

**Claremont City Code - Chapter Three
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Chapter 3: Municipal Utilities - Rules and Regulations, Rates, Charges and Collections

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CHAPTER 3
MUNICIPAL UTILITIES—RULES AND REGULATIONS,
RATES, CHARGES AND COLLECTIONS

SEC. 3.01. WATER SYSTEM.

Subd. A. General Rule. It is unlawful to make a tap or connection with or to any of the watermains of the city without first obtaining a permit in writing from the city council. Application for a permit must be in writing and made to the clerk. The application must contain a legal description of the premises to which water service is to be made. The application must be signed by the person seeking the permit and must contain the written consent of the owner of the premises to the introduction of water upon the premises. The application must also contain a provision that the applicant and owner of the premises will, in making the tap or connection, conform to all of the ordinances of the city relating to operation and use of the city waterworks, and all rules and regulations of the city relating to the operation and use of the city waterworks.

Subd. B. Permit: application. Before beginning the work of making a tap or connection to any watermain of the city, a person must examine the application for the permit and the permit. It is unlawful to make tap or connection to a watermain in the city except in strict accordance with the following specifications.

1. Service connection. A service connection must consist of a corporation cock, pipes on the streets of the city, curb cock, and curb box, all of which shall be properly connected and must be closed and made watertight and must comply with all requirements and standards of the Minnesota state plumbing code and the department of public health of the state of Minnesota.
2. Service pipes. Every service pipe must be laid in such manner as to prevent rupture by settlement. The service pipe shall be placed not less than seven feet below the surface in all cases so arranged as to prevent rupture and stoppage by freezing. Frozen service pipes between the main and the building shall be the responsibility of the owner. Service pipes must extend from the curb stops to the inside of the building, or if not taken into a building then to the hydrant or other fixtures which they are intended to supply. A valve, the same size as the service pipe, shall be placed close to the inside wall of the building, ahead of the meter and well protected from freezing. Joints on copper tubing shall be flared or compression-fitted, and kept to a minimum. Not more than one joint shall be used for a service up to seventy feet in length. All joints shall be left uncovered until inspected. Minimum size connection with the water mains shall be one inch in diameter.
3. Private water supplies. No water pipe of the City water system shall be connected with any pump, well, pipe, tank or any device that is connected with any other source of water supply and when such are found, the City shall notify the owner or occupant to disconnect the same and, if not immediately done, the City water

shall be turned off. Before any new connections to the City system are permitted, the City shall ascertain that no cross-connections will exist when the new connection is made. When a building is connected to City water the private water supply may be used only for such purposes as the City may allow.

4. Inspection and excavations. Upon inspection and approval, plumbers, contractors and other persons must promptly fill, to a degree and sufficiency established by the City, all excavations made by them in the making of any tap or connection to a watermain. Unless specifically directed by the City to undertake such work, the City will schedule and arrange for all blacktop, sidewalk or pavement repairs and shall bill the property owner for said work. In the event a permittee is directed to make such repairs, they shall be done in a workmanlike manner and shall be restored, to the satisfaction of the City, to at least as good a condition as they were in prior to the commencement of the excavation.
5. Excavation barricading. It is unlawful to leave an excavation made in any street or sidewalk or highway open without the same being properly barricaded by day and lighted by night.
6. Code requirement. All materials, piping, connections and appurtenances shall be installed and perform strictly in accordance with the Minnesota plumbing code and standards promulgated by the department of public health of the state of Minnesota and only plumbers or authorized employees of the City shall be permitted to do any work on service pipes or fixtures connected with the water system. Plumbers requesting connection shall give notice at least 16 business hours in advance of his/her need. Failure to install or maintain the same in accordance therewith, or failure to have or permit required inspections shall, upon discovery by the City, be an additional ground for termination of water service to any consumer.
7. Approval by Engineer. Prior to performing work or making improvements in any public right of way, the person applying for the permit shall submit such designs, plans or other information as required to the city engineer, and such work or improvements shall be allowed, and such permit issued, only upon the approval of the city engineer.

SUBD. B, ITEM 7, WAS ADOPTED BY THE CITY COUNCIL ON MAY 10, 2005.

8. Use of City Water System Required.
 - a. New Improvements to Property. In all improvements to property within the City which require the installation of a water source, the property shall be, at the owner's expense, connected to the city water system.
 - b. Private Wells in Use on Existing Lots. Properties upon which a private water source is currently in use may continue using the private water source; however, such use may not be expanded or altered. In the event

that substantial repairs or alterations are necessary to the private water source servicing a property, the property shall be, at the owner's expense, connected to the city water system.

SUBD. B, ITEM 8A & B, WAS ADOPTED BY THE CITY COUNCIL ON MAY 10, 2005.

Subd. C. Violations. Violation of this section is a misdemeanor.

Subd. D. Costs: fees. The city council will pay all costs and expense incurred in making the tap at the main, and for all the supplies and fittings and pipe necessary to carry the water from the main to the curb. Upon completion, inspection and approval of a new connection, the City shall own the main, the corporation/saddle connection to it and, the water line up to and including the curb stop. An applicant for a permit to tap or connect with the watermain or the owner of the premises must at the time of making application for such permit pay to the clerk a fee as determined by resolution of the city council, without regards to the location of the main. The owner must also provide for all excavating for the water pipe and shall pay all costs related to the repair of sidewalks, streets or pavements damaged due to such excavation or work. All work must conform to the Minnesota state plumbing code and Minnesota Department of Health requirements.

Subd. E. Permit Required. It is unlawful to make or cause any excavation to be made into, or any material to be placed upon any street, sidewalk, alley or other public ground of the city without a permit from the city clerk, which permit must state the character and location of the work, the name or names of the person or persons to whom the permit is granted, the date and length of time for which the same is granted, which will only be a reasonable time as will be necessary for the completion of the improvement and will be granted upon the express condition that the applicant will leave the street, sidewalk, alley or other public grounds at the expiration of the permit, in as good condition as when the permit was granted, and that the applicant will at all times keep the place properly guarded by day, and lighted by night, so as to prevent accidents, and will save the city harmless from any and all suits, damages, costs and charges that may accrue from the applicant's use of the street, sidewalk, alley or other public ground.

Subd. F. Rentals. The owner of all property described in the permit issued for any tap or connection to a watermain is liable for all water rentals, provided, however, that when any house or building is occupied by a tenant, the water rental may be paid by said tenant, but any billings shall be sent to, and are the responsibility of, the property owner.

