

**CHAPTER 52 SANITARY SEWER SERVICE**

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**GENERAL PROVISIONS**

**§52.000 PURPOSE**

The purpose of the City’s public sanitary sewer system is to facilitate the flow of residential, commercial, and industrial effluent waste to a treatment facility where the effluent is treated in accordance with the City’s Minnesota Pollution Discharge Elimination System (MPDES) permit. The public sanitary sewer system allows for responsible residential, commercial and industrial development. The sanitary system is only sustainable when there are requirements to connect to the system and set appropriate user fees to pay for all system costs.

**§ 52.001 DEFINITIONS**

**Act.** The Federal Water Pollution Control Act, also referred to as the Clean Water Act, as amended, 33 USC 1251, *et seq.*

**Administration Costs.** Those fixed costs attributable to administration of the wastewater treatment works (for example, billing and associated bookkeeping and accounting costs).

**ASTM.** American Society for Testing Materials.

**Authority.** The City of Cambridge, Minnesota or its representative thereof.

**BOD<sub>5</sub> or Biochemical Oxygen Demand.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C in terms of milligrams per liter (mg/l).

**Building Drain.** 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 three feet outside the building wall. The building drain is part of the property owner’s private lines.

**Building Sanitary Sewer.** The private extension from the building drain to the connection at the public Sanitary Sewer Main or other place of disposal, also referred to as a house connection or service connection.

**Chemical Oxygen Demand (COD).** 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).

**City.** The area within the corporate boundaries of the City of Cambridge as presently established or as amended by ordinance or other legal actions at a future time. The term **CITY** when used herein may also be used to refer to the City Council and its authorized representative.

**Commercial User.** Any place of business which discharges Normal Domestic Strength sanitary waste as distinct from industrial wastewater.

**Commercial Wastewaters.** Domestic wastewater emanating from a place of business that does not exceed Normal Domestic Strength.

**Compatible Pollutant.** 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 such pollutants to a degree which complies with effluent concentration permits imposed by the permit.

**Control Manhole.** A structure specially constructed for the purpose of measuring flow and/or sampling of wastes.

**Debt Service Charge.** A charge levied on users of wastewater treatment facilities for the cost of repaying money bonded to construct the facilities.

The City will have a maximum of twelve certification cycles per year. Certifications will be scheduled and heard at the Council meeting which occurs on the third (3<sup>rd</sup>) Monday of each month. All city utility accounts, unless payment arrangements have been made with the City or exempt for other legal reason, which are delinquent and remain unpaid as of the certification cut-off date shall have the balance on the account included in the preliminary certification list.

**Director.** The term Director shall refer to Public Works-Utilities Director or his or her designee.

**Easement.** An acquired legal right for the specific use of land owned by others.

**Extra Strength Waste.** Wastewater greater than Normal Domestic Waste as defined in this section and not otherwise classified as an incompatible waste.

**Fecal Coliform.** Any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

**Floatable Oil.** Oil, fat or grease in a physical state such that it will separate by gravity from wastewater.

**Garbage.** Animal and vegetable waste resulting from the handling, preparation, cooking and serving of food.

**Incompatible Pollutant.** Any pollutant that is not defined as a compatible pollutant, including nonbiodegradable dissolved solids.

**Incompatible Waste.** Waste that either singly or by interaction with other wastes interferes with any waste treatment process, constitutes a hazard to humans or animals, creates a public nuisance or creates any hazard in the receiving waters of the wastewater treatment works.

**Industrial Waste.** 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.

**Industrial Wastewater.** The liquid processing wastes from an industrial manufacturing process, trade or business that exceeds Normal Domestic Strength.

**Infiltration.** Water entering the sewage system (including building drains and pipes) from the ground through such means as defective pipes, pipe joints, connections and manhole walls.

**Infiltration/Inflow (I/I).** The total quantity of water from both infiltration and inflow.

**Inflow.** 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.

**Institutional User.** Users other than commercial, governmental, industrial or residential users, discharging primarily normal domestic strength wastewater (for example, nonprofit organizations).

**Interference.** 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 or 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.

**Interference.** This term includes the following:

(1) Inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and

(2) Therefore is a cause of a violation of any requirement of the POTW's NPDES Permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act and the Marine Protection, Research and Sanctuaries Act.

**MPCA.** Minnesota Pollution Control Agency.

**National Categorical Pretreatment Standards.** 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 such treatment facilities or would interfere with the operation of such treatment facilities, pursuant to Section 307(b) of the Act.

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

**Natural Outlet.** Any outlet, including storm sewers and combined sewers, which overflow into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

**Noncontact Cooling Water.** The water discharged from any use such as air conditioning, cooling or refrigeration or during which the only pollutant added is heat.

**Normal Domestic Strength Waste.** Wastewater that is primarily introduced by residential users with a BOD<sub>5</sub> concentration not greater than 220 mg/l, a total suspended solids (TSS) concentration not greater than 240 mg/l, ammonia nitrogen concentration not greater than 25 mg/l, and total phosphorus concentration not greater than 8 mg/l.

**Operation and Maintenance.** Activities required to provide for the dependable and economical functioning of the treatment works, throughout the design life of the treatment works, and at the level of performance for which the treatment works were constructed. Operation and Maintenance includes replacement.

**Operation and Maintenance Costs.** Expenditures for operation and maintenance, including replacement.

**pH.** The logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.

**Pretreatment.** The process of reducing the amount of pollutants, eliminating pollutants or altering the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the City's wastewater disposal system. The reduction, elimination or alteration may be obtained by physical, chemical or biological processes, process changes or other means, except as prohibited by § 52.108.

**Properly Shredded Garbage.** 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 ½ inch (1.27 cm) in any dimension.

**Replacement.** Obtaining and installing of equipment, accessories or appurtenances which are necessary during the design life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

**Replacement Costs.** Expenditures for replacement.

**Residential User.** 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 and semi-detached housing, apartments and mobile homes and which discharges primarily normal domestic strength sanitary wastes.

**Sanitary Sewer Service Charge.** The aggregate of all charges, including charges for operation, maintenance, replacement, debt service and other sewer related charges that are billed periodically to users of the City's wastewater treatment facilities.

**Sanitary Sewer Service Connection.** The parcel or structure's private building drain and the associated piping that connects that drain to the City's public sanitary sewer main.

**Sanitary Sewer Service Fund.** A fund into which income from sewer service charges is deposited along with other income. Expenditure of the Sanitary Sewer Service Fund will be for operation, maintenance and replacement costs and to retire debt incurred through capital expenditure for wastewater treatment.

**Sanitary Sewer Main.** A pipe or conduit that carries wastewater or drainage water.

(1) **Collection Sanitary Sewer Main.** A pipe that collects wastewaters from individual point source discharges and connections.

(2) **Combined Sanitary Sewer Mains.** A **sanitary** sewer pipe intended to serve as a conduit for sanitary sewer and a storm sewer discharge. Combined Sewer Mains are prohibited.

(3) **Force Main.** A pipe in which wastewater is carried under pressure.

(4) **Interceptor Sanitary Sewer Main.** A sanitary sewer pipe whose primary purpose is to transport wastewater from collection sewers to a treatment facility.

