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### ORDINANCE 805      SEWER USE

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Section 805.01: USE OF PUBLIC SEWERS REQUIRED. Every household, business, or industry shall connect to sanitary sewer. The Minnesota Individual Sewage Treatment Systems Standards (Minnesota Rules, Chapter 7080, as from time to time amended or modified) is hereby adopted by reference and made part of this Ordinance but does not prohibit more restrictive requirements that may be set forth herein.

Subd. 1. Unsanitary Deposits Prohibited. No person shall place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste.

Subd. 2. Polluted Discharges Prohibited. No person shall discharge any sewage or other polluted waters on public or private property within the City or in any area under the jurisdiction of the City, except where suitable treatment has been provided in accordance with subsequent provisions of this Section.

Subd. 3. Public Sewer Connect Guidelines. The owner of every house, building or property used for human occupancy, employment, recreation or other purposes situated within the City and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located any public sanitary sewer main which passes not more than 10 feet from the property line, shall install and maintain, at the owner's expense, suitable toilet facilities, and to connect such facilities directly with the proper public sanitary sewer in accordance with the provisions of this Section, within ninety (90) days after date of official notice to do so.

Section 805.02: PRIVATE SEWAGE DISPOSAL. Private sewage collection and disposal systems shall not be permitted within the City corporate limits; provided, however, that individual sewage collection and disposal systems in areas in which the sanitary sewer is not within 10 feet of the property line, or which is otherwise not served by the city sanitary sewer system, may be granted a special permit by the City Council and by Stearns County. At the time public sewer becomes available to a property served by a private system, a direct connection shall be made to the public sewer. Any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and removed or cleaned and filled with clean bank-run gravel.

Subd. 1. Private Sewage Permits. Private sewage collection and disposal systems shall be inspected and approved by the City and Stearns County prior to being granted a permit. The permit shall be for a term of up to one year, and shall be renewed annually. The permit may be terminated at any time if the Council finds that city sanitary sewer has become available to the property, or if the City determines that the private sewage collection and disposal system no longer meets approved standards.

Section 805.03: BUILDING SEWER AND CONNECTIONS.

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Subd. 1. Written Permits for Work Authorization. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance without first obtaining a written permit from the City.

Subd. 2. Federal/State Sewer Disposal Standards. Disposal by any person into the city sanitary sewer system is unlawful, except those discharges which are in compliance with Federal Standards promulgated pursuant to the Federal Act and more stringent State and local standards.

Subd. 3. Permit Disposal Exceptions. A building sewer permit and sewer connection shall be allowed only if the City determines that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

Subd. 4. Owner Responsibility for Loss or Damage. All costs and expenses incident to the installation and connection of a building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or connection of the sewer.

Subd. 5. Independent/Adjoining Sewers. A separate and independent building sewer shall be provided for every building; except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, then the building sewer from the front building may be extended to the rear building and the whole unit shall be considered as one building sewer.

Subd. 6. Connection of Old Sewer to New. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the City, to meet all requirements of this Section.

Subd. 7. Conforming to Engineer's Specifications. Every aspect of sewer construction including specifically, but not exclusively, the size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the City's requirements. The City Engineer's Specifications for Water and Sewer Main Construction in Minnesota shall apply to and control all such matters, except as modified by the City Council.

Subd. 8. Elevation of Sewer. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewer carried by such building drain shall be lifted by a means which is approved in accordance with this Section, and discharged to the building sewer.

Subd. 9. Protection of Public Property. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

### Section 805.04: USE OF THE PUBLIC SEWERS.

Subd. 1. Sanitary Sewer Restrictions. No person shall discharge non-sewage waters to any sanitary sewer, nor connect any sources of non-sewage waters to any public sanitary sewer, whether directly or indirectly. This prohibition shall include specifically, but not exclusively, roof

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down spouts, exterior foundation drains, areaway drains, basement tiles, sump pumps, air conditioner or dehumidifier discharges, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, storm water, surface water, unpolluted industrial process, and all other non-sewage waters. Sump pumps shall not discharge into the sanitary sewer; instead, sump pumps shall be hard plumbed to discharge outdoors or into the storm sewers.

Subd. 2. City Approval of Water Discharge. Storm water and all other unpolluted non-sewage drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to natural outlets approved by the City. Industrial cooling water or unpolluted process waters may be discharged, on approval of the City, to a storm sewer or natural outlet.

Subd. 3. Public Sewer Guidelines. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid, or gas.
- (b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
- (c) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (d) Solid or viscous substances in quantities or of a size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works.

Subd. 4. Industrial Users. No industrial user shall discharge sewage into any public sewer until the City has adopted an industrial cost recovery system which:

- (a) Meets the requirements of Section 204(b) (1) (B) of the Federal Water Pollution Control Act Amendments of 1972 (citation) and applicable Federal regulations; and
- (b) Has been approved by the agency in accordance with the conditions of any grant made to the City by the United States Environmental Protection Agency for the construction or any part of the sewer system or sewage treatment works of the City.

