



City of Ely POINT-OF-SALE SANITARY SEWER INSPECTION

Date _____

PID No. _____

CODE SECTIONS

SECTION 1. Chapter 3, Section 3.08, of the City Code of the City of Ely, Minnesota is amended to read as follows:
SECTION 3.08. POINT OF SALE CERTIFICATION.

Subd. 1. Scope and Intent. The provisions of this Section shall apply to all real estate which is connected to the City's sanitary sewer and located within the City. It is the intent of this ordinance to identify and eliminate inflow and infiltration resulting from cracked and leaking pipes, foundation drain connections, roof drain connections, and sump pump connections.

This Certification form shall be completed and requires **one digital copy of the televising report provided to the City along with a written report including description of pipe condition from dwelling to the city main.**

PROPERTY ADDRESS

ADDRESS: _____

OWNER INFORMATION

OWNER NAME:	Email:	PHONE NO: ()	
ADDRESS:	CITY:	STATE:	ZIP:

Realtor (if known): _____

QUALIFIED PERSON INFORMATION

NAME:	LICENSE NO:	PHONE NO: ()	
ADDRESS:	CITY:	STATE:	ZIP:

System

Roof drains and leaders Roof drains should not be connected to the sanitary sewer but should discharge to the ground outside of a building. If the roof drains are connected to the sanitary sewer, disconnect them, plug any open connections to the sanitary sewer using a non-shrink permanent material, and redirect the roof drains onto the ground outside the building.

_____ Pass _____ Fail. Notes _____

Foundation drains are underground pipes that collect storm water from around the base of a building and into a sump basket, where it is then pumped outside of the building. Foundation drains should not be connected to the sanitary sewer.

_____ Pass _____ Fail. Notes _____

Sump pumps are designed to capture surface or ground water that enters basements or crawl spaces and pump it away from the house. The basic sump system includes drain tile, a sump pit, a sump pump, a float or switch, and a drain line. Sump pumps should not be connected to the sanitary sewer.

_____ Pass _____ Fail. Notes _____

Sanitary Sewer Inflow & Infiltration (I/I) Compliance Inspection Sanitary Sewer Lines. All sanitary sewer lines serving Property, from the house to the main line, shall be in a safe and functional condition and shall be free from all leaks, failures including but not limited to sags, partially collapsed sections or tree root intrusion. the sanitary sewer lines shall meet the City Code standards and specifications

_____ Pass _____ Fail. Notes _____

Compliance Inspection Certification

The undersigned hereby acknowledges the requirements in City Ordinance No. 306,2nd Series. All deficiencies discovered during the inspection shall be disclosed prior to Closing and shall be corrected within twelve (12) months from the Closing. The Seller shall provide proof to the City that funds were placed in an escrow account at Closing to cover the required repairs. The undersigned hereby certifies that the above information is true and correct to the best of their knowledge:

Qualified Person's Signature: _____

Date: _____

Owner's Signature: _____

Date: _____

ORDINANCE NO. 306, 2nd Series

**AN ORDINANCE OF THE CITY OF ELY, MINNESOTA,
AMENDING CHAPTER 3, SECTION 3.08**

THE COUNCIL OF THE CITY OF ELY DOES HEREBY ORDAIN:

SECTION 1. Chapter 3, Section 3.08, of the City Code of the City of Ely, Minnesota is amended to read as follows:

SECTION 3.08. POINT OF SALE CERTIFICATION.

Subd. 1. Scope and Intent . The provisions of this Section shall apply to all real estate which is connected to the City's sanitary sewer and located within the City. It is the intent of this ordinance to identify and eliminate inflow and infiltration resulting from cracked and leaking pipes, foundation drain connections, roof drain connections, and sump pump connections.

