

CHAPTER VII

PUBLIC UTILITIES

SECTION 700 - WASTEWATER TREATMENT

700.01. Definitions. Subdivision 1. The terms defined in this subsection shall have the meanings hereinafter designated:

Subd. 1. "Act" means the Federal Water Pollution Control Act also referred to as the Clean Water Act, as amended, 33. U.S.C. 1251, et seq.

Subd. 2. "ASTM" means the American Society for Testing and Materials.

Subd. 3. "Authority" means the City of Nerstrand, Minnesota or its representative.

Subd. 4. "BOD₅ or Biochemical Oxygen Demand" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Centigrade in terms of milligrams per liter (mg/l).

Subd. 5. "Building Drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the building wall.

Subd. 6. "Building Sewer" means the extension from the building drain to the public sewer or other place of disposal, also referred to as a house connection or service connection.

Subd. 7. "City" means the area within the corporate boundaries of the City as presently established or as amended by ordinance or other legal actions at a future time. The term "City" when used herein may also be used to refer to the City Council and its authorized representative.

Subd. 8. "Chemical Oxygen Demand (COD)" means the quantity of oxygen utilized in the chemical oxidation of organic matter as determined by standard laboratory procedures, and as expressed in terms of milligrams per liter (mg/l).

Subd. 9. "Compatible Pollutant" means the biochemical oxygen demand, suspended solids, pH, and fecal coli form bacteria, plus additional pollutants identified in the NPDES/SDS Permit if the treatment facilities are designed to treat such pollutants to a degree, which complies with effluent concentration limits imposed by the permit.

Subd. 10. "Control Manhole" means a structure specially constructed for the purpose of measuring flow and sampling of wastes.

Subd. 11. "Easement" means an acquired legal right for the specific use of land owned by others.

Subd. 12. "Equivalent Dwelling Unit" means a level of service provided to a typical residential dwelling assuming 4,500 gallons of wastewater per month.

Subd. 13. "Fecal Coli form" means any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

Subd. 14. "Floatable Oil" means oil, fat, or grease in a physical state, such that it will separate by gravity from wastewater.

Subd. 15. "Garbage" means animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.

Subd. 16. "Incompatible Pollutant" means any pollutant that is not defined as a compatible pollutant including non-biodegradable dissolved solids.

Subd. 17. "Industry" means any nongovernmental or nonresidential user of a publicly owned treatment works which is identified in the Standard Industrial Classification Manual, latest edition, which is categorized in Divisions A, B, D, E and I.

Subd. 18. "Industrial Waste" means gaseous, liquid, and solid wastes resulting from industrial or manufacturing processes, trade or business, or from the development, recovery, and processing of natural resources, as distinct from residential or domestic strength wastes.

Subd. 19. "Infiltration" means water entering the sewage system (including building drains and pipes) from the ground through such means as defective pipes, pipe joints, connections, and manhole walls.

Subd. 20. "Infiltration/Inflow (I/I)" means the total quantity of water from both infiltration and inflow.

Subd. 21. "Inflow" means water other than wastewater that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, yard and area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers, catch basins, surface runoff, street wash waters or drainage.

Subd. 22. "Interference" means the inhibition or disruption of the City's wastewater disposal system processes or operations which causes or significantly contributes to a violation of any requirement of the City's NPDES and/or SDS Permit. The term includes of sewage sludge use or disposal by the City in accordance with published regulations providing guidelines under Section 405 of the Act or any regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria applicable to the method of disposal or use employed by the City.

Subd. 23. "MPCA" means the Minnesota Pollution Control Agency.

Subd. 24. "National Categorical Pretreatment Standards" means federal regulations establishing pretreatment standards for introduction of pollutants in publicly-owned wastewater treatment facilities which are determined to be not susceptible to treatment by such treatment facilities or would interfere with the operation of such treatment facilities, pursuant to Section 307(b) of the Act.

Subd. 25. "National Pollutant Discharge Elimination System (NPDES) Permit" means a permit issued by the MPCA, setting limits on pollutants that a permittee may legally discharge into navigable waters of the United States pursuant to Sections 402 and 405 of the Act.

Subd. 26. "Natural Outlet" means any outlet, including storm sewers and combined sewers, which overflow into a watercourse, pond, ditch, lake or other body of surface water or ground water.

Subd. 27. "Non-contact Cooling Water" means the water discharged from any use such as air conditioning, cooling or refrigeration, or during which the only pollutant added, is heat.

Subd. 28. "Normal Domestic Strength Waste" means wastewater that is primarily introduced by residential users with a BOD₅ concentration not greater than 200 mg/l and a suspended solids (TSS) concentration not greater than 250 mg/l.

Subd. 29. "Person" means any individual, firm, company, association, society, corporation, or group.

Subd. 30. "pH" means the logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.

Subd. 31. "Pretreatment" means the treatment of wastewater from industrial sources prior to the introduction of the waste effluent into a publicly owned treatment works.

Subd. 32. "Properly Shredded Garbage" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than 1/2 inch (1.27 cm) in any dimension.

Subd. 33. "Sewage" means the spent water of a community. The preferred term is wastewater.

Subd. 34. "Sewer" means a pipe or conduit that carries wastewater or drainage water.

- a) "Collection Sewer" means a sewer whose primary purpose is to collect wastewaters from individual point source discharges and connections.
- b) "Combined Sewer" means a sewer intended to serve as a sanitary sewer and a storm sewer.

- c) "Force Main" means a pipe in which wastewater is carried under pressure.
- d) "Interceptor Sewer" means a sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.
- e) "Private Sewer" means a sewer which is not owned and maintained by a public authority.
- f) "Public Sewer" means a sewer owned, maintained and controlled by a public authority.
- g) "Sanitary Sewer" means a sewer intended to carry only liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters which are not admitted intentionally.
- h) "Storm Sewer or Storm Drain" means a drain or sewer intended to carry storm waters, surface runoff, ground water, sub-surface water, street wash water, drainage, and unpolluted water from any source.