(5) **Private Sanitary Sewer.** A sanitary sewer pipe which is not owned and maintained by a public authority.

(6) **Public Sanitary Sewer.** A sanitary sewer owned, maintained and controlled by a public authority.

(7) **Sanitary Sewer.** A systems of pipes, lift stations, and treatment facilities 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 are not admitted intentionally.

(8) **Storm Sewer or Storm Drain.** A system of drains, pipes, catch basins, and ditches intended to carry storm waters, surface runoff, groundwater, sub-surface water, street wash water, drainage and unpolluted water from any source.

**Shall; May.** The term **Shall** is mandatory; the term **May** is permissive.

**Sewage.** The spent water of a community. The preferred term is wastewater.

**Significant Industrial User.** Any industrial user of the wastewater treatment facility which has a discharge flow:

- (1) In excess of 25,000 gallons per average work day;
- (2) Exceeding 5% of the total flow received at the treatment facility or loading received at the wastewater treatment facility; and
- (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.

**Slug.** 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 and/or performance of the wastewater treatment works.

**State Disposal System (SDS) Permit.** Any permit (including any terms, conditions and requirements thereof) issued by the MPCA pursuant to M.S. § 115.07, as it may be amended from time to time, for a disposal system as defined by M.S. § 115.01, Subd. 5 as it may be amended from time to time.

**Storm Water.** Any flow occurring during or following any form of natural precipitation and resulting therefrom.

**Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids and which is removable by a standard glass fiber filter.

**Subsurface Sewage Treatment System (SSTS).** A private system for treating and disposing of domestic sewage, usually from a single residence, by means of a septic tank and a soil absorption system.

**Suspended Solids (SS) or Total Suspended Solids (TSS).** 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.



**Toxic Pollutant.** 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.

**Unpolluted Water.** 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 sewer and wastewater treatment facilities.

**User.** Any person who discharges or causes or permits the discharge of wastewater into the City's wastewater disposal system.

**User Charge.** A charge levied on users of a treatment works for the user's proportionate share of the cost of operation and maintenance, including replacement.

**Wastewater.** The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with any groundwater, surface water and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the City's wastewater disposal system. Also known as the spent water of a community, sometimes referred to as sewage.

**Wastewater Collection System, or Treatment Works.** An arrangement of any devices, facilities, structures, piping, equipment or processes owned or used by the City for the purpose of the transmission, storage, treatment, recycling and reclamation of 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 such treatment.

**Waters of the State.** All streams, lakes, ponds, marshes, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.

**Watercourse.** A natural or artificial channel for the passage of water, either continuously or intermittently.

**WPCF.** The Water Pollution Control Federation.

## **§ 52.002 CONTROL BY THE DIRECTOR**

The Director shall have control and general supervision of all public sanitary sewers and sanitary service connections in the City and shall be responsible for administering the provisions of this chapter to the end that a proper and efficient public sewer is maintained.

## **GENERAL REGULATIONS**

### **§ 52.015 UNSANITARY DEPOSITS PROHIBITED**

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. Penalty, see § 10.99.

### **§ 52.016 PROHIBITED DISCHARGES**

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 chapter and the City's NPDES/SDS Permit. Penalty, see § 10.99

### **§ 52.017 PRIVIES, SEPTIC TANKS AND CESSPOOLS PROHIBITED**

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. Penalty, see § 10.99

## **BUILDING SANITARY SEWERS AND CONNECTIONS**

### **§ 52.018 CONNECTION TO PUBLIC SANITARY SEWER REQUIRED**

All structures which wastewater is discharged from 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 sanitary sewer service connection to the public sewer in accordance with provisions of this code.

(A) Where a parcel of property in the City has connected to the City sanitary sewer system, no owner or occupant of the property or any other person shall:

(1) Construct a private subsurface sewage treatment systems (SSTS) on the property; or

(2) Make use of any existing private SSTS on the property for sewage disposal or commercial purposes.

(B) Where a parcel of property in the City is using a SSTS and where the City's sanitary system is available to a parcel of property existing on the effective date of this chapter, the parcel of property shall be required to connect to the City's sanitary sewer system at such time the SSTS is in need of replacement or at the point of sale of the property. The SSTS shall be properly abandoned as required by Minnesota Rule 7080.2500 as may be amended from time to time.

(C) In cases of extreme hardship, an owner may request an exemption from the City Council to construct a private SSTS. For the purposes of this chapter, **Hardship** shall be defined as the City's sanitary sewer main is greater than 300' feet away from the parcel. In allowing an exemption, the City Council may apply special conditions as benefits the health and safety of the City. The hardship will

no longer exist once the sanitary sewer main is extended past the property and the owner will be required to connect to the City's public sanitary sewer main.

**§ 52.019 TAMPERING WITH WASTEWATER FACILITIES**

No person(s) shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under the charge of a misdemeanor.

***PRIVATE WASTEWATER DISPOSAL***

**§ 52.030 CONNECTION REQUIRED**

Where a public sanitary sewer is not available under the provisions of § 52.018, the building sanitary sewer shall be connected to a private wastewater disposal system complying with the provisions of this chapter.

**§ 52.031 PERMIT REQUIRED**

Prior to commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the City. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary to the City.

**§ 52.032 INSPECTION**

A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the City or its authorized representative. The City or its representative shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the City when work is ready for final inspection and before any underground portions are covered. The inspection shall be made within four hours of the receipt of notice.

**§ 52.033 COMPLIANCE WITH STANDARDS**

The type, capacities, location and layout of a private wastewater disposal system shall comply with all requirements of Minn. Rules Chapter 7080, as it may be amended from time to time, entitled, "Individual Sewage Treatment System Standards." No septic tank or cesspool shall be permitted to discharge to any natural outlet.

**§ 52.034 CONNECTION TO PUBLIC SANITARY SEWER**

At such time as a public sanitary sewer becomes available to a property serviced by a private wastewater disposal system, a direct connection shall be made to the public sanitary sewer within ten days in compliance with this Chapter, and within 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.

**§ 52.035 SANITARY MANNER OF OPERATION REQUIRED**

The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the City.

**§ 52.036 CONFLICT WITH ADDITIONAL REQUIREMENTS**

No statement contained in this subchapter shall be construed to interfere with any additional requirements that may be imposed by the MPCA or the Department of Health of the State of Minnesota.

***BUILDINGS SEWER AND CONNECTIONS***

**§ 52.050 NEW CONNECTIONS/REPAIRS TO PRIVATE SANITARY SEWER PROHIBITED; EXCEPTION**

(A) New connection(s) to the sanitary sewer system shall be permitted as long as sufficient capacity is available in all downstream facilities, including but not limited to capacity for flow, BOD<sub>5</sub> and suspended solids, as determined by the Director. The parcel's connection to the City's sanitary sewer main is defined as Sanitary Sewer Service Connection (see definitions).

(B) After the initial service connection has been made to the Sanitary Sewer Main, the applicant, owner, or the occupant/user of the premises shall be liable for all repairs required to any Sanitary Sewer Service Connection including any necessary street repairs. It shall be the responsibility of the property owner to keep the Sanitary Sewer Service Connection in working condition.

