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City Clerk

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Gen. Ord. No. 17 - 19 - 20. By Alderpersons Wolf and Sorenson.  
September 3, 2019.

AN ORDINANCE repealing and recreating Section 26-907 and Article VIII, Division 4 of Chapter 26 of the Municipal Code entitled "Sewer and Water Services."

WHEREAS, the consumption of lead in drinking water and from other environmental sources has been determined to cause health problems; and

WHEREAS, the City of Sheboygan and the Sheboygan Board of Water Commissioners find it in the public interest to establish an ongoing program for replacing lead and galvanized service lines connected to the municipal water distribution system; and

WHEREAS, galvanized steel service lines are also a health concern due to lead in coatings and the accretion of lead particles if the galvanized line was ever connected to a lead service line; and

WHEREAS, given the widespread and large number of lead and galvanized service lines installed throughout the City's history, replacement is expected to take place over many years; and

WHEREAS, the Sheboygan Water Utility maintains WDNR-approved water treatment practices intended to minimize lead leaching into drinking water from lead and galvanized service lines that were installed during the first half of the twentieth century and earlier; and

WHEREAS, property owners can also take steps to further reduce risks, such as using point-of-use devices designed to further reduce lead levels, if present; and

WHEREAS, pursuant to § 62.11(5), Wis. Stats., the Common Council has the management and control of the city property, finances, highways, navigable waters, and the public service, and shall have power to act for the government and good order of the city, for its commercial benefit, and for the health, safety, and welfare of the public, and may carry out its powers by license, regulation, suppression, borrowing of money, tax levy, appropriation, fine, imprisonment, confiscation, and other necessary or convenient means; and

WHEREAS, pursuant to § 196.372(2), Wis. Stats., a public water utility may provide financial assistance to the owner of a property to which water utility service is provided for the purpose of assisting the owner in replacing customer-side water service lines containing lead if each of the following three conditions are met:

1. The city in which the public water utility provides utility service to the property has enacted an ordinance that:

- permits the water public utility to provide the financial assistance, and
- requires each owner of a premises that is serviced by a customer-side water service line containing lead to replace that property-side water service line.

2. The street-side water service line and the water main pipe that are connected to the property-side water service line either:

- do not contain lead, or
- the lead-containing portion of the street-side water service line or water main pipe is replaced at the same time as the property-side water service line is replaced.

3. The public service commission has granted its approval pursuant to § 196.372(3), Wis. Stats.

THEREFORE, THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 26-907 of the Municipal Code, entitled "Definitions" is hereby repealed and recreated to read as follows:

"Sec. 26-907. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Curb stop* means a buried shut-off valve on a service line usually located near the right-of-way line.

*Distribution system* means the network of water mains or pipes, hydrants, valves and appurtenances owned and operated by the Water Utility. The Utility does not own either the street-side or property-side portion of water service lines.

*Galvanized steel service line (GSL)* means a water service line constructed of galvanized steel.

*Lead service line (LSL)* means a water service line constructed of lead, a material commonly used prior to the 1950s. For purposes herein,

GSL and LSL are considered the same in terms of requirements and qualifying for the financial assistance program described in Division 4 of this Article.

*Plumbing* means and includes:

- (1) All piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems and also includes the installation thereof.
- (2) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewage system terminal within bounds of, or beneath an area subject to easement for highway purposes, including private sewage systems, and the alteration of any such systems, drains or waste piping.
- (3) The water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within bounds of or beneath an area subject to easement for highway purposes and its connections.
- (4) The water pressure system other than municipal systems as provided in W.S.A., ch. 144.
- (5) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building; to prohibit cross connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

*Pre-qualified plumbing contractor* means a person, firm, or corporation or other entity licensed by the State of Wisconsin to perform plumbing work and established on the Water Utility's pre-qualified list of plumbing contractors.

*Property* means real property as defined in § 70.03, Wis. Stats.

*Property owner* means a person or legal entity having a possessory interest, legal or equitable, in property, which defined term includes an estate, trust, or lien.

*Property-side service line* means the portion of the water service line from the outlet joint of the curb stop to the inlet of the property's water meter.

*Service line* means a smaller pipe connected as a lateral to a larger public water main and intended to convey water into buildings or grounds. Service lines are the responsibility of the property owner served, or intended to be served, by the line.

*Spot lead service line* means a water service line constructed of lead (or galvanized) on either the property or street side portions, but not both.

*Storm and clear drains* means a drain, sewer or pipe for conveying water, stormwater, groundwater, subsurface water or clear water wastes from any source and shall include sump pumps as defined by Chapter SPS 382, Wis. Admin. Code.

*Street-side service line* means the portion of the water service line from the water main to the outlet of the curb stop, including the curb stop, but not the outlet joint of the curb stop."

Section 2. Division 4 of Article VIII of Chapter 26 of the Municipal Code is hereby repealed and recreated to read as follows:

"DIVISION 4. - SEWER AND WATER SERVICES

Sec. 26-991. - Supervision.

All sewer mains and all water mains shall be under control of the department of engineering and public works and the board of water commissioners, and no service pipe shall be laid and no opening into or connection with a sewer service lateral, public sewer or water main shall be made, relayed, replaced or repaired, except under the direction and supervision of the plumbing inspector.

Sec. 26-992. - Connections with public sewer and water systems—Permit required.

No person shall open any street, alley or other public place for the purpose of laying or repairing any water service or drain pipe, or make or repair any attachment or connection with any water or sewer service or drain or do any kind of work connecting any private sewer or drain to the

main or street sewer or other disposal terminal, or in connecting any water pipe or system to the water main, or do any other kind of work in connection with any public or private sewer inside or outside of any building except emergency repairs, without first having obtained a written permit therefor from the department of engineering and public works or its authorized agent.

Sec. 26-993. - Same-Issuance of permits.

Permits required by this division shall be issued only upon written application made by a licensed master plumber, utility contractor, master plumber restricted sewer, authorized by the owner or agent of the premises desiring to make such excavations, connections, extension or alteration, stating the name of the owner and that the owner and such licensed contractor will be bound by and be subject to all rules and regulations as prescribed in this article, giving the exact location of the premises, stating the purpose for which the connection, extension or alteration is to be used, the time when the work is to be done and all other particulars in respect thereto.

Sec. 26-994. - Same-Availability of permits.

No work of laying or relaying building sewers, storm drains or water services shall be commenced or continued without the required permit to connect with the public water or sewer system being on the premises and in the possession of the plumber or his employee.

Sec. 26-995. - Time for connections.

If the plumber is unable to make the connection at the time specified, then notice shall be left at the office of the plumbing inspector requesting another time for inspection of the connection.

Sec. 26-996. - Extension through lot line.

- (a) When sewer (sanitary, storm and mini-storm) laterals and water laterals are laid, they shall be laid to run from their mains to two feet inside the lot line.
- (b) The installation and maintenance of all sewer (sanitary, storm and mini-storm) and water laterals from the city mains shall be the responsibility of the owner of the property which they serve.

Sec. 26-997. - Connection to city sewer system beyond city limits.

- (a) No person shall connect or join or cause to be connected or joined to the sanitary or storm water sewerage system of the city, either

directly or indirectly, any sanitary or stormwater sewer from outside of the limits of the city, except a duly organized sewage district, in which case all connections in such districts with the city sewerage system and its extensions, and all plumbing connected with the system, to any building, lot or premises outside of the city limits shall be in conformity and in full compliance with the plumbing regulations which the common council may enact as part consideration for the granting of permits for extension of and connection with the city sewerage system.

- (b) No sanitary sewer serving any property in the city, or any lot or area served by virtue of its being perpendicularly adjacent to city sanitary sewer service shall be extended from or through the lot so served to another lot or area beyond the corporate limits of the city. The plumbing inspector shall not issue a permit for plumbing work that would result in violation of the provisions of this section.

Sec. 26-998. - Abandonment of building sewer.

- (a) Any person demolishing or moving a building or structure that is served by a sewer shall engage a licensed master plumber under permit to properly abandon the building sewer immediately inside the front lot line on private property.
- (b) The building sewer shall be disconnected at the front lot line and the pipe capped with materials approved by Chapter SPS 384 of the Wis. Admin. Code.
- (c) Abandoned lead water service laterals shall be disconnected and capped at the main and the pipe capped with materials approved by Chapter SPS 384 of the Wis. Admin. Code.
- (d) Sewer and water services permanently abandoned shall be disconnected at the main according to subsection (b).

Sec. 26-999. - Location of drains, sewers and junctions—Recorded by city engineer.

The city engineer shall keep proper records of the location of the premises on which a sewer connection is made, the name of the owner, the name of the plumber making the connection and the exact location of the connection with the public sewer of each drain or sewer so laid and connected.

Sec. 26-1000. - Same—Depth and locations.

The city engineer shall furnish, upon request by any interested person, information concerning the size, location and depth of public and private sewers or drains and the position of the branch, junctions and appurtenances. All reasonable care shall be taken to ensure the correctness of such information, but such correctness will not be guaranteed in any way by the city. When, in accordance with the measurements furnished, a junction is not located, an approved saddle shall be used and such connection shall be made under the direction of the city engineer or plumbing inspector.

Sec. 26-1001. - Openings in streets.

- (a) *Permits required.* No person shall uncover or excavate under or around any sewer for any purpose without having obtained a written permit therefor as required in section 26-961. The person performing such work for which a permit was not obtained, and his employer under whose direction the work was done, shall be deemed guilty of a violation of this section.
- (b) *Backfilling.* Backfilling of trenches shall be made with due care and in a workmanlike manner according to approved standards and methods so as to prevent the breaking of the pipes or joints or the settling of drain sewer. The backfilling shall be done in accordance with the standards and methods for excavation and backfilling on file with the department of public works and as amended from time to time. Copies of such standards and methods shall be made available by the departments of engineering and public works to any contractor engaged in such work.

Sec. 26-1002. - Surface water drains and connections.

- (a) No person shall connect any rainwater leaders or area drains, or make any similar connections with any public sanitary sewer which empties into the city sanitary sewerage system nor drain any lot or area into any manhole connecting with any such sanitary sewerage system and any such connections presently existing shall be forthwith removed by the owner of the premises involved.
- (b) No person shall open any storm sewer or connect any rainwater leader or area drain therewith without permission from the plumbing inspector and the departments of engineering and public works, and subject to such conditions as they shall impose.
- (c) All storm and clear water drains in and for any new building construction located adjacent to an existing storm sewer shall be connected to such storm sewer prior to occupancy.

- (d) Owners of existing buildings shall connect all storm and clear water drains to mini-storm sewers (auxiliary sewers installed primarily for storm and clean water drains and sump pump connections which are constructed subsequent to the paving of the adjacent street) or storm sewers which serve their property within 90 days of notice of serviceability of such storm sewer or mini-storm sewer, with the exception that extensions of up to two years at a time may be granted upon application by the property owner to the committee on public works of the common council supported by a sworn statement that no clear water problem exists and indemnifying the city against any injury, loss or damage stemming from the introduction of clear water into the city's sanitary sewer system.
- (e) All new commercial and industrial buildings and additions and/or remodeling to existing commercial and industrial buildings shall have rain gutters and downspouts, or other such system as approved by the city engineer, for directing rainwater from the respective roofs to city storm sewer, or to designed retention ponds or other systems approved by the city engineer, in such a manner that water runoff directed to or discharged upon adjacent private properties is neither increased in intensity or rate of flow, unless an easement or other written consent is obtained from the owners of all surrounding properties upon which such increased water runoff is, or is to be, discharged.

Sec. 26-1003. - Water services and private water mains.

Water service laterals and private water mains from the public water main in the street to the curb stop shall be ductile iron, soft copper, or plastic, as permitted under SPS 384.30(4), Wis. Admin. Code, with no sweat joints underground. If plastic, then the lines and mains must be installed with tracing wire.

Sec. 26-1004. - Identification of Lead and Galvanized Service Lines.

- (a) The Water Utility shall create and maintain a record of the location of all identified lead and galvanized service lines in the City. This includes information from plumbing records and field observations.
- (b) Upon notice from the Utility, any person or entity who owns, manages, or otherwise exercises control over a property connected to the distribution system shall allow the Utility to inspect the property-side service line to determine the service line material as authorized by § 196.171, Wis. Stats.

Sec. 26-1005. - Lead and Galvanized Service Line replacement requirement.

- (a) All existing lead and galvanized service lines connected to the water distribution system shall be replaced with water service lines constructed of materials as authorized in this ordinance. Repairs shall not be allowed.
- (b) No person, other than a Utility employee or agent, may connect a property-side LSL to a non-lead street-side service line, or a non-lead property-side service line to a street-side LSL.
- (c) Prior to replacement of street-side lead service lines, such as on water main replacement projects, the Utility shall inspect all affected property-side service lines for the presence of lead or galvanized steel.
- (d) If a property or street-side LSL is to be replaced, then any remaining lead or galvanized portion of the service line must also be replaced at the same time.
- (e) On all water main replacement projects, or other construction projects where significant and direct impact will affect lead or galvanized water service lines, all lead and galvanized service lines shall be replaced, and not reconnected, in their entirety. This generally excludes street restoration that does not involve excavation of the water service lines.

Sec. 26-1006. - Financial assistance for lead and galvanized service line replacements.

- (a) The City authorizes its Board of Water Commissioners, acting through the Water Utility, to implement and maintain a financial assistance program for the replacement of lead and galvanized service lines in accord with the requirements of the Wisconsin Public Service Commission.
- (b) If the Board of Water Commissioners implements an approved financial assistance program, the Utility may provide eligible property owners with a grant for up to fifty percent (50%) of the cost of the entire service line replacement, but not to exceed a maximum grant amount established by the Board of Water Commissioners, which shall periodically review and adjust the maximum grant amount. All work must be done by a Utility-approved plumbing contractor.
- (c) In the event of a planned service line replacement, such as on a water main replacement project, the actual cost for replacement of the street-side LSL will be assessed to the property owner in accord with Sheboygan ordinance 122-98c(4). The Utility may provide eligible

property owners with financial assistance for the entire cost of the property-side replacement.

- (d) In the event of an unplanned service line replacement, such as a leaking LSL, the Utility may provide eligible property owners with a grant for up to fifty percent (50%) of the cost of the entire LSL replacement, and the property owner must directly pay the remainder to the plumbing contractor, subject to the maximum grant amount. The cost of a service line replacement shall be determined by actual bid results and construction cost per foot of service line replacement. Additional work, such as electrical grounding or meter support, shall fall under property-side costs.
- (e) In the case of a spot LSL replacement, with lead only on the street-side, and if it is unplanned, then the Utility may provide eligible property owners with a grant for up to fifty percent (50%) of the cost of the spot LSL replacement, and the property owner must directly pay the remainder to the plumbing contractor. If it is planned, then the Utility may provide eligible property owners with a grant for up to fifty percent (50%) of the cost of the spot LSL replacement, and the remainder shall be assessed to the property owner.
- (f) In the case of a spot LSL replacement, with lead on the property-side, then the Utility may provide eligible property owners with a grant for up to fifty percent (50%) of the cost of the spot LSL replacement, and the property owner must directly pay the remainder to the plumbing contractor.
- (g) The property owner must also execute a temporary right of entry and construction easement authorizing the Utility and/or its contractors' access to the dwelling as needed.
- (h) Financial assistance granted to eligible property owners shall be in accordance with the following priority:
  - (1) Properties with licensed/certified child care facilities or schools.
  - (2) Properties where the Utility is replacing the street-side service line on a planned or emergency basis, or where other street construction will significantly impact LSL's, resulting in health concerns.
  - (3) Properties with a leaking or failed street-side or property-side service line

(4) Properties where the Utility determines that replacing a property-side service line is in the best interest of health or safety.

(5) All remaining properties with lead or galvanized service lines.

(j) Written applications for financial assistance.

(1) A completed written application form provided by the Water Utility shall be signed and submitted by the property owner. The application shall include a certification by the property owner attesting that all eligibility criteria are met. The property owner alone, or collectively with others, must own an entire fee simple title to the property served by the service line.

(2) The application must include copies of quotes from at least two pre-qualified plumbing contractors for the proposed work.

(3) Prior to commencement of any work, the Utility shall determine if the property owner is eligible for financial assistance, and if there is money available to provide financial assistance. Such determination shall be provided in writing to the property owner. In order to qualify for financial assistance, the property owner must not have any outstanding municipal or other fees preventing issuance of a plumbing permit.

(4) Upon completion of an LSL replacement, the property owner shall provide the Utility with a copy of the invoice from the plumbing contractor. Upon satisfactory proof of completion, the Utility shall pay directly to the plumbing contractor the amount of financial assistance approved for the project.

(5) In the case of a planned water main replacement project, the written application requirement will be waived for each property with a LSL, and the LSL replacement work will be conducted under the overall water main replacement contract.

(k) Disputes regarding eligibility for financing shall be appealed to the Board of Water Commissioners, whose determination is final.

Sec. 26-1007. - Private well abandonment.

- (a) Filling and sealing required. All private wells located on any premises which is served by the public water system of the city shall be properly filled at time of connection to the city's water supply system. Only those wells for which a well operation permit has been granted by the common council may be exempted from this requirement. Wells to be abandoned shall be filled in accordance with the procedures outlined in chapter NR 812 of the Wis. Admin. Code.
- (b) Well operation permit. A permit may be granted to a well owner to operate a well for a period not to exceed 15 years if the following requirements are met. Application shall be made on forms provided by the plumbing inspector.
  - (1) The well and pump installation meet the requirements of chapter NR 812 of the Wis. Admin. Code, and a letter from a licensed well and pump installer accompanies the application and provides that the well meets the requirements of chapter NR 812 of the Wis. Admin. Code.
  - (2) The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced from laboratory tests by a laboratory certified by the State of Wisconsin.
  - (3) The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.
  - (4) No physical or cross connection shall exist between the piping of the public water system and the private well.
- (c) Reports and inspection. A well abandonment report must be submitted by the well owner to the Wisconsin Department of Natural Resources on forms provided by that agency. The report shall be submitted immediately upon completion of the filling of the well.

Sec. 26-1008. - Connection to public waterworks required.

Upon annexation, or when expressly authorized by the common council, the public water supply system shall be made available to newly annexed areas or specifically designated premises. Thereafter, connection to the city's water supply system shall be made within 90 days. Every building intended for human occupancy located within the city shall utilize potable water from the public waterworks.

Sec. 26-1009. - Cross-connection control.

- (a) A cross-connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the city water system, and the other water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.
- (b) No person shall establish or permit to be established or maintain or permit to be maintained any cross-connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the city may enter the supply or distribution system of the municipality unless such private auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Sheboygan Water Utility and by the Wisconsin Department of Natural Resources in accordance with section NR 810.15(2) of the Wis. Admin. Code.
- (c) It shall be the duty of the Sheboygan Water Utility to maintain and implement a comprehensive cross connection control program for the elimination of all existing unprotected cross-connections and prevention of all future un-protected cross connections to the last flowing tap or end-use device, pursuant to section NR 810.15 of the Wis. Admin. Code. Included in said duty is to cause inspections to be made of all properties served by the public water system where cross-connections with the public water system is deemed possible.
- (d) Upon presentation of credentials, the representative of the city shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the city for cross-connections. If entry is refused, such representative shall obtain a special inspection warrant under W.S.A. § 66.122. On request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.
- (e) The Sheboygan Water Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under W.S.A. chapter 68, except as provided in subsection (f). Water service to such property shall not be restored until the cross-

connection(s) has been eliminated in compliance with the provisions of this section.

- (f) If it is determined by the Sheboygan Water Utility that a cross-connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the city clerk and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under W.S.A. chapter 68, within ten days of such emergency discontinuance.
- (g) This section does not supersede the state plumbing code, but, is supplementary to it.

Sec. 26-1010. - Certification of compliance with Clearwater requirements.

- (a) No person may obtain a building permit for improvements to the interior of a building serviced by a sanitary sewer until such time as a certificate of compliance has been obtained from the building inspection department as provided in this section within ten business days of the application. Performing any improvements requiring a building permit without a certificate of compliance shall constitute a violation of this Code and shall be subject to the penalties set forth in section 26-908.
- (b) Upon written request to the building inspection department an inspection shall be conducted of the premises to ensure compliance with the provisions of section 26-1002 of the Code relating to illegal surface or ground water connections into the sanitary sewer system.
- (c) A certificate of compliance shall be issued by the building inspection department if the building is found to be in compliance with the provisions of the Code relating to surface and ground water connections.
- (d) A notice of noncompliance shall be issued by the building inspection department to the owner of record of any building found not to be in compliance with the provisions of section 26-1002. The notice shall set forth the areas of noncompliance and shall order the owner to bring the building into compliance.
  - (1) Orders applicable to buildings where a sump pump installation is illegal shall have a 60-day compliance period.

- (2) Orders applicable to buildings where clear water is illegally entering the sanitary sewer system via an under-the-basement floor connection shall have a 120-day compliance period.
- (e) In the event a request for a certificate of compliance is made within two years of the issuance of a previous certificate of compliance where an inspection was conducted, and the owner certifies that no changes have occurred to the premises since the previous certificate was issued which render the premises out of compliance with the city's Clearwater requirements, a reinspection of the premises will not be required.
- (f) Any present or proposed owner of a building feeling aggrieved by the issuance of a notice of noncompliance may appeal to the plumbing board of appeals by following the procedure outlined in sections 26-937 and 26-938 of the Code.
- (g) *No warranty.* A certificate of compliance indicates that so far as can be reasonably determined by a visual inspection of the premises and review of city records, the premises meets the requirements of this article. Neither the city, nor its inspectors assume any liability in the inspection or issuance of a certificate of compliance, and the issuance of a certificate of compliance does not guarantee or warrant the condition of the premises inspected.

Sec. 26-1011. - Backflow preventers.

In this section, "sanitary building drain" means horizontal piping within or under a building, installed below the lowest fixture or the lowest floor level from which fixtures can drain by gravity to the building sanitary sewer.

All new residential, commercial and industrial buildings shall have backflow prevention valves installed on all sanitary building drains at the owner's expense, except as provided below.

A property owner may apply in writing to the manager of planning and inspection services for an exception to the provisions of this section. The application must include evidence of the elevation of both the sanitary building drain and the nearest manhole to which the sanitary building drain is or will be connected. The manager of planning and inspection services may approve the exception if the elevation of the sanitary building drain is at least two feet higher than the elevation of the nearest manhole to which the sanitary building drain is or will be connected.

Sec. 26-1012. - Rain water drains.

Every building and all parts thereof shall be so drained so as not to cause dampness on the walls and ceilings. No downspout within six feet of adjoining property shall be pointed toward such property. Discharge from a downspout shall not create a nuisance. The downspout discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on city streets, alleys or sidewalks, damaging a city street or sidewalk, creating ponds of standing water, or flowing over adjoining property.

Sec. 26-1013. - Sump pumps.

In areas where storm sewers are not available, sump pumps shall discharge onto the surface and shall be directed either to the rear lot line or to the street and shall not be directed as to flow on adjacent property. Discharge from the sump pump shall not create a nuisance. The sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on city streets, alleys and sidewalks, damaging a city street or sidewalk, creating ponds of standing water, or flowing over adjoining property."



I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the 16<sup>th</sup> day of September, 2019.

Dated September 18, 2019. Meredith D. Brown, City Clerk

Approved September 18, 2019. Michael J. Vanderkolk, Mayor

Published September 21, 2019.

Certified September 18, 2019 to - DPW; Water Utility; Atty.; Muni. Code; Scott Winter