

CHAPTER 8. UTILITIES

Section 800 - Water System

800.01 General Operation. The City municipal water works system ("water works" shall be operated as a public utility and convenience from which revenue shall be derived, subject to the provisions of this Chapter. A water division, under the supervision of the Public Works Director, shall be responsible for the management, maintenance, care and operation of the water works.

800.02 Use of Water Restricted to Authorized Persons. No person, firm, or corporation shall make, construct, or install any water service installation connected to the City water works or make use of any water service which is connected to the City water system, except in the manner provided in this Chapter. No building or property outside of the City limits shall be permitted to connect to or use the City water works unless annexation procedures are in process.

800.03 Willful Damage to Water System. No person shall willfully remove or damage any structure, appurtenance, or property of the water system, or fill or partially fill any excavation, or raise or open any gate constructed or maintained for the water system.

800.04 Applications for Service. Application for a water service installation and for water service shall be made on forms prescribed by the Public Works Director and furnished by the City at the

Clerk-Treasurer's office. By signature, the applicant shall agree to conform to this Chapter and to rules and regulations that may be established by the City as conditions for use of water. Application for a service installation shall be made by the owner of the property to be served or by the owner's agent. The applicant shall at the time of making application pay to the City the amount of the fees or deposit required for the installation of the service connection as provided. When a water service connection has been installed, application for water service may be either by the owner or the owner's agent or by the tenant or occupant of the premises.

800.05 Connections.

Subd. 1 Approval. The size of water service connections and meters shall be subject to approval of the Public Works Director. A meter spacer shall be furnished to the contractor or plumber, upon request, one day before starting construction of a water service; meter spacers shall be returned when the Public Works Director installs a meter after completion of water service installation.

Subd. 2 Restrictions. Utility connections must be made and determined to be operational prior to November 1 but after April 1 of any year. Connections made during the winter may be attempted if the applicant agrees to pay for any additional expense incurred; however, the City shall make no guarantee that such connections would be possible.

Subd. 3 Permit and Fee. No connection shall be made to the city water system without a permit received from the Public Works Department and made available from

the Clerk. The fee for each such permit shall be \$100.00 for residential water main connection permit and \$200.00 for a commercial connection. These fees shall be in addition to any fees required under this Chapter.

Subd. 4 Connection Fees. When a connection requires installation of a service line from the main to the property line, the applicant for a permit shall pay to the City an amount not less than the cost of making the necessary connections, installation of pipe, excavation costs from the main to the building and appurtenances to provide service to the property and the necessary street repairs.

Subd. 5 Certification. No permit shall be issued to connect with any water main unless the Public Works Department certifies to the truth of one of the following or the payment required under Subdivision 6 is made:

- A. That the lot or tract to be served has been assessed for the cost of construction of the main with which the connection is made or that proceedings for levying such assessment have been or will be commenced in due course; or

- B. That the cost of construction of the main has been paid by the developer or builder platting the lot or tract; or

C. That, if neither of the foregoing is true, a sum equal to the portion of the cost of constructing the main which would be assessable against the lot or parcel has been paid to the City.

Subd. 6 Additional Connection Fee. If no certificate can be issued under Subdivision 5, the applicant shall pay an additional connection fee equal to the portion of the cost of construction of the main attributable to the property upon the same basis as any assessment previously levied against other property for the main. The determination shall be made by the Public Works Department. If no such assessment has been levied, the assessable cost shall be determined upon the basis of the uniform charge which may have been or will be charged for similar connection with the main. The amount shall be determined on the basis of the total assessable cost of the main allocated on the basis of frontage.

800.06 Plumbing Regulations.

Subd. 1 State Plumbing Code. The Minnesota State Plumbing Code, as adopted in Chapter 9 of this Code as part of the State Building Code, is also made a part of this Chapter as amended in this Section.

