

ALLEGAN COUNTY WATER AND SEWAGE REGULATIONS

PURPOSE

To provide regulations to control the installation and maintenance of private, semi-public, and public sewage disposal systems where no municipal sewage facility is available; to establish minimum criteria for such installations; to establish minimum criteria for water well construction and to provide a means to safeguard the environment necessary for the health, safety, and welfare of the consumer and all residents of Allegan County.

SECTION 100

AUTHORITY, JURISDICTION, AND ADMINISTRATION

101.00 AUTHORITY

By virtue of the power vested in local health departments by Section 2433 and 2435 of Act 368, Public Acts 1978 as amended being, 333.2433 through 333.2435 of Michigan Compiled Laws, there are hereby provided regulations affecting public health and sanitation, including the provisions for penalties for violation of said regulations.

102.00 JURISDICTION

The Health Officer shall have jurisdiction throughout Allegan County, including all cities, villages, and townships, in the administration and enforcement of these regulations, and relevant State Laws including all regulations or amendments hereafter adopted unless otherwise specifically stated. Nothing herein contained shall be construed to restrict or abrogate the authority of any municipality in Allegan County to adopt more restrictive ordinances.

103.00 ENFORCEMENT

All premises affected by these regulations shall be subject to inspection by the Health Officer who may collect such samples for laboratory examination or perform such tests or examinations as he deems necessary for the enforcement of the provisions hereof. These regulations are intended to be used by individuals who, by virtue of their education, training, and experience, are qualified to exercise the professional judgment necessary to select and

design the on-site sewage disposal method most compatible with soil and site factors encountered at a given location.

104.00 RIGHT OF ENTRY AND INSPECTION

No person shall refuse to permit the Health Officer to inspect any premise at reasonable times, nor shall any person molest or resist the Health Officer in the discharge of his duty.

105.00 HANDLING OF FEES

All fees shall be collected by the Allegan County Health Department and shall be receipted for and credited to the Allegan County Health Department.

106.00 PENALTY

Any person who shall violate or fail to comply with any provisions herein, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding the sum of two hundred dollars (\$200.00) or by imprisonment in the county jail not exceeding 90 days, or both such fine and imprisonment at the discretion of the court. Each day's violation shall constitute a separate violation.

107.00 ABATEMENT OF NUISANCES

Nothing stated in these regulations shall be construed to limit the power of the Health Officer to order the immediate and complete abatement of a public nuisance or menace to the public health or of a condition which in the opinion of the Health Officer may become a menace to the public health.

108.00 INTERFERENCE WITH NOTICES

No person shall remove, mutilate, or conceal any notice or placard posted by the Health Officer except by permission of the Health Officer.

109.00 VALIDITY

If any section, subsection, clause or phrase of these regulations is for any reason adjudged unconstitutional or invalid, it is hereby provided that the remaining portions of these regulations shall not be affected thereby.

110.00 OTHER LAWS AND REGULATIONS

The regulations of this code are minimum standards supplemental to the rules and regulations duly enacted by the Michigan Department of Environmental Quality, and to the laws of the State of Michigan relating to the public health. Where any of the provisions of

these regulations and the provisions of any other local or state ordinances or regulations apply, the more restrictive of any or all ordinances or regulations shall prevail.

111.00 STOP WORK ORDER

Notice to owner and/or occupant - upon notice from the Health Officer that work on any sewage disposal system is being engaged in contrary to the provisions of these regulations or in a manner which will endanger public health or without proper permit, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work, or in the absence of all of these people, shall be posted on or near the work; and shall state the conditions under which the work may be resumed. Unlawful continuance - any person who shall continue any work on a sewage system after the posting of a stop work order, except such work as he may be directed to perform as a result of the order, shall be liable to a fine or imprisonment under Section 106.00 of these regulations.

112.00 SUBDIVISION CONTROL

The Health Officer will examine all submitted data including maps, percolation tests, soil borings, site reports and make a physical inspection of the land for each proposed subdivision or site condominium in order to make a determination of suitability of soils for subdivisions or site condominiums not served by public water and sewers.

113.00 FEES ESTABLISHED

All fees shall be established by the Allegan County Board of Commissioners in accordance with Section 2444.1, Act 368, Public Acts of 1978, as amended being 333.2444 of Michigan Compiled Laws.

114.00 INJUNCTIVE PROCEEDINGS

Notwithstanding the existence or pursuit of any other remedy, the Health Officer may maintain an action in a court of competent jurisdiction for any injunction or other process against any person to restrain or prevent violations of this regulation.

115.00 REPEAL OF OTHER REGULATIONS

This regulation hereby repeals: The Allegan County Water and Sanitary Regulations adopted October 13, 1966, The Allegan County Water and Sanitary Regulations adopted June 1, 1973 and as amended February, 1975 and the Guidelines for Issuing Septic Tank Permits adopted June 14, 1977.

116.00 AMENDMENTS

The Allegan County Board of Commissioners may from time to time amend, supplement, or change these regulations.

SECTION 200

GENERAL DEFINITIONS

200.00 BOARD OF COMMISSIONERS

The term "Board of Commissioners" shall mean the Allegan County Board of Commissioners.

201.00 HEALTH DEPARTMENT

The term "Health Department" shall mean the Allegan County Health Department.

202.00 HEALTH OFFICER

The term "Health Officer" shall mean the Director of Allegan County Health Department and/or his/her authorized representatives.

203.00 DWELLING

The term "dwelling" shall mean any house, building, structure, tent, watercraft, shelter, mobile home, or vehicle, or portion thereof (except railroad cars on tracks or right-of-way) which is occupied in whole or in part as a home residence, or living and sleeping place for one or more human beings.

204.00 HABITABLE BUILDING

The term "habitable building" shall mean any building, or other place where human beings reside, are employed, or congregate.

205.00 PREMISE

The term "premise" shall mean a tract or parcel of land on which a habitable building or dwelling is located and shall include the building.

206.00 PERSON

The term "person" shall mean individual, firm, partnership, party, corporation, company,

society, association or other legal entity.

207.00 OWNER

The term "owner" or "person owning premises" shall mean the owner of title and record, or the contractee of land contract, or the lessee of a long term lease, or the person in legal possession of any property or premises.

208.00 INTERPRETATION

When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural number, and words in the plural number include the singular. The word "shall" is always mandatory and not merely directory. Words or terms not defined herein shall be interpreted in the manner of their common meaning.

209.00 AVAILABLE

The term "available" shall mean abut, adjacent to, runs laterally, or across.

210.00 PERMIT

Shall mean a written document issued by the Health Officer permitting the construction of a water supply system or sewage disposal system under this regulation.

