

CHAPTER 7**PUBLIC AND PRIVATE UTILITIES****701. PUBLIC SANITARY SEWERS - USAGE AND RATES**

Section 701.01. Use of Public Sewers; Surface Waters. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage including water from a sump pump, cooling water or unpolluted industrial process waters to any sanitary sewer. Discharge of water from a sump pump shall be accomplished in a manner consistent with regulations adopted by the City Council.

Section 701.03. Storm Sewers. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers, or to a natural outlet approved by the City Council. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the City Council, to a storm sewer, or natural outlet.

Section 701.05. Prohibited Wastes. Except as hereinafter provided, no person shall discharge or cause to be discharged any material which may adversely affect the public sewer system, including, but not limited to, the following described waters or wastes to any public sewer:

Subd. 1. Any liquid or vapor having a temperature higher than 150 degrees F.

Subd. 2. Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, or grease.

Subd. 3. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

Subd. 4. Any garbage that has not been properly shredded.

Subd. 5. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

Subd. 6. Any waters or wastes having a Ph lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

Subd. 7. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the sewage treatment plant.

Subd. 8. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

Subd. 9. Any noxious or malodorous gas or substance capable of creating a public nuisance.

Section 701.07. Grease, etc.

Subd. 1. Grease, oil, and sand interceptors shall be provided when they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All such interceptors shall be of a type and capacity approved by the City Engineer, and shall be located as to be readily and easily accessible for cleaning and inspection.

Subd. 2. Construction. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gas-tight and watertight.

Subd. 3. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

Section 701.09. Restricted Wastes. The City Engineer may restrict, condition or prohibit the admission into the public sewers of any waters or wastes:

Subd. 1. having CBOD₅ greater than 200 milligrams per liter (mg/l), and/or

Subd. 2. containing more than 250 mg/l of total suspended solids, and/or

Subd. 3. containing any quantity of substances having the characteristics described in Section 701.05, and/or

Subd. 4. having an average daily flow greater than 2% of the average daily sewage flow of the City.

Section 701.11. Reduction of Waste.

Subd. 1. The owner shall provide at his expense, such preliminary treatment as may be necessary to,

(a) reduce the CBOD₅ to 200 milligrams per liter (mg/l), and the total suspended solids to 250 mg/l, and/or

(b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 701.05, or

(c) control the quantities and rates of discharge of such waters or wastes.

Subd. 2. Submission to MWCC. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City Engineer and of the Metropolitan Waste Control Commission, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Section 701.13. Preliminary Treatment. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at their expense.

Section 701.15. Manholes. The owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole 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 plans approved by the City Engineer. The manhole shall be installed by the owner at their expense, and shall be maintained by the owner so as to be safe and accessible at all times.

Section 701.17. Tests. All measurement tests and analyses of the characteristics of waters and wastes to which reference is made in Sections 701.09 and 701.11 shall be determined in accordance with methods employed by the Minnesota Department of Health, and shall be determined at the control manhole provided for in Section 858 or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

Section 701.19. Agreement with City. No statement contained in this chapter 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 and in exchange for, payment therefor by the industrial concern.

Section 701.21. Industrial User Strength Charge. The Metropolitan Waste Control Commission, a metropolitan commission organized and existing under the laws of the State of Minnesota (the "Commission"), in order to receive and retain grants in compliance with the Federal Water Pollution Control Act Amendments of 1972 and regulations thereunder (the "Act"), has determined to impose an industrial user sewer strength charge upon users of the Metropolitan Disposal System (as defined in Minnesota Statutes, Section 473.121, subdivision 24) to recover operation and maintenance costs of treatment works attributable to the strength of the discharge of industrial waste, such sewer strength charge being in addition to the charge based upon the volume of discharge. In order for the City to pay such costs based upon strength of industrial discharge and allocated to it each year by the Commission, it is hereby found, determined and declared to be necessary to establish sewer strength charges and a formula for the computation thereof for all industrial users receiving waste treatment services within or served by the City. Furthermore, Minnesota Statutes, Section 444.075, Subdivision 3, empowers the City to make such sewer charge a charge against the owner, lessee, occupant or all of them and certify unpaid charges to the county auditor as a tax lien against the property served.

