

**UTILITIES**

**APPENDIX "A"**

**CITY OF NOKOMIS  
COST REIMBURSEMENT PROGRAM FOR THE INSTALLATION OF OVERHEAD  
SEWERS OR BACKFLOW PREVENTION DEVICES**

**PROGRAM REQUIREMENTS**

The City will provide funds to building Owners located within the City of Nokomis, who have or may have experienced sanitary sewer backups during periods of heavy rainfall for the installation of overhead sewer or backflow prevention devices.

The City has determined that certain requirements for the cost reimbursement program are necessary to protect the City's sanitary sewer system, the integrity of such a program and the financial well-being of the City.

A cost reimbursement program for the installation of overhead sewers or backflow prevention devices is hereby implemented in accordance with the following requirements.

- 1) The City will reimburse an Owner(s) up to \$4,000.00 of installing a City approved overhead sewer system or backflow prevention device.
- 2) The program applies to all buildings, connected to the City sanitary sewer collection system.
- 3) The Program shall apply to installation of overhead sewers or backflow prevention devices made on or after the date of this Ordinance.
- 4) Financial participation of the City is limited to funds budgeted for the Program. Said funding level may be changed or eliminated based on the City's annual review of the Program.
- 5) Application will be classified into the following priority groups for purposes of determining funding eligibility.
  - a) First priority: One or more sanitary sewer backups have occurred at the building and been reported to the City. The Owner(s) must provide documentation of previous sanitary sewer backups. Prior reports of sewer backups to the City either by telephone or in writing at the time of the backup or by submittal of a Sanitary Sewer Backup Report shall constitute adequate documentation of a sanitary sewer backup.
  - b) Second priority:
    1. Any building which has the potential to experience sanitary sewer backups as a result of an insufficient elevation differential between the building's internal plumbing and the City's sanitary sewer system. No sanitary sewer backups have occurred at the property, but the Owner(s) is desirous of installing an overhead sewer or backflow prevention device as a preventive measure.
    2. A building for which the overhead sewer or backflow prevention device was installed from the date of approval of this policy.Applications from the first priority group will be funded on a first come, first served basis within available budget limitations. Applications not funded in a fiscal year will be carried over to the next fiscal year and funded in accordance with the above procedures.
- 6) An Owner desiring to participate in this Program must complete the following steps:
  - a) Complete and sign Application for Participation.
  - b) City observes the building and issues a notice of eligibility or non-eligibility to the Owner(s). Said notice may include the sources or potential sources of infiltration and inflow which must be removed as a requirement of this Program.

- c) Upon receipt of a notice of eligibility from the City, the Owner(s) obtains proposals from contractors as described in Item 13. If the Owner(s) does not submit all of the required information within six (6) months of the date of the notice of eligibility, the Owner(s) must resubmit an Application for Participation form and such application will be treated as a new application for determination of funding eligibility.
  - d) City reviews proposals, provides Owner(s) with preliminary approval and provides agreement for Owner(s) signature. Owner(s) must return signed agreement and signed proposal with selected contractor within thirty (30) days of the date of the preliminary approval.
  - e) Owner(s) and licensed and insured contractor obtain all permits (if applicable) and complete the work.
  - f) Upon completion of the work, premises are observed by the City and the appropriate building authority. Upon approval by the City and the appropriate building authority, acceptance by the Owner(s), and submission of a paid receipt from the contractor to the Owner(s) or invoice from the contractor, reimbursement will be made directly to the Owner(s) or Owner(s) and contractor if an unpaid invoice is submitted. (The Owner(s) is also encouraged to obtain an appropriate waiver of lien from the contractor for Owner(s)'s protection.) Said reimbursement will be made in the City's normal course of business.
- 7) Owner(s) of the building where the overhead sewer or backflow prevention device is installed must execute an agreement which includes a clause whereby the Owner(s) release and waive any claim of liability against the City from any previous or future sanitary sewer backups or any consequence of the selection of the system to be installed, the contractor to be utilized, installation of the system, operation or maintenance of the system once it is installed, or the eligibility, participation or funding priority in this Program.  
If a backflow prevention device is installed, the City will record a memorandum of the agreement against the property. Said memorandum shall serve as notice that a backflow prevention device has been installed on the property which requires maintenance for proper operation.
- 8) No Owner(s) shall be eligible for participation unless the Owner(s) and the building where the overhead sewer or backflow prevention device is or has been installed are in compliance with all City ordinances, including, but not limited to, payment of all fees and charges due to the City.
  - 9) An Owner(s) shall be eligible for participation more than once for the same property. However, in no case, shall the total reimbursement from the City for any one property exceed the limits prescribed in paragraph 1) above.
  - 10) The Program will be evaluated from time to time in the City's discretion and the City may change or eliminate the Program.
  - 11) The Owner(s) must allow the City to observe the building prior to the City's determination of eligibility for this Program. This observation may include a television inspection of all underground waste piping and of the entire service lateral pipe from the building to the point of connection to the City sewer, and it may also include rainfall simulation testing. All sources and potential sources of infiltration and inflow must be eliminated as part of this Program at the Owner(s)'s sole cost. Infiltration and inflow includes any storm water, surface water, ground water, roof runoff water, sub-surface drainage, runoff water from ground or paved areas, cistern overflow or water from air-conditions systems, industrial cooling operations or any other unpolluted water. If no sump pump for collecting and removing ground water is present in the building, one must be installed and any existing footing tiles, window well drains, and exterior area drains must be reconnected to the new storm water sump pump. The discharge of the new storm water sump pump should either be to a storm sewer or to grade on the exterior of the building, as far from the building sanitary sewer lateral as possible. The

costs of the installation of the storm water sump pump, as well as incidental under floor  
connections to existing

footing tiles or drains, are eligible for reimbursement under this Program. The installation of a footing tile drainage system around the entire basement and extensive reconstruction of the service lateral are not eligible for reimbursement under this Program.