Subd. 35. "Significant Industrial User" means any industrial user of the wastewater treatment facility which has a discharge flow: (1) in excess of the lesser of 25,000 gallons or in excess of five percent of the total daily flow received at the treatment facility; or (2) whose waste contains a toxic pollutant in toxic amounts pursuant to Section 307(a) of the Act; or (3) whose discharge has a significant effect, either singly or in combination with other contributing industries, on the wastewater disposal system, the quality of sludge, the system's effluent quality, or emissions generated by the treatment system.

Subd. 36. "Slug" means any discharge of water or wastewater which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than 15 minutes, more than five times the average 24 hour concentration of flows during normal operation, and shall adversely affect the collection or performance of the wastewater treatment works.

Subd. 37. "State Disposal System (SDS) Permit" means any permit (including any terms, conditions and requirements thereof) issued by the MPCA pursuant to Minnesota Statutes Section 115.07 for a disposal system as defined by Minnesota Statutes Section 115.01, subdivision 8.

Subd. 38. "Superintendent" means the utilities superintendent or a deputy, agent or representative authority as designated by the City.

Subd. 39. "Suspended Solids (SS) or Total Suspended Solids (TSS)" means the total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or

other liquids, and is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater," latest edition, and referred to as non-filterable residue.

Subd. 40. "Toxic Pollutant" means the concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse effects as defined in standards issued pursuant to Section 307(a) of the Act.

Subd. 41. "Unpolluted Water" means 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.

Subd. 42. "User" means any person who discharges or causes or permits the discharge of wastewater into the City's wastewater disposal system.

Subd. 43. "Wastewater" means the spent water of a community and referred to as sewage. 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 ground water, surface water and storm water that may be present.

Subd. 44. "Wastewater Treatment Works or Treatment Works" means an arrangement of any devices, facilities, structures, equipment, or processes owned or used by the city for the purpose of the transmission, storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage or industrial wastewater, or structures necessary to recycle or reuse water including interceptor sewers, outfall sewers, collection sewers, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled water supply such as standby treatment units and clear well facilities; and any works including land which is an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

Subd. 45. "Watercourse" means a natural or artificial channel for the passage of water, either continuously or intermittently.

Subd. 46. "WPCF" means the Water Pollution Control Federation.

700.03. Control by the Superintendent. The superintendent shall have control and general supervision of all public sewers and service connections in the city, and shall be responsible for administering the provisions of this section to the degree that a proper and efficient public sewer is maintained.

700.05. Use of Public Sewers Required. Subdivision 1. 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.

Subd. 2. It shall be unlawful to discharge to any natural outlet any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance and the city's NPDES/SDS permit.

Subd. 3. Except as provided hereinafter, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

Subd. 4. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes from which wastewater is discharged, and which is situated within the city and adjacent to any street, alley, or right-of-way in which there is now located, or may in the future be located, a public sanitary sewer of the city, shall be required at the owner(s) expense to install a suitable service connection to the public sewer in accordance with provisions of this section, within 90 days of the date said public sewer is operational, provided said public sewer is within 200 feet of the structure generating the wastewater. All future buildings constructed on property adjacent to the public sewer shall be required to immediately connect to the public sewer. If sewer connections are not made pursuant to this section, an official 30-day notice shall be served instructing the affected property owner to make said connection.

Subd. 5. In the event an owner shall fail to connect to a public sewer in compliance with a notice given under subdivision 4, the city will undertake to have said connection made and shall assess the cost thereof against the benefited property. Such assessment, when levied, shall bear interest at the rate determined by the city council and shall be certified to the county auditor 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 section.

700.07. Private Wastewater Disposal. Subdivision 1. Where a public sewer is not available under the provisions of section 700.05 subdivision 4; the building sewer shall be connected to a private wastewater disposal system complying with all provisions of this section.

Subd. 2. Prior to commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the city or its delegated authority. The application for such permit shall be made on a form furnished by the city, which the applicant shall supplement with any plans, specifications, and other information as are deemed necessary to the city.

Subd. 3. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the city or its authorized representative. The city or its representative shall be allowed to inspect the work at any stage of construction, and, the applicant for the permit shall notify the city when work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within eight hours of the receipt of notice.

Subd. 4. The type, capacities, location, and layout of a private wastewater disposal system shall comply with all requirements of entitled, "Individual Sewage Treatment System Standards," Minnesota Rules Chapter 7080, as the same may be from time to time amended. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Subd. 5. At such time as a public sewer becomes available to a property serviced by a private wastewater disposal system, a direct connection shall be made to the public sewer within 90 days in compliance with this section, and any septic tanks, cesspools, and similar private wastewater disposal systems shall be cleaned of sludge. The bottom shall be broken to permit drainage, and the tank or pit filled with suitable material, in compliance with Minnesota Rules Chapter 7080.

Subd. 6. 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.

Subd. 7. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the MPCA or the Minnesota Department of Health.

700.09. Building Sewers and Connections. Subdivision 1. Any new connection(s) to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities including, but not limited to capacity for flow, BOD₅, and suspended solids, as determined by the superintendent.

Subd. 2. 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 city.

Subd. 3. Applications for a building sewer permit shall include the location, name of owner, street number connected, and how occupied. A building sewer permit fee shall be established to defray inspection, administration and other costs. The fee shall be set forth on the city's fee schedule.

Subd. 4. There shall be two classes of building sewer permits: (a) for residential and commercial service; and (b) for industrial service. In either case, the application shall be supplemented by any plans, specifications, or any other information considered pertinent in the judgment of the city. The industrial user, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

Subd. 5. 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 indemnify the city from any loss or damage that may be directly or indirectly occasioned by the installation building of the sewer.

Subd. 6. A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is

available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway. The building sewer from the front building may be extended to the rear building and the whole considered one building sewer. The city does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection aforementioned.

Subd. 7. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent or his or her representative, to meet all requirements of this section.

Subd. 8. The size, slopes, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of the Minnesota Building and Plumbing Codes or other applicable rules and regulations of the city.