Subd. G. Payments. Payment for all municipal utility services and charges are the responsibility of the owner of the premises served and will be billed to the owner unless otherwise contracted for and authorized in writing by the owner and the tenant as agent for the owner, and consented to by the city. The city may collect the payments in a civil action or, in the alternative and at the option of the city, as otherwise provided for in this section.

Subd. H. Lien. Each account is hereby made a lien upon the premises served. All such accounts which are more than 30 days past due may, when authorized by resolution of the city, be certified to the clerk, to the county auditor, and the clerk in so certifying may specify the amount thereof, the description of the premises served, and the name of the owner thereof, with notice to the owner, the occupant, and/or the user of the service. The amount so certified will be extended by the auditor on the tax rolls against such premises in the same manner as other taxes, collected by the county treasurer, and paid to the city along with other taxes.

Subd. I. Minimum Payment. When watermains have been tapped and connections have been made with the adjoining premises, the owner of the property must pay the minimum rate for water consumption, and for meter rent, regardless of the fact that the water is not used.

Subd. J. Water Rates. The clerk must keep a schedule of water rates as determined by the city council. The clerk must keep a full and complete record of all taps or connections made with the watermains of the city, date of application, the name of the applicant, a description of the premises into which water is introduced, the kind of materials used in making the connections, and any other information necessary to make a permanent and complete record. The clerk must receive all monies due and accruing from water rentals and meter rent and issue receipts therefor.

Subd. K. Liability. The city is not liable for deficiency or failure of water supply to consumers from any cause whatsoever.

Subd. L. Interference with System. It is unlawful to deface, injure or in any manner interfere with the tank, stand pipe or tower, the pumping plant, engines, motors or any part thereof, belonging to the city or to open city fire hydrants or in any manner interfere with them.

Subd. M. Meters.

1. Required. Patrons, consumers and other persons who have a tap or connection with the watermains of the city must install or cause to be installed upon the service pipe leading into and supplying their respective properties with water service, a water meter of a kind and type to be approved by the city. Water service to any person must be through meters only.
2. Meter rental. The city will install a water meter upon the premises of any consumer of city water at the cost and expense of the city.
3. Installation. Meters must be installed under the supervision and direction of the city council. A meter may not be removed or service discontinued therefor for any cause unless by a written permit of the city council.

4. Maintenance. The maintenance cost of the meters resulting from normal usage will be borne by the city, except in cases that a meter is frozen, or damage that results from anything other than normal usage, in such cases, the consumer must pay for its repair, a sum to be determined by the city council by resolution.
5. Statements. The clerk must prepare statements for each consumer at such intervals as the city council determines, showing all indebtedness for water service, water rental or meter charges. Such statements shall be sent to the property owner as the consumer. Utility charges will be mailed to each consumer and will be delinquent if they are unpaid by the 20th day of the billing month.

Subd. N. Service Shut Off. Municipal utilities may be shut off or discontinued whenever it is found that:

1. The owner or occupant of premises served, or any person working on any connection with the municipal utility system, has violated any requirements of the city code relative thereto, or any connection therewith, or
2. A charge for municipal utility service, or any other financial obligation imposed on the present owner or occupant of the premises served is unpaid after due notice thereof. If the water is shut off for failure to pay such charges, water shall not be turned on until the individual pays a reconnection fee. The reconnection fee is determined by resolution of the city council. Water service will not be shut off unless the user has been given notice of the opportunity to appear before the city council.

Subd. O. Rates. The rates for city water are determined by city council resolution.

Subd. P. Adoption of Minnesota State Plumbing Code. The minimum code of standards promulgated by the department of public health of the state of Minnesota and the Minnesota state plumbing code law are incorporated in this chapter by reference. Any part of the Minnesota state plumbing code law which may be in conflict with any part of this chapter prevails.

SECTION 3.02. WASTEWATER FACILITIES.

Subd. A. Definitions. For the purposes of this section, the terms defined in this Chapter have the meanings given them.

1. "Accounts" means the following separate and distinct accounts numbered in their order of priority. (i) "Operation and Maintenance Account" is an amount sufficient to pay the reasonable expenses of the routine operation and maintenance of the wastewater treatment facilities. (ii) "Depreciation account" represents the accumulated funds to be used for replacements and repairs to the system in order to maintain the system at design capacity for its useful life. (iii) "Bond account" represents an amount for paying the maturing principal and

- interest accruing on all bonds. (iv) "Bond reserve account" which represents additional monies to be used for payment of principal and interest when bond account accumulation are insufficient. (v) "Surplus account" represents funds remaining after all other accounts are satisfied and shall be applied to the operation and maintenance budget for the next year.
2. "Act" means the federal water pollution control act, Public Law 92-500, as amended.
 3. "Administrator" means the administrator of the United States environmental protection agency.
 4. "Apartments" means structures containing two or more dwelling units.
 5. An "applicant" means a person who is the owner of premises who has made written application to the city for a permit to install or repair a house connection.
 6. "Average domestic waste" means a production rate per capita, having BODs and suspended solids concentrations of 200 and 250 mg/l respectively.
 7. "Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter expressed in milligrams per liter (mg/l), as determined in accordance with standard laboratory procedure as set out in the latest addition of "Standard Methods for the Examination of Water and Wastewater" (latest edition).
 8. "Building drain" means that part of the lowest horizontal piping of a drainage system, which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.
 9. "Building sewer" means the extension from the building drain to the public sewer or other place of disposal, also called "house connection".
 10. "Chemical Oxygen Demand (COD)" means the quantity of oxygen utilized in the chemical oxidation of organic matter, expressed in milligrams per liter (mg/l), as determined in accordance with standard laboratory procedure as set out in the latest addition of "Standard Methods for the Examination of Water and Wastewater" Latest edition).
 11. "Collector sewer" means those sewers which receive the flow from laterals and submains of the sanitary sewer system.
 12. "Combination commercial and dwelling units" means structures containing both commercial units and dwelling units.

13. "Combined sewer" means a sewer intended to receive both wastewater and storm or surface water.
14. "Commercial customer" see user - "industrial" and "residential".
15. "Compatible pollutant" means the biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the publicly owned treatment facilities were designed to treat such pollutants and in fact does remove such pollutants to a substantial degree. Additional compatible pollutants may include chemical oxygen demand, total organic carbon, phosphorous and phosphorous compound, nitrogen and nitrogen compounds, fats, oils and grease of animal or vegetable origin except as prohibited under this chapter.
16. "Control manhole" means an observation and sampling point before the discharge to the public sewer system for use by the foreman. If such a point is not readily available, the first downstream public sewer system manhole shall be the control manhole.
17. "Debt service" means charges levied on users for the repayment of principal and interest on outstanding sewerage revenue bond issues.
18. "Depreciation" see "replacement".
19. "Director" means the chief administrative officer of the Minnesota pollution control agency.
20. "Easement" means an acquired legal right for the specific use of land owned by others.
21. "Extension" means a sanitary sewer main or lateral installed by a person for the purpose of extending the original sanitary sewer mains or laterals of the city or the sewer mains or laterals of the city which had been extended from time to time.
22. "Fecal coliform" means those members of the coliform group found in the feces of various warm-blooded animals.
23. "Federal grant" means a contractual obligation of the United States for the payment of the federal share of the allowable project costs, as determined by the regional administrator.
24. "Fiscal year" means from January 1st December 31st of the same year.
25. "Floatable oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility.