SECTION 300

TECHNICAL DEFINITIONS

301.00 AUTOMATIC SIPHON

An automatic siphon is a mechanical device which will automatically cause liquid entering a receptacle to be retained until a predetermined high water level has been attained after which it is automatically released from the receptacle until a second predetermined level has been reached at which time the flow from such receptacle ceases until the high water level has again been attained.

302.00 DOSING CHAMBER

A dosing chamber is a water-tight tank or receptacle used for the purpose of retaining the overflow of effluent from the septic tank, pending its automatic discharge to a selected point.

303.00 DIVERSION VALVE

A diversion valve is a mechanism provided to enable a switching of the effluent flow from a septic tank from one soil absorption system to another separate soil absorption system so as to permit alternate periods of loading and resting.

304.00 SEASONAL HIGH WATER TABLE

Seasonal high water table means the elevation of the upper surface of the zone of saturation as may occur during the normally wet period of the year or as indicated by soil mottling.

305.00 SEWAGE

Sewage is a combination of all the domestic and organic wastes from any premise, where persons reside, are employed or congregate. This shall include, but not be limited to waste from flush toilets, urinals, sinks, lavatories, bathtubs, showers, laundries, floor drains, or any other similar fixtures. Domestic and organic wastes contained in a privy are also considered sewage.

306.00 SEWAGE DISPOSAL FACILITIES

Sewage disposal facilities shall mean a drywell, block trench, sewer line, septic tank, absorption field, trench or bed, or similar device used in the disposal of sewage.

307.00 SEWER

A sewer is a water-tight conduit for carrying sewage.

308.00 SEWAGE DISPOSAL SYSTEM

A sewage disposal system shall mean the method of disposing of sewage by means of a sewer line connected to a septic tank and one or more of the following: drywell, seepage pit, or block trench; absorption field, trench or bed; or any other similar device or devices approved by the Health Officer. A privy is also considered a sewage disposal system.

309.00 SEPTIC TANK

A septic tank is a water-tight receptacle used for the purpose of receiving all domestic and organic sewage and so designed to permit the separation of solids in suspension from such wastes and to permit such retained solids to undergo decomposition therein, permitting the effluent or overflow to be disposed of beneath the surface of the ground.

310.00 FILL

Fill shall mean uniform, clean, sand having a stabilized percolation rate of five (5) minutes per inch or less.

311.00 ABSORPTION FIELD, TRENCH OR BED

An absorption field, trench or bed is a means of distributing septic tank effluent or overflow below the ground surface by means of a series of lines of drain tile laid with openings on a bed of stone so as to allow the effluent to be absorbed by the surrounding soil.

312.00 CUT DOWN ABSORPTION FIELD, TRENCH OR BED

A cut down sewage disposal system is defined as one in which the original, slowly permeable soil beneath the soil absorption system is removed, in part or in total, down to a well drained permeable soil; the excavation remaining from the removal process is filled with an approved fill material.

313.00 DRY WELL, OR BLOCK TRENCH

A dry well, or block trench is an underground enclosure connected to the outlet of a septic tank, constructed of pre-cast concrete blocks, dry well blocks, brick or similar material laid with open joints surrounded by stone so as to allow the septic tank overflow or effluent to be absorbed directly into the surrounding soil.

314.00 ENVIRONMENTAL PROTECTION AGENCY DESIGN MANUAL

Environmental Protection Agency, Report Number, EPA-625/1-80-012, titled "Design Manual, Onsite Waste Water Treatment and Disposal System."

315.00 PRIVY

A privy shall mean a building or other structure either on a permanent foundation or movable not connected with a sewage disposal system, which is used for the reception, deposition, or storage, either temporarily or permanently of feces or other excreta from the human body.

316.00 STONE

Stone means clean washed stone, crushed stone, crushed rock, or other aggregate approved by the Health Officer and graded to a size range from ½" to 1 ½".

317.00 PLOT PLAN

A plot plan is a scaled drawing showing the following details: 1) property lines, 2) proposed building locations, 3) proposed location of well, sewage disposal system, and reserve area for future placement of sewage disposal system, 4) all bodies of water and flood plain boundaries, 5) all utilities, road right of ways, driveways, etc. and 6) all major topographic features - steep hills, depressions, etc.

318.00 GROUNDWATER

Means the water in the zone of saturation in which all of the pore spaces of the subsurface material are filled with water.

319.00 WATER SUPPLY SYSTEM

Means a water well or other device and all appurtenances thereto for the delivery of water for use from the source, including pumps and piping up to and including the pressure tank.

320.00 WELL

Means an opening in the surface of the earth for the purpose of removing fresh water or a test well, recharge well or waste disposal well.

SECTION 400

GENERAL SEWAGE DISPOSAL REQUIREMENTS

401.00 PREMISE OCCUPANCY

It shall be unlawful for any person to occupy, or permit to be occupied any premise which is not equipped with an adequate sewage disposal system. Such facilities shall be constructed in accordance with the provisions of these regulations. Under no condition may the sewage from an existing or hereafter constructed premise be discharged or deposited upon the ground surface or into any lake, river, stream, county drain, ditch or storm sewer. Any premise constructed or maintained which is not in accordance with these regulations may be declared unfit for human habitation and may be so posted by the Health Officer.

402.00 APPLICATION FOR CONSTRUCTION PERMIT

Application for construction permit to install, alter, or extend a sewage disposal system shall be made on a form supplied by the Health Officer. The form shall include the name and address of the applicant, the description of the property on which the construction, alteration, or extension is proposed and a complete plan of the proposed disposal system. No person shall begin construction before obtaining this permit. The Health Officer may require

substantiating data in the form of plot plans, engineering drawings, wetland determination, maps, soil borings to a minimum depth of six feet, percolation tests, seasonal high water elevations, and detailed plans of the proposed individual sewage disposal systems if deemed necessary. The proposed use of the property shall be indicated.

403.00 CONSTRUCTION PERMITS REQUIRED

No person shall construct, alter, or extend any individual sewage disposal system within Allegan County unless he/she has a construction permit issued by the Health Officer. No person shall move onto any parcel of land, occupy, or use any premises which is not equipped with adequate facilities for the disposal of sewage in accordance with the provisions of these regulations. An approved application does not constitute a permit. No person shall receive a permit until he/she has an approved application. Failure to construct the sewage disposal system in accordance with specifications on the permit and/or contained in approved plans is a violation of these regulations. If during the installation of a sewage disposal system, the soils differ from those indicated on the permit, the installer shall contact the health department to amend the permit. Permits expire one year from date of issuance. A permit may be extended for a period of one year, provided the extension is requested prior to the expiration date of the original permit. Permits are not transferable to person or place.