Subd. 2 Service Pipes. Every service pipe shall be laid with sufficient bend to allow not less than one foot of extra length and in such manner as to prevent rupture by settlement. The service pipe shall be placed not less than six feet below the surface

and be so arranged as to prevent rupture by freezing. A shut-off or other stop cock of the size and strength required shall be placed close to the inside wall of the building and be well protected from freezing. Copper tubing shall be used for all services of two inches or less in diameter. Joints on copper tubing shall be as few as possible and not more than one joint shall be used for a service up to 70 feet in length. Each joint shall be left uncovered until inspected by the City. Every service over two inches in diameter shall be cast iron, or whatever is acceptable in accordance with the State Plumbing Code. Connections with the main for domestic supply shall be at least 3/4ths of an inch. The city shall supply a curb box, corporation stop, and sufficient copper pipe to carry the water supply from the main to the curb box location. The homeowner is responsible for the excavation from the water main to the home.

Subd. 3 Location of Stop Boxes. Curb stop boxes shall be installed generally where desired by the owners of occupied properties, but they shall be placed as near as possible to the curb if on a street or within one foot of the alley line if the main is located in the alley. They shall be, installed at an approximate depth of seven feet below the established grade and shall be left in an accurate vertical position when back-filling is completed.

800.07 Water Meters.

Subd. 1 Use of Water Meters. Except for the extinguishment of fires, no person, except authorized City employees, shall use water from the water system or permit water to be drawn

from the water system unless the water be metered by passing through a meter supplied or approved by the City. No person not authorized by the Public Works Director shall connect, disconnect, take apart, or in any manner change, or cause to be changed, or interfere with any such meter or the action thereof.

Subd. 2 Meters Provided. The City shall provide a water meter for each water connection installed.

Subd. 3 Fee. A water meter fee equal to no less than the cost of a suitable meter shall be paid by the owner of the property when a meter is furnished by the City as provided in this Section.

Subd. 4 Water Meter Installation. Every water meter shall be installed in accordance with the following provisions:

A. The service pipe from the water main to the meter shall be brought through the floor in a vertical position where the pipe enters the building. The customer service meter valve shall be no less than twelve inches nor more than twenty-four inches above the floor.

B. The top of the meter shall not be over three feet above the finished floor line. The meter shall be set not more than twelve inches horizontally from the inside line of the basement wall unless a different position is approved by the Public Works Department. A suitable bracket shall be provided to support the meter in a proper vertical position and prevent noise from vibration.

C. Each meter installation shall have a customer service meter valve on the street side of the meter. In no case shall less than twelve inches nor more than twenty-four (24) inches of pipe be exposed between the point of entrance through the basement floor and the customer service meter valve. A customer service meter valve shall also be installed on the house side of the meter. Customer service meter valves shall be purchased by the owner and installed by the plumber.

D. The water pipe connecting the main shall not exceed two (2) feet under the basement wall to the water meter connection.

E. Meter setting devices for 5/8 inch, 3/4 inch and 1 inch meters shall be of copper pipe or tubing from the terminus of the service pipe up to and including the customer service meter valve on the building site.

Subd. 5 Meter Maintenance. The City shall maintain and repair all meters when rendered unserviceable through ordinary wear and tear and shall replace them, if necessary. However, where replacement, repair, or adjustment of any meter is rendered necessary by the act, neglect, including damage from hot water backup or carelessness of the owner or occupant of any premises, any expenses caused the City thereby shall be charged against and collected from the water consumer.

Subd. 6 Meter Testing. A consumer may, by written request, have his or her meter tested by depositing an amount as set from time to time by the Council, with the public works supervisor.

If the meter is found to be operating properly and there is less than a 5% error the meter testing deposit shall be retained by the City. In case a test should show an error of over 5% of the water consumed, the deposit shall be refunded to the consumer, a correctly registering meter shall be installed, and the bill shall be adjusted accordingly if the meter erred in favor of the City. Such adjustment shall not extend back more than one billing period from the date of the written request.

Subd. 7 City Access. Authorized City employees shall have access at reasonable hours of the day to all parts of every building and premises connected with the water system for reading of meters and inspections.

800.08 Supply From One Service. No more than one house or building shall be supplied from one service connection except by special permission of the Council. Whenever two or more parties are supplied from one pipe connecting with a service main, each building or part of building separately supplied shall have a separation stop box and separate meter.

800.09 Private Water Supply. No water pipe of the City water system shall be connected with any pump, well, or tank that is connected with any other source of water supply. When any such connection is found, the Public Works Department shall notify the owner to sever the connection and if this is not done immediately, the City shall turn off the water supply forthwith. Before any new connection to the City system is permitted, the Public Works Department shall ascertain that no cross connection will exist when the new connection is made.