Wastewater is considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

26. "Foreman" means the Public Works Forman, as described in Claremont City Code, Section 2.23, who is in responsible charge of the operation, maintenance, repair and inspection of the wastewater facilities constructed by the city.
27. "Garbage" means the animal and vegetable waste resulting from handling, preparation, cooking, and serving of foods. "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of foods 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 ½ inch (1.27 centimeters) in any dimension.
28. "House connection" means the sewer line or pipe extending from that part of the sewer connection located adjacent to the property line of the premises to be served, to the house or building to be served.
29. "Incompatible pollutants" mean any pollutant which is not a "compatible pollutant".
30. "Individual sewage treatment system" means any properly constructed sewage treatment system intended solely for treatment of wastewaters from a single residence or a single building unit.
31. "Industrial wastes" mean the solid, liquid or gaseous wastes discharged to the city's wastewater treatment system, resulting from industrial or manufacturing processes, or from the development of any natural resource, as distinct from domestic or sanitary wastes.
32. "Interceptor sewer" means that portion of the sanitary sewer system which receives flows from laterals, submains, mains and collector sewers and transports said flows to the wastewater treatment works.
33. "Major contributing industry" means an industrial user of the publicly owned treatment facilities that: (i) has a flow of 50,000 gallons or more per average workday; (ii) has a flow greater than 5% of the flow carried by the municipal system receiving the wastes, (iii) has in its waste a toxic pollutant in toxic amounts as defined in standards issued under section 307(a) of the act; or (iv) is found by the permit issuance authority, in connection with the issuance of a NPDES permit to the publicly owned treatment facilities receiving the wastes to have significant impact, either singly or in combination with other contributing industries, on that treatment facilities or upon the quality of effluent from that treatment facility.
34. "Milligrams per liter (mg/l)" means a measure of the concentration of pollutants in wastewater in terms of weight per unit volume.

35. "National pollutant discharge elimination system (NPDES)" means the national system as established by section 402 of the Act to issue permits for the discharge of pollutants or combination of pollutants.
36. "Natural outlet" means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
37. "Operation and maintenance costs" means all costs, direct and indirect, necessary to provide adequate wastewater collection, transport and treatment on a continuing basis and produce discharges to receiving waters that conform with all related federal, state and local requirements. The annual cost of equipment replacement shall also be included in this cost.
38. "pH" means the reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven and a hydrogen ion concentration of 10^{-7} .
39. "Permit" means (1) an NPDES permit which establishes various conditions including effluent requirements for the wastewater treatment works and (2) connection permits (see appendix B) for the purpose of allowing connection to the sanitary sewer system.
40. "Population equivalent" (P.E.) see "average domestic wastes".
41. "Pretreatment" means the treatment of industrial waste from privately owned industrial sources prior to introduction to a public treatment facility.
42. "Private wastewater disposal system" means any properly constructed disposal system intended solely for treatment of wastewaters from a single residence or a single building unit and, is included in the definition of "individual sewage treatment system" (ISTS) under this code.
43. "Public Sewer" means a common sewer controlled by a governmental agency or public utility.
44. "Replacement" means expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment facilities to maintain the capacity and performance for which such facilities were designed and constructed.
45. "Residential customer" see "user - residential".
46. "Sanitary sewer" means a sewer which carries sanitary and industrial waste and to which storm, surface and ground water is not intentionally admitted.

47. "Sanitary sewer mains and laterals" means the sanitary sewer interceptors, mains and laterals constructed by or for the city.
48. "Schools" means school buildings, public or parochial. "Church" means a sanctuary for public worship. "Public building" means a building owned by a political subdivision of the state of Minnesota.
49. "Sewage" means the combination of liquid and water carried waste from residences, commercial buildings, industrial plants and institutions (including polluted cooling water). The preferred term is "wastewater".
50. "Sewer" means a pipe or conduit that carries wastewater or drainage water.
51. "Sewer connection" means a sanitary sewer service line or pipe extending from a sanitary sewer main or lateral of the city to a point adjacent to the property line of the premises to be served.
52. "Sewer service charge" means the same as wastewater service charge.
53. "Slug" means 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 15 minutes more than five times the average 24 hour concentration of flows during normal operation and shall adversely affect the collection system or performance of the wastewater treatment works.
54. "Storm drain" (sometimes termed "storm sewer") means a drain or sewer for conveying water, ground water, subsurface water or unpolluted water from any source to which sanitary or industrial wastes are not intentionally admitted.
55. "Surcharge" means charges to users of the system for discharges of above that are defined as average domestic wastes in addition to the normal wastewater service charge.
56. "Suspended solids" in milligrams per liter (mg/l) means either solids that float on the surface of, or is in suspension in, water, wastewater, or other liquids, and laboratory filtering as prescribed in "standard methods for the examination of water and wastewater" and referred to as non-filterable residue.
57. "Trailers" means house trailers either movable or permanent located in trailer parks or trailer courts or located on a lot adjacent to a house.
58. "Unpolluted water" means water 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 provided.

