's](#) long-term production rate. For all other nondomestic [userUserss](#) subject to categorical pretreatment standards expressed only in terms of allowable pollutant discharge per unit of production, or other measure of operation, the report required by subsection (1) immediately above shall include the nondomestic [userUser's](#) actual average production rate for the reporting period.

(4) All categorical and non-categorical nondomestic [userUser](#)s shall notify the YCUA immediately of

all discharges that could cause problems to the POTW, including any slug loadings.

(5) All of the following provisions apply to [Significant Industrial Users that are Categorical Industrial Users or Non-categorical Industrial Users in regards to](#) monitoring and analysis to demonstrate continued compliance:

(a) The reports required in Section 62-123 or this [Article Ordinance](#) or in this Section shall contain the results of sampling and analysis of the discharge, including the flow and the nature and concentration, or production and mass where requested by the YCUA, of pollutants contained in the discharge that are limited by the applicable pretreatment standards. The sampling and analysis may be performed by the YCUA instead of the nondomestic [user>User](#). Where the YCUA elects to perform the required sampling and analysis instead of the nondomestic [user>User](#), the nondomestic [user>User](#) will not be required to submit the compliance certification required under Section 62-123 (6) and subsection (1) of this Section.

In addition, where the YCUA collects all the information required for the report, including flow data, the nondomestic [user>User](#) will not be required to submit the report. The YCUA shall provide, to the nondomestic [user>User](#), within 10 days after the results are available, the results of any sampling the YCUA performs for nondomestic [user>User](#) self-monitoring that show a violation of any pretreatment standard.

Any certification required by a categorical pretreatment standard shall be included with the semiannual compliance reports.

(b) If sampling performed by a nondomestic [user>User](#) indicates a violation of pretreatment standards, the nondomestic [user>User](#) shall notify the YCUA within 24 hours of becoming aware of the violation. The nondomestic [user>User](#) shall also repeat the sampling and analysis and submit the results of the repeat analysis to the YCUA within 30 days after becoming aware of the violation; however, the nondomestic [user>User](#) is not required to resample if the YCUA performs sampling at the nondomestic [user>User](#) at a frequency of at least once per month or if the YCUA performs sampling at the nondomestic [user>User](#) between the time when the nondomestic [user>User](#) performs its initial sampling and the time when the nondomestic [user>User](#) receives the results of the sampling.

(c) The reports required in subsection (c) of this Section shall be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data is representative of conditions occurring during the reporting period. The YCUA may require a frequency of monitoring that is necessary to assess and assure compliance by nondomestic [user>User](#)s with applicable pretreatment standards and requirements.

(d) All analyses shall be performed in accordance with procedures established by the E.P.A. pursuant to section 304(h) of the clean water act and contained in 40 C.F.R. part 136 ([March 26, 20074992](#)) or with any other test procedures approved by the E.P.A. Sampling shall be performed in accordance with the techniques approved by the E.P.A. Where the provisions of 40 C.F.R. part 136

(~~1992~~ March 26, 2007) do not include sampling or analytical techniques for the pollutants in question, or where the E.P.A. determines that the part 136 (~~March 26, 2007~~1992) sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed using validated analytical methods or any other sampling and analytical procedures, including procedures suggested by the YCUA or other parties and approved by the E.P.A.

(e) If a nondomestic ~~user~~User monitors any pollutant more frequently than required by the YCUA using the procedures prescribed in subsection (d) immediately above, the results of the monitoring shall be included in the report.

(f) A minimum of one (1) grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples shall be obtained through flow-proportional composite sampling techniques. The YCUA may waive flow-proportional composite sampling for any nondomestic user that demonstrates that time-proportional sampling is representative of the discharge during the sampling period. Samples obtained through time-proportional composite sampling techniques or through a minimum of 4 grab samples may be approved by the Director or designee when the user demonstrates that this will provide a representative sample of the effluent being discharged.

(6) The YCUA may require appropriate reporting from nondomestic ~~user~~Users that have discharges, which are not subject to categorical pretreatment standards. Significant ~~noncategorical~~ industrial ~~user~~Users shall submit, to the YCUA, at least semiannually, a description of the nature, concentration, and flow of the pollutants required to be reported by the YCUA. The reports shall be based on sampling and analysis performed in the period covered by the report and performed in accordance with the techniques described in 40 C.F.R. part 136 (~~March 26, 2007~~1992). Where the provisions of 40 C.F.R. part 136 (~~March 26, 2007~~1992) do not contain sampling or analytical techniques for the pollutant in question, or where the E.P.A. determines that the part 136 (~~March 26, 2007~~1992) sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the YCUA or other persons and approved by the E.P.A. The sampling and analysis may be performed by the YCUA instead of the significant ~~noncategorical industrial~~ ~~user~~Industrial User.

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Where the YCUA collects all of the information required for the report, the ~~noncategorical significant industrial user~~ Significant Industrial User will not be required to submit the report. The YCUA shall provide, to the nondomestic ~~user~~User, within 10 days after the results are available, the results of any sampling it performs for nondomestic ~~user~~User self-monitoring that show a violation of any pretreatment standard. Where YCUA performs sampling for a ~~s~~Significant ~~i~~ndustrial ~~u~~s~~er, YCUA must perform any required repeat sampling and analysis within thirty (30) days of becoming~~

aware of a violation.

(7) All periodic compliance reports shall be certified and signed by the authorized representative of the industrial user. The authorized representative shall state the following certification when submitting the periodic compliance reports to YCUA: "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."

(Code 1975, § 20-79)

Sec. 62-125. Powers of the YCUA.

Wastewater discharges shall be expressly subject to all provisions of this [articleOrdinance](#), the Act and

State Act and all other applicable regulations established by the YCUA. The YCUA may:

- (1) Limit the average and maximum wastewater constituents and characteristics.
- (2) Limit the average and maximum rate and time of discharge or make requirements for flow regulations and equalization.
- (3) Require the installation and maintenance of inspection and sampling facilities.
- (4) Establish specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.
- (5) Establish compliance schedules.
- (6) Require submission of technical reports or discharge reports.
- (7) Require the maintaining, retaining and furnishing of plant records relating to wastewater discharge as specified by the YCUA, and affording YCUA access thereto, and copying thereof.
- (8) Require notification of slug discharges and accidental spills.
- (9) Require other conditions as deemed appropriate by the YCUA to ensure compliance with this [articleOrdinance](#), the Act and the State Act. The YCUA shall require notification of the YCUA for 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.

(Code 1975, § 20-78)

Sec. 62-126. Sampling and monitoring facilities may be required.

The YCUA shall, when determined necessary by the [eD](#)irector, require to be provided and operated at the [userUser](#)'s own expense, monitoring facilities to allow inspection, sampling, and flow

measurement of the building sewer and/or internal drainage systems. The facility, sampling, and

measuring equipment shall be maintained at all times in a safe and proper operating condition at the

expense of the [userUser](#). 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 YCUA and all applicable local construction standards and specifications. Construction shall be

completed within 90 days following written notification by the YCUA.

(Code 1975, § 20-80)

Sec. 62-127. Right to access of facilities for inspection, sampling, records examination, record copying or other duties.

The YCUA shall inspect the facilities of any [userUser](#) to ascertain whether the purpose of this [articleOrdinance](#)

is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the YCUA 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 in the performance of any of their duties. The YCUA, DEQDNRE and EPA shall have the right to set up on the userUser's property, at the userUser's expense, such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a userUser has security measures in force which would require proper identification and clearance before entry into their premises, the userUser shall make necessary arrangements with their security guards or other appropriate personnel so that upon presentation of suitable identification, personnel from the YCUA, DEQDNRE and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.
(Code 1975, § 20-81)

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Sec. 62-128. Compliance with articleOrdinance provisions required.

(1) Industrial-userIndustrial Users shall provide necessary wastewater treatment as required to comply with this articleOrdinance, the Act and State Act and shall achieve compliance with all pretreatment standards within the time limitations as specified by the federal pretreatment regulations and as required by the YCUA, the Act or the State Act. Any industrial-userIndustrial User that qualifies as a new source is required to have pretreatment equipment installed and operational before discharging and shall be in full compliance within 90 days of initial discharge. Any facilities required to pretreat wastewater to a level acceptable to the YCUA shall be provided, operated, and maintained at the userUser's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the YCUA for review, and shall be approved by the YCUA before construction of the facility. The review of such plans and operating procedures will in no way relieve the userUser from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the YCUA under the provisions of this articleOrdinance, the Act or the State Act. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the YCUA prior to the userUser's initiation of the changes.

(2) As required by Section 403.8(D)(2)(viii) of the Federal Register, the YCUA shall publish at least annually in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW of the largest daily newspaper published or distributed in the township, a list of the industrial userUsers, which, during the previous 12 months, were in significant noncompliance with any applicable pretreatment requirements. All records relating to compliance with pretreatment standards

shall be
made available to officials of the EPA or [DEQ/DNRE](#) upon request.
(Code 1975, § 20-82)

Sec. 62-129. Confidentiality of information.

Information and data on a [user/User](#) obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the [DEQ/DNRE](#) and the EPA without restriction and shall be available to the public without restriction unless the [user/User](#) specifically requests and is able to demonstrate to the satisfaction of the [eD](#)irector that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the [user/User](#), in accord with applicable provisions of the state freedom of information act, Public Act 442 of 1976, as amended and Rule 323.2314 of the Part 23 Rules promulgated under the State Act.

(Code 1975, § 20-83)

Sec. 62-130. Enforcement by township.

All orders, directives, legal and/or equitable actions, which are necessary and appropriate to enforce this [article/Ordinance](#), the Act and State Act shall be carried out by YCUA and/or the township. Nothing contained in subsection (a) of this section shall preclude the township or YCUA from instituting, maintaining or joining any legal and/or equitable actions to enforce this [article/Ordinance](#), the Act and State Act.

(Code 1975, § 20-84)

Sec. 62-131. Records, accounts, audits, classification of [user/Users](#), insurance.

(1) The YCUA will maintain and keep proper books of records and accounts, separate from all other records and accounts, in which shall be made full and correct entries of all transactions relating to the POTW. The YCUA will cause an annual audit of such books of record and account for the preceding operating year to be made by a recognized independent certified public accountant, and will supply such audit report to authorized public officials on request.

(2) In conjunction with the audit there shall be an annual review of the sewer charge system for [adeq/DNRE/adequacies](#) meeting expected expenditures for the following year.

(3) Classification of old and new [industrial-user/User/Industrial User](#)s may also be reviewed annually.

(4) The YCUA will maintain and carry insurance on all physical properties of the system, of the kinds and in the amounts normally carried by public utility companies and municipalities engaged in the operation of sewage disposal systems.

(5) Retention of Records

A User shall retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Ordinance, an order, or a permit, all documentation associated with Best Management Practices, and the records of all data used to complete the application for a permit, for a period of at least three years from the date of a sample, measurement, report application or orders. This period may be extended by the Ypsilanti Community Utilities Authority at any time.

(Code 1975, § 20-85)

Sec. 62-132. Powers and authority of inspectors.

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The ~~e~~Director and other duly authorized employees of the Ypsilanti Community Utilities Authority bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ~~article~~[Ordinance](#), the Act and State Act.

(Code 1975, § 20-86)

Sec. 62-133. Enforcement Process.

(1) **Emergency Suspension.** The Director may suspend the wastewater treatment service and/or any permit issued under this ~~article~~[Ordinance](#) when such a suspension is necessary, in the opinion of the Director, in order to stop an actual or threatened discharge that presents or may present an imminent or substantial danger to the health or welfare of persons or the environment, the POTW, or constitutes a violation of any condition of a NPDES or other permit, this ~~article~~[Ordinance](#), the Act or State Act. Any ~~user~~[User](#) notified of a suspension of wastewater treatment services or a permit shall immediately stop or eliminate its discharge into a township or YCUA sanitary sewer. If a ~~user~~[User](#) fails to immediately comply with such a suspension order and as required in this section, the YCUA shall take such steps as deemed necessary, including immediate termination or severance of the ~~user~~[User](#)'s sewer connection to prevent or minimize damage to any person, the POTW or the environment. The YCUA shall allow the ~~user~~[User](#) to recommence its discharge upon receipt of proof of compliance with this ~~article~~[Ordinance](#) and the elimination of the discharge and/or identified danger. A ~~user~~[User](#) whose wastewater treatment service or permit has been suspended under this ~~article~~[Ordinance](#) shall submit, within fifteen (15) days of the suspension, a written statement to the Director describing the causes of the harmful discharge and the measures taken to prevent future harmful discharges in addition to other information required by this ~~article~~[Ordinance](#) or otherwise required by the Act or State Act under such circumstances.

~~(2)~~ **Notice Letter** – The minimum enforcement response that the Director or his/her designee will use to notify an ~~user~~[User](#) that a violation of the local applicable sewer use ordinance or YCUA Industrial Pretreatment Program has occurred or is occurring.

~~(3)~~ **Notification of Violation.** Whenever the Director finds that any ~~user~~[User](#) has violated or is violating any provision of this ~~article~~[Ordinance](#) or a wastewater discharge permit, an order issued under ~~this~~ ~~article~~[Ordinance](#), the Act or State Act, the Director may serve upon said ~~user~~[User](#) written notice of the violation.

Within ~~thirty~~ ~~en~~ (34) days of receipt of such notice the ~~user~~[User](#) shall submit to the Director ~~or designee~~ an explanation of the violation and a written plan for satisfactory correction. Submission of this plan does not relieve the ~~user~~[User](#) of liability for any violations occurring before or after receipt of the notice of

violation or as otherwise provided in this [articleOrdinance](#), the Act or State Act.

~~(4) **Show Cause Order.** The Director may order any [userUser](#) violating this [articleOrdinance](#), or the IPP -a permit, an order issued under this [articleOrdinance](#), the Act, or State Act, to show cause why a proposed enforcement action should not be taken. The show cause notice shall require the [userUser](#) to appear before the Director for a show cause meeting within a reasonable time, not less than ten (10) days after first class mailing of the order to the [userUser](#)'s recorded or last known address. Enforcement action may be pursued whether or not a [userUser](#) appears at a show cause meeting and issuance of a show cause order does not relieve the [userUser](#) of liability for any violation occurring before or after receipt of the notice or as otherwise provided in this [articleOrdinance](#), the Act, or State Act.~~

~~(5)~~ **Consent Order.** The Director is empowered to enter into Consent Orders, Assurances of Voluntary Compliance and other similar documented agreements establishing an agreement with a [userUser](#) responsible for non-compliance with an order, permit, this [articleOrdinance](#), the Act or State Act. Such a document may include compliance schedules, stipulated fines or penalties, the amount of which shall not be limited by the civil fine assessment provision of this [articleOrdinance](#), remedial actions and signatures of the Director and [userUser](#). Consent Orders or similar documented agreements prepared and executed under this section shall have the same force and effect as other orders issued under this [articleOrdinance](#).

~~(4) **Show Cause Order.** The Director may order any user violating this article, a permit, an order issued under this article, the Act or State Act, to show cause why a proposed enforcement action should not be taken. The show cause notice shall require the user to appear before the Director for a show cause meeting within a reasonable time, not less than ten (10) days after first class mailing of the order to the user's recorded or last known address. Enforcement action may be pursued whether or not a user appears at a show cause meeting and issuance of a show cause order does not relieve the user of liability for any violation occurring before or after receipt of the notice or as otherwise provided in this article, the Act or State Act.~~

~~(6)~~ **Compliance Order.** When the Director finds that a [userUser](#) has violated or continues to violate this [articleOrdinance](#), a permit, an order issued under this [articleOrdinance](#), the Act or State Act, an order may be issued to the [userUser](#) directing that, following a specified time period, sewer service shall be discontinued unless ~~adeq~~[DNRE](#)uate treatment facilities, devices or other related appurtenances have been installed and are properly operated and compliance is otherwise achieved. Such an order may contain other requirements as might be reasonably necessary and appropriate to address the non-compliance,

including, but not limited to, the installation of pre-treatment technology, additional self-monitoring and new management practices. Issuance of a compliance order does not relieve the [userUser](#) of liability for any violation occurring before or after receipt of the notice or as otherwise provided in this [articleOrdinance](#), the Act or State Act.

(76) Cease and Desist Order. When the Director finds that a [userUser](#) has violated or continues to violate this [articleOrdinance](#), a permit, an order issued under this [articleOrdinance](#), the Act or State Act, an order may be issued to the [userUser](#) responsible for the violation directing that such violations cease and desist immediately. In an emergency, the order to cease and desist may be given by telephone. In a nonemergency situation, the cease and desist order may be used to suspend or permanently revoke an industrial wastewater discharge permit or permits. A cease and desist order may require the [userUser](#) to take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and terminating the discharge. Issuance of a cease and desist order does not relieve the [userUser](#) of liability for any violation occurring before or after receipt of the order or as otherwise provided in this [articleOrdinance](#).

(87) Termination of Wastewater Discharge Permit. Any [userUser](#) who has a permit who violates the following conditions of a wastewater discharge permit or violates this [articleOrdinance](#), the Act or State Act or any applicable state or federal law or regulation is subject to permit termination:

- (a) Failure to accurately report wastewater constituents and characteristics;
- (b) Failure to report significant changes in operations or wastewater constituents and characteristics;
- (c) Refusal of reasonable access to the [userUser](#)'s premises or records for the purpose of inspection, monitoring or sampling or for any other purpose permitted under this [articleOrdinance](#), the Act or State Act;
- (d) Failure to comply with an order issued under this [articleOrdinance](#); or
- (e) For those reasons stated in Section 62-138 or for any other reason permitting such termination as provided in this [articleOrdinance](#), the Act or State Act.

Such [userUser](#)s shall be notified of the proposed permit termination and shall be offered an opportunity to show cause under the provision of subsection (4) of this Section, why the proposed action should not be taken.

(98) Administrative Assessments. Notwithstanding any other section of this [articleOrdinance](#), any [userUser](#) who violates any provision of this [articleOrdinance](#), a permit, an order issued under this [articleOrdinance](#), the Act or State Act, shall be liable to the YCUA and/or township for any expense loss or damage occasioned by reason of such violation, including but not limited to reasonable attorney's fees and may be subject to an administrative assessment by the YCUA in an amount of \$1,000 per violation, per day. Each day on which non-compliance shall occur or is continued shall be deemed a separate and distinct violation.

Such expense, loss, damage or assessments may be added to a [userUser](#)'s sewer service

charges and the YCUA and the township shall have such other collection rights and remedies as designated by law, the

Act, the State Act and this [articleOrdinance](#) to collect these sewer service charges.

~~(109)~~ **Judicial Remedies.** A person who violates any provision of this [articleOrdinance](#), a permit, an order

issued under this [articleOrdinance](#), the Act or State Act, is subject to the judicial remedies described below in

addition to being responsible for a civil fine assessment or a misdemeanor or any administrative

remedy or enforcement action provided for in this [articleOrdinance](#):

(a) Whenever a [userUser](#) has violated or continues to violate the provisions of this [articleOrdinance](#), a

permit, an order issued under this [articleOrdinance](#), the Act or the State Act, the Director, through counsel, may

petition the Circuit Court for issuance of a preliminary or permanent injunction or both to restrain or

compel certain activities on the part of the [userUser](#).

(b) Any [userUser](#) who has violated or continues to violate any order or permit issued hereunder

may be liable to the YCUA in such judicial proceedings for a civil fine assessment of \$1,000, plus actual

damages, direct or indirect, incurred by the YCUA, per violation, per day, for as long as the violation

continues. Additionally, the YCUA may recover reasonable attorney's fees, court costs and other

expenses associated with any enforcement activities, including sampling, monitoring and analysis

expenses.

(c) The Director, through counsel, may petition the Circuit Court to impose, assess, and recover such assessments and sums. In determining the amount of liability, the court shall take into

account all relevant circumstances, including, but not limited to the extent of harm caused by the

violation, the magnitude or duration of the violation, any economic benefit gained by the [userUser](#) through

the violation, corrective actions by the [userUser](#), the compliance history of the [userUser](#) and any other relevant

factor.

~~(114)~~ **Liens.** Any fine or other assessment issued or imposed under this [articleOrdinance](#) or other costs or

charges imposed under this [articleOrdinance](#) may be added to the [userUser](#)'s sewer service charges and the YCUA

shall have such other collection rights and remedies as designated by law and this [articleOrdinance](#) to collect

said charges and all unpaid charges, fines, assessments, penalties and service charges shall

constitute and may be recorded as a lien against the [userUser](#)'s property if not paid within the time frame

allocated by YCUA or a court for payment.

~~(124)~~ **Appeals.** Any person or [userUser](#) subject to enforcement action under the provisions of this [articleOrdinance](#),

the Act or State Act, except for civil fine assessment notices, consent orders, emergency actions under

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this [articleOrdinance](#) or judicial actions by YCUA, may request a hearing before the Director within ten (10) days

of receipt of notification of the proposed enforcement action. A hearing shall then be held by the Director concerning the violation, the reasons why the enforcement action has been taken, the proposed enforcement action, and the ~~user~~User's explanation or other relevant evidence. An appeal may be taken from the Director's final decision. The following rules shall apply to the hearing and appeal:

(a) The Director may issue notices of such a hearing requiring the attendance and testimony of witnesses or the production of evidence relative to the hearing.

(b) In the event a request for hearing is not filed within ten (10) days of the ~~user~~User's notice of an enforcement action, failure to file such a request shall be deemed a waiver of any and all hearing or appeal rights established under this ~~article~~Ordinance.

(c) A request for hearing shall state the basis for the request, the reasons in support of the request and any alternative relief which the aggrieved party seeks.

(d) During the pendency of any hearing process or appeal the ~~user~~User must comply with the enforcement action or YCUA order from which the appeal is taken.

(e) At the hearing, testimony ~~may~~ must be taken under oath and recorded stenographically. A transcript of the hearing shall be made available to any member of the public or any party to the hearing upon payment of usual and reasonable charges.

(f) After the Director has held such a hearing and reviewed the evidence, he may issue an order affirming, modifying or withdrawing the enforcement action.

(g) Within fifteen (15) days from receipt of the Director's final decision, the aggrieved party may appeal the decision to the board stating the grounds on which the appeal is based together with all documents, evidence, transcripts and information in support of the aggrieved party's position. In addition, the aggrieved party shall file five (5) copies of the appeal and supporting documentation with the board and serve an additional copy on the Director.

(h) The Director shall have thirty (30) days to respond to the appeal and to submit all evidence, documents and information in support of the Director's decision and shall file five (5) copies with the board and shall serve an additional copy on the aggrieved party.

(i) Within thirty (30) days of receiving the Director's response the board shall meet and review all documents and evidence pertaining to the appeal and shall issue an order affirming the Director's order, affirming the Director's order in part and reversing in part, or reversing the Director's order in full. The board shall forward a copy of its decision to all interested parties.

(1342) Industrial Pretreatment Program (IPP) and Enforcement Response Plan (ERP). This ~~article~~Ordinance, the Act and State Act shall also be enforced by the YCUA pursuant to a written Industrial Pretreatment Program adopted by YCUA as required by the Act and State Act which plan shall include those plan elements required by the Act and State Act including, but not limited to, an Enforcement Response Plan designed to achieve enforcement of that Program. That Enforcement Response Plan shall provide for, at minimum, those powers of enforcement granted by this ~~article~~Ordinance, the Act and State Act.

(14) "Time Limits: YCUA's failure to strictly comply with and/or to meet an enforcement procedure time deadline or other time deadline specified in this Ordinance, the Act, State Act, or the Enforcement Response Plan, shall not prohibit or prevent YCUA from taking enforcement or other action outside of or not in compliance with such a time deadline, unless the User or permittee in question has been and is able to demonstrate that it has been materially prejudiced by action taken by YCUA outside of or not in compliance with such a time deadline."

