

SENATE BILL No. 565

June 7, 2005, Introduced by Senator JOHNSON and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 12753 (MCL 333.12753).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 12753. (1) Structures in which sanitary sewage originates
2 lying within the limits of a city, village, or township shall be
3 connected to an available public sanitary sewer in the city,
4 village, or township if required by the city, village, or township.

5 (2) Structures in which sanitary sewage originates lying
6 outside the limits of the city, village, or township in which the
7 available public sanitary sewer lies shall be connected to the
8 available public sanitary sewer after the approval of both the
9 city, village, or township in which the structure and the public
10 sanitary sewer system lies and if required by the city, village, or

1 township in which the sewage originates.

2 (3) Except as provided in subsection (4) **OR (5)**, the
3 connection provided for in subsections (1) and (2) shall be
4 completed promptly but not later than 18 months after the date of
5 occurrence of the last of the following events or before the city,
6 village, or township in which the sewage originates requires the
7 connection:

8 (a) Publication of a notice by the governmental entity which
9 operates the public sanitary sewer system of availability of the
10 public sanitary sewer system in a newspaper of general circulation
11 in the city, village, or township in which the structure is
12 located.

13 (b) Modification of a structure ~~so as~~ to become a structure
14 in which sanitary sewage originates.

15 (4) A city, village, or township may enact ordinances, or a
16 county or district board of health ~~—~~ may adopt regulations to
17 require completion of the connection within a shorter period of
18 time for reasons of public health, **SAFETY, OR WELFARE.**

19 **(5) AN OWNER OF A RESIDENTIAL STRUCTURE THAT IS REQUIRED TO BE**
20 **CONNECTED TO AN AVAILABLE PUBLIC SANITARY SEWER UNDER SUBSECTION**
21 **(1) OR (2) AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT**
22 **ADDED THIS SUBSECTION MAY REQUEST AN EXTENSION OF THE TIME**
23 **SPECIFIED UNDER SUBSECTION (3) OR (4). UPON REQUEST, A CITY,**
24 **VILLAGE, OR TOWNSHIP SHALL GRANT AN EXTENSION TO THAT OWNER FOR AS**
25 **LONG AS THE EXISTING SEPTIC TANK DISPOSAL SYSTEM IS IN SATISFACTORY**
26 **OPERATING CONDITION AND DOES NOT CONSTITUTE A THREAT TO THE PUBLIC**
27 **HEALTH, SAFETY, OR WELFARE. DURING THE EXTENSION, THE CITY,**

1 VILLAGE, OR TOWNSHIP SHALL NOT LEVY ANY CONNECTION FEE,
2 AVAILABILITY FEE, OR SPECIAL ASSESSMENT FOR THE COMPLETION OF THE
3 SEWER. AN OWNER OF A RESIDENTIAL STRUCTURE MAY OBTAIN AND FILE THE
4 NECESSARY FORMS FOR AN EXTENSION WITH THE CITY, VILLAGE, OR
5 TOWNSHIP IN WHICH THE SEWAGE ORIGINATES. THE DEPARTMENT SHALL ADOPT
6 GUIDELINES TO ASSIST THE LOCAL HEALTH DEPARTMENTS IN DETERMINING
7 WHAT SEPTIC TANK DISPOSAL SYSTEMS ARE IN SATISFACTORY OPERATING
8 CONDITION.