

ORDINANCE 2014-4

**AN ORDINANCE AMENDING SECTION 50.062 OF THE
MORRISTOWN CITY CODE**

THE CITY COUNCL OF THE CITY OF MORRISTOWN DOES ORDAIN:

Morristown City Code § 50.062 shall be deleted in its entirety and the following is substituted in its stead:

**“Section 50.062. PROHIBITED DISCHARGES FROM SUMP PUMPS AND
OTHER SOURCES INTO THE SANITARY SEWER SYSTEM.**

(A) Purpose

The City Council finds that the discharge of water from natural precipitation, surface runoff or groundwater into the City sanitary sewage system will, and has on numerous occasions in the past, flooded and overloaded the sanitary sewage system to such an extent as to cause significant and grave damage to the waste treatment plant and sanitary sewer trunk system. Such damage is caused by the backup of sewage into the plant, private properties, and pressure damage to trunk lines. The City Council, therefore, finds it essential to the minimization of damage to property and to meet Minnesota Pollution Control Agency and Morristown City Code requirements that the provisions of this Ordinance be strictly enforced to avoid emergencies in the future.

(B) Prohibition against discharges into sanitary sewer system.

No water from any roof, surface, groundwater, sump pump, footing tile, swimming pool, downspout, foundation drain, areaway drain, or other source of natural precipitation, surface runoff or groundwater shall be discharged into the sanitary sewer system.

(C) Permanent Discharge Line Required

Dwellings and other buildings and structures which require, because of infiltration of water into basements, crawl spaces and the like, a sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system, except as provided herein. A “permanently installed discharge line” shall consist of a rigid discharge line (plastic, copper, galvanized or black pipe), without valving or quick connections for altering the path of discharge. It shall not be capable of connection or reconnection to the sanitary sewer system.

(D) Limitations on Discharge

The permanently installed discharge line shall provide for year-around discharge capability outside of the dwelling, building or structure to the City storm sewer via a direct connection or shall discharge onto the owner’s property. Runoff from sump pump

discharge shall dissipate on the owner's property and shall not drain onto a sidewalk or street, nor shall the discharge create a nuisance for a neighboring property.

(E) Disconnection.

Before October 1, 2015, any person, firm, or corporation having a discharge line connected and/or discharging into the sanitary sewer system shall disconnect and/or remove same. Any disconnects or openings in the sanitary sewer shall be closed in an effective, workmanlike manner, as approved by the City.

(F) Inspection/Certification.

No later than October 1, 2015, every person owning improved real estate that discharges into the City's sanitary sewer system shall obtain an inspection of each building located on such property by an inspector designated by the City. The purpose of this inspection shall be to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. In lieu of having the City inspect such property, the owner may, no later than October 1, 2015, furnish a certificate from a licensed plumber, in a form acceptable to the City, certifying that the property is in compliance with this Section 50.062.

(G) Future inspections.

Any building may be reinspected on a yearly basis in conjunction with yearly water meter or other inspections. In addition, upon probable cause the City may require any property owner to provide evidence of compliance with this Section 50.062.

(H) New home inspections.

All new construction that includes a connection to the sanitary sewer will be required to have their sump pump system inspected and be in compliance with this Section 50.062 prior to issuance of a certificate of occupancy.

(I) Waivers.

The City Council may, in its sole discretion, consider requests for waivers from the applicability of the provisions of this Section 50.062 where strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration or cause a safety problem. This would also include cases that would not be practical or feasible to correct the clear water discharge problem.

Application for waivers pursuant to this Section 50.062 shall be addressed in writing to the City Clerk. The application shall at a minimum identify the property for which the waiver is being applied for, the name of the property owner/applicant, and describe in detail what characteristics of the subject property create an undue hardship. Within a reasonable time the City Council shall make its decision on the matter and send a copy of such decision to the applicant by regular mail. Upon approval of an application for a waiver, a property owner shall be allowed to discharge directly into the sanitary sewer system for the time specified in the City Council's written decision. The applicant will be required to agree to pay an additional fee for the additional sewer service, along with the regular monthly charge. Fees for this service will be based on estimated yearly average amounts discharged to the sanitary sewer.

(J) Surcharge and Penalties.

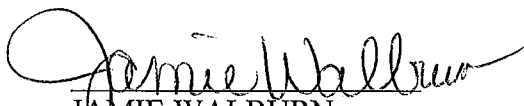
A surcharge of One Hundred Dollars (\$100.00) per month is added to every sewer bill mailed after October 1, 2015, to property owners who have not obtained a property inspection or provided a certificate of compliance by that date. The surcharge shall be added every month to be included in monthly bills for properties not complying with this Section 50.062. All properties found during yearly inspection to have violated this Section 50.062 will be subject to the \$100.00 per month charge for all months between the two most recent inspections, and for each month thereafter until the property owner submits proof to the City that the property is brought into full compliance. In addition to the \$100.00 per month charge, a property owner or other person who is not in compliance with this Section 50.062 will be mailed, by regular mail, a notice that such violation shall cease and desist within a time limit provided by the City Council. If such violation does not cease and desist by the established time limit, the owner of the property or other person violating Section 50.062 shall be guilty of a misdemeanor.”

Passed and adopted this 28th 3rd day of November, 2014,
with the following vote: Aye 5 ; No 0 ; Absent .



KURT WOLF
Mayor

ATTEST:



JAMIE WALBURN
City Clerk