

HOUSE BILL No. 5145

October 8, 2003, Introduced by Reps. Drolet, Milosch, Brandenburg, Nofs and Tabor and referred to the Committee on Local Government and Urban Policy.

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
2 originates lying within the limits of a city, village, or
3 township shall be connected to an available public sanitary sewer
4 in the city, village, or township if required by the city,
5 village, or township.

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

1 or 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
6 city, village, or township in which the sewage originates
7 requires the 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
11 circulation in the city, village, or township in which the
12 structure is 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 structure that is required to be connected**
20 **to an available public sanitary sewer under subsection (1) or (2)**
21 **may request an extension of the time specified under subsection**
22 **(3) or (4). Upon request, a city, village, or township may grant**
23 **an extension to that owner for the completion of the connection**
24 **for a period of time as determined appropriate by that**
25 **governmental unit or for as long as the existing septic tank**
26 **disposal system is in satisfactory operating condition and does**
27 **not constitute a threat to the public health, safety, or**

1 welfare. The department shall adopt guidelines to assist the
2 local health departments in determining what septic tank disposal
3 systems are in satisfactory operating condition.