**§ 52.051 PERMIT REQUIRED**

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

**§ 52.052 PERMIT 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 drain or sanitary sewer service connection beyond the limits of the building or property for which the sanitary sewer service connection permit has been given.

**§ 52.053 PERMIT CLASSES**

(A) There shall be two classes of building sanitary sewer permits:

(1) For residential and commercial service; and

(2) For service to establishments producing industrial wastes (see definitions).

(B) 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, must provide information describing its wastewater constituents, characteristics and type of activity.

#### **§ 52.054 EXPENSES TO BE PAID BY OWNER**

All costs and expenses incidental to the installation and connection of the sanitary sewer service connection 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 sanitary sewer service connection.

#### **§ 52.055 SEPARATE BUILDING SANITARY SEWER FOR EACH BUILDING**

A separate and independent building sanitary sewer shall be provided for in every building.

#### **§ 52.056 EXISTING BUILDING SANITARY SEWERS**

Old building sanitary sewers may be used in connection with new buildings only when they are found, on examination and test by the Director or his or her representative, to meet all requirements of this Chapter.

#### **§ 52.057 COMPLIANCE WITH STANDARDS**

The size, slopes, alignment, materials of construction of a building sanitary 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 Code 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 ASTM and WPCF Manual of Practice No. 9 shall apply.

#### **§ 52.058 ELEVATION OF BUILDING SEWER**

Whenever possible, the building sanitary 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 sanitary sewer, sanitary sewage carried by the building drain shall be lifted by an approved means and discharged to the building sanitary sewer.

#### **§ 52.059 PROHIBITED CONNECTIONS**

No person(s) shall make connection of roof downspouts, foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sanitary sewer or indirectly to the wastewater disposal system.

## § 52.060 STANDARDS

The connection of the sanitary sewer service connection into the public sanitary sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations. All such 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 must be approved by the City prior to installation.

## § 52.061 CONNECTION AND INSPECTION

The applicant for the sanitary sewer service connection permit shall notify the City when the connection is ready for inspection and connection to the public sanitary sewer. The connection and inspection shall be made under the supervision of the Director or authorized representative thereof.

## § 52.062 BARRICADES AND LIGHTS

All excavations for sanitary sewer service connection 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.

## § 52.063 LICENSED CONTRACTOR TO MAKE CONNECTIONS

No person shall make a sanitary sewer service connection with any public sanitary sewer unless a they have completed pipe laying training as prescribed by the Commissioner of Labor and Industry and provide documentation of such training or are a bonded, licensed plumber as required by Minnesota Statutes §326B.46 as may be amended from time to time.

## § 52.064 INDIVIDUAL CONNECTIONS TO CITY SANITARY SEWER SYSTEM

(A) *Definition.* For the purposes of this section, the term **COMBINED CONNECTION** means a single connection to the municipal sanitary sewer system that serves:

- (1) Two or more residential units; or
- (2) Two or more commercial or industrial lots or separate parcels of record.

(B) *Combined connection after effective date.* Unless permitted for a hardship situation in accordance with division (E), no combined connection may be made after the effective date of this section.

(C) *Combined connections discontinued.* Unless permitted to continue for a hardship situation in accordance with division (E), combined connections in existence on the effective date of this section

shall be discontinued and replaced with individual connections in accordance with this section.

(1) Owners of properties using a combined connection must replace such connection with an individual connection within three years of the date of notice from the City that replacement is required.

(2) Owners of the properties using a combined connection may use those parts of the connection lying within their property or in the public right of way between their property and the public sanitary sewer pipe, but must otherwise disconnect from the common connection and construct a new individual connection.

(D) *Exceptions.* The requirements of division (C) do not apply to:

(1) Multi-family residential rental properties where all units served by a combined connection are under the same ownership; or

(2) Multiple industrial or commercial lots or parcels of land that are adjacent, under the same ownership, and used for a single, unified business enterprise; or

(3) Combined connections where there is not an individual service from the main to the edge of the right-of-way available for each property using the combined connection.

(E) *VariANCES.* The Council may grant variances from the requirements of division (C) upon a finding that there are unique or unusual physical constraints on constructing an individual connection that make such connection impractical from an engineering perspective.

(F) *Notice.* Notice to owners provided for in this section shall be by certified mail to the person or persons whom tax statements are to be sent according to the records of Isanti County.

(G) *Penalties.* Any person convicted of a violation of this section shall be guilty of a misdemeanor. Violation of this section is also grounds for termination of sanitary sewer or water service and the imposition of such penalties or charges as may be imposed by Council resolution.

### ***USE OF PUBLIC SANITARY SEWERS***

#### **§ 52.080 PROHIBITED DISCHARGES**

(A) No person(s) shall discharge or cause to be discharged any unpolluted water such as storm water, groundwater, roof runoff, surface drainage or noncontact cooling water to any sanitary sewer.

(B) Storm water and all other unpolluted drainage shall be discharged to such storm sewers as are specifically designed as storm sewers or to a natural outlet approved by the City and other regulatory agencies. Industrial cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet on approval of the City and upon approval and the issuance of a discharge permit by the MPCA.

(C) No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sanitary sewers:

(1) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system. Prohibited materials include but are not limited to gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides;

(2) Solid or viscous substances which will cause obstruction to the flow in a sanitary sewer or other interference with the operation of the wastewater treatment facilities, such as, but not limited to grease, garbage with particles greater than one half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes;

(3) Any wastewater having a pH of less than 5.0 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater disposal system; and

(4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to inhibit or disrupt any wastewater treatment process, constitute a hazard to humans or animals or create a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.

#### **§ 52.081 LIMITED DISCHARGES**

(A) The following described substances, materials, water or wastes shall be limited in discharges to City systems to concentrations or quantities which will not harm either the sanitary sewers, the wastewater treatment works treatment process or equipment, will not have an adverse effect on the receiving stream and/or soil, vegetation and groundwater or will not otherwise endanger lives, limb, public property or constitute a nuisance.

The Director may set limitations lower than limitations established in the regulations below if, in his or her opinion, such more severe limitations are necessary to meet the above objectives. In forming his or her opinion as to the acceptability of wastes, the Director will give consideration to such factors as the quantity of subject waste in reaction to flows and velocities in the sanitary sewers, materials of construction of the sanitary sewers, nature of the sewage treatment process, the City's NPDES and/or SDS Permit, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Director are as follows:



(1) Any wastewater having a temperature greater than 150°F (65.6°C) or causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding 104°F (40°C) or having heat in amounts which will inhibit biological activity in the wastewater treatment works resulting in interference therein;

(2) Any wastewater containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65.6°C) and any wastewater containing oil and grease concentrations of mineral origin of greater than 100 mg/l, whether emulsified or not;

(3) Any quantities of flow, concentrations or both which constitute a “slug” as defined in § 52.001;

(4) Any garbage not properly shredded, as defined in § 52.001. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food on the premises or when served by caterers;

(5) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sanitary sewers for their maintenance and repair;

(6) Any wastewater with objectionable color not removed in the treatment process, such as but not limited to dye wastes and vegetable tanning solutions;

(7) Noncontact cooling water or unpolluted storm water, storm drainage or groundwater;

(8) Wastewater containing 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) in such quantities that would cause disruption with the wastewater disposal system;

(9) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable state or federal regulations;

(10) Any waters or wastes containing the following substances to such degree that any such material received in the composite wastewater at the wastewater treatment works in excess of limitations set by the Director for such materials: arsenic; cadmium; copper; cyanide; lead; mercury; nickel; silver; total chromium; zinc; and phenolic compounds which cannot be removed by City’s wastewater treatment system.

