

INGHAM COUNTY SANITARY CODE

PREAMBLE TO 1973 EDITION

\*\* Amendments adopted 12/9/75

The Ingham County Sanitary Code, being a set of rules and regulations governing various conditions affecting environmental health and sanitation, includes:

Chapter I - General Provisions, stating definitions applicable to the entire Code, setting forth jurisdiction and administration of this Code; establishing a schedule of fees; providing for penalties and appeals; and repealing certain previous regulations.

Chapter II - Sewage Disposal, requiring approved sewage disposal facilities and establishing certain specifications for same; providing for permits.

Chapter III - Water Supplies, requiring approved water systems, and establishing certain specifications for same; providing for permits.

Chapter IV - Food Service Sanitation, regulating the businesses of operating fixed or mobile food service establishments, temporary food service establishments, and food vending machines; providing for administration of licenses and inspections as prescribed by Act No. 269 of the Public Acts of 1968; defining classes of establishment with relation to a schedule of fees; requiring the review of plans for new or altered construction; setting standards for personnel, equipment and business procedures to protect the public health; providing for suspension or revocation of licenses and condemnation of foods.

Chapter V - Public Assemblages and Institutions, setting minimum toilet facility requirements for large public assemblages and for certain institutional premises; regulating the conditions, maintenance and removal of such facilities.

\*\* Chapter VI - Lansing Development; Nuisance Prevention and Control; Recreational Water Facilities; Environmental Evaluations of Residential Premises; REGULATION OF TATTOOING, providing for administration of health department responsibilities for subdivision development and platting; authorizing abatement of vermin infestations on public or private property; prohibiting certain nuisances and providing for their abatement; prescribing the condemnation of unsafe or uninhabitable buildings; restricting disposal methods for infectious or toxic waste materials and the sale or keeping of infected pets or animals; regulating natural or artificial bodies of water used for public recreational water contact recreation; requiring permits and providing for suspension thereof; establishing sanitary surveys of proposed public beaches; authorizing environmental evaluations of private property when needed for approval of mortgage; REGULATING BUSINESS OF TATTOOING: PROVIDING FOR A SCHEDULE OF FEES FOR CERTAIN SERVICES AUTHORIZED IN THIS CHAPTER.

Appendix (A) - List of Statutes and Rules Pertaining to Ingham County Sanitary Code, with Cross Reference to 1948 Compiled Laws and to Michigan Statutes Annotated.  
(B) - Schedule of Fees for Services Authorized by Ingham County Sanitary Code.

## CHAPTER I - GENERAL PROVISIONS

The provisions, rules and regulations contained herein, together with duly enacted additions or amendments hereto, shall be known as the INGHAM COUNTY SANITARY CODE.

### SECTION 100. DEFINITIONS APPLICABLE TO ENTIRE CODE

Section 100.1 APPROVED OR ACCEPTABLE - Suitable for the proposed use in accordance with the intent and purpose of this Code, as determined by the Health Officer, based on his own examination and evaluation, and/or on evidence of compliance with an applicable standard, specification or criterion developed by a recognized agency.

Section 100.2 BOARD OF HEALTH - The Board of Health of Ingham County.

Section 100.3 HABITABLE BUILDING - Any permanent or temporary building or structure where persons reside, live, sleep, cook, are employed or congregate or any combination thereof.

Section 100.4 HEALTH COMMITTEE - The Health Committee of the Ingham County Board of Commissioners, as authorized by Act No. 306 of the Public Acts of 1927 as amended, or other standing Committee which has been designated by said Board to assume the duties and powers assigned to the Health Committee.

Section 100.5 HEALTH DEPARTMENT - The Ingham County Health Department.

Section 100.6 HEALTH OFFICER OR HEALTH AUTHORITY - The Director of the Ingham County Health Department or his authorized representative.

Section 100.7 MUNICIPALITY - Any incorporated city, any unincorporated village, or any township within the County of Ingham.

Section 100.8 NUISANCE - The word "nuisance" shall be held to embrace public nuisance as known at common law or in equity jurisprudence; and whatever is dangerous to human life or detrimental to health; whatever building, structure, or premises is not sufficiently ventilated, sewerred, drained, cleaned or lighted, in reference to its intended or actual use; and whatever renders the air or human food or drink or water supply unwholesome, are also severally, in contemplation of this Code, nuisances; and all such nuisances are hereby declared illegal.

Section 100.9 OWNER - The owner of title of record, or the person legally occupying or in possession of any property or premises.

Section 100.10 PERSON - Any individual, firm, partnership, party, corporation, company, society or association.

Section 100.11 PREMISES - A tract of land with or without any building thereon.

\*\* Section 100.12 WORKING DAY - A DAY OR ANY PART THEREOF WHEN THE HEALTH DEPARTMENT IS OPEN FOR BUSINESS.

### SECTION 101. INTERPRETATION

Section 101.1 INTERCHANGEABILITY - When not inconsistent with the context, words used in the masculine form include the feminine, or the reverse, words used in the present tense include the future, words in singular number include the plural number, and words in the plural number include the singular.

Section 101.2 OTHER WORDS OR TERMS - The word "shall" is always mandatory and "may" is merely permissive. Words or terms not defined herein shall be interpreted in the manner of their common meaning.

## SECTION 110. JURISDICTION, ADMINISTRATION, AND FEES

Section 110.1 JURISDICTION - The Health Officer shall have jurisdiction throughout Ingham County and all of the incorporated City of Lansing in the administration and enforcement of this Code and relevant public acts of the State of Michigan, 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 Ingham County in adopting more restrictive ordinances, or to prevent extending the jurisdiction of the Health Officer beyond the limits of Ingham County to coincide with the corporate limits of said municipality.

Section 110.2 ENFORCEMENT - All premises affected by this Code shall be subject to inspection by the Health Officer, and the Health Officer may collect such samples for laboratory examination as he deems necessary for the enforcement of this Code.

Section 110.3 RIGHT OF ENTRY AND INSPECTION - No person shall refuse to permit the Health Officer to inspect any premises at reasonable times, nor shall any person molest or resist the Health Officer in the discharge of his duty.

Section 110.4 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.

Section 110.5 FEE SCHEDULE - A schedule of fees for licenses and other services authorized by this Code shall be as from time to time adopted by the Ingham County Board of Health, pursuant to Act No. 306 of the Public Acts of 1927, as amended by Section 6 (3) of Act No. 361 of the Public Acts of 1972. Said fee schedule shall be effective as prescribed therein and after publication as provided in Section 130.5.

Section 110.6 HANDLING OF FEES - Unless otherwise specifically provided, all fees shall be collected by the Ingham County Health Department and shall be receipted for and deposited with the Treasurer of Ingham County, to be credited to the Health Fund. After being properly paid and accepted, no fee or portion thereof shall be refundable, unless specifically provided in this Code.

\*\*Section 110.7 EXEMPTION FROM FEES - An establishment, facility or operation owned and operated by a religious or charitable organization, a school or other educational institution, or a governmental agency, shall be exempt from payment of any fees specified by this Code, but shall not be exempt from other applicable requirements of this Code. The Health Officer may be guided by evidence conforming to U. S. Department of Treasury, Internal Revenue Service, or other acceptable sources when determining eligibility for this exemption.

## SECTION 120. PENALTY AND APPEAL

Section 120.1 PENALTY FOR VIOLATION - Any person who shall fail to comply with any provisions herein shall be deemed guilty of a misdemeanor, as provided in Act 361 of the Public Acts of 1972, being Section 6 of Act No. 306 of the Public Acts of 1927. In the case of continuing violations, each day's violation shall constitute a separate offense.

\*\*Section 120.2 APPEALS BOARD - In order to provide for reasonable and equitable interpretations of the provisions of this Code, there is hereby created a "Sanitary Code Appeals Board". The Ingham County Board of Health shall constitute the Sanitary Code Appeals Board and shall hear STATEMENTS BY THE APPELLANT AND BY THE SANITARIAN OR OTHER EMPLOYEE OF THE HEALTH DEPARTMENT WHO HAS THE MOST FAMILIARITY WITH THE PREMISES OR SITUATION GIVING RISE TO any appeal presented in accordance with rules of procedure established by said Board. The Board shall furnish the appellant with a written report of its findings and decision.

Section 120.3 HEARING OF APPEALS - The appellant shall deposit a fee upon filing his request for a hearing, which shall be returned or refunded to him after the hearing unless the Board determines that his request was not based on any reasonable objection to enforcement of this Code. The amount of the fee shall be stated in the Health Department Fee Schedule, Item 120.3. Opportunity for a hearing shall be granted at the next scheduled or regular meeting of the persons constituting the Sanitary Code Appeals Board, or at the discretion of the Chairman thereof at a special meeting called for the purpose; provided, that no hearing shall be scheduled within less than three days of receipt of written request and fee. The Sanitary Code Appeals Board may grant individual variances from the requirements of this Code when said Board has determined that all of the following conditions exist: \*1) that no substantial health hazard or nuisance is likely to occur therefrom; (2) that strict compliance with Code requirements would result in unnecessary or unreasonable hardship; (3) that no state statute or other applicable laws would be violated by such variance; and (4) that the proposed variance would provide essentially equivalent protection for the public health and would be in the public interest.

## SECTION 130. STATUS OF THIS CODE

Section 130.1 OTHER LAWS AND REGULATIONS - The requirements of this Code are minimum standards supplemental to the rules and regulations duly promulgated by the Michigan Department of Public Health or Michigan Department of Natural Resources and to the laws of the State of Michigan relating to public health and environment. Where any provision of this Code and a provision of any other state or local statute, ordinance or regulation both apply, the more restrictive of any or all codes, statutes, ordinances or regulations shall prevail.

\*\*Section 130.1.1 RELATIONSHIP TO CITY OF LANSING ORDINANCES AND STATE CONSTRUCTION CODES - This Code is intended to apply as uniformly as practicable throughout all of Ingham County and throughout all of the City of Lansing, notwithstanding that the corporate limits of the City of Lansing extend into certain parts of Eaton County and Clinton County. This Code shall be construed to supplement the Code of the City of Lansing and the State Construction Codes. In the event of conflict between provisions thereof and this Code, which cannot be resolved within the discretion of the Health Officer, the matter shall be referred to the Board of Health for decision or negotiation.

Section 130.2 VALIDITY AND SEVERABILITY OF SECTIONS - If any section, subsection, clause or phrase of this Code is for any reason adjudged unconstitutional or invalid, it is hereby provided that the validity of remaining provisions of this Code shall not be affected thereby.

Section 130.3 REPEAL OF PREVIOUSLY ADOPTED CHAPTERS - This Code hereby repeals provisions of previously adopted regulations of the Board of Health and chapters of the Ingham County Sanitary Code, specifically as follows:

(A) Chapter I, General Provisions, in part adopted September 30, 1953 and effective on November 14, 1953; and in part adopted February 24, 1955 and effective on April 17, 1955; with amendment adopted November 9, 1971 and effective December 18, 1971.

(B) Chapter II, Sewage Disposal, in part adopted September 30, 1953 and effective on January 1, 1954, with amendments adopted February 27, 1958 and effective May 3, 1958.

(C) Chapter IV, Food Sanitation, adopted November 19, 1964, effective April 1, 1965 and Chapter IV, adopted March 20, 1969 and effective May 1, 1969.

(D) Chapter V, Meat and Slaughtering Regulations, adopted February 24, 1955, amended May 26, 1955, approved June 7, 1955.

(E) Chapter VII, Trailer Coach Parking, adopted January 27, 1955, revised July 24, 1958.

(F) Ingham County Sanitary Regulations, adopted August 26, 1942, amended June 16, 1943, further amended August 26, 1948, effective September 2, 1948.

(G) Any other rules and regulations in conflict with this Code

\*\* (H) Any and all sections or subsections of this Code which have been duly amended by official action of the Board of Health and the Board of Commissioners of Ingham County.

Section 130.4 PRE-EXISTING VIOLATIONS - A condition of these repeals shall be that no violation of any repealed section or provision shall be made legal by virtue of a new effective date of this Code. Any act, situation or condition of premises or things which, when created or first allowed to exist was a violation of the Ingham County Sanitary Code, shall continue to be a violation of this Code if a similar section or provision is a part of this Code. Any action, issuance of permit, or maintenance of a condition that was mandatory, under the provisions of the Chapters now repealed, shall continue to be required if the same or similar provision is contained in this Code.

Section 130.5 PUBLICATION - The Ingham County Sanitary Code and the Fee Schedule pertinent thereto, as adopted by the Board of Health with approval of the Board of Commissioners, shall be published at least once in a newspaper of general circulation in the County of Ingham.

Section 130.6 EFFECTIVE DATE - (A) This Code and any additions thereto or amendments thereof shall take effect on the 45th day after approval by the Ingham County Board of Commissioners, as prescribed in Section 6 of Act No. 306 of the Public Acts of 1927, as amended, or on the date stated in said Code or addition or amendment, whichever comes later. (B) This Code shall take effect on June 1, 1973. (C) AMENDMENT NUMBER ONE SHALL TAKE EFFECT ON March 1, 1976.

## CHAPTER II SEWAGE DISPOSAL SYSTEM

This Chapter provides for sewage disposal from or on occupied or habitable premises, including performance requirements and specifications for design and construction of on-site sewage disposal systems. This Chapter provides for permits for construction of said systems and for the administration and enforcement of the requirements hereof.

### SECTION 200. DEFINITIONS APPLICABLE TO THIS CHAPTER

Section 200.1 ABSORPTION FIELD, TRENCH, OR BED - A means of distributing septic tank effluent or outflow below the ground surface by means of a series of lines of drain tile laid on a bed of aggregate with openings so as to allow the effluent or outflow to be absorbed by the surrounding soil and thence dispersed by evaporation or diffusion.

Section 200.2 AUTOMATIC SIPHON - A mechanical device which will automatically cause a liquid entering a dosing chamber 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.

Section 200.3 DOSING CHAMBER - A water-tight tank or receptacle used for the purpose of retaining the overflow or effluent from the septic tank, pending its automatic discharge to a selected point by means of an automatic siphon or other device.

Section 200.4 DRY WELL, SEEPAGE PIT OR BLOCK TRENCH - An underground enclosure connected to the outlet of a septic tank, constructed of concrete block, dry well block, pre-cast concrete, brick or similar material laid with open joints so as to allow the septic tank outflow or effluent to be absorbed directly into the surrounding soil.

Section 200.5 FIXTURE UNIT (SEWAGE FLOW) - That rate of flow from a plumbing fixture or combination of fixtures which is equivalent to one cubic foot per minute or 7-1/2 gallons per minute.

Section 200.6 PERCOLATION TEST (SOIL ABSORPTION CAPACITY TEST); PERCOLATION RATE - A method of estimating the capacity of an existing soil formation to receive, disperse and absorb (percolate) the anticipated quantities of effluent (outflow) from a septic tank or other treatment device. The percolation test shall determine the "stabilized percolation rate," which is the average effective time for the water level in a properly pre-soaked test boring to be lowered one inch within the range from top to bottom of proposed distribution tile line, when the test is performed as directed by the Health Officer. The rate may be optionally expressed in terms of inches per hour that the water level is lowered.

Section 200.7 SEPTIC TANK - A water-tight receptacle used for the purpose of receiving sewage and designed and constructed to provide the separation of solids in suspension from such solids to undergo digestion and biological decomposition therein, releasing the liquid effluent or outflow to be dispersed beneath the surface of the ground.

Section 200.8 SEWAGE - Any liquid waste containing animal, vegetable, and/or chemical wastes in suspension or solution; more specifically, a combination of all the domestic and organic water-carried wastes from any premises 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 plumbing fixture, WHETHER OR NOT SAID WASTES HAVE PASSED THROUGH A SEPTIC TANK OR OTHER DEVICE: PROVIDED THAT THE TERM "SEWAGE" SHALL NOT INCLUDE EFFLUENT FROM RECHARGING OR FLUSHING OF WATER CONDITIONING OR SOFTENING EQUIPMENT.

Section 200.9 SEWAGE DISPOSAL SYSTEM, ON-SITE OR PRIVATE - The method of disposing of sewage by means of a sewer line connected to a septic tank and one or more of the following: absorption field, trench or bed; dry well, seepage pit, or block trench; or any other similar device approved by the Health Officer.

Section 200.10 SEWER; BUILDING SEWER - A pipe or conduit for conveying sewage via gravity flow or under pressure. A 'building sewer' is that part of the waste piping extending from a building and conveying sewage from the building to a public sewer or to a sewage disposal system.

Section 200.11 STONE - Gravel, stone, aggregate, crushed stone, or crushed rock used for filter material in an absorption field, trench or bed. Specifications prepared by the Ingham County Road Commission may be used to designate particular grade or sizes of stone.

Section 200.12 TILE, TUBING, DISTRIBUTION TILE, DRAINAGE TILE OR DRAINAGE TUBING - Buried pipe for carrying horizontal flow of septic tank effluent to and throughout the absorption field and for other purpose.

Section 200.13 USPHS MANUAL OF SEPTIC TANK PRACTICE - United States Department of Health, Education and Welfare Publication No. (HSM) 72-10020, formerly known as "PHS Publication No. 526," Revised 1967, for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20201.

#### SECTION 210. NON-FLUSHING TOILET DEVICES

Section 210.1 PRIVIES AND outhouses - All privies and other non-flushing toilet devices shall be constructed and maintained in accordance with Act No. 273 of the Public Acts of 1939 and rules adopted pursuant to said Act.

Section 210.2 PROHIBITION OF PRIVIES - No privy shall be maintained or be constructed on or moved to any premises where the service of a public sewer is available. No privy shall be maintained at any licensed food service establishment (See Chapter IV of this Code.)

Section 210.3 TEMPORARY PORTABLE PRIVIES - Temporary portable privies used at construction sites, places of public assembly, camps, etc. shall comply with Act No. 273 of the Public Acts of 1939, and when cleaned or serviced the person performing such service shall comply with Act No. 243 of the Public Acts of 1951, as amended.

Section 210.4 RECREATIONAL VEHICLES - Sewage holding tanks on recreational vehicles shall not be emptied or drained on any public property or private premises, except into facilities designed or approved for this purpose.

#### SECTION 220. SEWAGE DISPOSAL SYSTEM OR CONNECTION REQUIRED

Section 220.1 SEWAGE DISPOSAL, TO PUBLIC SYSTEM OR ON-SITE - All premises from which sewage originates shall either convey all such sewage to a public sewer system constructed and maintained in accordance with Act No. 98 of the Public Acts of 1913, as amended, or shall provide on the said premises for disposal of all sewage by methods approved by the Health Officer in accordance with this Chapter.



**Section 220.2 PROHIBITED OCCUPANCY OF PREMISES LACKING SEWAGE DISPOSAL** - It shall be unlawful for any person to occupy, or permit to be occupied, any premise which if not connected to a public sewer, is not equipped with an approved sewage disposal system for the disposal in a sanitary manner of all forms of sewage. Such facilities shall be constructed in accordance with the provisions of this Code. Under no condition shall the sewage from an existing or hereafter constructed premises be discharged or deposited upon the surface of the ground, or into any lake, river, stream, county drain, ditch, or storm drain. Any premises constructed or maintained which are not in accordance with this Code may be declared unfit for habitation and may be so posted by the Health Officer.

