

ORDINANCE NO. 2016-13

AN ORDINANCE REGARDING SUMP PUMP DISCHARGES

The Village Board of the Village of Bristol, Kenosha County, Wisconsin, do ordain as follows:

SECTION I. ADOPTION OF PROVISIONS.

Section 8-1-9 of the Village of Bristol Code of Ordinances is created to read as follows:

Sec. 8-1-9 Sump Pump Discharge Regulated.

- (a) **Statement of Purpose.** The Village Board finds that uncontrolled discharges of water from sump pumps, footing tiles, roofs, down spouts, eave troughs, yard drains, swimming pools, cistern overflows, and other means of transmitting natural precipitation and surface waters can overload the public sewerage system and contribute to flooding. Such overloading may result in sewage flowing into basements and/or residences and businesses, creating potentially hazardous public health and safety conditions and damage to properties. Such discharges into the public sewerage system increase system operating costs and maintenance. Furthermore, such uncontrolled discharges, particularly from sump pumps, can create frozen runoff onto public sidewalks and excess runoff from one lot to another.
- (b) **Prohibitions.** It shall be unlawful for any owner, occupant or user of any premises to direct into or allow any stormwater, surface water, ground water, well water or other sources specified in Subsection (a) above to drain into or connect into the public sewerage system. No rain spout or other form of surface drainage, foundation drainage, or sump pump shall be connected to or discharged into the public sewerage system.
- (c) **Sump Pump Discharge System Required.**
 - (1) **Requirement For.** Dwellings and other buildings and structures which require, because of infiltration of water into basements, crawl spaces, etc., the use of a sump pump system shall have a permanently installed discharge line which shall not at any time discharge into a sanitary sewer system.
 - (2) **Discharge Line Requirements.**
 - a. A "permanently installed discharge line" shall be one which provides for uninterrupted year-around discharge capability to either

an appropriate drainage area outside of the dwelling, building or structure, or is connected to the Village storm sewer system. In no event shall a drainage area include property owned by another party or any public right-of-way.

- b. The permanently installed discharge line shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge. This line shall not be capable of connection or reconnection to the public sewerage system. The discharge pipe shall be installed to the outside wall of the building with rigid pipe (plastic, copper, galvanized or black pipe), one (1) inch inside diameter minimum. If the discharge line is directly connected to a storm sewer line or catch basin, the discharge pipe shall have a check valve within one (1) foot of the floor grade, an air gap, and a union or other approved coupling for easy disconnection for repair or replacement. The point of discharge shall be a minimum of two (2) feet from the basement foundation wall and ten (10) feet from the property line.
- c. Discharge water shall not discharge to a street, alley or other public way or create any icy condition on any pedestrian walkways within or adjacent to the premise's lot lines.
- d. As an alternate method of installation with the approval of the Village, the discharge pipe may be connected directly to the Village's underground storm sewer system provided the discharge is at a higher elevation than the normal flow level and than an approved backflow prevention device is installed.
- e. When a storm sewer is not or will not be available in the future, as determined by the Village, the sump pump shall discharge to grade and must satisfy all of the following provisions, unless otherwise authorized by the Director of Public Works/Village Engineer:
 1. The discharge pipe shall exit the building at one (1) foot above finished grade.
 2. The point of discharge shall be a minimum of two (2) feet from a basement foundation wall and ten (10) feet from a property line.
 3. The discharge shall flow parallel to or away from the nearest property line, and comply with the restrictions of Subsection (c)(2)c above.

- (d) **Foundation Drain Tile Systems.** For buildings and residences constructed after the effective date of this Section, groundwater from foundation drain tile shall not discharge into the sanitary sewerage system. The building/residence shall have a drain tile placed around the inside or outside perimeter of the foundation connected to a sump pit. All baseboard seepage collection systems shall be discharged to the sump pit. The sump pit shall be located a minimum of ten (10) feet from an inside sanitary floor drain.

Groundwater flowing through the tile and draining to a sump pit shall be discharged to the exterior of the structure with the use of a sump pump.

(e) **Sump Pump Connection Required.**

(1) ***Sump Pump Connections to Storm Sewer System.***

- a. Each owner of a platted lot where storm sewer laterals have been installed, or will be installed in the future pursuant to Village standards, shall be required to connect the building sump pump outlet directly to the storm sewer lateral as installed at the time of plat or certified survey map approval by the subdivider, or as subsequently installed by the Village pursuant to this Section or any other ordinance of the Village of Bristol. If a Village storm sewer system or Village drain tile system is available to the property, connection of said discharges to this system shall be mandatory.
- b. Where no storm sewer is available or is not adequate to receive the anticipated flow (as determined by the Village) between the dates of November 15 and April 15 of the following year, the sump pump discharge shall drain onto the premises, not onto the roadway, curbing or sidewalk.