Section 701.23. Establishment of Strength Charges. For the purpose of paying the costs allocated to the City each year by the Commission that are based upon the strength of discharge of all industrial users receiving waste treatment services within or served by the City, there is hereby approved, adopted and established, in addition to the sewer charge based upon the volume of discharge, a sewer charge upon each person, company or corporation receiving waste treatment services within or served by the City, based upon strength of industrial waste discharged into the sewer system of the City (the "Strength Charge").

Section 701.25. Establishment of Strength Charge Formula. For the purpose of computation of the Strength Charge established by Section 701.23 hereof, there is hereby established, approved and adopted in compliance with the Act, the same strength charge formula designated in Resolution No. 76-172, adopted by the governing body of the Commission on June 15, 1976, such formula being based upon pollution qualities and difficulty of disposal of the sewage produced through an evaluation of pollution qualities and quantities in excess of an annual average base and the proportionate costs of operation and maintenance of waste treatment services provided by the Commission.

Section 701.27. Strength Charge Payment. It is hereby approved, adopted and established that the Strength Charge established by Section 701.23 hereof shall be paid by each industrial user receiving waste treatment services and subject thereto before the twentieth (20th) day succeeding the date of billing thereof to such user by or on behalf of the City, and such payment thereof shall be deemed to be delinquent if not so paid to the billing entity before such date. Furthermore, it is hereby established, approved and adopted that if such payment is not paid before such date, an industrial user shall pay interest compounded monthly at the rate of two-thirds of one percent (2/3%) per month on the unpaid balance due.

Section 701.29. Establishment of Tax Lien. As provided by Minnesota Statutes, Section 444.075, Subdivision 3, it is hereby approved, adopted and established that if payment of the Strength Charge established by Section 701.23 hereof is not paid before the sixtieth (60th) day next succeeding the date of billing thereof to the industrial user by or on behalf of the City, said delinquent sewer Strength Charge, plus accrued interest established pursuant to Section 701.25 hereof, shall be deemed to be a charge against the owner, lessee and occupant of the property served, and the City or its agent shall certify such unpaid delinquent balance to the county auditor with taxes against the property served for collection as other taxes are collected; provided, however, that such certification shall not preclude the City or its agent from recovery of such delinquent sewer strength charge and interest thereon under any other available remedy.

Section 701.31. Definition Governing Rules and Rates for Sewer Charge. Unless the language clearly indicates that a different meaning is intended, the following terms and phrases shall be given the meaning set out below for the purposes of this ordinance:

Subd. 1. Normal Sewage is water-carried waste products from residences, public buildings, business or industrial establishments, schools, or any other buildings or structures, including the excrement or other discharge from human beings or animals, together with such ground water infiltration as may be present.

Subd. 2. Industrial Waste is any liquid, gaseous or solid waste substance resulting from any process of industry, manufacturing, trade, business, the development of any natural resource or any similar activity.

Subd. 3. Average Unit is defined as a building containing three people.

Section 701.33. Rates.

Subd. 1. The following rates and charges for use and service of the sanitary sewer system are hereby established, such charges and rates to be made against each lot, parcel of land, unit or premises which may have a connection directly or indirectly into the City sanitary sewer system and which discharges only normal sewage into such system.

Subd. 2. Minimum Charges. The minimum monthly charge, whether use of water is metered or not, shall be set by Resolution of the City Council.

Subd. 3. Flat Charges. Where the rate is not based upon the metered use of water, monthly flat charges shall be set by Resolution of the City Council.

Subd. 4. Extraordinary Charges. Notwithstanding any other provision of this ordinance to the contrary, the rate for discharge of water from any extraordinary source into the sanitary sewer system shall be established by Resolution of the City Council.