59. "Useful life" means the estimated period during which a treatment facility will be operated (20 years).
60. "User charge" means a charge levied on users of a treatment facility for the cost of operation, maintenance and replacement of such facilities, pursuant to section 204 (b) of the act.
61. "User class" means the division of the wastewater users by waste characteristic, and processes or discharge similarities (example, residential, commercial, industrial, institutional, and governmental) in the user charge system (UCS) and as industrial and non-industrial in the industrial cost recovery system (ICRS).
62. "Commercial user" means any establishment listed in the "Standard Industrial Classification Manual" (1972 edition), office of management and budget involved in a commercial enterprise, business or service which, based on a determination by the city, discharges primarily segregated domestic waste or waste from sanitary conveniences.
63. "Governmental user" means any federal, state, or local government user of the wastewater treatment facilities.
64. "Industrial user" means any non-governmental user of the publicly owned treatment facilities identified in the Standard Industrial Classification Manual (1972), office of management and budget, as amended and supplemented under the following divisions: Division A - Agriculture, forestry, and fishing; Division B - Mining; Division D - Manufacturing; Division E - Transportation, communication, electric, gas, and sanitary services; and Division I - Services. An industrial user is also defined as a user who discharges to the city wastewater disposal system, liquid wastes resulting from the processes employed in industry or manufacturing or from the development of any natural resource.
65. "Institutional user" means any establishment listed in the "SICM" involved in a social, charitable, religious, or educational function which, based on a determination by the city, discharges primarily segregated domestic waste or waste from sanitary conveniences.
66. "Residential user" means a user of the treatment facilities whose premises or building is used primarily as a residence for one or more persons, including dwelling units such as detached, semi-detached, and row houses, mobile homes, garden and standard apartments or permanent multi-family dwellings (transit lodging, considered commercial in nature, is not included).
67. "Wastewater" means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from

residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

68. "Wastewater facilities" means the structures, equipment, and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.
69. "Wastewater service charge" means the total charge levied on users including user charges and debt service charges.
70. "Wastewater treatment works" means an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge, also known as a "waste treatment plant", "wastewater treatment plant" or "water pollution control plant".
71. "Watercourse" means a natural or artificial channel for the passage of water either continuously or intermittently.

Subd.B. Use Of Public Sewers Required.

1. General rule. It is unlawful to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the city or in any area, any human or animal excrement, garbage, or objectionable waste.
2. Unlawful discharge. It is unlawful to discharge to any natural outlet within the city or in any area in the city any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with this chapter.
3. Private systems. Except as provided in Section 3.02, Subd. I, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.
4. Connections. The owner of a house, building, or property used for human occupancy, employment, recreation, or other purposes situated in the city and abutting on 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, must, at the owner's expense, install suitable toilet facilities therein, and connect such facilities directly with proper public sewer in accordance with the provisions of this chapter, within 90 days after the date of official notice to do so. This rule is not applicable in cases where the downstream sanitary sewer system or treatment capacity is presently not sufficient to accommodate the expected flow and strength of the proposed connection.
SUBD. B, PARAGRAPH 4, WAS AMENDED AND ADOPTED BY THE CITY COUNCIL ON MAY 10, 2005.
5. Private wastewater disposal. Where a public sanitary sewer is not available under these provisions, the building sewer must be connected to an individual sewage treatment system in accordance with state rules.

6. Private sewer systems. A new private sewer system or lateral may not be built within the city without first obtaining permission from the city council or as required by this Chapter 3, of the City Code.

Subd.C. Use of Public Sewers.

1. Prohibited discharges. It is unlawful to discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, cooling water or water from any surface runoff, groundwater, sump pump, footing tile, swimming pool or other natural precipitation into any sanitary sewer.
2. Stormwater. Stormwater and all other unpolluted waters must be discharged to such sewers as are specifically designed as combined sewers or storm sewers to a natural outlet approved by the city council and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the city council to a storm sewer, or natural outlet. A discharge permit for unpolluted water must be obtained from the Minnesota pollution control agency.
3. Pollutants. It is unlawful to discharge or cause to be discharged to any public sewer any wastes, pollutants or waters containing pollutants described as follows.
 - a. Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - b. Toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
 - c. A pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater facilities.
 - d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- e. Having (i) a five-day biochemical oxygen demand greater than 200 parts per million by weight, or (ii) containing more than 250 parts per million by weight of suspended solids, or (iii) having an average daily flow greater than five percent of the average daily wastewater flow of the city, is subject to the review of the city council. Only compatible pollutants may be discharged to the sanitary sewer system. Where necessary in the opinion of the foreman, the user must provide, at user's expense, such preliminary treatment as may be necessary to (i) reduce the biochemical oxygen demand to 200 parts per million by weight, or (ii) reduce the suspended solids to 250 parts per million by weight, or (iii) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and other pertinent information relating to proposed preliminary treatment facilities must be approved by the city council. Construction of such facilities may not be commenced until these approvals are obtained in writing.
4. Sump pumps. Dwellings and other buildings and structures which require a sump pump discharge system, shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system, except as provided herein. A permanent installation shall be required and shall provide for year round discharge capability to either the outside of the dwelling, building or structure, or be connected to the city storm sewer or discharge through the curb and gutter to the street. A permanent installation shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge, and if connected to the city storm sewer line, include a check valve and an air gap located in a small diameter structure.
5. Discontinuance of unlawful uses. On or before March 1, 1998, any unlawful use of or connection to any sanitary sewer shall be discontinued or disconnected by the property owner or lessee. The site of the disconnection or any other opening into the sanitary sewer shall be closed or repaired in an effective, workmanlike manner, as approved by the foreman or designated agent.
6. Inspection. All improved real estate that discharges into the city's sanitary sewer system shall be inspected to determine whether there are prohibited uses or connections to the sanitary sewer. Inspections, pursuant to this code, shall be by the foreman or designated agent, or the property owner may submit a certificate from a licensed plumber that no prohibited uses or connections exist on the property. In addition to any other penalties provided in this code, if access by the foreman or designated agent to the premises to conduct an inspection is denied, and the property owner fails to furnish a plumber's certificate within 14 days of notice from the foreman, the wastewater service charge account for the premises shall be surcharged as hereinafter provided. Any uses or connections in violation of this section shall be corrected, and proof of the corrections shall be provided to the city within 14 days of written notice from the foreman.

7. Future inspections. If the city has reason to suspect that an illegal use or connection may exist on a premise, the owner, upon written notice from the city, shall comply with the provisions of Section 3.02, Subd. C.6.
8. Waivers. The city council, or its appointed representative, shall have the power and duty of hearing and deciding requests for waivers from the applicability of the provision of this section where strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration. Application for waivers pursuant to this section shall be addressed in writing to the city clerk. The application shall identify the property for which the waiver is being sought, the name of the property owner/applicant, and describe in detail what characteristics of the subject property create an undue hardship. The council, in its discretion, may restrict the length of time for which a waiver is granted, taking into consideration the nature of the hardship and other relevant factors. Within 60 days, the city council, or its appointed representative, shall make a decision on the matter and serve a copy of such order upon the applicant by mail. An additional fee of \$10.00 per month for the additional sewer service shall be added to the monthly wastewater service charge for properties for which a waiver is granted. Upon the expiration of a waiver, the holder of the waiver shall employ a licensed plumber to certify that the prohibited use or connection has been discontinued or removed.
9. Penalty. In addition to any other penalties provided in this code, a surcharge of \$100.00 per month shall be added to each wastewater service billing for properties not in compliance with this section. The surcharge shall be added each and every month to the wastewater service billing until the property is in compliance.
10. Limited discharges. The following described substances, materials, waters, or waste are limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The city council may set limitations lower than the limitations established in the regulations below if it is its opinion such more severe limitations are necessary to meet the above objectives. In forming an opinion as to the acceptability, the city council will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment works, degree of treatability of the waste in the wastewater treatment works, requirements of the NPDES permit, pretreatment standards, and all other unspecified state and federal regulations. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which may not be violated without approval of the city council are as follows:

- a. Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
- b. Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or produce of mineral oil origin.
- c. Wastewater from industrial plants containing floatable oils, fat, or grease.
- d. Any garbage that has not been properly shredded. Garbage grinders maybe connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- e. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (0 degrees and 65 degrees Celsius).
- f. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established in appendix A of this chapter.
- g. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the foreman.
- h. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established in compliance with applicable state or federal regulations.
- i. Materials which exert or cause:
 - 1. unusual concentrations of inert suspended solids (such as, but not limited to, fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);
 - 2. excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
 - 3. unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;

4. unusual volume of flow or concentrations of wastes constituting "slugs" as defined herein.

- j. Waters or wastes containing substances which are not amenable to treatment or reduction by the treatment processes employed, or are amenable to treatment only by such degree that the wastewater treatment works effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- k. Any water or wastes which, by interaction with other water system, release obnoxious gases, from suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

11. Options regarding limited discharges. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 3.02, Subd. C.10., and which in the judgment of the foreman may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the foreman may:

- a. reject the industrial wastes in whole or in part for any reason,
- b. require pretreatment of industrial wastes according to the pretreatment standards as established by the Minnesota pollution control agency or federal environmental protection agency to an acceptable condition for discharge to the public sewers,
- c. require control over the quantities and rates of discharge, or
- d. treat industrial wastes, which are amenable to treatment with domestic discharges, for a stated surcharge taking into account the volume and strength of such wastes which are in excess of those normal to other user classes. If the city council permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment are subject to the review and approval of the foreman and applicable regulatory agencies.

12. Grease, oil, mud, etc., interceptors required. Grease, oil, and sand interceptors must be provided when, in the opinion of the city council they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors are not required for private living quarters or dwelling units. All interceptors must be of the type and capacity approved by the foreman and must be located as to be readily and easily accessible for cleaning and inspection. In the maintenance of these interceptors the user is responsible for the proper removal

- and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the city council. Any removal and hauling of the collected materials not performed by user personnel must be performed by currently licensed waste disposal firms.
13. Pretreatment facilities. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they must be maintained continuously in satisfactory and effective operation by the user at the user's expense.
 14. Industrial wastes control manhole. When required by the city council, the owner of any property serviced by a building sewer carrying industrial wastes must install a control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, must be accessibly and safely located and constructed in accordance with plans approved by the city council. The structure must be installed by the user at user's expense and must be maintained by user so as to be safe and accessible at all times.
 15. Industrial sampling. The owner of any property serviced by a building sewer carrying industrial wastes must provide laboratory measurements, tests, and analyses of waters and wastes to illustrate compliance with this section and any special conditions for discharge established by the city or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of laboratory analyses to be performed by the owner will be as stipulated by the city, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state, and local standards are being met. The owner must report the results of measurements and laboratory analyses to the city at such times and in such manner as prescribed by the city. The owner must bear the expense of all measurements, analyses, and reporting required by the city. At such times as deemed necessary, the city may take measurements and samples for analysis by an outside laboratory service.
 16. Testing requirements. All measurements, tests, and analyses of the characteristics of wastes and waters to which reference is made in this chapter are to be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and in conformance with "Guidelines Establishing Test Procedures for Analysis of Pollutants", Regulation 40 CFR Part 136, published in the Federal Register on October 16, 1973. Sampling methods, location, times, duration, and frequencies are to be determined on an individual basis subject to approval by the city council.
 17. Special considerations. Nothing in this section is to be construed as preventing any special agreement or arrangement between the city and any industrial concern

whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, provided all rates and provisions set forth in governing ordinances are recognized and adhered to and providing the national categorical pretreatment standards and the city's NPDES permit limitations are not violated.

Subd.D. Sewer Connections, Sewer Extensions, and House Connections.

1. General rule. It is unlawful to make any sewer connections to the sanitary sewer main or laterals of the city except on written application filed with the city council and written acceptance thereof by the council. Sewer connections may not be made unless adequate capacity is available in downstream sewer lift stations, force mains and wastewater treatment plants, including capacity for treatment of BOD and suspended solids.
2. Application. Sewer connection to the sanitary sewer mains and laterals of the city located within the city must be made by application filed with the city council as above provided and accepted by the council in writing. Except as may otherwise be provided by council resolution, the applicant must pay all costs of labor and materials for installing the sewer connection and, installation may be made only after the issuance by the city council of a permit authorizing the sewer connection and specifying the size, grade and material thereof. Sewer connection imposes liability for a periodic sewer charge to be initially billed the owner at the next regular billing time after sewer service is rendered. The permit fee for such sewer connection shall be as determined by resolution of the city council.
3. Extensions and sewer connections to extensions.
 - a. General rule. Applicants who are owners of the premises not abutting on the sewer mains or laterals of the city who desire sewer service from the city must install at their expense, sewer main or lateral extensions so as to provide sewer facilities for their premises. It is unlawful to make any extension to a sanitary sewer main or lateral of the city except as provided in this section.
 - b. Extensions. All extensions to the sewer mains or laterals of the city may be made only after written application filed with the city council, approval as to size, grade and materials by the consulting engineers of the city, issuance by the city of a permit authorizing the same to be constructed and attached to the existing sewer mains or laterals of the city and thereupon the extensions become part thereof, and approval from the Minnesota pollution control agency. There is no special permit fee for the construction of an extension to the city sewer main or laterals.
 - c. Title. After completion and acceptance of a sewer main or lateral extension, title to the main shall be transferred and conveyed to the city by the owner (or owners) free and clear of any and all liens and

encumbrances, without cost to the city, and thereafter the city shall assume all costs of maintenance and repair of such main. However, the property owner shall take ownership and responsibility for all future repairs for the sewer line from the building to, and including, the saddle connection on the main except that, in the event a clog develops at the saddle connection, the city will be responsible for removing it.