(Code 1975, 20-87)

Sec. 62-134. Same -- Surcharges, fees.

The ~~e~~Director shall also establish appropriate surcharges or fees to reimburse the YCUA for the additional cost of operation and maintenance of the sewage works or POTW due to the violations of this ~~article~~Ordinance, the Act or State Act.

(Code 1975, 20-91)

Sec. 62-135. Permit – Requirements for nondomestic ~~user~~Users.

(1) All nondomestic ~~user~~Users must notify the ~~e~~Director of the nature and characteristics of their wastewater prior to commencing their discharge. The ~~e~~Director is authorized to prepare a form for this purpose.

(2) It shall be unlawful for ~~significant industrial user~~Significant Industrial Users to discharge wastewater, either directly or indirectly, into the sewage works or POTW without first obtaining an ~~industrial user~~Industrial User pretreatment permit from the YCUA. Any violation of the terms and conditions of an ~~industrial user~~Industrial User pretreatment permit shall be deemed a violation of this ~~article~~Ordinance. Obtaining an ~~industrial user~~Industrial User pretreatment permit does not relieve a permittee of its obligation to obtain other permits required by federal, state or local law.

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(3) The ~~e~~Director may require that other ~~industrial user~~Industrial Users, including liquid waste haulers, obtain ~~industrial user~~Industrial User pretreatment permits as necessary to carry out the purposes of this ~~article~~Ordinance.

(4) Any ~~industrial user~~Industrial User located beyond the township limits shall submit a permit application within 60 days of the effective date of the ordinance from which this ~~article~~Ordinance is derived. New ~~industrial user~~Industrial Users located beyond the township limits shall submit such applications to the ~~e~~Director 60 days prior to discharging into the sewage works or POTW. Upon review and approval of such application, the ~~e~~Director may enter into a contract with the ~~user~~User which requires the ~~user~~User to subject itself to, and abide by this ~~article~~Ordinance, including all permitting, compliance monitoring, reporting, and enforcement provisions contained in this ~~article~~Ordinance, the Act or State Act.

(5) Any ~~significant industrial user~~Significant Industrial User which discharges nondomestic waste into the sewage works or POTW prior to the effective date of the ordinance from which this ~~article~~Ordinance is derived and who wishes to continue such discharges in the future, shall, within 90 days after such date, apply to the YCUA for an ~~industrial user~~UserIndustrial User pretreatment permit and shall not cause or allow discharges to the POTW to continue after 180 days from and after the effective date of the ordinance from which this

[articleOrdinance](#) is derived

except in accordance with a permit issued by the [eDirector](#).

(6) Any ~~significant industrial user~~[Significant Industrial User](#) proposing to begin or recommence discharging nondomestic wastes into the sewage works or POTW must obtain a pretreatment permit prior to beginning or

recommencing such discharge. An application for this permit must be filed at least 60 days prior to the

anticipated start up date.

(Code 1975, § 20-94; Ord. No. 94-131, 6-21-94)

Sec. 62-136. Same – Application.

(1) In order to be considered for a pretreatment permit, all ~~industrial user~~[Industrial Users](#) required to have a

permit must submit the information required by Section 62-122 on an application form approved by the

[eDirector](#).

(2) When required, plans must be certified for accuracy by a state - registered professional engineer.

(3) All applications must contain the following certification statement and be signed by an authorized representative of the ~~industrial user~~[Industrial User](#): "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."

(4) The [eDirector](#) will evaluate the data furnished by the ~~industrial user~~[Industrial User](#) and

may require additional information. After evaluation of the data furnished, the [eDirector](#) may issue an ~~industrial user~~[Industrial User](#)

pretreatment permit subject to terms and conditions provided herein.

(5) At the time an application for a permit is made, the ~~user~~[User](#) shall pay to YCUA a permit

fee in an amount established from time to time by the board, which fee shall be refunded to the

~~user~~[User](#) in the event the permit is denied. In addition to the above-stated permit fee, the ~~user~~[User](#) shall pay to YCUA a

nonrefundable permit application fee equal to YCUA's expenses, and YCUA expenses incurred in hiring

laboratories, engineers, or other consultants, for the purpose of evaluating the permit

application submitted by the ~~user~~[User](#) to YCUA.

(Code 1975, § 20-95; Ord. No. 94-131, 6-21-94)

Sec. 62-137. Same -- contents.

Pretreatment permits shall include such conditions as are reasonably deemed necessary by the [eDirector](#) to prevent pass through or interference, protect the quality of the water body

receiving the POTW's effluent, protect worker health and safety, facilitate POTW sludge management and disposal,

protect ambient air quality, and protect against damage to the POTW collection system or plant and

plant and

ensure compliance with this [article Ordinance](#), the Act and State Act. Permits shall contain a statement of the duration of the permit which shall not be more than 5 years; a statement of permit non transfer ability without prior notification to the YCUA and provision of a copy of the existing permit to the new owner or operator; effluent limits based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and state and local law; 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

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standards, categorical pretreatment standards, local limit, and state and local law; and a statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements and any applicable compliance schedule. The schedule may not extend the compliance date beyond applicable federal or state deadlines. Permits may contain, but need not be limited to, the following:

- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.
- (2) Limits on the average and/or maximum concentration, mass, or other measure of identified wastewater constituents or properties.
- (3) Requirements for the installation of pretreatment technology or construction of appropriate containment devices, or similar requirements designed to reduce, eliminate, or prevent the introduction of pollutants into the sewage works or POTW.
- (4) Development and implementation of spill control plans or other special conditions including additional management practices necessary to ~~adeq~~[DNRE](#)uately prevent accidental, unanticipated, or routing discharges.
- (5) The unit charge or schedule of ~~user~~[User](#) charges and fees for the management of the wastewater discharged to the sewage works or POTW.
- (6) Requirements for installation and maintenance of inspection and sampling facilities.
- (7) Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests, and reporting schedules.
- (8) Compliance schedules.
- (9) Requirements for submission of technical reports or discharge reports.
- (10) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the [dDirector](#) and affording the [dDirector](#), or his representatives, access thereto.
- (11) Requirements for notification of any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater being introduced in the sewage works or POTW.
- (12) Requirements for the notification of any change in the manufacturing and/or pretreatment process used by the permittee.

(13) Requirements for notification to YCUA of excessive, accidental, or slug discharges.
(14) Other conditions as deemed appropriate by the [eDirector](#) to ensure compliance with this [articleOrdinance](#)

and state and federal laws, rules, and regulations, including the Act and State Act.

(15) A statement that compliance with the permit does not relieve the permittee of responsibility for

compliance with all applicable federal, State or local pretreatment standards or limits, including those

which become effective during the term of the permit.

(Code 1975, § 20-96)

Sec. 62-138. Same – Issuance process.

(1) Permits shall be issued for a specified time period, not to exceed five years. A permit may be

issued for a period less than five years, at the discretion of the [eDirector](#).

(2) The [eDirector](#) will provide all interested persons with notice of final permit terms. Upon notice by

the [eDirector](#), any person, including the ~~industrial user~~[Industrial User](#), may petition to appeal the terms of the permit

within 30 days of the notice.

(a) Failure to submit a timely petition for review shall be deemed to be a waiver of the appeal.

(b) In its petition, the appealing party must indicate the permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the permit.

(c) The effectiveness of the permit shall not be stayed pending a reconsideration by the board. If, after considering the petition and any arguments put forth by the [eDirector](#), the board

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determines that reconsideration is proper, it shall remand the permit back to the [eDirector](#) for reissuance. Those permit provisions being reconsidered by the [eDirector](#) shall be stayed

pending

reissuance.

(d) A board's decision not to reconsider a final permit shall be considered final administrative action for purposes of judicial review.

(3) The [eDirector](#) may modify or terminate the permit for good cause including, but not limited to,

the following:

(a) To incorporate any new or revised federal, state or local pretreatment standards or requirements.

(b) Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.

(c) A change in any condition in either the ~~industrial user~~[Industrial User](#) or the POTW that requires either

a temporary or permanent reduction or elimination of the authorized discharge.

(d) Information indicating that the permitted discharge poses a threat to the sewage works or POTW or POTW personnel or the receiving waters.

(e) Violation of any terms or conditions of the permit.

(f) Misrepresentation or failure to disclose fully all relevant facts in the permit application or in any required reporting.

(g) Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13.

(h) To correct typographical or other errors in the permit.

(i) To reflect transfer of the facility ownership and/or operation to a new owner/operator.

(j) Upon request of the permittee, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

(k) Falsifying self-monitoring reports.

(l) Tampering with monitoring equipment.

- (m) Refusing to allow timely access to the facility premises and records.
 - (n) Failure to meet effluent limitations.
 - (o) Failure to pay fines.
 - (p) Failure to pay sewer charges.
 - (q) Failure to meet compliance schedules.
 - (r) As provided in Section 62-133.
- (4) The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (5) Permits may be reassigned or transferred to a new owner and/or operator with prior approval of the [Director](#), if:
- (a) The permittee must give at least 30 days advance notice to the [Director](#); and
 - (b) The notice must include a written certification by the new owner which:
 - (i) States that the new owner has no immediate intent to change the facility's operations and processes.
 - (ii) Identifies the specific date on which the transfer is to occur.
 - (iii) Acknowledges full responsibility for complying with the existing permit.
- (6) The [User](#) shall apply for permit reissuance by submitting a complete permit application a minimum of 90 days prior to the expiration of the [User's](#) existing permit. An expired permit will continue to be effective and enforceable until the permit is reissued, if:
- (a) The [Industrial User](#) has submitted a complete permit application at least 90 days prior to the expiration date of the [User's](#) existing permit; and
 - (b) The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the [Industrial User](#).
- (7) Nothing in this [Ordinance](#) shall be construed as preventing any special agreement or arrangement between the POTW and any [User](#) whereby wastewater of unusual strength or character is accepted into the POTW and specially treated and subject to any payments or [User](#) charges, as may be applicable. However, no discharge which violates pretreatment standards will be allowed under the terms of such special agreements. If, in the opinion of the [Director](#), the wastewater may have the potential to cause or result in any of the following circumstances, no such special agreement will be made:
- (a) Pass through or interference; or
 - (b) Endanger municipal employees or the public.
- (Code 1975, § 20-97)

Sec. 62-139. Penalty for violation of [Ordinance](#); liability of [User](#).

- (1) Any person who violates any provision of this [Ordinance](#), a permit, an order issued under this [Ordinance](#), the Act or State Act, shall become liable to the township for and may be subject to a civil fine assessment of \$1000.00 per violation, per day, plus any costs, damages and expenses, direct or indirect, incurred by the township or YCUA in connection with the violation. Each day on which a violation continues shall be deemed a separate and distinct violation.

(2) Any person who violates any provision of this [articleOrdinance](#) that is listed below shall be guilty of a misdemeanor, and upon conviction is subject to a fine of not more than \$500, exclusive of any civil fine assessment or other costs, damages and expenses, or by imprisonment for not more than ninety (90) days, or both. Misdemeanor violations include:

- (a) intentional unpermitted discharge;
- (b) falsification of a monitoring report or the making of any false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this ordinance;
- (c) improper sampling, with evidence of an intent to falsify or mislead;
- (d) intentional failure to install monitoring equipment after a deadline established by an order issued under this ordinance or the tampering with or knowingly rendering inaccurate any monitoring device or equipment or method required under this ordinance;
- (e) intentional recurring violation of a compliance schedule in a permit or a violation of a compliance schedule in an order issued under this ordinance; or
- (f) illegal discharge when the discharge causes harm and there is evidence of intent.

(Code 1975, 20-98)

Sec. 62-140. Funding/~~Fees~~

~~The YCUA shall have sufficient resources and qualified personnel to carry out the authorities and procedures necessary to manage an Industrial Pretreatment Program as required by 40 CFR~~

~~403.8(f)(3), the Act and State Act, and such program shall be funded through the collection of charges~~

~~assessed upon the Significant Industrial Users of the system.~~

- ~~(a) The purpose of this section is to provide for the recovery of costs from Users of the POTW. The applicable charges or fees established by the Board shall be sufficient to meet the costs of the operation, maintenance, improvement or replacement of the system, or as provided by law or by Board action.~~
- ~~(b) The Board shall adopt charges and fees which shall include, but not necessarily limited to:~~
 - ~~(1) Fees for reimbursement of costs of establishing, operating, maintaining, or improving the ~~Department~~YCUA's Industrial ~~waste control and~~ Pretreatment Programs; and Enforcement Response Plan.~~
 - ~~(2) User fees based upon volume of waste and concentration or quantity of specific pollutants in a discharge, and to cover other treatment costs including sludge handling and disposal; and~~
 - ~~(3) Reasonable fees for reimbursement of costs for enforcement hearings or other enforcement action including, but not limited to, expenses regarding hearings officers, court reporters, and transcriptions; and~~
 - ~~(4) Other fees, which the Board may deem necessary, to carry out the requirements contained herein and continued in other IPP & ERP, or as may be required by law.~~

Secs. 62-141 -- 62-155. Reserved.

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DIVISION 3. BUILDING SEWERS AND CONNECTIONS

Sec. 62-156. Permit required.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof or any part of the sewage works or

POTW without first obtaining a written permit from the [Director](#).
(Code 1975, § 20-110)

Sec. 62-157. Classes of permits; application; fees.

There shall be two classes of building sewer permits: (1) For residential and commercial service; and (2) For service to establishments producing industrial wastes. In either case, the owner or

his agent shall make application on a special form furnished by the township or YCUA. The permit

application shall be supplemented by any plans, specifications, or other information considered

pertinent, in the judgment of the township or YCUA. A permit and inspection fee for a residential or

commercial building sewer permit and for an industrial building sewer permit shall be paid to the

township at the time the application is filed.

(Code 1975, § 20-111)

Sec. 62-158. Costs of connection to be borne by owner; indemnification of township and YCUA.

All costs and expenses incident to the installation and connection of the building sewer shall be

borne by the owner. The owner shall indemnify the township and the YCUA from any loss or damage

that may directly or indirectly be occasioned by the installation of the building sewer.

(Code 1975, § 20-112)

Sec. 62-159. Separate building sewer for each building required; exception.

A separate and independent building sewer shall be provided for every building; except where

one building stands at the rear of another on an interior lot and no private sewer is available or can be

constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer

from the front building may be extended to the rear building and the whole considered as one building

sewer.

(Code 1975, § 20-113)

Sec. 62-160. Use of old building sewers with new buildings.

Old building sewers may be used in connection with new buildings only when they are found, on

examination and test by the township or YCUA, to meet all requirements of this

[articleOrdinance](#)

(Code 1975, § 20-114)

Sec. 62-161. Construction specifications.

The size, slope, alignment, and materials of construction of a building sewer; and the methods

to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all

conform to the requirements of the building and plumbing code or other applicable rules and regulations of the township or YCUA. In the absence of the Code provisions or in

amplification thereof,

the materials and procedures set forth in appropriate specifications of the ASTM and WEF Manual of

Practice No. 9 shall apply.

(Code 1975, § 20-115)

Sec. 62-162. Elevation.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(Code 1975, § 20-116)

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Sec. 62-163. Prohibited connections.

(1) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer or combined sewer.

(2) The YCUA shall not allow any connection to the sanitary sewer unless there is sufficient capacity in the sewage works to convey and ~~adeq~~adeqadequately treat the additional wastewater from the proposed connection.

(Code 1975, § 20-117)

Sec. 62-164. Connection specifications.

(1) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the YCUA or the procedures set forth in appropriate specifications of the ASTM and the WEF Manual of Practice No. 9.

All such connections shall be made gastight and watertight.

(2) Any deviation from the prescribed procedures and materials must be approved by the YCUA

before installation.

(Code 1975, § 20-118)

Sec. 62-165. Inspection; supervision of connection.

The contractor installing the building sewer shall notify the YCUA when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of YCUA.

(Code 1975, § 20-119)

Sec. 62-166. Guards for excavations; restoration of public property.

All excavations for building sewer installation shall be ~~adequately~~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 township and YCUA.

(Code 1975, § 20-120)

Secs. 62-167 – 62-175. Reserved.

DIVISION 4. USE OF PUBLIC SEWERS

Sec. 62-176. Required.

(1) It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the township, or in any area under its jurisdiction, any human or animal excrement, garbage or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet, any sanitary sewage, industrial wastes, or other polluted water, except where suitable treatment has been provided in accordance with provisions

of this [articleOrdinance](#).

(3) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy

vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(4) The owner of all houses, buildings, or properties used for human occupancy, employment,

recreation or other purpose situated within the township 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 sewer or combined

sewer of the township, is hereby required at his expense to install suitable sewage facilities therein,

and to connect such facilities directly with the proper public sewer in accordance with the provisions of

this [articleOrdinance](#), within 90 days after the date of official notice to do so provided that such public sewer is

within 200 feet of the property line.

(Code 1975, § 20-131)

Sec. 62-177. Unpolluted discharges.

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(1) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, water from footing drains, roof water, or other unpolluted water to any sanitary sewer or

sewer connection except as otherwise provided in this [articleOrdinance](#). Any premises connected to a storm

sewer shall comply with county, state and federal requirements as well as those by the township and the YCUA.

(2) Stormwater, groundwater, water from footing drains and all other unpolluted drainage shall be

discharged into such sewers as are specifically designated as combined sewers, or to a natural outlet,

except as otherwise provided in this [articleOrdinance](#). Industrial cooling water or unpolluted process waters may

be discharged upon application and approval of the YCUA and the appropriate state agency to a storm

sewer, or natural outlet.

(Code 1975, § 20-132)

Sec. 62-178. ~~Fats, Oils, and Grease~~, ~~(FOG) Interceptor~~ and ~~Sand~~ ~~Interceptors~~.

~~Fats Grease~~, ~~oils, and grease (FOG)~~ and sand interceptors shall be provided when, in the opinion of the ~~d~~Director, they

are necessary for the proper handling of liquid wastes containing ~~fats, oils, or grease discharges in which the concentration in a grab sample exceeds the 100 mg/l limit, in~~

~~excessive amounts~~, or any

flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be

required for single-family or multiple-family dwelling units. All interceptors shall be of a type and

capacity approved by the ~~d~~Director 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 into place shall

be gastight and watertight. When installed, all ~~fats, oils, and grease, oil~~ and sand interceptors

shall be maintained by the owner, at his expense, in continuously efficient operation at all times. A User may petition the Director for an exemption from having to install a Fats, Oils, and Grease (FOG) Interceptor in accordance with provisions specified in the YCUA FOG Mitigation Program Policy, as amended from time to time. Upon approval by the Director, YCUA's Contract Communities that have a Fats, Oils, and Grease Ordinance/Policy can implement said Ordinance/Policy in lieu of this Section and the YCUA Fats, Oils, and Grease Mitigation Program Policy.

(Code 1975, § 20-133)

Sec. 62-179. Prohibited discharges.

No ~~user~~User shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through or interfere with the operation or performance of the sewage works.

A ~~user~~User may not contribute the following substances to the sewage works:

(1) Any liquids, solids or gases which by reason of their nature or 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 sewage works or to the operation of the sewage works.

(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.

(3) Any wastewater having a pH less than 5.0 or greater than 11.0; or wastewater having any other

corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the sewage works.

(4) Any wastewater containing toxic pollutants or of high chlorine demand 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

sewage works, or exceed the limitation set forth in the EPA categorical pretreatment standard, or any

other federal, state or county standards.

(5) Pollutants that 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. This prohibition includes, but is not limited to, wastewaters which contain liquids, solids, or gases that cause gases, vapors, or fumes from the discharge to exceed 10% of the immediately dangerous to life and health (IDLH) concentration. Discharges which contain more than one pollutant which may contribute to fume toxicity shall be subject to more restrictive limitations, as determined necessary by the POTW Director. The more restrictive

discharge limits

shall be calculated based on the additive fume toxicity of all compounds identified or reasonably expected to be present in the discharge.

(6) Any noxious or malodorous liquids, gases, or solids which 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.

~~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~~

~~(7) Any substance, which may cause the sewage, works such as residues, sludges, or scums, to~~

~~be unsuitable for land application or reclamation and reuse or to interfere with the~~

reclamation process.

(87) Any substance, which will cause the sewage, works to violate its NPDES permit or the receiving water quality standards.

(98) Any wastewater with color of sufficient light absorbency to interfere with treatment plant process, prevent analytical determinations, or create any aesthetic effect on the treatment plant effluent, such as, but not limited to, dye wastes and vegetable tanning solutions.

(109) Daily maximum concentration or mass loading shall not be exceeded on any single calendar day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average arithmetical measurement of the pollutant concentration derived from all measurements taken that day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged during the day. If a composite sample is required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a single calendar day shall be based on the composite sample collected for that parameter on that calendar day. If grab samples are required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a calendar day shall be based on the average of all grab samples collected for that parameter on that calendar day. If only one grab sample is collected for a parameter on a given day, the determination whether the daily maximum limitation for that parameter has been exceeded for the day shall be based on the results of that single grab sample. If the pollutant concentration in any sample is less than the applicable detection limit, that value shall be regarded as zero (0) when calculating the daily maximum concentration.

(11) Any wastewater having a temperature, which will inhibit biological activity in the sewage, works resulting in interference, but in no case wastewater with a temperature at the introduction into the 24 sewage works, which exceeds 60 degrees Celsius (140 degrees Fahrenheit) or is lower than zero degrees Celsius (32 degrees Fahrenheit).

(129) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by applicable state or federal regulations.

(134) Any wastewater which causes a hazard to human life or creates a public nuisance.

(142) ~~Free~~ Organic solvent extractable substances such as fats, wax, grease, or oils of petroleum origin, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit (zero degrees Celsius) and 140 degrees Fahrenheit (60 degrees Celsius).

(153) Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases; or other pollutants which cause the wastewater to have a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius), or which cause an exceedance of ten percent of the lower explosive limit (LEL) at any point within the collection system or containing gasoline, benzene, xylene or toluene which causes the wastewater to exceed the state surface water quality standard.

(164) Any garbage that has not been ground by household type or other suitable garbage grinders.

(175) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar,

plastics,
wood, paunch, manure or any other solids or viscous substances capable of causing obstructions or other interferences with the proper operation of the sewer system.

(1~~86~~) Toxic or poisonous substances in sufficient quantity to injure or interfere with any wastewater treatment process, or to constitute hazards to humans or animals, or to create any hazard in waters which receive the POTW effluent, which shall include, but are not limited to wastes containing cyanide, chromium, cadmium, mercury, copper, and nickel ions.

(1~~97~~) Solids of such character and quantity that special and unusual attention is required for their handling.

(2~~048~~) Any substance which would cause the treatment plant to be in noncompliance with recycle or disposal criteria pursuant to guidelines or regulations developed under section 405 of the federal Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act or other regulations or criteria for sludge management and disposal as required by the state.

(2~~19~~) Any medical or infectious wastes prohibited from being discharged under federal or state law and regulations.

(2~~29~~) Material considered a hazardous waste under the Resource Conservation and Recovery Act (RCRA).

(2~~34~~) Any commercial or industrial waste that may cause pass through of pollutants or interference with the wastewater treatment plant operations or that violates federal, state, or local restrictions.

(2~~42~~) Any pollutant, including oxygen demanding pollutants (BOD etc.) released at a flow rate and/or pollutant concentration which will cause interference with the POTW.

(2~~53~~) Trucked and hauled waste, except at discharge points designated by the POTW.

(2~~64~~) Pollutants causing toxic gases, vapors, and fumes.

