



**LYON TOWNSHIP  
ROSCOMMON COUNTY, MICHIGAN  
PRIVATE WASTEWATER SYSTEMS ORDINANCE  
Ordinance No. 64**

Amended February 21, 2024 in Section 8, subsection B – 2

[Lyon Township – Official Website of Lyon Township of Roscommon County to keep residents up to date \(lyontwp-higginsmi.gov\)](http://lyontwp-higginsmi.gov)

**May 4th, 2024**

Security\Safety Protocol

# Agenda

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- Security\Safety Protocol
- Introduction
  - Larry Maduri – Lyon Township Supervisor
- When did it start
- Who is affected by the Ordinance?
- What problem we are solving
- How we designed the ordinance
- What is a TOT\POS Inspection?
- What is District A and why this boundary
- Certified septic inspectors
- CMDHD's role
- What is ArcGIS
- Review of the process
- Enforcement Authority/Infractions
- Resources that May be willing to assist



**LYON TOWNSHIP**  
**ROSCOMMON COUNTY, MICHIGAN**  
**PRIVATE WASTEWATER SYSTEMS ORDINANCE**  
**Ordinance No. 64**

# The Ordinance

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- Passed December 20<sup>th</sup> 2023
- Amended February 21<sup>st</sup> 2024
- Went into effect April 1<sup>st</sup> 2024
- [64.-Private-Waste-Water-Systems-Ordinance.1.pdf](https://www.lyontwp-higginsonmi.gov/64.-Private-Waste-Water-Systems-Ordinance.1.pdf)  
([lyontwp-higginsonmi.gov](https://www.lyontwp-higginsonmi.gov))

- Amended February 21, 2024 in Section 8, subsection B – 2

Meeting of the Township Board of Lyon Township, Roscommon County, Michigan, on Township Hall on December 20, 2023, at 7:00 p.m., Township Board Member [Name] to adopt the following Ordinance, which motion was seconded by Township Member [Name] Schnell:

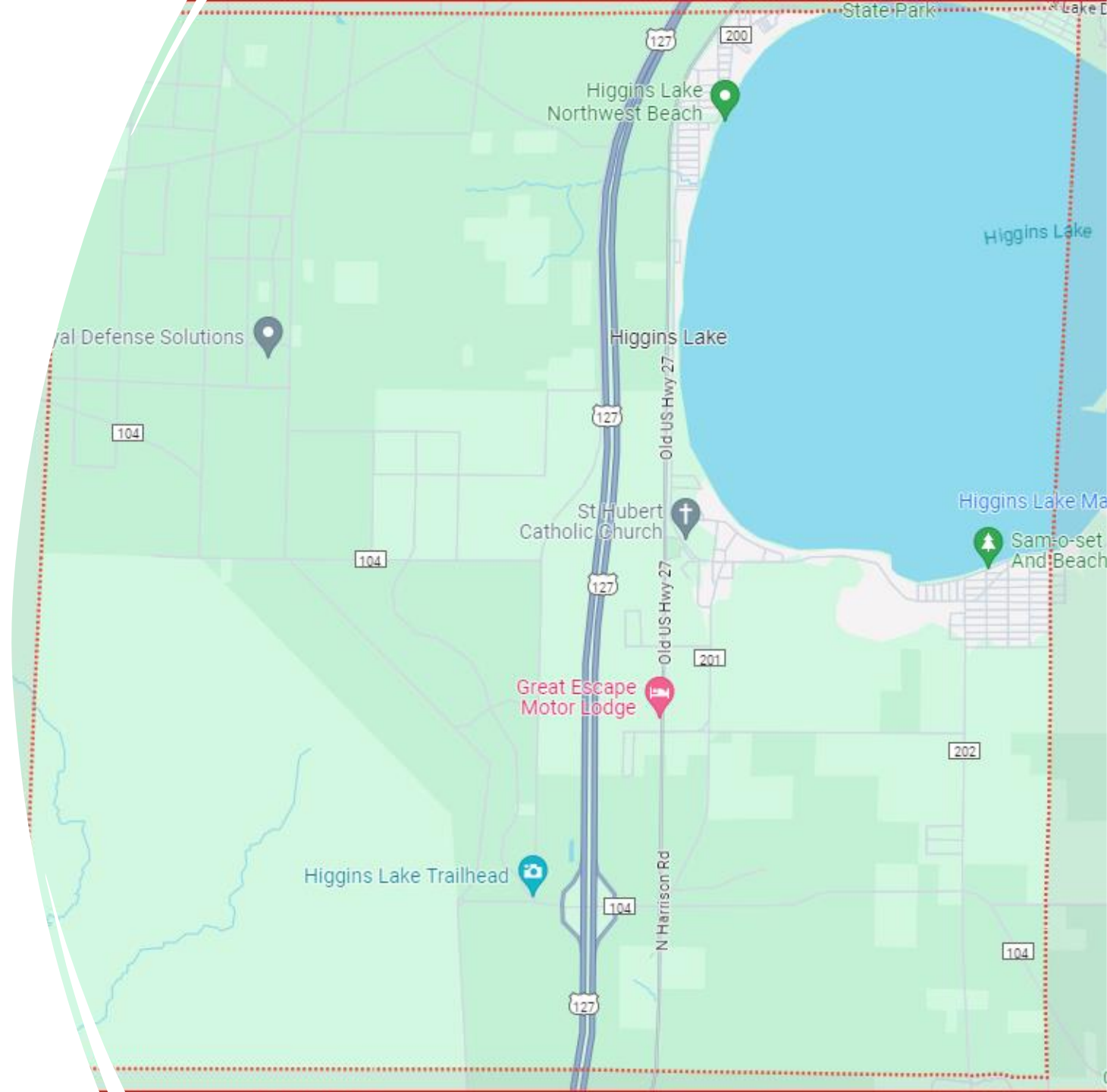
*An Ordinance to regulate private septic disposal systems within the Township of Lyon, Michigan, within the Township's jurisdiction to protect the public safety, health, welfare, comfort, and to preserve the Township's recreation and tourism interests by requiring connection to public sewer where available; by prohibiting the construction, installation, alteration, maintenance, or operation of septic disposal systems in violation of this Ordinance and the Sanitary Code of the Central Michigan District Health Department; implementing phase-in registration of existing and proposed septic disposal systems for subsequent inspection, and point of sale provisions; by providing requirements for the construction and maintenance of septic disposal systems; designating failing/abandoned and non-maintained septic disposal systems as nuisances per se subject to abatement; and by authorizing the Township Ordinance Enforcement Officer, or his or her designees, to issue municipal citations and fines for violations of this Ordinance.*

LYON TOWNSHIP OF LYON, ROSCOMMON COUNTY, MICHIGAN, ORDAINS:

# Who is affected by this Ordinance?

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- All residents of Lyon Township





# What problem we are solving?

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- To protect public health and to prevent or minimize the degradation of groundwater and surface water quality by malfunctioning sewage treatment systems and to assure safe water supplies by the evaluation of the sewage treatment systems and private water supply systems
- No proper\consistent maintenance schedule
- Septic tanks that are failing
  - 50 gal. drum
  - Crumbling tanks
  - Modified tanks to get below the water table
  - Homes without septic systems
- The CMDHD does not have record for 40% + of the septic systems in our community

# How we designed the ordinance

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- We spoke to the Townships Attorney
  - Is the Ordinance Legal
  - Can we enforce the Ordinance
- We spoke to local waste haulers
- We spoke to Septic Tank Inspectors
- We spoke to the CMDHD (Central Michigan District Health Department)
- It had to be effective, reasonable and enforceable
- Pump-outs every 5 years - Inspection every 10 years
- This **IS NOT a TOT (Time of Transfer) or POS (Point of Sale)** ordinance

# What is a TOT (Time of Transfer) or POS (Point of Sale) Inspection

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## **TOT (Time of Transfer)**

The time at which a transfer of any real property interest is legally effective as between the parties.



