

Jim P. Robbins AT0006583

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Preparer Information: Jim P. Robbins, 1001 W. Mamie Eisenhower, Boone, IA 50036, (515) 432-7114

ORDINANCE NO. 2247

WHEREAS the City of Boone desires to study and repair the sanitary sewer collection system in the city to eliminate sanitary sewer overflows and to remove Infiltration and Inflow from the sanitary sewer system.

WHEREAS Infiltration and Inflow in the City of Boone not only causes sewage backups in basements, but also results in a substantial increase in energy needs and rapidly advances the need for repair and maintenance due to increased burden on the system. In addition, there is a reduction in sewer capacity, which shortens the life of the current treatment facility because of treating additional unnecessary storm water. All of which result in significantly increased cost and financial burden on citizens and businesses of Boone.

WHEREAS Infiltration and Inflow is the invasion of storm water into the sanitary sewer system from broken, cracked or misaligned mains or leaking manholes. Other sources of Infiltration and Inflow include private (resident and business) services that are cracked or broken with leaking joints and storm water connections from sump pumps, foundation drains and roof drains discharged into sanitary sewers.

BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BOONE, IOWA:

Section 1. The mayor and council therefore adopt the following policy to abate problems associated with Infiltration and Inflow:

1. The city shall perform a study to locate Infiltration and Inflow using City sewer department staff and/or an engineering consulting firm. It shall be conducted on an area-by-area basis.
2. Public sewers and manholes with Infiltration and Inflow shall be repaired using sewer revenue including fees and grants etc. designated by the city council.
3. Private sources of Infiltration and Inflow are the responsibility of property owners and shall be repaired or removed as set forth Section 96.07 Section 2(L) of the Boone City Code.

Section 2. Chapter 96.07, Section 2(L) is hereby amended by deleting the current Section 96.07 Section 2(L) and replacing it with the following:

“Storm water, surface water, ground water, artesian well water; roof runoff, subsurface drainage, swimming pool drainage, deionized water, non-contact cooling water, and unpolluted wastewater, unless specifically authorized by the Superintendent. All sump pumps must discharge into a storm sewer, a sump pump collection system, or natural outlet, such as a grass yard area or creek, abutting the property. Sump pump outlets may be discharged into the street, however, it must not create a dangerous condition to the public, including but not limited to the formation of ice in the winter or algae in the summer. Any household that currently has a system that permits the switching of sump pump discharge into the sanitary sewer may not continue to do so. The City will not permit new connections to install any switching mechanism, which permits the switching of pump discharge into the sanitary sewer. If a homeowner discharges storm water into the sanitary sewer system that will constitute a civil infraction subject to the provisions below.

The City of Boone shall have authority to inspect residences and properties in the City to determine those which have storm water discharged into the sanitary sewer

system. If a residence or property is so identified, the owner or occupant will be notified (regular first class mail) by the City and required to remedy the unlawful discharge.

1. For those property owners who opt not to repair the illegal connection from the sanitary sewer within 90-days, a \$50.00 per month fee shall be applied to the utility bill until the disconnection has been performed, but not to exceed 1 year. By the end of the 1-year period, the owner shall have completed the disconnection. If the owner has failed to repair the illegal connection after one year the monthly fee will increase to \$70.00 until repairs have been made. By the end of the second 1-year period, the owner shall have completed the disconnection. If the owner has failed to repair the illegal connection the City will seek to enforce this policy using all lawful means, including but not limited to the prosecution of a municipal infraction which could result in a civil penalty, court cost, and / or a court order requiring that repairs be made within a certain time period.
2. Should the property owner deny access to the property for Infiltration and Inflow testing and/ or inspection, the City of Boone will consider the property non-compliant with the City of Boone Infiltration and Inflow program. A letter notifying the owner of non-compliance will be sent (regular first class mail) and the property owner will be given 30 days to respond with a scheduled inspection or a \$50.00 per month fee shall be applied to the utility bill until inspection or testing can confirm compliance. If the owner has failed to allow access after a 90-day period of time, the monthly fee will increase to \$70.00 until inspection or testing can confirm compliance.
3. The above shall apply to all repairs other than sump pumps which shall require that upon written notification from the City (regular first class mail) of sump pumps illegally hooked into a sanitary sewer, the property owner shall have a period of 30 days to remove all methods/systems of connection. Failure to disconnect the sump pump within 30 days shall subject the owner to the fees set forth in paragraph 1 above beginning at the end of the 30 days.

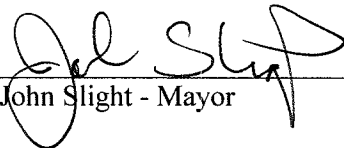
Section 4. Repealer Clause. All ordinances in conflict herewith are repealed.

They are: None

Section 5. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity or the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 6. When Effective. This ordinance shall be in effect after its passage, approval and publication as provided by law.

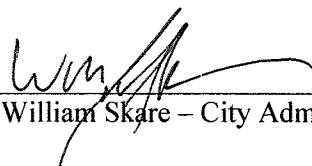
Passed and adopted by the City Council of the City of Boone, Iowa, this 17th day of September, 2018.



John Slight - Mayor

Attest:

I, William Skare, City Administrator of the City of Boone, Iowa, hereby certify that the above and foregoing Ordinance is a true copy as shown by the records of the City of Boone, Iowa.



William Skare - City Administrator