

Belle Plaine City Code
Chapter 7- Public Utilities
Contents

Section	Title
700.00	<u>Water and Sewer.</u> <u>700.01 Water and Sewer Department.</u> <u>700.02 Use of Water or Sewer Systems Restricted.</u> <u>700.03 Application for Service - Procedure.</u> <u>700.04 Charges for Service Connecting.</u> <u>700.05 Account Billing and Collecting.</u> <u>700.06 Right of Entry.</u>
701.00	<u>Water Use.</u> <u>701.01 General Water Provisions.</u> <u>701.02 Water Meters.</u> <u>701.03 Plumbing Regulations.</u> <u>701.04 Liability Provisions.</u>
702.00	<u>Sewer Use.</u> <u>702.01 Purpose.</u> <u>702.02 General Sewer Provisions.</u> <u>702.03 Use of Public Sewers Required.</u> <u>702.04 Private Wastewater Disposal.</u> <u>702.05 Building Sewers and Connections.</u> <u>702.06 Use of the Public Sewers.</u> <u>702.07 Protection from Damage.</u> <u>702.08 Powers and Authority of Inspectors.</u> <u>702.09 Penalties.</u> <u>702.10 Sewer Service Charges.</u> <u>702.11 Sewer Service Fund.</u>
703.00	<u>Violations and Enforcement.</u> <u>703.01 Enforcement by Penalty.</u> <u>703.02 Misdemeanor.</u>

SECTION 700.00 WATER AND SEWER.

- 700.01 Water and Sewer Department.
- 700.02 Use of Water or Sewer Systems Restricted.
- 700.03 Application for Service - Procedure.
- 700.04 Charges for Service Connections.
- 700.05 Account Billing and Collecting.
- 700.06 Right of Entry.

700.01 WATER AND SEWER DEPARTMENT.

There shall be continued within the Department of Public Works a division to be known as the Water and Sewer Department which shall be under the supervision of the Superintendent of Public Works. The Superintendent shall be responsible for the management, maintenance, care and the operation of the water works, and the storm and sanitary sewerage system of the City.

700.02 USE OF WATER OR SEWER SYSTEMS RESTRICTED.

No person shall make, use, or repair any water or sewer service connected to the City water or sewer system except pursuant to application and permit as provided in this Chapter. No person shall make, use, or repair any installation contrary to the regulatory provisions of this Chapter.

700.03 APPLICATION FOR SERVICE - PROCEDURE.

Application for water or sewer service installation shall be made to the City Administrator on forms prescribed and furnished by the City. By his or her signature, the applicant shall agree to conform to this Chapter and to rules and regulations that may be established by the City as conditions for the use of water and sewers. Application for service installation or for continuation of service in another name shall be made by the owner of the property to be served or by his or her agent, provided, however, that whenever a transfer of ownership for property to be served is made, the transferor shall remain liable for all utility costs and charges until proper application is made and accepted by the City.

700.04 CHARGES FOR SERVICE CONNECTIONS.

Subd. 1. Permit Fee. No connection shall be made to the City water or sanitary sewer without a permit received from the City Administrator or his/her designee. The fee for the permit for both water main connections and the permit for sewer connections shall be as set by the Council from time to time by resolution. These fees shall be in addition to any fees required under Subdivisions 2 and 3.

Subd. 2. Connection Fees. When a connection requires installation of a service line from the main to the property line, the applicant shall pay to the City an amount set by Council resolution not less than the cost of making the necessary connections, taps, and installation of pipe and appurtenances to provide service to the property and the necessary street repairs before a permit shall be issued.

Subd. 3. Certification. No permit shall be issued to connect with any water or sanitary sewer main unless the City Administrator certifies to the truth of one of the following or the payment required under Subdivision 4 is made:

- A. That the lot or tract to be served has been assessed for the cost of construction of the main with which the connection is made or that proceedings for levying the assessment have been made or shall be commenced in due course; or
- B. That the cost of construction of the main has been paid by the developer or builder platting the lot or tract; or
- C. That, if neither of the foregoing is true, a sum equal to the portion of the cost of constructing the main which would be assessable against the lot or parcel has been paid to the City.

Subd. 4. Additional Connection Fee. If no such certificate can be issued, the applicant shall pay an additional connection fee equal to the portion of the cost of construction of the main upon the same basis as any assessment previously levied against other property for the main. The determination shall be made by the City Administrator. If no such assessment has been levied, the assessable cost shall be determined upon the basis of the uniform charge which may have been or will be charged for similar connection with the main. The amount shall be determined on the basis of the total assessable cost of the main as regulated in Section 602. Where the assessable cost cannot be determined, the charge shall be fixed by resolution of the Council.

Subd. 5. Excavation of Public Streets. If excavation of public streets or alleys is required in order to connect to existing water and sewer lines, an applicant shall pay to the City Administrator a sum sufficient to insure proper repair of the excavation and replacement of surface materials to restore the condition of a street or alley to its original condition.

700.05 ACCOUNT BILLING AND COLLECTING.

Subd. 1 Water and Sewer Rates. The City Council shall have authority to prescribe by resolution the rates to be charged for water and sewer service to the property owner from time to time and may prescribe the date of billing, a discount for payment within a prescribed period and/or penalty for failure to pay within the period and such further rules and regulations relative to the use and operation of such the system as it may deem necessary from time to time.

A. Where there is more than one dwelling, business, or industry served through one water meter, the minimum charge shall apply to each such dwelling, business, or industry unit served through that meter.

B. Mobile homes shall be charged in accordance with the meter rate stated above. However, mobile homes shall be charged not less than a sum derived by applying the minimum charge stated herein to each unit while open for rental and operating. (Ord. 05-02, Section 700.05, Subd. 1, B, Adopted on March 21, 2005.)

Subd. 2. Accounts Responsibility of Property Owner. All accounts shall be the responsibility of the property owner unless the owner informs the City in writing that the account shall be carried in the name of another person. In any case, the owner shall remain liable for water supplied to the owner's property, whether the owner is occupying the property or not, and any charges unpaid shall be assessed to the property tax statement and be a lien on the property.

Subd. 3. Bills for Service. Water service charges shall be billed with sewer service charges. Bills shall specify the water consumed in accordance with the rates established by City Council resolution.