**Section 220.3 CONDEMNATION OF EXISTING INSTALLATIONS** - The Health Officer may condemn any existing sewage disposal system where the effluent therefrom is exposed to the surface or is permitted to drain on to the surface of the ground or into any lake, river, county drain, storm sewer, or stream, or where the seepage of effluent therefrom may endanger a public or private water supply, or where a public or private nuisance is created by a system improperly constructed or maintained. The owner and the occupant shall thereupon forthwith cease the use of said condemned system.

**Section 220.4 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 carryover of solids into the absorption field.

**Section 220.5 CONNECTION TO PUBLIC SEWER SYSTEM** - The sewage facilities installed in premises where a connection to a public sewer is available shall be connected with said public sewer in accordance with Act No. 288 of the Public Acts of 1972. Whenever the Health Officer has condemned an existing sewage disposal system and a public sewer is available, he is authorized to proceed with an order for immediate connection to the public sewer.

**Section 220.6 SEWAGE FROM PUBLIC OR PRIVATE DRAIN OF UNKNOWN COURSE AND ORIGIN** - Whenever the Health Officer shall determine that improperly treated sewage is flowing from the outlet of any public or private drain of unknown course or origin, he may issue public notices requiring persons owning premises from which such sewage originates, to cease and desist from the further discharge of improperly treated sewage into said drain. Notice shall further require property owners to connect such sewage flow to a public sewer if available, or in the absence thereof to comply with provisions of Section 220.1 of this Code. Public notice shall consist of the posting of at least five conspicuous notices in the probable area served by said drain. After no less than 30 days following 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. Each owner of property, if known to be discharging improperly treated sewage into such drain posted by the Health Officer, shall be given written notice of corrections required within the time allowed by the posted notices.

Failure to comply with said notice shall be a violation of this Code. The Health Officer shall not be liable for any damages which result or might result from action authorized by this section.

**Section 220.7 SEPARATE SYSTEMS FOR EACH FAMILY OR ESTABLISHMENT** - Unless specifically approved by the Health Officer, each on-site sewage disposal system shall serve only one family or one business establishment.

\*\* Section 220.8 PROPER ABANDONMENT OF SEWAGE TREATMENT EQUIPMENT - Upon the abandonment or discontinuation of use of a septic tank or privy, the sewage and sludge contents thereof shall be completely removed and disposed of by a septic tank cleaner who is duly licensed under provisions of Act No. 243 of the Public Acts of 1951. The tank, or the pit in the instance of a privy, shall be treated with at least 10 pounds of chlorinated lime or other chemical disinfectant acceptable to the Health Officer. Then the tank or pit shall be completely backfilled with sand and made safe from the hazard of collapse or entrapment.

## SECTION 230. METHODS OF DISPOSAL OF SEWAGE AND OTHER WASTE WATER

Section 230.1 REQUIRED FIXTURE CONNECTION - Where a public sewer is not available, all facilities such as sinks, flush toilets, urinals, lavatories, bathtubs, showers, laundries, floor drains and any other fixtures used to receive or conduct sewage, shall be connected to an approved private sewage disposal system or device on the premises, or as approved by the Health Officer.

Section 230.2 PROHIBITED CONNECTION OF CERTAIN WASTES - Liquid wastes which shall not be discharged into a private sewage disposal system, unless specifically approved by the Health Officer, include: (1) seepage water from footing drains or underground flows; (2) surface runoff or roof drainage from rainfall or snow melt; (3) a swimming pool or its appurtenances; (4) brine or recharge water from a water softener of the ion-exchange type; (5) chemical solutions or other wastes which would interfere with biological action in the treatment facilities.

Section 230.3 PROVISIONS FOR PROHIBITED WASTES - The Health Officer may require suitable provisions for the proper discharge or disposal of liquid wastes enumerated in section 230.2.

Section 230.4 MECHANICAL SYSTEMS FOR SEWAGE TREATMENT - Before the installation of any privately owned mechanical device or system for treatment of sewage by aeration, flotation or other processes exclusive of septic tanks, written application shall be made to the Health Officer for approval. Complete information shall be furnished as to manufacturer, model number, design criteria, and other data needed for evaluation.

(A) If the device or system will serve only one residence or establishment, evidence shall be presented of a satisfactory contract for continuing maintenance by a qualified service company authorized to do business in Michigan and bonded as provided in this section.

(B) If the device or system will serve more than one single family residence or more than one commercial establishment, evidence shall be presented of passage of a resolution by the appropriate township board of trustees, city or village council, county board of commissioners or other governing body of elected officials, accepting perpetual responsibility for the maintenance and operation of the sewage treatment device or system.

(C) This section shall not apply to public sewerage facilities built and operated under provisions of Act No. 98 of the Public Acts of 1913, as amended.

(D) A bond in the amount of \$5,000.00 for the first 5 or fewer such sewage treatment systems and \$1,000.00 for each additional system within the jurisdiction of this Code shall be made, executed and delivered to the Health Officer in the name of Ingham County. Said bond shall be executed by a surety company authorized to do business in Michigan. The bond shall be made available for payment to the Ingham County Health Department in the event of necessary servicing, repair, and/or replacement of any sewage treatment system covered by said bond, and said bond shall at all times be kept current. If at any time the required bond is found to have expired, the Health Officer may declare void the permit for each private sewage treatment system covered by said bond and may forthwith order the vacating of any or all premises served by such system, in accordance with Section 220.2. Charges against this bond may include necessary costs of servicing, repair, replacement, and subsequent inspection of said sewage treatment system, with customary allowance for overhead charges.

Section 230.5 MINIMUM ISOLATION DISTANCES - The shortest distance in feet, from any part of a septic tank or absorption system field, bed, block trench or dry well, to specific artificial or natural features of the premises or environment, shall not be less than the following. At the discretion of the Health Officer, modifications of these required distances may be applied if local conditions warrant.

<u>FROM SYSTEM TO</u>	<u>SHORTEST DISTANCE</u>
(A) Well serving single residence, on same or any neighboring premises	50
(B) Well serving Grade A milk certified dairy farm, or any single parcel of residential premises containing more than a one-family dwelling	75
(C) Well serving a municipal or public water system	200
(D) Buried suction line from well	*
(E) Underground pressurized water pipe or lawn sprinkler	10
(F) Lake or stream shoreline (75 feet for drywell) (100 feet for systems serving other than one family dwelling)	50
(G) Foundation wall (20 feet for drywell)	10
(H) Ravine bank or dropoff (25 feet for drywell)	15
(J) Wall of Swimming Pool or connected piping	10
* (Distance same as from well on same type premises)	

\*\* Section 230.6 HUD REQUIREMENTS FOR ISOLATION - At the request of the U. S. Department of Housing and Urban Development and certain other agencies or institutions involved in the arranging or insuring of home mortgages, premises to which that department's Minimum Property Standards are applicable shall comply with minimum isolation distances as specified therein, or with Section 230.5 of this Code, whichever is the more restrictive.

#### SECTION 240. PERMIT FOR CONSTRUCTION OF PRIVATE SEWAGE DISPOSAL SYSTEM

Section 240.1 PERMIT REQUIRED - No person shall construct, alter, or extend any private sewage disposal system unless he has obtained a permit issued by the Health Officer.

\*\* Section 240.2 APPLICATION FOR PERMIT - Application for permit to construct, alter, or extend a private sewage disposal system shall be made by the property owner or his AUTHORIZED REPRESENTATIVE TO THE HEALTH OFFICER. The application shall include the name and address of the applicant, the description of the property on which said construction, alteration or extension is proposed. At his discretion the Health Officer may require substantiating data, including but not limited to engineering drawings, maps, soil analyses, test borings, percolation tests, ground water and floor elevations, and detailed plans of the proposed sewage disposal system. The actual or proposed use of the property shall be indicated in all instances. The Health Officer may at his discretion require that the design plans and specifications for a system to serve premises other than a single family or two family residence shall be prepared by and bear the seal of a registered professional engineer.

Section 240.3 PRIORITY OVER BUILDING PERMITS - There being potential public health hazards if a habitable building is constructed upon land not having proper sewage disposal available, no municipality or township shall issue a building permit or otherwise allow commencement of construction on any land where public sewers are not available until a permit has first been obtained from the Health Officer for a private sewage disposal system.

\*\* Section 240.4 TERMINATION OF PERMITS - Any permit for a private sewage disposal system shall be valid for CONSTRUCTION AND APPROVED COMPLETION THEREOF, WITHIN a period not to exceed one year after date of issue, unless declared void by the Health Officer. Prior to final inspection, said permit shall not be transferable to any new owner, nor to another location on the same parcel of land.

Section 240.5 VOID PERMITS - The permit for a private sewage disposal system may be declared void by the Health Officer if the area designated for the soil absorption system is disturbed by major filling, excavating, paving or flooding, or by location of a water supply well or other feature so as to encroach on any required isolation distance. The permit may also be declared void if there is any increase in the scope of the project prior to, during or following construction of the system, or if there is a violation of Section 240.7, or if there is a lapse in the bond required by Section 230.4 (D).

Section 240.6 SPECIAL CONDITIONS OF DESIGN - Exceptions to the specific requirements of this Chapter may be made in cases where dimensions or features of the premises create a physical impossibility for compliance. In such event, if the Health Officer finds that public health would not be jeopardized, he may approve modification of the private sewage disposal system subject to such reasonable conditions as he may describe, considering the limitations of the property, the protection of public health, and the prevention of any nuisance. An alternate method of sewage disposal may be approved by the Health Officer if in his opinion it would provide equal or better treatment than the minimum requirements of this Chapter. Request for approval of such variations or alternate methods shall be made in writing by the owner or installer and be filed in the Health Department.

Section 240.7 INSPECTION REQUIRED BEFORE BACKFILL - After construction of the sewage disposal system has been completed to the extent of the placement of all sewers and distribution tile lines, and before any portion of the distribution tile system has been covered or placed in operation, request for an inspection shall be made to the Health Officer. 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 to the Health Officer, certifying that the system was installed exactly as shown on the permit or describing exactly any deviations therefrom. After approval of the system for backfill, it shall not be allowed to remain open for longer than 24 hours, unless otherwise approved by the Health Officer.

Section 240.8 PERMIT FOR SYSTEM SERVING A MOBILE HOME - Before accepting an application for a permit for a private sewage disposal system which will serve an individual site for a mobile home or trailer coach, the Health Officer shall be furnished evidence that the municipality has approved or will approve a permit for such occupancy of the site under provisions of Act No. 172 of the Public Acts of 1958.

\*\*Section 240.9 TANK-TRUCK DISPOSAL - Where the Health Officer may deem necessary that sewage be hauled by tank-truck from the premises in order to abate or avoid a nuisance, the Health Officer may so order and at the same time shall stipulate the conditions of handling and the arrangements for disposal. The vehicle to be used shall be licensed under provisions of Act No. 243 of the Public Acts of 1951.

\*\*Section 240.10 SEASONAL INSTALLATION RESTRICTIONS - The Health Officer may restrict the installation of sewage disposal systems to certain times of the year depending on, but not limited to, frost or severe moisture conditions in the soil.

\*\*Section 240.11 UNDUE HARDSHIP - When the provisions of these regulations make their application an undue financial hardship, and, in the opinion of the Health Officer, the public health can be temporarily protected by means of a substandard installation, variations may be approved if the required waivers, furnished by the Health Officer, are properly completed and submitted to the Health Officer. Such waivers shall list certain restrictions and shall be signed by the applicant, witnessed and notarized, before being submitted to the Health Officer for approval. The Health Officer may then file a sworn affidavit with the Register of Deeds to be recorded on the property abstract of the applicant listing the variation and restrictions.

\*\*Section 240.12 FILING OF AFFIDAVITS - Where a vacant parcel of land is found to be totally unsuitable for the disposal of sewage effluent or where an adequate, safe and sanitary water supply is not available or where, on a parcel of land in which one or more habitable buildings are present and it is found that the structure, including the water supply or sewage disposal facilities, are not suitable and, in the opinion of the Health Officer, may pose a threat to the health and welfare of the community, the Health Officer may file a sworn affidavit with the Register of Deeds to be recorded on the property abstract, listing such conditions.

## SECTION 250. SEPTIC TANKS

Section 250.1 LOCATION - A septic tank shall be located where it is accessible for cleaning or inspection. No structure, stockpile or other obstruction shall be placed over any septic tank, so as to interfere with cleaning or inspection thereof. A septic tank shall be located on the same side of a building that the sewer line leaves the wall, or with not more than one change of direction in the building sewer between the wall and the septic tank, unless otherwise approved. The tank shall be at least 10 feet from any basement wall.

Section 250.2 CONSTRUCTION MATERIALS - (A) Septic tanks shall be constructed to conform to the specifications of the USPHS Manual of Septic Tank Practice, or as approved. (B) Concrete prefabricated tanks shall be constructed of washed aggregate and portland cement mixed and properly vibrated to produce concrete having a minimum 28-day compressive strength of 3,500 pounds per square inch. (C) Tanks constructed of concrete blocks shall be laid on a four-inch or thicker reinforced concrete base, and mortar joints shall be properly filled. The interior of the tank shall have a smooth cemented surface and be watertight. The top or cover of the tank shall be of reinforced concrete, at least 3 inches thick. (D) Other materials for septic tank construction shall be approved by the Health Officer prior to installation.

Section 250.3 INLETS AND OUTLETS - The bottom of the inlet line into the septic tank shall be at least two inches above the operating level of the tank. The outlet fitting shall be vented and shall be constructed to permit withdrawal of liquid from the middle one-third of the depth of liquid in the tank and to prevent siphoning or the escape of floating or settled solids. The outlet line shall provide for at least twelve inches of freeboard or air space between the operating level and the underside of the cover of the tank; the outlet tee or elbow shall provide a minimum of scum clearance of eight inches. The inlet shall be designed to permit gas above the liquid level to pass upstream through the inlet line and out the vent pipe serving the building sewer. All pipe connections to a septic tank shall be watertight and sturdy. A septic tank shall be installed in a level position on a firm base, and the surrounding excavation shall be properly backfilled.

Section 250.4 MANHOLES - Every septic tank shall be provided with two or more suitable top access openings (12 inches minimum diameter or side dimension) with covers. One of the openings shall be located over the inlet and one over the outlet, to permit inspection and cleaning. Where the top of the septic tank is located more than eighteen inches below the finished grade, manholes shall be built up to within no more than eighteen inches of the finished grade, by placement of vertical pipe of at least 18 inch diameter, or as approved. If paving is placed above the top of the septic tank, every access manhole shall be extended through the pavement and provided with a suitable manhole cover which is readily accessible without excavation. Precast tanks manufactured before June 1, 1973 may be approved with only one access opening.

Section 250.5 DOUBLE COMPARTMENT SEPTIC TANKS - In a septic tank of more than one compartment, a manhole or access opening as specified in Section 250.4 shall be provided in the cover of each compartment. Unless otherwise approved, the second or downstream compartment shall be set with the operating level of liquid zero to two inches lower than the first or upstream compartment, and the connection between compartments shall comply with Section 250.3.

Section 250.6 NUMBER AND CAPACITIES OF SEPTIC TANKS FOR CERTAIN PREMISES - The minimum number and capacities of septic tanks in single family residences and other buildings shall conform to the following table. Whenever two or more tanks or compartments are used, they shall be installed in series with the outlet of the second tank or compartment zero to two inches lower than the outlet of the first tank or compartment.

Section 250.6 cont.

<u>One Family Dwellings</u> <u>Number of Bedrooms</u>	<u>Other Buildings</u> <u>Fixture Units</u>	<u>Minimum Number of Septic Tanks or Compartments</u>	<u>Minimum Liquid Capacity of Tank in Gallons</u>	
			<u>First</u>	<u>Second</u>
1	10	1	750	---
2	15	1	1,000	---
3	20	2	1,000	500
4	25	2	1,000	750
5	30	2	1,000	1,000

Section 250.7 EXCEPTIONS FOR CERTAIN SITE CONDITIONS - At a 3-bedroom single-family residence served by an absorption field on well-drained soil, as confirmed by a stabilized percolation rate of no more than 15 minutes per inch, the Health Officer may approve a permit for a private sewage disposal system which is proposed to include only one 1000-gallon septic tank; provided, that omission of the second tank or compartment shall not be recommended where the anticipated period of use of the original soil absorption system is deemed to be longer than eight years.

Section 250.8 NUMBER AND CAPACITY OF SEPTIC TANKS FOR OTHER PREMISES - The number and capacities of septic tanks for installations other than those specified in Section 250.6 or 250.7 shall be determined in accordance with good engineering practice and in conformity to recommendations contained in the USPHS Manual of Septic Tank Practices.

Unless otherwise approved by the Health Officer, the 24-hour design flow into the private sewage disposal system shall be used in determining the minimum total liquid capacity of the septic tank or tanks. This design flow shall be no less than the average daily flow during the month of maximum water usage, as measured or appropriately estimated. The septic tank or tanks shall be designed to provide for 24-hour retention of the design flow.

Section 250.9 DESIGN BASIS - The septic tank capacities listed in Section 250.6 may be assumed to provide for the flow from plumbing fixtures and appliances normally used in a single residence, which may include one or more complete bathrooms, and one each food waste grinder, automatic clothes washer, and automatic dishwasher. Bedrooms shall include all rooms used for sleeping and are considered to accommodate two persons each. Greater occupancy shall be interpreted as one added bedroom for each two additional persons, adult or child, whether or not this interpretation coincides with the actual number of rooms in the structure.



## SECTION 260. DISPOSAL FIELD FOR SOIL ABSORPTION SYSTEM

Section 260.1 LAYOUT; REPLACEMENT AREA - The disposal field for the soil absorption system shall be constructed to comply with specifications and layout as shown on a Permit for Private Sewage Disposal System obtained from the Health Officer. Adequate and suitable land area shall be reserved for duplicate replacement of each required disposal field unless such omission is specifically approved by the Health Officer.

Section 260.2 ACCEPTABLE TILE MATERIALS - Materials for distributing septic tank effluent throughout the disposal field shall be one of the following, with four-inch inside diameter unless otherwise stipulated by the Health Officer.

- (A) Agricultural drain tile
- (B) Open joint type clay sewer pipe
- (C) Open joint type concrete sewer pipe
- (D) Perforated clay pipe
- (E) Perforated plastic drainage tubing in straight lengths, subject to approval by the Health Officer as to composition, thickness, strength, and configuration of openings.
- (F) Fittings such as tees, elbows, adaptors and couplings shall be available for use where appropriate.

