

## ARTICLE 20. PERFORMANCE STANDARDS

No use otherwise allowed shall be permitted within any district which does not conform to the following standards of use, occupancy, and operation, which standards are hereby established as the minimum requirements to be maintained within said area:

### SECTION 2000. SMOKE

It shall be unlawful for any person, firm or corporation to permit the emission of any smoke from any source whatever to an opacity greater than 20 percent, such measurement being taken as the average over a period of six minutes, as measured by U.S. EPA Method #9.

### SECTION 2001. DUST, DIRT AND FLY ASH

No person, firm or corporation shall operate or cause to be operated, maintain or cause to be maintained, any process for any purpose, or furnace or combustion device for the burning of coal or other natural or synthetic fuels, without maintaining and operating, while using said process or furnace or combustion device, recognized and approved equipment, means, methods, device or contrivance to reduce the quantity of gas-borne or air-borne solids of fumes emitted into the open air, which is operated in conjunction with said process, furnace, or combustion device so that the quantity of gasborne or airborne solids shall not exceed 0.20 grains per cubic foot of the carrying medium at the temperature of 500 degrees Fahrenheit.

For the purpose of determining the adequacy of such devices these conditions are to be conformed to when the percentage of excess air in the stack does not exceed 50 percent at full load. The foregoing requirement shall be measured by the A.S.M.E. Test Code for dust-separating apparatus. All other forms of dust, dirt and fly ash shall be completely eliminated insofar as escape or emission into the open air is concerned. The Building Inspector may require such additional data as is deemed necessary to show that adequate and approved provisions for the prevention and elimination of dust, dirt and fly ash have been made.

### SECTION 2002. ODOR

The emission of obnoxious odors shall be prohibited.

### SECTION 2003. GASES

SO<sub>2</sub> gas, as measured at the property line, shall not exceed an average of .3 p.p.m. over a twenty-four (24) hour period; provided however, that a maximum concentration of .5 p.p.m., will be allowed for a one (1) hour period out of a twenty-four (24) hour period; H<sub>2</sub>S shall not exceed .1 p.p.m.; fluorine shall not exceed .1 p.p.m.; nitrous fumes shall not exceed .1 p.p.m.; CO shall not exceed 15 p.p.m.

### SECTION 2004. AIRBORNE MATTER, GENERAL

In addition to Section 1800 through Section 1803 above, there shall not be discharged from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment or nuisance to the public or which endanger the comfort, repose, health, or safety of persons or which cause injury or damage to business or property.

## **SECTION 2005. OPEN STORAGE**

The open storage of any commercial or industrial equipment, vehicles and all materials including wastes, shall be screened from public view, from adjoining Residential Districts and public streets by an enclosure consisting of a masonry wall or pressure-treated wood fence not less than the height of the equipment, vehicles and all materials to be stored, except as otherwise permitted in this Ordinance.

## **SECTION 2006. GLARE AND RADIOACTIVE MATERIALS**

Glare from any process (such as or similar to arc welding, or acetylene torch cutting) which emits harmful ultraviolet rays shall be performed in such a manner as not to be seen from any point beyond the property line, and as not to create a public nuisance or hazard along lot lines. Radioactive materials and waste, and including electromagnetic radiation such as x-ray machine operation, shall not be emitted to exceed quantities established as safe by the U.S. Bureau of Standards, when measured at the property line.

## **SECTION 2007. FIRE AND EXPLOSIVE HAZARDS**

- A. In the IR and IC Districts the storage, utilization or manufacture of materials or products ranging from noncombustible to moderate burning, as determined by the Fire Chief, is permitted, subject to compliance with all performance standards above mentioned.
- B. The storage, utilization, or manufacture of materials, goods, or products ranging from free or active burning to intense burning, as determined by the Fire Chief, is permitted subject to compliance with all other yard requirements and performance standards previously mentioned, and providing that the following conditions are met:
  - 1. Said materials or products shall be stored, utilized, or produced within completely enclosed buildings or structures having non-combustible exterior walls, which meet the requirements of the Building Code.
  - 2. All such buildings or structures shall be set back at least forty (40) feet from lot lines, or in lieu thereof, all such buildings or structures, shall be protected throughout by an automatic sprinkler system complying -with installation standards prescribed by the National Fire Association.
  - 3. The storage and handling of flammable liquids, liquified petroleum, gases, and explosives shall comply with the State Rules and Regulations as established by Public Act No. 207, of 1941, as amended.