Subd. 4. Delinquent Accounts. All charges for water and sewer shall be due on the date specified by the City in its bill for the respective account and shall be delinquent ten days thereafter. The City shall endeavor to collect delinquent accounts promptly. In any case, where satisfactory arrangements for payment have not been made, the Public Works Department may, after the procedural requirements of Subdivision 5 of this Section have been complied with, discontinue service to the delinquent customer by shutting off the water at the stop box. When water service to any premises has been discontinued, service shall not be restored except upon the payment of all delinquent bills and a fee for turning off and turning on the water as set by Council resolution. Delinquent accounts shall be certified to the City Administrator who shall prepare an assessment roll each year providing for assessment of the delinquent amounts against the respective properties served. The assessment roll shall be delivered to the Council for adoption. Such action is optional and may be subsequent to taking legal action to collect delinquent accounts. A penalty for delinquent payments is authorized and shall be established by Council resolution.

Subd. 5. Procedure for Shut-Off or Service. Water shall not be shut off under Subdivision 4 or for a violation of rules and regulations affecting utility service until notice and an opportunity for a hearing have first been given the owner of the premises involved. The notice shall be served by first-class mail or personally and shall state that if payment is not made before a day stated in the notice but not less than five (5) days after the date on which the notice is given, the water supply to the premises will be shut off. The Notice shall also state that the owner may, before such date demand a hearing on the matter, in which case the supply will not be cut off until after the hearing is held. If the owner requests a hearing before the date specified, a hearing shall be held on the matter by a hearing officer appointed by the Mayor at least one week after the date on which the request is made. If as a result of the hearing, the hearing officer finds that the amount claimed to be owing is actually due and unpaid and that there is not legal reason why the water supply of delinquent customer may not be shut off in accordance with this Part, the City may shut off the supply. (Ord. 03-22, Section 700, Adopted November 3, 2003.)

Subd. 6. No service of a residential customer shall be disconnected if the disconnection affects the primary heat source for the residential unit when the disconnection would occur during the period between October 15 and April 15, the customer has declared inability to pay on forms provided by the City, the household income of the customer is less than 185 percent of the federal poverty level as documented by the customer to the City, and the customer's account is current for the billing period immediately prior to October 15 or the customer has entered into a payment schedule and is reasonably current with payments under the schedule. The City shall, between August 15 and October 15, of each year, notify all residential customers of these provisions.

700.06 RIGHT OF ENTRY.

The City has the right to enter in and upon private property, including buildings and dwelling houses, in or upon which is installed a municipal utility or connection, at all times reasonable under the circumstances for the purpose of reading, inspection and repair of meters or utility system, and for the purpose of connecting and disconnecting service.

(Ord. 02-12, Section 700.06, Adopted June 3, 2002.)

SECTION 701.00 WATER USE.

701.01 General Water Provisions.

701.02 Water Meters.

701.03 Plumbing Regulations.

701.04 Liability Provisions.

701.01 GENERAL WATER PROVISIONS.

Subd. 1. Use of Public Water Service Required. It shall be unlawful for any person to install a private water system which is intended to provide water for human consumption in the City except in cases where the public water is not accessible to the premises where the private systems are requested. To determine whether or not the public water is available for connection, each person or corporation desiring, to install a private water system shall first make application for connection to a public system. Upon determination by the City that it is not feasible to connect the applicant's premises to the public water system the applicant shall then be granted a permit to install a private water system in accordance with all appropriate State and local regulations. When public water becomes available to the in premises, connection with that public system shall be required.

Subd. 2. Discontinuance of Service. The City may discontinue service to any water consumer without notice for necessary repairs or, upon notice as provided in this Chapter for nonpayment of charges, or for violation of rules and regulations affecting utility service.

Subd. 3. Turning on Water, Tapping Mains. No person except an authorized City employee shall turn on any water supply at the stop box, or tap any distributing main or pipe of the water supply system, or insert a stop cork or other appurtenants therein.

Subd. 4. Repair of Leaks. The property owner shall be responsible for maintaining the service pipe from the main into the building served. If the property owner fails to repair any leak in the service pipe within 24 hours after notice by the City, the City may turn the water off. The water shall not then be turned on again until a fee in an amount that is set from time to time by Council resolution has been paid to the City. When the waste of water is great or damage is likely to result from the leak, the City shall turn the water off immediately upon the giving of notice if repair is not commenced immediately.

Subd. 5. Use of Fire Hydrants. No person other than an authorized City employee or fire fighter shall operate a fire hydrant or interfere in any way with the City water system without first obtaining authority to do so from the City Administrator or Public Works Superintendent.

Subd. 6. Private Water Supply. No water pipe of the City water supply system shall be connected with any pump, well, or tank that is connected with any other source of water supply. When any such connection is found, the City Administrator or Public Works Superintendent shall notify the owner to sever the connection and if this is not done immediately, the City shall turn off the water supply forthwith. Before any new connection to the City system shall be permitted, City employees shall ascertain that no cross-connection shall exist when a new connection is made.

Subd. 7. Water Restriction and Ban.

A. Water Restriction. To encourage water conservation, there will be no outdoor watering permitted between the hours of 9:00 a.m. and 5:00 p.m. (Ord. 03-17, Section 701, Adopted October 20, 2003).

1. This section shall not pertain to the Public Works Department nor to individuals performing duties of City-related projects. (Ord. 05-10, Section 701, Subd. 7, Adopted November 21, 2005).

B. Water Ban.

1. When the Public Works Superintendent determines that a shortage of water supply threatens the City, the Public Works Superintendent may, with the approval of the Mayor and City Administrator, place a city-wide 24-hour per day water ban.
 - a. A public notice shall be published in the official newspaper of the City immediately. Public notices shall be placed at City Hall, newspaper office, community library and any place so deemed as to inform the public of the water ban.
 - b. There shall be no watering or outside usage of water while a water ban is in effect.
2. The Public Works Superintendent shall publish a notice in the official newspaper when the water ban is no longer in effect.

C. Enforcement and Citations. City staff shall enforce this Ordinance and are authorized to issue City penalty citations to violators. A penalty may be issued to a property owner as set by the City's Annual Fee Schedule. The penalty shall be added to the property owner's city water bill.

D. Private Wells. This ordinance shall pertain to private wells.

(Ord. 02-04, Section 701.01, Subd. 7, Adopted January 30, 2002.)

Subd. 8. Violations. Violators of this Subsection shall be guilty of a petty misdemeanor and upon conviction thereof shall be punished by a penalty as set by State Statute.

Subd. 9. Appeals. An aggrieved person may appeal the administrative decision according to Section 103.05.

(Ord. 02-12, Section 701.01, Subd. 9, Adopted June 3, 2002.)