~~(275) Any untreated landfill leachate from any site classified as a contaminated 307 or 201 site by the DEQ.~~

~~(2786) Any leachate from a hazardous waste landfill, or one with no pretreatment for containing polychlorinated biphenyls.~~

~~(28) Any landfill leachate unless permitted and authorized under a written contract, within YCUA's sole discretion, between YCUA and the User.~~

~~(29) Any pollutant discharge which constitutes a slug.~~

(Code 1975, § 20-134; Ord. No. 94-131; 6-21-94)

Sec. 62-180. Promulgation of more stringent standards.

Upon the promulgation of the national categorical pretreatment standards, alternative discharge limits, or other federal or state limitations, for a particular industrial subcategory, the pretreatment standard, if more stringent than limitations imposed under this [articleOrdinance](#) for sources in that subcategory, shall immediately supersede the limitations imposed under this [articleOrdinance](#) and shall be considered part of this [articleOrdinance](#). The YCUA shall notify all affected ~~user~~[Users](#) of the applicable reporting requirements.

Sec. 62-181. Prohibited concentrations of certain pollutants and mercury reduction plan.

(1) No person shall discharge wastewater such that the concentration of pollutants in one a grab

sample exceeds the following limits for oil and grease or pH:

100 mg/l oil and grease

< 5 or > 11 standard units pH

1.0 mg/l Total Cyanides

1.0 mg/l Total Phenolic Compounds

(2) No person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample is at or above the following surcharge threshold, except as otherwise permitted in writing by the dDirector and on payment of a surcharge fee, and no person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample exceeds the following upper limits, with respect to the following compatible pollutants:

COMPATIBLES

Surcharge Threshold Upper Limits

<u>300 mg/l</u>	<u>1000 mg/l</u>	<u>5-day BOD (Biochemical Oxygen Demand)</u>
<u>350 mg/l</u>	<u>2500 mg/l</u>	<u>Total SS (Suspended Solids)</u>
<u>600 mg/l</u>	<u>2000 mg/l</u>	<u>COD (Chemical Oxygen Demand)</u>
<u>15 mg/l</u>	<u>75 mg/l</u>	<u>Total Phosphorus</u>
<u>30 mg/l</u>	<u>700 mg/l</u>	<u>Ammonia-Nitrogen</u>

(3) No person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample shall exceed the following limits with respect to the following inorganic or organic pollutants or phenolic compounds:

INORGANICS

<u>1.0 mg/l</u>	<u>Arsenic</u>
<u>0.002 mg/l</u>	<u>Beryllium</u>
<u>0.50 mg/l</u>	<u>Cadmium</u>
<u>4.0 mg/l</u>	<u>Chromium (Total)</u>
<u>3.0 mg/l</u>	<u>Copper</u>
<u>0.3 mg/l</u>	<u>Lead</u>
<u>Nondetectable</u>	<u>Mercury</u>
<u>3.0 mg/l</u>	<u>Nickel</u>
<u>0.15 mg/l</u>	<u>Silver</u>
<u>3.0 mg/l</u>	<u>Zinc</u>

ORGANICS

<u>Nondetectable</u>	<u>Polychlorinated Biphenyls (Nondetectable per U.S. EPA Method 608. Any detectable sample exceeds this limit.)</u>
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The local discharge limitation for Polychlorinated Biphenyls is established at the level of detection in accordance with the following:

There shall be no detectable amounts of Polychlorinated Biphenyls discharged to a township

or YCUA sanitary sewer. Polychlorinated Biphenyls sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA Method 608. The level of detection, developed in accordance with the procedure specified in 40 CFR 136, shall not exceed 0.2 ug/L for Polychlorinated Biphenyls, unless higher levels are appropriate due to matrix interference.

~~(2) No person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample shall exceed the following limits, except as otherwise permitted in writing by the Director, with respect to the following compatible pollutants:~~

Compatibles

300 mg/l BOD

350 mg/l SS

600 mg/l COD

13 mg/l total phosphorus

40 mg/l total nitrogen (TKN)

~~(3) No person shall discharge wastewater such that the concentration of pollutants contained in a~~

~~representative 24-hour composite sample shall exceed the following limits with respect to the following~~

~~inorganic or organic pollutants or phenolic compounds:~~

Inorganics

1. mg/l arsenic

0.005 mg/l beryllium

0.100 mg/l cadmium

4.0 mg/l chromium (total)

3.0 mg/l copper

1.0 mg/l cyanides

0.3 mg/l Lead

See subsection (6) mercury
below

3.0 mg/l nickel

0.12 mg/l silver

3.0 mg/l zinc

Organics

.55 mg/l total phenols

~~Non-detectable polychlorinated biphenyls (Non-detectable per U.S. EPA method 608: any detectable sample would exceed this limit.)~~

(4) The total phenols limit is based on the discharge of any or all of the following phenolic compounds: 2-Chlorophenol, 4-Chlorophenol, 2,4-Dichlorophenol, 2,4-Dimethylphenol, 2,4-Dinitrophenol, 2-Methylphenol, 3-Methylphenol, 4-Methylphenol, 2-Nitrophenol, 4-Nitrophenol, and Phenol. Discharge of other phenolic compounds is prohibited except as specifically authorized by the Director.

(5) The Director shall annually review the quantities of industrial pollutants listed above which are discharged or proposed to be discharged to the sewage works. The Director shall recommend any revisions to these limits necessary to insure that the NPDES Permit, Federal Pretreatment Standards and Water Resources limits are met and to insure that the industrial discharge will not interfere with the treatment process of sludge disposal. At such time as the previously cited limits are changed by the

township or YCUA, the unit authorizing such change shall notify the remaining units of such change.

(6) The local discharge limitation for mercury is established at the level of detection in accordance with the following:

(a) There shall be no detectable amounts of mercury discharged to a township or YCUA sanitary sewer. Mercury sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA Method 245.1. The level of detection, developed in accordance with the procedure specified in 40 CFR 136, shall not exceed 0.2 ug/L for Mercury, unless higher levels are appropriate due to matrix interference.

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(b) The evaluation of potential matrix interference(s) shall include, at a minimum, the following:

(i) A demonstration that the laboratory conducting the analysis is capable of achieving the level of detection of 0.2 ug/L in reagent water;

(ii) A demonstration that the level of detection of 0.2 ug/L cannot be achieved in the effluent; and

(iii) A demonstration that an attempt has been made to resolve the matrix interference(s).

(c) In cases where true matrix interference(s) can be demonstrated, a discharge-specific level of detection will be developed in accordance with the procedure in 40 CFR 136.

Discharge specific levels of detection will be incorporated into the wastewater discharge permit of the nondomestic [user>User](#).

(d) To ensure that the maximum allowable mercury loading to the POTW is not exceeded, YCUA may require any non-domestic [user>User](#) with a reasonable potential to discharge mercury to develop, submit for approval and implement a Mercury Reduction Plan (MRP). The MRP may be required by permit if the non-domestic [user>User](#) has not violated the local limit for mercury, but YCUA has determined that a reasonable potential for such violation may exist. MRP's may be required in notices of violations, orders or other enforcement actions when the non-domestic [user>User](#) has violated the mercury local limit.

At a minimum, an approvable MRP shall contain the following:

(i) A written commitment by the non-domestic [user>User](#) to reduce all non-domestic discharges of mercury to levels below the level of detection within 3 years of the MRP's original approval date;

(ii) Within 60 days of notification by YCUA that a MRP is required, the non-domestic [user>User](#) shall supply an initial identification of all potential sources of mercury which could be discharged to the sanitary sewer system;

(iii) Specific strategies for mercury reduction with reasonable time frames for implementation, capable of ensuring that mercury discharges will be below the specified level of detection within 3 years;

(iv) A program for quarterly sampling and analysis of the non-domestic discharge for mercury in accordance with EPA method 245.1;

(v) A demonstration of specific, measurable and/or otherwise quantifiable mercury reductions consistent with the goal of reducing mercury discharges below the specified level of detection. Where such reductions cannot be demonstrated through normal effluent monitoring (e.g., mercury discharges are already near level of detection), the demonstration should incorporate the following:

a. Internal process monitoring, documenting the results of mercury reduction strategies at sampling locations within the facility (e.g., a program of regular monitoring of sink traps where mercury containing reagents had previously been disposed, but have since been substituted by non-mercury containing compounds).

b. Internal and/or effluent sampling utilizing clean and/or ultra-clean sampling and analytical methods as referenced by EPA Federal Register. The results of such monitoring will not be used for compliance purposes unless performed in accordance with EPA Method 245.1 and collected at the appropriate compliance measurement location.

c. Loading calculations wherein the non-domestic [user>User](#) calculates the total mass of mercury reduced from the sanitary sewer discharge through reagent substitutions, changes in disposal practices and/or other approved MRP strategies implemented.

(vi) A semi-annual report on the status of the mercury reduction efforts. At a minimum, these

reports shall: identify compliance or noncompliance with specific reduction commitments in the MRP; summarize the analytical, mass-based or other quantifiable demonstrations of mercury reductions performed to date; provide all applicable analytical data; provide an evaluation of effectiveness of actions taken to date; provide updates to the initial list of mercury containing compounds discharged to the sanitary sewer and propose for approval new strategies and/or modifications to the current MRP to continue and improve mercury reduction efforts; and

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(vii) Any other conditions that YCUA deems necessary to ensure that mercury reduction efforts are effective in achieving the goals of this Section.

(e) Failure to submit an approvable MRP within 30 days of the required due date shall constitute significant non-compliance in accordance with this Section, and will result in publication as a significant violator.

(f) A MRP may be evaluated for ~~adequacy~~ adequacy at any time by YCUA. If such an evaluation determines that the Mercury Reduction Plan is in ~~adequate~~ adequate, or the non-domestic ~~user~~ User has not complied with its approved MRP, the non-domestic ~~user~~ User will be notified. Failure to comply with the MRP requirement constitutes non-compliance. YCUA will follow its Enforcement Response Plan (ERP) to ensure that corrective actions are taken.

(g) A non-domestic ~~user~~ User may request a release from MRP requirements if all samples of the discharge for a period of one year are less than the specified level of detection; the non-domestic ~~user~~ User has complied with the minimum monitoring frequency of quarterly sampling events; and YCUA deems that MRP commitments have been fulfilled sufficiently to ensure continued compliance with the mercury limitation. YCUA shall notify the non-domestic ~~user~~ User of any release from MRP requirements in writing.

(h) If the MRP requirement is waived by YCUA, the non-domestic ~~user~~ User remains subject to the local limitation for mercury in accordance with the requirements of this ~~article~~ Ordinance.

(i) Re-discovery of mercury in the non-domestic ~~user~~ User discharge subjects said ~~user~~ User to the submission of a new MRP, or escalation of enforcement in accordance with the ERP. (Code 1975, § 20-136; Ord. No. 94-131, 6-21-94)

(7) Implementation of Best Management Practices or Best Management Practices Plan

a. The Director may require any ~~User~~ User to develop and implement Best Management Practices (BMP) to control, contain, treat, prevent, or reduce the discharge of wastewater, pollutants, or other substances from the User's premises to the ~~POTW Director~~, as determined necessary by the Director.

b. In addition, the Director may require a User to develop and submit a Best Management Practices Plan ("BMPP"), including an enforceable implementation schedule, for review and approval by the Director. The BMPP shall be submitted within 30 days after notification by the Director or as otherwise required by a User Permit. The BMPP shall be directed at preventing the entrance of pollutants, directly or indirectly, into the ~~POTW Director~~. The BMPP shall be available for inspection at all times at the User's premises. At a minimum, a User's BMPP shall contain all of the following elements, as determined necessary by the Director, at a level of detail and in units and terms as determined necessary by the Director to adequately evaluate the plan:

- I. A statement of the purpose and objectives of the plan.**
- II. A description of the strategies, methods, policies and procedures to prevent, minimize or reduce the introduction of pollutants into the User's discharge and to minimize waste generation.**
- III. A description of the options available to the User to control accidental spillage, leaks and drainage.**
- IV. A description of best available or practicable control technologies available for the User's specific circumstances.**
- V. A detailed facility layout and site diagram showing points of entry into the ~~Director~~ publicly owned treatment works (POTWs).**
- VI. A description of the waste handling, treatment and discharge disposal facilities, including flow diagrams and process schematics.**
- VII. A description of operating and maintenance processes and procedures.**

- VIII. An inventory of raw materials and a list of waste sources, including a list of all chemicals used or stored at the facility.
- IX. A description of employee training programs, policies and procedures; continuing education programs; and participation.
- X. A description of the User's documentation, including record keeping and forms.
- XI. A description of monitoring activities.
- XII. An information log of facility personnel, organization chart, emergency phone numbers, contact persons and maintenance or service representatives.
- XIII. A Certification by a qualified professional that the plan is adequate to prevent spills, leaks, slug loads, or non-customary discharges of regulated substances, directly or indirectly, to the Director POTW.
- XIV. Such other information, documents or diagrams as required by the Director, including, but not limited to, any of the information required under this Ordinance, the Act, or State Law.

c. The BMPs or BMPP required of a User or approved for a User shall be incorporated in a User Permit issued to the User. -If the User already has a User Permit, the existing permit shall be modified to incorporate the BMP requirements. If _____the User does not currently have a User Permit, a permit shall be issued for that purpose.

d. The Director may require revisions to a User's BMPP if the Director determines that the Plan contains elements that are inadequate, or as otherwise determined necessary by the Director to ensure compliance with applicable requirements of this Ordinance, the Act or State Law. Review of a BMPP by the Director shall not relieve the User from the responsibility to modify its facility as necessary to comply with this Ordinance, the Act or State Law.

e. The userUser reports to the Director must include Best Management Practices compliance information. The userUser reports must be certified and signed by the company's User's authorized representative.

f. The User shall retain all documentation associated with Best Management Practices for a period of at least three years from the date of an activity associated with the practices. This period may be extended by the Ypsilanti Community Utilities Authority at any time.

Sec. 62-182. Sampling, measurements, tests and analyses.

Sampling and analysis shall be performed in accordance with the techniques prescribed in 40

CFR part 136 (~~1992~~ March 26, 2007). Where 40 CFR part 136 (~~1992~~ March 26, 2007) does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the part 136 (~~1992~~ March 26, 2007)

sampling and analytical techniques are inappropriate for the pollutant in question, sampling and

analysis shall be performed by using validated analytical methods or any other applicable sampling

and analytical procedures, including procedures suggested by YCUA or other parties, approved by the

EPA.

(Code 1975, § 20-137)

Sec. 62-183. Surcharge for discharges of unusual strength.

(1) If the character of the wastewater from any manufacturing or industrial plant or any other building or premises exceeds the limits for compatible pollutants established in Section 62-181 or shall

be such as to impose any unreasonable burden upon the sewers of the system or upon the sewage

works or POTW in excess of a maximum limit prescribed in this ~~article~~Ordinance, then an additional charge shall

be made over and above the regular rates, or the ~~e~~Director shall require that such sewage be treated by

the person, firm or corporation responsible for the sewage being emptied into the sewer or

the right to empty such sewage shall be denied, if necessary, to protect the system or any part thereof. Surcharges required shall be computed as the weight of excess compatible pollutant in pounds multiplied by the cost per pound specified in the applicable township rate ordinance. The strength of such wastes shall be determined by composite samples taken over a sufficient period of time to insure a representative sample. The cost of sampling and testing shall be borne by the industry or establishment, whether owner or lessee. Tests shall be made by the [user>User](#), at an independent laboratory, or at the YCUA wastewater treatment plant.

(2) Any wastewater discharged into the sewage works having a compatible pollutant in excess of those prescribed in section 62-181 may be permitted by the Director provided payment by the industrial concern for the full cost of treating such excess constituents in the wastewater is made and acceptance of the waste does not cause violation of EPA guidelines, NPDES requirements, the Act or State Act.

(Code 1975, § 20-138)

Sec. 62-184. Special agreements authorized.

With respect to compatible pollutants only, no statement contained in this [articleOrdinance](#) shall be construed as preventing any agreement between the [eD](#)irector and any industrial concern whereby an

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industrial waste of unusual strength or character may be accepted, subject to payment therefore by the industrial concern, provided such agreement shall not violate EPA guidelines or NPDES requirements and provided [user>User](#) charges and surcharges as provided in this [articleOrdinance](#) are agreed to in the agreement.

(Code 1975, § 20-139)

Sec. 62-185. Dilution of discharge.

No [user>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 adequate](#) treatment to achieve compliance with the limitations contained in the national categorical pretreatment standards, alternative discharge limits, or in any other pollutant-specific limitation developed by the YCUA or the State.

(Code 1975, § 20-140)

Sec. 62-186. Accidental discharges.

(1) Where required, a [user>User](#) shall provide protection from accidental discharge of prohibited materials or other substances regulated by this [articleOrdinance](#), the Act or State Act. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or [user>User's](#) own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the [eD](#)irector for review, and shall be approved by the [eD](#)irector before construction of the facility. All required [user/Users](#) shall complete such a program within 90 days of notification by the [eD](#)irector. If required by the [eD](#)irector a [user>User](#) who commences

contribution to the sewage works after the effective date of the ordinance from which this [articleOrdinance](#) derives shall not be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the [eD](#)Director. Review and approval of such plans and operating procedures shall not relieve the ~~industrial user~~[Industrial User](#) from the responsibility to modify the ~~user~~[User's](#) facility as necessary to meet the requirements of this [articleOrdinance](#), the Act or State Act. In the case of any discharge, whether accidental or not, that could cause problems to the YCUA, the WWTP or POTW, including any slug loadings by the [user](#)[User](#), it is the responsibility of the [user](#)[User](#) to immediately telephone and notify the YCUA of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.

(2) Within five days following any discharge, whether accidental or not, that could cause problems to the YCUA, the WWTP or POTW, including any slug loadings by the [user](#)[User](#), the [user](#)[User](#) shall submit to the [eD](#)Director a detailed written report describing the cause of the discharge and the measures to be taken by the [user](#)[User](#) to prevent similar future occurrences. Such notification shall not relieve the [user](#)[User](#) of any expense, loss, damage, or other liability which may be incurred as a result of damage to the sewage works or POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the [user](#)[User](#) of any fines, civil penalties, or other liability which may be imposed by this [articleOrdinance](#), the Act or State Act, or other applicable law. Failure to file a report shall be a separate violation of this [articleOrdinance](#).

(3) Slug Control Plan

~~(a) Each Significant Industrial User shall prepare and implement an individualized slug control plan when in the opinion of the Director a slug control is required. Existing Significant Industrial Users that do not have a YCUA approved shall submit a slug control plan shall provide an approvable slug control plan to the Director for approval within ninety (90) days of being notified by YCUA that a slug control plan is required. the effective date of this article~~ New sources that are Significant Industrial Users shall submit a slug control plan to the Director for approval before beginning to discharge. Upon written notice from the Director, Users that are not Significant Industrial Users may also be required to prepare and implement a slug control plan, and the plan shall be submitted to the Director for approval as specified in the notice. Slug control requirements must be included in the SIU Control Mechanism (Industrial User's Permit).

(b) All slug control plans shall contain at least the following elements:

- I. A description of discharge practices, including non-routine batch discharges;
- II. A description of stored chemicals;
- III. The procedures for immediately notifying the Director of slug discharges, including any discharge that would violate any discharge prohibition, limitation or requirement under this Ordinance, and procedures for follow-up written notification within five (5) days of the discharge;
- IV. The procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of

containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and measures and equipment for emergency response.

(c) If a User has submitted to the Director plans or documents pursuant to other requirements of local, state or federal laws and regulations which meet all applicable requirements of the Ordinance, the Director may in its discretion determine that the User has satisfied the slug plan submission requirements of this section.

(d) Significant Industrial Users must immediately notify the Director of any changes at their facilities affecting their slug control plan or spill/slug potential.

Slug control requirements must be included in the industrial user's permit.

~~(4)~~ (4) Secondary Containment Requirements

(a) ~~(a)~~ Each user>User when in the opinion of the Director is required **must provide and maintain at the user>User's sole expense** secondary spill containment structures (including diking, curbing or other appropriate structures) aDNREuate to protect all floor drains from accidental spills and discharges to the **POTW Director** of any pollutants or discharges regulated by this ordinance, the Act or State Law.

I. The containment area shall be constructed so that no liquid polluting material can escape from the area by gravity through the building sewers, drains, or otherwise directly or indirectly into the **POTW Director**.

II. The containment or curbing shall be sufficient to hold not less than ten (10) percent of the total volume of the tanks or containers within the secondary containment structure or provide a capacity of one hundred (100) percent of the largest single tank or container within the secondary containment structure, whichever is larger, unless a lesser containment area or alternate control measures are approved in advance by the Director.

III. The containment structure must accommodate "squirt distance". Containers within the containment structure must be able to be placed sufficiently back from the edge of the structure so if punctured, the resulting leak will be contained.

IV. The containment structure must be designed or operated to prevent run-on or infiltration, rain or other liquids into the secondary containment system unless the containment system has sufficient excess capacity to contain run-on, infiltration, rain, or other liquids. Excess capacity when such prevention is not provided in the system must be sufficient to contain rain precipitation from a 25-year, 24-hour rainfall event.

V. The containment structure shall be constructed with chemical-resistant water stops in place at all joints (if any) to be free of cracks or gaps.

VI. The containment structure shall be designed and installed to completely surround the tank or containers and to cover all surrounding earth likely to come into contact with the waste if released from the tank(s) or containers (i.e., capable of preventing lateral as well as vertical migration of the material).

VII. All floor drains found within the containment area must be plugged and sealed.

(b) Spill troughs and sumps within process areas must discharge to appropriate pretreatment tanks.

(c) Emergency containment shall also be provided for storage tanks that may be serviced by commercial haulers and for chemical storage areas.

(d) Solid pollutants shall be located in security areas designed to prevent the loss of the materials to the **POTW Director**.

(e) Detailed plans showing facilities and operating procedures to provide the protection required by this Ordinance shall be submitted to the Director for review, and shall be approved by the Director before construction. Construction of approved containment for existing sources shall be completed within the time period specified by the Director.

(f) No new source shall be permitted to discharge to the **POTW Director** until emergency containment facilities have been approved and constructed as required by this Ordinance.

(g) The Director may order a User to take interim measures for emergency containment as determined necessary by the Director under the circumstances.

(Code 1975, § 20-141)

Sec. 62-187. Determination of sewage flow.

To determine the sewage flow from any establishment, the YCUA may use one of the following methods:

- (1) The amount of water supplied to the premises by the public water system as shown upon the water meter if the premises are metered.
- (2) If the premises are supplied with river water or water from private wells, the amount of water supplied from such sources may be metered at the source or metered at its point of discharge prior to entry into the public sewer.
- (3) If such premises are used for an industrial or commercial purpose of such a nature that the water supplied to the premises cannot be entirely discharged into the sewer system, the estimate of the amount of sewage discharged into the sewer system made by the utilities authority from the water, gas or electric supply, or metered at its point of discharge prior to entry into the public sewer.
- (4) The volume of sewage discharged into the sewer system as determined by measurements and samples taken at a manhole installed by the owner of the property served by the sewer system at his own expense in accordance with the terms and conditions of the permit issued by the YCUA pursuant to this [article Ordinance](#).

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- (5) A figure determined by the YCUA by any combination of the foregoing or by any other equitable method.

(Code 1975 § 20-142)

Sec. 62-188. Disposal at sewage treatment plant.

Waste from industrial sewage disposal systems shall be disposed of at the sewage treatment plant or at any other refuse or disposal site approved by the [Director](#). No waters or wastes described in section 62-179 shall be disposed of at the sewage treatment plant.

(Code 1975, § 20-143)

Sec. 62-189. Bypass.