404.00 CONDEMNATION OF EXISTING INSTALLATIONS

The Health Officer may condemn any existing sewage disposal system where the effluent there from is exposed to the surface or is permitted to drain onto the surface of the ground or into any lake, river, county drain, storm sewer, or stream, or where the seepage of effluent there from may endanger a public or private water supply, or where a public or private nuisance is created by a system improperly constructed or maintained.

405.00 SEPARATE SYSTEMS FOR EACH FAMILY OR ESTABLISHMENT

Unless otherwise specifically approved by the Health Officer, each habitable building or dwelling shall be served by its own individual sewage disposal system.

406.00 CONNECTIONS REQUIRED

All facilities such as flush toilets, urinals, lavatories, sinks, bathtubs, showers, wash machines, or any other facility from which sewage emanates shall be connected to a sewage disposal system except that any such facilities hereafter installed on a premise where public sewer is available and reasonably accessible shall be connected to said public sewer.

407.00 CONNECTION REQUIRED TO A MUNICIPAL SEWERAGE SYSTEM

In the absence of a publicly operated sewerage system, connection shall be made to a sewage disposal system constructed in accordance with the provisions of these regulations. When

any existing sewage disposal system serving any premise where a publicly operated sewerage system is available and reasonably accessible, is found in violation of any provisions of these regulations, or of any other applicable health law, the owner shall correct the violation by proper connection to said publicly operated sewage system, as required under Section 12751 through 12758 of Act 368, Public Acts of 1978, as amended, being 333.12751 through 333.12758 of Michigan Compiled Laws. Such connection shall be made within a time limitation, as specified by the Health Officer.

408.00 PRIORITY OVER BUILDING PERMITS

There being a potential public health hazard if a dwelling or habitable building is constructed on land not having public sewers available, no municipality or township or their agency shall issue a building permit or otherwise allow commencement of construction of any habitable building on any land where public sewers are not available until a permit has first been obtained from the Health Officer for a sewage disposal system and proof of permit has been received.

409.00 ABANDONMENT OF EXISTING SEWAGE DISPOSAL SYSTEMS

If any existing sewage disposal system is hereafter abandoned, or its use is terminated, or if a previously abandoned sewage disposal system creates a safety or health hazard, the septic tank(s), drywell(s), cesspool(s), etc. shall be pumped out and filled in with soil.

410.00 VOID PERMITS

The permit, as issued by the Allegan County Health Department, for a sewage disposal system may be declared void by the Health Officer because of, but not limited to any of the following conditions:

- 410.01 The area designated on the permit for the soil absorption system is disturbed by a major unapproved filling, excavation, paving, flooding, compaction or smearing of heavy soils.
- 410.02 The area designated encroaches on the required isolation distances from an existing water supply well, property lines, dwelling, footing drains, surface waters, etc.
- 410.03 The water supply serving the premise does not meet depth and/or construction requirements.
- 410.04 Increase or other alteration in the scope of the project prior to, during, or following construction of said system which was not disclosed on the permit.
- 410.05 False information is supplied regarding the size of property and/or other physical feature of the parcel essential to the operation of the on-site disposal system.

411.00 REJECTION OF APPLICATION

The Health Officer shall have the right to reject a sewage disposal system application because of, but not limited to, one or more of the following conditions. However, variances may be granted for existing structures where sewage disposal system repairs, corrections and/or alterations are necessary.

411.01 Where a publicly operated sewage system is available as defined by Act 368, Part 127, Public Acts 1978, as amended.

411.02 Where the septic tank would be inaccessible for cleaning or inspection purposes.

411.03 Where property served is too small for proper isolation distances, as required by these regulations (for example - from existing water wells, the premise water well, surface waters, footing and storm drains).

411.04 Where surface flooding would adversely affect the operation of the system.

411.05 Where the stabilized percolation rate is in excess of sixty (60) minutes per inch of fall. (Variances may be granted under Section 516.00.)

411.06 Where the soil classification or conditions are deemed to be unsatisfactory for the disposal of sewage.

411.07 Where conditions exist or may be created which may endanger the public health or the environment.

411.08 Where the premise water supply can not meet the requirements of Act 399, Public Acts 1976, or Act 368, Part 127, Public Acts of 1978, as amended.

411.09 Where the proposed site is subject to flooding and/or within the one hundred (100) year flood plain or designated wetland area.

411.10 Where the slope is greater than twelve (12) per cent.

411.11 Where the seasonal high water table is less than one (1) foot below the ground surface. (Variances may be granted under Section 517.00.)

411.12 Where organic soils or marl are present.

412.00 BUILDING SITE ACCEPTANCE CRITERIA

The following specifications shall be used in determining the suitability of the soil to provide satisfactory drainage for a sewage disposal system utilizing one or more septic tanks and an absorption field, trench or bed:

- 412.01 The soil classification and interpretations as provided by the United States Department of Agriculture, Soil Conservation Service and the use limitations pertaining to that soil classification may be considered by the Health Officer and used as part of the soil and drainage evaluation.
- 412.02 The borings or excavations shall be made within the area proposed for the sewage disposal system to determine that the seasonal high water table and soil formations comply with this section. The Health Officer may request that excavations or borings to a minimum of six (6) feet be made available for inspection and evaluation of soil types and conditions.
- 412.03 Seasonal high water table or evidence thereof shall be at least four (4) feet below the bottom of the trench or bed.
- 412.04 Impervious hardpan or clay, if present, shall be at least four (4) feet below the bottom of the trench or bed.
- 412.05 Filled ground or "made land" shall be acceptable only under specific written approval of the Health Officer and in any case shall be compacted or allowed to settle for at least one (1) year from the time of filling.
- 412.06 In addition to evaluation of the data required above, the Health Officer may request stabilized percolation rate tests, conducted by a qualified professional, when deemed necessary to determine the absorption capacity of the soil.
- 412.07 Sufficient area shall be set aside or put on reserve for a future replacement system. Such replacement system area shall at least equal the area required for the initial system. In cases where filling is allowed, the size of the replacement area shall equal the area of the initial absorption system and fringe area. The replacement drainbed must be isolated at least 15 feet from an existing bed/field or drywell.

413.00 INSPECTION, APPROVAL, AND CERTIFICATION

After construction of the sewage disposal system has been completed to the extent of the placement of all sewers, distribution tile lines, and stone and before any portion of the sewage disposal system has been covered or placed in operation, request for an inspection shall be made to the Health Officer. The sewage disposal system shall be accepted or rejected upon inspection. If the inspection has not been made within two working days after notification of the Health Officer that the system is ready for inspection, the installer may proceed to cover the system and place it into operation. The installer, in such an instance, shall furnish a written statement, on a form provided by the Health Officer, certifying that the system was installed exactly as shown on the permit or describing exactly any deviations there from. After approval of the system for back-fill, it shall not be allowed to remain open for longer than 48 hours, unless otherwise approved by the Health Officer.