701.02 WATER METERS.

Subd. 1. Meters Required. Except for extinguishing of fires, no person other than an authorized City employee shall use water from the City water supply system or permit water to be drawn therefrom unless the water passes through a meter supplied or approved by the City. No person not authorized by the City Administrator or Public Works Superintendent shall connect, disconnect, take apart, or in any manner chance or interfere with any meter or its use.

Subd. 2. Installation, Ownership and Control. Water meters shall be installed by authorized City personnel. The City shall maintain ownership and control of the water meter. The City may require a nonrefundable deposit for the cost of the meter.

Subd. 3. Remote and Radio Meter Reading Registers.

A. Policy of the City. It is the policy of the City to require remote and/or radio water meter reading registers on all premises. The water meter reading register shall be in conformity with all other registers within the City. As such, all property owners shall be

required to install conforming water meter reading registers within a period of time as designated by the City Council. The City shall not be obligated to furnish water to an residence which does not provide a remote and/or radio water meter reading register in conformity with all other water meter reading registers. If the parties to a sale and purchase do not provide for responsibility for such installation, it shall be the responsibility of the new owner to provide for the required installation.

B. Installation and Cost. Installation of remote and/or radio water meter reading registers shall be performed by authorized City personnel. The property owner shall be responsible for the cost of installation by said personnel. The radio read unit shall be added as a fee upon the issuance of a building permit for new construction. The fee shall be as set by Council resolution. In all cases, connection of the remote register and the water meter shall be performed by the City.

C. Location. The location of the remote register on the exterior of a building shall be near an existing electric or gas meter in such a location as to minimize any potential and unsightly aspects of the installation. If the user and the Public Works Department cannot agree on the location of the remote register, the question of the City requirement shall be appealed to the City Administrator and to the City Council, in that order.

D. General Provisions. All provisions of this Code applicable to ownership, maintenance, reading and testing of water meters shall also apply to remote water meter reading registers.

E. Meter Maintenance. The City shall maintain and repair at its expense any meter that has become unserviceable through ordinary wear and tear and shall replace it if necessary. Where repair or replacement is made necessary by act or neglect of the owner or occupant of the premises it serves, any City expense caused thereby shall be charged against and collected from the property owner, and water service may be disconnected until the cause is corrected and the amount charged is paid. The property owner or consumer shall notify the City of any injury to or the nonworking of any meter as soon as it comes to his or her knowledge.

F. Complaints; meter testing. When a property owner complains that the bill for any past service period is excessive, the City shall have the meter reread on request. If still dissatisfied, the consumer may, on written request and the deposit of an amount set from time to time by Council resolution, have the meter tested. If the test shows an error in the City's favor exceeding five percent of the water consumed, the register shall be deemed inaccurate, the meter testing deposit shall be refunded and an accurate meter shall be installed, and the bill shall be adjusted accordingly. The adjustment shall not extend back more than one service period from the date of the written request. If the meter is found to be accurate, the deposit of the property owner shall be forfeited.

G. Meter reading and inspection. Authorized meter readers shall have free access at reasonable hours of the day to all parts of every building and premises connected with the City water supply system in order to read meters and make inspections. Property owner or occupant shall be prohibited from obstructing the water meter so as to prohibit the reading or repairing of the meter.

H. Meter readings. City Council may provide for a system of water meter reading, by any method deemed suitable for that purpose by the Council. The Council may also

establish billing, areas or districts and provide for the reading of meters and billing, monthly charges or such period intervals as the Council shall determine suitable and necessary from time to time.

Subd. 4 Water Meter Regulations

A. All applications for installation, maintenance and repair of water meters shall be made to the City and the City shall proceed to comply with the application within a reasonable time thereafter.

B. No person, other than the City or its designee, shall maintain or repair any water meter used within the City limits. Every water meter connected to the water system shall be sealed by or under the direction of the City, and no other person shall break or remove the seal; provided however, that a plumber licensed to do business in the State of Minnesota may break such the seal to remove such the meter for necessary repairs. In all cases where a seal is broken or a meter is removed by a licensed plumber, the plumber shall notify the City of the fact within 24 hours after the seal is broken or the meter is removed. Whenever any seal attached to a water meter by or under the direction of the City is found broken, the broken condition of the seal shall be prima facie evidence that the seal was broken contrary to the terms and provisions of and in violation of this Chapter.

Subd. 5.

A. It shall be unlawful for any person to tamper with, alter, bypass, or in any manner whatsoever interfere with the proper use and functioning of any water meter within the City.

B. Enforcement and Citations. The Public Works Superintendent, with the approval of the City Administrator, shall be authorized to issue a citation for violation of this Section. The penalty will be set as according to the City's Annual Fee Schedule and may be added to the property owner's city utility bill.

(Ord. 02-12, Section 701.02, Subd. 5, Adopted June 3, 2002.)

Subd. 6. Compliance Required.

A. Connections. No connection of water services shall be made to any house or other building unless the plumbing therein has been installed pursuant to the State Plumbing Code and the provisions of this Chapter, and inspected, provided that this shall apply only to construction which has not been completed prior to adoption of this Chapter.

B. Consumers. Every person applying for water service, every owner of property for which any such application is made, every person where such service is accepted subsequent to the effective date hereof of the enactment of this Code shall be deemed, upon making such the application or accepting the service, to consent to all rules, regulations and rates as established by this Chapter and as may hereafter be set forth and adopted by the Council by resolution or ordinance.

Subd. 7. Water Meter Seal Required. Each water meter shall be sealed by the Public Works Superintendent, or his/her designee. No Certificate of Occupancy shall be issued by the City's Building Official until the water meter is sealed.

Subd. 8. Enforcement and Citations. The Public Works Superintendent, with the approval of the City Administrator, shall be authorized to issue a citation for violation of this Section. The penalty will be set as according to the City's Annual Fee Schedule and may be added to the property owner's city utility bill.

(Ord. 02-12, Section 701.01, Subd. 7 & 8, Adopted June 3, 2002.)