800.10 Street Repair. In case installation is to be upon a surfaced street it shall be the contractors responsibility to restore the portion of roadway as soon as possible to its original condition, subject to approval by the public works supervisor.

800.11 Turning on Water, Tapping Mains. No person except an authorized City employee shall turn on any water supply at the stop box or tap any distributing main or pipe of the water supply or system or insert a stop cock or other appurtenance therein without a City permit.

800.12 Repair of Leaks. The consumer or owner shall be responsible for maintaining the service line from the curb box into the building served. Routine maintenance includes repairing ruptured lines caused from freezing, removing obstructions caused by roots, foreign objects, rust buildup and any excavating costs incurred.

If the consumer or owner fails to repair any leak in such service pipe within twenty-four (24) hours after notice by the City, the City may turn the water off. When the waste of water is great or damage is likely to result from the leak, the City shall turn the water off immediately upon the giving of notice if repair is not commenced immediately.

800.13 Temporary Discontinuance of Service. The City may discontinue service to any water consumer without notice for necessary repairs, new connection, or when necessary for extra water pressure to fight fires or for other public purposes. The City shall not be liable for any deficiency or failure of water supply under this Subsection.

800.14 Use of Fire Hydrants. No person other than an authorized City employee or City firefighter shall operate a fire hydrant or interfere in any way with the City water system without first obtaining authority to do so from the Public Works Department.

800.15 Restricted Hours. Whenever the Council determines that a shortage of water supply threatens the City, it may, by resolution, limit the times and hours during which City water may be used for sprinkling, irrigation, car washing, air conditioning, or other specified uses. After publication of the resolution or two (2) days after mailing of the resolution to each customer, no person shall use or permit water to be used in violation of the resolution and any customer who does so shall be charged \$100.00 for each day of violation and the charge shall be added to the customer's next water bill. If the emergency requires immediate compliance with terms of the resolution, the Council may provide for the delivery of a copy of the resolution to the premises of each customer, and any customer who has received such notice and thereafter uses or permits water to be used in violation of the resolution shall be subject to the charge provided above. Continued violation shall be cause for discontinuance of water service.

800.16 Permitting Use By Others. No person shall permit City water to be used for any purpose except upon the person's own premises except in an emergency and then only if written permission is first obtained from the Public Works Department. Anyone wishing to obtain water from a hydrant for construction purposes shall make application to the Public Works Department for such services.

800.17 Use of Water for Air Conditioning.

Subd.1 Pre-existing Systems. All air conditioning systems installed prior to January 3,1980 and which are connected directly with the public water system and which are of the nonconserving type and having the regulating devices as hereinafter provided for, shall pay a demand charge on each rated ton capacity of \$20.00 per rated ton, per year. The demand charge shall be in addition to the current charges for water used and shall be billed annually on or about January 1 of each year and shall be due and payable without penalty on the due date indicated on the bill, and shall be subject to all the rules and regulations of this Ordinance in regard to the collection of water bills, including penalties for non-payment thereof.

Subd. 2 Maximum Rate. The use of water from the water system for any non-conserving air conditioning system, regardless of size, shall not exceed a rate of one and one-half gallons per ton of refrigeration under maximum summer conditions, and a water regulating valve or device limiting the use of water to the above maximum rate shall be installed and in operation.

Subd. 3 Council Authorization. Use of water for air conditioning shall be by Council permission only.

800.18 History of Frozen Pipes. Homes that have experienced freezing service line problems shall be required to run a faucet in their home during extreme cold periods to prevent reoccurrence of freezing. An adjustment will be made to the water and sewer bills in these homes. A calculation of the average usage during previous months will be used for billing purposes. In the alternative, the owner may insulate the service line or relocate it below the frost level.

800.19 Public Utilities Fund. There shall be maintained a public utilities fund, which fund shall be used to meet all of the expenses for operating, maintenance, repair and expansion of the water system and for the administration of the water system. There shall be paid into the fund all monies collected pursuant to this Chapter, together with the other funds as may be paid into the fund pursuant to resolution of the Council. The accounting procedure shall conform to the requirements and recommendations of the auditor of the State of Minnesota.