- (1) An [industrial user Industrial User](#) may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it is for essential maintenance to ensure efficient operation. If an [industrial user Industrial User](#) knows in advance of the need for bypass, it shall submit prior notice to the [Director](#), if possible at least ten days before the date of the bypass. An [industrial user Industrial User](#) shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards to the [Director](#) within 24 hours from the time the [industrial user Industrial User](#) becomes aware of the bypass. A written submission shall also be provided within five days of the time the [industrial user Industrial User](#) becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause. ;T 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.
- (2) Bypass is prohibited, and the [Director](#) may take enforcement action against an [industrial user Industrial User](#)

for bypass, unless:

- (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (b) 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. This condition is not satisfied if ~~adequate~~ adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
- (c) The ~~industrial user~~ Industrial User submitted notice as required under this section. The ~~eD~~Director may approve an anticipated bypass, after considering its adverse effects, if the ~~eD~~Director determines that it will meet the three conditions listed in this subsection (b).

(Code 1975, § 20-144)

Sec. 62-190. Report of violation.

If the results of any sampling performed by the ~~user~~ User indicates that any violation of this ~~article~~ Ordinance, a permit, an order issued under this ~~article~~ Ordinance, the Act or State Act has occurred, the ~~user~~ User shall notify the YCUA within 24 hours of becoming aware of the violation and shall repeat the sampling and pollutant analysis and shall submit, in writing, the results of this repeat analysis within 30 days after becoming aware of the violation. A written follow up report shall be filed by the ~~user~~ User with the YCUA within ~~five~~ thirty (30) days of a ~~user~~ User becoming aware of the violation. The report shall specify the following:

- (1) A description of the violation, the cause thereof, and the violation's impact on the ~~user~~ User's compliance status.
- (2) Duration of the violation, including exact dates and times of the violation, and if not corrected, the anticipated time the violation is expected to continue.
- (3) All steps taken or intended to be taken to reduce, eliminate and prevent reoccurrence of such a violation.

(Code 1975, § 20-145)

Sec. 62-191. Notification of authorities upon discharge of hazardous waste.

All ~~industrial user~~ Industrial Users shall notify the YCUA, the EPA regional waste management division ~~eD~~Director and the ~~DEQDNRE~~ in writing of any discharge to the YCUA of a substance that would be a regulated

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hazardous waste under any federal statute if disposed of otherwise. Such notice shall be given in accordance with CFR 403.12(p).

(Code 1975, § 20-146)

Secs. 62-192 -- 62-200. Reserved.

DIVISION 5. PRIVATE SEWAGE DISPOSAL

Sec. 62-201. Authorized under certain conditions.

Where a public sanitary or combined sewer is not available under the provisions of section 62-

176(d), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this ~~article~~ Ordinance.

(Code 1975, § 20-160)

Sec. 62-202. Permit required; application; fees.

Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the plumbing inspector. The application for such a permit shall be made on a form furnished by the township or YCUA and shall include specifications and other information deemed necessary by the township and YCUA. A permit and inspection fee shall be paid to the township treasurer at the time the application is filed.

(Code 1975, § 20-161)

Sec. 62-203. Inspection by township and YCUA

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the township and YCUA. The township and YCUA shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the township and YCUA when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the township or YCUA.

(Code 1975, § 20-162)

Sec. 62-204. Specifications.

The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the county health department. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 10,000 square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.

(Code 1975, § 20-163)

Sec. 62-205. Connection with public sewer.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 62-204, a direct connection shall be made to the public sewer in compliance with this [article Ordinance](#) and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material.

(Code 1975, § 20-164)

Sec. 62-206. Sanitary maintenance required.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the township or the YCUA.

(Code 1975, § 20-165)

Sec. 62-207. Other requirements.

No statement contained in this [article Ordinance](#) shall be construed to interfere with any additional requirements that may be imposed by the state or county health department or [DEQDNRE](#).

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(Code 1975, § 20-166)

Secs. 62-208 -- 62-229. Reserved.

I, ~~Brenda-Karen Lovejoy-Roe L. Stumbe~~, Clerk of the Charter Township of Ypsilanti, County of Washtenaw, State of Michigan, hereby certify adoption of Ordinance No. ~~2001-280~~ by the Charter Township of

Ypsilanti

Board of Trustees assembled at a regular meeting held ~~October 2, 2001~~ after first being introduced at a regular meeting held ~~September 18, 2001~~. The motion to approve was made by Member ~~Stumbo~~ and seconded by Member ~~Currie~~. The vote on the motion is as follows: YES: ~~Beaudette, Currie, Gagnon, Sizemore, Stumbo, Dee, Ree~~. NO: ~~None~~. ABSENT: ~~None~~. ABSTAIN: ~~None~~

~~Brenda L. Stumbo Karen Lovejoy-Roe~~, Clerk
Charter Township of Ypsilanti
PUBLISH: ~~Thursday, October 4, 2001~~

Revised: May 14, 2010

Executive Summary of 2010 revisions to Ypsilanti Township Sewer Use Ordinance (SUO):

Sec. 62-106. Revise applicability and scope of ordinance – Remove “non-domestic” to make sewer use ordinance (SUO) apply to all Users of the publicly owned wastewater collection and treatment system.

Reason: YCUA discretion to have SUO applies to all Users. Increase effectiveness of the ordinance.

Sec. 62-107. Add definition of Best Management Practices (BMP): means programs, practices, procedures or other directed efforts, initiated and implemented by a User, which can or does lead to the reduction, conservation or minimization of pollutants being introduced into the ecosystem, including but not limited to the Ypsilanti Community Utilities Authority (YCUA) publicly owned treatment system. BMPs include, but are not limited to, equipment or technology modifications, process or procedure modifications, reformulation or design of products, substitution of raw materials, and improvements in housekeeping, maintenance, training, or inventory control, and may include technical and economic considerations.

Reason: Provide the definition of Best Management Practices, consistent with federal law and regulations. Increase effectiveness of the ordinance.

Sec. 62-107. Add definition of Best Management Practices Plan (BMPP): means a written document that describes how the BMPs will be accomplished.

Reason: Provide the definition of Best Management Practices Plan. Consistent with Section 62-107 federal law and regulations. Increase effectiveness of the ordinance.

Sec. 62-107. Revise definition of Composite sample: means a sample formed either by continuous sampling or by mixing discrete samples obtained at intervals over a period of time. The individual samples shall be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the YCUA. Where time-proportional composite sampling or grab sampling is authorized by the YCUA, the samples must be representative of the Discharge. Manual generation of a composite sample through the collection and combining of grab samples may be approved if the User demonstrates to the satisfaction of the Director that this will provide a representative sample of the effluent being discharged.

The decision to allow the alternative sampling must be documented in the Industrial User’s file for that facility or facilities. Composite sampling protocols delineated in the User’s Permit take precedence.

Reason: *403.12(g)(3) – Non-Categorical Significant Industrial Users (SIUs) are required to provide representative samples in their periodic monitoring reports.* State that flow proportional composite sampling is required unless it is demonstrated that time proportional composite sampling is representative of the discharge. Consistent with this federal regulation. Increase effectiveness of ordinance.

Sec. 62-107. Add definition of Daily Maximum: means the concentration or mass loading that shall not be exceeded on any single calendar day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetical average measurement of the pollutant concentration derived from all measurements taken that day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged during the day. If a composite sample is required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a single calendar day shall be based on the composite sample collected for that parameter on that calendar day. If grab samples are required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a calendar day shall be based on the average of all grab samples collected for that parameter on that calendar day. If only one grab sample is collected for a parameter on a given day, the determination whether the daily maximum limitation for that parameter has been exceeded for the day shall be based on the results of that single grab sample. If the pollutant concentration in any sample is less than the applicable detection limit, that value shall be regarded as zero (0) when calculating the daily maximum concentration.

_____ **Reason:** Provide the definition of Daily Maximum concentration. Improved and more complete definition. Increase effectiveness of the ordinance.

Sec. 62-107. Revise definition of Department Environmental Quality (DEQ) to Department of Natural Resources and Environment (DNRE).

_____ **Reason:** To reflect the recent name change of the Department of Environmental Quality to the Department of Natural Resources and Environment. Increase effectiveness of ordinance.

Sec. 62-107. Revise definition of Fats, Oils, and Grease (FOG): means any hydrocarbons, fatty acids, soaps, fats, waxes, oils, or any other non-volatile or semi-volatile material of animal, vegetable or mineral origin that is extractable by organic solvents in accordance with standard methods.

_____ **Reason:** Revised the definition of Fats, Oils, and Grease (FOG) to indicate extractable by organic solvent instead of freon. Freon is no longer used in the FOG analysis. Improved and more accurate definition. Increase effectiveness of the ordinance.

Sec. 62-107. Add definition of Flow Proportional Sample means a composite sample taken with regard to the flow rate of the wastestream.

_____ **Reason:** Provide the definition of Flow Proportional Composite Sample generation. Necessary definition. Increase effectiveness of the ordinance.

Sec. 62-107. Add definition of Food Service Establishment (FSE): a non-domestic user that engages in one or more of the following food preparation activities: cooking by frying (all methods); baking (all methods); grilling; sautéing, rotisserie cooking; broiling (all methods); boiling; blanching; roasting; toasting; poaching; infrared heating; searing; barbecuing; and any other food preparation activity that produces a hot, consumable food product in or on a receptacle that requires washing.

_____ **Reason:** Provide the definition of Food Service Establishment. Necessary definition. Increase effectiveness of the ordinance.

Sec. 62-107. Add definition of Industrial User: means a person who contributes, causes or permits wastewater to be discharged into the POTW, including, but not limited to, a place of business, endeavor, arts, trade or commerce, whether public or private, commercial or charitable, but excludes single family and multi-family residential dwellings with discharges consistent with domestic waste characteristics.

Reason: Provide the definition of Industrial User. Necessary definition. Increase effectiveness of ordinance.

Sec. 62-107. Expand definition of Industrial User Permit or Industrial User Pretreatment Permit means a discharge permit issued by the Director under this Ordinance and the YCUA Industrial Pretreatment Program.

Reason: Expand the definition of Industrial User Permit. Definition more complete and accurate. Increase effectiveness of the ordinance.

Sec 62-107. Add definition of Instantaneous Maximum Concentration: means the maximum concentration of a pollutant allowed to be discharged at any instant in time (independent of the flow rate or duration of the sampling event). If the concentration determined by analysis of any grab sample, composite sample, or discrete portion of a composite sample exceeds the instantaneous maximum concentration, the instantaneous maximum concentration shall be deemed to have been exceeded. Any discharge of a pollutant at or above a specified instantaneous maximum concentration is a violation of this Ordinance and other YCUA Industrial Pretreatment Program.

Reason: Provide the definition of Instantaneous Maximum Concentration. Necessary definition. Increase effectiveness of the ordinance.

Sec. 62-107. Expand definition of Person: means any individual, partnership, copartnership, firm, company, corporation, limited liability company, association, joint stock company, trust, estate, governmental entity or any other legal entity, or its legal representatives, agents or assigns. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context.

Reason: Expand the definition of Person to include Limited Liability Company (LLC). Improved definition. Increase effectiveness of the ordinance.

Sec. 62-107. Expand definition of Significant Industrial User (SIU) means either of the following: (1) A nondomestic user subject to categorical pretreatment standards under 40 CFR Part 403 (1992) and 40 CFR Chapter I, subchapter N (1990); or (2) A nondomestic user that, in the opinion of YCUA or of the township, has a reasonable potential to adversely affect the POTW's operation, or for violating any pretreatment standard or requirement or that contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant, or that discharge an average of 25,000 gallons per day or more of process wastewater to the POTW, excluding sanitary, noncontact cooling, and boiler blowdown wastewater. Any user designated as significant may petition the township to be deleted from the list of significant industrial users on the grounds that it has no potential for adversely affecting the POTW's operation or violating any pretreatment standard or requirement. The Director may determine that a User that meets the criteria of Subsections (1) and (2) of this definition above is not

currently a Significant Industrial User, if the Director finds that the User has no reasonable potential to adversely affect the operation of the POTW , to violate any pretreatment standard or requirement, or that a Industrial User Permit is not required to meet the purposes and objectives of this Ordinance. A determination that a User is not a Significant Industrial User (or that a permit is therefore not required) shall not be binding and may be reversed by the Director at any time based on changed circumstances, new information, or as otherwise determined necessary by the Director to meet the purposes and objectives of this Ordinance.

Reason: Expand the definition of Significant Industrial User to remove language that states the Township need not designate as significant any non-domestic user that, in the opinion of the Township and with the agreement of the YCUA has no potential for adversely affecting the POTW operation or for violating any pretreatment standard or requirement. Add language that the Director may determine that Users that meet the criteria of Subsection (1) and (2) of this definition above is not currently a Significant Industrial User. Improve, more accurate, more complete definition. Consistent with current practice and procedures. Increase effectiveness of the ordinance.

Sec. 62-107. Expand definition of Significant Non-Compliance (SNC): means any of the following: (1) chronic violations of wastewater discharge limits, defined as results of analyses in which 66% or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed, by any magnitude, a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l); (2) technical review criteria (TRC) violations, defined as results of analyses in which 33% or more of all of the measurements taken for the same pollutant parameter taken during a 6-month period equal or exceed the product of the Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable technical review criteria. (Technical review criteria equals 1.4 for compatible pollutants and 1.2 for all other pollutants, except pH.); (3) any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l), (daily maximum, longer-term average, instantaneous limits, or Narrative Standard) that the YCUA determines has caused, alone or in combination with other discharges, interference or pass-through, including endangering the health of township or YCUA personnel or the general public; (4) any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the YCUA's exercise of its emergency authority under Rule 323.2306(a) (vi) of the Part 23 Rules under the State Act or its emergency authority under this article to halt or prevent the discharge; (5) failure to meet, within 90 days after a scheduled date, a compliance schedule milestone contained in a YCUA or other local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance; (6) failure to provide, within 30 days after the due date, a required report such as, but not limited to, a baseline monitoring report, 90 day or other compliance report, periodic self-monitoring report, or report on compliance with a compliance schedule; (7) failure to timely or accurately report noncompliance; or (8) any other violation or group of violations, which may include a violation of Best Management Practices, that YCUA determines will affect or has adversely affected the operation or implementation of the YCUA pretreatment program or operation of the POTW.

Reason: 403.8(f)(2)(viii)(A – C) – Significant Noncompliance (SNC) definition is expanded to include additional types of Pretreatment Standards and Requirements. Improve, more accurate, more complete definition. Increase effectiveness of the ordinance.

Sec. 62-107. Expand definition of Slug, Slug Loading, Slug Discharge means either:

1. Any discharge of pollutants at a volume or concentration that causes upset of or interference with the POTW or cause s the pass-through of pollutants to receiving waters, or
2. Any discharge of a pollutant(s), measured by a grab sample, at a concentration exceeding five (5) times the composite or grab sample discharge limit, or
3. Any discharge of wastewater outside the pH range of 5 – 11 S.U. for either a continuous duration of greater than or equal to fifteen minutes or for a sum total of thirty minutes within one day.
4. Any discharge of a non-routine, episodic nature, including but not limited to, an accidental spill or non-customary batch discharge.

Reason: Expand the definition of Slug, Slug Loading, Slug Discharge to include more situations that constitute a slug.

Sec. 62-108. New Abbreviations.

The following abbreviations shall have the following meanings:

BMP – Best Management Practices

BMPP – Best Management Practices Plan

DNRE- Department of Natural Resources and Environment

FOG – Fats, Oils, and Grease

Reason: Add these abbreviations. Consistent with and necessary to other substantive changes and revisions now being made.

Sec. 62-122. Revised -Information required prior to connection to system.

Reason: Reference of latest edition of CFR Part 136 of EPA approved is changed from 1992 to March 26, 2007. Required federal regulation. Increase effectiveness of the ordinance.

Sec. 62-123. Revised - Reporting required after promulgation or revision of a pretreatment standard and reporting from a new source.

(c) A minimum of 4 grab samples shall be used for pH, cyanide, total phenols, oil, and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples shall be obtained through flow-proportional composite sampling techniques. The YCUA may waive flow-proportional composite sampling for any nondomestic user that demonstrates that time-proportional sampling is representative of the discharge during the sampling period. Samples obtained through time-proportional composite sampling techniques or through a minimum of 4 grab samples may be approved by the Director or designee when the user demonstrates that this will provide a representative sample of the effluent being discharged.

(f) Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 C.F.R. part 136 (March 26, 2007). Where 40 C.F.R. part 136 (March 26, 2007) does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 (March 26, 2007) sampling and analytical techniques are inappropriate for the pollutant.

Reason:403.12(g)(3),(4),(6) – Require periodic compliance reports to comply with sampling requirements, require Control Authority to specify the number of grab samples necessary in periodic and non-categorical SIU reports, and require non-categorical SIUs to report all monitoring results.

Reason:403.12(g)(3) – Non-Categorical SIUs are required to provide representative samples in their periodic monitoring reports. More accurate and complete provision. Increase effectiveness of the ordinance.

Sec. 62-124. Additional reporting required and periodic report requirements. Where the YCUA collects all of the information required for the report, the significant industrial user will not be required to submit the report. The YCUA shall provide, to the nondomestic user, within 10 days after the results are available, the results of any sampling it performs for nondomestic user self-monitoring that show a violation of any pretreatment standard. Where YCUA performs sampling for a Significant Industrial User, YCUA must perform any required repeat sampling and analysis within thirty (30) days of becoming aware of a violation.

Reason:403.12(g)(2) – Control Authorities which perform sampling for the SIU must perform any required repeat sampling and analysis within 30 days of becoming aware of a violation. Provides more clarity. Increase effectiveness of the ordinance.

Sec. 62-124. (subsection 5) – Add the language: Significant Industrial Users that are Categorical Industrial Users or Non-categorical Industrial Users in regards to monitoring and analysis to demonstrate continued compliance:

Reason: Clarify the applicability of section. Increase effectiveness of ordinance.

Sec. 62-124. (subsection 5{f}) – Add the language: A minimum of one (1) grab samples shall be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples shall be obtained through flow-proportional composite sampling techniques. The YCUA may waive flow-proportional composite sampling for any nondomestic user that demonstrates that time-proportional sampling is representative of the discharge during the sampling period. Samples obtained through time-proportional composite sampling techniques or through a minimum of 4 grab samples may be approved by the Director or designee when the user demonstrates that this will provide a representative sample of the effluent being discharged.

Reason:403.12(g)(3),(4),(6) – Require periodic compliance reports to comply with sampling requirements, require Control Authority to specify the number of grab samples necessary in periodic non-categorical SIU reports.

Sec. 62-124. (subsection 7) – Add the language: All periodic compliance reports shall be certified and signed by the authorized representative of the industrial user. The authorized representative shall state the following certification when submitting the periodic compliance reports to YCUA: ***“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 inquire 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.”

Reason:403.12(l) – Signatory requirements for the SIU reports. Certification requirement for periodic compliance reports. Increase effectiveness of the ordinance.

Sec. 62-131. Records, accounts, audits, classifications of Users, insurance – Add Retention of Records. A User shall retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this Ordinance, an order, or a permit, all documentation associated with Best Management Practices, and the records of all data used to complete the application for a permit, for a period of at least three years from date of a sample, measurement, report application or orders. This period may be extended by the Ypsilanti Community Utilities Authority at any time.

Reason:403.12(o) – Any Industrial User and POTW subject to the reporting requirements established in this section shall maintain records of all information resulting from any monitoring activities required by this section, including documentation associated with Best Management Practices. Such records shall include for all samples:

- (i) The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;*
- (ii) The dates analyses were performed;*
- (iii) Who performed the analyses;*
- (iv) The analytical techniques/methods use; and*
- (v) The results of such analyses.*

Sec. 62-133. Revised - Enforcement Process:

(2) **Notice Letter** – The minimum enforcement response that the Director or his/her designee will use to notify an User that a violation of the local applicable sewer use ordinance or YCUA Industrial Pretreatment Program has occurred or is occurring.

(3) **Notification of Violation** - Whenever the Director finds that any user has violated or is violating any provision of this article or a wastewater discharge permit, an order issued under this article, the Act or State Act, the Director may serve upon said user written notice of the violation. Within thirty (30) days of receipt of such notice the user shall submit to the Director or designee an explanation of the violation and a written plan for satisfactory correction. Submission of this plan does not relieve the user of liability for any violations occurring before or after receipt of the notice of violation or as otherwise provided in this article, the Act or State Act.

(4) **Show Cause Order** - The Director may order any User violating this ordinance or the IPP a permit, an order issued under this ordinance, the Act, or State Act, to show cause why a proposed enforcement action should not be taken. The show cause notice shall require the User to appear before the Director for a show cause meeting within a reasonable time, not less than ten (10) days after first class mailing of the order to the User’s recorded or last known address. Enforcement action may be pursued whether or not a User appears at a show cause meeting and issuance of a show cause order does not relieve the User of liability for any violation occurring before or after receipt of the notice or as otherwise provided in this ordinance, the Act, or State Act.

(e) At the hearing, testimony may be taken under oath and recorded stenographically.

Sec. 62-133. Revised – Enforcement Process:

(14) Time Limits – YCUA’s failure to strictly comply with and/or to meet an enforcement procedure time deadline or other time deadline specified in this Ordinance, the Act, State Act, or the Enforcement Response Plan, shall not prohibit or prevent YCUA from taking enforcement or other action outside of or not in compliance with such a time deadline, unless the User or permittee in question has been and is able to demonstrate that it has been materially prejudiced by action taken by YCUA outside of or not in compliance with such a time deadline.

Reason: Add language that describes Notice Letter as the minimum enforcement response in the YCUA Industrial Pretreatment Program for non-compliance with the ordinance and/or Industrial User Permit. Changed from five (5) days to thirty (30) days the time for a User upon receipt of a Violation Notice Letter to submit to the Director or designee an explanation of the violation and a written plan for satisfactory correction. Moved the Show Cause Order article from after Consent Order article to before Consent Order to be consistent with enforcement response process. Changed Show Cause Order wording from this article to ordinance. Changed word in Appeals from testimony must be taken under oath to testimony may be taken under oath. Consistent with current practice and procedure.

The written YCUA Industrial Pretreatment Program (IPP) has a section entitled Enforcement Response Plan and Enforcement Response Guide. In the Enforcement Response Guide there is a General Plan of Enforcement Flow Chart. The Flow Chart has specifications of calendar days that the various violations by Significant Industrial Users will be responded to by the YCUA IPP. The specifications of days for the response are relatively short in some cases. YCUA do not want violations to be waived or voided in the event that YCUA do not respond within the days specified.

Increase effectiveness of the ordinance.

Sec. 62-140. Revised - Funding/Fees

- (a) The purpose of this section is to provide for the recovery of costs from Users of the POTW. The applicable charges or fees established by the Board shall be sufficient to meet the costs of the operation, maintenance, improvement or replacement of the system, or as provided by law or by Board action.
- (b) The Board shall adopt charges and fees which shall include, but not necessarily limited to:
 - (1) Fees for reimbursement of costs of establishing, operating, maintaining, or improving the YCUA’s Industrial Pretreatment Programs; and Enforcement Response Plan.
 - (2) User fees based upon volume of waste and concentration or quantity of specific pollutants in a discharge, and to cover other treatment costs including sludge handling and disposal; and
 - (3) Reasonable fees for reimbursement of costs for enforcement hearings or other enforcement action including, but not limited to, expenses regarding hearings officers, court reporters, and transcriptions; and
 - (4) Other fees, which the Board may deem necessary, to carry out the requirements contained herein and continued in other IPP

& ERP, or as may be required by law.

Reason: Revised language of Funding article to authorize YCUA Board to establish charges and/or fees from Users to meet the costs of the operation of the YCUA Industrial Pretreatment Program. Consistent with ordinance intent. Increase effectiveness of the ordinance.

Sec. 62-178. Revised - Fats, Oils, and Grease (FOG) Interceptor and Sand Interceptors.

