

City of Brownton

335 Third Street South

P.O. Box 238

Brownton, MN 55312-0238

(320) 328-5318

December 2, 2020

TO: Realtors

FROM: Lori Cacka, City Clerk

RE: Point of Sale Ordinance

Dear Realtors,

The purpose of this letter is to inform local realtors of the Point of Sale Ordinance adopted by the City of Brownton Council on December 1, 2020. In an effort to minimize the cost of treating storm water entering the sanitary sewer system, the city now requires a Certificate of Sanitary Sewer Compliance to be on file at City Hall prior to the sale of any property within the City of Brownton. I have enclosed a copy of the city's ordinance and a copy of the required certification for your information.

Prior to the closing, the seller must file the Certificate of Compliance with the City. To obtain the required certification, the homeowner must have an inspection completed of their sump basket and televise the private sanitary sewer service line from the home to the sanitary sewer main. The city requires existing sump baskets to be properly plumbed, and private sanitary sewer service lines to be in proper working order with no illegal connections. The Certificate of Compliance is good for a period of 5 years. These companies may also provide repair services after the initial inspection.

The city appreciates your cooperation in minimizing costs related to treating storm water. If you have any questions please call 320-328-5318. Contractors can be contacted directly to schedule inspections.

Regards,



Lori Cacka

City Clerk/Treasurer

cityclerk@cityofbrownton.com

"The City of Brownton is an Equal Opportunity Provider and Employer."

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STORM WATER DISCHARGE POINT OF SALE COMPLIANCE PROGRAM

The Brownton City Council has approved a "Point of Sale" compliance program. Here is a list of suggested companies that have televising equipment.

SEWER SERVICE COMPLIANCE AUTHORIZED CONTRACTORS

Drain Pro's	866-525-7767 or 612-685-3861
Litzau Excavating	320-395-2467
Ronnie's Rapid Rooter	612-462-6367

All of these companies can provide competitive inspection services to verify that storm water is not discharged into the sanitary sewer system. Sewer lines, sump pumps, foundation and/or roof drains will be evaluated with recommended repairs for program compliance.

During the winter months, if repairs are not possible, an escrow account must be established at closing. Later, when weather conditions allow, corrective work can proceed to bring property in to compliance. In closing, the Point of Sale program applies to all real estate transactions after January 1, 2021.

If you have further questions regarding the Point of Sale compliance program and /or wish to see a complete copy of the ordinance, please reference the City of Brownton website ordinance #95 under the City Policies/Ordinances tab. You can also contact the city office at cityclerk@cityofbrownton.com or 320-328-5318.

Regards,



Lori Cacka

City Clerk/Treasurer

cityclerk@cityofbrownton.com

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SEWER SERVICE COMPLIANCE INSPECTION

Date: _____
Property Owner: _____

Please send completed form to:
City of Brownton
PO Box 238
Brownton MN 55312

cityclerk@cityofbrownton.com

Copy of disk Televised
Live Attached: _____

320-328-5318

Compliance	Non-Compliance	
<input type="checkbox"/> No Foundation Drain	<input type="checkbox"/> Camera Under Water	<input type="checkbox"/> Missing Sewer Pipe
<input type="checkbox"/> No Sump Pump	<input type="checkbox"/> Blockage (stops camera)	<input type="checkbox"/> Leaking Sewer Pipe
<input type="checkbox"/> Sump Pump Installed Correctly	<input type="checkbox"/> Internal Sewer Line Problems	<input type="checkbox"/> Foundation Drain Connection
<input type="checkbox"/> Sewer Lateral OK	<input type="checkbox"/> Tree Roots	<input type="checkbox"/> Further Inspection Require
	<input type="checkbox"/> Sump Pump Installed Incorrectly	<input type="checkbox"/> Other

Notes:

Company Name: _____

Company Address: _____

Name of Company Representative: _____

Certification: _____

Public Works Supervisor Signature/Date: _____

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SANITARY SEWER CERTIFICATION

ESCROW AGREEMENT

This Agreement is made as of the ____ day of _____, 20__, by and between the City of Brownton, a Minnesota municipal corporation, ("City") and:

_____ ("Buyer") whose address following the sale shall be: _____;

And

_____ ("Seller") whose address following the sale shall be: _____;

RECITALS:

- A. The City has enacted Ordinance 95 requiring point of sale certification for sanitary sewer line serving the property prior to the sale.
- B. Where a property is not in compliance, and cannot be brought into compliance due to weather restrictions, the sale may take place provided that the Buyer and Seller enter into this agreement with the City and provide for the completion of the repairs.
- C. Buyer and Seller have entered into an agreement for the sale of property located at _____, Brownton, Minnesota (the "Property").

Now, therefore, the parties agree as follows:

Buyer Seller shall deposit the sum of \$_____ with the City which sum is a reasonable estimate of the cost to bring the sewer line into compliance.

Buyer Seller shall cause the work to be completed on or before _____, 20____ and shall provide documentation thereof to the City.

Upon verification that the work has been completed to the satisfaction of the Public Works Supervisor, the City shall provide the compliance certificate to the Buyer and shall release the escrowed funds to:

Buyer Seller.

In the event that the work has not been completed by the date set forth above, the City may cause the work to be completed and may draw against the escrow for the cost thereof. In the event that the escrow is insufficient to reimburse the City for the costs incurred in completing the work, the City may assess the unreimbursed costs against the Property for payment with the real estate taxes. This provision grants the City a license to act, however, the City is not obligated to perform the work.

Buyer waives any and all procedural and substantive objections to the assessment, including but not limited to hearing requirements and any claim that the assessment exceeds the benefit to the Property. Buyer waives any appeal rights otherwise available pursuant to Minn. Stat. §429.081.

The City and its officers, agents and employees shall not be personally liable or responsible in any manner to Buyer or Seller for any claims, demands, damages, actions, or causes any action of any kind

or character whatsoever arising out of the design, performance, and completion of the work pursuant to this Agreement.

This Agreement shall be governed by the laws of the State of Minnesota.

Dated: _____

City of Brownton

Lori Cacka, City Clerk

Buyer(s):

Seller(s):