800.20 Account Liability. The owner shall be liable for water supplied to the owner's property, whether occupied by the property owner or not, and any charges unpaid shall be a lien upon the property, and shall be collected in the manner set forth in Subsection 800.22 below.

800.21 Bills for Service. Water and sewer service charges shall be billed together. Bills shall be mailed to customers monthly and shall specify the water consumed and the sewer and water charges in accordance with the rates set out this Chapter.

800.22 Delinquent Accounts. All charges for water and sewer service shall be due on the monthly due date specified by the City for the respective account and shall be delinquent for fifteen (15) days thereafter. The City shall endeavor to collect delinquent accounts promptly. In any case, where satisfactory arrangements for payment have not been made, the Public Works Department may, after the procedural requirements of this Section have been complied with, discontinue service to the delinquent customer by shutting off the water at the stop box. When the water service to any premises has been discontinued, service shall not be restored except upon the payment of all delinquent bills and a fee of \$40.00. Delinquent accounts shall be certified to the

Clerk-Treasurer who shall prepare an assessment roll each year providing the assessment of the delinquent amounts against the respective property's service. The assessment roll shall be delivered to the Council for adoption on or before November 30 of each year for certification to the county auditor for collection along with taxes. Such action is optional and may be subsequent to taking legal action to collect delinquent accounts.

800.23 Water Rates.

Subd.1 Service Charge. Each water user shall pay a service charge each month during which water service is furnished as follows: \$.44 surcharge, a penalty of 1.5% shall be added if the bill is unpaid after three (3) days from the due date.

Subd. 2 Rates. In addition each water user shall pay for water used each month at the rate of \$.34 for the 1st 1700 gallons, \$.156 for the next 8300 gallons and \$.122 in excess of 10,000 gallons. A minimum charge shall be based on 1700 gallons.

Subd. 3 Faulty Meter. In case a meter is found to have stopped or to be operating in a faulty manner, the amount of water used shall be estimated in accordance with the amount used previously in comparable periods of the year.

Subd. 4 Sprinkler Systems. Where a connection is made to an automatic sprinkler system for standby service only, a charge for the service shall be made as set from time to time by the Council. The rates shall apply in all cases where automatic sprinklers are installed and where

fire gates and other outlets are sealed. Meters or detector check valves must be installed on the services as required by the City engineer.

Subd. 5 Extra-territorial Service. Rates due and payable by each water user located beyond the territorial boundaries of the City, shall be determined by special contract.

Subd. 6 Rates Restructuring. The City Council shall annually determine whether or not sufficient revenue is being generated for the effective operation, maintenance, replacement and management of the water service system. The City shall thereafter, reassess, and as necessary revise the Water Service Charge then in use to insure the sufficiency of funds to maintain the capacity and performance to which the facilities were constructed.

800.24 Discontinuance of Service.

Subd. 1 Violations. Water service may be shut off at any stop box connection whenever:

- A. The owner or occupant of the premises served, or any person working on any pipes or equipment thereon which are connected with the water system, has violated or threatens to violate any of the provisions of this Chapter.

- B. Any charge for water, service, meter, or any other financial obligation imposed on the present or former owner or occupant of the premises served is unpaid and in default.

C. Fraud or misrepresentation by the owner or occupant of the premises served in connection with an application for service.

Subd. 2 Fee. A fee shall be established from time to time by the Council for shutting off water service or sewer service, or both, and for reinstating water service or sewer service, or both.

Subd. 3 Procedure. Water shall not be shut off until notice and an opportunity for a hearing has first been given the occupant of the premises and, if different from the occupant, the applicant for water service. Notice shall be served by leaving it at the premises served and; if different than the address served, by mailing copy of the same to the address shown on the application. The notice shall state the reasons for shut off of water service and that the water service shall be shut off on a specified date if the condition causing the shut off is not rectified. The notice shall further state that a hearing on the shut off may be demanded before the shut off date. If a hearing is requested service shall not be discontinued until the hearing has been held and a hearing shall be held at least 5 days after the demand before an impartial officer. If as a result of the hearing the officer finds that a violation has occurred which justifies shut off under this Chapter, the water service may be shut off. No water service which is part of a residence's primary heating source shall be shut off between October 15 of any year and the following April 15 until the procedures of the Minnesota Cold Weather Rule, Minn. Stat. 216B.097, have been followed.