Section 260.3 PLACEMENT OF TILE - Construction of disposal field shall be such that effluent shall not flow to surface of the ground nor pollute underground water or surface water; and such that the effluent shall be distributed with reasonable uniformity throughout the area utilized for the disposal field. To achieve these results, the Health Officer shall abide by the following specifications except where local conditions prevent strict adherence. These specifications shall apply unless otherwise stated in writing on the permit:

- (A) Drain tile or tubing shall be laid with invert level or sloping away from the septic tank, at a uniform grade not to exceed 4 inches per 100 feet, and in lines not longer than 100 feet each.
- (B) Drain tile if in one-foot or two-foot lengths shall be laid with open joints spaced one-quarter inch to one-half inch apart. The top half of each open joint shall be protected from plugging by covering with preformed plastic clips, tar paper strips or other approved material.
- (C) Drain tile or tubing shall be laid on a layer or bed of coarse stones of approved gradation not less than six inches deep below the invert of the pipe. Similar stone shall fill the excavation around the tile or tubing to a depth of two inches or more above the crown of the pipe. A reasonably uniform layer of straw shall be spread over the stone to a depth of about two inches before backfilling with original soil or sand as specified by Health Officer.
- (D) Drain tile or tubing shall be installed with sufficiently uniform grade and alignment that there will be a minimum of 6 inches between the side of the pipe and the nearest unexcavated sidewall of the trench or bed. There shall be no offsets between tiles greater than one-half inch. The maximum deviation from vertical grade shall be 2 inches between high and low elevations of crown within any single run of pipe, with due allowance for the intended grade line.
- (E) Perforated plastic tubing shall be used only if it conforms to conditions of approval as stated in Section 260.2 (E). Bending of tubing at corners or turns shall not be permitted.

Section 260.4 DRY WELL OR BLOCK TRENCH - Where conditions are suitable for the installation of a dry well or a block trench, the Health Officer may at his discretion approve or specify the necessary details of such construction.

Section 260.5 INTERCEPTING TRAPS - In the case of non-residential premises where wastes originate which contain grease, oil, industrial chemicals or other pollutants which would not be suitable for treatment in a residential-type on-site sewage disposal system, the Health Officer may require the installation of a grease trap, waste interceptor or other appropriate treatment devices. The owner shall be responsible for proper maintenance and operation of such equipment, including but not limited to the timely periodic removal of accumulated grease and/or other wastes and their proper disposal.

Section 260.6 WATER SOFTENER BRINE - Waste brine from water softeners, water conditioners and similar devices which are recharged in place with sodium chloride salt or other ion exchange chemicals shall be discharged into a dry well or other disposal facility which is remote from the on-site sewage treatment facility.

Section 260.7 SOIL AND DRAINAGE CONDITIONS - 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:

(A) SOIL ANALYSIS - The soil classification if available, as determined in accordance with techniques acceptable to the Soil Conservation Service of the United States Department of Agriculture, shall be stated on the application for permit as required by Section 240.2, and the use limitations pertaining to that soil classification shall be considered by the Health Officer in deriving detailed specifications.

(B) DEEP BORING - A test boring or excavation shall be made within the area proposed for the sewage disposal system, to determine that the ground water level and soil formations comply with this section. The Health Officer may request that an excavation be made available for inspection and evaluation of soil types and conditions.

(C) HIGH GROUND WATER - Ground water at the highest season of the year shall be at least three feet below the bottom of the distribution tile or other device, except that the Health Officer may approve construction to adjusted specifications where the ground water occasionally rises to no higher than four feet below finished grade.

(D) HARDPAN; FILLED GROUND - Impervious hard pan of clay, stone or shale, if present, shall be at least three feet below the bottom of the distribution tile or other device. Filled ground shall not be utilized until a complete crop of vegetation has been grown upon the surface.

(E) PERCOLATION TESTS - In addition to evaluation of the data required above, the Health Officer may require stabilized percolation rate tests when deemed necessary to determine the absorption capacity of the soil at the approximate depth of the proposed tile line. The Health Officer shall specify the procedures to be followed in performing acceptable stabilized percolation rate tests.

Section 260.8 ABSORPTION FIELD CONSTRUCTION REQUIREMENTS - The absorption field shall be constructed to properly disperse all septic tank effluent throughout the entire designated area without reaching the ground surface. The following requirements shall be met:

ITEM	MAXIMUM	MINIMUM
(A) Number of Lateral Trenches	---	2
(B) Length of Trenches	100 ft.	---
(C) Width of Trenches	36 inches preferred	24 inches
(D) Space between trenches, wall to wall, undisturbed earth	---	4 feet (6 ft. preferred)
(E) Depth of Tile Lines (top of tile) below finished grade	24 inches	12 inches
(F) Slope of bottom of trench	4 in./100 feet	Level Preferred
(G) Slope of Tile Lines	4 in./100 feet	Level Preferred
(H) Slope of Connecting Headers	Level	Level
(I) Deviation from Uniform Slope*	1 in./ 25 feet	Level Preferred
(J) Depth of Aggregate		
Under Tile in Clear Area	---	6 inches
Under Tile Located Within Root area of Trees	---	12 inches
Over Top of Tile	---	2 inches
(K) Size of Aggregate (consult Health Officer as to gradation)	1-1/2 inches	1/2 inches
(L) Thickness of Straw Cover over Aggregate	3 inches	2 inches
(M) Depth to Ground Water or Hard Pan from Bottom of Tile (see Section 260.7 C or D.)	---	3 feet

\*Tile lines only: No uphill slope permitted in direction of flow; all tile lines and trench bottoms to be at exactly same grade, except as approved in accordance with Section 260.9.

Section 260.9 ABSORPTION FIELD ON SLOPING GROUND - Special precautions shall be taken to insure even distribution of flow throughout all tile lines. Where appropriate, the Health Officer may require terracing, serial distributing, distribution box, or other techniques described in the "Manual of Septic Tank Practice."

Section 260.10 ABSORPTION FIELD, VERTICAL DIMENSIONS -- No part of any absorption field shall be constructed with less than 12 inches nor more than 24 inches of cover over the crown of the distribution tile or with more variation in elevation than one inch per 7 feet, measured both at the bottom of the trench and at the crown of the tile.

Section 260.11 ABSORPTION FIELD OR BED, MINIMUM BOTTOM AREA - (A) The minimum area of absorption trenches in square feet shall be based in part on the stabilized percolation rate, on the estimated flow of waste water, on the occupancy at two persons per bedroom or other sleeping rooms, as follows:

<u>Stabilized Percolation</u>		<u>One-Family Residence</u>		<u>Other Premises</u>	
		Number of Bedrooms		Fixture Units	
<u>Rate</u>		1,2, or 3	Each added	1 to 20	21 to 30
Minutes per inch	Inches per Hour				
0 - 5	11 or More	450	150	450	700
6 - 10	6 - 10	600	200	600	900
11 - 15	4 5.9	750	250	750	1150
16 - 20	3 - 3.9	900	300	900	1250
21 - 25	2.4 - 2.9	1050	350	1050	1500
26 - 30	2 - 2.3	1200	400	1200	1800

(B) Slower percolation rates than 30 minutes per inch (2.0 inches per hour) may be ground for rejection of the system unless other conditions warrant (See Section 260.7).

(C) The total area of the bottom of the absorption field trenches, in square feet, shall be no less than twice the number of gallons of 24-hour design flow, computed as specified in Section 250.8; provided, that the Health Officer may approve a lesser area ratio where the soils are well-drained, as confirmed by a stabilized percolation rate of no more than 15 minutes per inch; and provided further, that the hydraulic loading on the soil absorption field trenches shall not be designed to exceed one gallon per day per square foot of bottom area.

Section 260.12 ABSORPTION BED, DESIGN - (A) An absorption field in which two or more tile lines are laid within a common excavation shall be classed as an absorption bed. There being less effective sidewall area in a bed than in separate trenches having the same bottom area, the required minimum bottom areas listed in Section 260.11 shall be increased by fifty percent in each instance.

(B) Any line of distribution tile in an absorption bed shall be placed no closer to the sidewall of the bed than 18 inches and no closer to another tile than 4 feet, center to center. Applicable provisions of section 260.8 shall be complied with.

(C) The minimum lineal footage of distribution tile in an absorption bed shall be numerically equal to one fifth of the required square footage of said absorption bed. The connecting footer line and the header line may be included in this lineal footage if built to the same specifications as the distribution tile lines.

(D) The Health Officer may approve an absorption bed built partially above finished grade, provided it is surrounded on all sides by dikes of relatively impervious soil types, and provided the other construction details are deemed by him to be reliably designed to accomplish the intent of this Chapter.

## SECTION 270. OTHER FEATURES OF DISPOSAL SYSTEM

Section 270.1 SEWERS - (A) All sewer lines located within fifty feet of any well or spring and/or within ten feet of the outside wall of any building shall be constructed of cast-iron soil pipe with sealed joints, approved grade schedule 40 plastic pipe with compatible solvent joints, or other approved materials. Any buried sewer line shall be located at least ten feet from any well, spring, or water pipe. Any change of direction shall be made using a long-radius 90° elbow, two 45° elbows, or as approved.

(B) A building sewer line shall not be less than four inches in internal diameter, or as required by the applicable local or state plumbing code. A vent pipe shall extend through the building roof, downstream of all fixture connections and traps.

(C) A building sewer between the building and the connection to a septic tank shall be laid at a grade of not less than one-eighth inch per foot and not more than one inch per foot unless otherwise approved by the plumbing inspector having jurisdiction or by the Health Officer.

(D) The elevation of the building sewer shall be such that the maximum depth of the distribution tile shall be between 12 inches and 24 inches from finished grade to top of tile, as specified in Section 260.8, or as approved by the Health Officer. If the elevation of the building sewer is too low to meet these elevations, a sewage ejector may be required.

Section 270.2 SUMP PUMPS - A sump pump used for the purpose of lifting laundry waste water or basement washings to a sewage disposal system shall not be used for removing footing drain water or other liquid wastes enumerated in Section 230.2.

Section 270.3 DOSING CHAMBERS - A dosing chamber equipped with an automatic siphon or pump may be required in an installation where the minimum combined liquid capacity of the septic tank exceeds 2,000 gallons. The absorption field shall contain a minimum of 80 feet of 4 inch tile or 40 feet of 6 inch tile for each 100 gallons discharged per cycle of the siphon or pump. Dual siphons or pumps and divided fields may be specified for systems designed for up to 10,000 gallons per day.

Section 270.4 LINES BETWEEN SEPTIC TANK AND ABSORPTION FIELD (HEADERS) - The line carrying liquid from the septic tank outlet to the nearest portion of the absorption field shall be water-tight and may be laid at any appropriate grade. Connection to the upper portion of the absorption field shall be made using a tee fitting, set perfectly level on firm support in order to divide the flow evenly to each direction, or to level headers conveying the divided flow to two separate points of connection with the distribution tile. If more than 8 lines of distribution tile are installed, headers shall be so installed that no branch header is connected to more than 4 lines

CHAPTER III WATER SUPPLIES  
SECTION 300. PRIVATE WATER SUPPLIES

Section 300.1 STATE LAW AND REGULATIONS - Ground water supplies shall conform to the applicable requirements of Act No. 294 of the Public Acts of 1965, as amended, and to Act No. 146 of the Public Acts of 1919 as amended, and to the rules and regulations adopted pursuant to said Acts.

Section 300.2 ISOLATION OF WELLS FROM SEWAGE DISPOSAL SYSTEMS - Ground water wells and connecting pipes shall be isolated from sewage disposal systems and other sources of contamination as required by this Code and the above cited Act and rules.

Section 300.3 WATER SUPPLIES REQUIRED - Every habitable building or premises shall be provided with an approved water supply system, from which a proper amount of water shall be available at all times to meet the needs of all occupants of the building or premises. The water supply system shall be reliable to meet the demands of all fixtures under peak flow conditions.

Section 300.4 WATER QUALITY - The quality of water furnished to any sink, lavatory, drinking fountain, dishwasher, bathtub, shower, or other fixture, device or equipment wherein or from which direct consumption or human body contact is possible, shall be safe for human consumption and potable as approved by the Health Officer.

Section 300.5 USES OF UNSAFE WATER - Water which is or may in the opinion of the Health Officer be reasonably expected to become unsafe for human consumption shall not be used for drinking, culinary or body contact purposes, nor in any part of a licensed food service establishment regulated by Chapter IV of this Code.

Section 300.6 APPROVALS - The Health Officer shall make such inspection or evaluation as is necessary to determine that the well or water system complies with this Chapter.

SECTION 310. CROSS CONNECTIONS BETWEEN PRIVATE AND PUBLIC SUPPLIES

Section 310.1 CROSS CONNECTION RULES - The Rules of the Michigan Department of Public Health, entitled "Water Supply Cross Connection," being Section R325.431 through R325.440 of the Michigan Administrative Code, shall apply in Ingham County. Where a duly appointed plumbing inspector has authority to enforce the State Plumbing Code, Act No. 266 of 1929 as amended, compliance with said Code shall be deemed to be compliance with this Section.

310.2 PROTECTION OF POTABLE WATER FROM CROSS CONNECTIONS - Water supply piping carrying water intended for human consumption or body contact shall not be directly connected to any pipe, fixture or device containing sewage, waste water, chemical solutions, or water from any source which is not approved for human consumption. Where potable water is supplied to such pipe, fixture or device, the potable water shall be separated therefrom by a safe air gap, defined as the minimum vertical distance above the highest possible water level or overflow rim of the fixture, device or container, measured to the lowest opening of the potable water supply pipe or faucet. Such air gap shall be at least two times the internal diameter of the potable water supply pipe, except that it shall not be less than one inch and need not be greater than 12 inches.

Section 310.3 CROSS CONNECTIONS PROHIBITED - There shall be no cross-connection between a public or municipal water supply system and any private water supply system, except under conditions approved in writing by the Health Officer in compliance with Section 310.1 or this Code.

## SECTION 320. WATER SUPPLY PERMITS

**\*\*Section 320.1 PERMIT REQUIRED -** No person shall construct any private water supply system for HUMAN CONSUMPTION unless he has obtained a permit issued by the Health Officer.

**Section 320.2 APPLICATION FOR PERMIT -** Application for permit to construct a private water supply system shall be made by the property owner or his authorized representative to the Health Officer. The application shall contain the name and address of the applicant, the description and address of the property on which said system is proposed, together with a statement of the present or intended occupancy and use of the property. At his discretion the Health Officer may require substantiating data, including but not limited to, engineering drawings, maps, elevations of recorded or predicted floods, subsurface geological formations, logs of pertinent borings or nearby wells, location of any nearby public water supply mains, and detailed plans of the proposed private water supply system including source, pumps, and treatment facilities. The Health Officer may at his discretion require that the design plans and specifications for a system to serve premises other than a single-family or two-family residence shall be prepared by and bear the seal of a registered professional engineer.

**Section 320.3 COMBINATION WITH SEWAGE DISPOSAL SYSTEM PERMIT -** Whenever feasible the Health Officer shall simultaneously issue the permit required by Section 320.1 and the permit required by Section 240.1 (Private Sewage Disposal System) for the same property. Where the latter has already been issued before application is made for the water supply permit, the Health Officer shall examine the records pertaining to the sewage disposal system before issuing the permit required by Section 320.1, and shall require compliance with applicable provisions of Section 230.5 of this Code.

**\*\*Section 320.4 PROCEDURE WHEN PUBLIC WATER IS AVAILABLE -** Where connection can be made to an available water main carrying potable water from an approved public or municipal water system, the Health Officer shall not issue a permit to construct a private water supply system, but shall require that the premises shall be served from the approved public or municipal water system. Within the meaning of this section, "available" shall be interpreted as being within 320 feet of the nearest portion of the property for which an application has been made for a permit to construct a private water supply system, measured along or across one or more public streets, public roads, rights of way, or easements; provided that the owner of said property is or could be eligible to obtain a permit to connect to the water main of the public or municipal water system. When a water main of an approved public or municipal water system becomes available to occupied property on which exists a private water supply system, said private water supply system may be continued in use until or unless it fails to comply with requirements of Section 300.3, 300.4 or 300.5 of this Code AS TO ADEQUACY, RELIABILITY, QUALITY AND SAFETY.

**Section 320.5 SPECIAL REQUIREMENTS FOR MULTIPLE DWELLINGS AND COMMERCIAL ESTABLISHMENTS** - The Health Officer may issue a permit for a private water supply system to serve a single parcel of land containing (1) three or more dwelling units of a multiple dwelling, or (2) more than one commercial establishment within a single structure or a combination of structures comprising a unified shopping center; Provided: the Health Officer may require, when he deems necessary to insure continuity of water service to all occupants or tenants, that said system shall consist of a minimum of two independent wells, so arranged that a failure of either well will not interfere with the constant furnishing of water to all fixtures in each dwelling unit or commercial establishment. The owner or applicant shall comply with applicable provisions of Act No. 98 of the Public Acts of 1913 as amended, and the Rules Governing Certain Water Supplies, being Rules R325.1461 to R325.1461 of the Michigan Administrative Code.

**Section 320.6 TERMINATION OF PERMITS** - Any permit to construct a private water supply system shall be valid for a period not to exceed one year after date of issue, unless declared void by the Health Officer. Prior to final inspection said permit shall not be transferable to any new owner nor to another location on the same parcel of land. The permit for a private water supply system may be declared void by the Health Officer if there is any encroachment on any required isolation distance as provided in Section 230.5 of this Code, or any violation of state statute or rule. The permit may also be declared void if the water produced by the well or system fails to meet acceptable conditions of quality or if there is a violation of Section 320.4. Appeal of such action may be made in accordance with provisions of Section 120 of Chapter I.



## FOOD SERVICE SANITATION

This Chapter of the Ingham County Sanitary Code shall supplement Act No. 269 of the Public Acts of 1968, "Food Service Establishments and Vending Machines Dispensing Perishable Foods and Beverages," which includes by reference the provisions of the unabridged non-grading form of the 1962 edition of the "United States Public Health Service Food Service Sanitation Ordinance and Code," and the provisions of the unabridged form of "The Vending of Food and Beverages-Sanitation Ordinance and Code-1965 Recommendations of the Public Health Service," except any references therein to adulteration, misbranding or advertising. This Chapter establishes sanitation standards for food, food protection, personnel food service or preparation operations, food equipment and utensils, sanitary facilities and other facilities. This Chapter establishes requirements for a license for operation of food-service establishment or catering operation, or for installation of vending machines for dispensing of perishable food. This Chapter provides for the administration and enforcement of the provisions contained herein, and for the fixing of fees.

### SECTION 400. DEFINITIONS WHICH SHALL APPLY TO THIS CHAPTER

Section 400.1 ADULTERATED - The condition of a food if it bears or contains any poisonous or deleterious substance in a quantity which may render it injurious to health; if it is in any condition which is prohibited by Act No. 39 of the Public Acts of 1968, as determined by the Michigan Department of Agriculture; or if it is in any condition which could render the food actually or potentially injurious to human health or unfit for human consumption, as determined by the Health Officer.