Fats, oils, and grease (FOG) and sand interceptors shall be provided when, in the opinion of the director, they are necessary for the proper handling of liquid wastes containing fats, oils, or grease liquid waste discharges in which the concentration in a grab sample exceeds the 100 mg/l limit, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for single-family or multiple-family dwelling units. All interceptors shall be of a type and capacity approved by the director 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 into place shall be gastight and watertight. When installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. A User may petition the Director for an exemption from having to install a Fats, Oils, and Grease (FOG) Interceptor in accordance with provisions specified in the YCUA FOG Mitigation Program Policy, as amended from time to time. Upon approval by the Director, YCUA's Contract Communities that have a Fats, Oils, and Grease Ordinance/Policy can implement said Ordinance/Policy in lieu of this Section and the YCUA Fats, Oils, and Grease Mitigation Program Policy.

Reason: Revised language of Fats, Oils, and Grease Interceptors and Sand Interceptors article by removing the word excessive, due to subjectivity and incorporating the language; liquid wastes containing fats, oils, or grease discharges in which the concentration in a grab sample exceeds the 100 mg/l limit. Establish language introducing the YCUA FOG Mitigation Program Policy, as amended from time to time. Establish language that states that a User may petition the Director for an exemption from having to install a Fats, Oils, and Grease (FOG) Interceptor in accordance with provisions specified in the YCUA FOG Mitigation Program Policy, as amended from time to time. Upon approval by the YCUA Director contract communities can implement their FOG Ordinance/Policy in lieu of YCUA FOG Mitigation Program Policy. Increase effectiveness of the ordinance.

Sec 62-179. Add additional Prohibitive Discharges:

(5) Pollutants that 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. This prohibition includes, but is not limited to, wastewaters which contain liquids, solids or gases that cause gases, vapors or fumes from the discharge to exceed 10% of the immediately dangerous to life and health (IDLH) concentration. Discharges which contain more than one pollutant which may contribute to fume toxicity shall be subject to more restrictive limitations, as determined necessary by the POTW. The more restrictive discharge limits shall be calculated based on

the additive fume toxicity of all compounds identified or reasonably expected to be present in the discharge.

(10) Daily maximum concentration or mass loading shall not be exceeded on any single calendar day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetical measurement of the pollutant concentration derived from all measurements taken that day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged during the day. If a composite sample is required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a single calendar day shall be based on the composite sample collected for that parameter on that calendar day. If grab samples are required for a parameter, the determination whether the daily maximum limitation for that parameter has been exceeded on a calendar day shall be based on the average of all grab samples collected for that parameter on that calendar day. If only one grab sample is collected for a parameter on a given day, the determination whether the daily maximum limitation for that parameter has been exceeded for the day shall be based on the results of that single grab sample. If the pollutant concentration in any sample is less than the applicable detection limit, that value shall be regarded as zero (0) when calculating the daily maximum concentration.

(14) Organic solvent extractable substances such as fats, wax, grease, or oils of petroleum origin, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees Fahrenheit (zero degrees Celsius) and 140 degrees Fahrenheit (60 degrees Celsius).

Delete #(27) Any untreated landfill leachate from any site classified as a contaminated 307 or 201 site by the DEQ. The new #(27) – Any leachate from a hazardous waste landfill.

Delete #(28) – Any leachate from a hazardous waste landfill or one with no pretreatment for polychlorinated biphenyls.

The new #28 – Any landfill leachate unless permitted and authorized under a written contract, within YCUA's sole discretion, between YCUA and the User.

(29) Any pollutant discharge, which constitutes a slug.

_____ **Reason:** Add language that prohibits 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 worker health and safety problems. Add language that prohibits the exceedance of daily maximum concentration or mass loading on any single calendar day. Revised the language of Fats, Oils, and Grease (FOG) pollutants to indicate extractable by organic solvent instead of freon. Freon is no longer used in the FOG analysis. Prohibit the discharge of landfill leachate from a site classified as contaminated by the Michigan Department of Environmental Quality. Prohibit the discharge of landfill leachate from a hazardous waste landfill or a landfill with detectable concentrations of polychlorinated biphenyls (PCBs) unless pretreatment occurs to bring leachate into compliance with the sewer use ordinance pollutant concentrations limitations.

Delete the language that prohibit the discharge of landfill leachate from a site classified as contaminated by the Michigan Department of Environmental Quality in favor of the new #(28) that requires a contract exist between YCUA and the landfill. The new #(27) clarifies that the discharge of landfill leachate from a hazardous waste landfill is prohibited and deletion of “or one with no pretreatment for polychlorinated biphenyls (PCBs)” to clarify that leachate from a hazardous waste landfill is prohibited under all circumstances. The new #(28)-states that YCUA must be in favor of offering a contract to a landfill for the acceptance of leachate. Add language that specifies that discharges that constitute a slug are prohibited. Increase effectiveness of the ordinance.

Sec. 62-181. Revised - Prohibited concentrations of certain pollutants and mercury reduction plan.

(1) No person shall discharge wastewater such that the concentration of pollutants in one grab sample exceeds the following limits for fats, oil, and grease, pH, total cyanides, and total phenolic compounds:

- 100 mg/l fats, oil, and grease
- < 5 or > 11 standard units pH
- 1.0 mg/l Total Cyanides
- 1.0 mg/l Total Phenolic Compounds

(2) No person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample is at or above the following surcharge threshold, except as otherwise permitted in writing by the Director and on payment of a surcharge fee, and no person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample exceeds the following upper limits, with respect to the following compatible pollutants:

COMPATIBLES

<u>Surcharge Threshold</u>	<u>Upper Limits</u>
300 mg/l	1000 mg/l 5-day BOD (Biochemical Oxygen Demand)
350 mg/l	2500 mg/l Total SS (Suspended Solids)
600 mg/l	2000 mg/l COD (Chemical Oxygen Demand)
15 mg/l	75 mg/l Total Phosphorus
30 mg/l	700 mg/l Ammonia-Nitrogen

(3) No person shall discharge wastewater such that the concentration of pollutants contained in a representative composite sample shall exceed the following limits with respect to the following inorganic or organic pollutants or phenolic compounds:

INORGANICS

- 1.0 mg/l Arsenic
- 0.002 mg/l Beryllium
- 0.50 mg/l Cadmium
- 4.0 mg/l Chromium (Total)

3.0 mg/l	Copper
0.3 mg/l	Lead
Nondetectable	Mercury
3.0 mg/l	Nickel
0.15 mg/l	Silver
3.0 mg/l	Zinc

ORGANICS

Delete	Bis (2-Ethylhexyl) phthalate
Nondetectable	Polychlorinated biphenyls (Nondetectable per U.S. EPA method 608. Any detectable sample exceeds this limit.)

The local discharge limitation for Polychlorinated Biphenyls is established at the level of detection in accordance with the following:

There shall be no detectable amounts of Polychlorinated Biphenyls discharged to a township or YCUA sanitary sewer. Polychlorinated Biphenyls sampling procedures, preservation and handling, and analytical protocol for compliance monitoring shall be in accordance with EPA Method 608. The level of detection, developed in accordance with the procedure specified in 40 CFR 136, shall not exceed 0.2 ug/L for Polychlorinated Biphenyls, unless higher levels are appropriate due to matrix interference.

Reason: Compliance with federal state law requiring periodic reevaluation of local limits based on technical data. Revise language to specify that one grab sample is utilized to demonstrate compliance with fats, oil, and grease, pH, total cyanides, and total phenolic compounds. Add language to specify that the minimum detection level for polychlorinated biphenyls shall be 0.2 ug/l. Add language that incorporates the results of the technically based local limits reevaluation of year 2008. Increase effectiveness of the ordinance. The following pollutant concentrations are being changed as follow:

Total Phenolic Compounds concentration limit increased to 1.0 mg/l from 0.55 mg/l

5-day Biochemical Oxygen Demand (BOD) upper limit concentration increased to 1000 mg/l from 756 mg/l.

Total Suspended Solids (TSS) upper limit concentration increased to 2500 mg/l from 2366 mg/l.

Chemical Oxygen Demand (COD) upper limit concentration increased to 2000 mg/l from 1530 mg/l.

Total Phosphorus (TP) surcharge threshold concentration increased to 15 mg/l from 13 mg/l.

Total Phosphorus (TP) upper limit concentration increased to 75 mg/l from 63 mg/l.

Ammonia Nitrogen (NH₃) surcharge threshold concentration increased to 30 mg/l from 25 mg/l.

Ammonia Nitrogen (NH₃) upper limit concentration increased to 700 mg/l from 452 mg/l.

Beryllium concentration limit increased to 0.002 mg/l from 0.0017 mg/l

Cadmium concentration limit increased to 0.5 mg/l from 0.1 mg/l

Silver concentration limit increased to 0.15 mg/l from 0.12 mg/l

Bis (2-Ethylhexyl) phthalate delete from ordinance no longer a pollutant of concern

Implementation of Best Management Practices and Best Management Practices Plan

- A. The Director may require any User to develop and implement Best Management Practices (BMP) to control, contain, treat, prevent, or reduce the discharge of wastewater, pollutants, or other substances from the User's premises to the POTW , as determined necessary by the Director.
- B. In addition, the Director may require a User to develop and submit a Best Management Practices Plan ("BMPP"), including an enforceable implementation schedule, for review and approval by the Director. The BMPP shall be submitted within 30 days after notification by the Director or as otherwise required by a User Permit. The BMPP shall be directed at preventing the entrance of pollutants, directly or indirectly, into the POTW . The BMPP shall be available for inspection at all times at the User's premises. At a minimum, a User's BMPP shall contain all of the following elements, as determined necessary by the Director, at a level of detail and in units and terms as determined necessary by the Director to adequately evaluate the plan:
1. A statement of the purpose and objectives of the plan.
 2. A description of the strategies, methods, policies and procedures to prevent, minimize or reduce the introduction of pollutants into the User's discharge and to minimize waste generation.
 3. A description of the options available to the User to control accidental spillage, leaks and drainage.
 4. A description of best available or practicable control technologies available for the User's specific circumstances.
 5. A detailed facility layout and site diagram showing points of entry into the (POTWs).
 6. A description of the waste handling, treatment and discharge disposal facilities, including flow diagrams and process schematics.
 7. A description of operating and maintenance processes and procedures.
 8. An inventory of raw materials and a list of waste sources, including a list of all chemicals used or stored at the facility.
 9. A description of employee training programs, policies and procedures; continuing education programs; and participation.
 10. A description of the User's documentation, including record keeping and forms.
 11. A description of monitoring activities.
 12. An information log of facility personnel, organization chart, emergency phone numbers, contact persons and maintenance or service representatives.
 13. A Certification by a qualified professional that the plan is adequate to prevent spills, leaks, slug loads, or non-customary discharges of regulated substances, directly or indirectly, to the POTW.
 14. Such other information, documents or diagrams as required by the Director, including, but not limited to, any of the information required under this Ordinance, the Act, or State Law.
- C. The BMPs or BMPP required of a User or approved for a User shall be incorporated in a User Permit issued to the User. If the User already has a User Permit, the existing permit may be modified to incorporate the BMP requirements. If the User does not currently have a User Permit, a permit shall be issued for that purpose.
- D. The Director may require revisions to a User's BMPP if the Director determines that Plan contains elements that are inadequate, or as otherwise

determined necessary by the Director to ensure compliance with applicable requirements of this Ordinance, the Act or State Law. Review of a BMPP by the Director shall not relieve the User from the responsibility to modify its facility as necessary to comply with this Ordinance, the Act or State Law.

- E. The User reports to the Director must include Best Management Practices compliance information. The User reports must be certified and signed by the User's authorized representative.
- F. The User shall retain all documentation associated with Best Management Practices for a period of at least three years from the date of an activity associated with practices. This period may be extended by the Ypsilanti Community Utilities Authority at any time.

Reason: 403.8(f)(1)(iii)(B)(3) – SIU control mechanisms must (shall) contain any BMPs required by a Pretreatment Standard, local limits, state, or local law.

Reason: 403.12(b),(e),(h) – SIU reports must include best management practices (BMP) compliance information.

Reason: 403.12(o) – Documentation of compliance with BMP requirements must be maintained as part of SIU's and POTW's record-keeping requirements.

Reason: 403.12(o)(2) Any Industrial User or POTW subject to the reporting requirements established in this section (including documentation associated with Best Management Practices) shall be required to retain for a minimum of 3 years any records of monitoring activities and results (whether or not such monitoring activities are required by this section) and shall make such records available for inspection and copying by the Director and the Regional Administrator (and POTW in the case of a Industrial User). This period of retention shall be extended during the course of any unresolved litigation regarding the Industrial User or POTW or when requested by the Director or the Regional Administrator. Increase the effectiveness of the ordinance.

Slug Control Plan

- (a) Each Significant Industrial User shall prepare and implement an individualized slug control plan when in the opinion of the Director a slug control plan is required. Existing Significant Industrial Users that do not have a YCUA approved slug control plan shall provide an approvable slug control plan to the Director within ninety (90) days of being notified by YCUA that a slug control plan is required. . New sources that are Significant Industrial Users shall submit a slug control plan to the Director for approval before beginning to discharge. Upon written notice from the Director, users that are not Significant Industrial Users may also be required to prepare and implement a slug control plan, and the plan shall be submitted to the Director for approval as specified in the notice. Slug control requirements must be included in the SIU Control Mechanism (Industrial User's Permit).
- (b) All slug control plans shall contain at least the following elements:
 - (1) A description of discharge practices, including non-routine batch discharges;
 - (2) A description of stored chemicals;
 - (3) The procedures for immediately notifying the Director of slug discharges, including any discharge that would violate any discharge prohibition, limitation or requirement under this ordinance, and procedures for follow-up written notification within five (5) days of the discharge;

- (4) The procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and measures and equipment for emergency response.
- (c) If a User has submitted to the Director plans or documents pursuant to other requirements of local, state or federal laws and regulations which meet all applicable requirements of the ordinance, the Director may in its discretion determine that the User has satisfied the slug plan submission requirements of this section.
- (d) Significant Industrial Users must immediately notify the Director of any changes at their facilities affecting their slug control plan or spill/slug potential. Comply with federal regulations. Increase effectiveness of the ordinance.

Reason: Clarification that a Significant Industrial User shall prepare and implement an individualized slug control plan when in the opinion of the Director a slug control plan is required.

Reason: 403.8(f)(1)(iii)(B)(6) – Slug control requirements must be included in the SIU control mechanism.

Reason: 403.8(f)(2)(vi) – SIUs must be evaluated for the need for a plan or other action to control slug discharges within a year from the final rule’s effective date or from becoming a SIU.

Reason: 403.8(f)(2)(vi) – SIUs are required to notify the POTW immediately of any changes at its facility affecting the potential for a slug discharge.

Secondary Containment Requirements

- (a) Each User when in the opinion of the Director it is required must provide and maintain at the User’s sole expense secondary spill containment structures (including diking, curbing or other appropriate structures) adequate to protect all floor drains from accidental spills and discharges to the POTW of any pollutants or discharges regulated by this ordinance, the Act or State Law.
 - (1) The containment area shall be constructed so that no liquid polluting material can escape from the area by gravity through the building sewers, drains, or otherwise directly or indirectly into the POTW .
 - (2) The containment or curbing shall be sufficient to hold not less than ten (10) percent of the total volume of the tanks or containers within the secondary containment structure or provide a capacity of one hundred (100) percent of the largest single tank or container within the secondary containment structure, whichever is larger, unless a lesser containment area or alternate control measures are approved in advance by the Director.
 - (3) The containment structure must accommodate “squirt distance”. Containers within the containment structure must be able to be placed sufficiently back from the edge of the structure so if punctured, the resulting leak will be contained.
 - (4) The containment structure must be designed or operated to prevent run-on or infiltration of rain or other liquids into the secondary containment system unless the collection system has sufficient excess

capacity to contain run-on, infiltration, rain, or other liquids. Excess capacity when such prevention is not provided in the system must be sufficient to contain rain precipitation from a 25-year, 24-hour rainfall event.

- (5) The containment structure shall be constructed with chemical-resistant water stops in place at all joints (if any) to be free of cracks or gaps.
 - (6) The containment structure shall be designed and installed to completely surround the tank or containers and to cover all surrounding earth likely to come into contact with the waste if released from the tank(s) or containers (i.e., capable of preventing lateral as well as vertical migration of the material).
 - (7) All floor drains found within the containment area must be plugged and sealed.
- (b) Spill troughs and sumps within process areas must discharge to appropriate pretreatment tanks.
 - (c) Emergency containment shall also be provided for storage tanks that may be serviced by commercial haulers and for chemical storage areas.
 - (d) Solid pollutants shall be located in security areas designed to prevent the loss of the materials to the POTW .
 - (e) Detailed plans showing facilities and operating procedures to provide the protection required by this ordinance shall be submitted to the Director for review, and shall be approved by the Director before construction. Construction of approved containment for existing sources shall be completed within the time period specified by the Director.
 - (f) No new source shall be permitted to discharge to the POTW until emergency containment facilities have been approved and constructed as required by this ordinance.
 - (g) The Director may order a user to take interim measures for emergency containment as determined necessary by the Director under the circumstances.

Reason: Establish language that authorizes YCUA to mandate that an Industrial User install provisions for secondary containment of material that are present in sufficient quantities such that in the event of a container failure or spill the potential of discharge to POTW exists. Clarification that each User when in the opinion of the Director it is required must provide and maintain secondary containment system.

Secondary Containment Requirements (a) (4) Clarification that additional capacity is required in a secondary containment system if run-on, infiltration, rain, or other liquids are allowed to enter the secondary containment system. Excess capacity when such prevention is not provided in the system must be sufficient to contain rain precipitation from a 25-year, 24-hour rainfall event. Improved, more complete provision. Increase effectiveness of the ordinance.

Sec. 62-190. Revised - Report of violation.

If the results of any sampling performed by the user indicates that any violation of this article, a permit, an order issued under this article, the Act or State Act has occurred, the user shall notify the YCUA within 24 hours of becoming aware of the violation and shall repeat the sampling and pollutant analysis and shall submit, in writing, the results of this repeat analysis within 30 days after becoming aware of the violation. A written follow up report shall be filed by the user with the YCUA within thirty (30) days of a user becoming aware of the violation.

_____ **Reason:** Revise language to specify that a written follow up report to a violation shall be filed by the User with the YCUA within thirty (30) days of a User becoming aware of the violation. The time allowed to file this report is increased to thirty (30) days from the current five (5) days. This corresponds with the time allowed for the resampling report submittal. Improved, more complete internally consistent provision. Increase effectiveness of the ordinance.

Supervisor
BRENDA L. STUMBO
Clerk
KAREN LOVEJOY ROE
Treasurer
LARRY J. DOE
Trustees
JEAN HALL CURRIE
STAN ELDRIDGE
MIKE MARTIN
DEE SIZEMORE



**Office of
Community Standards**
7200 S. Huron River Drive
Ypsilanti, MI 48197
www.ytown.org

June 3, 2010

To: Karen Lovejoy Roe, Clerk
From: Mike Radzik, Director of Community Standards
Subject: **Request for Board Approval of Nuisance Abatement
7502 Warwick**
Copy: Township Board
W. Douglas Winters, Attorney

The Office of Community Standards has initiated a nuisance abatement investigation at 7502 Warwick Dr. in the Greene Farms subdivision and we have exhausted methods to abate the nuisance without legal support in circuit court.

The home has been vacant for a substantial period of time following the untimely death of it's' owner who was working as a military interpreter in Iraq when she was killed in an explosion of an improvised explosive device. The woman's survivors have apparently chosen to abandon the property, which is currently in mortgage foreclosure redemption.

It appears necessary to bring the remaining responsible parties into circuit court in order to abate the nuisance. The nuisance consists of unsanitary conditions, including rotting food and garbage, which permeate the surrounding neighborhood with a foul odor. In addition, the township has been mowing the grass.

I respectfully seek authorization from the Board of Trustees to proceed to circuit court upon the recommendation of legal counsel if it is necessary. Please contact me with any questions or concerns.

Supervisor
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Clerk
KAREN LOVEJOY ROE
Treasurer
LARRY J. DOE
Trustees
JEAN HALL CURRIE
STAN ELDRIDGE
MIKE MARTIN
DEE SIZEMORE



**Office of Community
Standards**

7200 S. Huron River Drive
Ypsilanti, MI 48197
Phone: (734) 485-3943
Fax: (734) 484-5151

Office of Community Standards NOTICE OF VIOLATION/CONDEMNATION

Date: May 3, 2010

To: Shatha Kenbar

Please be advised that on your property located at 7502 Warwick Drive, in The Charter Township of Ypsilanti, County of Washtenaw, State of Michigan, was inspected by Bill Elling, (belling@ytown.org) on May 3, 2010. The inspection of that address indicates that the following conditions exist:

2006 International Property Maintenance Code Section 304.2 Protective treatment.

All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight.

The structure, located at this address, in the opinion of the code official, has been found to be non-habitable and as such is classified as blight and shall be abated.



ADDRESS VERIFICATION

















PM-301.3 Vacant structures and land:

All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

THE STRUCTURE WAS FOUND UNSECURE AND A LOCK AND HASP WAS INSTALLED AS ALLOWED

PM-304.1 General:

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

Occupants shall keep that part of the structure which such occupant occupies or controls in a clean and sanitary condition. Every owner of a structure containing a rooming house, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

THE ENTIRE INTERIOR OF THE STRUCTURE MUST BE CLEAN OUT, ALL CONTAMINANTS REMOVED AS REQUIRED

PM-304.3 Interior surfaces:

All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed, or covered. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.

THE ENTIRE INTERIOR OF THE STRUCTURE MUST BE CLEAN OUT, ALL CONTAMINANTS REMOVED AS REQUIRED

PM 504.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

THE ELECTRICAL SERVICE MUST BE RESTORED AS TO ALLOW THE SUMP PUMP TO REMOVE ALL STANDING WATER IN THE BASEMENT AREA.

Charter Township of Ypsilanti Code of Ordinances

ARTICLE II. BLIGHT

Sec. 26-26. Purpose of article.

It is the purpose of this article to prevent, reduce or eliminate blight or potential blight in the township by the prevention or elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in the township.

(Code 1975, § 13-32)

Sec. 26-27. Enforcement of article.

This article shall be enforced by the community development director of the township, any police officer of the county or state, any constable or police officer of the township or such other persons as shall be so designated by the township board.

(Code 1975, § 13-33)

Sec. 26-28. Causes of blight or blighting factors enumerated.

It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blight and undesirable neighborhoods:

(3) The existence of any structure or part of such structure which, because of fire, wind or other natural disaster or physical deterioration, is no longer habitable as a dwelling, nor useful for any other purpose for which it may have been intended or lawfully used.

(4) The existence of any vacant dwelling, garage or other accessory building, unless the same is securely locked, with windows intact or neatly boarded up, and otherwise protected to prevent entrance thereto by unauthorized persons.

(5) The existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid and subsisting building permit issued by the township and unless such construction is completed within the time specified by existing ordinances.

(Code 1975, § 13-34)

International Property Maintenance Code 2006

PM-107.5 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

PM-108.1 General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

PM-108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

PM-108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this

code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

PM-108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

PM-110.1 General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

PM-110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

R110.5 Revocation. The building official shall, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

PM-107.3 Method of service:

Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first class mail addressed to the last known address: or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

PM-108.4 Placarding:

Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment, a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

PM-108.4.1 Placard removal:

The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated.

Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.

The structure at the above address is hereby ordered repaired and all the contaminants removed.

The certificate of occupancy on this structure is hereby revoked.

You have the right to appeal this notice of violation. If you choose to appeal, contact The Office of Community Standards at 734-485-3943 and request an application for The Construction Board of Appeals. (Fee for appeal application is \$100).