800.25 Abandoned Services.

Subd. 1 Removal. All service installations that have been abandoned or have not been used for three years or which have become useless for further service may be disconnected at the main by the City and all pipe and appurtenances removed shall be the property of the City.

Subd. 2 New Service. When new buildings are erected on the site of old ones, and it is desired to increase or change the old water service, no connections with the mains shall be made until all the old service shall have been removed and the main plugged.

Section 810 - Sewer Use Regulations

810.01 Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this Section shall have the meanings designated:

Subd. 1 Act. "Act" shall mean the Federal Water Pollution Control Act also referred to as the Clean Water Act, as amended, 33. U.S.C. 1251, et seq.

Subd. 2 ASTI. "ASTI" shall mean the American Society for Testing Materials.

Subd. 3 Authority. "Authority" shall mean the City, or its representative.

Subd. 4 BODS or Biochemical Oxygen Demand. "BODS" or "Biochemical Oxygen Demand" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 Centigrade in terms of milligrams per liter (mg/l).

Subd. 5 Building Drain. "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning immediately outside the building wall.

Subd. 6 Building Sewer. "Building Sewer" shall mean the extension from the building drain

to the public sewer or other place of disposal, also referred to as a house connection or service connection.

Subd. 7 City. "City" shall mean the area within the corporate boundaries of the City of New Richland as presently established or as amended by ordinance or other legal actions at a future time. The term "City" when used in this Section may also be used to refer to the City Council and its authorized representative.

Subd. 8 Chemical Oxygen Demand (COD). "Chemical Oxygen Demand (COD)" shall mean the quantity of oxygen utilized in the chemical oxidation of organic matter as determined by standard laboratory procedures, and as expressed in terms of milligrams per liter mg/l.

Subd. 9 Compatible Pollutant. "Compatible Pollutant" shall mean biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the NPDES/SDS Permit if the treatment facilities are designed to treat the pollutants to a degree which complies with effluent concentrations limits imposed by the permit.

Subd. 10 Control Manhole. "Control Manhole" shall mean a structure specially constructed for the purpose of measuring flow and sampling of wastes.

Subd. 11 Easement. "Easement" shall mean an acquired legal right for the specific use of land owned by others.

Subd.12 Fecal Coliform. "Fecal Coliform" shall mean any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

Subd. 13 Floatable Oil. "Floatable Oil" shall mean oil, fat, or grease in a physical state, such that it shall separate by gravity from wastewater.

Subd. 14 Garbage. "Garbage" shall mean animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.

Subd. 15 Incompatible Pollutant. "Incompatible Pollutant" shall mean any pollutant that is not defined as a compatible pollutant (Subd. 9) including non-biodegradable dissolved solids.

Subd. 16 Industry. "Industry" shall mean any nongovernmental or nonresidential user of a publicly owned treatment works which is identified in the Standard industrial Classification Manual, latest edition, which is categorized in Divisions A, B, D, E, and I.

Subd. 17 Industrial Waste. "Industrial Waste" shall mean gaseous, liquid, and solid wastes resulting from industrial or manufacturing processes, trade or business, or from the development, recovery, and processing of natural resources, as distinct from residential or domestic strength wastes.

Subd. 18 Infiltration. "Infiltration" shall mean water entering the sewage system (including

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building drains and pipes) from the ground through such means as defective pipes, pipe joints, connections, and manhole walls.

Subd. 19 Infiltration/Inflow (I/I). "Infiltration/Inflow (M)" shall mean the total quantity of water from both infiltration and inflow.

Subd. 20 Inflow. "Inflow" shall mean water other than wastewater that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, yard and area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers, catch basins, surface runoff, street wash waters or drainage.

Subd. 21 Interference. "Interference" shall mean the inhibition or disruption of the City's wastewater disposal system processes or operations which causes or significantly contributes to a violation of any requirement of the City's NPDES and/or SDS Permit. The term includes sewage sludge use of disposal by the City in accordance with published regulations providing guidelines under Section 405 of the Act or any regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria applicable to the method of disposal or use employed by the City.

