

ORDINANCE NO. 95

AN ORDINANCE REQUIRING POINT-OF-SALE CERTIFICATION OF SANITARY SEWER SERVICE COMPLIANCE

The City Council of the City of Brownnton does ordain as follows:

No property owner with a connection to the City sanitary sewer shall sell, transfer or assign, or contract to sell the property without providing a copy from the city indicating compliance with the city's statutory sewer regulations, including regulations regarding the discharge of clear water.

1. Prior to closing, unless the property owner already has a completed sewer service inspection, the seller must obtain and submit a completed SEWER SERVICE COMPLIANCE INSPECTION form to the City. If a property owner has an approved compliance form which is less than 5 years old, a new sump pump inspection isn't required.
2. Upon receipt of a properly executed application for Sewer Service Compliance Inspection, the Public Works Supervisor shall determine whether the private service line is in compliance with City guidelines. The sanitary service shall be deemed to be in compliance with City guidelines for sanitary services if the sanitary line is in proper working order, as demonstrated by televising the sanitary service to the City's sanitary sewer line. In the event of multi-family residential, scaled commercial or industrial developments, this includes all private lines and potential sources of infiltration and inundation on the parcel. Also, there shall be no sump pumps, roof drains, or other non-domestic sewer connection to the sanitary line. The applicant shall be responsible for the cost of and scheduling of the inspection.
3. The City shall maintain a list of Contractors that are approved by the Public Works Supervisor to perform the Sewer Service Compliance Inspection form.
4. In the event that the transaction takes place when the ground is frozen or the seller cannot make the appropriate corrections, the proposed purchaser may take occupancy of the dwelling or structure prior to the approval of a Sewer Service Compliance Inspection form, by filing an executed written agreement by the seller and prospective purchaser. The prospective purchaser shall have 1 year from the date of closing to complete the necessary corrective action. In order to obtain approval of a pending Sewer Service Compliance Inspection form, an escrow shall be established at 1.5 times the estimated cost to complete the corrective action with the City or with the title company conducting the closing.
5. A Sewer Service Compliance Inspection issued under this ordinance shall be effective for 5 years.

6. For houses constructed in the past 10 years, the Public Works Supervisor may, at his or her discretion, approve the Sewer Service Compliance Inspection form without requiring televising the service line. A walk through inspection will still be required.

7. Any property owner who fails to obtain a Sewer Service Compliance Inspection shall be subject to a civil penalty as determined by the City Council from time to time. Each month a property owner is in violation of this ordinance shall be deemed a separate offense.

The effective date of this Ordinance shall be immediately upon its passage and publication according to law.

Adopted by the City Council of the City of Brownton, Minnesota on this December 1, 2020.

Approved by: _____
Norman Schwarze, Mayor

Attest: _____
Lori Cacka, City Clerk