Subd. 9. 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 sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Such work shall be under the direction of a master plumber, licensed in the State of Minnesota. A master plumber must provide proof to the city of a \$25,000 Bond filed with the Minnesota Secretary of State.

Subd. 10. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or indirectly to the wastewater disposal system.

Subd. 11. The connection of the building sewer into the public sewer shall conform to the requirements of the Minnesota Building and Plumbing Codes or other applicable rules and regulations of the city. All such connections shall be made gas tight and watertight, and verified by proper testing to prevent the inclusion of infiltration/inflow. The City must approve the connection prior to installation.

Subd. 12. The applicant for a building sewer permit shall notify the superintendent at least 24 hours in advance of when the building sewer is ready for inspection and connection to the public sewer. The connection and inspection shall be made under the supervision of the superintendent or authorized representative thereof.

Subd. 13. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and other public property disturbed in the course of the work, shall be restored in a manner satisfactory to the city.

700.11. Use of Public Services. Subdivision 1. No person(s) shall discharge or cause to be discharged any unpolluted water such as stormwater, ground water, roof runoff, surface drainage, or non-contact cooling water to any sanitary sewer.

Subd. 2. Stormwater 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 and other regulatory agencies. Industrial cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet on approval of the city and upon approval and the issuance of a discharge permit by MPCA.

Subd. 3. No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- a) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, per chlorates, bromates, carbides, hydrides, and sulfide.
- b) Solid or viscous substances which will cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.
- c) Any wastewater having a pH of less than 5.0 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater disposal system.
- d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to inhibit or disrupt any wastewater treatment process, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.

Subd. 4. The following described substances, materials, water, or wastes shall be limited in discharges to city systems to concentrations or quantities which will not harm either sewers, the wastewater treatment works treatment process or equipment, will not have an adverse effect on the receiving stream and/or soil, vegetation and ground water, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The superintendent may set limitations lower than limitations established in the regulations below if, in his or her opinion, such more severe limitations are necessary to meet the above objections. In forming his or her opinion as to the acceptability of wastes, the superintendent will give consideration to such factors as the quantity of subject waste in reaction to flows and velocities in the sewers, materials of

construction of the sewers, nature of the sewage treatment process, the city's NPDES or SDS permit, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the superintendent are as follows:

- a) Any wastewater having a temperature greater than 150 degrees F (65.6 degrees C), or causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding 104 degrees F (40 degrees C), or having heat in amounts which will inhibit biological activity in the wastewater treatment works resulting in interference therein.
- b) Any wastewater containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees F and 150 degrees F (0 degrees C and 65.6 degrees C); and any wastewater containing oil and grease concentrations of mineral origin of greater than 100 mg/l, whether emulsified or not.
- c) Any quantities or flow, concentrations, or both which constitute a "slug" as defined herein.
- d) Any garbage not properly shredded.
- e) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life, or are sufficient to prevent entry into the sewers for their maintenance and repair.
- f) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
- g) Non-contact cooling water or unpolluted storm, drainage, or ground water.
- h) Wastewater containing inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in such quantities that would cause disruption with the wastewater disposal system.
- i) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.
- j) Any waters or wastes containing the following substances to such degree that any such material received in the composite wastewater at the wastewater treatment works in excess of the following limits for such materials:

<u>Waste or Chemical</u>	<u>Daily Maximum Concentration (mg/l)</u>	<u>30-Day Average Concentration (mg/l)</u>
Cadmium	1.2	0.5
Copper	4.5	1.8
Cyanide	0.8	0.23
Lead	0.6	0.3
Nickel	4.1	1.8
Total Chromium	7.0	2.5
Zinc	4.2	1.8
Total Heavy Metals (Copper, Chromium, Nickel, Zinc)	10.5	5.0
Phenolic compounds which cannot be removed by City's wastewater treatment system.		

- k) Any wastewater, which creates conditions at or near the wastewater disposal system, which violates any statute, rule, regulation, or ordinance of any regulatory agency, or state or federal regulatory body.
- l) Any waters or wastes containing BOD₅, or suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment works, except as may be permitted by specific written agreement subject to the provisions of this section.

Subd. 5. If any waters or wastes are discharged or are proposed to be discharged to the public sewers which contain substances or possess the characteristics enumerated above, or which in the judgment of the superintendent, may have a deleterious effect upon the wastewater treatment facilities, processes, or equipment; receiving water and/or soil, vegetation, and ground water; or which otherwise create a hazard to life or constitute a public nuisance, the city may:

- a) Reject the wastes;
- b) Require pretreatment to an acceptable condition for discharge to the public sewers, pursuant to Section 307(b) of the Act and all addendums thereof;
- c) Require control over the quantities and rates of discharge; or
- d) Require payment to cover the added costs of handling, treating, and disposing of wastes not covered by existing taxes or sewer service charges.

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

Subd. 6. No user shall increase the use of process water or, in any manner, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this section, or contained in the National Categorical Pretreatment Standards or any state requirements.

Subd. 7. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation at the expense of the owner(s).

Subd. 8. Grease, oil, and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified above, any flammable wastes as specified above, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of the type to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal of the captured materials by appropriate means, and shall maintain a record of dates and means of disposal, which are subject to review by the superintendent. Any removal and hauling of the collected materials not performed by the owner's personnel, must be performed by a currently licensed waste disposal firm.

Subd. 9. Where required by the city, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure, or control manhole, with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastes. Such structure shall be accessible and safely located, and shall be constructed in accordance with plans approved by the city. The structure shall be installed by the owner at his or her expense and shall be maintained by the owner to be safe and accessible at all times.

Subd. 10. The owner, or occupant, of any property serviced by a building sewer carrying industrial wastes may, at the discretion of the city, be required to provide laboratory measurements, tests, or analyses of waters or wastes to illustrate compliance with this section and any special conditions for discharge established by the city or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated by the city. A complete analysis of the constituents of the wastewater discharge to assure that compliance with federal, state and local standards are being met must be supplied. The owner shall report the results of measurements and laboratory analyses to the city at such times and in such manner as prescribed by the city. The owner shall bear the expense of all measurements, analyses, and reporting required by the city. At such times as deemed necessary, the city reserves the right to take measurements and samples for analysis by an independent laboratory.