(2) ***Compliance Responsibility.*** It shall be the responsibility of the party who is issued a building permit to ensure that the sump pump discharge system from the building constructed on the property is installed underground from the building and is properly connected to the storm sewer laterals.

(3) ***Downspouts.*** No downspouts shall be connected to the storm sewer lateral, except with the approval of the Public Works Director/Village Engineer or Building Inspector for unique hazard mitigation, and then shall be limited to one (1) such connection only.

(f) **Connection Orders; Inspections; Variances; Noncompliance.**

(1) ***Connection Order.*** A connection order may be served, in person or by first class mail, upon either the owner of the property or its occupant. The order shall provide that connection to the storm sewer shall occur within thirty (30) days after order issuance and prohibited connections be discontinued, unless a written waiver or time extension request has been filed with the Director of Public Works/Village Engineer.

(2) ***Inspections.***

- a. Within thirty (30) days after notice from the Village, the property owner shall contact the Village to schedule an inspection by a Village inspector of each building and the utility service lines located on such property. The purpose of this inspection is to confirm that there is no sump pump or other prohibited discharges into the public sewerage system. In lieu of having the Village inspect the property, the property owner may, at the owner's expense, furnish a certificate from a Wisconsin-licensed plumber, in a form acceptable to the Village, certifying that the property is in compliance with this Section.

- b. The Village may periodically re-inspect any building or premise to determine compliance with this Section.
- c. All new residences shall be required to have their sump pump system inspected and be in compliance with this Section prior to issuance of a certificate of occupancy.

(3) **Waiver.**

- a. The Director of Public Works/Village Engineer shall hear and decide requests for waivers or time extensions from the applicability of the provisions of this Section where strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration or which would cause a significant public health or safety problem. This may also include situations where it would not be practical, as determined by the Village, to correct an otherwise prohibited discharge to the public sewerage system.
- b. Applications for a waiver or time extension shall be made within fifteen (15) days of receipt of a compliance order. Such application shall be addressed in writing to the Director of Public Works/Village Engineer. Applications shall, at a minimum, identify the subject property, 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 Director of Public Works/Village Engineer shall make a decision on the request, providing a copy of such decision to the applicant in writing. Upon approval of an application for a waiver or time extension, a property owner shall be allowed to discharge directly into the sewerage system for a limited time specified in the written determination and in accordance with other terms and conditions specified.

(4) **Penalties.**

- a. A penalty surcharge of Three Hundred Dollars (\$300.00) per month shall be imposed on every sewer service bill to a property owner who:
 - 1. Is not in compliance with this Section;
 - 2. Has not obtained an inspection required by this Section or refuses property inspections required under this Section;
 - 3. Has not made necessary corrections within the time specified; or
 - 4. Is otherwise not in compliance with this Section.
- b. The surcharge shall be added every month thereafter for properties not in compliance with this Section until the property owner submits appropriate proof to the Village that the property has been brought into full compliance, with verification by Village inspection. Any property found during any re-inspection to be in violation of this Section shall be subject to the surcharge for all months between the two (2) most recent inspections. If the surcharge is not paid, the Village reserves the right to assess the property the unpaid balance as a special charge under the Wisconsin Statutes.

- c. In addition to the penalty surcharge, a citation may also be issued for violations, with all court costs payable by the property owner.

SECTION II. SEVERABILITY.

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION III. CONFLICTING PROVISIONS REPEALED.

All Ordinances in conflict with any provision of this Ordinance are hereby repealed.

SECTION IV. EFFECTIVE DATE.

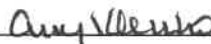
This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 11th day of April, 2016.

VILLAGE OF BRISTOL, WISCONSIN



Village President



Village Clerk-Treasurer

INTRODUCED: 4/11/16

ADOPTED: 4/11/16

PUBLISHED: _____

State of Wisconsin:
County of Kenosha:

I hereby certify that the foregoing Ordinance is a true, correct, and complete copy of an Ordinance duly and regularly enacted by the Bristol Village Board on the 11th day of April, 2016, and that said Ordinance has not been repealed or amended and is now in full force and effect.

Dated this 11th day of April, 2016

Amy Klemko
Amy Klemko, Village Clerk-Treasurer