Subd. 22 MPCA. "MPCA" shall mean Minnesota Pollution Control Agency.

Subd. 23 National Categorical Pretreatment Standards. "National Categorical Pretreatment

Standards" shall mean Federal regulations establishing pretreatment standards for introduction of pollutants in publicly-owned wastewater treatment facilities which are determined to be not susceptible to treatment by the treatment facilities or would interfere with the operation of the treatment facilities, pursuant to Section 307 (b) of the Act.

Subd. 24 National Pollutant Discharge Elimination System (NPDES) Permit. "National Pollutant Discharge Elimination System (NPDES) Permit" shall mean a permit issued by the MPCA, setting limits on pollutants that a permittee may legally discharge into navigable waters of the United States pursuant to Sections 402 and 405 of the Act.

Subd. 25 Natural Outlet. "Natural Outlet" shall mean any outlet, including storm sewers and combined sewers, which overflow into any outlet, including storm sewers and combined sewers, which overflow into a watercourse, pond, ditch, lake or other body of surface water or ground water.

Subd. 26 Non-contact Cooling Water. "Non-contact Cooling Water" shall mean the water discharged from any use such as air conditioning, cooling or refrigeration, or during which the only pollutant added is heat.

Subd. 27 Normal Domestic Strength Waste. "Normal Domestic Strength Waste" shall mean wastewater that is primarily introduced by residential users with a BODS concentration not greater than 150 mg/l and a suspended solids (TSS) concentration not greater than 175 mg/l.

Subd. 28 Person. "Person" shall mean any individual, firm, company, association, society, corporation, or group.

Subd. 29 pH. "pH" shall mean the logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.

Subd. 30 Pretreatment. "Pretreatment" shall mean the treatment of wastewater from industrial sources prior to the introduction of the waste effluent into a publicly-owned treatment works. (See Subd. 23).

Subd. 31 Properly Shredded Garbage. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than 1/8-inch (1.27cm,) in any dimension.

Subd. 32 Sewage. "Sewage" shall mean the spent water of a community. The preferred term shall be wastewater.

Subd. 33 Sewer. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water. Sewers shall be classified as follows:

- A. Collection Sewer. "Collection Sewer" shall mean a sewer whose primary purpose shall be to collect wastewater from individual point source discharges and connections.

- B. Combined Sewer. "Combined Sewer" shall mean a sewer intended to serve as a sanitary sewer and a storm sewer.

- C. Forcemain. "Forcemain" shall mean a pipe in which wastewater is carried under pressure.

- D. Interceptor Sewer. "Interceptor Sewer" shall mean a sewer whose primary purpose shall be to transport wastewater from collection sewers to a treatment facility.

- E. Private Sewer. "Private Sewer" shall mean a sewer which is not owned and maintained by a public authority.

- F. Public Sewer. "Public Sewer" shall mean a sewer owned, maintained and controlled by a public authority.

- G. Sanitary Sewer. "Sanitary Sewer" shall mean a sewer intended to carry only liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters which shall not be admitted intentionally.

- H. Storm Sewer or Storm Drain. "Storm Sewer" or "Storm Drain" shall mean a drain or sewer intended to carry storm waters, surface runoff, ground water, sub-surface water, street wash water, drainage, and unpolluted water from any source.

Subd. 34 Shall/May. Shall shall mean mandatory; May shall mean permissive.

Subd. 35 Significant Industrial User. "Significant Industrial User" shall mean any industrial user of the wastewater treatment facility which has a discharge flow (1) in excess of 25,000 gallons per average work day, or (2) has exceeded five percent (5%) of the total flow received at the treatment facility, or (3) whose waste contains a toxic pollutant in toxic amounts pursuant to Section 307 (a) of the Act, or (4) whose Discharge has a significant effect, either singly or in combination with other contributing industries, on the wastewater disposal system, the quality of sludge, the system's effluent quality, or emissions generated by the treatment system.

Subd. 36 Slug. "Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average 24-hour concentration of flows during normal operation, and shall adversely affect the collection and/or performance of the wastewater treatment works.