Section 400.2 CLOSE - To cease the business of selling or serving food to the public or to any person for human consumption.

Section 400.3 COMMISSARY - A fixed food service establishment or base of operation where food, containers or supplies are handled, prepared or packaged and directly from which vending machines and/or mobile units are serviced with foodstuffs. A place for the mechanical servicing of food-contact portions of vending machines and/or mobile units may also be included in the definition.

Section 400.4 EMPLOYEE - Any person working in a food-service establishment or temporary food-service establishment who transports food or food containers, who engages in food preparation or service, or who comes in contact with any food-contact surfaces of containers, equipment, utensils or packaging materials used in connection with food vending machine operations, or who otherwise services or maintains one or more food vending machines. This term may when appropriate include the same person as otherwise referred to as employer, or a person performing duties named herein with or without compensation.

Section 400.5 EMPLOYER OR MANAGER - Any person, who by contract, agreement, or ownership, takes the responsibility for operating and maintaining a food-service establishment, temporary food-service establishment, or one or more food vending machines; the person who is sometimes referred to in this Code as the owner, or licensee, or operator, regardless of whether or not there are subordinate employees in the establishment.

Section 400.6 FOOD - Any raw, cooked, or processed edible substances, beverages or ingredients used or intended for use or for sale in whole or in part for human consumption. Ice and iced water shall be included.

Section 400.7 FOOD CATERING ESTABLISHMENT - A kitchen used to cook, prepare, process, package or supply food to be transported elsewhere for service to the public.

Section 400.8 FOOD SERVICE ESTABLISHMENT - Any fixed or mobile restaurant, coffee shop, cafeteria, short-order cafe, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar, cocktail lounge, night club, industrial feeding establishment, private organization serving the public, catering kitchen, delicatessen, or similar place in which food or drink is prepared for direct consumption through service on the premises or elsewhere; and any other eating or drinking establishment or operation where food is served or provided for the public. When separate areas for food service or preparation are located in one building under one management, such an arrangement shall be considered as one establishment.

Section 400.9 MOBILE UNIT OR MOBILE FOOD SERVICE ESTABLISHMENT - A food service establishment operating from or on a vehicle which returns to an approved commissary for servicing and maintenance at least once every 24 hours. The term does not include a transportation vehicle as defined herein, provided the vehicle is not used for preparation, handling, or peddling of perishable foods. The term does not include a common carrier regulated by the United States of America under Interstate Quarantine Regulations.

Section 400.10 MOBILE PACKAGED FOOD UNIT OR MOBILE PACKAGED FOOD SERVICE ESTABLISHMENT - A mobile unit on which food service is restricted to sealed pre-wrapped or pre-packaged foods in original containers and the dispensing of coffee, tea, homogeneous soup, or other similar beverages in single service containers.

Section 400.11 TEMPORARY FOOD SERVICE ESTABLISHMENT - Any food service establishment which operates at a fixed location for a temporary period of time, not to exceed 14 days in connection with a fair, carnival, circus, public exhibition or similar transitory gathering; including a food service establishment on wheels which does not fulfill the definition of "mobile unit" in this section; provided, that a temporary food service establishment operating under the jurisdiction of the Michigan Department of Agriculture at a state or county fairground shall not be included within this definition during the period of operation of a state or county fair.

Section 400.12 TRANSPORTATION VEHICLE - Any vehicle used for the transportation of food or beverage from a commissary to a vending machine location or from a food catering establishment to a customer's serving location, provided there is no preparation, handling or peddling of food from or on the vehicle, and provided the owner or person in responsible charge of the vehicle is the same as the owner or person in responsible charge of the commissary, food vending machine or food catering establishment, as the case may be.

\*\*Section 400.13 USPHS CODE - The unabridged non-grading form of the 1962 edition of the "United States Public Health Service Food Service Sanitation Ordinance and Code", being a part of Act No. 269 of the Public Acts; OR ANY FUTURE EDITION ADOPTED BY MICHIGAN STATUTE.

\*\*Section 400.14 USPHS VENDING CODE - The unabridged form of "The Vending of Food and Beverages - A Sanitation Ordinance and Code - 1965 Recommendations of the Public Health Service", being part of Act No. 269 of the Public Acts of 1968; OR ANY FUTURE EDITION ADOPTED BY MICHIGAN STATUTE.

Section 400.15 UTENSILS - Any tableware and kitchenware including but not limited to knives, spoons, cleavers, saws, mixing ladles and containers, used in the storage, preparation, conveying, or serving of food.

Section 400.16 VENDING MACHINE OR FOOD VENDING MACHINE - Any self-service device offered for public use which, upon insertion of one or more coins or tokens, or by other similar means, dispenses unit servings of food or beverages without the necessity of replenishing the device between each vending operation. The term shall not mean in this Code such devices which dispense only bottled or canned soft drinks, other packaged non-perishable foods or beverages, or bulk ballgum, nuts and panned candies.

Section 400.17 VENDING MACHINE LOCATION - A building, structure, room enclosure, or space where one or more food vending machines as defined in Section 400.16 are installed and operated.

Section 400.18 WORKING DAY - A day or any part thereof when the Health Department is open for business.

#### SECTION 410. ADMINISTRATION, FEES AND HEARINGS

Section 410.1 LICENSE REQUIREMENTS AND PROCEDURES - It shall be unlawful for any person to operate any food service establishment, temporary food-service establishment or vending machine location within the jurisdiction of this Code, unless said person possesses a license issued by the Health Officer, or by the State of Michigan subject to approval by the Health Officer as provided by Act No. 269 of the Public Acts of 1968.

(A) A person shall comply with all applicable requirements of the Ingham County Sanitary Code in order to be entitled to receive and to retain such a license. A license shall not be transferable as to person or place. The license shall be posted in a conspicuous place in every establishment, except that vending machine location licenses shall be subject to Section 470.

(B) Every license issued hereunder shall expire at Midnight on April 30, following date of issuance, or as otherwise stated on the license, except that a license for a temporary food service establishment shall be issued only for a stated period of time not to exceed 14 consecutive days. Any required license shall be deemed to be in effect as of the date of the Health Officer's approval of the application for same.

(C) Any person desiring to operate a food-service establishment shall make written application for a license on forms provided by the Health Officer. Such application shall be accompanied by the appropriate fee. If the application is for a license to operate a temporary food-service establishment, it shall include the inclusive dates of the proposed operation and the types of food intended to be served. Failure on the part of an applicant to fully complete the required application may be deemed cause for refusal to issue a license.

(D) Upon receipt of a properly completed application accompanied by the appropriate fee, the Health Officer shall make an inspection of the establishment and shall determine compliance with the applicable provisions of the statute, USPHS Code, and Ingham County Sanitary Code. Upon confirmation that the applicable requirements have been satisfactorily met, a license shall be issued to the applicant by the Health Officer. The applicant may thereafter be referred to as "licensee."

(E) DENIAL OF LICENSE - If the Health Officer finds good and sufficient reason to deny an application for license, he shall issue a notice to the applicant in writing that the license will not be issued, citing the deficiencies or non-complying items that constitute his reasons for not issuing the license. Until the applicant has satisfactorily complied with the requirements of this Code and the terms and conditions of the notice, he shall be denied a license.

(F) SUSPENSION OF LICENSE - Subject to the licensee's privilege of an opportunity for a hearing with the Health Officer as provided in Section 410.5 of this Chapter, any license issued pursuant to the provisions of the Ingham County Sanitary Code may be suspended by the Health Officer for failure of the licensee to comply with the applicable requirements of said Code.

(G) REVOCATION OF LICENSE - For serious or repeated violations of any of the requirements of the Ingham County Sanitary Code, or for interference with the Health Officer in the performance of his duties, a license may be revoked by the Health Officer after an opportunity for a hearing has been provided in accordance with Section 410.5. Prior to such action to revoke a license, the Health Officer shall notify the licensee in writing, stating the reasons for which the license is subject to revocation and advising that the license shall be revoked at the end of five days following service of such notice, unless the licensee files a request for a hearing within such five-day period and unless the licensee at said hearing satisfactorily shows cause why his license should not be revoked. A license may be suspended for cause, pending its revocation or a hearing and decision relative thereto.

Section 410.2 INSPECTION OF FOOD-SERVICE ESTABLISHMENTS - (A) The Health Officer shall have the authority to inspect every food service establishment, temporary food service establishment or vending machine located within the jurisdiction of this Code and shall make as many inspections and reinspections as are deemed necessary for the enforcement of the Ingham County Sanitary Code and applicable statutes and other Codes. The Health Officer shall be permitted to examine the pertinent records of the establishment to obtain information as to food and supplies purchased, received or used and to names and addresses of persons employed or served in the establishment.

(B) During an inspection of a food service establishment, temporary food service establishment or vending machine, the Health Officer shall appropriately record his findings as to violations of requirements of the USPHS Code. Demerit points as assigned to each requirement and as observed to be pertinent during inspection shall be recorded on appropriate forms.

(C) Whenever the Health Officer inspects a food service establishment and discovers that any of the requirements of this Code or of the USPHS Code have been violated, he shall notify the licensee or his representative of such violations by means of an inspection report or a notice of non-compliance. In such notification, the Health Officer shall set forth the specific items of violations found, together with the appropriate demerit points of each item, and shall state a specific and reasonable time for the correction thereof. The Health Officer shall determine the total demerit score for the establishment and shall in his discretion determine a deadline date for satisfactory compliance, based in part on the following provisions:

- (1) Any single item of 6 demerit points shall be corrected with 10 days after receipt of demerits;
- (2) Any single item of 4 demerit points shall be corrected with 30 days after receipt of demerits;
- (3) Any single item of 1 or 2 demerit points shall be corrected with 90 days after receipt of demerits;
- \*\* (4) Notwithstanding the time intervals provided above in this subsection, when the total demerit score of a fixed food service establishment exceeds 40, all items shall become subject to correction within 10 days or within such OTHER period as may have been stated by the Health Officer in his notice to the licensee, and the provisions of Section 410.1 (F) may be invoked immediately upon the expiration of such period.

\*\* (5) Notwithstanding the time intervals provided in Subsections (2) or (3) of this Section, when the total demerit score of a fixed food service establishment exceeds 20 but is not more than 40, all items become subject to correction within 30 days or within such OTHER period as may have been stated by the Health Officer in his notice to the licensee, and the provisions of Section 410.1 (F) may be invoked by the Health Officer at the end of the time established for compliance.

(6) In the case of a mobile food service establishment or a temporary food service establishment, all violations shall be corrected within 24 hours after receipt of notice of violation OR WITHIN SUCH OTHER TIME PERIOD AS MAY HAVE BEEN STATED BY THE HEALTH OFFICER IN HIS NOTICE TO THE LICENSEE, and the provisions of Section 410.1 (F) may thereafter be invoked by the Health Officer.

(7) Notwithstanding the time intervals provided for in this section, the Health Officer may require compliance within a shorter time when deemed necessary to protect the public health, and failure to comply with any such notice within the required time shall be sufficient reason for immediate suspension of license and ordering the establishment to close, as provided in Section 410.1 (F) and 410.4.

Section 410.3 SERVICE OF NOTICES - Upon completion of an inspection, the Health Officer shall sign the inspection report and shall request the licensee or operator, or an employee thereof who is present on the premises if the licensee or operator is not present, to sign the report acknowledging receipt of a copy thereof.

(A) Whether or not the licensee or his representative has signed an inspection report, delivery of a copy thereof to the person in charge of the establishment shall be deemed to be proper service of a report or notice contained therein. Failure of the licensee to receive any notice after such delivery shall not constitute a defense for failure to comply with requirements of this Code.

(B) Refusal or neglect by the licensee to comply with stipulations in any notice duly issued to him shall be sufficient grounds for suspension of his license and an order to close the establishment. Appeal for hearing for reinstatement may be made by the owner or licensee in accordance with provisions of Section 410.5.

Section 410.4 NOTICE OF SUSPENSION OF LICENSE - Whenever, in the opinion of the Health Officer, continued operation of a food service establishment, temporary food service establishment, vending machine or vending machine location, would create a substantial hazard to the public health, the Health Officer may issue a written notice to the licensee or operator thereof, citing such conditions and stating that the license is immediately suspended and that all food service operations shall be discontinued at once. The licensee shall immediately comply with an order for immediate discontinuance of operation or for immediate suspension of a license, and there shall be no further service of food until or unless the license shall have been reinstated.

Section 410.5 REQUEST FOR ADMINISTRATIVE HEARING - (A) Upon request to the Health Officer by or on behalf of any licensee or operator whose license has been suspended or who has received a notice of non-compliance, or upon the request of the Health Officer, an administrative hearing shall be afforded as soon as possible, within a period of time not to exceed three working days, provided that this shall in no way affect any ordered discontinuance of operation and suspension of license in advance of said hearing. The hearing provided for in this section shall be conducted formally or informally as determined by the Health Officer, during the working hours of the Ingham County Health Department, at a time and place designated by the Health Officer.

(b) In the event the licensee or operator fails to attend said hearing, he shall be deemed to have accepted suspension of his license. The licensee or operator may attend the hearing with or without benefit of assistance by legal counsel and/or witnesses, or may be represented by legal counsel.

(C) The Health Officer shall determine whether and under what stipulations the affected license shall be reinstated or shall be further suspended or revoked, and shall notify the licensee in writing of the determination.

(D) The decision of the Health Officer following the hearing shall be final unless appealed to a court of competent jurisdiction.

\*\* SECTION 410.8 - FEES FOR LICENSES AND OTHER SERVICES

(A) SCHEDULE OF FEES - The schedule of fees for licenses and other services pertaining to this Chapter shall be as specified in the Fee Schedule which is an appendix to this Code, as authorized in Section 110.5 of this Code. In Item 410.8 of said Fee Schedule, classes of establishments and services shall be as described below in this Section.

(1) Class 1 shall apply to every new fixed or mobile food service establishment as defined in Section 400.8 and shall cover the services of plan review, site inspection during and/or prior to construction, consultation with architects and contractors on behalf of the project, progress inspections, and preopening inspection. Note: see Class 9 in event these services have not been requested. This class shall also cover the operating license from the date of approval of preopening inspection until the next following April 30, inclusive. If this license is issued later than March 1, it shall continue to be valid until April 30 of the next calendar year unless suspended or revoked by the Health Officer or requested by the licensee to be terminated.

(2) Class 2 shall apply to every establishment, existing or hereafter created, which has separated areas for food preparation located in the same building and under same management, provided that this shall not include an auxiliary bar for preparing alcoholic beverages, an auxiliary kitchen which provides a minor part of the preparation for the main kitchen supplying all of the establishment, or incidental specialty concessions remote from the main kitchen. The intent shall be that essentially complete food preparation operations which are separate from each other but under the same license shall be in this Class.

(3) Class 3 shall apply to any establishment whose owner does not furnish or display to the Health Officer, as part of his application for a license renewal, acceptable documentary proof for the preceding calendar or other 12 month period, showing the gross sales of food service merchandise including alcoholic beverages to be in one of the sub-classes indicated in Class 4. Acceptable documents shall include either a suitable statement from a Certified Public Accountant, endorsed and transmitted by the owner or corporation officer who has signed the license application; or a copy of all applicable Federal income tax reports, such as Internal Revenue Service Form 1040, Schedule C; or a copy of the applicable Michigan Sales Tax Report, supplemented by a statement of sales of liquor by service. Such documents shall be returned to proprietor or agent after review. In the event of an establishment which has not been operated for a full consecutive period of 12 months, the Health Officer shall compute a projected 12 month total by a simple ratio method based on receipts during the available period of time less than 12 months, or at his option based on an accumulated 12 month period during the latest preceding years for which figures are available. An establishment conducting a variety of businesses may reduce its statement of gross sales by excluding sales of merchandise or services other than food service.

(4) Class 4 shall apply to any establishment which has substantiated, as provided and described in the preceding paragraph, that its gross sales of food service merchandise including alcoholic beverages is not greater than the upper limit of the sub-class claimed. This class shall consist of 3 or more sub-classes based on total annual volume of gross sales receipts as specified.

(5) Class 5 shall apply to seasonal establishments operating only during the six month period from November 1 to April 30, or from May 1 to October 31; provided that the Health Officer may accept a reasonable deviation from these dates as long as the total operating period does not exceed 183 calendar days. Note: First year license shall be subject to Class 1.

- \*\* (6) Class 6 shall apply to the changing of a license to reflect a change of ownership of an establishment for which a valid license exists and has been paid for. A change of ownership occurring and becoming effective between the close of the working day on or nearest preceding April 30 and the beginning of the working day on or nearest following May 1 shall be exempt from this fee. Note; see Class 9 if ownership change has not been reported in advance of effective date. If the establishment is or has been closed temporarily for 5 days or more to conduct extensive remodeling, then Class 1 shall apply instead of Class 6.
- \*\* (7) Class 7 shall apply to installation and operation of one or more licensable type food vending machines in a building or other location as defined in Section 400.17. Every such machine shall be counted to determine the appropriate sub-class and/or calculated total fee. Each food vending machine operator doing business in this County shall pay the larger amount of the total fees for all licensed locations in the County, or the minimum fee stipulated in Sub-class 7 (c).
- \*\* (8) Class 8 shall apply to any temporary food service establishment, as defined in Section 400.11. Sub-class (a) or (c) shall apply if the establishment will be in operation on one or more non-working days or will commence operation within 5 days after date of application and payment of fee.
- \*\* (9) Class 9 shall apply to any establishment, except temporary, which requires listed special services for the enforcement or administration of this Code, Sub-class 9 (s) shall apply to any establishment for which the license has been suspended following damage by fire or other casualty, or in event of major remodeling as provided in Section 410.7. Sub-class 9 (b) shall apply in any other instance of a suspended license. Sub-class 9 (c) shall apply to any establishment for which no application for license has been filed at least 5 working days in advance of commencing operation of a new or extensively remodeled establishment, or if a change of ownership becomes effective prior to receipt of proper notice and application for new license from the party or parties at interest. Sub-class 9 (d) shall apply to any vending machine operator who has failed to apply for at least one license for a vending machine location in Ingham County before commencing business in this County, or who has failed to comply with Section 470.8 (D).
- \*\* (10) Class 10 shall apply to delayed or late payment of any fee in this item, beyond the last working day of the calendar month when due. On the first working day of each month that the fee is unpaid the prescribed percentage shall be added to the original amount due; provided that the total amount so added shall not exceed 100 per cent of the original amount due. The same procedure for adjustments described for Class 9 shall apply to Class 10.
- \*\* (11) Class 11 shall apply to any check or money order issued by an applicant or licensee under this item, which check or money order is declared unpayable for any reason by the bank or other financial institution on which it was drawn. In addition to the special charge for the service of handling said returned check, the issuer may be required by the Health Officer to deliver cash in legal tender equal to the total amount due.
- \*\* (B) POLICY CONCERNING DISPUTED FEES - The fees prescribed under Classes 9, 10 and/or 11 of this section shall be assessed to compensate the Health Department for its additional services and costs due to the actions or omissions of the licensee or applicant; provided, that upon request of the licensee or applicant, the Health Officer may consider whether extenuating circumstances may have existed, resulting in the possibility that fairness and the public interest would be best accomplished if part or all of the fees prescribed under Classes 9, 10 and/or 11

were waived. In such instances the applicant or licensee shall make payment to the Health Officer, who shall retain the payment until the Board of Health shall have approved or rejected the waiver. The payment shall then be returned to the payer, or retained and deposited, in accordance with the decision of the Board of Health.