Subd. 11. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this section shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis subject to approval by the superintendent.

Subd. 12. Where required by the city, the owner of any property serviced by a sanitary sewer shall provide protection from an accidental discharge of prohibited materials or other

substances regulated by this section. Where necessary, facilities to prevent accidental discharges of prohibited materials shall be provided and maintained at the owner's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the superintendent for review and approval prior to construction of the facility. Review and approval of such plans and operating procedures shall not relieve any user from the responsibility to modify the user's facility as necessary to meet the requirements of this section. Users shall notify the superintendent immediately upon having a slug or accidental discharge of substances of wastewater in violation of this ordinance to enable countermeasures to be taken by the superintendent to minimize damage to the wastewater treatment works. Such notification will not relieve any user of any liability for any expense, loss or damage to the wastewater treatment system or treatment process, or for any fines imposed on the city on account thereof under any state or federal law. Employees shall ensure that all employees who may cause or discover such a discharge are advised of the emergency notification procedure.

Subd. 13. No person, having charge of any building or other premises, which drains into the public sewer, shall permit any substance or matter which may form a deposit or obstruction to flow or pass into the public sewer. Within 90 days after receipt of written notice from the city, the owner shall install a suitable and sufficient catch basin or waste trap, or if one already exists, shall clean out, repair or alter the same, and perform such other work, as the superintendent may deem necessary. Upon the owner's refusal or neglect to install a catch basin or waste trap or to clean out, repair, or alter the same after the period of 120 days, the superintendent may cause such work to be completed at the expense of the owner or representative thereof.

Subd. 14. Whenever any service connection becomes clogged, obstructed, broken or out of order, or detrimental to the use of the public sewer, or unfit for the purpose of drainage, the owner shall repair or cause such work to be done as the superintendent may direct. Each day after seven days that a person neglects or fails to so act shall constitute a separate violation of this section, and the superintendent may then cause the work to be done, and recover from such owner or agent the expense thereof by an action in the name of the city.

Subd. 15. The owner or operator of any motor vehicle washing or servicing facility shall provide and maintain in serviceable condition at all times, a catch basin or waste trap in the building drain system to prevent grease, oil, dirt or any mineral deposit from entering the public sewer system.

Subd. 16. In addition to any penalties that may be imposed for violation of any provision of this section, the city may assess against any person the cost of repairing or restoring sewers or associated facilities damaged as a result of the discharge of prohibited wastes by such person, and may collect such assessment as an additional charge for the use of the public sewer system or in any other manner deemed appropriate by the city.

Subd. 17. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the city and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefore by the industrial concern, providing that National Categorical Pretreatment

Standards and the City's NPDES and/or State Disposal System Permit limitations are not violated.

700.13. Tampering with Wastewater Facilities. Subdivision 1. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment, which is part of the wastewater facilities. Any person violating this provision shall be subject to a misdemeanor.

700.15. Powers and Authority of Inspectors. Subdivision 1. The superintendent or other duly authorized employee of the city, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observations, measurement, sampling, and testing pertinent to the discharges to the city's sewer system in accordance with the provisions of this ordinance.

Subd. 2. The superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes, which have a direct bearing on the type and source of discharge to the wastewater collection system. An industry may withhold information considered confidential however, it must establish that the revelation to the public of the information in question, might result in an advantage to competitors.

Subd. 3. While performing necessary work on private properties, the superintendent or duly authorized employee of the city shall observe all 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 this section.

Subd. 4. The superintendent or other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

700.17. Penalties. Subdivision 1. Any person found to be violating any provision of this section, 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 such notice, permanently cease all violations.

Subd. 2. Any person who shall continue any violation beyond the time limits provided for in this section, shall be guilty of a misdemeanor. Each day in which any such violation occurs shall be deemed as a separate offense.

Subd. 3. Any person violating any of the provisions of this section shall become liable to the city for any expense, loss, or damage occasioned by the city by reason of such violation.

700.19. Wastewater User Fee System. Subdivision 1. Purpose. The purpose of this section is to identify the basis for the charges necessary to ensure that adequate revenue is generated to operate, maintain and replace the sewer system, and that such charges will, with a reasonable degree of fairness, reflect the use of the system by the various classes of users.

Subd. 2. Sewer Access Charge. The cost of long term maintenance and replacement is built into the sewer rates. The design of the system includes a level of capacity in excess of the current needs to provide for new users and a margin for unexpected demand. Proper management of the system requires that a level of excess capacity be maintained, either through actually having the capacity or having monetary reserves to construct such capacity. The city shall charge a sewer access charge to new users and existing users which change occupancies or uses on a property resulting in an increase in sewer usage, access charges shall be set by the council by resolution based on equivalent dwelling units as defined in this section.

Subd. 3. Rates and Charges. All rates and charges shall be set by the city council and adopted by resolution on an annual basis at the third regular meeting on the council. Rates and charges established by the council shall be based on an annual analysis of the costs of operation, maintenance and replacement prepared by the superintendent with the assistance of an accountant as necessary in accordance with generally accepted governmental accounting standards. Monthly rates shall consist of a minimum charge and a charge based on metered water usage. Each user of sewer service shall pay the charge(s) applicable to the type of service, and in accordance with the fee resolution adopted by the council.

Subd. 4. Special Contracts. When it appears to be in the best interest of the city, the council may prescribe sewer rates for particular customers of the municipal sewer system by written contract approved by the council.

Subd. 5. Assessments of Unpaid Bills. Wastewater service charges shall be a charge against the owner, lessee or occupant of premises and shall constitute a lien against the lot or parcel served and in the event of delinquency, the city may commence legal action to collect such unpaid wastewater service charges or certify such delinquency to the county auditor to be assessed against such lot and parcel and collected with the real estate taxes.

