

PUBLIC HEALTH CODE (EXCERPT)

Act 368 of 1978

333.12757 Installation and use of acceptable innovative or alternative waste treatment system alone or in combination with acceptable alternative greywater system; regulation by local health department; guidelines; exemption from special assessments not permitted; connection to available public sanitary sewer system not required; payment of sewer availability fee in lieu of connection or user fees; exemption from connection or user fees.

Sec. 12757. (1) Notwithstanding sections 12752 to 12756, a person may install and use in a structure an acceptable innovative or alternative waste treatment system or an acceptable innovative or alternative waste treatment system in combination with an acceptable alternative greywater system. The installation and use of an acceptable innovative or alternative waste treatment system or an acceptable innovative or alternative waste treatment system in combination with an acceptable alternative greywater system in a structure shall be subject to regulation by the local health department in accordance with the ordinances and regulations of the local units of government in which the structure lies. A local health department may inspect each acceptable innovative or alternative waste treatment system within its jurisdiction at least once each year to determine if it is being properly operated and maintained. A local health department may charge the owner of an acceptable innovative or alternative waste treatment system a reasonable fee for such an inspection and for the plan review and installation inspection. A copy of the approved application or permit to install and use an alternative system and a copy of each maintenance inspection report shall be forwarded to the department and to the local unit of government in which the structure lies. The department shall maintain a record of approved alternative systems and their maintenance and operation.

(2) The department, after consultation with the state plumbing board, shall adopt guidelines to assist local health departments in determining what are acceptable alternative greywater systems and what are acceptable innovative or alternative waste treatment systems. The department shall advise local health departments regarding the appropriate installation and use of acceptable innovative or alternative waste treatment systems and acceptable innovative or alternative waste treatment systems in combination with acceptable alternative greywater systems.

(3) A person who installs and uses an acceptable innovative or alternative waste treatment system or an acceptable innovative or alternative waste treatment system in combination with an acceptable alternative greywater system shall not be exempt from any special assessments levied by a local unit of government for the purpose of financing the construction of an available public sanitary sewer system.

(4) Notwithstanding sections 12752 to 12756, an owner of a structure using an acceptable innovative or alternative waste treatment system in combination with an acceptable alternative greywater system shall not be required to connect to an available public sanitary sewer system.

(5) An owner who does not connect to an available public sanitary sewer system pursuant to subsection (4), shall not be required to pay connection or user fees to a local unit of government except those connection or user fees which are allocated for financing of construction of an available public sanitary sewer system. In lieu of connection or user fees, an owner may be required by the local unit of government to pay a sewer availability fee if that fee is to be used for the purpose of paying a proportionate share of financing the construction of an existing available public sanitary sewer system. The exemption from connection or user fees under this subsection shall not apply to an owner connected to an available public sanitary sewer system on the effective date of this act.

(6) A local unit of government may exempt an owner proposing to use an acceptable innovative or alternative waste treatment system in combination with an acceptable alternative greywater system from connection or user fees related to the financing, construction, use, or maintenance of an available public sanitary sewer system.

History: Add. 1980, Act 421, Eff. Mar. 31, 1981.

Popular name: Act 368