- \*\* (C) INCOMPLETE DOCUMENTATION - During the first 90 days after the effective date of this amendment, the Health Officer shall be authorized to accept less complete evidence or documentation with regard to the volume of sales and its relationship to the proper fees to be paid for renewal of annual licenses. Thereafter the Board of Health must review and approve any deviations from the requirements of this section.
- \*\* (D) FEE CREDIT FOR TRAINING COURSE COMPLETION - The amount of the fee in Class 2, 3, or 4 may be reduced by a credit of \$10.00 for the first licensing period that the applicant presents evidence that he or a partner or a subordinate managerial or supervisory employee in that establishment has successfully completed a course in applied food service sanitation or other approved and related subject as may be or become available and is conducted under the endorsement of the Division of Food Service Sanitation of the Michigan Department of Public Health, State of Michigan; provided that only one such credit shall be allowed toward any single fee and that only once such credit shall be allowed to or on behalf of any individual person. Each year one different person in the establishment may become eligible for a similar credit if he or she has qualified as above stated.

Section 410.9 EXEMPTION FROM FEES - A food-service establishment owned and operated by a religious or charitable organization, a school or other educational institution, or a governmental agency, shall be exempt from payment of fees, but shall not be exempt from other applicable requirements of this Code.

Section 410.10 ADDITIONAL REQUIREMENTS AND VARIANCES - (A) Every food service establishment, temporary food service establishment and/or vending machine shall comply with all applicable provisions of Act No. 269 of the Public Acts of 1968, including the USPHS Code and the USPHS Vending Code, whether or not such provisions are repeated within this Code. (B) The Health Officer may augment Code requirements when needed to assure the service of safe food; may prohibit the sale of certain foods found to be hazardous or potentially hazardous; and may to the least extent which he deems appropriate and reasonable, modify or waive specific Code requirements at a particular location when, in the opinion of the Health Officer, no significant health hazard will result from such deviation from literal compliance.

Section 410.11 EXAMINATION AND CONDEMNATION OF FOOD - Food may be examined or sampled by the Health Officer as often as may be necessary to determine freedom from adulteration or misbranding. The Health Officer may, upon written notice to the owner or person in charge, place a hold order on any food which he determines or has probable cause to believe to be unwholesome or otherwise adulterated or misbranded. Under a hold order, food shall be permitted to be suitably stored. It shall be unlawful for any person to remove or alter a hold order, notice, or tag placed on food by the Health Officer, and neither such food nor the containers thereof shall be removed from the premises, relabeled, repacked, reprocessed, altered, disposed of, or destroyed without permission of the Health Officer, except on order by a court of competent jurisdiction. After a hearing as provided for in Section 410.5 and on the basis of evidence produced at such hearing, or on the basis of examination in the event a written request for a hearing is not received within 10 days after date of hold order, the Health Officer may vacate the hold order, or may by written order direct the owner or person in charge of the food which was placed under the hold order to denatu.



or destroy such food or to bring it into compliance with the provisions of this regulation: Provided that such order shall be stayed if appealed to a court of competent jurisdiction within 3 days.

Section 410.12 ESTABLISHMENTS OUTSIDE JURISDICTION OF THIS CODE - Food from a food service establishment outside the jurisdiction of this Code may be sold within said jurisdiction if such establishment conforms to the provisions of this Code or to substantially equivalent provisions. To determine the extent of compliance with such provisions, the Health Officer may accept reports from a full-time health department or other responsible authority in the jurisdiction where such establishment is located.

Section 410.13 PLAN REVIEW OF FUTURE CONSTRUCTION - When a food-service establishment is hereafter constructed or extensively remodeled, or when an existing structure is converted for use as a food-service establishment, properly prepared plans and specification for such construction, remodeling, or alterations, showing layout, arrangement, and construction materials of work areas, and the location, size, and type of fixed equipment and facilities, shall be submitted to the Health Officer for written approval before such work is begun. The applicant shall be responsible for demonstrating compliance with all zoning, building, plumbing, electrical and other ordinances or Codes to the satisfaction of the appropriate municipal agency or authority.

\*\* Section 410.14 SHARING OF LICENSED FACILITIES - A school, community building, civic center, armory, church, fraternal order clubhouse, or similar building may be licensed upon application received from the board or other responsible agency and signed by one of the officers of said board or by a person in responsible charge of the establishment. Events involving food service within such buildings or the grounds thereof shall be the responsibility of the licensee as to sanitation procedures and other matters pertinent to this Code. The Health Officer may accept for filing a written statement of agreement or contract between the licensee and the sponsor of a particular event, executed for the purpose of clarifying the respective responsibilities of the various parties to each other. Such agreement may with the concurrence of the Health Officer specifically assign shares of these relationships to the various parties different from stated above, but the ultimate responsibility for Code compliance shall rest with the owner of the building or the person in responsible charge.

#### SECTION 420. FOOD SERVICE ESTABLISHMENTS

Section 420.1 FOOD SUPPLIES - All food in any food service establishment, temporary food-service or vending machine shall meet all requirements of Act No. 269 of the Public Acts of 1968, whether such requirements are repeated in this Code or not. Food shall be obtained only from sources approved or considered satisfactory by the Health Officer, and shall be clean, wholesome, free from spoilage, free from adulteration and misbranding, and safe for human consumption. No hermetically sealed, nonacid or low-acid food which was processed in a place other than a commercial food-processing establishment shall be used or stored in any food-service establishment, temporary food-service establishment or vending machine. All milk and milk products, bakery products, frozen desserts, meat and meat products, poultry and poultry meat products, shellfish fresh or frozen shall be from sources which are in compliance with applicable local, state and federal laws and regulations.

Section 420.2 FOOD PROTECTION - All food while being stored, prepared, displayed, served, or sold at a food service establishment or a temporary food service establishment, or during transportation between such establishments or within a mobile unit, or during transportation to or available for procurement from a vending machine, shall be protected from contamination whether by dust, flies, rodents and other vermin, by chemical toxication, by flooding or drippage of waste water; or by any other source. All perishable food shall be stored at such temperatures as will protect against spoilage. All potentially hazardous food shall be maintained at Fahrenheit temperatures of 45 or below, or 140 or above, except during minimum necessary periods of preparation and service. Raw fruits and vegetables shall be washed before use. Stuffings, poultry, stuffed meats and poultry, and pork products shall be thoroughly cooked before serving.

**Section 420.3 LABELING** - Each package of food which is to be served while wrapped from a vending machine, mobile unit, temporary food service establishment or other food service establishment shall bear a label clearly indicating the name of the person, firm, corporation or organization who prepared and packaged the food, and the location where the preparation and packaging was done. By symbols or otherwise the date of preparation or packaging shall be clearly indicated on each package of perishable food; such symbols shall be available to the Health Officer on request. The Health Officer may accept other labeling which provides equivalent information for public protection.

**Section 420.4 PERSONNEL HEALTH AND DISEASE CONTROL** - (A) No person while affected with any disease in a communicable form, or while a carrier of such disease, or while afflicted with boils, infected wounds, sores, or any acute respiratory infection, shall work in any area of any food-service establishment, temporary food service establishment, or any food transportation vehicle or in the servicing of any vending machine in any capacity in which there is a likelihood of such person contaminating food or food contact surfaces with pathogenic organisms, or transmitting disease to other individuals; and no person known or suspected of being affected with any such disease or condition shall be employed or assigned to work in such an area or capacity.

(B) If the manager or person in charge of the establishment has knowledge or reason to suspect that any employee has contracted any disease in a communicable form or has become a carrier of such disease, he shall notify the Health Officer immediately and take whatever action is necessary to insure compliance with this section.

(C) When the Health Officer has reasonable cause to suspect the possibility of disease transmission by or from any employee, the Health Officer shall secure a morbidity history of the suspected employee or make such other investigation as may be indicated, and take appropriate action. The Health Officer may require any or all of the following measures:

- (1) The immediate exclusion of the employee from all food-service establishments;
- (2) the immediate closure of the establishment concerned until, in the opinion of the Health Officer, no further danger of disease outbreak exists;
- (3) seizure and/or disposal of potentially contaminated foods;
- (4) restriction of the employee's services to some area of the establishment where there would be no danger of transmitting disease; and
- (5) adequate medical and laboratory examination of the employee, of other employees, and of his and their body discharges, and/or of food-stuffs or equipment.

(D) Medical examination, pre-employment and at intervals - The Health Officer may, at his discretion, require evidence of medical examination of any employee engaged in the food operations listed in this section. This may include, but shall not be limited to, a pre-employment x-ray of chest or a skin test for tuberculosis, annual repetition of such x-ray or test, laboratory examination of specimens of body discharges, inspection or swab testing of throat or any other area of the body.

\*\* **Section 420.5 PERSONNEL TRAINING** - Each employer or person in charge of a food service establishment or a temporary food service establishment or the servicing of vending machines shall be responsible for the conduct of the employees thereof with respect to personal hygiene and the safe and sanitary practice required by this Code. The employer shall be responsible for enforcing a "no smoking" rule in food preparation areas.

\*\* Section 420.6 TRAINING CLASSES - Each employer or person in charge of a food service establishment shall be responsible for adequate training of all employees, including arranging that all employees attend appropriate courses of training and instruction when so notified by the Health Officer, and when appropriate he shall be responsible to assist in arranging for such courses in premises of, or in space provided by, the establishment. THE HEALTH OFFICER IS AUTHORIZED TO ASSIST IN THE PREPARATION FOR AND CONDUCTING OF COURSES OF INSTRUCTION SUCH AS APPLIED FOOD SERVICE SANITATION OR OTHER COURSE ENDORSED BY THE DIVISION OF FOOD SERVICE SANITATION OF THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH.

## SECTION 430. FOOD EQUIPMENT AND UTENSILS

Section 430.1 CLEANLINESS - All eating and drinking utensils shall be thoroughly cleaned and sanitized after each usage. All glassware used in serving any alcoholic beverages shall be cleansed by means of an approved motor-driven glass washer, or in an approved dishwashing machine or by other approved methods. Cooking surfaces of equipment shall be cleaned as needed and at least once a day. All utensils and food contact surfaces of equipment used in the preparation, service, display, or storage of potentially hazardous food shall be thoroughly washed, rinsed and sanitized prior to and after each such use. All other kitchenware and food-contact surfaces of equipment used in the preparation of serving of food or drink, and all food-storage utensils, shall be thoroughly cleaned after each such use. Non-food contact surfaces of equipment shall be cleaned at such intervals as to keep them in a clean and sanitary condition. After cleaning and until use, all food-contact surfaces of equipment and utensils shall be so stored and handled as to be protected from contamination.

Section 430.2 SINGLE SERVICE ITEMS - All disposable single service items shall be stored, handled and dispensed in a sanitary manner, and shall be used only once. Items used for decorative purposes shall not constitute a safety hazard or a source of contamination with respect to food.

Section 430.3 DISCRETIONARY REQUIREMENT OF SINGLE SERVICE ITEMS - Food-service establishments which do not have adequate and effective facilities for cleaning and sanitizing utensils shall use only disposable, single-service articles. This requirement may be invoked at the discretion of the Health Officer when conditions warrant.

## SECTION 440. SANITARY FACILITIES AT FOOD SERVICE ESTABLISHMENTS

Section 440.1 WATER SUPPLY (A) The water supply shall be adequate in quantity, of a safe and suitable quality, and from an approved source. Hot and cold running water under pressure shall be provided in all areas where food is prepared, and where food contact equipment, utensils, or containers are washed.

(B) Whenever a publicly operated water system or other system meeting the requirements of Act No. 98 of the Public Acts of 1913, as amended, becomes available, every food service establishment shall be connected to the public supply within sixty days thereafter. A new food service establishment constructed where a public supply is available shall be so connected prior to first operating. "Available" shall be interpreted as provided in Section 320.4 of this Code.

(C) Ice used for any purpose shall be made from water which comes from an approved source, and shall not be used in a food service establishment, temporary food service establishment or vending machine unless it has been manufactured, processed, stored, transported, and handled in a sanitary manner.

Section 440.2 SEWAGE DISPOSAL - All sewage shall be disposed of into a public sewerage system meeting the requirements of Act No. 98 of the Public Acts of 1913, as amended, if available, or in the absence thereof, in a manner approved by the Health Officer. Whenever a public sewerage system becomes available, every food service establishment shall be connected to said system within 60 days.

Section 440.3 STORAGE AND DISPOSAL OF SOLID WASTES - (A) Facilities for the storage of garbage and rubbish on premises shall be provided and used so as to avoid creation of any nuisance.

(B) Disposal shall be made of such wastes in a manner which complies with Act 87 of the Public Acts of 1965 as amended, and with applicable local ordinances.

(C) If so directed by the Health Officer, a contract shall be entered with a firm or governmental unit for supplying the service of solid waste removal at sufficiently frequent intervals to prevent nuisance.

(D) No waste materials shall be burned on the premises, except in an approved incinerator complying with air pollution control requirements and Act No. 87 of the Public Acts of 1965, as amended.

Section 440.4 PLUMBING - Plumbing shall be sized, installed, and maintained to comply with applicable plumbing Codes; to carry adequate quantities of potable water to and waste water from all required locations throughout the establishment; to prevent contamination of the water supply; to properly convey sewage and liquid wastes from the establishment to the sewage-disposal system; and so as to prevent its becoming a source of contamination of food, equipment, or utensils, or creating an insanitary condition or nuisance. The requirements or standards of the state plumbing board as to workmanship, layout and materials shall be met where no local plumbing Code applies.

Section 440.5 TOILET FACILITIES - Each establishment shall be provided with adequate, conveniently located and suitably illuminated toilet facilities for its employees. Toilet fixtures shall be of sanitary design and readily cleanable. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair and shall be accessible to the employees at all times. The doors of all toilet rooms shall be self-closing and equipped to insure privacy. Toilet tissue shall be provided. Easily cleanable receptacles shall be provided for waste materials, and such receptacles in toilet rooms for women shall be covered. Mechanical ventilation separate from ventilation for the rest of the establishment shall accomplish at least 4 air changes per hour whenever the toilet is occupied. When toilet facilities are provided for patrons, such facilities shall be built and maintained in accordance with the requirements of this section. Patrons shall not be admitted to toilet facilities intended for employees if such admittance would deprive employees of required access to hand-washing facilities. Establishments serving alcoholic beverages shall comply with requirements of the State of Michigan Liquor Control Commission as to toilet facilities and related matters.

Section 440.6 HAND-WASHING - Each establishment shall be provided with adequate, conveniently located hand-washing facilities for its employees, including one or more lavatories equipped with hot and cold or tempered (100°F to 115°F) running water, hand cleaning soap or detergent, and approved sanitary towels or other approved hand-drying devices. Such facilities shall be kept clean and in good repair. Lavatories shall be located within or immediately adjacent to all toilet rooms and within the area where food is prepared. Mixing valves or combination faucets shall be used to permit adjustment of water temperature during handwashing without use of basin stopper or plug.

Section 440.7 VERMIN-CONTROL - Effective measures shall be taken to prevent the entrance or maintenance of vermin on the premises. If infestation should occur, safe and effective methods shall be used to destroy or remove all living vermin. If so directed by the Health Officer, the services of a pesticide applicator who is licensed under Act No. 233 of the Public Acts of 1959, as amended, shall be engaged to eradicate a vermin infestation.

\*\* Section 440.8 PROTECTION OF FOODS DURING DISPLAY - Whenever food is exposed to public contact while on display, such as in serving lines at cafeterias, buffets, smorgasbords, and the like, there shall be provided adequate shielding from coughing or nasal contamination (sneeze guards), and adequate utensils to minimize the customers' personal contact with the foodstuffs. Shielded light fixtures or tubes shall be used where needed to protect against breakage of bulbs or tubes and against contamination of the foodstuffs by broken glass in event of shattering of same.

## SECTION 450. FOOD SERVICE ESTABLISHMENT VENTILATION SYSTEMS AND FILTERS

Section 450.1 VENTILATION - All rooms in which food is prepared or served or in which utensils are washed, and all dressing or locker rooms, toilet rooms and solid waste storage areas, shall be sufficiently ventilated. (See also Section 440.5). Ventilation hoods, filter fans, and other devices shall be designed to prevent grease or condensate from dripping into food or onto food-preparation surfaces. Filters, where used, shall completely control the flow of exhausted air and shall be readily removable for cleaning or replacement. Ventilation systems shall comply with applicable performance requirements as approved by the Health Officer and shall discharge to the outside air in such manner as to prevent creation of any nuisance. Exhaust fans connected to required hoods over cooking equipment shall be capable of moving air at the rate of at least 100 cubic feet per minute (CFM) times the number of square feet of open area under the hood inlet, or as approved by the Health Officer with respect to the equipment and space to be ventilated.

Section 450.2 MAKE-UP AIR - Make-up air shall be provided in volumes equal to the air exhausted, and shall be introduced so that an effective exhaust is maintained in the space between the appliance and the hood. Reduced atmospheric pressure shall not be created in any part of the building such that combustion products escape from chimneys, fume pipes or vented burners. Where gravity openings are to be used for passage of make-up air, they shall be sized on the basis of one square foot of free area for each 500 CFM of air exhausted. When total exhaust volumes exceed 2,000 CFM, tempered make-up air shall be provided in volume equal to that exhausted. Make-up air equipment shall be designed for 70 degree Fahrenheit temperature rise and shall have thermostatic control. Where make-up air equipment is used, electrical controls shall be interlocked with the hood exhaust equipment so that all appropriate units will operate simultaneously.

Section 450.3 GREASE CONDENSING FILTERS - Approved grease condensing filter baffles shall be installed when appropriate at inlet of the exhaust system. Installation of the filters shall be such that the face of each filter forms an angle of at least 45 degrees with the horizontal. Filters shall be supported in a manner that will prevent by-passing of air and will permit droplets of grease to run down to the base of the filter and drop from the lowest edge into a grease trough. The grease trough shall be conveniently accessible for cleaning. Filters and trough shall be maintained clean and unobstructed.

## SECTION 460. SAFETY AND HOUSEKEEPING

Section 460.1 SAFETY - Conditions which constitute a hazard to the safety of any person shall not be permitted within or on the premises of a food service establishment or temporary food service establishment.

Section 460.2 COMPRESSED GASSES - Pressure cylinders of carbon dioxide or other compressed gas shall be secured against tipping and protected from misuse or damage.