## **SECTION 2008. NOISE**

The emission of measurable noises from the premises shall not exceed sixty-five (65) decibels as measured at the boundary property lines, except that where normal street traffic noises exceed sixty-five (65) decibels during such periods, the measurable noise emanating from premises may equal, but not exceed, such traffic noises. Within IR Districts sound levels not exceeding 70 decibels may be permitted. Within IC Districts sound levels not exceeding 75 decibels may be permitted.

In addition, objectionable sounds of an intermittent nature, or characterized by high frequencies even if falling below the aforementioned decibel readings shall be controlled so as not to become a nuisance to adjacent uses.

### **SECTION 2009. VIBRATION**

Machines or operations which cause vibration shall be permitted in Industrial Districts, but no operations shall cause a displacement exceeding .003 of one (1) inch as measured at the property line.

### **SECTION 2010. WATER SUPPLY AND SEWAGE**

- A. Provision for Safe Supply - Every building hereafter erected, altered, or moved upon any premises and used in whole or in part for human habitation, including buildings to be used for dwelling, business, recreational, commercial, office, industrial or other purposes, shall be provided with a safe, sanitary, and potable water supply. Where a private water supply is proposed, a report on the water quality shall be obtained from the Macomb County Health Department and submitted to Lenox Township. All private water supply wells shall be located on the premises they are intended to serve.
- B. Public Water Supply - Where a public water supply is available, every fixture from which water for human consumption can be obtained shall be supplied with water from such supply system, except where private water supply meets the requirements of paragraph A. above.
- C. Location of Well - Where a public water supply system is not available, each well utilized for human consumption shall be so located that the area within 50 feet of the casing or suction pipe shall be free from sources of contamination such as soakage pits, seepage pits, cesspools, outhouses, barn yards, septic tanks, drainage fields, and other sources of contamination. (See Section 1823 for High Volume Wells)
- D. Macomb County Health Department Certification of Water Supply Well - Prior to the issuance of a building permit for any residence, business, or other occupied structure requiring a water supply facility for human consumption, the applicant shall submit to the Building Inspector evidence that the water supply well meets the water well standards of the Michigan Department of Public Health. Such evidence shall be on the appropriate forms of the Macomb County Health Department. When a water supply is to be installed where the existence of any structure or condition prior to the effective date of this Ordinance prevents full compliance with the provisions thereof, the Macomb County Health Department may approve exceptions in writing which, in its opinion, will not constitute a potential menace to public health.
- E. Sewage Disposal - Sewage disposal must meet the requirements and regulations of the Macomb County Health Department. When an approved public sewer becomes available, existing dwelling and habitable buildings shall be connected to same within twelve (12) months after such sewer becomes available for use.
- F. Sewage Wastes - All commercial or industrial wastes discharged into the public sewer system must conform with Standards and Regulations controlling such discharges as issued by the City of Detroit and approved or modified by the Macomb County Agent.

## **SECTION 2011. WASTE AND RUBBISH DUMPING**

No garbage, sewage, filth, waste, trash, debris, or rubbish, including cans, bottles, waste paper, cartons, boxes and crates, or other offensive or obnoxious matter shall be kept in open containers, or piled, placed, stored or dumped on any land within Lenox Township in such manner as to constitute a nuisance or create a hazard to health, safety, morals, and general welfare of the citizens of the Township. All waste material, trash and rubbish must be disposed of at least once in each month and in accordance with the laws and ordinances of Lenox Township and provided further, that nothing contained in this Ordinance shall prevent the reasonable use of garbage, fertilizer, manure and similar material for the improvement of land situated within a zone which is being utilized for farming purposes, where such use is not carried on in an unhealthy or unsanitary manner or does not constitute a menace to the health and welfare of the public or a nuisance to the surrounding area; provided, however, that the storing, piling, placing, or dumping of the first above mentioned materials from other than one household shall be deemed to be a commercial operation, whether such operations be carried on for- a profit or not, and in such case shall adhere to the appropriate regulations. (SECTION 1817)