701.03 PLUMBING REGULATIONS.

Subd. 1. Service Pipes. Every service pipe shall be laid with sufficient bend to allow not less than one foot of extra length and in such manner as to prevent rupture by settlement. The service pipe shall be placed not less than six feet below the surface and be so arranged as to prevent rupture by freezing. A shut-off or other stop cork with waste valve of the size and strength required shall be placed close to the inside wall of the building and be well protected from freezing. Copper tubing or polyethylene pipe SDR 9, copper tube size (CTS) with a minimum pressure rating of 200 p.s.i., accompanied by a #10 copper wire shall be used for all services of two inches or less. The polyethylene pipe shall conform to ASTM Number D-2737 and NSF Number 3408. Ford Insert Stiffeners made of solid 304-tubular stainless steel, dimpled and flanged to retain placement within polyethylene service pipe. Joints on copper tubing shall be as few as possible and not more than one joint shall be used for service up to seventy (70) feet in length. Each joint shall be left uncovered until inspected by the City. Every service over two inches shall be cast iron or ductal iron. Other material may be approved by the Superintendent of Public Works. Connections with the mains for domestic supply shall be at least three-fourths of an inch per residential unit, or equivalent. (Ord. 06-10, Section 701.03, Adopted August 21, 2006).

Subd. 2. Water Meter Setting. Every water meter shall be installed in accordance with the following provisions:

A. Service pipe from the water main to the meter shall be brought through the floor in vertical position where the pipe enters the building. The stop and waste valve shall be 12 inches above the floor.

B. The bottom of the meter shall be between six (6) and twelve (12) inches above the finished floor line. The meter shall be set not more than 12 inches horizontally from the inside line of the basement wall unless a different position is approved by the City Administrator or the City Administrator's designee. A suitable bracket shall be provided to support the meter in a proper vertical position and prevent noise from vibration.

C. Each meter installation shall have a stop and waste valve on the street side of the meter. In no case shall more than 12 inches of pipe be exposed between a point of entrance through the basement floor and the stop and waste valve. A stop and waste valve shall also be installed in the house side of the meter.

D. The water pipe connecting with the main shall not exceed two feet under the basement floor from the inside of the basement wall to the water meter connection.

E. Deviation from the installation specifications in this Subdivision shall be by variance pursuant to the City Code.

701.04 LIABILITY PROVISIONS.

Subd. 1. Repairs. After the initial connection has been made to the water main the applicant, owner, occupant or user of the premises shall be liable for all repairs required to any water line necessary for connection of the premises to the street main including any repairs necessary to the main itself and any necessary street repairs. It shall be the responsibility of the applicant, owner, occupant and user to maintain the stop box at such height as shall insure that it remains above the finished grade of the property.

Subd. 2. For Failure to System. The City shall not be held liable at any time for any deficiency or failure in the supply of water to any customer whether the same be occasioned by shutting off the water for repairs or connections or for any cause whatsoever.

SECTION 702.00 - SEWER USE AND SEWER SERVICE CHARGE.

- 702.01 Purpose.
- 702.02 General Sewer Provisions.
- 702.03 Use of Public Sewer Required.
- 702.04 Private Wastewater Disposal.
- 702.05 Building Sewers and Connections.
- 702.06 Use of the Public Sewers.
- 702.07 Protection from Damage.
- 702.08 Powers and Authority of Inspections.
- 702.09 Penalties.
- 702.10 Sewer Service Charges.
- 702.11 Sewer Service Fund.

702.01 PURPOSE.

This ordinance contains the rules and regulations relating to sewerage service and provisions regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system. The City provides for facilities for the collection and treatment of wastewater to promote the health, safety, and convenience of its people and for the safeguarding of water resources common to all. Provisions are made in the design, construction, operation, maintenance, and replacement of these facilities to accommodate certain types and quantities of industrial wastes in excess of, and in addition to, normal strength domestic wastewater. It is the obligation of all users of the facilities to pay the costs of services rendered by the City in an equitable manner. The proper protection and operation of the collection and treatment facilities may require either the exclusion, pretreatment, or controlled discharge at the point of origin of certain types or quantities of industrial wastes.

702.02 GENERAL SEWER PROVISIONS.

Subd. 1. Definitions. As used in this Section, unless otherwise stated in specific context, the following, words and terms shall have the meanings stated:

- A. Approving Authority. "Approving Authority" shall mean the City Council of the City of Belle Plaine, or its duly authorized board, agent, or representative.
- B. BOD. "BOD" (Biochemical oxygen demand) shall mean the quantity of oxygen expressed in parts per million by weight, utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at 20° C. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods".
- C. Building drain. "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives waste from inside the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
- D. Building Sewer. "Building sewer" shall mean the extension from the building, drain to the public sewer or other place of disposal. (Also called house connection.)

E. City. "City" shall mean the area within the corporate boundaries of the City of Belle Plaine, as presently established or as amended by legal actions at a future time. The term "City" may be used to refer to the City of Belle Plaine, Minnesota or any authorized person acting in its behalf.

F. COD. "COD" (Chemical oxygen demand) shall mean the oxygen equivalent of that portion of the organic and inorganic matter in a sample of wastewater, expressed in parts per million by weight, that can be oxidized by a strong chemical oxidizing agent. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."

G. Collection System. "Collection system" shall mean the system of sewers and appurtenances for the collection, transportation and pumping of domestic wastewater and industrial wastes.

H. Combined Sewer. "Combined sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.

I. Compatible Pollutant. "Compatible pollutant" shall mean biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the City NPDES permit, if the City treatment works is capable of removing the pollutants, and in fact does remove the pollutants to a substantial degree. Examples of such additional pollutions may include: Chemical Oxygen Demand, total organic carbon, phosphorus, phosphorus compounds, nitrogen, and/or nitrogen compounds.

J. Connection. "Connection" shall mean each connection to the collection system.

K. Construction Cost. "Construction cost" shall mean the total cost incurred in the construction of sewerage works, consisting of but not limited to the sums spent for the following purposes:

1. Actual sums paid for construction of wastewater treatment facilities and for land acquisition.
2. Actual engineering fees paid for preliminary engineering studies, plans and specifications, services during construction, construction staking, operation and maintenance manuals and initial operator training.
3. Actual sums paid for soils investigations, wastewater sampling, and materials testing required for such construction.
4. Actual fees and wages paid. for legal, administrative, and fiscal services required by construction of wastewater treatment facilities.
5. Actual interest paid on the total amount financed by debt obligation for construction of wastewater treatment facilities.

L. Debt Service Charge. "Debt Service Charge" shall mean the total charge levied on users for purposes of paying construction costs (principal and associated interest) of obligations incurred to finance acquisition and/or construction of sewerage works.

M. Domestic Wastewater. "Domestic Wastewater" shall mean water-borne wastes normally discharged into the sanitary conveniences of dwellings (including apartment houses and hotel), office buildings, factories and institutions, free of storm and surface water, and industrial wastes.