Subd. 2. Definitions. For the purpose of this Section, the following terms are defined as follows:

- A. Buyer: Any person or entity who purchases a Property or to whom title to a Property is conveyed.
- B. Building Official: The Building Official appointed by the City Council and/or the Building Official's designee.
- C. City Clerk-Treasurer: The City Clerk-Treasurer appointed by the City Council and/or the City Clerk- Treasurer's designee.
- D. Seller: The current owner of real estate as identified in the Property records on file at the St. Louis County Auditor's Office or by Court Order.
- E. Point of Sale Certification or Certification: The certificate provided to the City evidencing compliance with this Section.
- F. Qualified Person: A person qualified to complete an inspection and Certification under Subd. 4. C. of this Section.
- G. Sale or Sold: The transfer of title to a Property.
- H. Closing: The date in which the ownership of the Property is transferred to the Buyer.

Subd. 3. Requirements.

- A. Sanitary Sewer Lines. All sanitary sewer lines serving Property, from the house to

the main line, shall be in a safe and functional condition and shall be free from all leaks, failures including but not limited to sags, partially collapsed sections or tree root intrusion.

B. In addition, all sanitary sewer lines shall meet the standards and specifications established in City Code Section 3.30.

Subd. 4. Point of Sale Certification Required and Monies Escrowed for Deficiencies.

A. No Property which is connected to the City's sanitary sewer shall be sold within the City unless the Seller or Buyer has provided a Point of Sale Certification to the Building Official at least 2 business days prior to Closing. The Certification shall certify that the Property has been inspected and is in compliance with the requirements of this Section. Certifications shall be valid for five (5) years from the date of signature.

B. The Certification shall be in the form provided by the City and requires one digital copy of the televising report be provided to the City along with the written report.

C. The inspection and certification of sanitary sewer lines must be completed by a Qualified Person. A Qualified Person is a plumber licensed by the State of Minnesota or another sewer professional pre-approved by the City.

D. The fee for inspection and preparation of the Certification by the Contractor shall be paid by the Buyer or Seller. There shall be no fee paid to the City.

E. Any deficiencies discovered during the inspection shall be disclosed prior to Closing and shall be corrected within twelve (12) months from the Closing. The Seller shall provide proof to the City that funds were placed in an escrow account at Closing to cover the required repairs.

Subd. 5. Exceptions. Certifications Are Not Required for the following:

A. A Property where the Certificate of Occupancy has been issued by the Building Official within three years prior to the sale of the Dwelling Unit.

B. A Property sold or transferred by a court ruling including wills, probate actions, divorce, and estate settlements.

C. A Property that is without buildings or contains no dwelling or other buildings with plumbing fixtures.

D. A Property which is sold to a foreclosing mortgagee which holds a mortgage on the Dwelling Unit.

E. The transfer does not require the filing of an Certificate of Real Estate Value, as described in Minnesota Statutes, Section 272.115, subdivision 1.

Subd. 6. Penalties.

A. Criminal Remedies. The failure of any Seller or Buyer to comply with the provisions of this Section or to comply with an order issued by the City pursuant to this Section shall be a misdemeanor.

B. Civil Remedies. In addition to the criminal remedies, this Section may be enforced by injunction, action for abatement or other appropriate civil remedy.

Subd. 7. Warranty Disclaimer by City. By enacting and undertaking to enforce this Section, neither the City nor its council, agents or employees warrant or guarantee the safety, fitness or suitability of any Property in the City

Subd. 8. Severability. If any provision of this Section or the application of any provision to a particular situation is held to be invalid by a court of competent jurisdiction, the remaining portions of the Section and the application of the Section to any other situation shall not be invalidated.

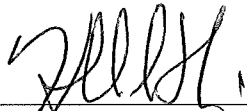
SECTION 2. Effective Date: Pursuant to Section 3.08 of the Charter of the City of Ely, Minnesota, the adoption of this Ordinance is effective on April 1, 2017 after final adoption and publication.

First Reading: September 20, 2016

Second Reading: February 7, 2017



Chuck Novak, Mayor



Harold R Langowski, City Clerk-Treasurer

Publication Date: February 11, 2017

Newspaper: Echo