

## ORDINANCE NO 07-26

### ORDINANCE AMENDING §§225-1, 225-2 AND 225-3 OF THE CODE OF THE VILLAGE OF BELGIUM, OZAUKEE COUNTY, WISCONSIN

**BE IT ORDAINED**, by the Village Board of the Village of Belgium, Ozaukee County, Wisconsin, that §§225-1, 225-2 and 225-3 of the Code of the Village of Belgium are hereby amended to read as follows:

#### § 225-1. Connection required.

- A. All persons, firms and corporations owning any structures which require any use of water, sanitary sewer, or storm sewer and which are located upon a parcel of land abutting any public right-of-way or easement wherein there is located a functioning water, sanitary sewer, or storm sewer main, which main is part of the Village of Belgium water, sanitary sewer, or storm sewer utility system, shall be connected to such water, sanitary sewer, or storm sewer main in the manner prescribed by the Village and shall be using the water, sanitary sewer, and storm sewer of the Village of Belgium utility system. In the case of annexation of territory to the Village, all persons, firms and corporations within the annexed territory shall comply with this provision within one year of such time as a functioning water, sanitary sewer, or storm sewer main is installed in a right-of-way or easement abutting their property.
- B. When the Village constructs storm sewers in streets that are being reconstructed or resurfaced, the Village may extend storm sewer laterals to each property abutting the right-of-way of the reconstructed or resurfaced street. The cost of the storm sewer main shall be the responsibility of the Village and the cost of the private storm sewer lateral from the property line to the building or structure on the abutting property shall be the responsibility of the property owner. Laterals will be sized in accordance with the State Plumbing Code, with the minimum size being four-inch diameter.
- C. Required connection. Except as provided in Subsection D hereof, after the effective date of this Ordinance when a private storm sewer lateral is installed to a property, the property owner shall have a sump pump installed and connected to the lateral within one year of lateral installation for the purpose of discharging clear water from foundation drains and ground infiltration. Lateral connection to the property sump pump shall be the responsibility of the property owner and shall be in compliance with local and state plumbing codes.
- D. Waiver of required connection. A property owner may petition the Village Board for a waiver from the requirement to connect a sump pump to the storm sewer lateral serving the property. The Village Board may grant a waiver of the sump pump connection requirement under the following circumstances:

- E. If the property owner demonstrates to the Village by clear and convincing evidence that there is no clear water infiltration whatsoever from the property into the Village sanitary sewer system: and the property owner executes a written waiver agreement approved by the Village Board; or
- F. If the property owner demonstrates to the Village by clear and convincing evidence, including detailed cost estimates, that the cost to install a clear water drainage system including sump pump connection would result in financial hardship as defined herein to the property owner, the Village Board determines that the property owner's situation is unique and that the financial hardship to the property owner exceeds the benefit to the Village or the public. and the property owner executes a written waiver agreement approved by the Village Board.
- G. Evidence. The evidence to be provided by a property owner requesting a waiver under Subsection D shall include a video recording made in the presence of a Village employee. at the property owner's expense. showing the sanitary sewer lateral from inside the building to the lateral connection with the Village's sanitary sewer main. the floor drain connections, and all clean out connections in the front and back of the basement. The Village may conduct such other inspections of the property deemed necessary by the Village, at the property owner's expense to determine whether a waiver should be issued.
- H. Other clear water disposal. Where no storm sewer system is available to a property or a storm sewer is not adequate to receive the anticipated flow clear water or stormwater shall be disposed of in such a manner as will not constitute a public nuisance as defined herein.
- I. Illicit discharges and connections to the storm sewer system.
  - (1) No person shall dump or dispose of materials other than stormwater into the municipal separate storm sewer system. The accidental discharge of substances other than stormwater into the municipal separate storm sewer or water of the state in the Village shall immediately be reported to the Village Department of Public Works, Village Police Department or Wisconsin Department of Natural Resources.
  - (2) No person shall discharge polluted stormwater from industrial activity into the municipal separate storm sewer system.
  - (3) In the event that the Village of Belgium municipal separate storm sewer system is connected to another municipal separate storm sewer system: an appropriate intermunicipal agreement shall be created to control the contribution of pollutants from one system to another.
  - (4) The Village of Belgium shall carry out inspections, surveillance, and monitoring procedures to detect illicit discharges into the municipal separate storm sewer system.

- (5) Whenever the Village of Belgium finds that a person (or entity) has violated or failed to meet a requirement of this section, the Village may order compliance by written notice of violation to the responsible person. Such notice may require, without limitation:
  - (a) The performance of monitoring, analyses, and reporting;
  - (b) The elimination of illicit connections or discharges;
  - (c) That violating discharges, practices, or operations shall cease and desist;
  - (d) The immediate abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property; and
  - (e) The implementation of source control or stormwater best management practices. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed within 72 hours of notification. Said notice shall further advise that should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor, and the expense thereof shall be charged to the violator.
- (6) No person shall discharge, spill or otherwise deposit substances or materials which are not entirely composed of stormwater onto driveways sidewalks, parking lots or other impervious or pervious areas that drain into the streams and watercourses within the village.
- (7) The following discharges are exempt from the provisions of this article:
  - (a) Discharges authorized by a permit issued by the Wisconsin Department of Natural Resources;
  - (b) Discharges resulting from firefighting activities;
  - (c) Discharges from uncontaminated groundwater, portable water sources, roof drains, foundation drains and foundation drains and foundation drain sump pump discharges. air-conditioning condensation. lawn watering, watering main and hydrant flushing and swimming pools, if the pool water has been dechlorinated;
  - (d) Discharges from individual automobile washing by automobile owners not involving any commercially zoned site;
  - (e) Agricultural activities if such activities are done in a manner consistent with good soil and water conservation practices;

J. Facility maintenance activities undertaken by any federal, state, county or municipal agency if facility maintenance is done in accordance to all applicable construction erosion control measures.

K. Definitions. As used in this section. the following terms shall have the meanings indicated:

**FINANCIAL HARDSHIP.** The fact or condition under which the strict application of this section to a particular property is unduly costly in relation to the property owner's income or assets or the fair market value of the property without a sump pump installed and connected to a storm sewer lateral.

**ILLICIT CONNECTIONS.** An illicit connections is defined as either of the following:

- (1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system, including, but not limited to, any conveyances which allow any non-stormwater discharge, including sewage, processed wastewater, and wash water: to enter the storm drain system and any connections to the storm drainage system from indoor drains and sinks, provided that said drain or connection had not been previously allowed, permitted, or approved in writing by the Village of Belgium; or
- (2) Any drain or conveyance connected from a commercial or industrial land use to the storm drainage system which has not been documented in plans! maps, or equivalent records and approved by the Village of Belgium

**ILLICIT DISCHARGE.** Any direct or indirect non-stormwater discharge to the storm drainage system, except as exempted in S 159-12 of this article. This includes but is not limited to activities related to spills, dumping and disposal of any substance or material.

**PUBLIC NUISANCE.** The discharge of any clear water or stormwater into a public sanitary sewer system on to public streets or sidewalks, or on to property not under the control of the person making or causing such discharge constitutes a public nuisance and is prohibited.

## § 225-2. Maintenance and repair of laterals

The Village shall be responsible for the maintenance and repair of water, sanitary sewer and storm sewer laterals running from the main in the public right-of-way or easement to the curb stop box valve. The property owner shall be responsible for the maintenance and repair of water, sanitary sewer and storm sewer laterals running from the curb stop box valve to the structure served by such laterals.

## § 225-3. Noncompliance; connection or repair by Village.


In the event any person, firm or corporation fails to connect to the municipal water supply, sanitary sewer, or storm sewer system as required by S 225-1 hereof within 10 days after notice in writing to do so, or fails to maintain or repair a lateral as required by S 225-2 hereof within three days after notice in writing to do so, the Village may impose a penalty as provided in Chapter 1, S 1-5 of this Code or cause the connection or maintenance or repair to be made, and the expense thereof shall be assessed as a special tax against the property pursuant to Village ordinances and the statutes of the State of Wisconsin.

This ordinance shall be effective upon passage and posting

Adopted this 19<sup>th</sup> day of March 2026

  
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Roseann Geib, Village President

ATTEST:

  
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Theresa Bartley, Village Clerk