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

O. Equivalent Residential Unit. "Equivalent Residential Unit" shall mean a unit of gallons per day per connection of normal strength domestic wastewater (see Subd. I. Z.) as established in the Belle Plaine Sewer Service Charge System. Such assignment by the City is for the purpose of levying a charge to users that do not have a metered source of water.

P. Floatable Oil. "Floatable Oil" shall mean oil, fat, or crease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Q. Garbage. "Garbage" shall mean the animal and vegetable waste resulting from handling, preparation, cooking and services of foods.

R. Incompatible Pollutant. "Incompatible pollutant" shall mean any pollutant which is not a compatible pollutant.

S. Industrial Wastes. "Industrial Wastes" as distinct from domestic or sanitary wastes, shall mean the gaseous, liquid, and solid wastes resulting from industrial or manufacturing processes, trade or business or from the development, recovery and processing of natural resources.

T. Infiltration. "Infiltration" shall mean the water entering the sanitary sewer system and service connections from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from, inflow.

U. Infiltration Inflow. "Infiltration Inflow" shall mean the total quantity of water from both infiltration and inflow without distinguishing the source.

V. Inflow. "Inflow" shall mean the water discharged into the sanitary sewer system from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections to storm sewers, catch basins, storm waters, surface run-off, street wash waters, or drainage. Inflow does not include, and is distinguished from infiltration.

W. Major Contributing Industry. "Major Contributing Industry" shall mean an industrial user of the City Treatment Works that: (a) has an equivalent wastewater flow of 50,000 gallons or more per average work day; (b) has a wastewater flow greater than five percent of the flow carried by the City System receiving the wastewater; (c) has in its wastewater a toxic pollutant in toxic amounts as defined in standards issued under Section 307 (a) of PL-92-500; or (d) is found by the permit issuance authority, in connection with the issuance of an NPDES Permit to the City Treatment Works receiving the wastewater, to

have significant impact, either singly or in combination with other contributing industries, on the City Treatment Works or upon the quality of effluent from the City Treatment Works.

X. May. "May" is permissive (see "shall", Subd. 1. PP.).

Y. Natural Outlet. "Natural outlet" shall mean any storm sewer or surface water which overflows into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

Z. Normal Strength Domestic Wastewater. "Normal Strength Domestic Wastewater" shall mean normal strength wastewater for the City in which the average concentration of suspended materials and five (5) day BOD is established at not greater than 200 parts per million by weight suspended materials and 250 parts per million by weight BOD. The COD of normal domestic wastewater shall not exceed 350 parts per million. Such wastewater does not include infiltration and/or inflow, and it is composed of domestic wastewater.

AA. NPDES Permit. "NPDES Permit" shall mean the National Pollutant Discharge Elimination System Permit held by the City. This permit, which establishes limits on quality and quantity of discharges from the City treatment works, was issued by the State and Federal governments in accordance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U. S. C. 1251, et. seq.; the " Act", Sections 402 and 405).

BB. Operation and Maintenance Cost. "Operation and Maintenance Cost" shall mean annual expenditures made by the City in the operation and maintenance of its sewerage works, consisting of but not limited to the sums spent for each of the following purposes:

1. Wages and salaries of all operating, maintenance, administrative, and supervisory personnel, together with all premiums paid on the wages and salaries (State of Minnesota worker's compensation coverage, for example),
2. Actual sums paid for electricity for light and power used for wastewater collection and treatment facilities,
3. Actual sums paid for chemicals, fuel and other operating supplies,
4. Actual sums paid for repairs to and maintenance of wastewater collection and treatment facilities and the equipment associated therewith,
5. Actual sums paid as premiums for hazard insurance carried on sewerage works,
6. Actual sums paid as premiums for insurance providing coverage against liability imposed by law for the injury to persons and, for property (including, death) of any person or persons resulting from the use and maintenance of the sewerage works,
7. Actual sums paid for replacement of equipment within the useful life of the wastewater treatment facilities, for example the cost to replace an electric motor or pump that fails, or a broken part in a pump.

CC. Parts Per Million. "Parts Per Million" shall mean a weight-to-weight ratio; the parts per million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water. Parts per million and milligrams per liter (mg/l) shall be synonymous terms.

DD Person. "Person" shall mean any individual, firm, company, association, society, corporation, municipal corporation, Governmental unit, or group.

EE. pH. "pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 0.000,000,1 grams/liter, or 10^{-7} grams per liter.

FF. Pretreatment. "Pretreatment" shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing the pollutants into a sanitary sewer.

GG. Properly Shredded Garbage. "Properly shredded garbage" shall mean the wastes from the preparation, cooling,, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing, in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.

HH. Public Sewer. "Public Sewer" shall mean a common sewer controlled by a governmental agency or public utility.

II. Rate Schedule. "Rate Schedule" shall mean a published schedule of sewer service charges.

JJ. Replacement. "Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the design or useful life of, whichever is longer of the sewerage works to maintain the capacity and performance for which the facilities were designed and constructed. As noted in Subd. 1. BB-7, the term "operation and maintenance cost" includes shall include replacement costs.

KK. Sanitary Sewer. "Sanitary sewer" shall mean a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions

together with minor quantities of ground, storm, and surface waters (infiltration/inflow) that are not admitted intentionally.

LL. Sewage. "Sewage" shall mean the spent water of a community. The preferred term is "wastewater", Subd. 1. CCC. (Sometimes referred to as "Sanitary Waste".)

MM. Sewer. "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.

NN. Sewer Service Charge. "Sewer Service Charge" shall mean the total charge levied on users for sewer service. The sewer service charge shall be the sum of "user charge" and "debt service charge".

OO. Sewerage Works. "Sewerage Works" shall mean all facilities for collecting, pumping, treating, and disposing, of wastewater and industrial wastes.

PP. Shall. "Shall" shall mean mandatory (see "May", Subd. 1. X.).

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

RR. Standard Methods. "Standard Methods" shall mean the examination and analytical procedures set forth in the latest Edition at the time of the analysis of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved and published jointly by the American Public Health Association, the Water Pollution Control Federation, and the American Water Works Association. Such "standard methods" shall also conform to Federal Register Reprint 40 CFR 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants" (Oct. 16, 1973).

SS. Storm Drain. "Storm Drain" (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

TT. Storm Water Runoff. "Storm Water Runoff" shall mean that portion of the rainfall that is drained into the storm sewers or storm drains.

