Legislation Details (With Text)

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On agenda:		**Final action:**	10/12/2021
Effective date:			
Title:	An ordinance relating to requirements for disconnection of downspouts from city sewers.		
Sponsors:	THE CHAIR		
Indexes:	DRAINAGE, PLUMBING CODE, SEWERS		
Attachments:	1. 176849-1.pdf, 2. Notice published 10/29/2021		

Date	Ver.	Action By	Action	Result	Tally
8/18/2021	0	COMMON COUNCIL	ASSIGNED TO		
9/27/2021	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
10/12/2021	0	COMMON COUNCIL	PASSED	Pass	15:0
10/12/2021	0	MAYOR	SIGNED		
10/29/2021	0	CITY CLERK	PUBLISHED		

210649
ORIGINAL

THE CHAIR
An ordinance relating to requirements for disconnection of downspouts from city sewers.

200-19-2	am
225-3-4	am
225-3-5-a	am
225-4-2-b	rc
225-4-2-c	am
225-21	am

This ordinance revises requirements for disconnection of downspouts from city sewers and clarifies penalty provisions for violations of the city's roof and yard drainage regulations.
The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 200-19-2 of the code is amended to read:

200-19. Penalties.

2. In addition to other applicable enforcement procedures and pursuant to the authority of s. 66.0113, Wis. Stats., the department may issue citations pursuant to the citation procedure set forth in s. 50-25 to any person violating any provision of ss. 80-44-2, 200-11, 200-20-2, 200-21.5, 200-22-5, 200-24, 200-42, 200-51.7, 200-53, 200-61, ch. 207, ch. 214, ss. 218-2, 218-6, 218-9-6, 218-10, 222-11-2, 222-13-1, 222-19-1, ch. 223, ss. 225-2-1, 225-3-4, 225-3-5-a, >>225-4,<< ch. 236, ch. 240, s. 244-3, ch. 246, s. 252-1, ch. 261, ch. 275, ch. 289, ch. 290, ch. 295 or s. 320-21-11.

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Part 2. Section 225-3-4 of the code is amended to read:

225-3. Plumbing Permits Required.

4. PLUMBING WITHOUT PERMIT. No person may install, alter, extend, move or remove any plumbing, plumbing system, lay any drain pipe, make any attachment to any drain, sewer or manhole, or do any work whatsoever in connection with any sewer service lateral, or public or private sewer leading into any city sewers, or to any river, lake or stream, without first obtaining a permit from the commissioner of city development. Any person violating this regulation shall be subject to penalty pursuant to [[~~s. 200-19-2~~]] >>s. 200-19<< .

Part 3. Section 225-3-5-a of the code is amended to read:

5. STOP WORK ORDER.

a. When it is found that any plumbing installation is being made, or that any plumbing device, equipment or fixtures required by this code are being installed contrary to the provisions of this code, or that such plumbing installations, devices, equipment or fixtures installed are dangerous or unsafe, the commissioner may issue or cause to be issued a stop work order. Any person violating this regulation shall be subject to penalty pursuant to [[~~s. 200-19-2~~]] >>s. 200-19<< .

Part 4. Section 225-4-2-b of the code is repealed and recreated to read:

225-4. Drainage of Yard Areas and Roofs.

2. ROOF RAINWATER LEADERS (CONDUCTORS).

b. Connection to Combined Sewer Prohibited. b-1. For all residential structures containing 4 or fewer dwelling units that do not have the option of discharging to a storm sewer, and for which discharge to finished grade from roof rainwater leaders, conductors or downspouts of any building, including any accessory building, can meet the provisions of par. a, all roof rainwater leaders, conductors or downspouts shall discharge to the finished grade.

b-2. All existing connections to a combined sewer that can meet the provisions of subd. 1 shall be permanently disconnected and sealed in accordance with this section.

b-3. Any person violating this regulation shall be subject to penalty pursuant to s. 200-19.

Part 5. Section 225-4-2-c of the code is amended to read:

c. Connection to Sewer Required. Whenever discharge to finished grade from the roof [[~~rainwater leaders, conductors or downspouts of any building, including any accessory building,~~]] cannot meet the provisions of par. a, all roof rainwater leaders, conductors or downspouts [[~~, except for those excepted by par. b,~~]] shall be mechanically connected to the storm sewer or combined sewer, or to an approved storm sewer facility when it is available and abutting the property. This shall include parcels that have access by easement or private roads when the storm sewer is available at the point of access.

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Part 6. Section 225-21 of the code is amended to read:

225-21. Inspection and Enforcement. Within 3 days after the commissioner of health issues a permit for the construction or alteration of an individual sewage disposal system, he >>or she<< shall transmit to the commissioner of neighborhood services a copy of the permit. The commissioner of neighborhood services, or an authorized representative, shall make such inspections as necessary to assure that every individual sewage system is constructed, installed or altered in accordance with the requirements set forth in the permit, and the commissioner of neighborhood services may prosecute any person who violates the terms of a valid permit issued by the commissioner of health.

.LRB
APPROVED AS TO FORM

_____
Legislative Reference Bureau
Date: _____
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

_____
Office of the City Attorney
Date: _____
DPW - Infrastructure Services Division
LRB176849-1
Jeff Osterman
07/29/2021