- d. Costs. Applicants making sewer connections to sewer main extensions or lateral extensions must pay all costs of labor and materials for installing the same.
- e. Fee. The permit fee for any sewer connection to a sewer main or lateral extension constructed under the provisions of this section is the same as is provided under Section 3.02, Subd. D.2.
- f. Billings. Each sewer connection originating from an extension imposes liability for a periodic sewer charge to be billed the owner with the next regular billing after such sewer service is rendered to the premises.
- g. Performance bond and insurance for sewer connection. The applicant must supply a performance bond and insurance complying with Section 3.02, Subd. D.11.

4. Requirements of sewer connections.

- a. Persons required to connect to wastewater facilities. The owners of all houses, buildings, or properties, situated within the city and abutting upon any street, alley or other easement or right-of-way in which there is now located, or may in the future be located, public sanitary sewer mains or laterals, must, at their expense, make application and connections to said sewers, and said sewers must be installed as hereinabove set forth. If said public sewer is within 100 feet of the closest property line and is of suitable size to handle the volume of sewage to be added, official notice will be given to the property owner informing the owner that the sewer is available and requesting that the connection be made within 90 days following notification.
- b. Authority for making and repairing sewer connections. It is unlawful to make, install, repair, alter, disturb, uncover, open or break into any sewer connection to the sanitary sewerage system of the city without first obtaining an application filed with the city council, and a written permit therefore issued by the city council.
- c. Costs borne by owner. Except as may otherwise be provided by council resolution, all costs and expenses incidental to the installation of a sewer connection must be borne by the owner. The owner must indemnify the

city from any loss or damage that may directly or indirectly be occasioned by the installation of the sewer connection.

- d. Basement wastewater drainage. Whenever possible, the sewer connection must be brought to the building at an elevation below the basement floor. Buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by the building drain must be lifted by an approved means and discharged to the sewer connection.
- e. Wye or tee connections to public sewer required. The sewer connection into the public sewer must be made at the "wye" or "tee" branch designated for that property, if available. Where "Wye" or "Tee" branches are not available, connections must be made using approved drilled or sawed tap and saddle. Breaking of sanitary sewer will not be allowed. Procedures set forth in appropriate specifications of the Minnesota state plumbing code, the department of public health of the state of Minnesota, or any other applicable local, state or federal code regulation or standard must be followed at all times. All such connections must be made gastight and the prescribed procedures and materials must be approved by the foreman before installation.
- f. Changes in ownership of premises. Irrespective of any change in ownership of premises, each parcel of real estate for which application for sewer connection has been filed and accepted by the city is liable for the payment of the periodic sewer charge hereinbefore provided.

5. Size, slope, alignment, materials and construction procedures.

- a. The size, slope, alignment, and materials of construction of a sewer connection and the methods to be used in excavating and placing of the pipe, jointing, testing and backfilling the trench, must conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city.
- b. Size, slope and alignment of sewer connections. The sewer connection must be at least four inches in internal diameter. The slope or grade must be at least 1/8 inch to one foot. Alignment must be in a straight line from the "building drain" to the "tee" or "wye" at the public sewer.
- c. Materials. All materials, piping, connections and appurtenances utilized shall be in accordance with the Minnesota plumbing code and standards promulgated by the department of public health of the state of Minnesota, and shall be installed and perform strictly in accordance with the Minnesota plumbing code and standards promulgated by the department of public health of the state of Minnesota.

- d. Trenching and backfilling - sewer connections. All excavations must be open trench work unless otherwise authorized by the foreman. The foundation in the trench must be formed to prevent any subsequent settling of the pipes. If the foundation is of firm earth, the earth must be pared or molded to give a full support to the lower quadrant of each pipe. Bell holes shall be dug to provide ample space for joints. Upon inspection and approval, a permittee must promptly fill, to a degree and sufficiency established by the City, all excavations made by them in the making of any connection or repair to the city sewer. Unless specifically directed by the City to undertake such work, the City will schedule and arrange for all blacktop, sidewalk or pavement repairs and shall bill the property owner for said work. In the even a permittee is directed to make such repairs, they shall be done in a competent, workmanlike manner and any street, sidewalk or pavement shall be restored, to the satisfaction of the City, to at least as good a condition as they were in prior to the commencement of the excavation. Sand must be used for all backfill within street right-of-ways and alleys and any other areas on city property as directed by the foreman. Care must be exercised in backfilling below the center line of the pipe in order to give it proper support. Backfilling must be placed in layers and solidly tamped one foot above the pipe.
 - e. Safety. All excavations for sewer connections and sewer installations must 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.
6. Unlawful connections to sewer connections.
- a. It is unlawful to make connections of roof downspouts, foundation drains, areaway drains, sump pumps, or other sources of surface runoff or groundwater to a sewer connection or building drain which in turn is connected directly or indirectly to a public sanitary sewer unless such a connection is approved by the foreman.
 - b. It is unlawful for any septic tank or cesspool to be connected to any portion of a sewer connection, and it is unlawful for any owner or person in control of premises to install, construct, maintain or use a septic system or cesspool on premises from the time such premises commenced to use the sanitary sewerage system of the city.
7. One sewer connection per building. A separate and independent sewer connection must be provided for every residence, commercial building, public building or apartment building. However, where one such building stands in the rear of another such building located on an interior lot, the sewer connection from

the front building may be extended to the rear building upon issuance of a written permit by the city council.

8. Use of old sewer connections for a new building. Old sewer connections may be used in connection with new buildings only when they are found, on examination and test by the foreman to meet all requirements of this chapter.
9. Defective sewer connections. Whenever a sewer connection is obstructed, or is found to be broken or defective so that sewage escapes therefrom into surrounding soil or adjacent premises, repair or replacement may be ordered by the foreman. Such repairs shall be at the expense of the owner or person in control of such property. When a part of a sewer connection is found to be broken or broken into, such break or leak shall be properly repaired by replacing the broken part with a corresponding new part. Patching of such break or leak is prohibited.
10. Inspection and approval of sewer connection. The applicant for a sewer connection permit must notify the city when the sewer connection installation or repair is ready for inspection and connection to the sanitary sewerage system of the city. The connection must be made only under the supervision of the foreman. It is unlawful for a sewer connection to be covered or backfilled without prior inspection and approval by the foreman. The foreman has access at all reasonable times to all premises in the city for the purpose of inspecting or examining sewer connections.
11. Performance bond for sewer connections. After the date of completion of the sanitary sewer system, a permit for a sewer connection or a sewer extension may not be issued by the city council unless the person applying therefore or the contractor has filed in the office of the city clerk, a performance bond with corporate surety thereon in the sum of \$2,000.00 for a sewer connection; and for a sewer extension, a sum equal to one and one-half times the estimated cost of the work to be done the performance bond must be approved by the city council, conditioned upon the applicant or contractor completing the sewer connection or sewer extension in a proper and workmanlike manner and indemnifying and saving harmless of the city for any and all damage to any property of the applicant or to the sewer mains or laterals of the city and from any failure to restore any road, ditch, pavement, or portion thereof damaged during the construction of the sewer connection, or the sewer extension so as to insure that such property of said sewerage system or such property of the applicant, together with such road, ditch, pavement, or portion thereof damaged are left in as good condition as said applicant or contractor found them.
12. Liability insurance.
 - a. A permit for a sewer connection or a sewer extension may not be issued by the city council unless the person applying therefore or the contractor has first procured public liability insurance in an amount not less than