UU. Sump Pump. "Sump Pump" shall mean a pump for disposing, of storm drainage.

VV. Superintendent. "Superintendent" shall mean the superintendent of wastewater facilities of the City, or the Superintendent's authorized deputy, agent, or representative.

WW. Suspended Solids. "Suspended Solids" or "Total Suspended Solids" or "TSS" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering, as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

XX. Unit. "Unit" a unit of water is 1,000 gallons.

YY. User. "User" shall mean any person who discharges, causes, or permits the discharge of wastewater into the City's sanitary sewer system.

ZZ. User Charge. "User Charge" shall mean a charge levied on users to recover the cost of operation, maintenance, and replacement of sewerage works, pursuant to Section 204(b) of the Federal Water Pollution Control Act, as amended (33 U.S. C. 1251 et seq).

AAA. User Class. "User-Class" shall be the division of the users by wastewater characteristic or discharge similarities (example; residential, commercial, industrial, institutional, and government)

1. Commercial User. "Commercial User" shall mean any establishment listed in the Office of Management and Budget "Standard Industrial Classification Manual" (1972 edition) involved in a commercial enterprise, business or service which, based on a determination by the City, discharges primarily segregated domestic wastewater or wastewater from sanitary conveniences.

2. Governmental User. "Governmental User" shall mean any Federal, State, or local government user of the wastewater treatment facilities.

3. Industrial User. "Industrial User" shall mean any nongovernmental user of the publicly owned treatment facilities identified in the 1972 Standard Industrial Classification Manual (SICM), Office of Management and Budget as amended and supplemented under the following divisions:

Division A - Agriculture, Forestry, and Fishing;

Division B - Mining;

Division D - Manufacturing;

Division E -Transportation, Communication, Electric, Gas, and Sanitary Services;

Division 1 - Services

An industrial user shall also be defined as a user who discharges to the City sanitary sewer system any liquid wastes resulting from the processes employed in industry or manufacturing, or in the development of any natural resource.

4. Institutional User. "Institutional User" shall mean any establishment listed in the "SICM" involved in a social, charitable, religious, or education function which, based on a determination by the City, discharges primarily segregated domestic wastewater or wastewater from sanitary conveniences.

5. Residential User. "Residential User" shall mean a user of the treatment facilities whose premises or building, is used primarily as a residence for one or more persons, including dwelling, units such as detached, semi-detached, and row houses, mobile homes, garden and standard apartments or permanent multi-family dwellings. (Transit lodging, considered commercial in nature, is not included.)

BBB. Unpolluted Water. "Unpolluted water" shall mean water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

CCC. Wastewater. "Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

DDD. Wastewater Facilities. "Wastewater facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

EEE. Wastewater Treatment Facilities. "Wastewater Treatment Facilities" shall mean an arrangement of devices and structures for treating, wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

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

702.03 USE OF PUBLIC SEWERS REQUIRED.

A. 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.

B. It shall be unlawful to discharge to any natural outlet within the City, or in any area under City jurisdiction, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.

C. Except as hereinafter provided, 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.

D. The owner(s) of all houses, building, or properties 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 a public sanitary sewer of the City, is hereby shall be required at the owner(s) expense to install a suitable service connection to the public sewer in accordance with the provisions of this Chapter, within ninety (90) days after date of official notice to do so.

E. In the event an owner shall fail to connect to a public sewer in compliance with a notice given under Subd. 2. D of this Section, the City may undertake to have the connection made and shall assess the cost thereof against the benefited property. The assessment shall be a lien against the property. The assessment, when levied, shall bear interest at the rate determined by the City Council and shall be certified to the County Auditor, of the County of Scott, Minnesota, and shall be collected and remitted to the City in the same manner as assessments for local improvements. The rights of the City shall be in addition to any remedial or enforcement provisions of this Chapter.

702.04 PRIVATE WASTEWATER DISPOSAL.

- A. Where a public sanitary sewer is not available under the provisions of Subd. 2. D, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of the City's on-site sewer ordinance.
- B. 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.
- C. No statement contained in this Section shall be construed to interfere with any additional requirements that may be imposed by the City or the State of Minnesota.

702.05 BUILDING SEWERS AND CONNECTIONS.

- A. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Approving Authority.
- B. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall defend, indemnify and hold harmless the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- C. A separate and independent building sewer shall be provided for every building; unless written permission for an alternative is obtained from the City. The City shall not assume any obligation or responsibility for damage caused by or resulting from any single connection under this Subdivision.
- D. Old building sewers may be used in connection with new buildings when they are found, on examination and test by the Approving Authority, to meet all requirements of this Chapter.
- E. 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 requirements of the building and plumbing code or other applicable rules and regulations of the City.
- F. 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 wastewater carried by the building drain shall be lifted by an approved means and discharged to the building sewer.
- G. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, sump pumps, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- H. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Approving Authority before installation.

I. The applicant for the building sewer permit shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Approving Authority.

J. 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 Approving Authority.

702.06 USE OF THE PUBLIC SEWERS.

A. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sewer except storm sewers as provided in this Subdivision. Stormwater runoff from limited areas, which may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority.

1. Clean Water Discharge. Storm water, ground water or surface water, roof drains, sump pumps, foundation tiles, or unpolluted water from an industrial process or other natural precipitation cannot be discharged into Municipal Sanitary Sewer Mains and Laterals. Discharge of clean water into sanitary sewer mains and laterals increases the waste water treatments costs and quantities.
2. Clean water discharge permanent installation. A permanent installation of a system to dispose of clean water must be installed if the clean water is generated through items identified in No. 1 above. This permanent system shall be one that provides for year-round discharge capability to the outside of the dwelling, building or structure or, is connected directly to the City's storm water management system or discharges directly to the curb and gutter in the street. The permanent system shall consist of a rigid discharge line without valving or quick connections for altering the path of discharge. If connected directly to a City storm water management system, connection shall be inspected and approved by the Public Works Superintendent or his/her designee.
3. Any person, firm or corporation having a clean water collection/discharge system that connects directly to the City's sanitary sewer system shall disconnect the discharge system. Any disconnects that create an opening in the sanitary sewer system shall be repaired/replaced and inspected by the City's Public Works Superintendent or his/her designee.
4. Inspection. Every person owning improved real estate that discharges waste water into the City's sanitary sewer system shall allow an employee of the city of Belle Plaine or their designated representative to inspect dwellings, buildings and structures to confirm the presence and use of a sump pump or other prohibited discharge into the sanitary sewer system. The City will provide notification to property owners for this inspection.

