

BEAR CREEK TOWNSHIP  
EMMET COUNTY, MICHIGAN

Ordinance No. 42-21

SEWER USE ORDINANCE AMENDMENT

February 3, 2021

On July 6, 2005, Bear Creek Township (the "Township") adopted a Sewer Use Ordinance, No. 22-05. The Sewer Use Ordinance was previously amended by the Township on March 5, 2008.

- The Sewer Ordinance, as previously amended, contains numerous references to the "Springvale-Bear Creek Sewage Disposal Authority" or the "Authority". The Springvale-Bear Creek Sewage Disposal Authority has been dissolved and is winding down its operation and existence. The Township has assumed all rights and responsibilities of the Authority relating to the sewer system within the Township. The Township accordingly hereby ordains that its Sewer Ordinance is amended as follows:

All references to the "Springvale-Bear Creek Sewage Disposal Authority" or to the "Authority" in the Sewer Use Ordinance shall be amended and construed to refer to "Bear Creek Township" or the "Township" instead of the Authority.

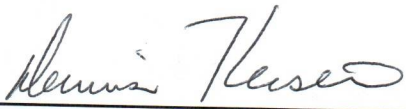
- The Township hereby further ordains that Subsections B and C, of Article Three, Section 1 of the Sewer Ordinance, are amended in their entirety to read as follows:

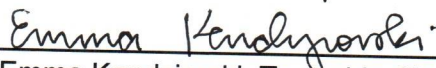
**"B. Installation of building sewer.** A user shall install, at the user's expense, the entire building sewer from the public sewer main to the building drain of the premises being served, regardless of whether any portion of the building sewer is located within a public or other easement or right of way. Any such installation shall be made in accordance with this ordinance and all other applicable requirements."

**"C. Jurisdiction; Maintenance of building drains and building sewers.** Public jurisdiction of the sewage works shall include and extend from any public sewer main up to the point at which any public sewer shall leave the public easement or right of way. However, all responsibility for the maintenance, repair, and replacement of building drains and building sewers shall be and remain the responsibility of the owner of the premises served by such building drain and building sewer, regardless of whether any portion of the building drain or building sewer is located within a public easement or right of way. Building drains and building sewers shall be maintained by their owners and users subject to the provisions of this ordinance and all other applicable requirements."

Except as amended by this Sewer Use Ordinance Amendment, all provisions of the original Sewer Use Ordinance, No. 22-05, as previously amended, shall remain the same as originally adopted. All ordinances or parts of ordinances in conflict with this Ordinance Amendment are repealed to the extent of such conflict. This Sewer Use Ordinance Amendment shall become effective thirty (30) days after publication as required by law. A copy of the Sewer Use Ordinance, as amended, may be inspected or obtained at the Bear Creek Township Hall.

This Sewer Use Ordinance Amendment was approved and adopted by the Bear Creek Township Board of Trustees, at its regular meeting on February 3, 2021.

  
Dennis Keiser, Township Supervisor

  
Emma Kendziorski, Township Clerk

**Clerk's Certification**

I hereby certify this Sewer Use Ordinance Amendment was adopted by the Bear Creek Township Board at a regular meeting held February 3, 2021, and that the vote was as follows:

FOR: Golding, Kendziorski, Urman, Hoffman, Keiser

I further certify this Sewer Use Ordinance Amendment was published in the *Petoskey News-Review* on \_\_\_\_\_, 2021.

  
Emma Kendziorski, Township Clerk