\$5,000 for injuries, including accidental death, to any one person and subject to the same limit for each person in an amount not less than \$100,000 on account of one accident, and property damage insurance in an amount not less than \$50,000. The persons to be indemnified and saved harmless in said insurance policy must be the city and the applicant for sewer connection or sewer extension. Said policy must provide for notification of the City at least thirty (30) days prior to modification or termination of the policy. A certificate of the insurance must be filed with the city clerk.

- b. Private installation. In the event that an applicant proposes to personally install or repair the sewer connection, a permit to install or repair such sewer connection may not be issued unless the applicant has first procured insurance in the amounts aforesaid issued by an insurance company or companies approved by the city council, indemnifying the city as aforesaid. Certificates of all insurance provided for in this section must be filed with the city clerk prior to issuance of a permit.

13. Adoption of Minnesota state plumbing code.

- a. The minimum code of standards promulgated by the department of public health of the state of Minnesota and the Minnesota state plumbing code law are incorporated in this chapter by reference. Any part of the Minnesota State Plumbing Code Law which may be in conflict with any part of this chapter prevails.
- b. Pipe connection prohibited. A steam, exhaust, blow-off, or drip pipe may not be connected with the sanitary sewer, storm sewer, house drain, soil or waste pipe; such pipes shall be discharged into a tank or condenser from which suitable outlets into the sewer shall be provided.
- c. Refrigerator drains. Refrigerator drains may not be connected directly to the sewer, but must be trapped and drained into an open fixture, which must in turn be connected to the sewer.
- d. Floor drains. Floor drains must be of the deep seal pattern no less than a 2-1/2" seal.
- e. Traps required. Every water closet, urinal, sink, basin, wash tray, bathtub and all other fixtures that require a waste connection to the sewer must be separately trapped and vented above the highest fixture.
- f. Cistern overflow. The overflow from a cistern or well may not be connected to the sanitary sewer system.

14. Approval by Engineer. Prior to performing work or making improvements in any public right of way, the person applying for the permit shall submit such designs, plans or other information as required to the city engineer and such work or improvements shall be allowed, and such permit issued, only upon the approval of the city engineer.

SEC. 3.02, SUBD. D, PARAGRAPH 14, WAS ADOPTED BY THE CITY COUNCIL ON MAY 10, 2005.

Subd.E. Wastewater Service Charges.

1. Basis for wastewater service charges. The wastewater service charge for the use of and for service supplied by the wastewater facilities of the city consist of a basic user charge for operation and maintenance plus replacement, a fleet service charge and a surcharge, if applicable. The debt service charge is computed in accordance with this chapter. Through further divisions, the monthly and quarterly fleet service charges can be computed. The basic user charge shall be based on water usage as recorded by water meters or sewage meters for wastes having the following normal concentrations:
 - a. A five-day, 20 degree centigrade (20 degree C) biochemical oxygen demand (BOD) of 200 mg/l.
 - b. A suspended solids (SS) content of 750 mg/l.
 - c. The basic use charge consists of operation and maintenance costs plus replacement and is computed as follows:
 - i. Estimate the projected annual revenue required to operate and maintain the wastewater facilities including a replacement fund for the year, for all works categories.
 - ii. Estimate wastewater volume, pounds of SS and pounds of BOD to be treated by user class.
 - iii. Proportion the estimated costs to non-industrial and industrial users by volume, suspended solids and BOD.
 - iv. Compute costs per 1,000 gallon for normal sewage strength.
 - d. A surcharge will be levied to all users whose waters exceed the normal concentrations for BOD (200 mg/l) and SS (250 mg/l). The surcharge will be based on water usage as recorded by water meters and/or sewage meters for all wastes which exceed the 200 mg/l and 250 mg/l concentration for BOD and SS respectively. The surcharge will be computed as follows:

- i. Proportion the estimated costs to wastewater facility categories by volume, suspended solids and BOD, if possible.
- ii. Compute surcharge costs per 1000 gallon per mg/l in excess of normal sewage strength for BOD and SS.

2. Measurement of flow.

- a. Volume. The volume of flow used for computing basic user charges and surcharges is the metered water consumption read to the lowest even increments of 1 000 gallons.
- b. Other services. If the person discharging wastes into the public sewers procures any part, or all, of their water from sources other than the public waterworks system, all or a part of which is discharged into the public sewers, the person must install and maintain, at that person's expense, water meters of a type approved by the city for the purpose of determining the volume of water obtained from these other sources.
- c. Measurement. Devices for measuring the volume of waste discharged may be required by the city if these volumes cannot otherwise be determined from the metered water consumption records.
- d. Meters. Metering devices for determining the volume of waste are to be installed, owned, and maintained by the person. Following approval and installation, such meters may not be removed unless service is cancelled, with the consent of the city.
- e. Basic user charge. The city sets minimum fees by resolution. This basic user charge includes costs associated with operation and maintenance and equipment replacement. There is established a minimum charge and a basic user charge for the use of and for service supplied by the wastewater facilities of the city.
- f. Surcharge rate. The rates of surcharges for BOD5 and SS are set by council resolution.
- g. Computation of surcharge. The concentration of wastes used for computing surcharges are to be established by waste sampling. Waste sampling must be performed as often as may be deemed necessary by the city and is binding as a basis for surcharges.
- h. Computation of wastewater service charge. The city will determine the waste water service charge by resolution upon a computation formula

attached hereto accompanying the resolution for statement of current costs.

Subd.F. General Provisions.