McLAIN & WINTERS

ATTORNEYS AND COUNSELORS AT LAW

61 N. HURON
YPSILANTI, MICHIGAN 48197
(734) 481-1120

DENNIS O. McLAIN
8909
WM. DOUGLAS WINTERS
mcwinlaw@gmail.com
ANGELA B. KING

FAX (734) 481-

[E-MAIL:](#)

May 25, 2010

Mike Radzik, Community Standards Director
Ron Fulton, Building Director
Bill Elling, Ordinance Officer
Charter Township of Ypsilanti
7200 S. Huron River Dr.
Ypsilanti, MI 48197

Re: **Location:** *7502 Warwick Dr.*
Parcel No.: *K-11-33-412-527*
Property Owner: *Estate of Shatha Kenbar*

Status Report

Gentlemen:

Please be advised that on Tuesday, **May 25, 2010**, I had a telephone conversation with Kim Sanders, a paralegal who works for probate attorney Jane Bassett, regarding the property located at 7502 Warwick Dr. As you may recollect, this property (which is currently unoccupied) came to the attention of Building Director Ron Fulton and Ordinance Officer Bill Elling on **May 3, 2010**. The complaint concerning this property centered around “...**a foul smell...**” which undoubtedly stems from the “...**multiple piles of rotted, decayed food** [and] **multiple piles of household trash stored inside the garage.**”

In an email dated **May 7, 2010** Ordinance Officer Elling confirmed that “**Shatha Kenbar’s estate was opened as a ‘small estate’ on January 14, 2010 and closed on January 22, 2010.**” During my conversation with paralegal Sanders, she advised that since this property was “**under water,**” none of the heirs to the

Radzik/Fulton/Elling
Re: 7502 Warwick
May 25, 2010
Page 2

estate were interested in taking over the payments of this property. Thus, this property (for all intents and purposes) has been abandoned by the representatives of the estate and will not become the property of the mortgage company until the redemption period expires in October 2010 unless the Township intervenes.

I expressed my sympathies to paralegal Sanders for the death of Shatha Kenbar who was killed on **September 27, 2009** while serving as an interpreter in Iraq. However, she too agreed that it was unacceptable for the children to leave this property in the condition it was left in but she was not willing to make any commitment on behalf of the estate regarding the clean up and removal of the rotted, decayed food, household trash, etc., etc., etc. Thus, once again, it may fall upon the shoulders of the Township to initiate the appropriate legal action in the Washtenaw County Circuit Court to force the mortgage company to accelerate the redemption time period and clean up this property. There is simply no way this property can remain in its current condition given the advent of the hot summer weather we are currently experiencing without having a negative and deleterious effect upon the neighboring properties.

Since we have already ordered and received the title work, we can commence the appropriate litigation against the mortgage company and, if necessary, the estate of Shatha Kenbar to clean up this property sooner rather than later. Again, once you have had an opportunity to review this correspondence, please advise whether you wish this matter to be placed on the Township Board's agenda at its next regular meeting scheduled for Wednesday, **June 2, 2010**.

Very truly yours,



Wm. Douglas Winters

rsk
enclosure
cc: Township Board
Dennis O. McLain

McLAIN & WINTERS

ATTORNEYS AND COUNSELORS AT LAW

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YPSILANTI, MICHIGAN 48197
(734) 481-1120

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FAX (734) 481-8909
[E-MAIL: mcwinlaw@gmail.com](mailto:mcwinlaw@gmail.com)

May 28, 2010

Jane A. Bassett
Bassett & Associate PLLC
2750 Carpenter Rd.
Ann Arbor, MI 48108

Re: **Location:** *7502 Warwick Dr.*
Parcel No.: *K-11-33-412-527*
Property Owner: *Estate of Shatha Kenbar*

Notice of Violation/Condemnation dated May 3, 2010

Dear Ms. Bassett:

This will confirm my telephone conversation with paralegal Kim Sanders in regard to the aforementioned property located in Ypsilanti Township. As explained to paralegal Sanders, this property came to the attention of the Township's Office of Community Standards after the Township received a number of complaints from property owners who have been and continue to be impacted by the blighted condition of this property. Attached for your file is a copy of the ***Notice of Violation/Condemnation*** dated ***May 3, 2010*** prepared by Ordinance Officer Bill Elling, along with the photographs which can explain why nearby residents complained of "***...a foul smell...***" which undoubtedly stems from the "***...multiple piles of rotted, decayed food [and] multiple piles of household trash stored inside of the garage.***"

The Township is aware of the tragic death of Ms. Kenbar who I believe was killed on ***September 27, 2009*** while serving as an interpreter with the military in the Middle East. Furthermore, it is my understanding that the mortgage company (while having instituted foreclosure proceedings) will not take possession of this property until the redemption period has expired which I believe to be sometime in October of this year. Obviously, the condition that this house was left in cannot remain unabated for that length of time. Thus, unless this property is cleaned up immediately, our office will be initiating the appropriate legal proceedings in the Washtenaw County Circuit Court seeking, *inter alia*, that the Court order the acceleration of the redemption time period since this property has, for all practical purposes, been abandoned.

Jane A. Bassett
Re: 7502 Warwick
May 28, 2010
Page 2

Since your office handled the opening and closing of the estate via the proceedings for "**small estates**" I simply do not know whether the mortgage company will seek to have the Estate reopened or somehow include the heirs of Ms. Kenbar to this proceeding. Obviously, the right thing to do by the mortgage company and/or the heirs of the Estate is to simply clean up the property and dispose of all the "**...multiple piles of rotted, decayed food [and] multiple piles of household trash stored inside of the garage,**" as well as any other garbage and household debris and furniture.

While I never had the privilege of meeting Ms. Kenbar, I do not believe she ever intended for the property to be left in this condition. If after review of this correspondence and attachment you have any questions or I can be of further assistance, please contact me. Thanking you in advance for your anticipated courtesy and cooperation, I remain...

Very truly yours,

A handwritten signature in blue ink that reads "Wm. Douglas Winters". The signature is written in a cursive style.

Wm. Douglas Winters

rsk
enclosure
cc: Township Board
Mike Radzik
Ron Fulton
Bill Elling
Dennis O. McLain

McLAIN & WINTERS

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[E-MAIL: mcwinlaw@gmail.com](mailto:mcwinlaw@gmail.com)

May 25, 2010

Ron Fulton, Building Director
Mike Radzik, OCS Director
Bill Elling, Ordinance Officer
Charter Township of Ypsilanti
7200 S. Huron River Dr.
Ypsilanti, MI 48197

Re: **NOV Date:** *May 18, 2010*
Parcel No.: *K-11-02-373-047*
Location: *599 E. Grand Blvd., Ypsilanti Township,
Washtenaw County*

Property owners: *Kenneth D. Grubaugh
245 John Sugg Rd.
Fayetteville, TN 37334*

Status Report

Gentlemen:

This will confirm the receipt of the **May 18, 2010** email from Ordinance Officer Bill Elling regarding the property located at 599 E. Grand Blvd. wherein he attached copies of the tickets that were issued to property owner Kenneth D. Grubaugh (along with photographs in support thereof) for violations of the Township's property maintenance code. As noted in the **May 18** email and confirmed by the Township's **General Property Information**, owner Grubaugh's current address is in Fayetteville, TN. The fact that he is not living at 599 E. Grand Blvd. is also consistent with the fact that this property has zero exemption as a principal residence.

While I am not sure as to whether this property has ever been utilized by owner Grubaugh as a rental property, it is clear that the current condition of this property constitutes blight and is a public nuisance to the neighboring and adjacent properties. In that regard, this case appears to be similar to the property located at 312 Dakota which case is currently pending before Washtenaw County Circuit

Fulton/Radzick/Elling
Re: 599 E. Grand Blvd.
May 25, 2010
Page 2

Court Judge Timothy P. Connors. While I agree with Ordinance Officer Elling that it may be appropriate for the ticket that was issued for storage of an inoperable vehicle to be heard by 14B District Court Judge Charles Pope, I believe it will require the Township Board to authorize our office to initiate the appropriate legal proceedings to address the exterior issues of this property. In that regard, it may also be necessary to seek an order from the Circuit Court to allow representatives of the Township to conduct an inspection of the interior of the property given its current abandoned state.

Once you have had an opportunity to review this correspondence, please confirm as to whether this matter should be forwarded to the Township Board and placed on the Board's agenda for its consideration at its next meeting scheduled for Wednesday, **June 2, 2010**.

If after review of this correspondence, you have any questions or I can be of further assistance, please contact me.

Very truly yours,

A handwritten signature in blue ink that reads "Wm. Douglas Winters". The signature is written in a cursive style.

Wm. Douglas Winters

rsk

cc: Ypsilanti Township Board
Dennis O. McLain
Angela B. King

Supervisor
BRENDA L. STUMBO
Clerk
KAREN LOVEJOY ROE
Treasurer
LARRY J. DOE
Trustees
JEAN HALL CURRIE
STAN ELDRIDGE
MIKE MARTIN
DEE SIZEMORE



Building Department

7200 S. Huron River Drive
Ypsilanti, MI 48197
Phone: (734) 485-3943
Fax: (734) 484-5151
www.ytown.org

Memorandum

To: Karen Lovejoy Roe, Township Clerk

From: Ron Fulton, Building Director

Date: June 7, 2010

Subject: Request for Legal Authorization

Property: 740 Dorset: K-11-11-380-021

The Office of Community Standards is working to abate the blight at this property that suffered a fatal fire on January 9, 2010. The Office of Community Standards has made every effort to abate this situation to no avail. We would respectfully request that the Board consider authorization to sue the owner in Circuit Court in order to affect a clean-up.

Please place this item on the next available Board agenda under "Attorney Report" for consideration. Thank you.







Supervisor
BRENDA L. STUMBO
Clerk
KAREN LOVEJOY ROE
Treasurer
LARRY J. DOE
Trustees
JEAN HALL CURRIE
STAN ELDRIDGE
MIKE MARTIN
DEE SIZEMORE



Supervisor's Office

7200 S. Huron River Drive
Ypsilanti, MI 48197
Phone: (734) 481-0617
Fax: (734) 484-0002
www.ytown.org

TO: Karen Lovejoy Roe, Clerk
FROM: Brenda L. Stumbo, Supervisor 
DATE: June 7, 2010
RE: 2010 Tax Rate Request – L-4029

Please find attached the proposed 2010 Tax Rate Request. Please place this item on the June 15, 2010 agenda for the Board's consideration.

If you have any questions, please contact my office.

tk

Attachment

2010 Tax Rate Request (This form must be completed and submitted on or before September 30, 2010)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

Carefully read the instructions on page 2.

This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory; Penalty applies.

County(ies) Where the Local Government Unit Levies Taxes Washtenaw County	2010 Taxable Value of ALL Properties in the Unit as of 5-24-10 1,370,680,586
Local Government Unit Requesting Millage Levy Charter Township of Ypsilanti	For LOCAL School Districts: 2010 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties.

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2010 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election Charter, etc.	(5) ** 2009 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(6) 2010 Current Year "Headlee" Millage Reduction Fraction	(7) 2010 Millage Rate Permanently Reduced by MCL 211.34d "Headlee"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum Allowable Millage Levy *	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
Allocated	Gen Op		1.1160	1.0322	1.0000	1.0322	1.0000	1.0322		1.0322	N/A
Voted	Fire Prot	05/05/09	2.8000	2.8000	1.0000	2.8000	1.0000	2.8000		2.8000	2012
Voted	Sld Wst	05/05/09	1.6800	1.6800	1.0000	1.6800	1.0000	1.6800		1.6800	2012
Voted	Police	05/05/09	3.5000	3.5000	1.0000	3.5000	1.0000	3.5000		3.5000	2012
Voted	Rec/BP	05/05/09	1.0059	1.0059	1.0000	1.0059	1.0000	1.0059		1.0059	2012
PA 235	F Pen/HC	N/A								.3819	

Prepared by Linda Gosselin	Telephone Number (734) 487-4927	Title of Preparer Assessor	Date
--------------------------------------	---	--------------------------------------	------

CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.121(3).

<input checked="" type="checkbox"/> Clerk	Signature	Print Name	Date
<input type="checkbox"/> Secretary		Karen Lovejoy Roe	
<input type="checkbox"/> Chairperson	Signature	Print Name	Date
<input checked="" type="checkbox"/> President		Brenda L. Stumbo	

* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24e must be met prior to levying an operating levy which is larger than the base tax rate but not larger than the rate in column 9.

** **IMPORTANT:** See instructions on page 2 regarding where to find the millage rate used in column (5).

Local School District Use Only. Complete if requesting millage to be levied. See STC Bulletin 2 of 2008 for instructions on completing this section.	
Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)	Rate
For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	
For Commercial Personal	
For all Other	

OTHER BUSINESS

Supervisor
BRENDA L. STUMBO
Clerk
KAREN LOVEJOY ROE
Treasurer
LARRY J. DOE
Trustees
JEAN HALL CURRIE
STAN ELDRIDGE
MIKE MARTIN
DEE SIZEMORE



**Civil Service
Commission**

7200 S. Huron River Drive
Ypsilanti, MI 48197
Phone: (734) 484-4700
Fax: (734) 484-5156
www.twp.ypsilanti.mi.us

May 26, 2010

Township Board
7200 S. Huron River Drive
Ypsilanti, MI 48198

Re: Firefighter Captain and Lieutenant Promotional Testing and Fire Marshal Testing

Dear Board Members:

The Civil Service Commission is in the process of collecting bids for Captain and Lieutenant Promotional Testing and Fire Marshal Testing, as required by the Rules and Regulations.

It is the intention of several firefighters to take the promotional test and the Fire Marshal test. In order to allow adequate preparation time, the Commission plans to schedule the Fire Marshall test in mid -August and the promotional test in October. It is customary to provide the firefighters a 30-day notice for the testing.

Due to time constraints, the Civil Service Commission is requesting authorization to select the lowest, most qualified bidder in conjunction with the three full-time officials and the Fire Chief. Please place this request on the June 15, 2010 Board Agenda.

Thank you for your consideration.

Sincerely,

Martha Warren
President

cc: Dan Onyskin, Commissioner
James Day, Commissioner
Eric Copeland, Fire Chief
Larry James, Local 1830 President
File

Supervisor
BRENDA L. STUMBO
Clerk
KAREN LOVEJOY ROE
Treasurer
LARRY J. DOE
Trustees
JEAN HALL CURRIE
STAN ELDRIDGE
MIKE MARTIN
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Building Department

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Phone: (734) 485-3943
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www.ytown.org

Memorandum

To: Karen Lovejoy Roe, Township Clerk

From: Ron Fulton, Building Director

Date: June 7, 2010

Subject: Request for Award of Demolition Contract

Property: 2158 Woodale K-11-24-211-014

This property has been previously approved for Circuit Court litigation at the January 19, 2010 Board meeting. Township Attorney Dennis McLain was successful in securing a consent agreement in order to demolish the property. The County Community Development Department has approved this home as eligible for NSP grant money.

Three contractors from the available County list have been selected to bid.

Citadel Contracting
Carver Construction
Peter's Building

The attached RFP is being hand delivered to the three contractors at a mandatory meeting June 8, 9:15 am. Proposals are to be submitted by 6/14/2010 at 2:00 pm. The recommendation will be to award the contract to the lowest most qualified bidder.

This process is being expedited due to a Court order and a Review hearing held June 2, 2010. The Honorable Judge Shelton made it clear that he expected action by the next review hearing.

The Charter Township of Ypsilanti
2158 Woodale
Demolition Project

Specifications

1. *Scope*

- 1.1** The work shall be subject to the conditions of these general specifications and the furnishing of all labor, materials, tools, accessories, equipment, all necessary permits and services to demolish and remove the building and all of the necessary filling and backfilling to leave the site in a smooth, safe, level condition. The successful bidder shall immediately contract with an environmental survey company to perform an asbestos survey and perform any abatement if necessary. The abatement contractor shall submit the NESHAP survey to the State in an expedited fashion.

2. *Statement*

- 2.1** The work shall include but not be limited to, on-site demolition and removal of the vacant structure, driveway and walkway at the project site and all of the contents therein. The vacant structure shall be demolished in place and the debris disposed at a site where such debris is legally accepted. Site clearance shall consist of the removal of all associated debris from the demolition but not limited to, fixtures, shrubbery, weeds, building contents, decks, planters and any related substructures within the boundaries of the location listed below. The site must be backfilled/filled and returned to the existing surrounding grade, topsoil added and seeded, and yard mowed/brush hogged.

3. *Location*

- 3.1** The proposed work is located in The Charter Township of Ypsilanti at 2158 Woodale. Parcel identification number : K-11-24-211-014.

4. *Description of Work*

- 4.1** The Contractor shall, at their expense, remove and dispose of the existing vacant structure and its contents, all walkways leading to the vacant structure, basement, foundations, footings, piping, wiring, construction materials and any related substructures. The Contractor shall perform all work in accordance with federal, state and local laws. The contractor shall make every reasonable effort to recycle/salvage reclaimable materials.
- 4.2** Backfill/fill the former basement/crawlspace, former drive/walkways and any low areas or depressions related to the demolition work using a granular backfill material that has been tested by an approved agency and verified as suitable for

- residential areas. The granular material may be pit run or crusher run that will pass through a 3-inch sieve. This material will not contain bituminous particles, oversize stone, rock or concrete fragments. Rough grade the area concurrent with the surrounding area.
- 4.3** After completion of the grading concurrent with the surrounding area, the Contractor shall place topsoil over any areas that were filled, graded or otherwise disturbed by the work, to a specified depth of four inches. The topsoil will be spread uniformly, then tamped or compacted. The topsoil will be graded even with the surrounding surfaces or slightly “crowned” to allow for settling. The Contractor shall rake all areas of topsoil in preparation for the placement of seed. The top 2 inches shall be loose and allow for proper root growth. All topsoiled areas shall be seeded within 24 hours of the preparation. The topsoil shall be fertile loam, neither excessively acid or alkaline, suitable for the growth of turf grasses. The Contractor shall provide proof that the soil has been tested and is acceptable for use in such an application.
- 4.4** The Contractor will then spread grass seed with the appropriate equipment to provide uniform coverage. The minimum application rate will be five pounds per one thousand square feet. The seed shall be sufficiently incorporated into the soil then covered with paper mulch or hay. Hydro seeding is acceptable as long as it meets the specifications outlined above.
- 4.5** The Contractor will apply a starter fertilizer in accordance with the manufacturer’s recommendations.

5. *Products*

- 5.1** Grass seed will be 30% Shamrock Kentucky Blue Grass, 20% Merit Kentucky Blue Grass, 20% Commander Perennial Rye Grass, 20% Baron Kentucky Blue Grass, 10% PS8990 Perennial Rye Grass (Lesco has this mix. The Contractor must provide the product label for this mix.
- 5.2** Granular fill and topsoil shall be used as outlined above. Please note that the Ypsilanti Township Compost Site has topsoil available for sale at a reduced rate for this project.

6. *Site Inspection*

- 6.1** The site is available for your inspection at any time during normal business hours from 8-5 Monday through Friday.

7. *Permits*

- 7.1** The Contractor shall at his/her expense procure all permits necessary for this work, including those where streets or parking areas may be obstructed by its operations. An application will be submitted to the Ypsilanti Township Building Department for a demolition permit in accordance with Section 105 of the 2006 Michigan Residential Code. All applicable inspections and requirements will be strictly adhered to.

8. *Safety Provisions*

- 8.1 Where hazardous conditions are created incident to the Contract operations, the Contractor at his expense, shall furnish, erect and maintain suitable barricades to protect and safeguard the public in accordance with Chapter 33 of the 2006 Michigan Building Code.
- 8.2 The Contractor shall take all appropriate measures to insure the health and safety of the public. To include the diffusion of dust, or other small particles, toxic gasses and other harmful substances as required by federal, state and local regulations.
- 8.3 At no time will explosives be utilized.
- 8.4 All work shall be conducted in strict compliance with safety regulations and guidelines including OSHA.

9. Working Hours

- 9.1 If the Owner determines that any construction activity related to the installation is causing a hardship to the surrounding residents, the Contractor will be required to limit the work to hours agreed upon by the adjoining homeowners, the Contractor, and the Owner.
- 9.2 No work may be accomplished during weekends or off hours without prior township approval. Regular work hours are from 8am to 5pm M-F.

10. Public Utilities

- 10.1 The Contractor shall notify all affected utility companies not less than 10 days prior to the date on which work is scheduled to be done which will affect their facilities. The Utility Owner, at a point to be determined by them, will disconnect all services.
- 10.2 The Utility Owner will remove all fixtures owned by them.
- 10.3 A permit to demolish and remove these structures will not be issued until a release is obtained from each utility stating that their respective service connection and related appurtenant equipment such as wires, pipes, lines meters and regulators have been removed and or sealed in a safe manner at the property line.

11. Disposal

- 11.1 All materials removed, other than utility owned fixtures, and all debris resulting from this project shall become the property of the Contractor in accordance with the following provisions.
- 11.2 Burning of debris on site shall not be permitted.
- 11.3 All salvageable materials present at the time that work commences will become the property of the Contractor.
- 11.4 All materials disposed of shall be in accordance with federal, state, and local laws. Proof of such shall be provided to the Township prior to receipt of final payment.

12. Inspections

- 12.1 The Contractor will inspect and insure that all work is being performed in accordance with these specifications. A rough inspection will be held at a time to

be agreed upon between the Owner and Contractor. When the Contractor feels that the project is completed, the Contractor will call for a project inspection to be performed by the Ypsilanti Township Office of Community Standards. The Township reserves the right to make periodic inspections during the project to insure the work is being completed in accordance with these specifications. A final Inspection will be held at a time agreed to be upon between the Owner and the Contractor.

- 12.2** The Contractor will call for any inspections required by the Township Building Official.

13. Submittals

- 13.1** The Contractor shall submit all product data sheets to the Owner for grass seed.

- 13.2** The Contractor shall submit all records of debris disposed of related to the work to the Owner.

14. General

- 14.1** The requirements of these specifications shall be understood to be the minimum requirements of the Charter Township of Ypsilanti. The requirements shall be expanded as necessary to insure quality. However, unless approval from The Charter Township of Ypsilanti is obtained, the requirements herein shall not be deleted or revised.

- 14.2** Permission for access to this area may be revoked for all persons who violate traffic regulations including speed limits, and parking restrictions. All of the Contractor's personnel, operating forces, and delivery personnel shall be made aware of and comply at all times with the regulations and the directions of responsible Township personnel.

- 14.3** Precedence:

- If any statement in this or any other specification is in conflict with any provision of the General Terms and Conditions to the contract, the provision stated in the General Terms and Conditions shall take precedence. Any questions, which require additional interpretation and guidance, shall be immediately brought to the Owners attention.

- 14.4** References:

- Referenced standards and recommended practices referred to herein shall be the latest edition or revision of the document.

- 14.5** Quality assurance:

- The Contractor shall be regularly engaged in providing demolition work for a period of not less than ten years prior to bid submittal.

- 14.6** The Contractor shall use care at all times to prevent damage to or marking of the fencing, landscaping, or any other property or equipment during this project. Any damage caused by the Contractor will be repaired as directed by an Ypsilanti Township designee by the Contractor and at the Contractor's expense.

15. Addenda and Explanations

- 15.1 The Township shall not give verbal answers to inquiries regarding the meaning of the specifications.
- 15.2 Explanations desired by prospective bidders shall be requested of the Township in writing. Direct requests to the Ypsilanti Township Purchasing Department.
- 15.3 In the event that explanations are necessary, a reply shall be made in the form of an addendum. A copy of which shall be forwarded to each bidder.
- 15.4 Addenda issued to bidders prior to the date of receipt of bids shall become a part of the specifications and all bids shall include the work described in the addenda.
- 15.5 Failure of the Charter Township of Ypsilanti to send or of the bidders to receive such interpretations shall not relieve the bidder from obligation under the bid as submitted.