Subd. 5. City Discharge Consideration Limits. No person shall discharge or cause to be discharged into the city sanitary sewer system the substances described in Subdivision 3, nor any other substances, materials, waters, or wastes which, in the opinion of the City, may harm the sewers, sewage treatment process, or equipment; may have an adverse effect on the receiving stream; or otherwise may endanger life, limb, public property, or constitute a nuisance. In forming its opinion as to the acceptability of these substances, materials, wastes or waters, the City shall consider all factors including specifically, but not exclusively, the quantities of subject wastes in relation to flows and velocities in sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, maximum limits established by regulatory agencies, and such other factors which, in the opinion of the City, are relevant.

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Subd. 6. Pretreatment Water Standards. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters or wastes contain the substances or possess the characteristics enumerated in Subdivisions 3 or 5 of this Subsection, and/or which are in violation of the standards for pretreatment provided in Chapter 1, EPA Rules and Regulations, Subchapter D, Water Programs Part 128 Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, Nov. 8, 1973 and any amendments thereto, or which, in the judgment of the City, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise may create a hazard to life limb, public property or constitute a nuisance, the City may:

- (a) Reject the discharges;
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (c) Require control over the quantities and rates of discharge; and/or
- (d) Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges.

If the City permits the pretreatment or equalization of wasteflows, the design and installation of such plants and equipment are subject to the review and approval of the City and subject to the requirements of all applicable codes, ordinances, and laws.

Subd. 7. City Approval of Interceptors. Grease, oil, or sand interceptors shall be provided whenever, in the opinion of the City, they are necessary for proper handling of wastes containing grease, or any flammable wastes, sand, or other harmful ingredients. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection.

Subd. 8. Owner's Expense. Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

Subd. 9. Industry Manhole Installation/Expense. Each industry is required to install a control manhole when required by the City, and the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control appurtenance in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with the plans approved by the City. The manhole shall be installed and maintained by the owner at the owner's expense and shall be maintained by the owner so as to be safe and accessible at all times.

Subd. 10. Sewer Wastewater Analyses. The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests, and analyses of waters and wastes to illustrate compliance with this Section and any special conditions for discharge established by the City or regulatory agencies having jurisdiction over the discharge. The number, type and frequency of laboratory analyses to be performed by the owner shall be determined by the City. No less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure compliance with all Federal, State, and local standards. 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

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necessary, the City reserves the right to take measurements and samples for analysis by an outside laboratory service.

Subd. 11. User Recovery Cost. Each residential household, commercial complex, commercial business or industry shall pay to the City the established amount set forth by the base rate (minimum) charge for the proper operation of the sewage treatment plant, as set forth in the Schedule of Fees, Chapter 215. Every building, except those owned by the City, whether occupied or vacant, is subject to this base rate (minimum) charge. Any established multi-dwelling shall make payment in the amount established by the base rate (minimum) charge and the additional unit charge. The payment shall be made unless the sewer service is discontinued and the connection is removed.

Section 805.05: PROTECTION OF SEWAGE WORKS FROM DAMAGE. No person shall intentionally break, damage, destroy or tamper with any structure, appurtenance or equipment which is a part of the sewage works. No person shall intentionally discharge, or knowingly allow to be discharged, into the sanitary sewer system, any wastes, waters, chemicals or substances prohibited or regulated by Section 805.04 of this Code, without first having met all City requirements for such discharge.

Section 805.06: WASTEWATER BACK-UPS; BACK-UP VALVE RESPONSIBILITY. The City shall not be held liable for any damages resulting from a sanitary sewer back-up. All building drains which have back-up problems shall have a back-water valve installed and maintained at the owner's expense. It shall be the owner's responsibility to ensure that the back-water valve is kept clean and serviceable.

Section 805.07: MAINTENANCE RESPONSIBILITY. Repairs and maintenance of sewer lines from the main to the residence or other structure shall be the responsibility of the property owner, including any necessary upgrades and street repairs. The property owner is also responsible for maintaining the lines in a free-flowing condition from the main to the residence or other structure, including but not limited to, freeze-ups and plugs due to debris and roots.

Section 805.08: POWERS AND AUTHORITY OF CITY. The City shall be permitted to gain access to such public or private properties as may be necessary for the purpose of inspection, observation, measurement, sampling and testing sewer or wastewaters, in accordance with provisions of this Section. No person shall physically interfere with, obstruct, hinder, prevent, or delay any City employee or agent exercising the City's powers under this section. The City will do locates of the City sewer main lines and at their discretion, may give direction to the property owner as to where their sewer line may run on their property. The City will not do any paint markings for locates on private property.

Section 805.09: PENALTIES. Any person who violates the provisions of this Section shall be guilty of a misdemeanor. Each day of violation shall be a separate offense.

Subd. 1. Liability to City. Any person violating any of the provisions of this Section shall be liable to the City by reason of such violation for all costs associated with correction of the problems caused by the violation, including specifically, but not exclusively, wages, overtime, materials, supplies, costs, disbursements, and reasonable attorneys' fees.

Subd. 2. Emergency Discontinuation of Sewer Service. Where acids and chemicals damaging to sewer lines or treatment processes are discharged into the sewer causing rapid deterioration of these structures or interfering with proper treatment of sewage, the City may immediately discontinue sewer services by such measures as are necessary to protect the facilities. The persons whose conduct necessitated the emergency discontinuation of sewer services shall be jointly and

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severally liable to the City for all costs associated with the investigation, discontinuation, and correction of the sewer system, including reasonable attorneys' fees.