1. Bills. The owner of the premises, the occupant thereof and the user of the service are jointly and severally liable to pay for the service on such premises and the service is furnished to the premises by the city, only upon condition that the owner of the premises, occupant and user of the service are jointly and severally liable therefore to the city. Bills for service will be rendered at such intervals as the city council determines succeeding the period for which the service was rendered and are payable not later than the close of business on the 20th day of the month in which the bill was rendered, which is hereinafter referred to as the "due date". When the said due date falls on a Sunday or a legal holiday, then such bills for service are due and payable no later than the close of business on the next succeeding business day. A penalty of 8% will be added to all bills not paid on or before the due date. Payment for all municipal utility services and charges are the responsibility of the owner of the premises served and will be billed to the owner unless otherwise contracted for and authorized in writing by the owner and the tenant as agent for the owner, and consented to by the city. The city may collect the payments in a civil action or, in the alternative and at the option of the city, as otherwise provided for in this section.
2. Delinquent bills. In the event the charges for service are not paid within 20 days after rendition of the bill for such service, such charges will be deemed to be delinquent.
3. Lien-notice of delinquency/collection. In the event the charges for service are delinquent, the city clerk is authorized and directed by the city council to cause notification to be given in writing to the owner of the premises, the occupant thereof, and/or the user of the service that such delinquency exists and that a statement of lien will be filed with the recorder of deeds of Dodge County, Minnesota, against the real estate served with sewer service, or the delinquent bill shall be referred to a collection agency for further action, or the service may be shut off.
4. Free service. Free service of the sewerage system of the city may not be furnished to any person.
5. Rendering of bills. The city clerk must render bills for sanitary sewer service and all other charges in connection therewith and collect all moneys due thereon.
6. Revenues. All revenue and moneys derived from the operation of the sewerage system must be held by the clerk separate and apart from all other funds of the city, and all of said sum, without any deductions whatever, and all other funds and moneys incidental to the operation of the sewerage system as the same may be

delivered to the city, must be deposited in separate funds designated as the debt service account and basic user charge account of the city. The clerk-treasurer must administer such fund in accordance with state laws.

7. Audit. The treasurer (or clerk-treasurer) must establish a proper system of accounts and keep proper books, records and accounts in which complete and correct entries must be made of all transactions relative to the sewerage system, and at regular annual intervals the city council must cause to be made an audit of the books to show the receipts and disbursements of the sewerage system; to analyze the results of the revenue systems; establish the cost of providing services to the various user classes; maintain proportionality of the rate system; and generate sufficient revenue to offset the annual costs of operation, maintenance and replacement, and debt service costs of the treatment works. Upon conclusion of the audit, rates must be adjusted, as necessary, based on actual operating experience to maintain proportionality by user class.
8. Unauthorized connections. Connections may not be made with the sewerage system without the supervision of the foreman and the issuance of a permit by the city as provided in this chapter and any connection to the system or opening made in the system in violation of this chapter is unlawful.
9. Notice of rates. Notification of costs for both operation and maintenance (including replacement) and debt service costs is to be supplied to all users in conjunction with a regular bill.
10. Penalty. Violation of any provisions of this chapter is a misdemeanor.
11. Access to records. The Minnesota pollution control agency or its authorized representative may have access to any books, documents, papers and records of the city which are applicable to the city system of user charges for the purpose of making audit examinations, excerpts and transcriptions thereof to insure compliance with the terms of the special and general conditions to any state grant.
12. Toxic discharges. Any user who discharges toxic pollutants and that cause an increase in the cost of managing the effluent or the sludge of the city's wastewater treatment facility, is responsible and must pay for all increased costs.
13. Damage to system. It is unlawful to maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is a part of the wastewater facilities.

Subd.G. Powers and Authority of Inspectors.

1. Permitted entry for inspection and testing. The foreman, the Minnesota pollution control agency, and the United States environmental protection agency bearing proper credentials and identification may enter all properties for the purpose of

inspection, observation, measurement, sampling, and testing pertinent to discharges to the wastewater facilities in accordance with the provisions of this chapter.

2. Information relative to industrial processes. The foreman is authorized to obtain information concerning industrial processes that have a direct bearing on the kind and source of discharge to the wastewater collection system. An industry may withhold information considered confidential. An industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.
3. Industry held harmless. While performing the necessary work on private properties referred to in Subd. G.2, the foreman must observe all safety rules applicable to the premises established by the industry, and the industry will be held harmless for injury or death to the city employees, and the city will indemnify the industry against loss or damage to its property by city employees and against liability claims and demands for personal injury, or property damage asserted against the industry to maintain safe conditions.
4. Easement access. The foreman may enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within the easement. All entry and subsequent work, if any, on the easement, must be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Subd.H. Penalties.

1. Notification of violation. Any person found to be violating any provisions of this chapter must be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender must, within the period of time stated in such notice, permanently cease all violations.
2. Conviction and fines. Any person who continues any violation beyond the time limit provided for in this section is guilty of a misdemeanor. Each day in which any such violation continues is a separate offense.
3. Abatement Procedure. A person in violation of the provisions of this Chapter shall be deemed to have created in the City a public health and safety hazard. If the owner or owners of the premises fail to abatement the violations within 30 working days of the written notice provided to the owner under Subd. H, Paragraph 1, the City by and through its authorized personnel may enter upon such property and abate the violation by any reasonable means, including the contracting with a private person to do so. Any and all expenses incurred by the

City in the abatement of the violation shall be the responsibility of the property owner, and if subsequently unpaid, may be assessed against the property as provided in Minnesota Statutes Sec. 429.101.

Subd. I. Individual Sewage and Wastewater Treatment. The standards for and regulation of individual sewage treatment systems (ISIS) and septage disposal, including the proper location, design and construction; their necessary modification and reconstruction; their operation, maintenance and repair to protect surface water and groundwater from contamination by human sewage and waterborne household and commercial wastes; to protect the public's health and safety, and eliminate or prevent the development of the public nuisances pursuant to the authority granted under Minnesota Statutes, chapters 115 and 145A and Minnesota Rules, chapter 7080, and as amended, that may pertain to sewage and wastewater treatment, shall be administered pursuant to the statutes and rules of Minnesota by Dodge County.

APPENDIX A

OBJECTIONABLE MATERIAL EFFLUENT LIMITS

<u>Waste or Chemical</u>	<u>Concentrations (mg/l)</u>
Boron	1.0
Cadmium	2.0
Chlorine Demand	30.0
Chromium (Hexavalent)	5.0
Chromium (Trivalent)	10.0
Copper	3.0
Cyanide	0.005
Iron	15.0
Lead	0.1
Mercury or its compounds	0.005
Nickel	3.0
Oil & Grease, etc. (carbon tetrachloride extraction)	100.0
Phenols	0.5
Zinc	2.0
Acid iron pickling waste or concentrated plating waste	0.0
Free acids and alkalis—pH between 5.5 and 9.5	

Temperature—not over 150 degrees F (65 degrees C)

CHAPTER 3 OF CLAREMONT CITY CODE WAS ADOPTED IN ITS ENTIRETY BY THE CITY COUNCIL ON NOVEMBER 17, 2003.