16. *Equal Employment Opportunity*

- 16.1 The Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, handicap, age, height, weight, marital status, veteran status, or religion.

17. *Minimum Wage*

- 17.1 All Contractors, including Subcontractors, performing work or services shall be required to pay not less than the prevailing wages and fringe benefits to all employee "Construction Mechanics", as determined by the Davis-Bacon Division of the United States of Labor for the Washtenaw County area in accordance with the Charter Township of Ypsilanti Ordinance No. 69 and the additional provisions contained within.
- 17.2 All other employees directly involved with this project must be paid in accordance with the Charter Township of Ypsilanti Ordinance No. 99-213, "The Living Wage Ordinance". A copy of this ordinance can be obtained through the Ypsilanti Township Purchasing Department by calling (734) 481-0617.

18. *Hold Harmless*

- 18.1 The Contractor shall save harmless, indemnify, and defend the Charter Township of Ypsilanti and its Officials against all claims for damages or injuries to persons or damages to property arising out of its performance under the terms of the bid.

19. *Bid, Performance, Payment and Other Bonds:*

- 19.1 Each proposal must be accompanied by a certified check, bidders bond, bank draft or cash bond, in an amount not less than (5%) of the total price and drawn to the order of The Charter Township of Ypsilanti, as a guarantee of good faith on the part of the bidder and subject to the conditions stipulated in the proposal form. No proposals shall be withdrawn for a period of sixty days after the date set for the opening of bids. A single check, bond or draft may serve to cover two or more alternate or supplemental proposals when such proposals are submitted by the same bidder.
- 19.2 Contractor shall furnish Performance and Payment Bonds, each in an amount at least equal to the Contract Price as security for the faithful performance and payment of all Contractors' obligations under the Contract Documents. These

bonds shall remain in effect at least until one year after the date when final payment becomes due, except as provided otherwise by Laws or Regulations or by the Contract Documents. Contractor shall also furnish such other Bonds as are required by the Supplementary Conditions. All Bonds shall be in the form prescribed by the Contract Documents except as provided otherwise by Laws or Regulations, and shall be executed by such sureties as are named in the current list of “Companies Holding Certificates of Authority as Acceptable Securities on Federal Bonds and as Acceptable Reinsuring Companies” as published in Circular 570 (amended) by the Audit Staff, Bureau of Government Financial Operations, U.S. Treasury Department. All Bonds signed by an agent must be accompanied by a certified copy of such agent’s authority to act.

- 19.3** If the surety on any Bond furnished by the Contractor is declared as bankrupt or becomes insolvent or its right to do business is terminated in any state where any part of the project is located or it ceases to meet requirements of paragraph 27.1, the Contractor shall within 10 days thereafter substitute another Bond and surety, both of which must be acceptable to the Owner Licensed Sureties and Insurers; Certificates of Insurance:
- 19.4** All bonds and Insurance required by the Contract Documents to be purchased and maintained by the Owner or Contractor shall be obtained from surety or insurance companies that are duly licensed or authorized in the jurisdiction in which the project is located to issue Bonds and insurance policies for the limits and coverages so required. Such surety and insurance companies shall also meet such additional requirements and qualifications as may be provided in the Supplementary Conditions.

20. *Insurance Limits*

- 20.1** The Contractor agrees to provide the Owner with Certificates of Insurance for General Liability, Vehicle Liability, and Statutory Workers Compensation, according to the limits provided in the Charter Township of Ypsilanti Financial Policy. The Certificates of Insurance must be provided to the Owner prior to the execution of the contract documents. Examples of said insurance’s should be included in your bid.
- 20.2** The Contractor will maintain at its own expense during the term of the contract, the following insurance:
- A.** Worker’s Compensation insurance with Michigan statutory limits and employers liability insurance of \$1,000,000.00 minimum each accident.
 - B.** Broad Form Comprehensive General Liability Insurance with a combined single limit of \$1,000,000.00 each occurrence for bodily injury and property damage. Policy to include products and completed operations, independent contractors and contractual liability coverage. Policy shall be endorsed to provide 60 day written notice to the Risk Manager of any material change of coverage, cancellation or non-renewal of coverage.
 - C.** Owner’s protective policy shall be in the name of “Charter Township of Ypsilanti”. Policy shall provide a \$1,000,000.00 combined single limit for bodily injury or property damage per occurrence. The Charter Township of Ypsilanti and its past, present, and future elected Officials shall be named as

“additional named insured” on the General Liability policy with respect to the services provided under this contract.

- D. Automobile Liability insurance covering all owned, hired and non-owned vehicles with personal protection insurance and property protection insurance to comply with provisions of the Michigan No Fault Insurance Law. Including residual liability insurance with a minimum combined single limit of \$1,000,000.00 each accident for bodily injury and property damage.
- 20.3 An umbrella policy may be used to meet some of the above requirements.
- 20.4 All insurance policies must be held by companies licensed to do business in Michigan and such companies must be well rated and acceptable to the Charter Township of Ypsilanti.
- 20.5 If the required insurance is not maintained at any time during the term of this Contract, the Contract shall be subject to cancellation immediately or at any time thereafter, at the sole discretion of the Charter Township of Ypsilanti. If the Township elects to exercise its option to cancel on these grounds, the Township shall so notify the Contractor of its election.
- 20.6 All Certificates of Insurance are subject to the final approval of the Ypsilanti Township Attorney.

21. *Award of Contract*

- 21.1 The Charter Township of Ypsilanti reserves the right to reject all bids received or to negotiate separately with any source to serve the best interest of the Township.
- 21.2 The Company awarded the contract shall be required to furnish satisfactory bonds and insurance.

22. *Installation, Warranty, and Service*

- 22.1 The Contractor shall guarantee all materials and workmanship to be free of defects for a period of one (1) year from the date of the Owner's acceptance.

23. *Completion*

- 23.1 The project will not be considered complete until all approved township final inspections have been approved.
- 23.2 Construction shall start within 14 days of the Notice to Proceed and completed within 60 days.
- 23.3 Full payment shall be made within 45 days of receipt of invoice upon completion of work.

CHARTER TOWNSHIP OF YPSILANTI ACKNOWLEDGEMENT OF REQUIRED INSURANCE PROVISIONS

The Charter Township of Ypsilanti *strictly* adheres to the insurance requirements, which are stated in the specifications to bid. These insurance requirements shall not be waived for any reason. Please read carefully the required insurance that must be obtained. As written in the specifications under the “Insurance Limits” section, wording must read:

“...The Charter Township of Ypsilanti and its past, present, and future elected officials, trustees, appointed commissions and boards, agents and employees shall be named as “additional named insured” on the General Liability policy with respect to the services provided under this contract.”

This may require an addition to your current policy or an additional policy, either of which could result in extra cost from your insurance carrier. Therefore, in this document, the Charter Township of Ypsilanti has fully explained its’ expectations in this regard and expects all companies to bid in good faith and comply with these requirements.

Signature of Authorized Representative _____
Date

Company Name
Briefly describe project for which bid has been
submitted: _____

***Please return this completed form with submission of your bid. ***

SECTION 3 CLAUSE (Business Certification Version)

**All Section 3 covered contracts shall include the following clause
(referred to as the Section 3 Clause):**

Company Name:			Date Completed:
Address: City & State: Zip:			
Person Completing This Form:	Telephone Number:	FAX Number:	Email Address:

- A). The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible be directed to low-and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B). The parties to this contract agree to comply with HUD's regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- C). The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, **if any**, a notice advising the labor organization or workers' representative of the contractor's commitments under this Section 3 Clause and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D). **The contractor agrees to include this Section 3 Clause in every subcontract subject to compliance with regulations in 24 CFR part 135**, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause. Upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135, the contractor will not subcontract with any subcontractor where the contractor has notice of knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.
- E). The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- F). Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contractor for default, and debarment or suspension from future HUD assisted contracts.

Owner's Name:	Title:
Signature:	Date:

I certify that I have read the information above and understand the Section 3 requirements and numerical goals.
Download a complete packet of Section 3 Certification Forms at:

Invitation to Bid

The Charter Township of Ypsilanti will accept sealed bids for **the Demolition of 2158 Woodale until, June 14, 2010 @ 2:00 pm Eastern time**, at which time all bids will be publicly read aloud in the first floor conference room @ the Ypsilanti Township Civic Center, 7200 South Huron River Drive, Ypsilanti, Mi. 48197-7099.

A **Mandatory** Pre-Bid meeting is scheduled for June 8, 2010 @ 9:30 am at the project location. There will be no other times scheduled at the proposed building to be razed.

General outline of the work will consist of:

The structure shall be removed including all foundation walls, slabs and footings.

The water and sewer lines must also be cut and capped.

Removal of the driveway.

Removal of the walkways.

Removal of all debris.

Site Restoration.

Mow/brush hog site.

- Minority owned and women owned business enterprises are encouraged to submit proposals.
- Proposal must be submitted **in triplicate** on forms provided by the Owner and be accompanied by a Bid Bond or Certified check in the amount of five (5%) percent of the proposal amount submitted.
- Accepted bidder will be required to furnish Satisfactory Performance Bond, and Labor and Material Bond, in the amount of 100% of the Contract. Total cost of which is to be paid by the successful bidder.
- All proposals are to remain firm for a period of 90 days after the official bid opening date.
- The Charter Township of Ypsilanti reserves the right to reject any and/or all bids, in whole or in part, and to waive any informality therein.
- The Contractor or his Subcontractors shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, handicap, age or sex. It will take affirmative action to insure that applicants are employed without regard to their race, religion, color, national origin, age, sex, height, weight, or marital status. Such action will include but not be limited to the following: employment upgrading, demotion or transfer, recruitment advertising, layoff or termination; rates of pay or other forms of compensation, and selection for training, including apprenticeship.
- The Contractor or his Subcontractor's shall comply with all published rules, regulations and directives and orders of the Michigan Civil Rights Commission relevant to Section 206, 1976 P.A. 453, as amended.

Ypsilanti Township 2158 Woodale

Demolition Project

Proposal Form

Name of Bidding

Contractor _____

Contact Person for this
project _____

Herein after referred to as the Contractor, declares familiarity with location of proposed work and conditions under which it is to be performed, that the specifications and drawings (when applicable) have been carefully examined, are understood and accepted as adequate for the purpose and agrees to Contract with the Charter Township of Ypsilanti, herein referred to as the Owner, to perform everything required to be performed and to furnish all labor, materials, tools, equipment, utility, transportation services and supervision necessary to perform and complete in a satisfactory manner, all work required in conjunction with the above named project, and to accept as full payment thereof, subject to additions and/or deletions required by Contract, the Sum of Dollars.

TOTAL PROJECT BID \$ _____

Unit costs submitted for Contract additions/deletions, inclusive of any maintenance and guarantee period not satisfactorily listed. Total must equal base bid above. All work to be complete as detailed on the bid documents not to exceed Base Bid listed above.

Mobilization \$ _____

Building Demolition \$ _____

Asbestos Abatement \$ _____

Site Demolition \$ _____

Earthwork (soils that remain on site) \$ _____

Filling/Backfilling, seeding
final grade and mowing \$ _____

Debris Disposal (non asbestos) \$ _____

General Conditions Complete (bonding, insurance and permits)

\$ _____

BASE BID \$ _____

**10% CONTINGENCY \$ _____

Total Project Bid \$ _____

** The 10% contingency is added to the base bid and is intended to be utilized for unforeseen expenses during the project if necessary. If this amount is not needed during the project it is not part of the total paid to the Contractor. It will remain the Owners. Any remaining funds from the contingency at the close of the contract will be presented as a change order reducing the overall contract price.

Authorized Signature _____

Printed Name _____

Title _____

Bidding Contractor _____

Complete Address _____

Telephone() _____

Dated this _____ day of _____ 2010

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Date: 05/25/2010

Time: 2:35pm

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Charter Township of Ypsilanti

BANK: HAND CHECKS

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
150862	05/11/2010	Printed	6821	AT & T	ACCT. #734 480-9586 427 9	21.05
150863	05/11/2010	Printed	6821	AT & T	ACCT. #734 482-2386 398 5	53.99
150864	05/11/2010	Printed	6821	AT & T	ACCT. #734 485-0084 397 9	26.83
150865	05/11/2010	Printed	6821	AT & T	ACCT. #734 485-1174 097 4	118.30
150866	05/11/2010	Printed	6821	AT & T	ACCT. #734 485-1992 091 7	23.16
150867	05/11/2010	Printed	6821	AT & T	ACCT. #734 544-3800 862 3	217.10
150868	05/11/2010	Printed	6821	AT & T	ACCT. #734 544-4100 851 1	538.80
150869	05/11/2010	Printed	6821	AT & T	ACCT. #734 R21-0061 299 8	941.33
150870	05/11/2010	Printed	6821	AT & T	ACCT. #734 483-0776 211 0	34.55
150871	05/11/2010	Printed	6821	AT & T	ACCT. #734 485-0881 149 9	120.88
150872	05/11/2010	Printed	6821	AT & T	ACCT. #734 485-6881 100 9	24.15
150873	05/11/2010	Printed	6821	AT & T	ACCT. #734 R01-7562 363 3	730.80
150874	05/11/2010	Printed	6821	AT & T	ACCT. #734 482-5720 807 3	151.41
150875	05/11/2010	Printed	6821	AT & T	ACCT. #734 482-6733 544 5	32.07
150876	05/11/2010	Printed	6821	AT & T	ACCT. #734 R21-1069 765 8	543.20
150877	05/11/2010	Printed	0118	DTE ENERGY	GAS & ELECTRIC INVOICES	17,183.46
150882	05/13/2010	Printed	6821	AT & T	ACCT. #734 483-4224 435 5	148.27
150883	05/13/2010	Printed	6821	AT & T	ACCT. #734 483-0584 132 0	21.05
150884	05/13/2010	Printed	6821	AT & T	ACCT. #734 483-9550 827 6	14.49
150885	05/13/2010	Printed	6821	AT & T	ACCT. #734 487-8104 411 3	240.21
150886	05/19/2010	Printed	0657	14-B DISTRICT COURT	SMALL CLAIMS COURT	330.00
150887	05/19/2010	Printed	0444	WASHTENAW COUNTY TREASURER#	2009 SPECIAL ASSESSMNT - DRAIN	250,510.60

Total Checks: 22 Bank Total: 272,025.70

Total Checks: 22 Grand Total: 272,025.70

Accounts Payable checks \$ 653,616.44

HANDS Checks + 272,025.70

\$ 925,642.14

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Charter Township of Ypsilanti

BANK:

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
150888	05/25/2010	Printed	0657	14-B DISTRICT COURT	SMALL CLAIMS COURT	450.00
150889	05/25/2010	Printed	0657	14-B DISTRICT COURT	SMALL CLAIMS COURT	350.00
150890	05/25/2010	Printed	6858	ABBEY DOOR	REPAIRS & MAINTENANCE	100.00
150891	05/25/2010	Printed	0235	ABSOPURE WATER COMPANY	H & C COOLER	28.00
150892	05/25/2010	Printed	0049	ALL SEASONS LANDSCAPING CO.	SMALL EQUIPMENT & PARTS	109.88
150893	05/25/2010	Printed	2939	ANDERSON PAINT COMPANY	MAINTENANCE SUPPLIES	64.00
150894	05/25/2010	Printed	8264	SANDY ANDRESEN	TRAVEL REIMBURSEMENT	50.00
150895	05/25/2010	Printed	15765	ARBOR VACUUM	VACUUM REPLACEMENT	559.00
150896	05/25/2010	Printed	0215	AUTO VALUE YPSILANTI	SUPPLIES	27.01
150897	05/25/2010	Printed	6885	BACK TO NATURE LAWN CARE	INTEREST CHARGE	1.50
150898	05/25/2010	Printed	3997	LISA BAIN	MASA UMPIRE	46.00
150899	05/25/2010	Printed	6397	BARR ENGINEERING COMPANY	PROFESSIONAL SERVICES	930.00
150900	05/25/2010	Printed	15847	CHRISTOPHER BLINSTRUB	FIFA REFEREE	68.00
150901	05/25/2010	Printed	5049	BLUE CROSS BLUE SHIELD OF MI	HEALTH INSURANCE - JUN 2010	173,307.51
150902	05/25/2010	Printed	0898	BS & A SOFTWARE	ANNUAL SERVICE/SUPPORT FEE	4,495.00
150903	05/25/2010	Printed	1111	BURCO	REPLENISH SUPPLY OF SCORECARDS	1,668.00
150904	05/25/2010	Printed	3460	CDW GOVERNMENT INC	SUPPLIES	460.97
150905	05/25/2010	Printed	6718	CIGAR MAN	CIGARS	87.00
150906	05/25/2010	Printed	15370	CLEVELAND GOLF SRIXON	PRO SHOP RESALE	264.22
150907	05/25/2010	Printed	15880	JOSEPH COCHRAN	FIFA REFEREE	24.00
150908	05/25/2010	Printed	15452	COLD CUT KRUISE	PRO SHOP RESALE	122.30
150909	05/25/2010	Printed	15849	BRENNON COLE	SOCCER REFEREE	22.00
150910	05/25/2010	Printed	15850	TYLOR COLE	SOCCER REFEREE	22.00
150911	05/25/2010	Printed	0363	COMCAST CABLE	ACCT. #09588 344688-01-4	107.00
150912	05/25/2010	Printed	0363	COMCAST CABLE	ACCT. #09588 352887-01-2	74.95
150913	05/25/2010	Printed	0363	COMCAST CABLE	ACCT. #09588 302000-01-0	7.02
150914	05/25/2010	Printed	1312	COMPLETE BATTERY SOURCE	MAINTENANCE SUPPLIES	49.47
150915	05/25/2010	Printed	0582	CONGDON'S	SUPPLIES	70.37
150916	05/25/2010	Printed	15881	CYNTHIA CRAWLEY	REFUND - DOG LICENSE	6.00
150917	05/25/2010	Printed	6683	D & B POWER ASSOCIATES, INC.	UPS ANNUAL MAINTENANCE AGREEME	1,317.00
150918	05/25/2010	Printed	2002	DELTA DENTAL PLAN OF MICHIGAN	DENTAL INSURANCE - JUN 2010	4,827.14
150919	05/25/2010	Printed	15851	RUTHANNE DOLINGER	SOCCER REFEREE	40.00
150920	05/25/2010	Printed	8016	LAWRENCE MICHAEL DONATELLI	FIFA REFEREE	26.00
150921	05/25/2010	Printed	15882	MICHAEL DONATELLI	FIFA REFEREE	26.00
150922	05/25/2010	Printed	15013	EDWARDS PLUMBING & HEATING	PLUMBING & HEATING	100.00
150923	05/25/2010	Printed	15102	ELEMENTS OF EXERCISE	ZUMBA INSTRUCTION	1,023.40
150924	05/25/2010	Printed	15852	ARRON ENGEL	SOCCER REFEREE	44.00
150925	05/25/2010	Printed	15186	FCR	CURBSIDE RECYCLING DISPOSAL	17.40
150926	05/25/2010	Printed	15421	FLEET SERVICES		2,170.95
150927	05/25/2010	Printed	0470	FOOTJOY	PRO SHOP RESALE	73.82

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BANK:

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
150928	05/25/2010	Printed	6661	FOX AUTO PARTS	DECONTAMINATE & CLEAN FIRE MAR	250.00
150929	05/25/2010	Printed	15853	ERIC FULLER	FIFA REFEREE	60.00
150930	05/25/2010	Printed	6033	GARAN LUCOW MILLER, P.C.	PROFESSIONAL SERVICES	2,431.88
150931	05/25/2010	Printed	0533	GENESCO	PRO SHOP RESALE	137.01
150932	05/25/2010	Printed	2843	GENESIS SERVICE ASSOCIATES	RESIDENT INFORMATION POSTCARD	7,442.00
150933	05/25/2010	Printed	1233	GORDON FOOD SERVICE INC.	SUPPLIES	74.73
150934	05/25/2010	Printed	0107	GRAINGER	SUPPLIES	124.91
150935	05/25/2010	Printed	11957	GRIFFIN PEST SOLUTIONS	MONTHLY SERVICE - STATION #4	84.00
150936	05/25/2010	Printed	0426	GUARDIAN ALARM	BILLING: 7200 S. HURON RIVER	2.63
150937	05/25/2010	Printed	0426	GUARDIAN ALARM	BILLING: 7200 S. HURON RIVER	305.19
150938	05/25/2010	Printed	0426	GUARDIAN ALARM	BILLING: 7200 S. HURON RIVER	305.19
150939	05/25/2010	Printed	0426	GUARDIAN ALARM	LATE FEE	0.96
150940	05/25/2010	Printed	0158	MARK HAMILTON	ATTY FEES - JUNE 2010	1,500.00
150941	05/25/2010	Printed	15889	DEBORAH HAWKINS	REFUND - ROOM RENTAL	100.00
150942	05/25/2010	Printed	15857	ALEXANDER HENRY	FIFA REFEREE	30.00
150943	05/25/2010	Printed	15884	HEPPNER LANDSCAPE SERVICES	LOCATION: 1314 RUE WILLETTE	1,025.00
150944	05/25/2010	Printed	6547	HERITAGE NEWSPAPERS	PUBLISHING	92.80
150945	05/25/2010	Printed	6786	HERITAGE-CRYSTAL CLEAN, LLC	MAINTENANCE	198.95
150946	05/25/2010	Printed	15885	LUCAS HERNDON	FIFA REFEREE	52.00
150947	05/25/2010	Printed	0503	HOME DEPOT	SUPPLIES	72.66
150948	05/25/2010	Printed	0174	HONEYWELL	ENERGY IMPROVEMENT	3,934.20
150949	05/25/2010	Printed	0500	HORNUNG'S	PRO SHOP RESALE - CART WINDSHI	262.13
150950	05/25/2010	Printed	6147	HP DIRECT	EXTRA NOTEBOOK BATTERY	388.00
150951	05/25/2010	Printed	15496	J.F. MOORE & ASSOCIATES, LLC	SMALL CLAIMS SERVER FEES	135.00
150952	05/25/2010	Printed	4467	JOHN DEERE LANDSCAPES	SUPPLIES	44.48
150953	05/25/2010	Printed	6357	JUMP-A-RAMA	GYMNASTIC & CHEER INSTRUCTION	1,256.50
150954	05/25/2010	Printed	3998	LARRY KENYON	MASA UMPIRE	46.00
150955	05/25/2010	Printed	15808	KIDDY KEYS	KIDDY KEYS PROGRAM INSTRUCTION	119.00
150956	05/25/2010	Printed	15888	STEVEN KILLIAN	REFUND - ROOM RENTAL	100.00
150957	05/25/2010	Printed	5680	DAVID LASCEWSKI	MASA UMPIRE	92.00
150958	05/25/2010	Printed	0341	LAWSON PRODUCTS, INC.	RESTOCK VARIOUS NUTS, BOLTS, S	997.11
150959	05/25/2010	Printed	6446	LEVEL 3 COMMUNICATIONS, LLC	ACCT. #909649P	704.87
150960	05/25/2010	Printed	6467	LOWES	SUPPLIES	59.37
150961	05/25/2010	Printed	15860	JULIA MAYER	SOCCER REFEREE	20.00
150962	05/25/2010	Printed	5444	TRAVIS MCDUGALD	REIMBURSEMENT - SSL CERTIFICAT	239.92
150963	05/25/2010	Printed	15886	CASEY MCKEON	SOCCER REFEREE	20.00
150964	05/25/2010	Printed	15883	MICHCON	LOCATION: 2421 E. MICHIGAN	1,440.00
150965	05/25/2010	Printed	0525	MICHIGAN TOWNSHIP ASSOC.**	MEMBERSHIP DUES	6,454.34
150966	05/25/2010	Printed	4414	ED MICHOWSKI	MASA UMPIRE	92.00
150967	05/25/2010	Printed	15609	MR VALUATION CONSULTING, LLC	PROFESSIONAL SERVICES	8,170.00