Section 460.3 HOUSEKEEPING - All parts of every food service establishment or temporary food service establishment and its premises shall be of such construction and condition that they can be kept clean, and shall be kept clean and neat, free of litter and rubbish. Adequate storage areas shall be provided. Cleaning operations shall be conducted in such a manner as to minimize contamination of food and food-contact surfaces. Soiled linens, coats, and aprons shall be kept in suitable containers until removed for laundering. Only articles considered necessary to the routine operation and maintenance of the food service operation shall be permitted in the establishment or on the premises.

Section 460.4 SEPARATION FROM CONFLICTING USES - None of the operations connected with a food service establishment or temporary food service establishment shall be conducted in any room used as living or sleeping quarters. If living quarters are located in the same building, there shall be a solid partition with no opening from the living quarters into the food service establishment or temporary food service establishment. Live birds, turtles or animals shall be excluded from all areas used for or affecting the conduct of food service operations: Provided, that this shall not prohibit guide dogs accompanying blind persons in dining rooms and sales areas.

Section 460.5 LIGHT FIXTURES - Protective shielding shall be provided for artificial light fixtures in food preparation areas, utensil and equipment washing areas, and other areas where food is displayed or exposed.



## SECTION 470. FOOD VENDING MACHINES

SECTION 470.1 LICENSES: Each vending machine location license issued under this chapter shall pertain to the location as defined, including all licensable food vending machines installed by the named operator at the same location. The number of licensable vending machines at or within the specified location shall be stated by the operator on his application for the license for such location, and shall not be increased without notice to the Health Officer. Vending machines shall not be considered as permanently installed, and may be substituted, replaced, relocated or removed without notice as long as ownership has not changed and as long as each vending machine is of an approved type and condition. Licenses for locations shall not be transferable from one person to another, nor to another location. Licenses shall be produced upon request of the Health Officer, who may affix to each vending machine a mark or label attesting to inspection thereof.

SECTION 470.2 IDENTIFICATION AND INVENTORY OF VENDING MACHINES: Every licensable vending machine shall be identified as to the name of the licensee. A list of all vending machines subject to this Code, showing the make, model, serial number, and type of foods dispensed therein, and including the location thereof, shall be maintained by the licensee and made available to the Health Officer on request.

SECTION 470.3 VENDING MACHINE INSTALLATION: The vending machine shall be installed so as to minimize the potential for contamination of the product. The surrounding area shall be well lighted, easily cleanable, and shall be kept clean. Facilities for handwashing as specified in Section 440.6 shall be conveniently located and accessible.

SECTION 470.4 CONSTRUCTION AND MAINTENANCE: (A) The exterior construction of the vending machine shall be such as to facilitate cleaning and to minimize the entrance of dust, insects and rodents, and the exterior of the machine shall be kept clean. Service connections shall be such as to protect against unintentional or accidental interruption of service to the machine.

(B) All interior surfaces and component parts of the vending machine shall be so designed and constructed as to permit easy cleaning, and shall be kept clean. All product-contact surfaces of the machine shall be of smooth, non-toxic, corrosion resistant, and relatively non-absorbent material, and shall be capable of withstanding repeated cleaning and bactericidal treatment by normal procedures. Product-contact surfaces shall be protected against contamination.

(C) Employees shall keep their hands clean, shall wear clean outer garments, and shall in all respects maintain a high degree of personal cleanliness and hygienic practices while engaged in handling foods or product-contact surfaces of utensils or equipment in any commissary, transportation vehicle or vending machine, or in any vending machine location.

SECTION 470.5 PROTECTION OF FOODS AND EQUIPMENT IN TRANSIT: Food, beverages, and ingredients, and product-contact surfaces of containers, equipment and supplies, shall be protected from contamination while in transit to machine location. Readily perishable foods and beverages while in transit shall be maintained at a temperature either below 45°F or above 140°F. All foods, beverages and ingredients shall be from approved sources, clean, wholesome and free from spoilage, adulteration, contamination or misbranding.

SECTION 470.6 PROHIBITION OF ADULTERATED OR MISBRANDED FOOD: It shall be unlawful for any person within the jurisdiction of this Code to sell, offer, or expose for sale, through vending machines, or to have in possession with intent to sell therefrom any food, beverage, or ingredient which is adulterated or misbranded, or which is not protected from contamination. Samples of food, beverage, or ingredient may be taken and

examined by the Health Officer as often as may be necessary to determine freedom from adulteration or misbranding. The provisions of Section 410.11 shall govern action to be taken with regard to unsatisfactory items.

SECTION 470.7 WATER SUPPLY AND WASTE DISPOSAL: Water used in vending machines shall be from an approved source, and shall be of a safe quality. Plumbing shall conform to the applicable state and local requirements. All waste foods, discarded serving articles and other wastes shall be properly disposed of, and pending disposition shall be kept in suitable containers so as to prevent creating a nuisance.

SECTION 470.8 ISSUANCE OF LICENSE FOR VENDING MACHINE LOCATIONS - (A) It shall be unlawful for any person to engage in the operation of one or more food vending machines in the jurisdiction of this Code who does not possess valid licenses for his commissary and each vending machine location as issued by or with approval of the Health Officer. Only a person who complies with the applicable provisions of Ingham County Sanitary Code shall be entitled to receive and retain such licenses.

(B) Any person desiring to operate one or more food vending machines within the jurisdiction of this Code shall make application in writing on forms provided by the Health Officer. Such applicant shall provide at least the following: (1) The applicant's full name, place of residence or main business office, and post office address; (2) The location of each commissary and other establishments where supplies are kept and where vending machines are repaired or renovated; (3) With respect to each location as defined, the number of vending machines which are subject to this Code; (4) The signature of the applicant; (5) The fee prescribed by the Fee Schedule. Failure on the part of an applicant to fully complete the required application may be deemed cause for refusal to issue a license.

(C) Upon receipt of a properly completed application the Health Officer shall make an inspection of the commissary and of representative machines and machine locations to determine compliance with the provisions of this Code. When inspection confirms compliance with the applicable provisions of this Code, the application for a license shall be approved by the Health Officer.

(D) Prior to initiation of changes, the licensee shall notify the Health Officer of any change in operations involving new types of vending machines, or conversion of existing machines to dispense products other than those for which the machine was built and approved. The licensee shall notify the Health Officer within 5 working days, as to new locations where vending machines have been installed, and as to increases in the number of licensable machines at a licensed location.

Section 470.9 INSPECTION OF VENDING MACHINES AND LOCATIONS - The Health Officer shall inspect the servicing, maintenance and operation of vending machines and vending machine locations as often as deemed necessary. The Health Officer after proper identification shall be permitted to enter at any reasonable time upon any private or public property within the jurisdiction of this Code where vending machines are operated, or in which such machines are serviced, for the purpose of determining compliance with the provisions of this Code. The operator shall make provision for the Health Officer either in company with an employee or otherwise, to have access for inspection of the interior of all vending machines operated by him.

Section 470.10 AUTOMATIC SUSPENSION OF LICENSES - At any time that there is a suspension of the license for any food service establishment serving as the commissary or service building for one or more licensed vending machine locations, the licenses for any and all such vending machine locations shall automatically and simultaneously be suspended. Provided, that this action may be modified by the Health Officer during a hearing conducted as specified in Section 410.5 of this Code.

## SECTION 480. MOBILE FOOD SERVICE ESTABLISHMENTS

Section 480.1 MOBILE FOOD UNITS - All mobile food units shall comply with all provisions of this ordinance which are applicable to its operation. The Health Officer may augment requirements when needed to assure the service of safe food; may prohibit the sale of certain potentially hazardous food; and may modify specific requirements for physical facilities when in his opinion no imminent health hazard will result.

\*\* Section 480.2 ADDITIONAL REQUIREMENTS - (A) Mobile food units shall be restricted to the use of single service articles for eating and drinking purposes. (B) Food processing and preparation areas shall be completely separated from the mobile unit steering and operating compartments. (C) All garbage and refuse shall be properly stored and removed as frequently as necessary to prevent a nuisance and be disposed of in a manner approved by the Health Officer. (d) The mobile food unit water system shall be a potable water system under pressure. This potable water supply system shall be of sufficient capacity to furnish an adequate quantity of hot and cold water for food preparation, cleaning, and hand-washing purposes in accordance with applicable provisions of this Code. The water-filling inlet shall be located in such a position that it will not be contaminated by waste discharges, road dust, oil or grease and shall be provided with a transition connection of a size or type that will effectively discourage its use for any other service. All water distribution pipes or tubing shall be constructed according to the provisions of this Code. Water shall be obtained and transferred from the service building or commissary to the mobile unit in a sanitary manner. (E) Where liquid wastes result from mobile food unit operations, they shall be stored in permanently installed retention tanks which are 50% larger than the water supply tank. The waste liquids shall not be discharged or allowed to leak from the retention tank when the mobile food unit is in motion or is at any location other than an approved servicing area. Provisions shall be made for the retention tank to be thoroughly flushed and drained during the servicing operation. All liquid waste shall be discharged to a sanitary sewer. All transition connections for servicing mobile food unit waste disposal facilities shall be of a different size or type than those used for supplying potable water to the food unit. (F) IN AREAS OF THE MOBILE UNIT OR ITS ENVIRONMENT WHERE FOOD IS EXPOSED DURING STORAGE, DISPLAY OR SERVICE, ADEQUATE MEASURES SHALL BE TAKEN TO PROTECT SUCH FOOD FROM CONTAMINATION BY BROKEN GLASS, DUST, BIRDS, INSECTS AND OTHER ANIMALS, OR OTHERWISE.

Section 480.3 SERVICE BUILDING OR COMMISSARY - (A) A service building or commissary shall be provided in compliance with construction requirements of a food-service establishment and shall be subject to license requirements of Section 410. An inside-service area complying with applicable provisions of Section 410 through 460 of this Code shall be provided for cleaning and servicing mobile food units. Such an area shall be physically separated from all food operations; shall provide potable water and approved facilities for the drainage and disposal of liquid wastes. (B) Mobile food units shall operate from an approved commissary or other fixed food-service establishment and shall report to such location for cleaning and servicing as often as deemed necessary by the Health Officer, but at intervals no longer than 24 hours.

Section 480.4 AUTOMATIC SUSPENSION OF LICENSE - At any time that there is a suspension of the license for any food service establishment serving as the commissary or service building for one or more mobile food units, the licenses for any and all such mobile food units shall automatically and simultaneously be suspended;

(Section 480.4 cont.) provided, that this action may be modified by the Health Officer during a hearing conducted as specified in Section 410.5 of this Code.

Section 480.5 REFRIGERATION AND HEATING EQUIPMENT - Potentially hazardous food shall be stored and displayed at safe temperatures, being below 45°F, or above 140°F, whichever is applicable. Adequate, properly constructed and located mechanical refrigeration shall be provided for cold foods; and adequate, properly constructed and located heating equipment shall be provided for hot foods, if said cold foods or hot foods are transported or served.

Section 480.6 MOBILE PACKAGED FOOD UNIT - Mobile food units which fail to provide approved water and waste systems or which otherwise fail to meet all applicable requirements of this Section shall not engage in food preparation or cooking operations. Such mobile food units shall handle only completely wrapped or packaged food which has been manufactured, processed, prepared and packaged in individual servings at an approved food-service establishment or food processing plant and transported and stored in accordance with provisions of this Code; provided that non-potentially hazardous bulk beverages from approved sources may be dispensed from covered urns or other protected containers.

## CHAPTER V PUBLIC ASSEMBLAGES AND INSTITUTIONS

This Chapter provides for required health-related facilities at large, extended public gatherings, for toilet fixtures and other requirements at schools and other institutions, and establishes numbers of facilities according to needs.

### SECTION 500. DEFINITIONS APPLICABLE TO THIS CHAPTER

Section 500.1 PUBLIC ASSEMBLAGE - Any event attended by more than 5,000 persons and expected to last longer than two hours, which event, or any part thereof, includes a theatrical exhibition, public show, display, entertainment, amusement or other exhibition including but not limited to musical festivals, rock festivals, or similar gatherings. This definition shall not include:

- (A) An event which is conducted or sponsored by a governmental unit or agency on publicly owned land or property; or
- (B) An event held entirely within the confines of a permanently enclosed and covered structure; or
- (C) An event for which a rally permit has been issued in accordance with Act No. 172 of the Public Acts of 1972; or
- (D) An event for which a license has been granted by the City of Lansing in accordance with Ordinance No. 249, Chapter 22A of the Lansing Code, or for which approval has been granted by the Ingham County Board of Commissioners in accordance with stipulations by said Board.

Section 500.2 INSTITUTION - Any public school, parochial school, private school, nursery school, trade school, college, university, in-residence school, day care center, boarding home, veterans care facility, nursing home, home for the aged, supervised care home, adult foster care home, shelter mission, halfway house, drug therapy center, in-residence clinic or care facility, detention home, jail, housing for group care of mentally or physically handicapped, or any type of premises where overnight care of three or more unrelated persons is provided and where these persons are in any way detained from leaving and returning to the premises at their own discretion.

### SECTION 510. PUBLIC ASSEMBLAGE

Section 510.1 TYPES OF TOILET FACILITIES FOR PUBLIC ASSEMBLAGES- Whenever preparations are made for a public assemblage as defined in this Chapter, suitable arrangements shall be made for permanent or temporary toilet facilities to serve the anticipated attendance. If water-flushed fixtures are provided, they shall be supplied with ample water for flushing and shall be connected to a public sewer, or to a private sewage disposal system constructed in accordance with Chapter II of this Code, or to one or more sewage holding tanks which shall be emptied in compliance with Act No. 243 of the Public Acts of 1951, as amended. Toilet facilities of the non-water-flush type shall be so constructed as to be sturdy, reasonably fly-tight, smooth, easily cleanable, and so as to retain all human wastes pending collection and disposal. Privy pits if used shall be buried and disinfected upon removal of the privy structure. All toilet facilities shall be so equipped and arranged as to provide shelter, privacy, segregation of sexes, and adequate ventilation and lighting; toilet tissue in suitable dispensers shall be furnished. Handwashing facilities shall be available in a suitable location convenient to the toilet facilities.

**\*\* Section 510.2 NUMBER OF FACILITIES FOR PUBLIC GATHERINGS -** Based on expected or actual attendance, whichever is greater, the number of fixtures or toilet units at a public gathering shall be no less than required by Table 5-1 (appearing on Page 46 of the Ingham County Sanitary Code). Where the event is expected to extend beyond 24 hours in duration, showers shall be provided, on the basis of one shower head for each sex for each 100 persons of each sex. Sufficient water heating capacity shall be provided to maintain a constant flow of tempered water at no less than 90 degrees F. to every shower head. Specifications in Table 5-1, below the minimum size of assemblage to which this Chapter applies, shall be used for guidance in relation to sections of an event or development, or to smaller group events. IF APPLICABLE PLUMBING CODE REQUIREMENTS DIFFER, THE LATTER SHALL APPLY.

## **SECTION 520. INSTITUTIONS**

**Section 520.1 FACILITIES FOR INSTITUTIONS -** All schools, day care centers, adult foster care homes, detention homes, and any other types of institutional premises as defined in this Chapter shall provide adequate floor space, toilet and handwashing facilities for the maximum anticipated or actual occupancy, whichever is greater, and shall maintain the entire facilities of the institution in a safe and sanitary manner.

If controlling requirements of any state regulatory agency are applicable, institutions shall comply with said requirements and maintain the facilities so that the minimum criteria are met at all times.

**\*\* Section 520.2 NUMBER OF FIXTURES FOR INSTITUTIONS -** Any type of institution regulated by Section 520.1 shall have at least a minimum number of fixtures as listed in Table 5-2 (appearing on Page 47 of the Ingham County Sanitary Code) determined in accordance with the design or actual occupancy, whichever is greater. IF APPLICABLE PLUMBING CODE REQUIREMENTS DIFFER, THE LATTER SHALL APPLY.

**Section 520.3 PREPARATION AND SERVING OF FOOD -** Facilities shall be provided as appropriate for the preparation and serving of food to occupants and/or staff of each institution subject to this Chapter. Such facilities shall be so designed, constructed and maintained as to be adequate and sanitary for the purposes intended.

**TOILET FIXTURE REQUIREMENTS FOR PUBLIC ASSEMBLAGES**

**SECTION 510.2, TABLE 5-1**

Number of Males	Males			Number of Females	Females	
	Closets	Lava-tories	Urinals		Closets ***	Lava-tories
1- 100	1	1	1	1- 75	1	1
101- 250	2	1	1	76- 200	2	1
251- 600	2	2	2	201- 400	3	2
601- 775	3	3	3	401- 600	4	2
776- 950	3	3	4	601- 800	5	3
951-1125	4	4	5	801-1100	6	3
1126-1300	4	4	6	1101-1400	7	4
1301-1500	5	5	7	1401-1700	8	4
1501-1700	5	5	8	1701-2000	9	5
1701-1900	6	6	9	2001-2300	10	5
1901-2100	6	6	10	2301-2600	11	6
2101-2350	7	7	11	2601-2900**	12	6
2351-2600*	7	7	12			

**\* WATER CLOSETS, LAVATORIES.**

In addition, provide one (1) water closet and one (1) lavatory for each additional five hundred (500) males, or fraction thereof, starting at two thousand six hundred (2600).

**\* URINALS**

In addition, provide one (1) urinal for each additional two hundred fifty (250) males, or fraction thereof, starting at two thousand six hundred (2600).

**\*\* WATER CLOSETS**

In addition, provide (1) water closet for each additional three hundred (300) females, or fraction thereof, starting at two thousand nine hundred (2900).

**\*\* LAVATORIES**

In addition, provide one (1) lavatory for each additional six hundred (600) females, or fraction thereof, starting at two thousand nine hundred (2900).

**\*\*\* SUBSTITUTION OF URINALS FOR WATER CLOSETS**

Urinals may be substituted for up to 50% of the water closets required.

TOILET FIXTURE REQUIREMENTS FOR SCHOOLS AND OTHER INSTITUTIONS

SECTION 520.2, TABLE 5-2

Number of Males	Males			Number of Females	Females	
	Closets	Lava-tories	Urinals		Closets	Lava-tories
1 - 30	1	1	1	1 - 30	1	1
31 - 60	2	1	2	31 - 60	2	1
61 - 90	2	2	3	61 - 90	3	2
91 -120	3	2	4	91 -120	4	2
121 -150	3	3	5	121 -150	5	3
151 -180	4	3	6	151 -180	6	3
181 -210	4	4	7	181 -210	7	4
211 -240	5	4	8	211 -240	8	4
241* -270	5	5	9	241 -270	9	5
271** -300	6	5	10	271*** -300	10	5

**\* WATER CLOSETS**

In addition, provide one (1) water closet for each additional sixty (60) males, or fraction thereof, starting at two hundred seventy (270).

**\*\* LAVATORIES**

In addition, provide one (1) lavatory for each additional sixty (60) males, or fraction thereof, starting at three hundred (300).

