



## **SEWER OVERFLOW OR BACKUP PUBLIC NOTICE**

The Grand Traverse County DPW provides sewer system administration, operation, and maintenance for the following townships:

Acme  
East Bay  
Elmwood (Leelanau County)  
Garfield  
Peninsula

Any citizen having experienced an overflow or backup of a sewage disposal system must file a written claim with the Grand Traverse County Department of Public Works within 45 days after the overflow or backup was discovered or in the exercise of reasonable diligence should have been discovered. Notice should be mailed to:

ATTN: Director  
Grand Traverse County DPW  
2650 LaFranier Road  
Traverse City, MI 49686

**Failure to provide the required notice will prevent recovery of damages.**

Contact the DPW Office at 231-995-6039 immediately upon discovery of an overflow or backup.



## **SEWER OVERFLOW OR BACKUP PUBLIC ACT 22**

The State of Michigan passed a law, Public Act 222 of 2001, which clarifies the conditions under which municipalities are liable for sewer backups. The Act sets standards to determine the extent to which a municipality is liable for backups and establishes a process that affected persons must follow to seek compensation when a backup occurs. The Grand Traverse County DPW does not have legal authority or obligation to repair a private sewer lead.

Anyone making a claim for property damage or physical injury must prove that the public sewer had a defect. Further, the person must prove the government agency knew, or in the exercise of reasonable diligence, should have known about the defect. Also, it must be proven that the governmental agency having the legal authority did not take the reasonable steps in a reasonable amount of time to repair, correct, or remedy the defect. Finally, the defect must be 50% or more of the cause of the event and property damage or physical injury.

If you experience an overflow or backup of a sewage disposal system and intend to make a claim, you must first file a written claim with the Grand Traverse County Department of Public Works within 45 days after the overflow or backup was discovered.

Claims must be mailed to the Grand Traverse County DPW, ATTN: Director, 2650 LaFranier Road, Traverse City, MI 49686.

Failure to provide the required written claim within the allotted time will prevent recovery of damages.