## **POS (Point of Sale)**

A point of sale inspection is a thorough examination of a septic system, including its history and layout. It also includes a series of on-site tests to ensure the system is functioning properly.

So why didn't Lyon Township adopt this????



# TOT (Time of Transfer) or POS (Point of Sale) Inspection

So why didn't Lyon Township adopt this????

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- In each case, houses would only have to follow the ordinance when property was sold or transferred
- Generational transfer of property or reliant on all homes selling
  - This will take decades and may never happen
- It does not solve the problem
  - Protects public health and to prevent or minimize the degradation of groundwater and surface water quality
  - Provides a consistent and proper maintenance schedule
  - Resolves failing septic systems
  - Provides the CMDHD with accurate records for all Lyon Township septic systems

# Does it solve our problem?

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- What problem we are solving?
- No proper maintenance schedule
- Septic tanks that are failing
- The CMDHD does not have record for 40% + of the septic systems in our community



# What is District A and why this boundary

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- District A is the same boundary line as the SAD
- What determined this area?
  - District A was determined by analyzing depth to groundwater, soil types, parcel density, parcel size, and proximity to Higgins Lake.



# Certified Septic Inspectors

- Lyon Township partnered with the CMDHD to leverage the ARCGIS
- One common process throughout the township
- One common reporting process







# Certified Septic Inspector Cost

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- Typical Inspection cost \$350 - \$450
- \$165 go to the CMDHD to evaluate each report
- \$20 permit fee – The inspector must pull before performing inspection
- All inspectors should have General Liability Insurance
- If required, the inspector will coordinate with the waste hauler
- [List of Inspectors](#)
- [Michigan Septage Haulers Directory \(EGLE\)](#)

# What is the CMDHD's role

## Central Michigan District Health Department

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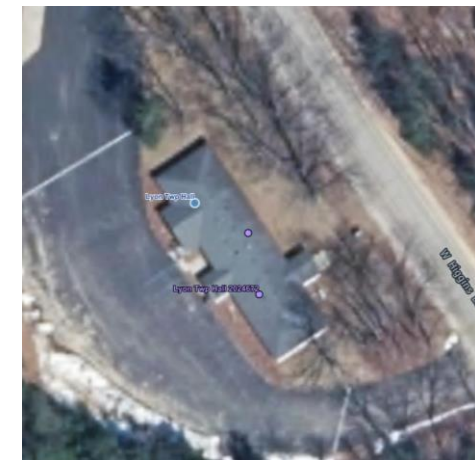
- Site verification visits
- Certified inspector files
- Quality Assurance Letter:
  - Occurs after repeated follow up is needed due to negligence or major issue on report that affects pass/fail determination
  - Requires an in-office meeting with consultation charge
  - Development of corrective action plan
  - Probation
- Suspension, Termination



# What is ArcGIS?

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- Geographic Information System
- Purpose – Allows Lyon Township residents the ability to see when their tank was inspected and last pumped out as well as any dwelling in Lyon Township
- Self service – Does not require a FOIA request
- Should have the site available to residents by Q4 2024



# Review of the process

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- Overview
- Registration
- Inspection\pump out
- Variance
- Enforcement Authority/Infractions



# Overview – What category are you in?

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- Location
  - In District A
  - Out of District A
- Age of your system
  - 20+ year old systems
  - 10 - 20-year-old systems
  - Less than 10-year-old systems



# Registration – Step 1

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- Registration tells us:
  - Who you are
  - The age of your septic system
  - Last pump out date
  - Contact the CMDHD to access the Lyon TWP Septic Ordinance Record Request
  - If you had your tank pumped out in the last 3 years you do not need to have it pumped again

## Lyon Township Septic Ordinance Record Request

Records will be sent in the order they are received. Due to high request volume it may take a week or more to receive a copy of records.

This form is specifically for property owners in Lyon Township. Please use the EH FOIA form for all other requests: <https://forms.office.com/g/Sg32V1E0RL>.

