

CITY OF _____
ORDINANCE NO. ____

AN ORDINANCE PROVIDING FOR ALTERNATIVE INSPECTION OF SUMP PUMPS BY PRIVATE PLUMBERS IN LIEU OF CITY INSPECTION, AND AMENDING SECTION _____ AND ADDING SECTIONS _____, _____, AND _____ TO THE CITY CODE

The City Council of the City of _____ does hereby ordain:

I.

Part 3 of Section _____ of the City Code is hereby repealed.

II.

Chapter _____ of the City Code is hereby amended by adding Sections _____ and _____ to read as follows:

_____ Inspections. Every property owner that owns improved real estate which is connected to the City's sanitary sewer system shall within 30 days after written notice from the City:

- (1) Allow a representative of the City to inspect both the inside and outside of buildings located on the property to confirm that there is no prohibited discharge into the municipal sanitary sewer system, or
- (2) In lieu of having inspection by a City representative, the property owner shall furnish a certificate from a licensed plumber, in a form acceptable to the City, certifying that the property has no prohibited discharge into the municipal sanitary sewer system. Failure to provide such certificate of compliance within the above time shall make the property immediately subject to the surcharge provided for in Section _____ of this chapter until the property is inspected and/or compliance is met, including any penalties and remedies that the City has provided in its policies and codes, by way of assessments, and administrative expenses in achieving compliance.
- (3) The Council may, by resolution, provide for a waiver by reason of hardship from the requirements of this Section.

_____ Repairs. Any property owner whose property is found in violation of this chapter shall make the necessary changes to comply with this chapter and shall furnish proof of these repairs or changes to the designated City representative within ninety (90) days upon receiving notice of the violation.

- (1) City Installation. Where the property owner has been notified in writing to comply with this chapter fails, refuses or neglects to comply within ninety (90) days of receipt of the notice, the Council may by resolution, direct the installation of the required pipes, plumbing fixtures and appliances. The cost of installation shall be paid by the City and the actual costs assessed against the property benefited.

After the installation and connections are completed, there shall be served upon the owner of the property, a written notice of the assessment and an order directing the owner to pay the assessment within ten (10) days after the service of the written notice. Upon proof of service of the notice and order, and proof that the assessment has not been paid within the ten (10) days allowed, an assessment hearing shall be held by the City and the benefited property shall be assessed for the costs and administrative expenses incurred by the City in achieving compliance.

- (2) Financial Assistance for Corrective Action. There are a number of authorized methods to dispose of sump effluent. These include pumping the water into a cistern or discharging it within the property. The owner of any property that has an existing illegal connection may apply once for City financial assistance up to one hundred and fifty dollars (\$150.00) by requesting a City inspector to verify the illegal connection, having the repair completion verified and submitting a receipt(s) for labor and/or materials. Upon verification of the corrective action and costs, the City will remit to the property owner an amount as established by City Council resolution for the costs up to one hundred and fifty dollars (\$150.00) to correct the illegal connection. This financial assistance is limited to a one time reimbursement per dwelling, building or structure.
- (3) Surcharge. A surcharge in an amount established by City Council resolution shall be imposed on the property owner's sanitary sewer utility bill for properties in violation of this chapter. The surcharge will be added to the property owner's utility bill until the property is found to be in compliance as determined by the City. The surcharge amount for 2006 will be two hundred dollars (\$200.00) per quarter. Commencing in 2007 and thereafter, the surcharge will be as set forth in the City's Annual Schedule of Fees pursuant to Section 90.030.

_____ Remedies. The remedies provided in sections _____ and _____ are cumulative and do not limit the right of the City to pursue any available legal remedy, including an administrative search warrant.

III.

This Ordinance shall take effect and be enforced from and after its passage and publication.

PASSED by the City Council of the City of _____, Minnesota, this 15th day of January, 2008.

Name

ATTEST:

Name