Subd. 37 State Disposal System (SDS) Permit. "State Disposal System (SDS) Permit" shall mean any permit (including any terms, conditions and requirements thereof) issued by the MPCA pursuant to Minnesota Statutes 115.07 for a disposal system as defined by Minnesota Statutes 115.01, Subdivision 5.

Subd. 38 Superintendent. "Superintendent" shall mean the wastewater superintendent or a deputy, agent or representative thereof.

Subd. 39 Suspended Solids (SS) or Total Suspended Solids (TSS). "Suspended Solids (SS)" or "Total Suspended Solids (TSS)" shall mean the total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater", latest edition, and referred to as non-filterable residue.

Subd. 40 Toxic Pollutant. "Toxic Pollutant" shall mean the concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse affects as defined in standards issued pursuant to Section 307 (a) of the Act.

Subd. 41 Unpolluted Water. "Unpolluted Water" shall mean water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards, and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities. (See "Non-contact Cooling Water", Subd. 26).

Subd. 42 User. "User" shall mean any person who discharges or causes or permits the discharge of wastewater into the City's wastewater disposal system.

Subd. 43 Wastewater. "Wastewater" shall mean the spent water of a community and referred to as sewage. From the standpoint of source, it may be a combination of the liquid and watercarried wastes from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface water and storm water that may be present.

Subd. 44 Wastewater Treatment Works or Treatment Works. "Wastewater Treatment Works" or "Treatment Works" shall mean an arrangement of any devices, facilities, structures, equipment, or processes owned or used by the City for the purpose of the transmission, storage, treatment, recycling, and reclamation or municipal sewage, domestic sewage or industrial wastewater, or structures necessary to recycle or reuse water including interceptor sewers, outfall sewers, collection sewers, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof, elements essential to provide a reliable recycled water supply such as standby treatment units and clear well facilities; and any works including land which is an integral part of the treatment process or is used for ultimate disposal of residues resulting from the treatment.

Subd. 45 Watercourse. "Watercourse" shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.

Subd. 46 WPCF. "WPCF" shall mean the Water Pollution Control Federation.

810.02 Wastewater Superintendent and Sewer District.

Subd. 1 Appointment. The City Council shall appoint a Wastewater Superintendent to oversee the City's sewer systems.

Subd. 2 Duties and Powers. The Wastewater Superintendent shall have control and general supervision of all public sewers and service connections in the City, and shall be responsible

for administering and provisions of this Section to the end that a proper and efficient public sewer shall be maintained.

Subd. 3 Sewer District. There shall be a is hereby created in and for the the City a sewer district to be hereafter known and numbered as "Sewer District No. 1. The boundaires of Sewer District 1 shall be coterminous with the boundaries of the City.

810.03 Regulations for Using Collection System.

Subd.1 Unlawful Deposit. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under jurisdiction, any human or animal excrement, garbage or objectionable waste.

Subd. 2 Treatment Required. It shall be unlawful to discharge to any natural outlet any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Section and the City's NPDES/SDS Permit.

Subd. 3 Privies. Except as provided hereinafter, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

Subd. 4 Mandatory Connection. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes from which wastewater is

discharged, and which is situated within the City and adjacent to any street, alley, or right-of-way in which there is now located, or may in the future be located, a public sanitary sewer of the City, shall be required at the owner(s) expense to install a suitable service connection to the public sewer in accordance with provisions of this Code, within thirty (30) days of the date the public sewer is operational, provided the public sewer is within 500 feet of the structure generating the wastewater. All future buildings constructed on property adjacent to the public sewer shall be required to immediately connect to the public sewer. If sewer connections are not made pursuant to this Section, an official thirty (30) day notice shall be served instructing the affected property owner to make the connection.

Subd. 5 Failure to Connect. In the event an owner shall fail to connect to a public sewer in compliance with a notice given under Subdivision 4 of this Subsection, the City shall undertake to have the connection made and shall assess the cost thereof against the benefited property. Such assessment, when levied, shall bear interest at the rate determined by the City Council and shall be certified to the County Auditor and shall be collected and remitted to the City in the same manner as assessments for local improvements. The rights of the City shall be in addition to any remedial or enforcement provisions of this Section.

810.04 Private Wastewater Disposal.

Subd. 1 When Allowed. Where a public sewer is not available under the provisions of this Section, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Chapter.