(11) Any wastewater which creates conditions at or near the wastewater disposal system which violates any statute, rule, regulation or ordinance of any regulatory agency or state or federal regulatory body.

(12) Any waters or wastes containing BOD<sub>5</sub> or suspended solids of such character and

quantity that unusual attention or expense is required to handle such materials at the wastewater treatment works, except as may be permitted by specific written agreement subject to the provisions of § 52.089.

(B) (1) If any waters or wastes are discharged or are proposed to be discharged to the public sanitary sewers which contain substances or possess the characteristics enumerated in division (A) of this section and/or which in the judgement of the Director may have a deleterious effect upon the wastewater treatment facilities, processes or equipment, receiving waters and/or soil, vegetation and groundwater or which otherwise create a hazard to life or constitute a public nuisance, the City may:

(a) Reject the wastes;

(b) Require pretreatment to an acceptable condition for discharge to the public sanitary sewers, pursuant to Section 307(b) of the Act and all addendums thereof;

(c) Require control over the quantities and rates of discharge; and/or

(d) Require payment to cover the added costs of handling, treating and disposing of wastes not covered by existing taxes or sanitary sewer service charges.

(2) If the City permits the pretreatment or equalization of waste flows, the design, installation and maintenance of the facilities and equipment shall be made at the owner's expense and shall be subject to the review and approval of the City pursuant to the requirements of the MPCA.

#### **§ 52.082 COMPLIANCE**

No user shall increase the use of process water or in any manner attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in §§ 52.080 and 52.081 or contained in the National Categorical Pretreatment Standards or any state requirements.

#### **§ 52.083 PRETREATMENT FACILITIES**

Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation at the expense of the owner(s).

#### **§ 52.084 GREASE, OIL AND SAND INTERCEPTORS**

Grease, oil and sand interceptors shall be provided when, in the opinion of the Director, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in § 52.081(A), any flammable wastes as specified in § 52.080(C), sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of the type to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper

removal and disposal of the captured materials by appropriate means and shall maintain a record of dates and means of disposal which are subject to review by the Director. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by a currently licensed waste disposal firm.

#### **§ 52.085 SAMPLING AND MEASUREMENT**

(A) Where required by the City, the owner of any property serviced by a building sanitary sewer carrying industrial wastes shall install a suitable structure or control manhole with such necessary meters and other appurtenances in the building sanitary sewer to facilitate observation, sampling and measurement of wastes. The structure shall be accessible and safely located and shall be constructed in accordance with plans approved by the City. The structure shall be installed by the owner at his or her expense and shall be maintained by the owner to be safe and accessible at all times.

(B) The owner of any property serviced by a building sanitary sewer carrying industrial wastes may, at the discretion of the City, be required to provide laboratory measurements, tests or analyses of waters or wastes to illustrate compliance with this chapter and any special condition for discharge established by the City or regulatory agencies having jurisdiction over the discharge. The number, type, frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated by the City. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with federal, state and local standards are being met. The owner shall 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 shall bear the expense of all measurements, analyses and reporting required by the City. At such times as deemed necessary, the City reserves the right to take measurements and samples for analysis by an independent laboratory.

(C) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall 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. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis subject to approval by the Director.

#### **§ 52.086 ACCIDENTAL DISCHARGES**

Where required by the City, the owner of any property serviced by a sanitary sewer shall provide protection from an accidental discharge of prohibited materials or other substances regulated by this chapter. Where necessary, facilities to prevent accidental discharges of prohibited materials shall be provided and maintained at the owner's expense.

Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Director for review and approval prior to construction of the facility. Review and approval of such plans and operating procedures shall not relieve any user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter.

Users shall notify the Director immediately upon having a slug or accidental discharge of substances or wastewater in violation of this chapter to enable countermeasures to be taken by the Director to

minimize damage to the wastewater treatment works. The notification will not relieve any user of any liability for any expense, loss or damage to the wastewater treatment system or treatment process or for any fines imposed on the City on account thereof under any state and federal law. Employers shall insure that all employees who may cause or discover such a discharge are advised of the emergency notification procedure.

#### **§ 52.087 CATCH BASIN OR WASTE TRAP**

(A) No person having charge of any building or other premises which drains into the public sanitary sewer shall permit any substance or matter which may form a deposit or obstruction to flow or pass into the public sanitary sewer. Within 30 days after receipt of written notice from the City, the owner shall install a suitable and sufficient catch basin or waste trap or, if one already exists, shall clean out, repair or alter the same and perform such other work as the Director may deem necessary. Upon the owner's refusal or neglect to install a catch basin or waste trap or to clean out, repair or alter the same after the period of 60 days, the Director may cause such work to be completed at the expense of the owner or representative thereof.

(B) The owner or operator of any motor vehicle washing or servicing facility shall provide and maintain in serviceable condition at all times a catch basin or waste trap in the building drain system to prevent grease, oil, dirt or any mineral deposit from entering the public sanitary sewer system.

#### **§ 52.088 REPAIR TO CLOGGED, OBSTRUCTED, BROKEN OR OUT OF ORDER PRIVATE SANITARY SEWERS**

Whenever any sanitary sewer service connection becomes clogged, obstructed, broken or out of order, detrimental to the use of the public sanitary sewer or unfit for the purpose of drainage, the property owner shall repair or cause such work to be done as the Director may direct. Each day after three days that a person neglects or fails to so act shall constitute a separate violation of this section, and the Director may then cause the work to be done and recover from the owner or agent the expense thereof by an action in the name of the City.

#### **§ 52.089 COST OF REPAIRS**

In addition to any penalties that may be imposed for violation of any provision of this chapter, the City may assess against any person the cost of repairing or restoring sanitary sewers or associated facilities damaged as a result of the discharge of prohibited wastes by such person and may collect such assessment as an additional charge for the use of the public sanitary sewer system or in any other manner deemed appropriate by the City.

#### **§ 52.090 SPECIAL AGREEMENTS**

No statement contained in this subchapter shall 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, subject to payment therefore by the industrial concern, providing that National Categorical Pretreatment Standards and the City's NPDES and/or State Disposal System Permit limitations are not violated.

## ***PRETREATMENT***

### **§ 52.106 PRETREATMENT PURPOSE AND POLICY**

(A) This subchapter sets forth uniform requirements for discharges into the City's wastewater disposal system and enables the City to comply with all state and federal laws.

(B) The objectives of this subchapter are as follows:

(1) To prevent the introduction of pollutants into the wastewater disposal system which will interfere with the operation of the system or the use or disposal of the sludge;

(2) To prevent the introduction of pollutants into the wastewater disposal system which will pass through the system inadequately treated into receiving waters or the atmosphere or otherwise be incompatible with the system; and

(3) To improve the opportunity to recycle and reclaim wastewater and sludge from the system.