Subd. 6. Disconnection. Failures of any person to pay monthly bills for the established sewer service charge when due, or repeated discharge of prohibited waste to the city sanitary sewerage systems shall be sufficient cause to disconnect all of said person's service connection to the water or sanitary sewer mains of the city. Service shall be reinstated only upon payment of all charges and costs incurred by the city, and provision by the responsible party of monetary security or proof of changes in operation to prevent further non-compliance.

Subd. 7. Oversizing Service. In the event that sewer mains are extended to the city limits or past areas in the city which may reasonable be expected to develop in the future, the city council may direct that the installed mains be sized to serve reasonable anticipated future

demand. The council may defer assessments on property inside the city until development, and assess benefited properties outside the city upon annexation. If a developer, as a condition of improving property within or without the city, agrees to pay the cost of oversizing, the city shall reimburse the developer from any assessments collected pursuant to the section within 15 years of the dated of completion of the improvement.

SECTION 705 – WATERWORKS SYSTEMS, SANITARY
AND STORM SEWER SYSTEMS, SEWAGE
DISPOSAL SYSTEMS AND PLANTS

705.01. Authorization. Pursuant to Minnesota Statutes Section 444.075, the city may build, construct, reconstruct, repair, enlarge, improve, or in any other manner obtain facilities as follows:

- a) Waterworks systems, including mains, valves, hydrants, service connections, wells, pumps, reservoirs, tanks, treatment plants, and other appurtenances of a waterworks system,
- b) Sewer systems, sewage treatment works, disposal systems, and other facilities for disposing of sewage, industrial waste, or other wastes, and
- c) Storm sewer systems, including mains, holding areas and ponds, and other appurtenances and related facilities for the collection and disposal of storm water, all hereinafter called facilities, and maintain and operate the facilities inside or outside the city limits, and acquire by gift, purchase, lease, condemnation, or otherwise any and all land and easements required for that purpose.

The authority hereby created is in addition to all other powers otherwise granted by the laws of Minnesota and elsewhere in this city code with reference to the facilities set forth herein.

705.03. Charges, Rates and Fees. Pursuant to Minnesota Statutes Section 444.075, in order to pay for the construction, reconstruction, repair, enlargement, improvement, or other obtainment and the maintenance, operation and use of the facilities described in this section, the city may impose just and equitable charges for the use and for the availability of the facilities and for connections with them and make contracts for the charges as provided in this code. The city council or its public utility commission may adopt by resolution such charges, rates and fees as may be deemed necessary to carry out or facilitate the authority provided in this section. The charges and fees are contained in appendix I.

SECTION 710 – CITY WATER SYSTEM

710.01. Utilities Superintendent. The city council may appoint a utilities superintendent who is to discharge the responsibilities imposed by this section, together with such other duties as may be required or assigned to that person.

710.03. General Operation. The city water system is to be operated as a public utility and convenience from which revenue will be derived under the management and control of the city council, subject to the provisions of the agreement of the joint water commission. The system is to be operated and maintained in such a manner as to provide its service with maximum efficiency.

710.05. Use of Water Restricted to Authorized Persons. It is unlawful to make, construct or install a water service installation or make use of a water service that is connected to the city water system except in the manner provided in this section.

710.07. Damage to Water System. It is unlawful to remove or damage a structure, appurtenance or property of the city water system, or fill or partially fill any excavation, or raise or open any gate constructed or maintained for the city water system.

710.09. Discontinuance of Service for Violations. Water service may be shut off at a stop box connection or gate valve box connection if:

- a) The owner or occupant of the premises served or a person working on pipes or equipment thereon that are connected with the water system has violated or threatens to violate provisions of this section;
- b) Charges for water, service, meter or any other financial obligations under this section imposed on the present or former owner or occupant of the premises served are unpaid; or
- c) There has been fraud or misrepresentation by the owner or occupant of the premises served in connection with services provided under this section.

710.11. Deficiency of Water; Shutting Off Water. The city is not liable for a deficiency or failure in the supply of water to consumers. In case of fire, or alarm of fire, or in making repairs or construction of new works, water may be shut off and kept shut off as long as deemed necessary by the superintendent.

710.13. Supply From One Service. Not more than one housing unit or building may be supplied from one service connection except by special permission of the superintendent.

710.15. Tapping of Mains Prohibited. It is unlawful for a person except one employed or authorized by the city to tap a distribution main or pipe of the water supply system or insert stopcocks or ferrules therein.

710.17. Repair of Leaks. The consumer or owner must maintain the service pipe from the curb stop or building gate valve into the house or building. In the case of failure upon the part of a consumer or owner to repair a leak occurring in the service pipe within 24 hours after verbal or written notice from the superintendent, the water will be shut off and will not be turned on until a penalty charge has been paid and the leak repaired. If the waste of water is great or if damage is likely to result from the leak, the water may be turned off immediately pending repairs.

710.19. Abandoned Services. Subdivision 1.

- a) Service installations that have been abandoned or have not been used for three years will be disconnected at the main by the city, and the related expense of the city will be charged to the property as an unpaid utility bill.
- b) When buildings are reconstructed or redeveloped and it is desired to increase or change the old water service, connections with the mains may not be made until all old services have been removed and the main plugged by the owner's authorized contractor, and any related expense of the city will be charged to the property as an unpaid utility bill.

710.21. Excavation and Construction Requirements. Subdivision 1.

- a) An excavation for the water system may not be made until a permit for the connection has been issued by the superintendent. The permit fee is set by city council resolution.
- b) Excavations for making a tap from city water mains must conform to Federal Register Part 2 Department of Labor, Occupational Safety and Health Administration, 29 CFR 1926, Occupational Safety and Health Standards - Excavations: Final Rule. The excavations must extend to a depth at least 12 inches lower than the bottom of the water main. Ample clear space must be allowed for insertion of tapping machine. Excavations must be safe. If not determined safe by the tapper, a tap may not be made. A safe ladder must be furnished by the contractor for use of entry, tapping, inspection and exiting.
- c) In compliance with the Minnesota Plumbing Code, separation of water service pipes and sewer service pipes must be no less than 10 feet apart horizontally or may be placed in a common trench if the bottom of the water service pipe is kept at a minimum of 12 inches above the top of the sewer pipe at all points and the water pipe is placed on a solid shelf at one side of the common trench. A common trench may also be used without the separation requirements if the sewer pipe is of ductile iron, schedule 40 plastic, or SDR35 ASTM D3034 plastic pipe and the water pipe is of copper or ductile iron.