414.00 CONDEMNATION OF EXISTING INSTALLATIONS

The Health Officer may condemn any existing or hereafter constructed individual sewage disposal system when such system refuses to accept effluent resulting in interference with plumbing fixtures use; or where the sewage effluent exceeds the infiltrative capacity of the soil resulting in objectionable odors, ponding, seepage there from; or sewage effluent is exposed to the ground surface or is permitted to drain onto the surface of the ground or into any lake, river, county drain, ditch, storm sewer, or stream; or where the seepage of effluent there from may endanger or contaminate groundwater, surface water, a public or private water supply; or where an improperly constructed according to the provisions of these regulations within a time period specified by the Health Officer.

415.00 DRAINS

Whenever the Health Officer shall determine that sewage is flowing into any public or private drain, he may issue public notices requiring persons owning premises from which such sewage originated, to connect such sewage flow to a publicly operated sewage system, if available, or in the absence thereof, to comply with provisions of these regulations. Public notice shall consist of the posting of the notices, the Health Officer may plug, or cause to be plugged, the outlet of said drain until such time as the sources of the sewage have been located. Owners of properties known to be discharging improperly treated sewage in such drains posted by the Health Officer, shall be given written notice of the corrections required within the time allowed by the Health Officer. Failure to comply with this notice and/or malicious destruction or removal of public notices shall be considered a violation of these regulations. The Health Officer shall not be liable for any damage which results or might result from action authorized by this section.

416.00 ALTERED OR REPAIRED EXISTING BUILDINGS

Sewage disposal systems may be made to conform to the full requirements of these regulations when existing buildings are replaced and/or altered or repaired in excess of fifty (50) percent of the physical value of the building.

417.00 EXCEPTIONS FOR REPAIRS OF SEWAGE DISPOSAL SYSTEMS ON PREMISES WITH EXISTING DWELLINGS

At the discretion of the Health Officer, modifications of the required distances, materials, or size of sewage disposal systems at existing dwellings, as stated in this code, may be applied if local conditions warrant, and in cases where dimensions or features of the premises create physical impossibility for compliance. In such event, if the Health Officer finds that public health would not be jeopardized, he may approve a modified sewage disposal system, if in his opinion it would provide equal or better treatment than the minimum requirements of this code.

418.00 MAINTENANCE

Every private sewage disposal system shall be maintained in a satisfactory operating condition at all times. Every septic tank shall be serviced by having sludge pumped out at such intervals that will prevent carry over of solids into the absorption field.

SECTION 500

SPECIFIC REQUIREMENTS FOR SEWAGE DISPOSAL FACILITIES

501.00 METHODS OF SEWAGE DISPOSAL

Where a public sewer is not available, all facilities hereafter installed, such as sinks, flush toilets, urinals, lavatories, bathtubs, showers, laundries, floor drains and any other similar fixtures used to receive or conduct sewage shall be connected to a sewage disposal system or to some other device approved by the Health Officer.

502.00 SEWERS

502.01 All sewer lines located within fifty (50) feet of any well or spring and within ten (10) feet of the outside of any premise shall be constructed of cast-iron soil pipe with sealed joints, or other approved materials. Any buried sewer line shall be located at least ten (10) feet from any well, spring, or water line.

502.02 Size - sewer lines shall not be less than four (4) inches in diameter outside the building wall.

502.03 Grade - sewer lines installed prior to connection to a septic tank shall be laid at a grade of not less than one-eighth (1/8) inch per foot or not more than one-half (1/2) inch per foot unless otherwise approved by the Health Officer.

503.00 SEPTIC TANKS

503.01 Location - no septic tank shall be located where it is inaccessible for cleaning or inspection purposes, nor shall any structure be placed over any existing tank, making the same inaccessible for cleaning and inspection purposes. Septic tanks shall be located on the same side of the building where the sewer line leaves the wall, with not more than one long curve, ninety (90) degree bend, or two forty-five (45) degree bends between the wall and the septic tank.

503.02 Manholes - every septic tank shall be provided with at least two (2) suitable openings, one of which shall be a minimum of eighteen (18) inches in diameter, and provided with covers. One opening shall be located over the inlet and one over the outlet to permit inspection and cleaning. In cases where septic tanks contain two (2) or more compartments, each compartment shall have a manhole of at least eighteen (18) inches. Where the top of the septic tank is located more than eighteen (18) inches below finished grade, manholes shall be built up with risers to within eighteen (18) inches of finished grade.

503.03 Inlets and outlets - the bottom of the inlet line into the septic tank shall be at least two (2) inches above the operating water level of the tank. The outlet shall be constructed to permit withdrawal of liquid from the middle third of the depth of the septic tank and must have a minimum scum clearance of eight (8) inches. The inlet must be so designed to permit gas above the liquid level to pass through the inlet line and out the vent pipe serving the sewer line leading to the septic tank.

503.04 Construction Materials

A. Septic tanks shall be constructed to conform to the specifications of the "EPA Design Manual," where such design criteria do not conflict with state or local laws and ordinances.

B. Concrete prefabricated tanks shall be constructed of washed aggregate properly vibrated to produce concrete tanks having a minimum compressible strength of 3,500 pounds per square inch. Tanks constructed of concrete blocks shall be laid on a four (4) inch reinforced cement bottom and mortar joints shall be well filled. The septic tank shall be water-tight. The top is to be four (4) inch re-enforced concrete. Prefabricated tanks constructed in two (2) or more pieces shall be sealed at the seam to make the tank water-tight. Tanks constructed of concrete block shall not be allowed in areas where bottom of tank is below seasonal high water table.

C. Septic tanks constructed of fiberglass, plastic or other materials shall not be installed without prior written approval of the Health Officer.

503.05 Number and Capacities of Septic Tanks

A. Minimum septic tanks hereafter installed shall have a liquid capacity of at least the average volume of sewage flowing into it during any twenty-four (24) hour period, but in no case shall the liquid capacity of any septic tank be less than 750 gallons.

B. The size and design of subsurface systems other than the minimum specified herein shall be determined in accordance with good engineering practice and based upon the recommendation contained in the "EPA Design Manual," where such design criteria do not conflict with state or local laws and ordinances.

C. The following minimum capacity for septic tanks shall be required for single and two-family dwellings except where in the opinion of the Health Officer increased capacity may be required:

<u>NUMBER OF BEDROOMS</u>	<u>MINIMUM LIQUID CAPACITY</u>
1 - 2	750
3	1000
4	1500
5	1750
6	2000

D. For each additional bedroom over six (6) add 250 gallons liquid capacity.

E. Additional septic tank(s) shall be required by the Health Officer where adverse soil conditions are determined to exist.

F. If a garbage grinder or sewage lift with a grinder pump is planned or installed; additional septic tank capacity and absorption area will be required by the Health Officer.