\* Required

1. Property Tax ID

2. Street Address of Property \*

3. Owner Name \*

SEPTIC TANK ORDINANCE TOWNHALL | MAY 4TH, 2024 FROM 11:00AM - 12:30 PM | READ MORE  
[Click here to register for the ZOOM meeting](#)

Lyon Township

[Home](#) [Services](#) [Committees & Minutes](#) [Forms and Documents](#) [Tax and Assessing](#) [Contact Us](#)

Roscommon County, MI

### Ordinance #64 - Registration Form

Owners Name(s)

Property Tax ID #

Property Address

Street Address

City

State / Province / Region

ZIP / Postal Code

Mailing Address

Street Address

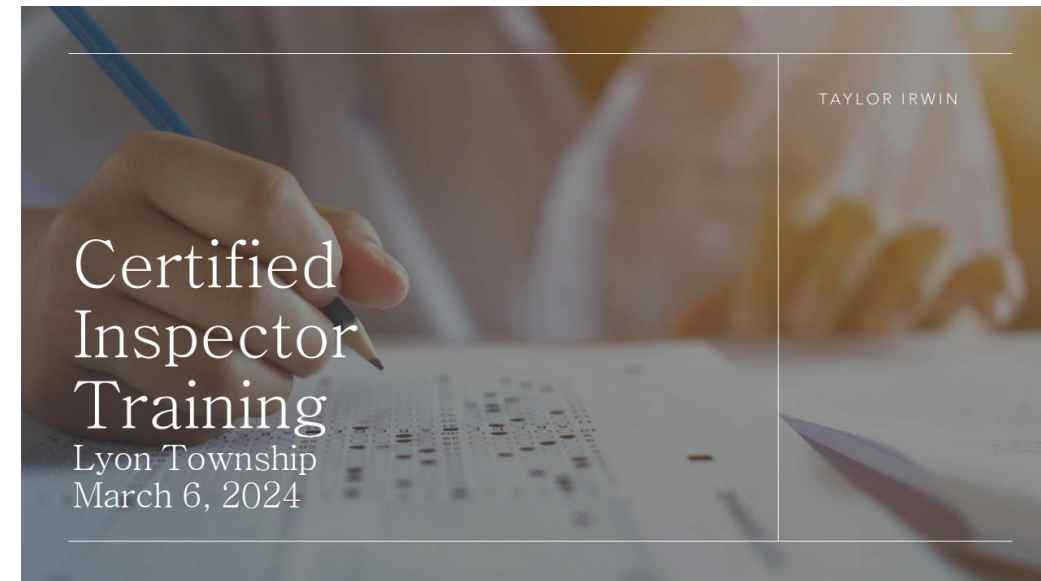
City

State / Province / Region

# Inspection\Pump out Step 2

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- Once we have received your registration you can schedule the Septic Inspector.
  - A CMDHD certified inspector is the only inspector that we will accept. [List of Certified Inspectors](#)
- Why only CMDHD Certified?
  - All inspectors will provide the same consistent data
  - All inspectors know the Lyon Township Ordinance\process
  - Inspectors to have General Liability Insurance
  - Inspectors responsible for submitting reports to GIS
  - Inspectors do not indicate Pass\Fail



