

TOWNSHIP OF SYLVAN  
COUNTY OF WASHTENAW, STATE OF MICHIGAN

SYLVAN TOWNSHIP ORDINANCE NO. \_\_\_\_\_

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

THE SYLVAN TOWNSHIP ZONING ORDINANCE AMENDMENT TO ESTABLISH A SANITARY SEWER AND DISPOSAL OVERLAY DISTRICT AND TO ENACT REGULATIONS GOVERNING THE USE OF SEPTIC SYSTEMS, PUBLICALLY OWNED AND OPERATED SANITARY SEWER WORKS, TO REGULATE THE PLACEMENT OF DISPOSAL WORKS, SPECIFIC PROVISIONS FOR STANDARDS AND AREAS OF SERVICE, AND OTHER STANDARDS, OVERLYING AND SUPERIMPOSED UPON THE PRESENT ZONING DISTRICTS OF THE TOWNSHIP.

---

THE TOWNSHIP OF SYLVAN ORDAINS:

Section 1. AMENDMENT. The Sylvan Township Zoning Ordinance, Ordinance No. \_\_\_\_\_, is amended by the addition thereto of Section \_\_\_\_\_ SANITARY SEWER AND DISPOSAL OVERLAY DISTRICT (SDO-1):

SECTION . SANITARY SEWER AND DISPOSAL OVERLAY DISTRICT (SDO-1):

A. Purpose and Intent - MCL 41.411 et seq., the Township Public Improvement Act, provides for determinations by the Township Board as to areas of the Township to be served by public improvements; and MCL 125.237, authorizes the Township to determine the general location, character and extent of streets, roads, highways, railroads, bridges, waterways and water front developments, flood prevention works, drainage, sanitary sewers, and water supply systems, works for preventing pollution and works for maintaining water levels, and public utilities and structures. These districts are intended to be overlay districts for the Township and to apply to the lands and

districts as set forth on the official overlay zoning map adopted with the text of this Amending Ordinance and for the purposes of improving and enhancing the furnishing of sanitary sewer service and to regulate the location of service areas for sanitary sewer. Pursuant to MCL 147.183 and MCL 460.601, the Township declares that it shall not grant any franchise to use public highways or rights of way for sanitary sewer service outside of the specific districts to be served exclusively by publically owned and operated sanitary sewer treatment works and system, hereafter referred to as the ‘POTW.’

B. General Regulation

The district is an overlay district for the area identified on the official zoning map as the Sanitary Sewer and Disposal Overlay District (SDO-1). This district overlays several zoning districts. The regulations of the underlying zoning districts and all other regulations of the zoning ordinance shall continue to apply except where they might conflict with the provisions of the Sanitary Sewer and Disposal Overlay District (SDO-1), in which case the provisions of the Sanitary Sewer and Disposal Overlay District (SDO-1) shall supersede those other regulations.

C. General Standards

1 Structures from which sanitary sewage originates must in compliance with all State and local law and ordinances and:

- a. Maintain an approved on-site individual septic tank and field, serving only one dwelling unit per tank and field; or
- b. Connect to a POTW.

2. When the conditions described in sub-section a, b or c, hereafter, occur on a property or as to dwelling units located thereon within the Sanitary Sewer and Disposal Overlay District (SDO-1) a direct connection of the dwelling unit to the POTW shall be made in compliance with all Township Ordinances and the Rules and

Regulations of the Authority operating the POTW.

- a. Where the on-site septic system serving a dwelling unit has failed and the County Environmental Health Department orders connection to the public sewer system;
- b. Where a new dwelling unit is constructed; or
- c. Where an existing dwelling unit is improved or expanded with additional residential or dwelling area on any floor or level of the existing unit.

In application of the above provisions, the definitions in the Zoning Ordinance shall control. In such cases, any and all septic tanks, cesspools and similar private sewage disposal facilities and systems on the property shall be abandoned in a manner required by State law and as approved by the County Health Department.

Section 2. Severability. Should any provision or part of the within Ordinance be declared by an Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Ordinance which shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall take effect on \_\_\_\_\_. All ordinances or parts of ordinance in conflict herewith are hereby repealed.

#### NOTICE OF ORDINANCE ADOPTION

PLEASE TAKE NOTICE that the above Ordinance was adopted by the Sylvan Township Board on \_\_\_\_\_, 2014. The above is the full text of the Ordinance. The effective date is \_\_\_\_\_, 2014. A copy of the Ordinance may be purchased or inspected at the Sylvan Township Hall, 18027 Old US 12, Chelsea, Michigan 48118, during regular business hours, 9:00 a.m. to 12:00 p.m., Monday and Wednesday, except for legal holidays.

Dated: \_\_\_\_\_ 2014.

\_\_\_\_\_  
Douglas Smith, Clerk

STATE OF MICHIGAN )  
COUNTY OF WASHTENAW)SS

I, Douglas Smith, Sylvan Township Clerk, do hereby certify that the above ordinance was adopted by a roll call vote of the Sylvan Township Board on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, upon motion of Member \_\_\_\_\_, seconded by Member \_\_\_\_\_:

AYES \_\_\_\_\_

NAYES \_\_\_\_\_

I further certify that said Ordinance was adopted in accordance with the Open Meetings Act.

\_\_\_\_\_  
Sylvan TOWNSHIP CLERK

Dated: \_\_\_\_\_, 2014.

RECORD OF ADOPTION

Date of Adoption \_\_\_\_\_, 2014

Date of Publication - Affidavit Attached - \_\_\_\_\_, 2014

Date of Filing Ordinance, Resolution and Affidavit with County Clerk \_\_\_\_\_, 2014

Date of Filing Ordinance in Township Book of Ordinances \_\_\_\_\_, 2014

Prepared by:  
KEUSCH, FLINTOFT & CONLIN, P.C.  
Attorneys for Sylvan Township  
BY: PETER C. FLINTOFT, (P-13531)  
119 South Main Street, P.O. Box 187  
Chelsea, Michigan 48118  
Telephone: (734)475-8671  
Fax: (734)475-1622  
[flintoft@keuschlaw.com](mailto:flintoft@keuschlaw.com)