(C) This subchapter provides for the regulation of discharges into the City's wastewater disposal system through the issuance of permits to certain users and through enforcement of the general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(D) This subchapter shall apply to the City and to persons outside the City who are, by contract or agreement with the City, users of the City wastewater disposal system. This subchapter is a supplement to §§ 52.140 *et seq.*, as amended. Except as otherwise provided herein, the Director of the City wastewater disposal system shall administer, implement and enforce the provisions of this subchapter.

### **§ 52.107 GENERAL DISCHARGE PROHIBITIONS**

No user shall discharge or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or to any public sanitary sewer:

(A) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system, be more than 5% nor any single reading over 10% of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include but are not limited to gasoline,

kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides;

(B) Solid or viscous substances which will or may cause obstruction to the flow in a sanitary sewer or other interference with the operation of the wastewater treatment facilities such as but not limited to grease, garbage with particles greater than one half inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes;

(C) Any wastewater having a pH less than 5.0 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater disposal system;

(D) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to inhibit or disrupt any wastewater treatment process, constitute a hazard to humans or animals or create a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a) of the Act;

(E) Any noxious or malodorous liquids, gases or solids which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sanitary sewers for their maintenance and repair;

(F) Any wastewater with objectionable color not removed in the treatment process, such as but not limited to dye wastes and vegetable tanning solutions;

(G) Any wastewater which creates conditions at or near the wastewater disposal system which violate any statute or any rule, regulation or ordinance of any public agency or state or federal regulatory body;

(H) Any wastewater having a temperature greater than 150°F (65.6°C) or causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding 104°F (40°C);

(I) Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD and the like), released in a discharge of such volume or strength as to cause inhibition or disruption in the wastewater disposal system. In no case shall a slug load have a flow rate or contain concentrations or quantities of pollutants that exceed for any time period longer than 15 minutes more than five times the average 24 hour concentrations, quantities or flow of the user during normal operations;

(J) Noncontact cooling water or unpolluted storm or groundwater;

(K) Any wastewater containing fats, wax, grease or oils, whether emulsified or not, in excess of 150

mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65.6°C) and any wastewater containing oil and grease concentrations of mineral origin of greater than 100 mg/l, whether emulsified or not;

(L) Wastewater containing 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) in such quantities that they would cause disruption with the wastewater disposal system;

(M) Any wastewater having a BOD<sub>5</sub> greater than 650 mg/l or having a suspended solids concentration of greater than 350 mg/l, unless otherwise permitted by the City;

(N) In addition to these prohibitions, no user shall discharge to any public sanitary sewer any discharge which will cause interference with the wastewater disposal system.

#### **§ 52.108 LIMITATIONS ON WASTEWATER STRENGTH**

(A) *National categorical pretreatment standards.* National categorical pretreatment standards promulgated by the U.S. Environmental Protection Agency (EPA) pursuant to the Act shall be met by all users which are subject to such standards in any instance where they are more stringent than the limitations in this subchapter.

(B) *State requirements.* State requirements and limitations on discharges shall be met by all users which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable chapter.

(C) *City's right of revision.* The City reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives presented in § 52.105.

(D) *Dilution.* No user shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained herein, contained in the national categorical pretreatment standards or contained in any state requirements.

(E) *Accidental discharges.* Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by this chapter. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense. Detailed plans showing facilities and operating procedure to provide this protection shall be submitted to the Director for review and shall be approved by the Director before construction of the facility.

Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify the user's facility as necessary to meet the requirements of this chapter. Users shall notify the Director immediately upon having a slug or accidental discharge of substances or wastewater in violation of this chapter in order to enable countermeasures to be taken by the

Director to minimize damage to the wastewater disposal system and the receiving waters.

The notification will not relieve users of liability for any expense, loss or damage to the wastewater disposal system or treatment process or for any fines imposed on the City on account thereof under any state or federal law. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a slug or accidental discharge. Employers shall ensure that all employees who may cause or discover such a discharge are advised of the emergency notification procedure.

### **§ 52.109 FEES**

(A) *Purpose.* It is the purpose of this section to provide for the recovery of costs from users of the City's wastewater disposal system for the implementation of the program established herein. The applicable charges or fees shall be set forth in the City's schedule of charges and fees to be prepared, from time to time, by the Director and approved by the City Council.

(B) *Charges and fees.* The City Council shall adopt charges and fees which may include:

(1) Area charges – Fee set by ordinance paid at the time parcels are annexed and/or subdivided (platted) into the City limits.

(2) Sanitary Sewer Access charges - Fee set by ordinance paid at the time a new connection to the City's Sanitary Sewer Main is made.

(3) Fees for monitoring, inspections and surveillance procedures;

(4) Fees for permit applications;

(5) Appeal fees; and

(6) Other fees as the City may deem necessary to carry out the requirements contained herein.

### **§ 52.110 GENERAL USER REPORTS**

The Director may require that any person discharging or proposing to discharge wastewater to the wastewater disposal system file a periodic discharge report. The discharge report may include but not be limited to nature of process, rates of flow, mass discharge rate, raw material and production quantities, hours of operation, number and classification of employees, compliance status with any state or federal pretreatment standards or other information which relates to the generation of waste, including wastewater constituents and concentrations in the wastewater discharge. The reports may also include sludge disposal practices and the chemical constituents and quantity of liquid or gaseous materials stored on site, even though they may not normally be discharged. At a minimum, a summary of such data indicating each industrial user's compliance with this subchapter shall be prepared quarterly and submitted to the Director. In addition to discharge reports, the Director may require information in the form of wastewater discharge permit applications, self-



monitoring reports and compliance schedules.

#### **§ 52.111 MANDATORY DISCHARGE PERMITS**

All industries proposing to connect or to commence a new discharge to the wastewater disposal system shall obtain a wastewater discharge permit before connecting to or discharging into the wastewater disposal system if the discharge would result in the industry being classified as a significant industrial user. All existing significant industrial users or industrial users subject to national categorical pretreatment standards under Section 307 (b) and (c) of the Act connected to or discharging into the wastewater disposal system shall obtain a wastewater discharge permit within 180 days after the effective date of this subchapter.

#### **§ 52.112 PERMIT APPLICATION**

(A) Users required to obtain a wastewater discharge permit shall complete and file with the Director an application in the form prescribed by the Director and accompanied by an initial fee of \$300. Existing users shall apply for a wastewater discharge permit within 30 days after the effective date of this subchapter, and proposed new users shall apply at least 180 days prior to connecting or discharging to the wastewater disposal system. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (1) Name, address and location (if different from the address);
- (2) SIC number according to the Standard Industrial Classification Manual, Bureau of the Budget, 1972, as amended;
- (3) Wastewater constituents and characteristics, including but not limited to those governed by this subchapter, as determined by a reliable analytical laboratory; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR 136, as amended;
- (4) Time and duration of discharge;
- (5) Average daily and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variation, if any;
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sanitary sewers, sanitary sewer connection and appurtenances by size, location and elevation;
- (7) Description of activities, facilities and plant processes on the premises, including all materials which are or could be discharged, including sludges, floats, skimmings and the like;
- (8) Where known, the nature and concentration of any pollutants in the discharge which are limited by any City, state or national pretreatment standards; and for an existing discharge, a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance and/or additional pretreatment is required

for the user to meet applicable pretreatment standards. If additional operation and maintenance and/or pretreatment will be required, a proposed schedule shall not be later than the compliance date established for the applicable pretreatment standard. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standard. No increment shall exceed nine months in length, and progress reports concerning each increment shall be submitted within 14 days following each increment date;

(9) Each product produced by type, amount and rate of production;

(10) Type and amount of raw materials processed (average and maximum per day);

(11) Number of full and part time employees and hours of work; and

(12) Any other information as may be deemed by the Director to be necessary to evaluate the permit application.