## Certified Inspectors List

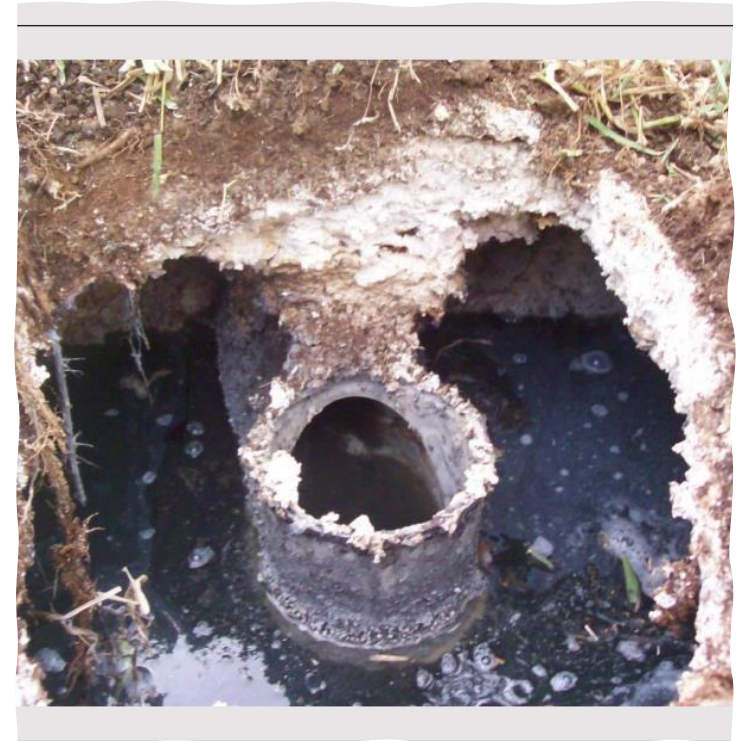
- 39-302-3445 [kirkkoupal@gmail.com](mailto:kirkkoupal@gmail.com)
- 31-942-3615 [robertyorch@gmail.com](mailto:robertyorch@gmail.com)
- 39-821-6640 [nick@ssehl.com](mailto:nick@ssehl.com)
- 39-821-6640 [nick@ssehl.com](mailto:nick@ssehl.com)
- 39-821-6640 [nick@ssehl.com](mailto:nick@ssehl.com)
- 39-821-6640 [nick@ssehl.com](mailto:nick@ssehl.com)
- 39-233-7161 [perry@chooseafl.com](mailto:perry@chooseafl.com)

# Inspection – Step 2

## What are inspectors looking for?

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- Home vacant and system not in use at time of evaluation
- Water softener, footings, or sump to system (must be removed from system but transfer authorized)
- Signs of corrosion on outlet baffle
- Tank and/or field capacity 50-99% of current Sanitary Code
- Septic tank damaged, structurally unsound, and/or not watertight
- Unsafe septic tank lid or riser lid
- No absorption system found
- System contains fully blackened stone and/or is saturated with blackened stone
- Tank or absorption area < 50 percent of current Sanitary Code requirements
- Sewage Treatment System less than 50' to wells or surface water sources without approved deviation or variance. (100' to surface water in Lyon)
- Sewage system backs up into structure



Over-full tank



## Sewage System Inspection Checklist/Report

For use with property sale, building remodel, refinance.

Property Address:

<b>SEPTIC TANK</b>	Tank gallons: <input type="checkbox"/> < 750 <input type="checkbox"/> 750-999 <input type="checkbox"/> 1000-1499 <input type="checkbox"/> 1500-1999 <input type="checkbox"/> 2000-2999 <input type="checkbox"/> >3000 <input type="checkbox"/> Unknown	
	Is the baffle in place?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Is there an effluent filter?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
	Was filter cleaned and re-installed?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
	Is septic tank in sound condition?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Are access lids in good condition?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Are there risers on the tank?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Is access to the tank secure?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Are tree roots present?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Signs of heavy traffic over tank?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Any structure built over tank?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Tank pumped in last 60 months?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>PUMP CHAMBER</b>	Is a pump chamber present?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Was the pump observed while operating?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
	Is chamber and pump accessible for maintenance?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
<b>DISPOSAL AREA</b>	Type: <input type="checkbox"/> Bed <input type="checkbox"/> Trench <input type="checkbox"/> Drywell <input type="checkbox"/> Stoneless Chambers <input type="checkbox"/> Unknown	
	Approximate bottom area square footage: <input type="checkbox"/> < 300 <input type="checkbox"/> 300 <input type="checkbox"/> 450 <input type="checkbox"/> 600 <input type="checkbox"/> 750 <input type="checkbox"/> 900 <input type="checkbox"/> 1050 <input type="checkbox"/> 1200 <input type="checkbox"/> >1200 <input type="checkbox"/> Unknown	
	Is there a second disposal area?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Approximate bottom area square footage: <input type="checkbox"/> < 300 <input type="checkbox"/> 300 <input type="checkbox"/> 450 <input type="checkbox"/> 600 <input type="checkbox"/> 750 <input type="checkbox"/> 900 <input type="checkbox"/> 1050 <input type="checkbox"/> 1200 <input type="checkbox"/> >1200 <input type="checkbox"/> Unknown	
	Did you auger into the disposal area?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Is standing water present in the drainfield stone?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Any signs of wastewater surfacing on the ground?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Has wastewater backed up into the house?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Do drains run slow in the house?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Evidence of wastewater above the baffle in the tank?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Is water level below the tank outlet without tank being pumped? (Appears to be leaking)	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Are tree roots present in drainfield?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Depth of cover on top of drainfield is equal or less than 24"?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Signs of heavy traffic over drainfield?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Any structure built over drainfield?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>ADVANCED TREATMENT</b>	Does the system have advanced treatment?	<input type="checkbox"/> YES <input type="checkbox"/> NO
	Is the advanced treatment being used; not bypassed?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
	Has the advanced treatment been recently maintained?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
	Is all the sanitary waste connected to the sewage system?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA

## Sewage System Inspection Checklist/Report

For use with property sale, building remodel, refinance.

	Does laundry discharge to sewage system?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
	Does water softener discharge to sewage system?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
	Does sump crock discharge to sewage system?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA
<b>PHOTOS TAKEN</b>	<input type="checkbox"/> Septic Tank <input type="checkbox"/> Pump Tank <input type="checkbox"/> Disposal Area <input type="checkbox"/> Advanced Treatment Components <input type="checkbox"/> Visible Evidence of Failure <input type="checkbox"/> Disposal Media	
<b>COMMENTS</b>		

### AS-BUILT DRAWING

Provide measurements to all water wells and surface waters from all parts of sewage treatment system including: septic tanks, sewage disposal areas, drywells, sewer lines, refer to Sanitary Code. Provide distance from structure to septic tank, drainfield, and dimensions of drainfield.

# Sample Report

# Pump out – Step 2

- Typical Pump out cost \$250 - \$300
- We invited all Licensed Septage Haulers from surrounding counties to understand our ordinance
- A pump out can only be performed by a licensed Septage Hauler. [Licensed Septage Waste Haulers](#)
- A pump out is required **at the time of an inspection** if the system has NOT been pumped out in over 3 years
- If you had your system pumped out within 3 years, a receipt is required at the time of registration
- Your inspector will record the pump out date and provide this at the time they load the data
- The Septage Hauler will provide you with a receipt

A screenshot of the EGLE (Michigan Department of Environment, Great Lakes, and Energy) website. The page is titled "Septage Hauler Directory" and "Septage Vehicle Information". It features a search bar, a county selection dropdown menu, and two tables. The "Septage Hauler Directory" table lists haulers with their IDs, business names, counties, disposal types, and phone numbers. The "Septage Vehicle Information" table lists vehicles with their IDs, counties, VINs, license plate numbers, and decal numbers. A map on the right shows the locations of haulers in the Kalamazoo region.

ID	Business Name (DBA)	County	Disposal Type	Phone N
	Service & Excavating Inc			
SH-1297	Jack Millikin Inc	Crawford	Land Application	989-348-
SH-1246	Sergeant Septic Service Inc	Roscommon	Land Application	989-821-
SH-1527	Goodwin Septic Tank Service	Gladwin	Both	989-426-
SH-1022	Scott's Enterprises Inc	Crawford	Land Application	989-275-