710.23. Private Water Supplies. It is unlawful to connect a water pipe of the water system with a pump, well, tank or piping that is connected with any other source of water supply. If such cross connections are found to exist, the owner or the owner's plumber must give notice to the

superintendent and make an immediate correction of the problem. Failure to correct the problem will result in the discontinuation of the city's water supply by the superintendent.

710.25. Use Confined to Premises. It is unlawful to permit water from the water system to be used for any purpose, except upon that person's premises unless written consent is obtained from the superintendent.

710.27. Connections Beyond City Boundaries. Where water mains of the city are in any street or alley adjacent to or outside the corporate limits of the city, the council may issue permits to the owners or occupants of properties adjacent or accessible to the water mains to make proper water service pipe connections with the water mains of the city, and to be supplied with water in conformity with the applicable provisions of this section.

710.29. Applications. Subdivision 1. Applications for service installations and for water service are to be made to the city on printed forms as provided by the city.

Subd. 2. Applications for service installations and for water service must be made by the owner or agent of the property to be served and state the size and location of service connection required. The applicant must, at the time of making application, pay to the city the amount of fees or deposit required for the installation of the service connection set by city council resolution. Applications for services larger than one inch must be accompanied by two sets of plans or sketches indicating preferred location of service pipe and size of service based on building demand.

Subd. 3. When service connections have been installed, application for water service may be made to the city, either by the owner, agent, tenant or occupant of the premises.

Subd. 4. The size of water service connections and meters must be approved by the superintendent. The water service may not be less than the size of the service pipe from the main to the curb stop. To better serve the building over a longer period of time, and because of future water usage such as yard irrigation systems, swimming pools and dishwashers, it is recommended that a one inch service pipe be the smallest service size. All services up to two inch must be type K copper with flared fittings for one inch and three inch part compression connection fittings approved by the superintendent for two inch diameter copper. Services larger than two inch must be ductile iron class 52 type designated by the city of Sandstone standard specifications for water mains for the current year.

Subd. 5. A meter yoke with a meter will be furnished to the contractor or plumber at the time a connection permit is issued.

Subd. 6. The plumber must notify the inspection department within 24 hours after piping is complete and ready for meter seal installation, giving street address and permit number.

Subd. 7. Water billing starts at the time of installation of the water meter, or if the meter is not installed, seven days after completion of outside piping, the billing will be calculated upon the minimum quarterly rate prorated on a monthly basis.

710.31. Service Charges. Subdivision 1. A permit must be obtained from the city to connect to the existing water service leads at the curb box and interior plumbing. Permits will be issued only to a licensed plumber.

Subd. 2. Additional charges must be paid at the time of making application for tapping of the water main, installation of the service line, installation of the curb stop and box and restoration of street surface where a curb box and service lead is installed and the charges are as follows:

- a) Where the installation is to be on an unpaved street, the amount to be charged are fixed by the city based upon the actual cost of installing the service, plus administrative costs.
- b) Where the installation is upon a paved street, there is a fee for restoration of a typical road bituminous street in addition to the above charge, and for the restoration of a higher type street, the fee will be set by the city. All backfill materials must be mechanically compacted in 12 inch layers to the density of the adjacent material in the roadway area in accordance with the Minnesota Department of Transportation standard specifications to the existing street grade.
- c) The owner must install, or have installed, the service connections from the water main to the property line. Payment for the service connections must be made before the work is started.
- d) The city will supply the corporation stop, saddle (if required), curb stop and box up to two inch which will be charged to the plumber when applying for a tap. Cost will also include labor, equipment and overhead. Service larger than two inch requires the owner to contract a qualified tapper who must be approved by the utility superintendent. The tapping sleeves must be stainless steel. The sleeves must be mechanical joint or approved equal with a flanged outlet for connection to the tapping sleeve. The tapping sleeves must be as manufactured by Ford "fast tap" with ductile iron gland and stainless steel bolts or JCM model 432 stainless steel tapping sleeve, or approved equal. The owner must also provide valves and valve boxes. The valves must be resilient seat manufactured to meet applicable requirements of AWWA C500 and AWWA C109-80. The resilient seat valves must be Waterous, American, Clow or Mueller. The valve boxes must be Tyler 6860.

710.33. Damage to Shutoff Box. Before any grading or excavation is started, the water shutoff box must be located and checked for damage by the contractor. Location ties will be furnished by the superintendent at time connection permit is issued. If the shutoff box can not be located or is found bent or in a damaged condition, the superintendent is to be called at once. The contractor assumes all responsibility for damage to the shutoff box unless the superintendent certifies that damage existed before excavation or grading started.

710.35. Time for Connections. If the plumber or contractor laying the service pipe fails to have the connection made at the time specified in the application, notice must be given to the superintendent fixing another day on which the plumber wishes to make connection. The notice must be given at least two days previous to the excavation for laying of the service pipe, and the connection must be made before 4:30 p.m. except in special cases, and then the work may be done only upon a written order from the superintendent.

