

STATE OF WISCONSIN    MILWAUKEE COUNTY    VILLAGE OF SHOREWOOD

ORDINANCE NO. 3025

AN ORDINANCE AMENDING CHAPTER 225, "BUILDING CONSTRUCTION," AND CHAPTER 415 "PLUMBING STANDARDS," TO COMPLY WITH THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT'S COMBINED SEWER SERVICE AREA DOWNSPOUT DISCONNECTION PROGRAM

**Whereas**, the Milwaukee Metropolitan Sewerage District ("MMSD") has developed new guidelines and a program to mandate that properties in certain areas within the District, where storm and wastewater sewers are combined, disconnect the roof downspouts from the sewer; and

**Whereas**, more specifically, MMSD Chapter 3, Management Operations & Maintenance of Tributary Sewers, prohibits downspout roof drain connections to the combined sewer system; and

**Whereas**, the purpose and intent of this program is to reduce basement back-up risk; and

**Whereas**, areas within the Village of Shorewood are in the designated combined sewer area;

NOW THEREFORE, at a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, held on the 17th day of May, 2021, by a favorable vote of the members being present and therefore, said Board does ordain as follows:

**SECTION 1**

That Sub-Section "C," "Gutters and conducting water," of Section 6, "General Requirements," of Article II, "Supplemental Building Regulations," of Chapter 225, "Building Construction," of the Municipal Code of the Village of Shorewood, is hereby repealed and replaced as follows:

**C. Gutters and conducting water.**

(1) On all new or remodeled buildings, the roof shall be provided with gutters and downspouts for conducting the water in such manner as will protect the walls and foundations of such buildings or of adjacent buildings from injury. Water from such leaders may be conducted by proper pipes to the municipal separate storm sewer or may be drained and directed in a manner to be approved by the Building Inspector or the Inspector's designee. In the discretion of the Building Inspector, or the Inspector's designee, where no apparent damage is caused or likely to be caused by water to adjacent property, gutters and downspouts may be omitted from private garages and temporary buildings. The provisions of § 415-18B of the Village Code shall be applicable herein.

(2) In the municipal separate storm sewer area, when approved by the Building Inspector or the Inspector's designee, water from roof leaders, conductors or downspouts may be discharged to finished grade, provided that the following conditions are met:

(a) Where previously connected to a sewer lateral, the downspout hub shall be sealed with an

approved cap or plug as required by Wisconsin Plumbing Code; and

(b) The water is discharged to finished grade on the property where the point of discharge must be a minimum of five feet from the building and is directed to flow away from buildings, does not to create an icy condition on any pedestrian walkways, and does not create a nuisance.

(3) In the combined sewer service area, discharge of water to the combined sewer system from roof leaders, conductors or downspouts of residential structures which contain up to four dwelling units is prohibited if the following conditions are present:

(a) The roof drain is external.

(b) Sufficient space is available to locate the discharge point at least five feet away from the basement or foundation walls and property lines.

(c) Pervious surface is available at the discharge point.

(d) The discharge location is level or slopes away from the structure, but not so steep that the discharge would cause erosion.

(e) The discharged water will not create ice on pedestrian walkways or otherwise create a nuisance for adjoining properties.

## **SECTION 2**

That Section 18, "Rain or surface water drainage," of Chapter 415, "Plumbing Standards," of the Municipal Code of the Village of Shorewood, is hereby repealed and replaced as follows:

§ 415-18. Rain or surface water drainage.

A. No person shall connect any premises with any sanitary sewer by drain or sewer through which rain or surface water may be discharged into a sanitary sewer system, and under no circumstances shall any subsoil, foundation, footing, window and door wall, or yard drains, unroofed basement excavations, cistern overflows, roof conductors, or drains from areas exposed to rainfall connect directly to the sanitary sewer, nor shall they be permitted to discharge indirectly into such sanitary sewer.

B. Stormwater.

(1) On all new or remodeled buildings, the roof shall be provided with gutters or downspouts for conducting the water in such manner as will protect the walls and foundations of such buildings or of adjacent buildings from injury. Water from such leaders may be conducted by proper pipes to the municipal separate storm sewer, or may be drained and directed in a manner to be approved by the Plumbing Inspector or the Inspector designee. In the discretion of the Plumbing Inspector, or the Inspector designee, where no apparent damage is caused or likely to be caused by water to adjacent property, gutters or downspouts may be omitted from private garages and temporary buildings. The provisions of § 225-6C of the Village of Shorewood Code shall be applicable herein.

(2) When approved by the Plumbing Inspector or the Inspector's designee, water from roof leaders, conductors or downspouts may be discharged to finished grade provided that the following conditions are met:

(a) Where previously connected to a sewer lateral, the downspout hub shall be sealed with an approved cap or plug as required by Wisconsin Plumbing Code; and

(b) The water is discharged to finished grade on the property where the point of discharge must be a minimum of five feet from the building and is directed to flow away from buildings, does not create an icy condition on any pedestrian walkways, and does not create a nuisance.

(3) In the combined sewer service area, water from roof leaders, discharge of water to the combined sewer system from roof leaders, conductors or downspouts of residential structures which contain up to four dwelling units is prohibited if the following conditions are present:

(a) The roof drain is external.

(b) Sufficient space is available to locate the discharge point at least five feet away from the basement or foundation walls and property lines.

(c) Pervious surface is available at the discharge point.

(d) The discharge location is level or slopes away from the structure, but not so steep that the discharge would cause erosion.

(e) The discharged water will not create ice on pedestrian walkways or otherwise create a nuisance for adjoining properties.

- C. The owner or occupant of any premises on which rainwater leaders are maintained shall comply with all orders of the Plumbing Inspector providing for connecting the same to Village storm sewers in the adjoining street where the Plumbing Inspector finds that rainwater leaders will drain over the street, sidewalk, or adjacent property or cause damage to any structure.
- D. In the municipal separate storm sewer area where storm sewers are not available, and where owners are making connections to the sanitary sewer in the street, storm sewer laterals shall be extended from the building to the property line.
- E. Sump pumps. Sump pumps which collect and discharge accumulated water from foundation drains may be connected to storm sewer laterals where available. All sump pumps shall be powered by a dedicated circuit to prevent against accidental disconnection. Where a storm sewer lateral in a one- and two-family dwelling has been shown to be wholly nonfunctional for structural reasons not associated with regular cleaning, these sump pumps may be discharged a minimum of five feet from the building onto flat areas of the dwelling owner's lawn so long as the water flows away from buildings; does not discharge onto driveways, streets, walks, public ways or neighboring property; and does not create a nuisance.

### **SECTION 3**

That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby to such extent repealed.

**SECTION 4**

That this Ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, this 17th day of May, 2021.

  
Ann McCullough McKaig, Village President

Countersigned:

  
Sara Bruckman, CMC/WCMC, Village Clerk