ID	County	VIN	License Plate #	Decal #
SH-1033	Ogemaw	1FVHCYF8PHUE3617	BD23788	0027
SH-1335	Ogemaw	1GDJ7C1G5F501694	BB23903	0267
SH-1335	Ogemaw	1HTMMAAN79H054483	BB23903	0194
SH-1033	Ogemaw	3BKBLJ0X2JF218307	BC36227	0024
SH-1033	Ogemaw	3BKBLJ0X9MF445675	BC48552	0020
SH-1246	Roscommon	1HTWNTAT7JH526881	BA87596	0031
SH-1246	Roscommon	2NKMHZ7X85M083218	BA31969	0032
SH-1246	Roscommon	3HA EKAT1PL348585	BD25239	0034

# Pass\Fail

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- You turned in your registration
- You hired an inspector\Septage Waste Hauler
- Your information was loaded to the CMDHD FETCH
- Now What???????
- The CMDHD makes the Pass\Fail
  - Pass – Nothing more is required.
  - Fail - CMDHD to work with residents\contractor to pull a permit and build a project to install\replace a new tank, a new field or both.
  - A fail can also mean repairs to the tank or drain field if acceptable. Replace is not the only option.



# Variance


- It is the intent of this Ordinance to provide minimum standards to be used in the design and construction of all septic disposal systems and performance-based disposal systems
- The Township Board may grant individual variances upon written request when the Township Board has adequately determined that all of the following conditions exist
  1. *That no substantial health problems or nuisance is likely to occur from the issuance of a variance from the terms of this Ordinance*
  2. *That strict compliance with the Ordinance's requirements shall result in unnecessary or unreasonable hardship*
  3. *That the proposed variance would provide essentially equivalent protection of the public interest*
  4. *That no state statute or other applicable laws would be violated by such a variance*

FINANCE TOWNHALL | MAY 4TH, 2024 FROM 11:00AM - 12:30 PM | [READ MORE](#)  
[Click here to register for the ZOOM meeting](#)

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[Contact Us](#)

## Variance #64 - Variance Application Form

Date



State



# Enforcement Authority/Infractions

I do not wish to comply with the ordinance – Now what?

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Non-Compliance is a Civil Infraction and fines for Non-Compliance unless otherwise specifically provided for, a particular municipal civil infraction violation by this Code or any other ordinance.

- First violation shall be not less than \$100.00, plus costs and other sanctions.
- Second violation within a 3-year period\* shall be not less than \$175.00.
- Third violation within a 3-year period\* shall be not less than \$250.00.
- Any violation after a third violation within a 3-year period\* shall be not less than \$250.00.
- Each day a violation of this Ordinance continues to exist constitutes a separate violation.

**(\*Determined on the basis of the date of the violation(s).)**

# Some Observations\Misconceptions

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- I just had my home\septic tank inspected why can't I use that report?
- Conflict of interest between Haulers and Inspectors
- I cannot pick my own Inspector or Septage Hauler
- All old tanks will fail
- Can my inspector coordinate the Septage Hauler?
- An inspector on FaceBook\Social Media stated that the ordinance is TOT\POS
- Someone on FaceBook\Social Media said that this should have been voted on by residents
- The township is trying to get residents to sway to a "yes" petition for the sewer
- If I am in District A and have to replace my tank, I will then have to pay for another tank if the sewer goes in
  - I will have to bury my new septic tank deeper if the sewer goes in
- If I live in District A and my drain field fails, I will have to pay to have a new field installed
- Property owners with septic tanks shall clean out tanks when the total solid accumulation in the tank is between 30% to 50% of the total capacity, or every five (5) years, whichever occurs first. The first clean out shall occur no later than five (5) years after the effective date of this Ordinance

# Some Resources that May be able to Help

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Commission on Aging - (989)-366-0205

Veteran Services - <https://www.roscommoncounty.net/311/Veteran-Services>

Salvation Army - (989) 202-4652

Red Cross - <https://www.redcross.org/>

Goodwill - <https://goodwillintl.zendesk.com/hc/en-us/requests/new>

Roscommon Community Foundation - (989) 275-3112

Michigan Saves | Clean Energy Financing | Nonprofit Green Bank -  
<https://michigansaves.org/>

# Next Septic Tank Inspector Training

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- May 29th, 2024.
- 9:00 am to 3:00 pm.
- Lyon Township Hall.
- The training is \$170 per inspector.

