

ORDINANCE NO. 310

**AN ORDINANCE
TO CREATE SECTION 13.32 AND
TO AMEND SECTION 15.04.060.B.7.
OF THE VILLAGE OF DARIEN MUNICIPAL CODE
REGULATING USE OF SUMP PUMPS AND DISCHARGE OF STORM WATER, GROUND WATER
AND SURFACE WATER INTO THE SANITARY SEWER SYSTEM**

NOW, THEREFORE, the Board of Trustees of the Village of Darien, Wisconsin do ordain as follows:

Section 1. Section 13.32 of the Village of Darien Municipal Code is hereby created to read as follows:

“§13.32 Use of Sump Pumps and Discharge of Storm Water, Ground Water and Surface Water into Sanitary Sewer System

13.32.010 Prohibited Water. It shall be unlawful for any owner, occupant or user of any premises to direct into or allow any storm water, surface water, ground water, well water or water from industrial or commercial air conditioning systems to drain into the sanitary sewer system of the Village of Darien. No rain spout, or other form of surface drainage, and no foundation drainage or sump pump shall be connected to or discharged into any sanitary sewer.

13.32.020 Sump, Pump, and Rigid Pipe Required.

- A. All Construction in New Subdivisions. A sump, pump and rigid pipe discharge connection to the outside shall be required for all construction in new subdivisions when it is determined necessary by the Village Engineer or the Public Works Superintendent to protect sanitary sewer infiltration. The Engineer shall conduct his or her analysis and make a determination of soil conditions on a subdivision basis. The sump, pump and rigid pipe discharge requirement will apply to all units constructed within a specific subdivision.
- B. New Construction in Existing Subdivisions. Any new construction in a subdivision platted prior to the effective date of this ordinance shall be examined by the Village Public Works Superintendent or Village Engineer when the footing inspection is made. At that time, Village staff will determine, based on upon excavated soils, whether the sump, pump and rigid connection are required. Should the building owner choose the option of installing a sump, pump and rigid connection where they are not required, they shall be installed in accordance with 13.32.030.A. and B. below.

- C. Existing Construction in Existing Subdivisions. Any existing construction in a subdivision platted before the effective date of this ordinance in which a sump and pump have been or will be installed, shall be required to install a rigid pipe connection discharge in accordance with 13.32.030.B. below. It shall be unlawful to maintain any connection with the sanitary sewer carrying roof water, ground water, surface water or any other natural precipitation after the effective date of this ordinance.
- D. Exceptions. In certain locations where surface storm water discharge would create a safety hazard during freezing weather, connection to the sanitary sewer may be maintained from October 15th to March 15th. In no case shall any connection to the sanitary sewer be maintained from March 15th to October 15th. Exceptions will be granted by permit on a case by case basis as determined by the Village Public Works Superintendent or Village Engineer. If the Superintendent or Engineer denies a request for an exception, that individual shall provide a specific basis for the denial. Any such denial of a request for an exception may be appealed to the Village Board and/or the Circuit Court. Any such appeal to the Village Board must be filed with the Village Clerk at least 30 days prior to the next regularly scheduled Village Board meeting.

13.32.030 Sump, Pump, and Rigid Pipe: Method of Installation.

- A. The building 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 into the sump pit. The sump pit shall be located at least ten (10) feet away from the inside sanitary floor drain.
- B. A 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. The discharge pipe must have a check valve within one (1) foot of the floor grade and a union or other approved coupling for easy disconnection for repair or replacement. The discharge shall extend at least three (3) feet outside of the foundation wall.
- C. Alternate methods of installation.
 - 1. The discharge pipe may be connected directly to the municipal underground storm sewer system, where applicable, provided the discharge is at a higher elevation than the normal flow level and that an approved backflow prevention device is installed.

2. The discharge pipe may be connected directly to the municipal curb and gutter system or drainage ditch, where applicable, provided the pipe is placed under the sidewalk or terrace and through the back of the curb and that an approved backflow prevention device is installed.

13.32.040 Penalties.

- A. Any person found to be violating any provision of this ordinance shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. Any person who shall continue any violation beyond the time limit provided shall be guilty of a violation of the Village of Darien Municipal Code, and on conviction thereof shall be subject to a forfeiture in the amount not exceeding \$200.00 for each violation. Each day in which any such violation occurred shall be deemed a separate offense.
- C. In the event that the owner fails to correct the situation within the given time period, the Village may correct it and collect such costs, together with reasonable attorney's fees and the collection of fees by suing the owner in a court of competent jurisdiction, or in the alternative, by certifying said costs of correction as any other special assessment upon the land form which said correction of said violation was made.

13.32.050 Validity. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

13.32.060 Powers and Authority of Inspections. The Village Public Works Superintendent, or his or her designee or contracted companies or employees, and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing pertinent to discharge to the community system in accordance with the provisions of this ordinance.”

Section 2. Section 15.04.060.B.7. of the Village of Darien Municipal Code is hereby amended to read as follows:

“§15.04.060 Permit and permit procedure [Prior code §14.05; amended by Ord. 246, 2007; Ord. 217, 2002]

B. Application for Permits.

7. Stormwater Drains and Sump Pumps. No dwelling shall be erected nor shall existing provision for conveyance of water from the roof of any dwelling be altered or replaced unless provision is made to convey water from the roof of the dwelling in such a manner that such water will not, directly or indirectly, pass thence into the sanitary sewer system. No stormwater or surface water drains may be connected with the sanitary sewer system, whether installed above or below the surface of the ground. When a sump pump is deemed necessary by the Building Inspector or the Public Works Superintendent, for the purposes of discharging clear waters from foundation drains and ground infiltration, said sump pump shall not be connected directly or indirectly with the sanitary sewer system."

Section 3. This ordinance shall take effect upon passage, posting, or publication as provided by law.

Enacted by the Village Board of the Village of Darian, Walworth County, Wisconsin, this 17th day of June, 2019.



VILLAGE OF DARIEN



Jane Stiles, President

ATTEST:



Rebecca Houseman LeMire, Administrator/Clerk-Treasurer

Date Published: 6/27/19
Date Posted: 6/20/19
Effective Date: 6/28/19