G. Footing drain water, roof water, or storm drainage, shall not be connected or discharged into or over the surface of a sewage disposal system.

H. If water softener effluent is discharged into a sewage system rather than a separate system; additional absorption area will be required.

I. Hot tubs, garden tubs, Jacuzzis, etc. having a liquid capacity exceeding 100 gallons will require additional absorption area.

504.00 SEMI-PUBLIC & PUBLIC SEWAGE DISPOSAL SYSTEM REQUIREMENTS

504.01 All sewage disposal systems except one and two family dwellings are under the control of the Michigan Department of Environmental Quality. The Allegan County Health Department is authorized through written agreement with the Michigan Department of Environmental Quality to implement the subsurface sewage disposal program for flows in amounts of less than 10,000 gallons per day. All permits will be issued in accordance with Water Resources Commission Policy statement adopted by the Commission April 20, 1989. (See Appendix A of Michigan Criteria for Subsurface Sewage Disposal).

504.02 Minimum septic tank capacity, number of tanks, and size of sub-surface absorption area for facilities other than single family dwellings shall be determined in accordance with good engineering practice and based on the "Michigan Criteria for Subsurface Sewage Disposal," (D-48, Rev. 6/89) adopted June 1989 by the Michigan Department of Environmental Quality, and guidelines adopted by the Allegan County Health Department.

505.00 SUBSURFACE DISPOSAL SYSTEM

505.01 Location - in no case shall any drive-way, parking area, paved surface, stockpiled material or building be placed over the disposal system or reserve area. The disposal system must be located on the property being served unless otherwise approved by the Health Officer. All surface drainage must be diverted around the soil absorption system.

505.02 Distribution Header - a header or distribution box plus return header or footer shall be required in all tile absorption systems. A header or distribution box shall be set true so as to afford an even distribution of all septic tank effluent through the surface disposal laterals.

505.03 Dosing tanks and Automatic Siphons - The Health Officer shall require that dosing tanks and automatic siphons or pumps be used in installations where the liquid waste flow to the system is over 2000 gallons in twenty-four (24) hours or where adverse soil conditions or elevation deem it necessary. An alarm system may be required at the discretion of the Health Officer. The capacity of the dosing tank and required pump size shall be determined by the Health Officer.

505.04 Diversion Valves - diversion valves may be required by the Health Officer. When utilized, the installation, design and material must be approved by the Health Officer.

505.05 Distribution System - the absorption field may be constructed of perforated, non-metallic pipe certified as complying with Michigan Department of Environmental Quality standards. When non-metallic pipe is used it must be in pre-cut ten (10) foot lengths and not from rolls.

505.06 Approval of tile distribution system may be withheld if one or more of the following conditions exist:

- A. Tile or perforated pipe does not meet acceptable construction criteria.
- B. Tile are not laid at a uniform grade.
- C. Tile are in poor condition.
- D. Soil has been allowed to fill spaces around the stone.
- E. Insufficient depth of stone around, under, or above tile.
- F. Distance between tile lines do not meet code requirements.

- G. Insufficient isolation distance between bottom of absorption system and seasonal high water table.
- H. Slope of tile exceed code requirements.
- I. Any other violations of the construction requirements as specified herein. The size and design of sub-surface disposal systems other than the minimum specified herein shall be determined in accordance with good engineering practice and based upon the recommendations contained in the "EPA Design Manual," where such design criteria do not conflict with state or local laws and ordinances. The Health Officer may require the owner to obtain specifications from a registered professional engineer or a registered sanitarian.

506.00 DRYWELL

Drywells or block trenches shall be permitted in areas where it can be demonstrated that the area in which the installation is to occur has a protected water supply and the stabilized percolation rate of the soil is 10 min/in or less. Where drywells are allowed, borings or backhoe cuts to depth of four (4) feet below the bottom of the proposed drywell will be required. In areas where a malfunctioning drywell is close to or into the seasonal high water table, the drywell may not be baffled and left to act as a septic tank, but must be abandoned as provided under of these regulations. When possible two (2) shallow drywells in series shall be installed. Covers shall be easily removable or be provided with an inspection port for cleaning and inspection purposes. Where the top of the drywell cover is located more than 18" below finished grade, a manhole shall be built up with a riser to within 18" of finished grade.

507.00 REQUIRED ISOLATION DISTANCE IN FEET:

FROM:	TO:	Septic Tank	Absorption Field	Drywell	Absorption Bed
Well		75	75	75	75
Property Lines		10	10	10	10
Foundation Wall		10	10	20	10
Water Lines		10	10	10	10
Drywell	4	--	*	--	
Bank or Drop-off		10	25	25	25
Lake or Stream	100	100	100	100	
Swimming Pools		10	10	10	10
Footing Drains		10	25	25	25
Field Tiles		25	25	25	25
Replacement Bed/Field	--		10	10	10

*one (1) diameter

508.00 SUBSURFACE ABSORPTION TRENCH CONSTRUCTION REQUIREMENTS

ITEMS	MAXIMUM	MINIMUM
Number of Lateral Trenches	--	2
Size of Gravity Distribution Conduit	--	4 in.
Size of Pressurized Distribution Conduit	--	1 in.
Length of Trenches	100 ft	--
Width of Trenches	36 in.	24 in.
Spaces between trenches, wall to wall	--	4 ft.
Number of distribution lines per trench	--	1
Depth of Tile Lines below finished grade	24 in.	12 in.
Slope of Tile Line	6 in./100 ft. Level Preferred	
Depth of Stone Over Tile	--	2 in.
Depth of Stone Under Tile	--	6 in.
Size of Stone	1½ in.	½ in.
Depth to Seasonal High Water Table from Bottom of Stone in Trench	--	4 ft.

509.00 SUBSURFACE ABSORPTION BED CONSTRUCTION REQUIREMENTS SAME AS ABSORPTION TRENCH WITH FOLLOWING ADDITIONS:

ITEMS	MAXIMUM	MINIMUM
Distance between Low Pressure Distribution Laterals-Design Critical	--	3 ft.
Distance between Distribution Laterals & Bed Wall	2 ft.	1 ft.
Distance between Distribution Laterals in Drainbed	4 ft.	--

510.00 DRYWELL AND BLOCK TRENCH CONSTRUCTION REQUIREMENTS

ITEMS	MAXIMUM	MINIMUM
Thickness of Surrounding Aggregate	--	12 in.
Reinforced Concrete Cover	--	4 in.