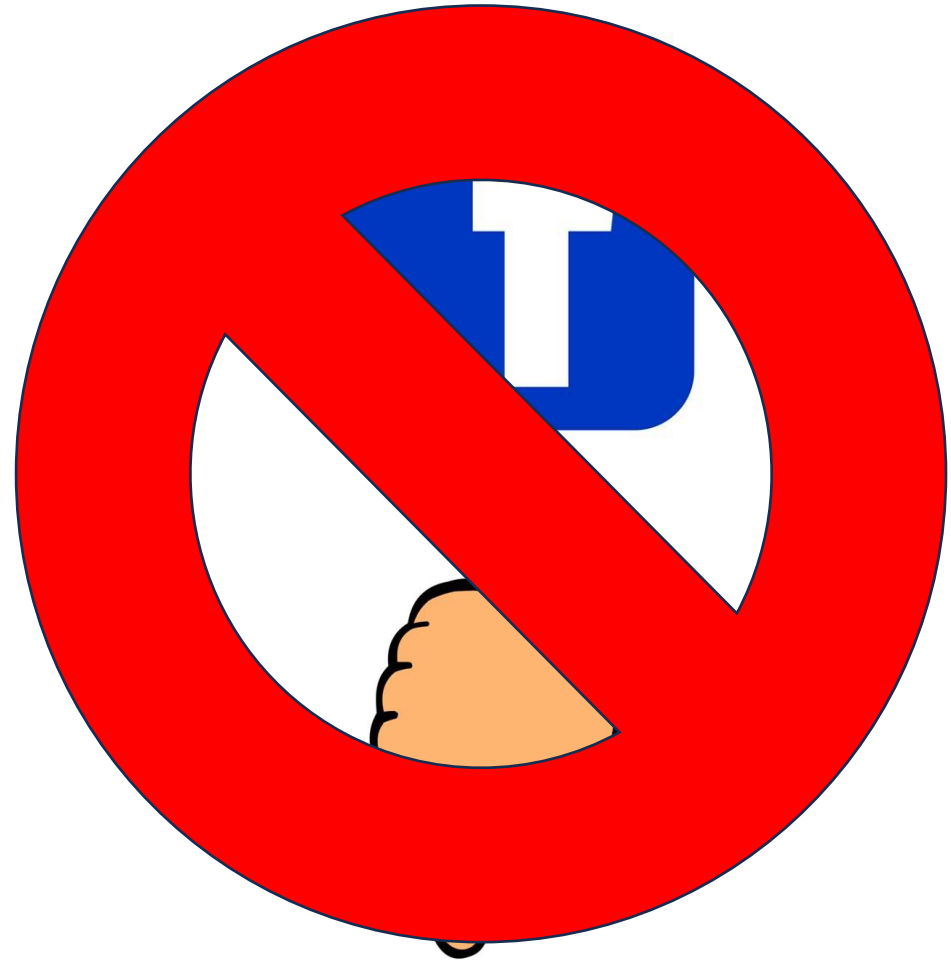
If you are interested in taking the training, you can call the Central Michigan District Health Department @ 989-366-9166 ext. 3 to sign up.

A hand holding a pencil is shown in a circular frame on the right side of the slide. The hand is positioned as if about to write on a document. The text 'Certified Inspector Training' is overlaid on the image in a large, white, serif font. The background of the image is a blurred document with some text and a grid pattern.

Certified  
Inspector  
Training  
on Township

# Where to get Information

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# Next - Short Term Rental Ordinance

Some topics being discussed

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- Restrict the Number of STR in Lyon Township
- Regulations around the number of occupants
- Septic Tank regulations
- Annual Licenses
- Inspections



**LYON TOWNSHIP  
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PRIVATE WASTEWATER SYSTEMS ORDINANCE  
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Thank you