710.37. Property Assessments. The permit fee for water main tapping will be paid for each connection in the amount specified by city council resolution. In addition, before any permit is issued the following conditions must be complied with:

- a) A permit will not be issued to tap or connect with any water main of the city directly or indirectly from any lot or tract of land unless the clerk-treasurer has certified:
 - 1) That such lot or tract of land has been assessed for the cost of construction of the water main with which the connection is made.
 - 2) If no assessment has been levied for the construction cost, the proceedings for levying an assessment have been or will be completed in due course.
 - 3) If no assessment has been levied and no assessment proceedings will be completed in due course, that a sum equal to the portion of cost of constructing said water main would be assessable against the lot or tract has been paid to the city.
- b) If the certificate cannot be issued by the clerk-treasurer, a permit to tap or connect to any water main may not be issued unless the applicant has paid an additional connection fee, equal to the portion of the cost of construction of the main which would be assessable against the lot or tract to be serviced by such tapping connection, including interest at a rate equal to the interest rate of 20 years or the amount of years the assessment was decreased, when it is determined by the public works director that the improvement was not subject to utilization until a later date. The assessable cost is to be determined by the director upon the same basis as any assessment previously levied against other property for the main. If no such assessment has been levied, the assessable cost will be determined upon the basis of the uniform charge which may have been or which will be charged for similar tapping or connection with the main, allocated on frontage basis, or both.

710.39. Location and Installation of Stop Boxes and Building Gate Valve. Curb stop boxes must be installed at a point on the property line most suitable to the property, and must be left in an accurate vertical position when backfilling is completed. Curb stop boxes will be installed at an approximate depth of 7 1/2 feet below the grade established by the city. Type K copper tubing must be used for installation of water services. The curb stop must be mounted on a concrete block for a good base support. The building gate valve if wet tapped must be located next to the watermain within two feet and must remain at the same depth as the watermain. This

will be considered the building shut off. Whenever possible a wet tap is recommended so as not to interrupt existing customers.

710.41. Supervision by Plumber. Piping connections from curb box to house supply piping must be made under the supervision of a licensed plumber.

710.43. Turning on Water. Only an authorized city employee may turn on or off any water supply at the stop box.

710.45. Accounts; How Kept. Accounts will be kept on the books of the city by the house and street number and under the account number assigned thereto, and by the name of the owner or of the person signing the application for service. Bills and notices sent by the city will be sent to the house or street number of the property. If nonresident owners or agents desire personal notice sent to a different address, they must file an application therefor with the city. An error in address must be promptly reported to the city. Responsibility for a notice of change of ownership rests with the owner.

710.47. Water Rates. Subdivision 1. Schedule. The rate due and payable to the city by each water user within the city for water taken will be charged per 100 cubic feet, payable periodically, subject, however, to a minimum charge to each water user for each period during which water service is furnished. This minimum charge represents a basic facility and service costs inherent in operation of the water system. The charges, including the minimum charge, are set by resolution of the city council on an annual basis.

Subd. 2. Estimates. In case the meter is found to have stopped or to be operating in a faulty manner, the amount of water used will be estimated in accordance with the amount used previously in comparable periods of the year.

Subd. 3. Billing. Where service is for less than a full billing period, the charge will be prorated.

Subd. 4. Automatic Sprinkler System. Where a connection is made to an automatic building sprinkler system for standby service only, on either municipal or private water mains, a charge for such service will be made on an annual basis in the amount set by city council resolution. These rates apply in all cases where automatic sprinklers are installed and where fire gates and other outlets are sealed.

Subd. 5. Rates due and payable by each water user located beyond the territorial boundaries of the city will be determined by special contract.

Subd. 6. Where a service pipe is connected to the stop box and laid into the building with no intention of connection to the building piping for use immediately, the minimum rates and charges set in this section apply.

Subd. 7. A meter must be installed on the street valve in the house and a remote register outside regardless of whether inside piping is connected.

Subd. 8. If a water customer elects to discontinue the use of the city water system, the regular or minimum charge continues until such date as the service pipe is excavated and disconnected at the stop box.

710.49. Payment of Charges. Any prepayment or overpayment of charges may be retained by the city and applied on subsequent quarterly statements.

710.51. Penalty for Late Payment. Each billing for water service not paid when due incurs a penalty charge as set by resolution of the city council.

710.53. Action to Collect Charges. Subdivision 1. An amount due for water charges may be certified to the county auditor for collection with real estate taxes in the following year in accordance with Minnesota Statutes Section 444.075. This certification will be made regardless of who applied for water services, whether it was the owner, tenant or other person. Applications for water service will contain an explanation in clear language that unpaid water bills will be collected with real estate taxes in the following year. The city may bring a civil action or other remedies to collect unpaid charges.

Subd. 2. For purposes of this subsection the term "water charges" means and includes without limitation water rate charges, permit charges, availability charges, connection charges and any rate or charge authorized by Minnesota Statutes Section 444.075 or imposed by this section. When unpaid charges are certified for collection with taxes the term "charges" includes a certification fee set by city council resolution and interest on the unpaid charges at the annual rate set by city council resolution.

710.55. Water Meters. Subdivision 1. Except for extinguishment of fires only authorized city employees may use water from the water system or permit water to be drawn therefrom, unless the same is metered by passing through a meter supplied or approved by the city. Only persons authorized by the superintendent may connect, disconnect, take apart, or in any manner change, or cause to be changed, or interfere with any such meter or the action thereof.

Subd. 2. The city will maintain and repair all meters when rendered unserviceable through ordinary wear and tear and replace them if necessary. However, where replacement, repair, or adjustment of any meter is rendered necessary by the act, neglect, including damage from hot water backup, freeze-ups, or carelessness of the owner or occupant of any premises, the expense caused the city thereby will be charged against and collected from the water customer.

Subd. 3. A consumer may, by written request, have a meter (up to one inch) tested by the city; at which time the owner may be present or have a representative present. If the meter is found to register within two percent of being correct, a charge will be made for making the test. If the meter is found to register two percent incorrectly, no charge will be made for making the test. If the meter is found to over-register more than two percent, there will be a proportional deduction made from the previous water bill. A water meter will be considered to register satisfactorily when it registers within two percent of accuracy. The charges for meter testing are set by city council resolution.

Subd. 4. Meters; ownership. Except for additional or auxiliary meters, water meters are the property of the city.

Subd. 5. Accessibility. Authorized city employees have free access at reasonable hours to all parts of every building and premises connected with the water system for reading, inspection and repair of meters. Failure to provide access may result in one or more of the following actions:

- a) Imposition, along with and in addition to other charges for service, a quarterly penalty charged as established by city council resolution.
- b) Termination of service to the premises.
- c) Billing and collecting for service to the premises on an estimated consumption basis whether or not meter readings are being obtained.