(B) The Director will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Director may issue a wastewater discharge permit subject to terms and conditions provided herein.

#### **§ 52.113 PERMIT CONDITIONS**

(A) Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the City.

(B) Permits may contain the following:

(1) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the wastewater disposal system;

(2) Limits on the average and maximum wastewater constituents and characteristics;

(3) Limits on average and maximum rate and time of discharge or requirements for flow regulation and equalization;

(4) Requirements for installation and maintenance of inspection and sampling facilities;

(5) Requirements for installation, operation and maintenance of pretreatment facilities;

(6) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule;

(7) Compliance schedules;

(8) Requirements for submission of technical reports or discharge reports;

(9) Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Director, but in no case less than three years, and affording Director access thereto;

(10) Requirements for notification to and acceptance by the Director of any new introduction of wastewater constituents of any substantial change in the volume or character of the wastewater treatment system;

(11) Requirements for notification of slug or accidental discharges as provided by § 52.108 and reporting of permit violations;

(12) Requirements for disposal of sludges, floats, skimmings, and the like; and

(13) Other conditions as deemed appropriate by the City to ensure compliance with this subchapter.

#### **§ 52.114 PERMIT DURATION**

Permits shall contain sanitary sewer service rates for the term of the permit. The user shall apply for permit reissuance a minimum of 180 days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Director during the term of the permit as limitation or requirements as identified in this subchapter are modified or either just cause exists. The user shall be informed of any proposed changes in his or her permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

The expiration of discharge permits will be determined on a case by case basis and included in the permit issuance.

#### **§ 52.115 PERMIT MODIFICATIONS**

(A) Permits issued under the provisions of this subchapter may be modified by the City if the actual discharge is found to differ substantially in quantity, constituents or effects from the discharge which was permitted. The user with an existing wastewater discharge permit may request modification of the permit to change wastewater discharge limitations, monitoring requirements or other requirements. Requests for modifications which would allow increased loading to the wastewater disposal system shall be made at least 180 days prior to the date of the proposed change.

(B) The user with an existing wastewater discharge permit shall submit to the Director within 180 days after the promulgation of any applicable national categorical pretreatment standard the information required by § 52.112. If the information previously submitted in an application is still current and adequate, only a letter from the user certifying such is required.

### **§ 52.116 PERMIT TRANSFER**

Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation without the approval of the Director. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

### **§ 52.117 MONITORING FACILITIES**

(A) Monitoring facilities to allow inspection, sampling and flow measurement of the building sanitary sewer and/or internal drainage systems shall be provided and operated by all industrial users. The monitoring facility should normally be situated on the user's premises, but the Director may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.

(B) There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and compositing of samples for analysis. The facility and sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

(C) Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Director's requirements and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the Director, unless a time extension is otherwise granted by the Director.

### **§ 52.118 INSPECTION AND SAMPLING**

The Director shall inspect the facilities of any user to ascertain whether the purpose of this subchapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Director ready access to all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The Director, MPCA and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with any security guards so that upon presentation of suitable identification, the Director, MPCA and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.

### **§ 52.119 PRETREATMENT**

(A) Users shall provide necessary wastewater treatment as required to comply with this subchapter and shall achieve compliance with all national categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater shall be provided, operated and maintained at the user's expense. Detailed

plans showing the pretreatment facilities and operating procedures shall be submitted to the Director for review and shall be acceptable to the Director before construction of the facility. The review of such plan and operating procedure will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Director under the provisions of this subchapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Director prior to the user's initiation of the changes.

(B) All records relating to compliance with pretreatment standards shall be made available by the Director to officials of the EPA or MPCA upon request.

(C) Any user subject to a national categorical pretreatment standard, after the compliance data of such pretreatment standard, or, in the case of the commencement of a new discharge to the wastewater disposal system, shall submit to the Director during the months of June and December, unless required more frequently in the pretreatment standard or by the Director, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards or requirements. The report shall state whether the applicable pretreatment standards or requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the facility into compliance with the applicable pretreatment standards or requirements. This statement shall be signed by the user and certified to by a qualified professional.

#### **§ 52.120 CONFIDENTIAL INFORMATION**

(A) Information and data on a user obtained from applications, permits, monitoring programs and inspections shall be available to the public or other government agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Director that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

(B) When requested by the person furnishing a report, and until such time as the information is determined not to be confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this subchapter, the NPDES Permit, State Disposal System Permit and/or the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the Director as confidential shall not be transmitted to any governmental agency or to the general public by the Director until and unless a ten day notification is given to the user.

#### **§ 52.121 SLUDGES GENERATED**

Sludges, floats, skimmings and the like generated by an industrial or commercial pretreatment system shall not be placed into the City's wastewater disposal system. Such sludges shall be contained, transported and disposed of in accordance with all federal, state and local regulations.

## **§ 52.122 SLUG OR ACCIDENTAL DISCHARGES**

(A) The Director may suspend the wastewater treatment service of a user or a wastewater discharge permit after informal notice to the discharger when suspension is necessary, in the opinion of the Director, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment or to the wastewater disposal system or would cause the City to violate any condition of its NPDES or State Disposal System Permit.

(B) Any user notified of a suspension of the wastewater treatment service and/or the wastewater discharge permit shall immediately stop the discharge. In the event of a failure of the user to comply voluntarily with the suspension order, the Director shall take such steps as deemed necessary, including immediate severance of the sanitary sewer connection, to prevent or minimize damage to the wastewater disposal system or endangerment to any individuals. The Director shall reinstate the wastewater discharge permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the slug or accidental discharge and the measures taken to prevent any future occurrence shall be submitted to the Director within 75 days of the date of occurrence.

## **§ 52.123 REVOCATION OF PERMIT**

In accordance with the procedures of this subchapter, the Director may revoke the permit of any user which fails to factually report the wastewater constituents and characteristics of his or her discharge; which fails to report significant changes in wastewater constituents or characteristics; which refuses reasonable access to the user's premises for the purpose of inspection or monitoring or for violation of conditions of its permit, this subchapter or applicable state and federal regulations.

## **§ 52.124 NOTIFICATION OF VIOLATION**

Whenever the Director finds that any person has violated or is violating this subchapter, a wastewater discharge permit or any prohibition, limitation or requirement contained herein, the Director may serve upon such person a written notice stating the nature of the violation. Within 30 days of the date of the notice, unless a shorter time frame is necessary due to the nature of the violation, a plan for the satisfactory correction thereof shall be submitted to the City by the user.

