

# HOUSE BILL No. 4077

January 22, 2007, Introduced by Rep. Knollenberg and referred to the Committee on Intergovernmental, Urban and Regional 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

1 city, village, or township in which the structure and the public  
2 sanitary sewer system lies and if required by the city, village, or  
3 township in which the sewage originates.

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

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

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

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

21 **(5) IN A CITY WITH A POPULATION OF 80,000 OR MORE, AN OWNER OF**  
22 **A RESIDENTIAL STRUCTURE THAT IS REQUIRED TO BE CONNECTED TO AN**  
23 **AVAILABLE PUBLIC SANITARY SEWER UNDER SUBSECTION (1) OR (2) AFTER**  
24 **THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION**  
25 **MAY REQUEST AN EXTENSION OF THE TIME SPECIFIED UNDER SUBSECTION (3)**  
26 **OR (4). UPON REQUEST, A CITY MAY GRANT AN EXTENSION TO THAT OWNER**  
27 **FOR THE COMPLETION OF THE CONNECTION FOR A PERIOD OF TIME AS**

1 DETERMINED APPROPRIATE BY THAT GOVERNMENTAL UNIT OR FOR AS LONG AS  
2 THE EXISTING SEPTIC TANK DISPOSAL SYSTEM IS IN SATISFACTORY  
3 OPERATING CONDITION AND DOES NOT CONSTITUTE A THREAT TO THE PUBLIC  
4 HEALTH, SAFETY, OR WELFARE.

5 (6) SUBSECTION (5) SHALL APPLY ONLY IF FEWER THAN 2% OF THE  
6 TOTAL NUMBER OF RESIDENTIAL UNITS ARE NOT CONNECTED TO THE PUBLIC  
7 SANITARY SEWER.

8 (7) A CITY THAT GRANTS AN EXTENSION UNDER SUBSECTION (5) SHALL  
9 MAKE ITS INSPECTION PLAN AVAILABLE TO THE PUBLIC. THE INSPECTION  
10 PLAN MUST DEMONSTRATE THAT A SEPTIC TANK DISPOSAL SYSTEM GIVEN AN  
11 EXTENSION WILL BE INSPECTED AND OPERATED IN A MANNER THAT WILL  
12 PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE.