

**TOWN OF CEDARBURG
ORDINANCE NO. 2008-18**

**AN ORDINANCE TO REPEAL SUBSECTION 108-13 D. AND TO CREATE SECTION
108-13.01 OF THE TOWN OF CEDARBURG CODE OF ORDINANCES
RELATING TO STORMWATER, ILLICIT DISCHARGES
AND CONNECTIONS.**

WHEREAS, the Town of Cedarburg publicly noticed and held a public hearing relating to this ordinance, compliant with Wisconsin State Statutes,

BE IT ORDAINED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, that **Subsection 108-13 D. STORMWATER, of the Town of Cedarburg Code of Ordinances is hereby repealed** and Section 108-13.01 ILLICIT DISCHARGES AND CONNECTIONS is created to read as follows:

§ 108-13.01 ILLICIT DISCHARGES AND CONNECTIONS

A. **DEFINITIONS.** The following definitions shall be applicable in this Section:

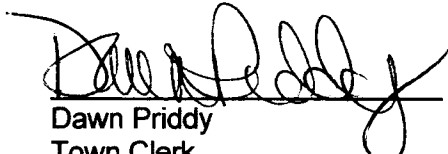
- (1) Illicit Connection: Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including, but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been allowed, permitted, or approved by a government agency, prior to the adoption of this ordinance.
- (2) Person: Means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.
- (3) Storm Drain System: Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

B. **DISCHARGES PROHIBITED.** No person shall discharge, spill or dump substances or materials which are not entirely composed of storm water into receiving bodies of water or onto driveways, sidewalks, parking lots or other areas that drain into the storm drainage system. Unless otherwise approved by the Town Board, no person shall discharge roof drains, yard drains or sump pumps onto streets, sidewalks, or other areas within Town right-of-way that drain into the storm drainage system. Roof drains, yard drains, and sump pumps shall discharge onto pervious areas at grade on private property.


- C. **CONNECTIONS PROHIBITED.** The construction, use, maintenance or continued existence of illicit connections to the storm drainage system is prohibited. This prohibition expressly includes, without limitation, illicit connections made prior to the adoption of this ordinance, regardless of whether the connections was permissible under law or practice applicable or prevailing at the time of connection. Unless otherwise approved by the Town Board, roof drain and sump pump discharge connections to the Storm Drainage System shall be prohibited.
- D. **EXEMPTIONS.** The following activities are exempt from the provisions of this section unless found to have an adverse impact on the storm water:
- (1) Discharges authorized by a permit issued by the Wisconsin Department of Natural Resources.
 - (2) Discharges resulting from fire fighting activities.
 - (3) Discharges from uncontaminated ground water, potable water source, air conditioning condensation, springs, lawn watering, individual residential car washing, water main and hydrant flushing and swimming pools if the water has been de-chlorinated.
- E. **ENFORCEMENT.** Whenever the Building Inspector, Director of Public Works, or its designated agent finds a person has violated a prohibition or failed to meet a requirement of this section, the Town of Cedarburg may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:
- (1) The elimination of illicit connections or discharges;
 - (2) That violating discharges, practices, or operations shall cease and desist;
 - (3) The abatement or remediation of storm water pollution or contaminated hazards and the restoration of any affected property;
 - (4) In the event the person fails to eliminate the illicit connects or discharge, fails to cease and desist in discharge, practices or operations in violation of this Section or fails to abate or remediate the storm water pollution or contamination hazards, that person may be subject to a forfeiture of not less than \$50.00 nor more than \$500.00 for each offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense.
- F. **EFFECTIVE DATE.** This ordinance shall be in force and effect from and after its adoption and publication. The above and foregoing ordinance was duly adopted by the Town Board of Town of Cedarburg on the 1st day of October, 2008.

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 1st day of October, 2008.



Dawn Priddy
Town Clerk



David M. Valentine
Town Chairman