

RESOLUTION NO. 2023-05

A RESOLUTION OF THE CITY OF HILLSBORO, KANSAS ADOPTING A
SUMP PUMP AMNESTY PROGRAM.

WHEREAS, Chapter 15, Article 6 of the Code of the City of Hillsboro, Kansas (the “Code”) prohibits the discharge of storm water, surface water, ground water, roof run-off, subsurface drainage, including interior and exterior foundation drains, pump discharge, cooling water, or industrial process waters into any sanitary sewer or public sewer of the City of Hillsboro, Kansas (the “City”) and further prohibits the connection of foundation or other building drains to the sanitary sewer of the City; and

WHEREAS, it is known that homes built before the adoption of such prohibitions may have sump pumps or foundation drains connected to the City sanitary sewer or public sewer for the purpose of discharging such waters; and

WHEREAS, the Governing Body of the City finds it necessary and advisable to establish an amnesty program to encourage the identification and disconnection of sump pumps and home drainage systems from the City sanitary and public sewer system.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF HILLSBORO, KANSAS:

Section 1. Sump Pump Amnesty Program. The City of Hillsboro hereby adopts the “**Sump Pump Amnesty Program**”.

A. *Purpose*. The Sump Pump Amnesty Program allows City officials to work with property owners to identify illegal sump pump connections to the sanitary sewer and eliminate them.

B. *Program Period*. The Sump Pump Amnesty program will last for 6 months from the adoption of this policy.

C. *Surveys*. The City will send out surveys to property owners providing 30 days to complete and return the survey. Residents will be asked to self-report a sump pump or drainage system connection to the sanitary sewer. If a resident does not know if their sump pump or drainage is connected to the sanitary sewer, then the resident can select that they do not know. City staff will conduct follow-up inspections on unknown connections to determine the status of the property.

D. *Inspections*. For property owners choosing to participate, the City will inspect the property’s plumbing to determine whether there is an illegal connection to the sanitary sewer. All inspections will be completed by the Building Inspector or their designee. Inspections may include physical inspections of interior plumbing, exterior roof drainage systems, dye tests or camera inspection of service lines.

E. *Certificates of Inspection.* If, upon inspection, the property's system is found to have no illegal connection to the sanitary sewer, then the Building Inspector will issue a Certificate of Inspection for the property. A copy of the Certificate of Inspection will be given to the property owner and kept on file at the City.

F. *Removal of Connection.* If, upon inspection, an illegal connection is found, the property owner and City will partner together to have the connection removed. The City will select a private contractor to eliminate the illegal sump pump connection. The City will pay up to \$500 toward such work. The property owner will be responsible for any amount over \$500 or for work directed by the property owner that goes beyond the scope of the eliminating the illegal connection. The private contractor will contract directly with the property owner and include a 12 month warranty period. By participating in the Sump Pump Amnesty Program, the property owner agrees to indemnify, defend, and hold the City harmless against any damages or injuries arising from participation in the program, resulting work, or disconnection of a sump pump from the sewer system. Following completion of the work, the Building Inspector will re-inspect and, if the work is satisfactory to the Building Inspector, will issue a Certificate of Inspection and a pre and post construction report documenting the fix and an as-built drawing of the any changes made to the plumbing.

G. *Private Work.* Property owners that choose not to use the City's contractor may retain their own licensed plumber to disconnect the sump pump. The City will not provide financial assistance for privately hired contractors. For the City to accept the correction, an inspection by the Building Inspector must be completed. The property owner hired plumber must provide pre and post construction photo documentation and as-built drawings of any changes made to the plumbing.

H. *Additional Inspections.* The Building Inspector or their designee, shall inspect all residential and commercial property connected to the City's sewer system before the sale the property. The Building Inspector may also require that an inspection of sanitary sewer connections be completed before issuing a building permit for work that impacts plumbing, drainage, or HVAC on any property in the City. The Building Inspector will issue a Certificate of Inspection for the property or direct that any illegal sanitary sewer connections be corrected. Certificates of Inspection are valid for a 3-year period before requiring a reinspection. Failure to receive a satisfactory Certificate of Inspection may result in denial of sanitary sewer service until such inspection and certification can be completed. The requirement for a sanitary sewer inspection is at the discretion of the Building Inspector.

I. *Violations Following Program Expiration.* After the expiration of the Sump Pump Amnesty Program, properties found with an illegal connection will be given 30 days to eliminate the illegal connection or pay a penalty of \$500 and an additional \$10 per day for every day such violation continues. Property owners opting to be included in the Sump Pump Amnesty Program will have "pending compliance" status until work to eliminate the connection is completed. Properties in "pending compliance" status will not be subject to penalty while actions to remediate the violations are being diligently pursued.

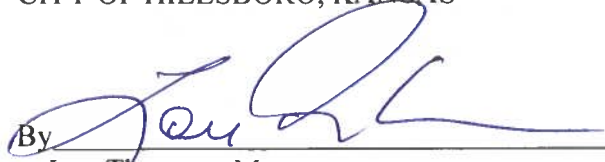
Section 2. Effective Date. This Resolution shall take effect from and after its adoption and approval by the Governing Body of the City.

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RESOLVED, ADOPTED AND APPROVED by the Governing Body of the City of Hillsboro, Kansas this 4th day of April, 2023.



CITY OF HILLSBORO, KANSAS

By 
Lou Thurston, Mayor

ATTEST:

By 
Danielle Bartel, City Clerk