Subd. 4 Conversion. At such time as a public sewer becomes available to a property serviced by a private wastewater disposal system, a direct connection shall be made to the public sewer within thirty (30) days; any septic tanks, cesspools, and similar private wastewater disposal systems shall be cleaned of sludge. The bottom shall be broken to permit drainage, and the tank or pit filled with suitable material.

810.05 Building Sewers and Connections.

Subd. 1 Capacity Requirement. Any new connection(s) to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities including, but not limited to capacity for flow,,,oä and Superintendent.

Subd. 2 Permit. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City.

Subd. 3 Application. Applications for permits shall be made by the owner or authorized agent and the party employed to do the work, and shall state the location, name of owner, street number of the building to be connected, and how occupied. No person shall extend any private building beyond the limits of the building or property for which the service connection permit has been given.

Subd. 4 Classifications. There shall be (2) classes of buildings sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the application shall be supplemented by any plans, specifications, or any other information considered pertinent in the judgement of the City. The industry, as a condition of permit authorization, shall provide information describing its wastewater constituents, characteristics, and type of activity.

Subd. 5 Expenses. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the City from any loss or damage that may be directly or indirectly occasioned by the installation of the building sewer.

Subd. 6 Separate Sewers. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered one building sewer. The City does not and shall not assume any obligation or responsibility for damage caused by or resulting from any such connection aforementioned.

Subd. 7 Use of Old Sewers. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent or his or her representative, to meet all requirements of this Section.

Subd. 8 Sewer Standards. The size, slopes, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of the State of Minnesota Building and Plumbing Codes or other applicable rules and regulations of the City. In the absence of code provisions or in the amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTI and WPCF Manual of Practice No. 9, shall apply.

Subd. 9 Elevation. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewer carried by the building drain shall be lifted by an approved means and discharged to the building sewer.

Subd. 10 Illegal Connections. No person(s) shall make or continue to maintain or permit connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or indirectly to the wastewater disposal system.

Subd.11 Connection Standards. The connection of the building sewer into the public sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the ASTI and WPCF Manual of Practice No. 9. All connections shall be made gastight and watertight, and verified by proper testing to prevent the inclusion of infiltration/inflow. Any deviation from the prescribed procedures and materials shall be approved by the City prior to installation.

Subd.12 Notice and Inspection. Applicant for the building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer. The connection and inspection shall be made under the supervision of the superintendent or authorized representative thereof.

Subd.13 Excavations. Excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work, shall be restored in a manner satisfactory to the City.

Subd. 14 License.

A. No person shall make a service connection with any public sewer unless regularly licensed under this Chapter or State law to perform the work, and no permit shall be granted to any person except such a licensed person.

B. Any person desiring a license to make a service connection with public sewers, shall apply in writing to the Clerk-Treasurer with satisfactory evidence that the applicant or employer is trained or skilled in the business and qualified to receive a license. All applications shall be referred to the Superintendent for approval. If approved by the Superintendent, the license shall be issued by the Clerk-Treasurer upon the filing of a bond as provided in this Subsection.

C. No license shall be issued to any person until a \$2,000.00 bond or a \$300.00 cash bond

to the City shall be filed with Clerk-Treasurer conditioned that the licensee shall defend, indemnify and hold harmless the City from all suits, accidents, and damage that may arise by reason of any opening in any street, alley, or public ground, made by the licensee or by those in the licensee's employment for any purpose whatever, and that the licensee shall replace and restore the street and alley over the opening to the condition existing prior to installation, adequately guard with barricades and lights and shall keep and maintain the same to the satisfaction of the Clerk-Treasurer, and shall conform in all respects to the rules and regulations of the Council relative thereto, and pay all fines that may be imposed on the licensee by law.

D. The Council may suspend or revoke any license issued under this Section for any of the following causes:

1. Giving false information in connection with the application for a license.
2. Incompetence of the licensee.
3. Willful violation of any provisions of this Section or any rule or regulation pertaining to the making of service connections.

Subd. 15 Expiration. The permit fee for making service connections shall be \$50.00. All permits shall expire on December 31 of the permit year unless the permit is suspended or revoked by the Council for cause. A Renewal shall be charged at a rate of 10 percent of the