Prior to the issuance of a Certificate of Occupancy for new construction, the City shall provide an inspection to determine the appropriateness of any storm water discharge system.

Prior to the transfer of ownership of any dwelling, building or structure within the City of Belle Plaine, the seller shall certify to the buyer, in writing, that the dwelling, building or structure is in compliance with this Subdivision. Seller shall provide a copy of this certificate to the City within five days following the transfer of ownership.

5. Penalty. In addition to any other charges or penalties provided for in City Code, any property owner found in violation of this section of City Code shall be subject to a sanitary sewer surcharge of \$100.00 per month for each month or part thereof that they remain in a non-compliant status.

Any property owner that continues in a non-compliant status for a period of six months following notification of non-compliance shall be subject to suspension of municipal water and municipal sanitary sewer services until such time as they are determined to be in compliance through inspection or certification as provided in No. 4 above.

6. Other remedies. Nothing in this ordinance shall limit the right of the City to seek alternate solutions whereby the property owner is compelled to disconnect unlawful storm water discharge into the sanitary sewer system.

*(Ord. 03-06, Section 702.06, Adopted June 16, 2003.)
(Ord. 03-17, Section 701 and 702, Adopted October 20, 2003.)*

B. Storm water other than that exempted under Subd. 5 A, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated storm sewers or to a natural outlet approved by the Approving Authority and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Approving Authority and in accordance with the provisions of State and Federal regulations, to a storm sewer, or natural outlet.

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

1. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
2. Any waters 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 waste treatment process, constitute a hazard to humans or animals, create a public nuisance, result in a violation of State or Federal water quality standards, or create any hazard in the wastewater treatment plant or the receiving waters. Toxins shall be as defined in Section 307(a) of the Clean Water Act.
3. Any waters or wastes having a pH lower than 5.5, or higher than 9.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater facilities. Exceptions may be granted (by the Approving Authority) for short duration flows where it has been, or can be

shown that high or low pH would not cause any significant wastewater facilities problems.

4. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, etc., either whole or after passage through garbage grinders.

5. Any wastewaters or matter that would directly or indirectly result in a violation of the City's NPDES permit.

D. The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not violate design criteria or harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Approving Authority may set limitations lower than the limitations established in the regulations below if in its opinion such more severe limitations are necessary to meet the above objectives. In forming the opinion as to the acceptability, the Approving Authority will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer which shall not be violated without approval of the Approving Authority are as follows:

1. Wastewater having a temperature higher than 150° Fahrenheit (65° Celsius),

2. Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin,

3. Wastewater from industrial plants containing floatable oil, fat, or grease, in excess of concentrations permitted by the Approving Authority,

4. Any garbage that has not been properly shredded (see Subd. 1 GG.). 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 in kitchens for the purpose of consumption on the premises, or consumption elsewhere when served by caterers,

5. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Approving Authority for such materials.

6. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Approving Authority,

7. Any radioactive materials of such half-life or concentration as may exceed limits established by the Approving Authority, or applicable State and Federal regulations,

8. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein (See Subd. 1. QQ.),

9. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

E. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in D of this Subdivision, and which in the judgment of the Approving Authority may have a harmful effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Approving Authority may:

1. Reject the wastes,
2. Require pretreatment to an acceptable condition for discharge to the public sewer, pursuant to Section 307(b) of the Clean Water Act as amended 33 U.S.C. 1251, et seq.
3. Require control over the quantities and rates of discharge, and/or
4. Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or service charges

If the Approving Authority permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Approving Authority and costs shall be borne at the user's expense.

F. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Subd. 5. D-3, or any flammable wastes 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 a type and capacity approved by the Approving Authority, and shall be located as 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 by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Approving Authority. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms.

G. 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 by the owner(s) at his or her expense.

H. When required by the Approving Authority, the owner of any property serviced by a building, sewer carrying industrial or domestic wastewater shall install a suitable structure together with the necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. The structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the

Approving Authority. The structure shall be installed by the owner at his or her expense and shall be maintained by the owner so as to be safe and accessible at all times.

I. An industrial user 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, and frequency of sampling, and laboratory analyses to be performed by the owner shall be as stipulated by the City. The industry shall 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 the times and in the 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.

J. 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, durations and frequencies are to be determined on an individual basis subject to approval by the Approving Authority.

K. New connections to the sanitary sewer system shall be prohibited unless sufficient capacity shall be available in all downstream facilities, including, but not limited to, capacity for flow, BOD, and suspended solids.

L. No person, unless authorized shall uncover, make any connection with or opening into, use, alter, or disturb any sanitary or storm sewer within the City or any part of the City wastewater facilities.

M. No sanitary or storm sewers shall be constructed in the City (except house or building service sewers) except by the City or by others in accordance with plans and specifications approved by a professional engineer. No sewers shall be constructed or considered to be part of the public sewer system unless accepted by the City.

N. The size, slope, alignment, material of construction, methods to be used in excavation, placing of pipe, jointing, testing, backfilling, and other work connected with the construction of sewers shall conform to the requirements of the City.

O. No statement contained in this Section 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, when the City treatment can be provided in compliance with the requirements of the NPDES permit and subject to payment therefore by the industrial concern and providing that national categorical pretreatment standards shall not be violated.

702.07 PROTECTION FROM DAMAGE.

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

702.08 POWERS AND AUTHORITY OF INSPECTORS.

A. Duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to any public sewer or natural outlet in accordance with the provisions of this Chapter.

Sampling pertaining to industry shall reflect the number of days an industry is not operating as well as the days in operation and discharging waste to a public sewer.

B. The Approving Authority or other duly authorized employees shall be authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry shall establish that the revelation to the public of the information in question might result in an advantage to competitors.

C. While performing the necessary work on private properties referred to in Subd. 7 A, above, duly authorized employees of the City shall observe safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the City employees, and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury, or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Subd. 5 H.

D. 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.

702.09 PENALTIES.

A. Except as otherwise specifically provided, any person found to be violating any provision of this Chapter shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in the notice, permanently cease all violations.

B. Any person who continues any violation beyond the time limit provided for in Subd. 8 A, shall be guilty of a misdemeanor. Each day in which any such violation continues shall be deemed a separate offense.

C. Any person violating any of the provisions of this Chapter shall become liable to the City for any expense, loss, or damage occasioned the City by reason of the violation.