511.00 ABSORPTION FIELD - MINIMUM ABSORPTION AREA REQUIREMENTS

Stabilized Percolation Rate		Number of Bedrooms			
MINUTE/INCH	INCH/HOUR	SQUARE FEET/BEDROOM	1-2	3	4
0-10	6 or more	130		260	390 520
11-15	6 - 4	190		380	570 760
16-30	4 - 2	250		500	750 1000
31-45	2 - 1.33	300		600	900 1200
46-60	1.3	330		660	990 1320
Over 60	less than 1				Not approved

512.00 ABSORPTION BED - MINIMUM ABSORPTION AREA REQUIREMENTS

Stabilized Percolation Rate MINUTE/INCH	INCH/HOUR	SQUARE FEET/BEDROOM	Number of Bedrooms		
			1-2	3	4
0-5	12 or more	200	400	600	800
6-10	11 - 6	330	660	990	1320
11-15	5 - 4	380	760	1140	1520
16-30	3 - 2	500	1000	1500	2000
Over 30	less than 2		Not approved		

513.00 DRY WELLS AND BLOCK TRENCH - MINIMUM ABSORPTION AREA REQUIREMENTS

Stabilized Percolation Rate MINUTE/INCH	INCH/HOUR	SQUARE FEET/BEDROOM	Number of Bedrooms		
			1-2	3	4
0-10	6 or more	130	260	390	520
Over 10	less than 6		Not approved		

Block trench square footage shall be calculated on bottom and sidewall area.

514.00 ABSORPTION AREAS OF CIRCULAR DRY WELLS (IN SQUARE FEET)

In cases where allowed, two (2) drywells shall be installed, in series, rather than one (1) deep drywell.

Diameter of Seepage Pit (Feet)	Effective Absorption Depth Below Inlet					
	5 feet	6 feet	7 feet	8 feet	9 feet	10 feet
4	76	97	101	113	126	138
5	98	114	130	145	161	177
6	123	141	160	179	198	217
7	148	170	192	214	236	258
8	176	201	226	251	276	301
9	205	233	261	290	318	346
10	236	267	298	330	361	393
11	268	302	337	371	406	440
12	301	339	377	414	452	490

515.00 SEWAGE DISPOSAL SYSTEMS IN GOOD TO MODERATELY PERMEABLE SOILS HAVING SEASONAL HIGH WATER TABLES.

Minimum site and construction requirements for proposed sewage disposal systems on sites with soils having a stabilized percolation rate of less than thirty (30) minutes per inch and/or a seasonal high water table less than six (6) feet below the existing grade, but more than one (1) foot below existing grade shall meet the following requirements:

515.01 There shall be at least two (2) feet of existing soil which has a stabilized percolation rate of thirty (30) minutes per inch or less before filling will be allowed. On sites where there is not two (2) feet of existing soil with percolation rate of thirty (30) minutes per inch or less, the permit shall be denied. A variance may be issued if the site can meet the requirements of Section 516.00 and/or Section 517.00.

515.02 On sites where the seasonal high water table is less than one (1) foot below existing grade, a permit shall be denied. A variance may be issued if the site can meet the requirements of Section 517.00.

515.03 Sand fill shall be placed in the proposed area of the sewage disposal system at a depth that will provide four (4) feet of isolation between the bottom of the sewage system and the seasonal high water table.

515.04 The elevated absorption area shall be sized at the 6 to 10 minutes per inch percolation rate provided in Section 512.00 of these regulations and constructed on top of the required sand fill. In cases where the seasonal high water table is 24 inches or more below the existing grade reduced sizing rates may be considered.

515.05 The sand fill shall extend from the edge of the absorption system in all directions and maintain a minimum slope of 1:7 to existing grade.

515.06 In sandy soils, all sod and topsoil shall be removed from the area of the absorption system and the fringe area, prior to filling.

515.07 All fill shall be allowed to settle for a period of one year or be mechanically compacted.

516.00 SLOWLY PERMEABLE SOIL CONDITIONS.

Minimum site and construction requirements on sites with stabilized percolation rates of greater than thirty (30) minutes per inch and seasonal high water table within one (1) foot of the ground's surface shall meet the following requirements:

516.01 A detailed plot plan shall be submitted and approved prior to a permit being issued.

516.02 There shall be a minimum size of the parcel to allow the installation of an original system and two (2) replacement areas, all meeting the minimum isolation distance specified on page 18, Section 507.00.

516.03 The original system and both replacement areas (including fringe areas) shall all be on the same side of the home and shall be adjacent to each other. Systems shall be separated by a minimum of 10 feet.

516.04 Sand fill shall be placed in the area of the sewage disposal system as outlined in sections 515.03 to 515.07.

516.05 In loam and clay soils, all vegetation shall be removed from the area of the sewage system and fringe area, but the topsoil layer itself shall be left intact, or the area shall be plowed.

516.06 In loam and clay soils, work shall not be done in the area of the sewage system or its fringe during the wet period of the year.

516.07 Fill shall be dumped and pushed into place to reduce vehicle traffic over bed and fringe area to eliminate smearing and compaction.

517.00 GOOD TO MODERATELY PERMEABLE SOILS WITH SEASONAL HIGH WATER TABLE WITHIN ONE FOOT OF THE GROUND SURFACE

Minimum site and construction requirements on sites with stabilized percolation rates of thirty (30) minutes per inch and less, and having a seasonal high water table within one (1) foot of the ground surface shall meet the following requirements:

517.01 A detailed plot plan shall be submitted and approved prior to a permit being issued.

517.02 There shall be a minimum size of the parcel to allow an original system and one (1) replacement area, both meeting the minimum isolation distances specified in Section 507.00.

517.03 The original and replacement area (including fringe areas) shall both be on the same side of the home and shall be adjacent to each other. Systems shall be separated by at least 10 feet.

517.04 Sand fill shall be placed in the area of the sewage disposal system as outlined in Sections 515.03 to 515.07.

518.00 CUT DOWN SOIL ABSORPTION SYSTEMS

In situations where a cut down system is feasible, the following standards will apply:

- 518.01 Cut down system shall be permitted in areas where it can be demonstrated that the area in which the installation is to occur has a protected water supply.
- 518.02 The permeable soils under the slowly permeable soils must not show evidence of saturation or seasonal high water table.
- 518.03 Where the slowly permeable soils percolation rate exceeds 30 minutes per inch, the secondary system shall be sized at the 6-10 minute/inch minimum absorption area requirements.
- 518.04 In no case shall the bottom of the area remaining be less than 1/3 of the bottom area of the secondary system.
- 518.05 Fill materials used under the secondary system shall comply with the definitions of fill contained in these regulations.

519.00 LOW PRESSURE DISTRIBUTION SYSTEMS

Low pressure distribution systems are normally preferred where the installation of a dosing tank and pump is mandatory due to either elevation or size of infiltrative surface. This type of construction provides a more uniform disposal of septic tank effluent thereby extending the life of the secondary system. Since the design and sizing of holes, pumps, manifolds, laterals, etc. are critical to proper operation of a low pressure distribution system, no deviation from the permit design will be allowed without prior approval of the Health Officer.