**\*\* URINALS**

In addition, provide one (1) urinal for each additional thirty (30) males, or fraction thereof, starting at three hundred (300).

**\*\*\* WATER CLOSETS**

In addition, provide one (1) water closet for each additional thirty (30) females, or fraction thereof, starting at three hundred (300).

**\*\*\* LAVATORIES**

In addition, provide one (1) lavatory for each additional sixty (60) females, or fraction thereof, starting at three hundred (300).



## CHAPTER VI

### LAND DEVELOPMENT; NUISANCE PREVENTION AND CONTROL; RECREATIONAL WATER FACILITIES; ENVIRONMENTAL EVALUATIONS OF RESIDENTIAL PREMISES

#### SECTION 600. LAND DEVELOPMENT AND SUBDIVISION CONTROL

Section 600.1 **APPLICABILITY OF ACT AND RULES** - The Subdivision Act, being Act No. 288 of the Public Acts of 1967, shall be administered in accordance with the rules of the Michigan Department of Public Health. In the case of any proposed subdivision which is not intended to be served by a municipal water system and a municipal sewer system, the provisions of the Ingham County Sanitary Code shall be applied by the Health Officer in determining suitability of the land for on-site water supplies and for on-site sewage disposal.

Section 600.2 **WATER SUPPLY AND SEWAGE DISPOSAL REQUIRED** - All premises on which any person resides or is regularly employed shall be provided with service by a water supply complying with applicable provisions either of Act No. 98 of the Public Acts of 1913, as amended, or of Act No. 294 of the Public Acts of 1965, as amended, and a sewage disposal facility consisting of either a sewer connection to a public sewer system complying with Act No. 98 of the Public Acts of 1913, as amended, or an acceptable on-site system complying with the Ingham County Sanitary Code. All sewage which originates on any premises shall be conveyed to a public sewer system if such is available, or if a public sewer is not available then facilities shall be provided on the said premises for sufficient treatment and sanitary disposal of all sewage by methods acceptable to the Health Officer.

Section 600.3 **EVALUATION OF PROPOSED SUBDIVISIONS** - In each instance of a proposed subdivision which would not in its entirety be served by public water supply and public sewers, the Health Officer shall examine submitted data including preliminary plats, topographic maps, percolation tests, soil borings, and site reports, and shall physically inspect the land to make an appropriate determination of suitability thereof for private water supply and/or sewage disposal systems.

Section 600.4 **FEES FOR SUBDIVISION EVALUATION** - At the time a preliminary plat for a proposed subdivision which would be subject to Section 600.3 is submitted to the Health Officer, the proprietor shall pay to the Ingham County Health Department a fee based in part on the total number of lots proposed to be served by on-site water supplies and/or on-site sewage disposal systems. The amount of said fee shall be as prescribed in the current edition of the Health Department Fee Schedule, Item 600.4. The number of lots originally proposed shall be considered in determining the fee with no allowance for reduction if that should be required as a condition of approval. If prior to final approval of the plat, a new design of the same plat is submitted increasing the number of lots to which this section applies by more than five, an adjustment in fees shall be paid.

Section 600.5 **OPTIONAL MODIFICATION OF REQUIREMENTS** - Where extenuating local circumstances warrant, and as provided in Rule R560.404 (2) of the Michigan Administrative Code, the Health Officer may modify the requirements of the Ingham County Sanitary Code or of the Michigan Department of Public Health rules governing on-site sewage disposal in platted subdivisions. These modifications shall be made in writing to the proprietor with a copy to the Director of the Michigan Department of Public Health, either increasing or decreasing the requirements. The Health Officer shall state the justification of each modification.

## SECTION 610. ABATEMENT OF VERMIN INFESTATION

Section 610.1 ABATEMENT OF INFESTATION - With respect to all property within the jurisdiction of this Code, whenever the Health Officer shall find an infestation of rodents, insects or other vermin detrimental to public health, or the potential for such infestation, on or within such property, the Health Officer may order the owner or other responsible person to take whatever measures are deemed to be reasonably necessary to abate the condition, in accordance with applicable provisions of Act no. 154 of the Public Acts of 1913.

Section 610.2 COST OF ABATEMENT - If such order as specified in Section 610.1 has not been complied with by the owner or other responsible person, the Health Officer may utilize appropriate means at his disposal to abate the condition, and the costs thereof shall be reimbursed by the owner of the property if privately owned, provided that as part of a general program of control, where many parcels of property will be benefited to varying degrees, or in an event of a condition which in his opinion constitutes an emergency, the Health Officer may waive all notice and billing procedures and pay said costs from designated County Funds. Fees paid to the Ingham County Health Department pursuant to this section shall be as defined in the Fee Schedule, item 620.3.

## SECTION 620. NUISANCE PREVENTION AND CONTROL

Section 620.1 HABITABLE BUILDINGS - Every habitable building and every part thereof shall be kept clean and shall be kept free from any accumulation of dirt, filth, rubbish, garbage, junk or other nuisance matter in or on the same, or in the yard, court passages, areas or alleys connected therewith or belonging to the same. The owner of every habitable building shall be responsible for keeping the entire premises free from vermin. The owner shall also be responsible for complying with the provisions of this Section, except that the tenants or other occupants shall be responsible for the cleanliness of those parts of the premises that they occupy and control.

Section 620.1.1 LEAD BASED PAINT AND OTHER TOXIC SUBSTANCES - Whenever the Health Officer shall determine the existence of a health hazard to the occupants or users of any premises, due to lead-based paint or other toxic substances on or around the inside or outside surfaces of any structure or the furnishings thereof, he may issue an order to the owner or person responsible for control thereof to abate the hazardous condition by effective and safe means.

Section 620.2 OTHER THAN HABITABLE PREMISES - All premises not included under Section 620.1 shall be kept free from any accumulation of filth, rubbish, garbage, junk, or other nuisance matter in or on the same, to a degree that a nuisance shall not exist to the detriment of public health. The owner or person in responsible control of any premises where a nuisance exists in violation of this section shall be required to remove, abate or correct the conditions which constitute said nuisance.

\*\* Section 620.2.1 ANIMAL EXCREMENT - The Health Officer may request the assistance of the Ingham County Animal Control Officer, with regard to investigation of nuisances and/or the abatement thereof, related to accumulated or deposited excrement of animals on private or public property.

Section 620.3 ABATEMENT OF NUISANCES: HEARING: RECOVERY OF COSTS - The Health Officer may issue an order requiring the timely or immediate abatement of a public nuisance or other condition which he shall deem to constitute or to threaten to become a menace to the public health or a violation of either Section 620.1 or 620.2. In such order the Health Officer shall describe the conditions to be corrected and the date or time by which said corrections are reasonably ordered to be completed. The owner or other person in responsible control of the cited premises or property shall promptly proceed to make such corrections that will abate the nuisance or menace to public health and/or prevent the condition from becoming a menace to public health. The owner or other person in responsible control of the cited premises or property may, within the period of time specified for compliance, request a hearing, which shall thereupon be held by the Health Officer at a reasonable time and place designated by him. If the owner or

other person requesting the hearing is aggrieved by the findings of the Health Officer, he may request a hearing before Sanitary Code Appeals Board, as provided in Chapter I, Section 120 of this Code. Such request shall not constitute grounds, in any emergency situation, for delay in abatement. Upon failure of the owner or person in responsible control to comply with said order within a reasonable time as stated by the Health Officer and/or the Sanitary Code Appeals Board, the Health Officer may cause the nuisance to be abated by the most appropriate and reasonable means available. The cost of such abatement, including administrative costs, shall be recoverable as a fee for service, as listed in the Fee Schedule, Item 620.3.

Section 620.4 UNFIT BUILDING DECLARED TO BE NUISANCE - Any habitable building which in relation to its existing use constitutes a hazard to safety or health or public welfare by reason of inadequate maintenance or present conditions as specified in the Ingham County Sanitary Code or any other effective regulation, may be declared by the Health Officer to be a nuisance and unfit for habitation.

Section 620.5 UNFIT DWELLING TO BE CONDEMNED - Any dwelling unit which the Health Officer has found to be unfit for human habitation because of any of the following defects may be condemned by the Health Officer, subject to review by the Board of Health at its next regular or special meeting:

- A. One which is so damaged, decayed, dilapidated, insanitary, unsafe, or vermin infested that it creates a serious hazard to the health or safety of occupants or the public;
- B. One which lacks natural illumination, natural ventilation or sanitation facilities to an extent to endanger the health or safety of the occupants or of the public;
- C. One which because of its general condition or location is insanitary, or otherwise dangerous to the health or safety of the occupants or of the public.

Section 620.6 NOTIFICATION TO VACATE - After a determination that a building is unfit for habitation, the Health Officer shall cause to be posted at each entrance to such building a notice to read substantially as follows: "This building has been inspected and found to be unfit for human occupancy," and further stating at least one of the section numbers of the Ingham County Sanitary Code or other applicable law or Rule which is deemed to be violated. Such notice shall remain in effect and posted until the required repairs or corrections are completed. If the building or premises are already occupied, it shall be ordered vacated within a reasonable time. The Health Officer shall furnish to the last known owner of such building, by personal service or by dispatch of First Class Mail on the same day of posting, a written notice stating the violations and the action being taken. In any situation where time is of the essence, as determined by the Health Officer, the posting may be accomplished without prior notice, provided that written notice shall be delivered or mailed on the same or following working day to the person whose name is last listed in the pertinent records of the Register of Deeds of Ingham County. Failure to receive said notice shall be no defense in any action arising under this Chapter of the Ingham County Sanitary Code.

Section 620.7 OCCUPANCY OF POSTED DWELLING UNITS PROHIBITED - When any dwelling unit has been condemned as unfit for human habitation, and so posted by the Health Officer, said dwelling unit, if occupied, shall be vacated within the period of time as ordered by the Health Officer. If vacant at the time of posting or thereafter, the dwelling unit shall not be occupied until the notice has been removed by the Health Officer.

#### SECTION 630. HAZARDS TO HEALTH AND SAFETY

Section 630.1 DISPOSAL OF INFECTIOUS OR TOXIC MATERIALS - It shall be unlawful to place or allow to remain in any place accessible to children or unauthorized persons, any infectious or used bandages, any syringes or medical injection devices, any razor blades, or any drugs, vaccines, medicines, chemicals or other toxic materials. Any such materials deposited or allowed to remain in a place or condition accessible to unauthorized persons shall be hereby declared to be a nuisance, and the owner or responsible person in control of the premises where said nuisance exists shall have the duty to remove or secure the materials in a manner to abate and prevent such nuisance. Disposal shall be accomplished in a manner acceptable to the Health Officer.

Section 630.2 SALE AND KEEPING OF CERTAIN ANIMALS - Certain animals which by species or condition are known or suspected to be infected or to have the capacity to carry infection to humans shall not be sold, traded, exchanged, given away, kept or maintained within the jurisdiction of the Ingham County Health Department, except under conditions acceptable to the Health Officer. These shall include but not be limited to turtles, bats, skunks, rabid animals, venomous snakes, and any other species named by the Health Officer and declared to be a nuisance.

#### SECTION 640. RECREATIONAL WATER FACILITIES FOR TOTAL BODY CONTACT

Section 640.1 OPERATION PERMIT REQUIRED - Every public swimming pool or public wading pool shall be subject to Act No. 230 of the Public Acts of 1966, and rules adopted pursuant thereto. Every public bathing beach shall be subject to Act No. 218 of the Public Acts of 1967, and rules adopted pursuant thereto. Evidence of application to the State of Michigan for an operating permit and payment of fee for same, if required by statute, shall be accepted in lieu of any fee specified in this section. In the absence of such evidence, an operation permit shall be obtained from and a fee shall be paid to the Ingham County Health Department, in the amount as prescribed in the Fee Schedule, Item 640.1. Such permit shall expire at midnight on the next following December 31.

Section 640.2 INSPECTION AND CLOSING OR RESTRICTION OF SWIMMING AREA - The Health Officer may, at his discretion, inspect and examine any public swimming pool, bathing beach, wading pool or other water area used collectively by numbers of persons primarily for the purpose of swimming, recreational bathing or wading. Upon finding that the water, beach, related equipment or structure is in a condition which is unsafe for public use, the Health Officer may declare the facility to be a public nuisance and may order the facility to be closed until conditions causing the hazard shall have been corrected. The Health Officer in lieu of such order may permit continued use of the facility under prescribed conditions and/or restricted loading.

Section 640.3 PROHIBITED USE OF CLOSED POOL, BEACH, WATER AREA - It shall be unlawful for any person to enter or allow entrance to any public swimming pool, public wading pool or public bathing beach, or to use same for the purpose of swimming, recreational bathing or wading, while it has been ordered closed by the Health Officer as provided in Section 640.2.

\*\* Section 640.4 SUSPENSION OF OPERATING PERMITS - (A) Upon the closure of any public swimming pool, public wading pool, or public bathing beach as provided in Section 640.2, any and all operating permits ISSUED UNDER THIS CODE shall be considered suspended. Continued use of the facility without reinstatement of the operating permit shall be a violation of the Ingham County Sanitary Code. (B) At his discretion the Health Officer may issue a temporary order to close a pool or beach due to accidental or readily correctible conditions. Such order shall be deemed as a temporary suspension of operating permits for the duration of the corrective work and until conditions are restored to compliance AND HAVE BEEN APPROVED BY THE HEALTH OFFICER.

\*\* Section 640.5 REINSTATEMENT OF OPERATING PERMITS - The proprietor or manager of a public swimming pool, public wading pool, public bathing beach or other recreational water area for which the operating permit has been suspended may at any time apply for reinstatement for such operating permit. Reinstatement shall be granted when and if the conditions causing the suspension have been corrected as approved by the Health Officer, and the fee for reinstatement, as specified in the Fee Schedule, Item 640.5, has been paid. The reinstatement fee shall not apply to temporary suspensions under Subsection 640.4(B).

Section 640.6 PROPOSED PUBLIC BATHING BEACHES - SANITARY SURVEY - A natural or artificial body of water and the adjoining access land intended for development into a facility for swimming or recreational bathing may be subjected to a sanitary survey by the Health Officer, upon receipt of a written application for such survey by the owner or person in responsible control of the body of water or adjoining access land. The sanitary survey provided for in this Section may include at the discretion of the Health Officer, but shall not be limited to:

on

- (A) Identification of sources of pollution by sewage, storm water, leachate, soil erosion, solid wastes, thermal sources, industrial wastes.
- (B) Condition of water by bacteriological and/or chemical analyses and on-site measurements.
- (C) Condition of access land as to feasibility for intended development.
- (D) Amount of turbidity in the water.

Section 640.7 PROPOSED PUBLIC BATHING BEACH FEES FOR SURVEY - At the time of application for sanitary survey under this section, the applicant shall make an initial deposit of an amount as specified in the Fee Schedule, Item 640.7. Charged against this deposit shall be each of the fees listed in the Health Department Fee Schedule, Item 640.7, (A) through (E). Unused portions of fee deposit may be applied to the fee for the first operating permit required in Section 640.1 and/or refunded upon request of the original applicant. Excess charges, to the limit of Item 640.7 (F) shall be paid within 30 days of billing.

\*\* Section 640.8 SAFETY PROVISIONS AT PUBLIC BATHING BEACH - The owner or person in responsible charge of a public bathing beach shall provide and maintain suitable and adequate safety and rescue equipment, which shall be available and accessible at said beach whenever its use is allowed by bathers. This equipment shall include at least the following items: 12 foot long rescue pole with blunted ends, 1/4 inch rope 50 feet long, attached to a 15 inch outside diameter ring buoy or a small float; American Red Cross 16-unit or equivalent first aid kit; spine board; public address system, whistle or megaphone; and suitable means of communication with outside sources of assistance including a direct communication line with a public safety or emergency agency, but excluding pay telephones. The Health Officer may modify these requirements when deemed necessary and appropriate with respect to the physical conditions at the beach.

\*\* Section 640.9 WATER SAMPLE COLLECTION BY OWNER - The owner of every public swimming pool, public wading pool or public bathing beach shall be responsible for proper collection and delivery of one or more water samples for bacteriological analysis each week while said facility is open for use. The owner or his agent shall obtain proper sterilized bottles, which if for sampling a pool shall have been treated with sodium thiosulfate. The owner or his agent shall collect the sample in accordance with procedures acceptable to the Health Officer, and shall promptly deliver said sample directly or by first class mail to the Michigan Department of Public Health Laboratory, 3500 N. Logan St., Lansing, or as directed by the Health Officer.

#### SECTION 650. ENVIRONMENTAL EVALUATIONS OF RESIDENTIAL PREMISES FOR LENDERS

Section 650.1 APPLICATION FOR EVALUATION SERVICES AND FEE FOR SERVICES - Where a lending institution requires an environmental evaluation on residential premises prior to approval of a mortgage transaction, the Health Officer may accept an application for such environmental evaluation of said residential premises; such application shall be signed by the owner thereof, or by any agent for the owner, or by a representative of any lending institution or other agency having interest in the approval of financial arrangements between seller and buyer. Each application shall be made in writing for a single parcel of property on a form provided by the Ingham County Health Department Fee Schedule Item 650.1.

\*\* Section 650.1.1 SERVICES RELATED TO LAND SALES ACT - Where property is being developed or marketed in accordance with the Land Sales Act, being Act No. 286 of the Public Acts of 1972, as amended, and where property reports are or may be required by the Michigan Department of Licensing and Regulation to include written information from this Department pertaining to environmental evaluations similar to those provided in Section 650.1 hereof, each such report shall be requested by the owner or developer and such request shall be accompanied by the fee specified in the Fee Schedule, Item 650.1; provided that this fee shall be waived if a fee for the same land area has been paid for subdivision evaluation under Item 600.4.

Section 650.2 SCOPE OF EVALUATION SERVICES - The above mentioned environmental evaluation of residential premises shall be made at the discretion of the Health Officer and may include, but shall not be limited to, any or all of the following as deemed appropriate:

(A) Inspection of a private well or other water supply source for compliance with Act No. 294 of the Public Acts of 1965, and rules adopted pursuant thereto. Provided, that if said Act and rules are determined not to have been applicable at the time of the installation of such water supply source, the Health Officer may waive the specified requirements to the least extent practicable to achieve reasonable protection of health and water quality while assuring compliance with modified conditions of location, construction and maintenance.

(B) Analyses of samples of water collected by the Health Officer from the private supply system to determine that bacteriological and chemical quality are acceptable to the Ingham County Health Department.

(C) Inspection of the water piping and waste water piping system within the premises to determine their freedom from cross-connection or other apparent hazards or defects.

(D) Inspection of the private sewage disposal system for compliance with the Ingham County Sanitary Code and with reasonable conditions of location, construction and maintenance. Any system installed since January 1, 1954, shall comply with all applicable requirements of this Code before the evaluation can be completed.

(E) Search of pertinent records for information relating to the existing systems or to the availability of service by a public water supply or a public sewerage system.

