

**SUBSTITUTE FOR  
HOUSE BILL NO. 4200**

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 12753 (MCL 333.12753).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 12753. (1) Structures in which sanitary sewage originates  
2       lying within the limits of a city, village, or township shall be  
3       connected to an available public sanitary sewer in the city,  
4       village, or township if required by the city, village, or township.

5       (2) Structures in which sanitary sewage originates lying  
6       outside the limits of the city, village, or township in which the  
7       available public sanitary sewer lies shall be connected to the  
8       available public sanitary sewer after the approval of both the  
9       city, village, or township in which the structure and the public

1 sanitary sewer system lies and if required by the city, village, or  
2 township in which the sewage originates.

3 (3) Except as provided in subsection (4), **(5), OR (6)**, the  
4 connection provided for in subsections (1) and (2) shall be  
5 completed promptly but not later than 18 months after the date of  
6 occurrence of the last of the following events or before the city,  
7 village, or township in which the sewage originates requires the  
8 connection:

9 (a) Publication of a notice by the governmental entity which  
10 operates the public sanitary sewer system of availability of the  
11 public sanitary sewer system in a newspaper of general circulation  
12 in the city, village, or township in which the structure is  
13 located.

14 (b) Modification of a structure ~~so as~~ to become a structure  
15 in which sanitary sewage originates.

16 (4) A city, village, or township may enact ordinances, or a  
17 county or district board of health ~~may~~ adopt regulations, to  
18 require completion of the connection within a shorter period of  
19 time for reasons of public health, **SAFETY, OR WELFARE**.

20 **(5) IN A CITY WITH A POPULATION OF 80,000 OR MORE, AN OWNER OF**  
21 **A RESIDENTIAL STRUCTURE THAT IS REQUIRED TO BE CONNECTED TO AN**  
22 **AVAILABLE PUBLIC SANITARY SEWER UNDER SUBSECTION (1) OR (2) AFTER**  
23 **THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION**  
24 **MAY REQUEST AN EXTENSION OF THE TIME SPECIFIED UNDER SUBSECTION (3)**  
25 **OR (4). UPON REQUEST, A CITY MAY GRANT AN EXTENSION TO THAT OWNER**  
26 **FOR THE COMPLETION OF THE CONNECTION FOR A PERIOD OF TIME AS**  
27 **DETERMINED APPROPRIATE BY THAT GOVERNMENTAL UNIT OR FOR AS LONG AS**

House Bill No. 4200 (H-2) as amended February 22, 2005

February 23, 2005

1 THE EXISTING SEPTIC TANK DISPOSAL SYSTEM IS IN SATISFACTORY  
2 OPERATING CONDITION AND DOES NOT CONSTITUTE A THREAT TO THE PUBLIC  
3 HEALTH, SAFETY, OR WELFARE. [

4

5

]

6 (6) SUBSECTION (5) SHALL APPLY ONLY IF FEWER THAN 2% OF THE  
7 TOTAL NUMBER OF RESIDENTIAL UNITS ARE NOT CONNECTED TO THE PUBLIC  
8 SANITARY SEWER.

[ (7) A CITY THAT GRANTS AN EXTENSION UNDER SUBSECTION (5) OF THIS  
SECTION SHALL MAKE ITS INSPECTION PLAN AVAILABLE TO THE PUBLIC. THE  
INSPECTION PLAN MUST DEMONSTRATE THAT THE SEPTIC TANK DISPOSAL SYSTEMS  
GIVEN EXTENSIONS WILL BE INSPECTED AND OPERATED IN A MANNER THAT WILL  
PROTECT PUBLIC HEALTH, SAFETY, AND WELFARE.]