520.00 PRIVIES

It is hereby declared to be unlawful for any person to maintain or to permit to be maintained on premises owned or controlled by such person any privy unless the same shall be kept at all times in a sanitary condition and constructed and maintained in such a manner as not to injure or endanger the public health.

- 520.01 **LOCATION REQUIREMENTS** - Any hereafter constructed privy shall be located no closer than 100 yards from a habitable building other than the dwelling the privy serves, or less than 300 yards from any store, restaurant or other place when food, milk, or drink, is served, stored, or prepared for human consumption. Also, any privy must be isolated at least 75 feet from any domestic well and 100 feet from any body of water. The privy must be located to prevent the flow of surface water into the receptacle.

520.02 CONSTRUCTION REQUIREMENTS - a) The receptacle shall be constructed of an impervious material and be water tight. b) All tanks shall be provided with an outside opening, not less than 12 inches in diameter fitted with a tight cover to permit inspection and cleaning. c) An enclosure shall be constructed to provide privacy to the user and to eliminate the entrance of vermin and insects. d) A vent pipe connected to the receptacle shall extend above all parts of the building. e) A drop tube shall be securely fastened to the seat and to the tank. f) A self-closing door shall be provided to help eliminate fly problems.

520.03 VARIANCES FOR AGRICULTURAL USES - The health officer shall have the authority to grant a variance to allow for the construction of an earthen pit for agricultural uses where occasional relocation of the privy is desirable or necessary.

520.04 CONSTRUCTION AND MAINTENANCE OF PRIVIES AND SIMILAR TOILET DEVICES - All privies and other toilet devices shall be constructed and maintained in accordance with Section 12771 of Act 368, Public Acts of 1978, as amended, being 333.12771 of Michigan Compiled Laws. A privy shall not be constructed or moved to any premise as a permanent means of sewage disposal except as approved by the Health Officer. All other isolation distances required of soil absorption systems shall apply to privies. Temporary privies used at a construction site, place of public assembly, camps, etc. shall comply with Section 12771 of Act 368, Public Acts of 1978, as amended, being 333.12771, of Michigan Compiled Laws, and when cleaned or serviced, the agency shall comply with Act 181, Public Acts of 1986, as amended.

521.00 VARIANCES (SEWAGE SYSTEMS)

Variations to the provisions of these regulations shall be made by the Health Officer if he finds, considering the limitations of the property, that special conditions are present and construction of said sewage disposal system will protect the public health and prevent any nuisance condition. The owner may construct or cause to be constructed a sewage disposal system under the direction of the Health Officer, and subject to such reasonable conditions as he may require considering the limitations of the property and the physical size and shape of the premises. An alternate method of sewage disposal may be approved by the Health Officer if it provides equal or better treatment than the minimum requirements provided for herein. Variations to the specific requirements may be made by the Health Officer, on application, when in his judgement special factors warrant such a variation. Approval of variance shall be in writing and filed in the Health Department.

522.00 ALTERNATIVE SEWAGE DISPOSAL FACILITIES

In the absence of applicable guidelines and technical information concerning a new category of alternative sewage disposal facility, device, or process, the Board of Commissioners may authorize the utilization of such an alternative facility, device or process on a limited experimental basis if it is determined that no hazard to public health and safety, nuisance or degradation of the natural environment will result. The Board of Commissioners may impose special conditions and requirements pertaining to the approval and the use of such a facility, including the submission of detailed engineering plans, periodic operational reports, periodic inspections, and provisions for alternative methods of sewage disposal in the event of failure of the experimental facility.

523.00 DEED RESTRICTION

In cases where specific parcel size or unique placement, construction or maintenance of a sewage disposal system is necessary, the Health Officer may require that the property owner file a deed restriction with the Register of Deeds Office, so as to advise future property owners of specific limitations or requirements for the parcel.

524.00 PUMP AND HAUL FACILITIES

Pump and haul type methods of sewage disposal are considered a "last resort" method of disposal and shall be considered only after all other alternative methods of disposal have been considered. Pump and haul disposal shall not be considered for new development unless municipal sewers are under construction and will be available within six (6) months. Pump and haul disposal shall be considered for existing structures as a "last resort".

525.00 REMOVAL OF SEWAGE

All removal of sewage shall be done by a licensed septic tank pumper and be disposed of in accordance with Act 181, Public Acts of 1986.

526.00 DEED RESTRICTION REQUIRED FOR PUMP AND HAUL FACILITIES

In addition to obtaining a construction permit, the property owner shall file a deed restriction, on a form supplied by the Health Officer, with the Register of Deeds Office, so as to advise future owners of the property of the type of sewage system serving the premises and list construction and maintenance requirements for the system.

527.00 CONSTRUCTION REQUIREMENTS

Since pump and haul facility requirements vary greatly depending on type of premises, the Health Officer shall write guidelines for establishing these facilities.

SECTION 600

WATER SUPPLY CONTROL REGULATIONS

SCOPE

These regulations relating to water supply systems shall apply to all premises, both residential and commercial.

601.00 WATER SUPPLY REQUIRED

No person shall permit a habitable building, structure or premise to be constructed or maintained for human occupancy, use or assembly without first providing an adequate, safe water supply. Any premise constructed or maintained which is not in accordance with these regulations may be declared unfit for habitation and may be so posted and ordered vacated by the Health Officer.

602.00 WELL ABANDONMENT

All other water supply systems replaced by connections to a public water supply system shall be abandoned in such a manner as to prevent any nuisance or menace to the public health or cross connection to said public water supply system; provided, however, that all connections to a public water supply system shall be in accordance with the regulations of the municipality operating and maintaining such water supply system.

603.00 CONDEMNATION OF EXISTING WATER SUPPLY

The Health Officer may condemn any existing water supply system that is violating the criteria of Section 606.00. A water supply system so condemned shall be repaired, rebuilt or replaced by a system constructed according to the provisions of these regulations within a period of time specified by the Health Officer.

604.00 LOCATION ON PREMISE

All water supply systems shall be located wholly upon the property serviced, except that under certain conditions where suitably executed and recorded easements or right of way agreements exist this provision shall be waived by specific written permission of the Health Officer.

605.00 ADMINISTRATION

605.01 PERMITS REQUIRED - No person shall install, construct, extend or extensively alter a water supply system unless a valid permit has been issued by the Health Officer for such installation, construction, extensive alteration or extension. A permit will not be required for periodic maintenance, such as replacing telescoping screens, etc. A permit will be required, however, for replacement of a screen which is threaded or permanently attached to the well casing, and the casing must be pulled to facilitate the screen change. In all cases wells not in compliance with the current construction standard shall be upgraded when maintenance requiring the disassembly of well is performed. Permits are not transferrable as to person or place.

