

ORDINANCE NO. 937

AN ORDINANCE PROHIBITING DISCHARGES INTO THE SANITARY SEWER SYSTEM AND TO PROVIDE FOR INSPECTION OF PROPERTY TO DETERMINE ILLEGAL CONNECTIONS TO THE SANITARY SEWER SYSTEM AND TO PROVIDE A SURCHARGE FOR NON-COMPLIANCE WITH INSPECTION AND CONNECTION REQUIREMENTS.

WHEREAS, the Board of City Commissioners of Williston, North Dakota finds that the discharge of water from any surface, groundwater sump pump, roofs, yards, lawns, streets, alleys, footing tile, or other natural precipitation into the sanitary sewer contributes to the flooding and overloading of the sanitary sewer system. Such overloading of the sanitary sewer system may result in sewage flowing into basements and/or residences and businesses, creating hazardous public health conditions and significant damage to properties. The City, therefore, determines that this ordinance is necessary to protect the health, safety, and welfare of its citizens through the regulation of connections to the City's sanitary sewer system.

NOW THEREFORE, the Board of City Commissioners of Williston, North Dakota does ordain:

SECTION I - DISCHARGE PROHIBITED. Except as otherwise expressly authorized in this Section, no ponds, water foundations, water from any roof, surface, groundwater sump pump, swimming pool, or other natural precipitation shall be discharged into the sanitary sewer system. 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 a sanitary sewer system. A permanent installation shall be one which provides for year round discharge capability to either the outside of the dwelling, building, or structure, or is connected to a storm sewer or discharge through the curb and gutter to the street. Within the home or business, the sump pump discharge pipe shall consist of a rigid discharge line, without valves or quick connections, that would alter the path of discharge. However, if the line is directly connected to a storm sewer line or catch basin a check valve and an air gap are required. Property owners are allowed to discharge directly into the sanitary sewer between October 1 and March 31 when reduced flows are present in the sanitary sewer collection system, if necessary.

SECTION II - INSPECTIONS. Property owners shall allow an employee of the City or a designated representative of the City to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. The City may periodically re-inspect any building or premise to determine compliance with the requirements of this ordinance, as to installation of all sump pumps.

SECTION III - REMOVAL OF CONNECTIONS. Any property owner who previously made any connection or installation in violation of this ordinance shall immediately remove such connection or correct such an installation. If not removed or corrected

within 30 calendar days after notice of the violation has been delivered personally or by certified mail to the owner, the City may impose a surcharge in the amount provided in Section V of this Ordinance. Such a surcharge may also be imposed upon any property owner, after a 30 calendar day notice has been delivered, and if the owner refuses to allow their property to be inspected. The owner of a building or premises found to be not in conformance with this ordinance during periodic re-inspections may be subjected to a surcharge as provided in Section V of this Ordinance.

SECTION IV – FOUNDATION DRAIN TILE.

Future Homes and Businesses. Groundwater from foundation drain tile for future homes and businesses shall not discharge to the sanitary sewer system. The groundwater shall flow through the tile and drain to a sump basket and shall then be pumped and discharged to the exterior of the structure with the use of a sump pump.

Existing Homes and Businesses. Some existing homes and businesses may have been constructed with groundwater from foundation drain tile discharging to the sanitary sewer. If the connection of the foundation drain tile to the sanitary sewer pipe is on the exterior of the home, the connection will be considered grandfathered and disconnection will not be required. If the connection of the foundation drain tile to the sanitary sewer pipe system is on the interior of the home or business, the connection is considered “not in compliance” and the owner is required to correct the improper connection. Any connection considered “not in compliance” shall abide by the sections contained in this ordinance.

SECTION V – SURCHARGE. A surcharge of one hundred and 00/100 dollars (\$100.00) per month is hereby imposed on every sewer bill to property owners for the following conditions:

- 1) not in compliance with this ordinance
- 2) refusal of property inspection

SECTION VI – NON-PAYMENT OF SURCHARGE. If the surcharge is not received by the City of Williston, the City reserves the right to assess the property owner the unpaid balance.

SECTION VII – EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication.

Commissioner Bekkedahl moved the adoption of the foregoing Ordinance. The motion was seconded by Commissioner Klug. Upon roll call vote the following Commissioners voted “AYE”: Cymbaluk, Bogar, Bekkedahl, Klug and Koeser, and the following Commissioners voted “NAY”: None. Absent and not voting: None.

WHEREUPON, the Ordinance was declared adopted this 23rd day of August, 2011.



E. Ward Koeser, President
Board of City Commissioners

ATTEST:

John Kautzman, City Auditor

FIRST READING: June 28, 2011
SECOND READING: August 23, 2011
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