(F) Evaluation of known sewage nuisance conditions on the subject premises or pertinent nearby areas, or of other factors which might affect the health or safety of the users of the premises or their neighbors.

(G) Summary of findings on a report form furnished by or acceptable to the Health Officer.

Section 650.3 FEE FOR REPEAT APPOINTMENTS - The fee specified in Section 650.1 shall be deemed to cover one appointment visit only, unless an additional visit is scheduled at the discretion of the Health Officer. An additional fee shall be paid if a repeat appointment is necessary because of the failure or negligence of the applicant or his agent to have the premises available for inspection at the appointed time, or failure to have the water system in operation ready for sampling, or failure to have the on-site sewage disposal system in proper working condition. The amount of this fee shall be as specified in the Health Department Fee Schedule, 650.3.

\*\* SECTION 660. REGULATION OF TATTOOING

Section 660.1 LICENSE REQUIREMENTS AND PROCEDURE - It shall be unlawful for any person to operate any practice, business, or occupation of tattooing within the jurisdiction of this Code, unless said person possesses a valid license then in force issued by the Health Officer.

(a) person shall comply with all applicable requirements of the Ingham County Sanitary Code in order to be entitled to receive and to retain such a license. A license shall not be transfer able as to person or place. The license shall be placed in a conspicuous place in every establishment.

(b) Every license issued hereunder shall expire at Midnight on December 31 following date of issuance, or as otherwise stated on the license. Any required license shall be deemed to be in effect as of the date of the Health Officer's approval of the application for the same.

(c) Any person desiring to engage in the practice, business, or occupation of tattooing shall make written application for a license on forms provided by the Health Officer. Such application shall be accompanied by the appropriate fee as specified in the Fee Schedule, Item 660.1. Failure on the part of the applicant to fully complete the required application may be deemed cause for refusal to issue a license.

(d) Upon receipt of a properly completed application accompanied by the appropriate fee, the Health Officer shall make an inspection and shall determine compliance with the applicable provisions of the statutes and the Ingham County Sanitary Code. Upon confirmation that the applicable requirements have been satisfactorily met, a license shall be issued to the Applicant by the Health Officer. The Applicant may thereafter be referred to as "Licensee".

(e) DENIAL OF LICENSE - If the Health Officer finds good and sufficient reason to deny an application for license, he shall issue a notice to the Applicant in writing that the license will not be issued, citing the deficiencies or non-complying items that constitute his reasons for not issuing the license. Until the Applicant has satisfactorily complied with the requirements of this Code and the terms and conditions of the Notice, he shall be denied a license.

(f) SUSPENSION OF LICENSE - Any license issued pursuant to the provisions of the Ingham County Sanitary Code may be suspended by the Health Officer for failure of the Licensee to comply with the applicable requirements of said Code. Upon Notification of such suspension the Licensee shall immediately cease operations and close the establishment.

(g) REVOCATION OF LICENSE - For serious or repeated violations of any of the requirements of the Ingham County Sanitary Code, or for interference with the Health Officer in the performance of his duties, a license may be revoked by the Health Officer after an opportunity for a hearing has been provided. Prior to such action to revoke a license, the Health Officer shall notify the Licensee in writing, stating the reasons for which the license is subject to revocation and advising that the license shall be revoked at the end of five days following service of such notice, unless the Licensee files a request for a hearing within such five days, and unless the Licensee at said hearing satisfactorily shows cause why his license should not be revoked. A license may be suspended for cause, pending its revocation or a hearing and decision relative thereto.

\*\* Section 660.2 INSPECTION OF TATTOOING PREMISES - The Health Officer shall have the authority to inspect every premises and location at which the practice of tattooing is being carried on within the jurisdiction of this Code and shall make as many inspections and reinspections as are deemed necessary for the enforcement of the Ingham County Sanitary Code and applicable statutes.

\*\* Section 660.3 NOTICE OF SUSPENSION OF LICENSE - Whenever, in the opinion of the Health Officer, continued operation of a tattooing practice, business, or other occupation would create a substantial hazard to the public health, the Health Officer may issue a written notice to the Licensee or operator thereof, citing such conditions and stating that the license is immediately suspended and that all tattooing operations shall be discontinued at once. The Licensee shall immediately comply with the notice of immediate discontinuance of operation and there shall be no further tattooing until or unless the License shall have been reinstated.

- \*\* Section 660.4 REQUEST FOR ADMINISTRATIVE HEARING - Section 410.5 dealing with requested administrative hearings shall also apply to hearings to be conducted under this Section.
- \*\* Section 660.5 REINSTATEMENT OF SUSPENDED LICENSES - Any person whose license has been suspended may, at any time, make a written request for reinstatement of the license. Such a written request shall include a statement signed by the applicant to the effect that in the applicant's opinion the conditions causing such suspension of the license have been corrected. Within a reasonable time, not to exceed ten working days following receipt of such request, the Health Officer shall make a reinspection. If the Applicant is then in satisfactory compliance with the applicable provisions of the Ingham County Sanitary Code, the license shall be reinstated upon payment of the Reinstatement Fee prescribed in the Fee Schedule, Item 660.5.
- \*\* Section 660.6 UNLAWFUL CONDITIONS OF TATTOOING PREMISES - Needles, dyes, inks and other materials or other equipment used in tattooing shall be kept in a clean, sterile and non-toxic condition and the environment of the premises shall be such so as to prevent transmission of etiologic agents. Violation of this provision is hereby declared detrimental to health and dangerous to human life and shall be considered a nuisance for purposes of Section 620 of this Code.



APPENDIX A  
 INGHAM COUNTY SANITARY CODE  
 REFERENCES TO STATUTES AND RULES OF  
 MICHIGAN ADMINISTRATIVE CODE

<u>SUBJECT</u>	<u>ACT NO. &amp; YEAR</u>	<u>1948 COMPILED LAWS</u>	<u>MICH. STATUTES ANNOTATED</u>	<u>RULES</u>
<u>Powers of Board of Health</u>	306 of 1927	327.201 - .208a	14.161 - .169	
Duties of Health Officers	137 of 1883	327.151 - .153	14.141 - .143	
Connection to Available Sewer	288 of 1972	123.191 - .195	5.2767 (101)-(105)	
Septic Tank Cleaners	243 of 1951	325.281 - .287	14.434 (1)-(7)	
Privies	136 of 1881	325.251 - .252	14.431 - .432	
Outhouses	273 of 1939	325.271 - .274	14.433 (1)-(4)	R325.421 - .426
Food Service Sanitation	269 of 1968	325.801 - .813	14.529 (1)-(13)	R325.592-3 & .2501-5
Food Inspection	39 of 1968	289.701 - .727	12.933 (1)-(27)	
Subdivision of Land	288 of 1967	560.101 - .293	26.430 (101)-(293)	R560.401 - .405
Water & Sewer Systems	98 of 1913	325.201 - .214	14.411 - .424	R325.431 - .470
(Certain Water Supplies)	146 of 1919	325.1 - .14	14.1 - .13 (1)	R325.1451 - .1461
Ground Water Supplies	294 of 1965	325.221 - .240	17.426 (1)-(20)	R325.1601 - .1722
Nuisance Abatement	154 of 1913	327.1 - .14	14.61 - .74	
Solid Wastes	87 of 1965	325.291 - .298	14.435 (1)-(8)	R325.2701 - .2789
Swimming Pools	230 of 1966	325.601 - .620	14.447 (1)-(20)	R325.2111 - .2199
Bathing Beaches	218 of 1967	325.631 - .635	14.447 (101)-(104)	R325.2101 - .2103
Mobile Home Parks	172 of 1970	125.1001 - .1097	5.278 (31)-(127)	
Campgrounds	171 of 1970	325.651 - .665	14.447 (121)	R325.1551 - .1599
Trailers Outside Parks	172 of 1958	125.741 - .745	5.278 (21)-(25)	
Schools	306 of 1937	366.651 - .656	15.1501 - .1556	

APPENDIX A cont.

Day Care Centers	47 of 1944	722,101 - ,108	25,358 (1)-(8)	R400.1
State Plumbing Code	266 of 1929	338.901 - .932	14,451 - ,482	
Air Pollution Control	348 of 1965	336.11 - .36	14.58 (1)-(26)	R336.11 - .79
State Construction Code	230 of 1972	125.1501 - .1531	5.2949 (1)-(31)	
State Housing Law	167 of 1917	125.401 - .519	5.2771 - .2891	
State Drain Code (Chap. 18)	40 of 1956	280.423 - .424	11.1423 - .1424	
Economic Poisons	233 of 1959	286.411 - .420	12.353 (1) - (10)	
Camps for Children	280 of 1939	400.1 - .21		R400.1
Nursing Homes	139 of 1956	331.651 - .660	14.1281 - .1290	
Adult Foster Care	287 of 1972	330.61 - .62		
General Hospitals	17 of 1968	331.413 - .423	14.1179 (1) - (20)	R325.1004 - .1100
Maternity Hospitals	263 of 1913	331.403 - .406	14.1171 - .1176	
Garment Fitting (Shoes, etc.)	-----	-----	-----	R325.115 - .120

APPENDIX B

INGHAM COUNTY HEALTH DEPARTMENT FEE SCHEDULE

INGHAM COUNTY SANITARY CODE

EFFECTIVE JUNE 1, 1973

The Ingham County Sanitary Code provides for fees to be charged for certain services, as authorized in Section 6, Act No. 306 of the Public Acts of 1927, as amended. Each item number corresponds with the section number within the Ingham County Sanitary Code which authorizes and further defines that fee.

FEE SCHEDULE FOR CHAPTERS I AND VI

<u>Item Number</u>	<u>Description</u>	<u>Amount</u>
120.3	Deposited Fee for Hearing of Sanitary Code Appeals Board (Refundable unless otherwise ordered)	\$ 25.00
600.4	Subdivision Evaluation of Preliminary Plat (1) Per application for approval of Preliminary Plat (2) Per lot as proposed in Preliminary Plat (Not applicable if totally served by public water and sewer)	25.00 1.00
620.3	Abatement of Nuisance on Private Premises 200% of Direct Costs of Payroll, Materials and Services (Balance over direct costs to cover administrative costs)	
640.1	Bathing Area Operational Permit, per year (Not chargeable if state operating permit fee has been paid)	50.00
640.5	Reinstatement of Suspended Operational Permit for bathing area	10.00
640.7	Sanitary Survey for Proposed Bathing Beach Initial deposit to cover the following items: (A) Rental and operation of boat and outboard motor: actual cost. (B) Collection of samples for bacteriological analyses: (1) First 10 or fewer samples (2) Additional samples: each (C) Collection of samples for chemical analyses: each (D) Evaluation of access land (1) For first 500 feet of water frontage (2) For each additional 100 feet of water frontage, or fraction (E) Repeat visits to review modifications First hour or fraction, each visit Additional contiguous time, per hour (F) Maximum total of items (B) through (E)	250.00     50.00 5.00 5.00  100.00 5.00 10.00 5.00 750.00
650.1	Environmental Evaluation of Residential Premises for Lender (Insured through FHA, VA, Etc.)	15.00
650.3	Repeat appointments for environmental evaluations	10.00

AMENDMENTS TO APPENDIX B, INGHAM COUNTY SANITARY CODE, 1973, BEING THE  
FEE SCHEDULE PERTINENT TO SAID CODE, AS AMENDED.

<u>Item No.</u>	<u>Description</u>	<u>Fee</u>
660.1	License for tattooing business, Jan. 1 to Dec. 31	\$50.00
660.5	Reinstatement of Suspended Tattooing License	10.00
410.8	(Delete all classes and insert new schedule as follows)	

INGHAM COUNTY HEALTH DEPARTMENT  
FEE SCHEDULE FOR LICENSES AND SERVICES FOR FOOD SERVICE ESTABLISHMENTS

Item 410.8----For further information, see Section 410.8 of 1976 Amendment to Ingham County Sanitary Code.

CLASS	DESCRIPTION	FEE
1.	Food Service Establishment, first license, including plan review service	\$100.00
2.	Food Service Establishment with multiple facilities for food preparation in same building under single license	\$100.00
3.	Food Service Establishment, unless eligible for class 4a,4b,4c, or 5	100.00
4.	Food Service Establishment, if documented *Gross Sales of food service items for preceding 12-month period totaled	
	(a) at least \$250,000 but less than \$750,000	75.00
	(b) At least \$100,000 but less than \$250,000	50.00
	(c) Less than \$100,000	25.00
5.	License for Half Year of Less (Nov. 1 to April 30, or May 1 to October 31), unless first license --- 60% of full year license	
6.	Change of Ownership after license fee has been paid by seller for same period and same sales volume	20.00
7.	Vending Machine Location (Building)	
	(a) One to Five Licensable Machines	10.00
	(b) Six or More Licensable Machines--\$10.00 for first 5 machines plus 50¢ per machine more than 5	
	(c) Minimum Total for all locations in county by same operator	25.00
8.	Temporary Food Service Establishment (two week limit)	
	(a) Preparation type, or unit involving dishwashing, requiring inspection on any Saturday, Sunday or legal holiday, or commencing operation within 5 working days after application is made	25.00
	(b) Preparation type, or unit involving dishwashing, operating on Monday, Tuesday, Wednesday, Thursday, Friday excluding legal holidays providing application is made at least 5 working days in advance of first operation	20.00
	(c) Packaged or Specialty Food type, using disposable or single service tableware only, requiring inspection on any Saturday, Sunday or legal holiday, or commencing operation within 5 working days after application is made	20.00
	(d) Packaged or Specialty Food Type, using disposable or single service tableware only, operating on Monday, Tuesday, Wednesday, Thursday, Friday excluding legal holidays, providing application is made at least 5 working days in advance of first operation	15.00
9.	Special Services Related to Enforcement	
	(a) Reinstatement of Suspended License as a result of fire damage, remodeling or reconstruction	20.00
	(b) Reinstatement of Suspended License as a result of Code Violations and/or Office Hearing	40.00
	(c) Finding Charge because of Failure to Make Application in advance of commencing operation of new or extensively remodeled establishment, or in advance of effective date of change of ownership: <u>Double the fee(s) already due.</u>	
	(d) Finding Charge because of Failure to Make Application for licensable food vending machine location(s) as prescribed in Section 470.8--(in addition to all other fees due):	50.00
10.	Late Payment Processing Service: On first working day of each calendar month beyond the due date, 20% of the original amount due shall be added. The fee to be so added shall not accumulate to more than the original amount due.	
11.	Returned Check Handling Charge: 10% of the amount of the check, or \$10.00, whichever is greater.	

\*Acceptable proof of gross sales for preceding calendar year or other 12-month period:  
 1. Statement from a Certified Public Accountant as to appropriate bracket of gross receipts  
 2. Copies of all applicable federal income tax forms; and/or  
 3. Copy of Michigan Sales Tax Reports plus liquor sales report.  
 Note: These documents will be returned to the applicant after perusal.

THE ABOVE SHALL TAKE EFFECT MARCH 1, 1976.

ACT 361, Public Acts 1972  
Signed January 9, 1973

**STATE OF MICHIGAN**  
**76TH LEGISLATURE**  
**REGULAR SESSION OF 1972**

AN ACT to amend the title and section 6 of Act No. 306 of the Public Acts of 1927, entitled as amended "An act to provide for county and district health departments, to provide for boards of health and health officers and to prescribe their powers and duties and to provide for the apportioning of funds appropriated by the state, for aid to city, county and district health departments," as amended by Act No. 19 of the Public Acts of 1964, being section 327.206 of the Compiled Laws of 1948

*The People of the State of Michigan enact:*

Section 1. The title and section 6 of Act No. 306 of the Public Acts of 1927, the title as amended by Act No. 269 of the Public Acts of 1965 and section 6 as amended by Act No. 19 of the Public Acts of 1964, being section 327.206 of the Compiled Laws of 1948, are amended to read as follows:

**TITLE**

An act to provide for county and district health departments, to provide for boards of health and health officers and to prescribe their powers and duties; to provide for the apportioning of funds appropriated by the state, for aid to city, county and district health departments; and to provide penalties.

Sec. 6. (1) A county or district board of health may adopt rules deemed necessary for the protection and promotion of the health and safety of the inhabitants of the county or district or persons entering therein. The rules shall be approved or disapproved by a majority vote of the full board of commissioners or, in the case of district boards of health, the boards of commissioners affected. The rules shall become effective 45 days thereafter in a county where the board of county commissioners has voted approval. A person convicted of violating existing or hereafter adopted rules is guilty of a misdemeanor.

(2) Before the adoption of a rule the county or district board of health shall give notice of a public hearing and offer any person an opportunity to present data, views and arguments. The notice shall be given at least 10 days before the public hearing and at least 20 days before the adoption of the rule. The notice shall include the time and place of the public hearing and a statement of the terms or substance of the proposed rule or a description of the subjects and issues involved and the proposed effective date of the rule. The notice shall be published in a manner calculated to give notice to persons likely to be affected by the proposed rule. Methods which may be employed by the board, depending on the circumstances, include publication of the notice in a newspaper of general circulation in the county or district, or when appropriate, in trade, industry, governmental or professional publications.

(3) The board of health may fix and require the payment of fees for sanitation services authorized or required to be performed by the health department. The board or boards of commissioners may revoke, enlarge or amend any such fees schedule. The fees charged shall not exceed the cost of performing the service by the department.

(4) Board members may receive necessary traveling expenses for attending all meetings and may receive compensation as determined by the board of commissioners for each meeting attended not to exceed 30 days per year.

Section 2. This act shall take effect October 1, 1972.

This act is ordered to take immediate effect.

Re: VETERANS LOAN FUND

Changing guidelines (73-105 & 73-196)

Adopted: June 12, 1973

WHEREAS, the Veterans' Affairs Committee has reviewed the operation and purpose of the Veterans' Loan Fund, and

WHEREAS, the need still exists for providing relief to veterans, and

WHEREAS, the loan program had led to a decrease in veterans' services at a savings to the County,

THEREFORE, BE IT RESOLVED that the Veterans' Loan Fund under which zero interest loans may be authorized by the Veterans' Affairs Committee to veterans who are entitled to, or have made application for, benefits from which they will be obligated to repay said loan.

BE IT FURTHER RESOLVED that this program will be reinstated with no additional funds, and using the following Guidelines:

1. PURPOSE: To establish a system to enable loan to veterans.
2. ELIGIBILITY: Any veteran who meets the criteria of signing the legal note.
3. LIMIT: Maximum amount of loan is \$200.
4. DURATION: The loan may be for up to 4 months and may be extended only by the Veterans' Affairs Committee for another 2 months.
5. OBLIGATION: The recipient of such a loan must sign a legal note, acknowledging his obligation to repay the loan. The loan is due on date agreed in the Note.
6. APPROVAL: The approval of the loan will be made by the Director of the Veterans' Affairs, subject to review by the Veterans' Affairs Committee. In case of denial of loan by the Director, the veteran may appeal his decision to the Veterans' Affairs Committee and the Social Services Committee. (Human Resources)