



Legislation Details (With Text)

File #: 27950 **Version:** 1 **Name:** Chap 35
Type: Ordinance **Status:** Passed
File created: 10/8/2012 **In control:** BOARD OF PUBLIC WORKS
On agenda: 10/30/2012 **Final action:** 10/30/2012
Enactment date: 11/13/2012 **Enactment #:** ORD-12-00142

Title: Repealing and recreating Chapter 35 to make changes to the City's Public Sewerage System Ordinance and amending Sec. 29.13(5) of the Madison General Ordinances to relocate the sanitary sewer plugging process into Chapter 35.

Sponsors: Paul E. Skidmore

Indexes:

Code sections:

Attachments: 1. BODY, 2. Office of the City Attorney Memo

| Date | Ver. | Action By | Action | Result |
|------------|------|----------------------------------|--|--------|
| 10/30/2012 | 1 | COMMON COUNCIL | Adopt | Pass |
| 10/17/2012 | 1 | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass |
| 10/16/2012 | 1 | COMMON COUNCIL | Referred | |
| 10/8/2012 | 1 | Attorney's Office/Approval Group | Referred for Introduction | |

Fiscal Note

These ordinance changes will clarify and update existing language in various areas. In addition, several provisions can be expected to have modest impacts upon charges or rates. Section 35.02(4)(c)13 provides that a new one-time sewer use fee will be collected with the initial water service permit when new construction or development occurs. This fee will be equal to half of the "flat rate" charge. Section 35.02(4)(c)14 requires a Permit to Plug Sewer Lateral before removal or abandonment of any existing sanitary lateral. A permit fee will be based upon average costs and approved by the Board of Public Works. Sections 35.02(7) and 32.025(4) establish a new procedure for setting Sewer Utility rates and Landfill Remediation Charges. Under the new provisions, charges and rates will be developed annually by the City Engineer and approved by the Board of Public Works and the Common Council. With this change, it will no longer be necessary to annually update Chapter 35 to include new rate changes. No appropriation is required to support any of the proposed changes, nor is any impact upon the tax levy anticipated.

Title

Repealing and recreating Chapter 35 to make changes to the City's Public Sewerage System Ordinance and amending Sec. 29.13(5) of the Madison General Ordinances to relocate the sanitary sewer plugging process into Chapter 35.

Body

DRAFTER'S ANALYSIS: This ordinance makes numerous changes to Chapter 35 and Sec. 29.13(5), MGO, to update the City's public sanitary sewer and landfill remediation connection, disconnection, permit, fee and inspection processes. A full summary of the changes made to this Chapter are set forth in the Office of the City Attorney's memo attached to this file.

The Common Council of the City of Madison do hereby ordain as follows:

- Chapter 35, entitled "The Public Sewerage System" of the Madison General Ordinances is hereby repealed and recreated to read as follows:

PLEASE SEE "BODY" IN ATTACHMENTS.

2. Subsection (5) of Section 29.13 entitled "Wrecking of Buildings" of the Madison General Ordinances is amended to read as follows:

- "(5) Prior to the issuance of a permit to remove or wreck an existing building, the owner of the property shall ~~sign a request form through which he agrees to the following conditions:~~ obtain a Permit to Plug Sewer Lateral per Section 35.02(4)(c)14., MGO, if the existing building is serviced by the public sanitary sewer
- (a) ~~The owner shall excavate and expose the existing sanitary lateral or laterals on his property at the point where it enters public right-of-way or easement.~~
 - (b) ~~The owner shall notify the City Engineer at least twenty-four (24) hours in advance and shall allow entry on the property to plug the abandoned lateral or laterals.~~
 - (c) ~~The owner shall backfill the excavation with supervision of the City Engineer to insure no damage is done to the lateral plug by the backfill operation.~~
 - (d) ~~The owner shall pay the sum of twenty-five dollars (\$25) to the City Treasurer at the time of filing this form, to cover the costs to plug the lateral.~~
 - (e) ~~The owner shall assume all responsibility for any damage done to persons or property due to the abandoning of this lateral.~~
 - (f) ~~The owner shall satisfactorily comply with the above conditions within sixty (60) days after the date on the "Request to Plug Abandoned Sanitary Sewer Lateral" agreement form unless an extension of time, in writing, is granted by the City Engineer."~~