605.02 APPLICATION - Application for permit shall be made upon such forms and shall contain such reasonable information as required by the Health Officer. An application for permit shall be accompanied by adequate plans showing locations of pertinent features of the site, together with all necessary design data which may be required by the Health Officer.

605.03 PERMIT EXPIRATION - A permit for installation, construction, extensive alteration or extension shall expire one year from date of issuance. A permit may be extended for a period of one year, provided the extension is requested prior to the expiration date of the original permit.

605.04 PERMIT REQUIRED PRIOR TO BUILDING CONSTRUCTION - No person shall begin construction of any habitable building, structure or premise without first having obtained a water supply system permit unless said habitable building, structure or premise prior to occupancy shall be connected to a public water supply system.

605.05 PERMIT DENIAL - The Health Officer may refuse to issue a permit for a water supply system where the required information is not submitted or conditions at the property in question do not comply with the provisions of these regulations, or in areas where specific public health advisories have been issued against the use of water wells.

605.06 INSPECTION REQUIRED - The Health Officer shall be notified before any water well and water lines and/or all appurtenances to a water supply system are covered with earth. Inspection of such facilities shall be required. All wells not installed by a licensed well driller, but by the owner, shall be inspected. When upon inspection the facilities are found to be in general compliance with approved plans and these regulations, the facilities shall be approved for use and notification of such approval given to the applicant within five (5) days. If upon inspection the water supply system is found to be in non-compliance with these regulations, the Health Officer shall give written notice to the applicant specifying these non-complying items and why the water supply system cannot be approved.

605.07 **APPROVAL/NON-APPROVAL** - No water system shall be placed into operation or otherwise used for its intended purposes without an approval of the construction and installation of such system by the Health Officer. Notification of approval or non-approval of a water supply system shall be by such means but not limited to a project approval or non-approval tag, placard or other similar device and written notification to the applicant.

605.08 **APPEALS** - If any person is aggrieved by a ruling of the Health Officer and wishes to appeal such ruling, they may do so as outlined in Section 701.00.

605.09 **PERMIT FEES** - Each application for permit shall be accompanied by a fee to be as provided in Section 113.00.

606.00 PRIVATE AND SEMI-PUBLIC WATER SUPPLY SYSTEM CONSTRUCTION REQUIREMENTS

Where a public water supply system is not available, then all water supply facilities must be constructed, installed and maintained in accordance with the following provisions:

606.01 **PRIVATE WATER SUPPLIES.** Requirements with respect to water well construction and water pump installation. Installations for new and altered water wells within the County of Allegan shall be those requirements set forth in the applicable parts of Part 127 of Act 368, P.A. 1978, as amended and Administrative Rules. Except that all wells for one and two family dwellings shall be isolated a minimum of 75 feet from any part of a sewage disposal system.

606.02 **SEMI-PUBLIC WATER SUPPLIES.** Water supplies serving the public, such as but not limited to dairies, dairy farms, nursing homes, homes for the aged, food service establishments, motels, mobile home parks, parks, churches, schools, businesses, etc., are subject to the following requirements. Requirements with respect to water well construction and water pump installation of new or altered water wells in the County of Allegan shall be those requirements as set forth by Act 399, P.A. 1976, as amended, entitled the Safe Drinking Water Act and Administrative Rules.

606.03 **WATER QUALITY.** The potability and safety of water shall be of suitable bacteriologic and chemical quality. The Drinking Water Standards of the Environmental Protection Agency and the Michigan Department of Environmental Quality will be used as guidelines determining suitable bacteriological and chemical quality.

606.04 **WATER QUANTITY.** Water wells shall provide a sufficient yield of water for the intended purposes of the well.

606.05 **SPECIFIC MATERIAL IN CONTAMINATION AREAS.** In areas of known contamination, special grouting, well depths and materials may be required.

606.06 **TEST WELLS.** The installation of a test well may be required in areas of known contamination or in areas where water is not readily available to determine compliance with Sections 606.03 and 606.04 prior to construction of a habitable dwelling.

607.00 FEE FOR TYPE II WATER SUPPLY PERMITS ISSUED UNDER ACT 399, P.A. OF 1976

The Board of Commissioners shall establish a fee in accordance with Section 2444.1, Act 368, Public Acts of 1978, being 333.2444 of Michigan Compiled Laws, for construction permits for all private water supplies and all Type IIa, Type IIb, Type III water supplies as defined in Act 399, Public Acts of 1976 and Administrative Rules.

608.00 DEVIATIONS (WATER SUPPLIES)

Deviations to this section may be permitted by the Health Officer upon application when, in his opinion, sufficient evidence of special factors warranting such a deviation does exist. Any deviation allowed by the Health Officer shall be in writing, including the conditions upon which all judgements and actions are based, and any time limit of such deviations. In no case shall a deviation be construed to permit the commission of any act that may jeopardize the public health, safety, or welfare of the people of Allegan County. Deviations shall be limited to those allowed under Act 368, P.A. 1978 and Administrative Rules, and Act 399, P.A. 1976 and Administrative Rules.

SECTION 700

APPEALS

701.00 BOARD OF APPEALS

In order to provide for reasonable and equitable interpretations of the provisions of these regulations and their prospective application, but not for violation thereof, there is hereby created a Board of Appeals which shall consist of three members appointed by the Board of Commissioners. A quorum of the board of appeals shall be two members and a quorum must be present to hear appeals. The Board of Commissioners may appoint alternate members to serve when, due to extenuating circumstances, regular members cannot be present for a scheduled meeting. The Board of Appeals shall furnish the appellant with a written report of its findings and decision.

702.00 HEARING OF APPEALS

The appellant shall deposit a fee upon filing a request for a hearing. The fee for an appeal shall be established by the Allegan County Board of Commissioners. The request for an appeal and fee shall be sent to the Director of Environmental Health of the Allegan County Health Department. Opportunity for a hearing shall be granted at the earliest date the board members can meet. Appeals shall be scheduled as soon as possible, but in no case shall appeals be held more than sixty (60) days after receipt of the request for appeal and the filing of the fee. The appeal board upon hearing all of the facts presented on the matter shall then affirm, reverse, or modify the decision of the Health Department, and may grant an individual variance when the board has determined that the following conditions exist:

702.01 That no substantial hazard or nuisance is likely to occur therefrom.

702.02 That strict compliance with these regulations would result in unnecessary or unreasonable hardships.

702.03 That no state statute or other applicable laws would be violated by such a variance.

SECTION 800

APPROVAL AND EFFECTIVE DATE

801.00 APPROVAL

These regulations were approved by the Allegan County Board of Commissioners on October 23, 1997

802.00 EFFECTIVE DATE

These regulations shall become effective on November 20, 1997.