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Charter Township of Ypsilanti

BANK:

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
150968	05/25/2010	Printed	0040	MSW PRINT & IMAGING	SUPPLIES	390.00
150969	05/25/2010	Printed	15195	MARK NELSON	MAGISTRATE FEES - JUN 2010	1,875.00
150970	05/25/2010	Printed	8041	DON NEWSTED	MASA UMPIRE	46.00
150971	05/25/2010	Printed	2997	OFFICE EXPRESS	SUPPLIES	651.72
150972	05/25/2010	Printed	1081	OKINAWAN KARATE CLUB	KARATE INSTRUCTION	660.10
150973	05/25/2010	Printed	0309	ORCHARD, HILTZ & MCCLIMENT INC	DEAN DRIVE/MORGAN ROAD CONST	1,907.50
150974	05/25/2010	Printed	0913	PARKWAY SERVICES, INC.	RENTAL - FORD LAKE HYDRO DAM	468.00
150975	05/25/2010	Printed	15766	PARS ICE CREAM	PRO SHOP RESALE - ICE CREAM	229.40
150976	05/25/2010	Printed	15864	JAMES PIPE	SOCCER REFEREE	20.00
150977	05/25/2010	Printed	15878	JESSE GRAHAM PIPE	FIFA REFEREE	76.00
150978	05/25/2010	Printed	15887	POLO FIELDS GOLF & COUNTRY	EQUIPMENT RENTAL	1,100.00
150979	05/25/2010	Printed	0339	POST, SMYTHE, LUTZ AND ZIEL	PROFESSIONAL SERVICES	701.25
150980	05/25/2010	Printed	0722	PRINTING SYSTEMS	SUPPLIES	9.83
150981	05/25/2010	Printed	6045	QPS PRINTING	SUPPLIES	146.98
150982	05/25/2010	Printed	15386	RICOH AMERICAS CORPORATION	EQUIPMENT RENTAL	1,076.34
150983	05/25/2010	Printed	6308	RKA PETROLEUM	REFILL DIESEL AND E-10 87 FUEL	6,147.56
150984	05/25/2010	Printed	15552	BRIAN ROBERTS	MASA UMPIRE	92.00
150985	05/25/2010	Printed	5578	JOEL ROBERTS	MEDICARE REIMBURSEMENT	1,156.80
150986	05/25/2010	Printed	0634	SAM'S CLUB DIRECT	SERVICE FEE	145.00
150987	05/25/2010	Printed	15877	MAX W. SEMEYN	SOCCER REFEREE	20.00
150988	05/25/2010	Printed	0383	SHERWIN WILLIAMS COMPANY	SUPPLIES	76.91
150989	05/25/2010	Printed	6288	SIGNS BY TOMORROW	SIGNS	240.00
150990	05/25/2010	Printed	8166	DAN SMITH	FIFA REFEREE	18.00
150991	05/25/2010	Printed	15865	JAMES SMITH	FIFA REFEREE	68.00
150992	05/25/2010	Printed	1507	SPARTAN DISTRIBUTORS	REPAIR PARTS	224.12
150993	05/25/2010	Printed	1338	STADIUM TROPHY	ANNUAL PLATES	15.00
150994	05/25/2010	Printed	3022	STANDARD PRINTING	DAILY PARK & BOAT PERMITS - BO	257.00
150995	05/25/2010	Printed	6384	STAPLES* - ACCOUNT #1026071	SUPPLIES	371.52
150996	05/25/2010	Printed	3001	START SMART SPORTS DEV.	START SMART SPORTS DEVELOPMENT	1,944.00
150997	05/25/2010	Printed	6938	STATE OF MICHIGAN	COMMUNICATIONS	3,300.00
150998	05/25/2010	Printed	0632	STERICYCLE INC	MEDICAL WASTE DISPOSAL	130.65
150999	05/25/2010	Printed	15867	MATTHEW STUDER	FIFA REFEREE	28.00
151000	05/25/2010	Printed	1235	SURE-FIT LAUNDRY COMPANY	LAUNDRY - PKS & GROUND	816.54
151001	05/25/2010	Printed	0449	SYSCO FOOD SERVICES OF DETROIT	PRO SHOP RESALE	1,329.55
151002	05/25/2010	Printed	8063	TELEGRATION	ACCT. #8119-0000	38.98
151003	05/25/2010	Printed	0468	TITLEIST	PRO SHOP RESALE	210.37
151004	05/25/2010	Printed	2943	TRI COUNTY INTERNATIONAL	AUTO MAINTENANCE	80.79
151005	05/25/2010	Printed	1637	TURF GRASS INC.	CHEMICALS	3,694.86
151006	05/25/2010	Printed	15131	U.S. BANK, N.A.	ADMIN FEES FOR GENERAL OBLIGAT	112.50
151007	05/25/2010	Printed	6427	UNIMEASURE	REPAIRS MAINTENANCE	16.33

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BANK:

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
151008	05/25/2010	Printed	1475	VERIZON WIRELESS	ACCT. #285474612-00001	2,034.00
151009	05/25/2010	Printed	0444	WASHTENAW COUNTY TREASURER#	SHERIFF PATROL	371,057.69
151010	05/25/2010	Printed	0444	WASHTENAW COUNTY TREASURER#	SHERIFF PATROL	10,317.00
151011	05/25/2010	Printed	0444	WASHTENAW COUNTY TREASURER#	SHERIFF PATROL	2,650.50
151012	05/25/2010	Printed	0631	WASTE MANAGEMENT	ACCT. #389-0054717-1389-0	1,324.67
151013	05/25/2010	Printed	0361	WESTERN WAYNE COUNTY FIRE DEPT	REPLACEMENT - MEMBERSHIP	1,619.00
151014	05/25/2010	Printed	15869	NATHANIEL YANKEY	FIFA REFEREE	24.00
151015	05/25/2010	Printed	0480	YPSILANTI COMMUNITY	ACCT. #4-087-560200-01	2,052.43
151016	05/25/2010	Printed	6417	YPSILANTI TWP PETTY CASH	REIMBURSE PETTY CASH	356.70
151017	05/25/2010	Printed	0494	ZEE MEDICAL SERVICE COMPANY	SUPPLIES	186.11
Total Checks: 130						Bank Total: 653,616.44
Total Checks: 130						Grand Total: 653,616.44

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Date: 06/07/2010

Time: 1:15pm

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Charter Township of Ypsilanti

BANK: HAND CHECKS

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount		
151018	05/26/2010	Printed	2930	CITIMORTGAGE, INC.	GOLF CART LEASE - JUN 2010	6,038.46		
151019	05/26/2010	Printed	0911	MICHIGAN MUNICIPAL LEAGUE	WORKER'S COMPENSATION	148,013.00		
151020	05/26/2010	Printed	6517	MICHIGAN TOURNAMENT FLEET, INC	MAINTENANCE CONTRACT - JUN	825.00		
151021	05/27/2010	Printed	6821	AT & T	ACCT. #734 434-2020 090 1	32.01		
151022	06/02/2010	Printed	0119	DTE ENERGY**	STREETLIGHTS - APRIL 2010	68,841.57		
151023	06/07/2010	Printed	6263	STANDARD INSURANCE COMPANY	LIFE & DISABILITY - JUNE 2010	3,813.98		
					Total Checks:	6	Bank Total:	227,564.02
					Total Checks:	6	Grand Total:	227,564.02

Accounts Payable Checks \$ 199,870.54

Hand Checks + \$ 227,564.02

TOTAL \$ 427,434.56

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Charter Township of Ypsilanti

BANK:

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
151024	06/07/2010	Printed	0657	14-B DISTRICT COURT	SMALL CLAIMS	25.00
151025	06/07/2010	Printed	0657	14-B DISTRICT COURT	SMALL CLAIMS	250.00
151026	06/07/2010	Printed	0657	14-B DISTRICT COURT	SMALL CLAIMS	250.00
151027	06/07/2010	Printed	15890	WILLIAM C. & DENISE ABRAHAM	REFUND - FIRE BOND 789 DORSET	7,860.00
151028	06/07/2010	Printed	0235	ABSOPURE WATER COMPANY	5 GALLON SPRING	20.70
151029	06/07/2010	Printed	8412	ACO HARDWARE	SUPPLIES	16.36
151030	06/07/2010	Printed	0049	ALL SEASONS LANDSCAPING CO.	SUPPLIES	121.93
151031	06/07/2010	Printed	15902	TRACY ALMANY	REFUND - ROOM RENTAL	80.00
151032	06/07/2010	Printed	6769	AMERICAN MESSAGING	ACCT. #Z1-264640	175.00
151033	06/07/2010	Printed	0022	ANN ARBOR WELDING SUPPLY CO	SUPPLIES	174.25
151034	06/07/2010	Printed	0034	ASSOCIATED FENCE - DBA		625.00
151035	06/07/2010	Printed	0909	AT & T*	ACCT. #053 294-5218 001	32.43
151036	06/07/2010	Printed	0039	ATLANTIC WELDING SUPPLY	SUPPLIES	25.00
151037	06/07/2010	Printed	0215	AUTO VALUE YPSILANTI	SUPPLIES	260.61
151038	06/07/2010	Printed	15524	AUTOMATIC SUPPLY MICHIGAN	SUPPLIES	94.73
151039	06/07/2010	Printed	3997	LISA BAIN	MASA UMPIRE	184.00
151040	06/07/2010	Printed	6397	BARR ENGINEERING COMPANY	PROFESSIONAL SERVICES	2,324.00
151041	06/07/2010	Printed	6486	BIG GEORGES HOME APPLIANCE	REPLACE STOVE AT STATION 3 - N	499.00
151042	06/07/2010	Printed	15847	CHRISTOPHER BLINSTRUB	T-BALL UMPIRE	24.00
151043	06/07/2010	Printed	8160	MATT BLINSTRUB	T-BALL UMPIRE	54.00
151044	06/07/2010	Printed	8416	C. BARRON & SONS	REFILL DIESEL AND E-10 87 FUEL	4,221.50
151045	06/07/2010	Printed	5553	CAYMAN SPORTS COMPANY	SUPPLIES FOR TENNIS LESSONS	180.00
151046	06/07/2010	Printed	6015	CENTRON DATA SERVICES	POSTAGE - SMR 2010 TAX BILLS	4,237.00
151047	06/07/2010	Printed	15891	CHRISTIAN CHAMBERS	COACH PITCH BASEBALL UMPIRE	60.00
151048	06/07/2010	Printed	0870	CHARTER TOWNSHIP OF SUPERIOR	LOCATION: GREEN OAKS GOLF	41.06
151049	06/07/2010	Printed	15452	COLD CUT KRUISE	PRO SHOP RESALE	89.50
151050	06/07/2010	Printed	0363	COMCAST CABLE	ACCT. #09588 284370-01-0	81.16
151051	06/07/2010	Printed	6974	TERRY CONDIT	MASA UMPIRE	46.00
151052	06/07/2010	Printed	0582	CONGDON'S	SUPPLIES	216.19
151053	06/07/2010	Printed	15892	CUNNINGHAM VISION CENTER	HOSPITAL PHYSICAL	391.00
151054	06/07/2010	Printed	2988	DEEP ROOTS	DEEP TINE AERIFICATION ON THE	2,700.00
151055	06/07/2010	Printed	5505	ISMAEL DOMENECH	MASA UMPIRE	46.00
151056	06/07/2010	Printed	8016	LAWRENCE MICHAEL DONATELLI	FIFA REFEREE	26.00
151057	06/07/2010	Printed	4706	ED'S GARAGE	REPAIRS	200.00
151058	06/07/2010	Printed	15013	EDWARDS PLUMBING & HEATING	EMERGENCY STORM DRAIN CLEANING	750.00
151059	06/07/2010	Printed	2913	EMERGENCY VEHICLE SERVICES	REPAIRS TO SOCKET TERMINAL ON	477.26
151060	06/07/2010	Printed	6951	EMERGENCY VEHICLES PLUS	AIR MANIFOLD FOR ENGINE 14-1	204.45
151061	06/07/2010	Printed	15852	ARRON ENGEL	SOCCER REFEREE	22.00
151062	06/07/2010	Printed	1200	FEDERAL EXPRESS CORPORATION	POSTAGE	185.21
151063	06/07/2010	Printed	15034	FONDRIEST ENVIRONMENTAL, INC	REPAIR TEMPERATURE SENSOR FOR	254.09

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151064	06/07/2010	Printed	0073	GENE BUTMAN FORD	REPAIRS TO FIRE MARSHAL VEHICL	967.44
151065	06/07/2010	Printed	15855	MADELINE GOODSON	FIFA REFEREE	24.00
151066	06/07/2010	Printed	15879	THOMAS GOODSON	FIFA REFEREE	24.00
151067	06/07/2010	Printed	6161	GOVERNMENTAL-CONSULTANT	PROFESSIONAL SERVICES	3,000.00
151068	06/07/2010	Printed	0107	GRAINGER	SUPPLIES	214.47
151069	06/07/2010	Printed	0070	GREAT LAKES TELECOM, INC.	TELEPHONE	78.95
151070	06/07/2010	Printed	15769	GREAT LAKES TREE SERVICE	CUT DOWN 5 DEAD TREES	495.00
151071	06/07/2010	Printed	0426	GUARDIAN ALARM	BILLING: 14B COURT	1,264.53
151072	06/07/2010	Printed	15901	LINDA HAHLBROCK	REFUND - CREDIT BALANCE	30.00
151073	06/07/2010	Printed	0158	MARK HAMILTON	ATTY FEES - JUN 2010	1,500.00
151074	06/07/2010	Printed	15858	THOMAS HENRY	FIFA REFEREE	30.00
151075	06/07/2010	Printed	6547	HERITAGE NEWSPAPERS	PUBLISHING	108.80
151076	06/07/2010	Printed	15900	SANJUANITA HERRERA	REFUND - TENNIS LESSONS	50.00
151077	06/07/2010	Printed	0503	HOME DEPOT	SUPPLIES	399.08
151078	06/07/2010	Printed	0473	HURON RIVER WATERSHED COUNCIL	MEMBERSHIP DUES	2,314.80
151079	06/07/2010	Printed	15496	J.F. MOORE & ASSOCIATES, LLC	SERVER FEES	264.00
151080	06/07/2010	Printed	15496	J.F. MOORE & ASSOCIATES, LLC	SERVER FEES	216.00
151081	06/07/2010	Printed	6110	KEB INC.	PRINTING OF MONTHLY SR. NEWSLE	261.96
151082	06/07/2010	Printed	3998	LARRY KENYON	MASA UMPIRE	92.00
151083	06/07/2010	Printed	0391	KONICA MINOLTA - ALBIN	MAINTENANCE	357.77
151084	06/07/2010	Printed	15493	ADAM KURTINAITIS	ELECTRICAL INSPECTIONS	1,225.00
151085	06/07/2010	Printed	5680	DAVID LASCEWSKI	MASA UMPIRE	46.00
151086	06/07/2010	Printed	7038	LINCOLN SCHOOL DISTRICT	PYMT OF DELINQ. PERSONL PROP.	458.98
151087	06/07/2010	Printed	15491	LOMBARDO HOMES OF SE MICH	REFUND - TEMP & LOT STAB. BOND	5,000.00
151088	06/07/2010	Printed	6467	LOWES	SUPPLIES	816.58
151089	06/07/2010	Printed	15859	ALEXANDER MARANVILLE	SOCCER REFEREE	22.00
151090	06/07/2010	Printed	15860	JULIA MAYER	SOCCER REFEREE	22.00
151091	06/07/2010	Printed	15405	MAYNARDS AUTO SERVICE CENTER	CATALYTIC CONVERTER REPLACEMEN	700.00
151092	06/07/2010	Printed	15886	CASEY MCKEON	SOCCER REFEREE	20.00
151093	06/07/2010	Printed	15893	GREG MCKINNEY	MASA UMPIRE	46.00
151094	06/07/2010	Printed	0253	MCLAIN AND WINTERS	LEGAL SERVICES - MAY 2010	92,202.67
151095	06/07/2010	Printed	6517	MICHIGAN TOURNAMENT FLEET, INC	CART RENTAL FOR TOURNAMENT	456.00
151096	06/07/2010	Printed	4414	ED MICHOWSKI	MASA UMPIRE	138.00
151097	06/07/2010	Printed	15862	STEVEN MICHOWSKI	MASA UMPIRE	46.00
151098	06/07/2010	Printed	15894	WILLIAM MICKI	BASEBALL UMPIRE	60.00
151099	06/07/2010	Printed	15402	MIDWEST MEDICAL CENTER	HOSPITAL PHYSICALS	780.00
151100	06/07/2010	Printed	15899	DONALD MORGAN	REFUND - SHELTER RENTAL	75.00
151101	06/07/2010	Printed	15195	MARK NELSON	MAGISTRATE FEES - JUNE 2010	1,875.00
151102	06/07/2010	Printed	8041	DON NEWSTED	MASA UMPIRE	92.00
151103	06/07/2010	Printed	4591	NISWANDER ENVIRONMENTAL, LLC	PROFESSIONAL SERVICES	549.00

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151104	06/07/2010	Printed	2095	OBRYAN'S LOCK & KEY	REPAIRS	55.00
151105	06/07/2010	Printed	2997	OFFICE EXPRESS	SUPPLIES	263.96
151106	06/07/2010	Printed	0309	ORCHARD, HILTZ & MCCLIMENT INC	STADIUM TROPHY	400.00
151107	06/07/2010	Printed	15173	DIANA B. OWINGS	TRANSLATOR FEES	250.00
151108	06/07/2010	Printed	15878	JESSE GRAHAM PIPE	FIFA REFEREE	30.00
151109	06/07/2010	Printed	6203	PITTSFIELD CHARTER TOWNSHIP	INSPECTIONS	4,060.00
151110	06/07/2010	Printed	0682	POSTAGE BY PHONE RESERVE	RESERVE ACCOUNT #10230589	10,000.00
151111	06/07/2010	Printed	15895	NICHOLAS RADANT	FIFA REFEREE	46.00
151112	06/07/2010	Printed	4412	STEVE RADANT	FIFA REFEREE	38.00
151113	06/07/2010	Printed	15552	BRIAN ROBERTS	MASA UMPIRE	69.00
151114	06/07/2010	Printed	3059	RUBBER STAMPS UNLIMITED INC	STAMPS	10.50
151115	06/07/2010	Printed	3973	S & S WORLDWIDE CRAFTS	SUMMER CAMP SUPPLIES FOR BOTH	154.79
151116	06/07/2010	Printed	15877	MAX W. SEMEYN	SOCCER REFEREE	20.00
151117	06/07/2010	Printed	15896	CHELSEA SLOVINSKI	TRANSLATOR SERVICES	30.00
151118	06/07/2010	Printed	1507	SPARTAN DISTRIBUTORS	REPAIR PARTS	219.51
151119	06/07/2010	Printed	15897	GARY STAFFORD	BASEBALL UMPIRE	55.00
151120	06/07/2010	Printed	3022	STANDARD PRINTING	PRINTING OF ANNUAL PARK PERMIT	603.00
151121	06/07/2010	Printed	6384	STAPLES* - ACCOUNT #1026071	SUPPLIES	329.50
151122	06/07/2010	Printed	3001	START SMART SPORTS DEV.		70.00
151123	06/07/2010	Printed	1235	SURE-FIT LAUNDRY COMPANY	LAUNDRY - FIRE DEPT.	1,070.29
151124	06/07/2010	Printed	15868	BOONE SYLVESTER	SOCCER REFEREE	24.00
151125	06/07/2010	Printed	0449	SYSCO FOOD SERVICES OF DETROIT	PRO SHOP RESALE	1,648.97
151126	06/07/2010	Printed	6376	TRACTOR SUPPLY COMPANY	SUPPLIES	134.96
151127	06/07/2010	Printed	2897	TRANSACT TECHNOLOGY	REGISTER ROLLS FOR ITHACA PRIN	115.95
151128	06/07/2010	Printed	2943	TRI COUNTY INTERNATIONAL	AUTO MAINTENANCE	260.67
151129	06/07/2010	Printed	1637	TURF GRASS INC.	FERTILIZER	899.00
151130	06/07/2010	Printed	15131	U.S. BANK, N.A.	ADMIN FEES 11/1/09 - 4/30/10	112.50
151131	06/07/2010	Printed	7045	VAN BUREN SCHOOL DISTRICT	PYMT. OF DELINQ. PERSONAL PROP	1,086.66
151132	06/07/2010	Printed	6920	VARNUM RIDDERING SCHMIDT	PROFESSIONAL SERVICES	4,448.50
151133	06/07/2010	Printed	1475	VERTIZON WIRELESS	ACCT. #585505481-00001	268.57
151134	06/07/2010	Printed	6627	VICTORY LANE	FULL SERVICE OIL CHANGE	26.99
151135	06/07/2010	Printed	15898	FRANK WAHLA	REFUND - SENIOR PROM	10.00
151136	06/07/2010	Printed	7035	WASHTENAW COMMUNITY COLLEGE#	PYMT OF DELINQ. PERSONAL PROP	1,376.87
151137	06/07/2010	Printed	7005	WASHTENAW COUNTY TREASURER	PYMT OF DELINQ. PERSONAL PROP	4,886.03
151138	06/07/2010	Printed	7005	WASHTENAW COUNTY TREASURER	TRAILER FEES - MAY 2010	2,272.50
151139	06/07/2010	Printed	0444	WASHTENAW COUNTY TREASURER#	MTT/STC INVOICES	1,335.74
151140	06/07/2010	Printed	7042	WASHTENAW INTERMEDIATE	PYMT OF DELINQ. PERSONAL PROP	1,188.54
151141	06/07/2010	Printed	7044	WAYNE ISD	PYMT OF DELINQ. PERSONAL PROP	224.58
151142	06/07/2010	Printed	3011	WEST PAYMENT CENTER	SUBSCRIPTION	1,248.50
151143	06/07/2010	Printed	0388	WESTLAND FIRE EXTINGUISHER INC	ANNUAL MAINTENANCE OF FIRE EXT	245.00

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151144	06/07/2010	Printed	6271	WILLOW RUN COMMUNITY SCHOOLS	CUSTODIAL & MAINTENANCE COST	2,783.75
151145	06/07/2010	Printed	7036	WILLOW RUN SCHOOL DISTRICT	PYMT OF DELINQ. PERSONAL PROP	907.85
151146	06/07/2010	Printed	0480	YPSILANTI COMMUNITY	ACCT. #4-087-560150-01	1,491.14
151147	06/07/2010	Printed	0480	YPSILANTI COMMUNITY	1322 ARROYO DRIVE	6,127.68
151148	06/07/2010	Printed	7034	YPSILANTI DISTRICT LIBRARY	PYMT OF DELINQ. PERSONAL PROP	1,276.75
151149	06/07/2010	Printed	7039	YPSILANTI SCHOOL DISTRICT	PYMT OF DELINQ. PERSONAL PROP	3,318.74
151150	06/07/2010	Printed	6417	YPSILANTI TWP PETTY CASH	REIMBURSE PETTY CASH	118.76
151151	06/07/2010	Printed	6417	YPSILANTI TWP PETTY CASH	START UP \$\$ - TAX COLLECTION	300.00
151152	06/07/2010	Printed	0494	ZEE MEDICAL SERVICE COMPANY	SUPPLIES	14.40
151153	06/07/2010	Printed	0729	ZEP MANUFACTURING COMPANY	SUPPLIES	94.93
					Total Checks: 130	Bank Total: 199,870.54
					Total Checks: 130	Grand Total: 199,870.54