Subd. 5. Metered Flow Charges. For all residential premises where the rate is to be based on the metered flow of water, the rate shall be set by Resolution of the City Council.

Subd. 6. Rate-Industrial Waste and Large Units. On each lot, parcel, premises, or unit not enumerated herein, the use of water shall be metered and the rate shall be the same as that provided in the City Council rate Resolution.

Section 701.35. Metering Water Supply in Lieu of Flat Charge. A meter recording the use of water may be installed on any non-residential lot, parcel, premises or unit enumerated in this ordinance and thereafter the rate shall be based upon such use of water. The City Council, may by resolution, require and order the installation of such meter on any such lot, parcel, premises or unit or class thereof where it shall determine that the aforementioned flat charges are impractical to apply, or result in inequitable charges because insufficient or excessive; and thereafter the rate shall be based upon such use of water.

Section 701.37. Installation of Meter. Any water meter installed for use or used as a basis for the computation of sewer rates shall be installed and maintained in good operating condition at all times. The City shall purchase the water meter, external unit and attachment born on behalf of the owner, but the owner shall reimburse the City for the cost of the water meter, external unit and attachment horn upon receipt of the water meter, external unit and attachment horn. The City shall at its own cost maintain the water meter, external unit and attachment horn, provided, however, that if there is tampering with the water meter, external unit and attachment horn, then the owner shall be charged with the cost of maintaining the water meter, external unit and attachment horn. Ordinary wear and tear of the water meter, external unit and attachment horn shall not constitute tampering by the

owner. Installation of and maintenance of such meter shall be made in accordance with the plumbing regulations of this City.

Section 701.39. Water Used Not Entering Sewer Systems. If the lot, parcel of land, or premises discharges normal sewage or industrial waste into the sanitary sewage system, either directly or indirectly, and it can be shown to the satisfaction of the City Council that a portion of the water measured by the water meter does not and cannot enter the sanitary sewage system, then, and in that event, the City Council may permit or require the installation of other or additional meters in such a manner that the quantity of water which actually could enter the sewer system may be determined. In such case the charges or rates shall be based upon the amount of water which can enter the sanitary sewage system.

Section 701.41. Supplying Information. The owner, occupant or person in charge of any premises shall supply the City with such information as the City may reasonably require related to use of water, use of sewer, or sewer rates. Willful failure to provide such information or willful falsification of such information shall constitute a violation of this ordinance, as shall willful failure to comply with any requirement or order issued pursuant to this ordinance.

Section 701.43. Estimated Bills. If the owner, occupant or person in charge of any premises shall fail or refuse to provide information as provided in Section 701.41 hereof, or shall fail or refuse to comply with any requirement of this ordinance, the proper charge for such premises shall be estimated and billed in accordance with such estimate.

Section 701.45. Beginning Service. For a fraction of a month the charges and rates for non-metered units shall be based upon the amount of the established flat charge, provided, however, that the actual day of beginning shall be considered as having begun on the first or the fifteenth of the month, whichever is closer.

Section 701.47.

Subd. 1. The City Council may by resolution adjust any of the charges set forth in this ordinance upon recommendation of the City Engineer or other employees of the City, based upon the actual costs to the City, of the service and facilities being provided.

Subd. 2. The provisions of the preceding subdivision notwithstanding, the City Council may by resolution adjust the charges made hereunder to any person, firm or corporation, upon recommendation of the City Engineer or other employees of the City, based upon the degree or extent of treatment required before such sewage is introduced into the Municipal Sewer System.

Amendment History of this Section

Amended July 23, 1985 (Ord. 220). Added Subd. 4 to Subsection 701.33, regarding Extraordinary charges.

Amended February 4, 1992 (Ord. 260). Amended Subsection 701.01 and Subd. 4 of Subsection 701.33 regarding discharging of water from sump pumps.

Amended July 7, 2015 (Ord. 581). Comprehensive revision of the public and private utilities to bring them up to date with current standards.