702.10 SEWER SERVICE CHARGES.

A. Persons discharging wastewater to the City sanitary sewer system in accordance with the provisions of this Chapter shall be charged monthly on the basis of the volume of wastewater

discharged. The quarterly service charge shall include a user charge component (to meet all costs associated with operation, maintenance, and replacement of the wastewater collection and treatment facilities) and a debt retirement component (to meet facility construction costs).

B. As a proportionate share of the expenses incurred by the City in the construction, administration, operation, maintenance, and replacement of the sewerage works, each user shall pay to the City a monthly amount based upon one of the following formula:

For Users with a Metered Source of Water:

$$A1 = (F) (T1 = C1 + D1)$$

Where:

A1 = Service charge to user, with units of \$/month.

F = Volume of wastewater from user with units of 1,000 gallons per month (often assumed equal to metered water usage).

T1 = Operation, maintenance and replacement costs associated with the treatment facilities owned and operated by the City in units of \$/1,000 gallons.

C1 = Operation, maintenance and replacement costs associated with the collection system owned and maintained by the City in units of \$/1,000 gallons.

D1 = Debt costs associated with the construction of the wastewater treatment facilities in units of \$/1,000 gallons.

For Users Without a Metered Source of Water:

$$A2 = (G) (T2 + C2 + D2)$$

Where

Where: A2 = Service charge to user, with units of \$/month

G = Number of equivalent residential units as established by the City.

T2 = Operation, maintenance and replacement costs associated with the treatment facilities owned and operated by the City in units of \$/month per equivalent residential unit.

C2 = Operation, maintenance and replacement costs associated with the collection system owned and maintained by the City in units of \$/month per equivalent residential unit.

D2 = Debt costs associated with the construction of the wastewater treatment facilities in units of \$/month per equivalent residential unit.

For industrial users that discharge above normal strength domestic wastewater:

$$A3 = A1 \frac{\text{BOD Concentration of Wastewater}}{250/\text{mg/l}}$$

Where:

A3 = Service charge to user, with units of \$/month.

A1 = As defined above.

BOD concentration determined in milligrams per liter 250 mg/l is concentration of domestic wastewater.

C. Average City unit costs (\$/1,000 gallons and \$/month per equivalent residential unit) shall be computed annually and shall include operation, maintenance and replacement costs and annual construction debt retirement costs.

Each user of the City sewer system that does not have a metered source of water may install an accurate water or wastewater flow metering device (at user's expense) that shall serve as a basis for estimating the volume of wastewater discharged, and determining the sewer service charge.

All users may install a separate water system and meter (one only in the same building as the main meter) to isolate and meter water that is not discharged to the City sanitary sewer system and for which no sewer charge is required. If at any time after this independent system is installed, water from this system enters the Sanitary Sewer System, the user shall be subject to the penalties of Subd. 8 and shall be ordered to eliminate the independent system if this violation continues.

D. To insure the required financial surveillance, the City Administrator shall annually review the cash flows associated with providing wastewater treatment service for the City, and shall report the findings to the City Council. Any inequities and/or shortages of revenue caused by unforeseen changes in the cost revenue pattern of the wastewater treatment facilities shall be remedied immediately by a City Council resolution adjusting the unit cost figures. Adjusted unit figures shall be computed in accordance with the principals of this Subdivision. The City Administrator shall maintain records necessary for documentation of compliance with the conditions of this Subdivision.

E. Each 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, with the minimum rate for loadings of BOD and TSS being the rate established for concentrations up to 250 mg/l BOD and 200 mg/l TSS.

F. Wastewater sewer service charges provided for in this Chapter shall be included as a separate item on the regular bill for water. Charges shall be paid at the same time that the water charges of the person become due. The City shall annually notify all users what portion of the sewer service charge is necessary to meet the operation, maintenance, and replacement costs (user charge) and what portion is necessary to meet long term debt (debt service charge).

G. Accounts that are not paid in full within thirty (30) days shall be charged a late payment penalty as established by the City Council and shall be subject to interest charges at a rate

established by the City Council. In the event a user does not pay his or her account in full within ninety (90) days after billing, the City may undertake to have the water service to the property disconnected and may file a lien against the property.

702.11 SEWER SERVICE FUND.

A. The City of Belle Plaine establishes a "Sewer Service Fund" as an income fund to receive all revenues generated by the Sewer Service Charge System, and all other income dedicated to the operation, maintenance, replacement and construction of the wastewater treatment works, including taxes, special charges, fees, and assessments intended to retire construction debt.

B. The City shall also establishes the following accounts as income and expenditure accounts within the Sewer Service Fund:

- 1) Operation and Maintenance Account
- 2) Equipment Replacement Account
- 3) Debt Retirement Account

C. All revenue generated by the Sewer Service Charge System, and all other income pertinent to the treatment system, including taxes and special assessments dedicated to retire construction debt, shall be held by the City separate and apart from all other funds of the City. Funds received by the Sewer Service Fund shall be transferred to the "Operation and Maintenance Account," the "Equipment Replacement Account," and the "Debt Retirement Account" in accordance with State and Federal regulations and the provisions of this Chapter.

D. Revenue generated from the Sewer Service Charge System sufficient to insure adequate replacement throughout the design or useful life, whichever is longer, of the wastewater facility shall be held separate and apart in the "Equipment Replacement Account" and dedicated to affecting replacement costs. Interest income generated by the Equipment Replacement Account" shall remain in the "Equipment Replacement Account".

E. Revenue generated by the Sewer Service Charge System sufficient for operation and maintenance shall be held separate and apart in the "Operation and Maintenance Account."

SECTION 703.00 VIOLATIONS AND ENFORCEMENT

703.01 Enforcement by Penalty.

703.02 Misdemeanor.

703.01 ENFORCEMENT BY PENALTY.

The City Engineer, and/or the City Building Inspector, and/or the City Plumbing Inspector, as appointed by the Council, shall enforce the provisions of this Chapter. All work hereafter installed shall be inspected as provided in this Chapter and violations of this Chapter shall be corrected. Written notice, stating the corrections to be made shall be served upon the installer, or owner of the property, and if the corrections not be duly made, the City may cause to have removed the work and charge the cost thereof to the person installing the same, or to the owner of the affected property.

703.02 MISDEMEANOR.

Any person who covers a plumbing installation before it is inspected, or otherwise refuses to comply with the correction order, or in any other way is found in violation of this Chapter, shall be upon conviction thereof, found guilty of a misdemeanor.