



Legislation Details (With Text)

**File #:** 18-1536      **Version:** 1      **Name:** 9/17/18 Ordinance to Amend Section 2:42.3 of Chapter 28 (Building Sewers for Accessory Dwelling Units) OF 9/17/18 Ordinance to Amend Section 2:42.3 of Chapter 28

**Type:** Ordinance      **Status:** Passed

**File created:** 9/17/2018      **In control:** City Council

**On agenda:** 10/1/2018      **Final action:** 10/1/2018

**Enactment date:** 9/17/2018      **Enactment #:** ORD-18-28

**Title:** An Ordinance to Amend Section 2:42.3 of Chapter 28 (Building Sewers for Accessory Dwelling Units) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-28)

**Sponsors:** Chuck Warpehoski, Christopher Taylor

**Indexes:**

**Code sections:**

**Attachments:** 1. 18-28 Building Sewers for ADU Ordinance Briefed and Approved.pdf, 2. ORD-18-28 Briefed.pdf, 3. Final Ordinance re\_ ADUs and Sewers, 4. Final Ordinance re\_ ADUs and Sewers, 5. 18-28 Building Sewers for ADU Ordinance Approval Notice.pdf

Date	Ver.	Action By	Action	Result
10/1/2018	1	City Council	Held and Closed	
10/1/2018	1	City Council	Adopted on Second Reading	Pass
9/17/2018	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Section 2:42.3 of Chapter 28 (Building Sewers for Accessory Dwelling Units) of Title II of the Code of the City of Ann Arbor (Ordinance No. ORD-18-28)

Section 2:43.2 of Chapter 28 of Title II of the Code of the City of Ann Arbor requires that a “separate and independent building sewer ... be provided for every building.” There is, no analogous requirement for water service to these dwelling units. This ordinance will revise this Section to exempt accessory dwelling units, which will reduce these unnecessary, associated costs and harmonize the City’s sewer service requirements with its water service requirements.

Prepared by: Matthew Rechten, Senior Assistant City Attorney

Reviewed by: Craig Hupy, Public Services Area Administrator

Reviewed by: Jacqueline Beaudry, City Clerk

Approved by: Howard S. Lazarus, City Administrator

Sponsored by: Councilmember Warpehoski and Mayor Taylor

ORDINANCE NO. ORD-18-28

First Reading: September 17, 2018

Approved: October 1, 2018

Public Hearing: October 1, 2018

Published: October 4, 2018

Effective: October 14, 2018

SEWAGE AND SEWAGE DISPOSAL

AN ORDINANCE TO AMEND SECTION 2:42.3 OF CHAPTER 28 (BUILDING SEWERS FOR ACCESSORY DWELLING UNITS) OF TITLE II OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Section 2:42.3 of Chapter 28 of Title II of the Code of the City of Ann Arbor be amended to read as follows:

**2:42.3. - Sewer connections.** Except for city public services area employees, only city registered plumbers, licensed sewer installers, and bona fide homeowners, after first obtaining a plumbing permit, street cut permit, and sewer tap permit, or other permits if appropriate, are authorized to uncover any public sewer so that existing tees or deep sewer risers installed during public sewer construction may be utilized. The sewer tap shall be made only by the city public services area and only after payment of the required sewer tap fee which shall be fixed by the Administrator and shall not be less than the cost of materials, installation, and overhead attributable to the installation.

The owner(s) or its agent(s) shall make application on forms furnished by the community services area and public services area. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Administrator. A permit and inspection fee shall be paid to the city at the time the applications are filed.

- (1) All costs and expenses incidental to the installation and connection and maintenance of the building sewer and sewer tap shall be borne by the owner(s).
- (2) The public services area will furnish and install sewer tap(s) of the size and at the location as the applicant requests in writing, provided:
  - (a) The requests are reasonable;
  - (b) An adequate public sewer fronts the premises;
  - (c) An adequate tee or deep sewer riser does not exist for required usage;
  - (d) A good and safe excavation is provided for the public services area tapping personnel by the owner(s) or its agent(s);
  - (e) The minimum size tap shall be 4 inches. Any larger sized tap is considered special and may require special fittings;
  - (f) The maximum size tap shall be 1 standard size smaller than the public sewer unless a variance in pipe size is approved by the Administrator.
  - (g) Taps into existing manholes shall be prohibited except when permitted by the City of Ann Arbor Standard Specifications; and
  - (h) Existing tees and deep risers shall be utilized along with building sewers (stubbed) constructed to the property line at the time the public sewer was constructed.
- (3) Building sewers to serve individual properties shall be installed to the property or right-of-way line in all existing and proposed city streets and rights-of-way, preferably during public sewer construction, but in all cases before street pavement is placed. Materials, joint, workmanship, inspection, and testing shall be equal to those of the public sewer. Records for each service constructed shall be furnished within 30 days to the public services area following testing and workmanship acceptance by the Administrator on public services area standard forms. The record shall show size measurement to the

nearest downstream manhole and measurement from the public sewer to the sealed end and wooden marker of the building sewer (branch connection). These building sewers shall comply with City of Ann Arbor Standard Specifications.

- (4) A separate and independent building sewer shall be provided for every building, except that an "Accessory Dwelling Unit," as defined in Section 5.37.2 of Chapter 55 (Unified Development Code), is not required to have a separate and independent building sewer.
- (5) Old building sewers may be used in connection with new buildings only when they are found by the city to meet all the requirements of this chapter.
- (6) The size, slope, alignment, materials used in the construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code and other applicable rules and regulations of the city.
- (7) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater carried by the building drain shall be lifted by an approved means and discharged to the building sewer.
- (8) No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to the POTW.
- (9) The applicant for the sewer tap shall notify the public services area when a good and safe excavation is available so that utilities employees may make the sewer tap.
- (10) The applicant for the building sewer permit shall notify the planning and development services unit when the building sewer is ready for inspection. The testing shall be made under the supervision of a planning and development services unit plumbing inspector.
- (11) All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the engineering department.
- (12) Any development within the city that is subject to plat or site plan approval shall be designed and developed with an adequate enclosed storm sewer system. The design of the storm sewer system shall be subject to review and approval by the public service department. The above provisions shall not apply to existing structures that have footing drains connected to the POTW pursuant to a city building permit issued prior to 1973. No person shall construct or continue a down spout (roof leader) or area way drain that discharges stormwater into the POTW.

Section 2. This Ordinance shall take effect on the tenth day following legal publication.

### CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan at its regular session of October 1, 2018.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication on the City Clerk's Webpage on October 4, 2018.

Jacqueline Beaudry, Ann Arbor City Clerk