

Rules



**YPSILANTI COMMUNITY UTILITIES AUTHORITY
BOARD OF COMMISSIONERS
YCUA Administration Building
2777 State Road
Ypsilanti, MI 48198-9112**

SEWER SERVICE LEAD RULES

I. ACKNOWLEDGMENTS

A. It is acknowledged as follows:

1. Public Act 233 of 1955, MCL 124.281, et seq; MSA 5269(51), et seq, the enabling statute under which the Ypsilanti Community Utilities Authority (YCUA) was created and functions, and Public Act 222 of 2001, MCL 691.1415, et seq; MSA 3.996(115) et seq, the Sewage Event Claims Act, provide that YCUA owns and operates a “sewage disposal system,” precisely defined in each statute as:

All interceptor sewers, storm sewers, sanitary sewers, combined sanitary and storm sewers, sewage treatment plants, and all other plants, works, instrumentalities, and property used are useful in connection with the collection, treatment, or disposal of sewage or industrial waste.

2. A “sewage disposal system” does not include a “service lead,” separately and precisely defined in Public Act 222 of 2001, as:

An instrumentality that connects an affected property, including a structure, fixture, or improvement on the property, to the sewage disposal system and that is neither owned nor maintained by a governmental agency.

3. Consistent with and as provided in Public Act 233 of 1955 and Public Act 222 of 2001, sewer service leads have been and are installed, maintained, and owned by private

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property owners and are not a part of the sewage disposal system, installed, maintained, and owned by YCUA.

4. YCUA does, however, have an interest in the proper and uninterrupted operation of both the sewage disposal system and service leads including, but not necessarily limited to, protection of the general health, safety and welfare of YCUA customers by avoiding and/or limiting sewage backup cases in which sewage and sewage-water flow into areas and spaces occupied or used by humans; and, prompt, correct, and safe repair of failed, blocked or otherwise compromised sewage service leads, which, in some cases, involves the excavation and restoration of curbs and roadways and attendant traffic control and safety issues.

II. RULES

A. For those reasons and as a service to its customers, YCUA will provide specific services to YCUA customers as to sewer service leads, limited to the following:

1. When a sewer service lead is blocked or damaged to the extent that hands-on repair or replacement is necessary, YCUA will complete the repair/replacement, from the inside edge of the sidewalk to the sewer main or, in the absence of a sidewalk, from the property line to the sewer main, including excavation and road surface and curb repair or reinstallation.

2. When a property owner replaces a sewer service lead and excavation and exposure of the entire lead is not necessary, YCUA may, at its option, place or insert a plastic pipe inside the lead, from the inside edge of the sidewalk to the sewer main or, in the absence of a sidewalk, from the property line to the sewer main, and will do what excavation is necessary, if any, to complete a new tap at the sewer main.

3. In cases of sewer service lead cleaning and sewer service lead blockage caused by tree roots, the property owner is responsible for cleaning his/her/its own sewer service lead; YCUA does not and will not accept direct billing from a private sewer cleaning company or plumber unless YCUA has requested and hired the cleaning company or plumber; and, YCUA does not and will not reimburse a property owner for a televised inspection of a sewer service lead unless authorized in advance by the YCUA Transmission and Distribution Supervisor or his/her designee.

4. YCUA will perform and assume the expense of the services identified in paragraphs A. and B., above, if and only if the affected property owner signs a written acknowledgment and agreement that, by providing these services, YCUA does not assume any ownership, control and/or maintenance responsibility as to the property owner's service lead and that the service lead, from the point of connection at a home, business or other structure to the

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point of connection at the sewer main, is owned by and remains the sole responsibility of the property owner.

B. These Rules replace all policies and rules previously adopted by the YCUA Board or otherwise implemented by YCUA for the repair, replacement, or other services or payments relative to sewer service leads, which are revoked by these Rules.

Certification

Adopted and approved by the YCUA Board of Commissioners at its regularly scheduled monthly meeting on November 23, 2010.

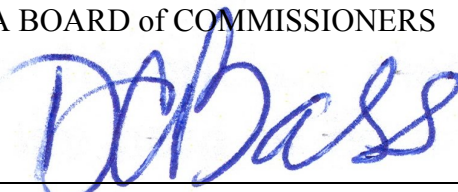
DATED: November 23, 2010



YCUA BOARD of COMMISSIONERS

By:

Its:



DEEDRA CLIMER BASS, Secretary / Treasurer