

Attachment #1
ORDINANCE NO 10-08

**AN ORDINANCE FOR THE REGULATION OF NATURAL
AND GROUND WATER DRAINAGE AND
ESTABLISHING AN INFLOW/INFILTRATION
SURCHARGE AND PENALTY RELATING TO
NON COMPLIANCE/NON-CONFORMANCE**

WHEREAS, the City of Blue Earth recognizes that unchecked Inflow/Infiltration (I/I) into the sanitary sewer system creates unnecessary usage and expense in the Wastewater Treatment Plant; and

WHEREAS, in an effort to reduce I/I, the City has initiated an inspection program to identify the non-complying properties; and

WHEREAS, as an incentive for property owners to take the necessary steps to bring their property into compliance within a reasonable time, the City of Blue Earth will impose a surcharge on properties not in compliance with I/I regulation after January 1, 2011; and

WHEREAS, in an effort to reduce I/I in as many properties as possible, as quickly as possible, the City of Blue Earth will require that compliance or non-compliance be disclosed and verified during any transfer of ownership of the property and before a building permit will be issued for the property.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Blue Earth that Subsection 720.02, Subd. 3 of the Blue Earth City Code be and hereby is amended as follows:

Subsection 720.02, Subd. 3 – Unlawful Acts and Penalties, Natural/Ground Water Infiltration and Inflow.

A. It is unlawful for any person to make or maintain a connection between eaves troughs, rainspouts, footing drains, or any other conductor used to carry natural precipitation or ground water, and the sanitary sewer system or any part thereof.

B. Any property owner in violation of this Subdivision and upon receiving notice of said violation, shall disconnect the conductor from the sanitary sewer system by the end of the year in which the property owner is notified of the violation. Any property owner in violation of this Subdivision after January 1, 2011 shall be assessed a monthly surcharge, the amount of which will be established by Resolution of the City Council, for each month that the conductor is

not permanently disconnected. Failure to permanently disconnect the conductor, or reconnection of a disconnected conductor may result in the suspension of water and sanitary sewer service.

C. It is unlawful to discharge stormwater or any other unpolluted drainage anywhere other than a specifically designed storm sewer or a natural outlet approved by the City and other regulatory agencies.

D. Any property found where a reconnection of a disconnected I/I conductor has occurred shall be assessed a surcharge in an amount set by resolution of the City Council per month. The surcharge shall be calculated from the date of inspection and approval until disconnection has been reestablished. Failure to permanently disconnect the conductor shall result in the suspension of water and sanitary service.

E. Any property in violation of this Subdivision shall be a petty misdemeanor punishable by a \$300.00 fine in addition to the surcharges specified in subparts B and D above herein.

This ordinance shall become effective thirty (30) days after publication of notice of its adoption.

This ordinance was adopted by the Blue Earth City Council on this _____ day of _____, 2010.

CITY OF BLUE EARTH

ATTEST:

Robert L. Hammond, Jr., Mayor

Kathy Bailey, City Administrator

(Seal)