- 12) The Program is limited to the actual cost of the overhead sewer or backflow prevention device installation and the installation of a sump pump as required by Item 11) above, subject to the funding limitations contained herein, but does not include incidental costs such as landscape restoration, painting, tile, carpeting, etc.
- 13) The Owner(s) must provide the City with proposals from a minimum of two licensed and insured contractors for the type of backup prevention selected by the Owner(s) prior to authorizing the work. If the desired backup prevention is not an overhead sewer, a proposal for an overhead sewer conversion must also be submitted. An overhead sewer does not rely upon a backflow valve or device and is believed to be the best prevention method. All proposals must provide sufficient detail for the City to determine the exact method of installation, the cost for labor and materials, the portion of the work not eligible for this Program under Items 11) and 12) above, and compliance with all City ordinances. The City's participation in the funding will be based on the lowest costs proposal.
- 14) The Owner(s) must obtain a no-charge City sewer permit for the work and must obtain a permit, at the Owner(s)'s expense, from the appropriate building authority (i.e. municipality or county), if required. After issuance of the permits, any changes or modifications to the work will require review and approval of the City and the appropriate building authority.
- 15) The contractor hired by the Owner(s) to perform the work must be licensed and insured, providing proof upon request.
- 16) The City is not a party to any contract between the Owner(s) and the contractor.
- 17) To be eligible for this Program, the installation of an overhead sewer shall meet the following requirements.
  - a) Overhead sanitary sewers must provide to all floor levels that are less than one (1) foot above the elevation of the rim of the City manhole immediately upstream of the point of connection of said building into the City sanitary sewer system. Plumbing fixtures on a building floor level below an overhead sewer shall drain into the ejector pit. The elevations described above shall be included in the contractor's proposal.
  - b) A properly vented ejector basin shall be installed for all installations under this Program. Ejector basins must comply with all City and appropriate building authority requirements and shall be a minimum size of eighteen (18) inches wide by thirty-six (36) inches deep (18" x 36"). Ejector basins must be at least ten (10) feet from any storm water sump pits.
  - c) The capacity of the ejector pump must be specified in the contractor's proposal. The smallest capacity pump suitable for the proposed installation must be specified.
  - d) Connections to the proposed ejector pump must be specifically listed on the contractor's proposal and all such connections shall be for the disposal of sanitary wastes only.
  - e) A sketch indicating the proposed work must be included with each proposal.
  - f) The City shall have the right to enter the building for observation upon completion of the work and to impose penalties if the capacity of the ejector pump exceeds the capacity allowed by Item c) above. All such penalties shall be imposed in accordance with City ordinances prescribing penalties for ordinance violations as may be in effect at the time the violation of this Section is discovered.

- 18) All work under this Program must comply with City and applicable municipal or county ordinances, codes and requirements. In the event of any conflict between the City and municipal or county ordinances, codes or requirements, the City shall prevail.

- 19) The Owner(s) may elect to proceed with the work even though funding is not available. Reimbursement will be made when budgeted funds become available in accordance with this Program. Such installations must comply with all requirements of this Program to be eligible for future reimbursement.
- 20) The City may provide a waiver of those Program requirements listed above which deems appropriate based on evaluation of the individual circumstances related to a request for reimbursement.
- 21) The City shall have the sole authority to determine eligibility for participation, prioritization of requests and compliance with all City ordinances.

**Summary of Time Frames  
Required by Program Requirements**

- 1) City reserves properly completed Application for Participation.
- 2) City observes the building and issues a Notice of Eligibility or Non-Eligibility to the Owner(s).
- 3) If Owner(s) receives Notice of Eligibility, Owner has six (6) months from the date of the Notice to submit all required information. The Notice of Eligibility shall identify all sources of infiltration and inflow which must be eliminated at the Owner(s) expense.
- 4) Upon receipt of all required information, City reviews and issues preliminary approval and provides Agreement for Cost Reimbursement Program for Owner(s) signature. Owner(s) must return signed Agreement and signed proposal for installation of the backflow prevention device and repair of infiltration and inflow sources identified in the Notice of Eligibility with selected contractor within thirty (30) days of the date of preliminary approval.
- 5) Upon submittal to the City of the signed Agreement and signed proposal with selected contractor, Owner(s) and contractor must obtain all permits (if required), complete the work, request observation by the City and the building authority, and submit an invoice or paid receipt within six (6) months of the date of the preliminary approval. Upon receipt of an unpaid invoice, the City will write a two-party check to the contractor and homeowner after approval by the City Council at the next Council meeting.
- 6) If Owner(s) fails to comply with the allotted time frames detailed above, funding priority ceases and Owner(s) must submit new Application for Participation and such application will be treated as a new application for determination of funding eligibility.