## **§ 52.125 SHOW CAUSE HEARING**

(A) *Notice of hearing.* If the violation is not corrected by timely compliance, the Director may order any user which causes or allows an unauthorized discharge to show cause before the City Council why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by the City Council regarding the violation, the reason why the action is to be taken, the proposed enforcement action and directing the user to show cause before the City Council why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of a corporation.

(B) *Hearing officials.* The City Council may itself conduct the hearing and take the evidence or may designate any of its members or any officer or employee of the City to:

(1) Issue in the name of the City Council notice of hearings requesting the attendance and testimony of witnesses and the protection of evidence relevant to any matter involved in such hearings;

(2) Take the evidence; and

(3) Transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the City Council for action thereon.

(C) *Transcripts.* At any hearing held pursuant to this subchapter, testimony taken must be under oath and recorded. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

(D) *Issuance of orders.* After the City Council has reviewed the evidence, it may issue an order to the user responsible for the discharge directing that, following a specified time period, the sanitary sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated. Further orders and directives as are necessary and appropriate may be issued.

#### **§ 52.126 LEGAL ACTION**

If any person discharges sewage, industrial wastes or other wastes into the City's wastewater disposal system contrary to the provisions of this subchapter, federal or state pretreatment requirements or any order of the City, the City Attorney may, following the authorization of such action by the City Council, commence an action for appropriate legal and/or equitable relief.

#### **§ 52.127 ANNUAL PUBLICATION**

A list of the users which were significantly violating applicable pretreatment requirements or national categorical pretreatment standards during the 12 previous months shall be annually published by the City in a local newspaper. The notification shall also summarize any enforcement actions taken against the user(s) during the same 12 months. For the purposes of this provision, significant violations would be those violations which remain uncorrected 45 days after notification of noncompliance; which are part of a pattern of noncompliance over a 12 month period; or which involve a failure to accurately report noncompliance.

#### **§ 52.128 APPEAL TO THE CITY COUNCIL**

(A) Any interested party shall have the right to request in writing an interpretation or ruling on any matter covered by this subchapter and shall be entitled to a written reply from the City.

(B) Any decision of the Director in the enforcement of this subchapter may be appealed to the City Council by filing a written petition with the City Administrator within 30 days of the Director's ruling. The petition shall specify in detail the matter or matters involved and every ground or basis on which objections are made. The petition shall show the names, addresses and telephone numbers of all objectors and their attorney at law or spokesperson. The filing of a petition in accordance with the requirements herein shall stay all proceedings unless the Director shall file within 72 hours after the filing of a petition a certificate stating that a stay would cause peril to life or property or specifying other good reason.

(C) The City Council shall fix a reasonable time for hearing of the petition or appeal and give due notice of the time and place of the hearing to parties named in the petition as attorney or spokesperson. The hearing shall be open to the public. Petitioners shall be given full opportunity to present evidence in support of their petition after which the Director may present evidence in support of his decision. The City Council shall decide the appeal within a reasonable time and notify the attorney or spokesperson. The minutes of the Council shall constitute the official record of the petition, hearing and decision. Any party desiring a transcript of the proceedings shall furnish a qualified court reporter at their own expense.

### ***SANITARY SEWER SERVICE CHARGE SYSTEM***

#### **§ 52.141 ESTABLISHMENT OF SANITARY SEWER SERVICE CHARGE SYSTEM**

(A) The City establishes a sanitary sewer service charge system (SSCS) whereby all revenue collected from users of the wastewater treatment facilities will be used to affect all expenditures incurred for annual operation, maintenance, ~~and~~ replacement, and ~~for~~ debt service on capital expenditure incurred in constructing the wastewater treatment works.

(B) Sanitary Sewer service rates and charges to users of the wastewater treatment facility shall be determined and fixed in a sanitary sewer service charge system developed according to the provisions of this subchapter. The sanitary sewer service charge system shall be adopted by ordinance upon enactment of this subchapter, shall be published in the local newspaper and shall be effective upon publication. Subsequent changes in sanitary sewer service rates and charges shall be adopted by Council resolution or ordinance and shall be published in the local newspaper.

(C) Revenues collected for sanitary sewer service shall be deposited in a separate fund known as "The Sanitary Sewer Service Fund." Income from revenues collected will be expended to offset the cost of operation, maintenance and equipment replacement for the facility and to retire the debt for capital expenditure.

(D) Sanitary sewer service charges and the Sanitary Sewer Service Fund will be administrated in accordance with the provisions of § 52.144.

(E) Rates for Significant Industrial Users (SIU) sanitary sewer services shall be calculated based upon their impact on the plant's capacity and treatment systems (TSS, BOD, phosphorous, ammonia, etc.) as outlined in their discharge permit.



## § 52.142 DETERMINATION OF SANITARY SEWER SERVICE CHARGES

### (A) *User classes.*

(1) Users of the City wastewater treatment works shall be identified as belonging to one of the following user classes:

- (a) Residential/Commercial/Institutional;
- (b) Significant Industrial User (SIU)

(2) The allocation of users to these categories for the purpose of assessing user charges and debt service charges shall be the responsibility of the Director of Finance and City Administrator. Allocation of users to user classes shall be based on the substantive intent of the definitions of these classes contained herein.

(B) *Operation, maintenance, debt service, capital equipment, and replacement costs.* The user shall pay operation, maintenance and replacement costs in proportion to the user's proportionate contribution of wastewater flows and loadings to the treatment plant. The Director of Finance will recommend sanitary sewer base rates and flow rates on an annual basis to City Council giving consideration to the Sanitary Sewer Fund's operating, capital, debt service, and forecasted capital improvement plan. The Sanitary Sewer Fund is to be entirely self supporting through the payment of base rates and flow rates. Base rates will cover all capital costs, debt service, and forecasted capital improvement plan. Flow rates will be set to recover annual operating costs for the sanitary sewer system.

### (C) *User charges for normal domestic strength users.*

#### (1) *Calculating billable flows and loadings.*

(a) The billable amount of flow will be calculated from the volume of metered water usage. The monthly billable flow shall be equal to monthly metered water usage rounded to the nearest 1,000 gallon mark.

(b) For users discharging NDSW but not connected to the City water system, the billable amount of flow will be calculated from the volume of their well's metered water usage or, at the discretion of the City, from the measurement of effluent flow at the user's point of discharge. Measurements shall be according to a regular program prescribed by the City. The City may require a flow meter to be installed to measure the sanitary sewer flow for accurate billing.

(D) *Meters.* The city may, at its discretion, require nonresidential users to install wastewater flow meters or such additional water meters as may be necessary to determine wastewater volume. The City may require residential connections to install water meters for the purpose of determining wastewater volume. When so required, such meters shall be of a type approved by the City, equipped with remote registering recorders and located at an accessible site on the owner's property.

## **§ 52.143 SANITARY SEWER SERVICE FUND**

(A) The City has established a “Sanitary Sewer Enterprise Fund” as a fund to receive all revenues generated by the sanitary sewer service charge system and all other income dedicated to the operation, maintenance, replacement, debt service, capital, and construction of the wastewater treatment works, including taxes, special charges, fees and assessments intended to retire construction debt. All Sanitary Sewer Enterprise Fund accounts shall be established in accordance Minnesota Accounting and Financial Reporting Standards as published by the Office of State Auditor.

## **§ 52.144 ADMINISTRATION**

The sanitary sewer service charge system and Sanitary Sewer Service Fund shall be administrated according to the following provisions.

(A) (1) The City shall maintain a proper system of accounts suitable for determining the operation and maintenance, equipment replacement and debt retirement costs of the sanitary sewer system and shall furnish the City Council with a report of such costs annually.

(2) The City Council shall annually determine whether or not sufficient revenue is being generated for the effective operation, maintenance, replacement and management of the treatment works and whether sufficient revenue is being generated for debt retirement. The Council will also determine whether the user charges are distributed proportionately to each user.

(3) The City shall thereafter, but not later than the end of the year, reassess and as necessary revise the sanitary sewer service charge system then in use to insure the proportionality of the user charges and to insure the sufficiency of funds to maintain the capacity and performance to which the facilities were constructed and to retire the construction debt.

(B) In accordance with federal and state requirements each user will be notified annually in conjunction with a regular billing of that portion of the sanitary sewer service charge attributable to operation, maintenance and replacement.

(C) In accordance with federal and state requirements, the City shall be responsible for maintaining all records necessary to document compliance with the sewer service charge system adopted.

(D) Water, sanitary sewer, storm sewer, and street light utility charges shall be billed on one bill as applicable to each account. All charges shall be due upon receipt and considered delinquent after the fifteenth (15<sup>th</sup>) day of the month. All bills shall contain the title, address and telephone number of the official in charge of billing; the title, address and phone number shall be clearly visible and easily readable. Bills shall be mailed to the customers on or before the fifth (5<sup>th</sup>) day of each month and specify the water consumed, sanitary sewer charges, storm sewer charges, and street light utility charges in accordance with the current fee schedule set by ordinance of the City Council.

(E) All accounts shall be carried in the name of the owner who personally, or by his or her authorized agent, applied for such service. The property owner shall be liable for all utility services

supplied to the property by the City, whether he or she is occupying the property or not, and any unpaid charges shall be a lien upon the property.

(F) Any additional costs caused by discharges to the treatment works of toxics or other incompatible wastes, including the cost of restoring wastewater treatment services, clean up and restoration of the receiving waters and environs and sludge disposal shall be borne by the discharger(s) of the wastes at no expense to the City.

## § 52.145 DELINQUENT ACCOUNTS

**(A) Penalties.** A late payment penalty of 5 (five) percent, with a minimum of \$5.00, shall be assessed on all accounts with a past due balance.

**(B) Shut-off for nonpayment.** Water/Sewer shall be shut-off after a notice of intent to shut-off has been mailed by first class mail and an opportunity for a hearing before the City Council or an employee designated by the City Council have provided to the occupant and owner of the premises involved.

(1) If any bill is not paid by the due date listed on the bill, a second notice stating the balance due will be mailed by first class mail and shall state that if payment is not made within ten days of the mailing of the second bill, water/sewer service to the premises will be shut off for nonpayment.

(2) The second notice (shut-off notice) must contain the title, address and telephone number of the official in charge of billing; the title, address and phone number shall be clearly visible and easily readable.

(3) The notice shall also state that the any occupant or owner has the right to a hearing before the water/sewer service is shut off. The owner or occupant may be represented in person and by counsel or any other person of his or her choosing. The owner or occupant may present orally or in writing his or her complaint to the City official in charge of utility billing. This official shall be authorized to order continuation of the customer's service and shall have the authority to adjust the customer's bill or enter into a mutually agreeable payment plan.

(4) If an occupant or owner requests a hearing, the water/sewer shall not be shut off until the hearing process is complete.

(5) If a customer fails to pay and fails to request a hearing under this part, service will be shut off at the time specified in the notice but not until the charges have reached \$200.

(6) If the customer's water/sewer is shut off by the City and is turned back on by anyone other than a City employee without paying the utility bill in full and will be fined \$500 per occurrence. This fine if not paid will be certified for collection with taxes. This matter can also

be referred to the City's prosecuting authority for criminal charges for tampering with a municipal sanitary sewer system.

(C) **Certification for collection with taxes.** Unpaid charges on sewer accounts shall not be certified to the county auditor until notice and an opportunity for a hearing have been provided to the owner of the premises involved. The notice shall be sent by first class mail and shall state that if payment is not made before the date for certification, the entire amount unpaid plus penalties will be certified to the county auditor for collection as other taxes are collected. The notice shall also state that the occupant may, before such certification date, attend or schedule a hearing on the matter to object to certification of unpaid utility charges.

In addition to any penalties provided for in this ordinance if any person, firm or corporation fails to comply with any provision or this ordinance, the Council or any City official designated by it, may institute appropriate proceedings at law or at equity to procure payment.

The City will have a maximum of twelve certification cycles per year. Certifications will be scheduled and heard at the Council meeting which occurs on the third (3<sup>rd</sup>) Monday of each month. All City utility accounts, unless payment arrangements have been made with the City or exempt for other legal reason, which are delinquent and remain unpaid as of the certification cut-off date shall have the balance on the account included in the preliminary certification list.

(D) **Optional payment before certification.** The owner of the property shall have the option of paying the balance due on the account until the date the notice of the certification hearing is mailed. After the date the notice of certification hearing is mailed, payments will still be accepted but will include unpaid penalties.

(E) **Hearing required.** A hearing shall be held on the matter by the City Council. Property owners with unpaid utility charges shall have the opportunity to object to the certification of unpaid charges to be collected as taxes are collected. If, after the hearing, the City Council finds that the amounts claimed as delinquent are actually due and unpaid and that there is no legal reason why the unpaid charges should not be certified for collection with taxes in accordance with this ordinance, the City may certify the unpaid charges to the county auditor for collection as other taxes are collected.

(1) **Hearing options.** For each certification sustained, the property owner shall have the following options after the hearing,

(a) To pay the delinquent amount listed on the preliminary roll prior to the certification being delivered to the County for inclusion on the tax rolls.

(b) To pay the certified charges as billed to them by Isanti County on their property tax statement with a collection term of one year.

(2) **Delivery to County.** Prior to December 1 of each year the certified roll, minus any payments, shall be delivered to Isanti County.

## ***ADMINISTRATION AND ENFORCEMENT***

### **§ 52.160 RIGHT TO ENTER**

The Director or other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observations, measurement, sampling and testing pertinent to the discharges to the City's sanitary sewer system in accordance with the provisions of this chapter.

The Director or other duly authorized employees of the City bearing proper credentials and identification shall be permitted to 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 shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (NOTE: just moved up from section that was deleted below)

### **§ 52.161 RIGHT TO OBTAIN INFORMATION**

The Director or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the type and source of discharge to the wastewater collection system. An industry may withhold information considered confidential; however, the industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

### **§52.162 SEVERABILITY**

If any section of this chapter is held invalid, such invalidity shall not affect other sections or provisions which can be given force and effect without invalidating the section or provision.