Subd. 6. Commercial or industrial buildings must be metered with one master meter of adequate size, as approved by the superintendent. If additional or auxiliary meters are desired for recording the subdivision of such supply, the meters must be furnished and set up by the owner or consumer at the owner's or the consumer's expense, and the owner or consumer must assume all responsibility of reading, billing and maintaining same.

710.57. Water Meter Setting. Water meters must be installed in accordance with the following rules:

- a) The service pipe from the water main to the meter, when the same enters the building, must be brought through the floor in a vertical position.
- b) The meter must be located so that the bottom is not less than 12 inches above the finished floor line and not greater than 24 inches above the finished floor line. A full flow valve must be placed approximately 12 inches above the floor. A stop and waste valve must be installed on the house side adjacent to the meter, or just above the meter yoke. The meter must be set not more than 12 inches measured horizontally from the inside line of the basement wall, unless an alternate method is approved by the superintendent. An approved yoke must be provided to support the meter in the proper vertical position. Meters larger than one inch must be set on a pedestal.
- c) Meters two inches or greater in size must be equipped with a bypass line equal to one-half the size of the existing pipe size so that in the event a meter needs to be tested, repaired, or replaced, the building will still have a minimum amount of water supplied. The bypass line must be valved on each side, in addition to the meter valves and when completed must be sealed by the city. This seal may not be tampered with and will be subject to a fine if seal is found tampered with or broken.

- d) Meter installations must have a full flow valve placed approximately 12 inches above the floor. A stop and waste valve must be installed on the house side just above the meter yoke. Fittings and pipe are to be red brass or bronze. Full way valves must be brass 125 pounds standard.
- e) Meter, valves and yoke must be kept readily accessible at all times.

710.59. Water Connection Charge. Subdivision 1. Properties in the city that: i) are improved and have water-consuming plumbing facilities and ii) that abut upon streets or other places where water mains are located are subject to the water connection charge provided for in this subsection. The water connection charge shall be imposed in addition to the user charges for water service and shall be determined and administered as follows:

- a) The water connection charge must be paid prior to the issuance of an applicable permit and before connecting to the city's water system.
- b) If, after the initial water connection charge is paid, an additional building permit is issued, the use of the property changes or a new water connection is made, the water connection charge will be recalculated and any additional charges must be paid.
- c) The water connection charge shall be set forth from time to time by resolution of the city council.

710.61. Water Service; Discontinuing of Seasonal Customers; Freeze-Ups. Subdivision 1. Water service, discontinuing. A consumer desiring to discontinue the use of water must notify the city.

Subd. 2. Seasonal customers. There are no seasonal customers for water and sanitary sewer services. Charges are based upon the consumption of water. If there is no consumption for that month, a fee is charged according to the current rate schedule or the customer may have the water shut off and turned on at the curb box at the current fee.

Subd. 3. Freeze-ups. Water leaks due to freezing lines, in which a residence is not in use, are the responsibility of the owner. The owner will be charged for all water consumption as well as any sewer rates. An owner may appeal the billing to the city council.

710.63. Discontinuance of Water Service. Subdivision 1. Grounds. Water service to a property may be shut off by the city for the following reasons:

- a) Violation of a provision of this code relating to the operation, maintenance or connection to the water system.
- b) Fraud or misrepresentation by an owner or occupant in connection with an application for service.

- c) Failure of the owner or occupant or either of them to pay rates and charges for water service when due.

Subd. 2. Shut-off procedures. If the clerk-treasurer determines that grounds exist for shutting off water service, he or she must notify the owner or occupant or both of the city's intent to shut off, by mailed, written notice not less than ten days or more than 30 days prior to the date of shut-off. The notice must state that the owner or occupant or both may request a hearing before the city council at its next regularly scheduled meeting and that at the hearing the owner or occupant or both may present testimony as to why the service should not be shut off. The request for a hearing must be presented in writing to the clerk-treasurer not later than the fifth day after mailing of the notice. A request from either the owner or occupant is sufficient to require the hearing. If a request for a hearing is received, the clerk-treasurer may not shut off service until the hearing has been held and then only at the direction of the city council. If a request for a hearing is not timely received, the clerk-treasurer may shut off the water service without further notice.

Subd. 3. Emergency shut-off. The shut-off procedure does not apply to water shut-off for the reasons emergency reasons specified in this section.

710.65. Fire Services. Subdivision 1. The construction of fire services must be made under the personal supervision of an authorized employee of the department of protective inspections. The cost of this supervision will be charged to the owner.

Subd. 2. Private fire protection services may be constructed with detect meters. All outlet valves must be sealed, and the system approved by the water department, fire department and conforms with all building codes. Detector checks the same size as building piping must be installed in all fire lines with a rising stem gate valve on each side of the check. All fire service lines will be equipped with a Watts Model 909 backflow preventer or approved equal unless waived by the superintendent. This requirement includes, but is not limited to, annual testing to be performed by the owner, and a copy of such test to be presented to the city. Testing must be done by an accredited backflow preventer tester.

Subd. 3. Fire protection systems may be opened in case of fire or for inspection, and may not supply water for domestic use, other than fire suppression purposes.

Subd. 4. When seals on a fire protection system are broken, the owner or occupant must notify the city within 24 hours.

Subd. 5. If more than one service is installed on the same premise, the piping of one may not be connected with the other, except with permission of the city.

Subd. 6. The fire marshal may limit the size of fire protection services where the street mains are not adequately sized in order to protect public interest.

Subd. 7. If the owner or occupant of any premises is found to be using water from a fire service for purposes other than fire protection, the water department may require the owner of

the premises to furnish and install, at the owner's expense and under the direction of the water department, an approved water meter and to keep the same in accurate operating condition.

710.67. Fire Hydrants; Permit Required to Use. Subdivision 1. Hydrants are available throughout the city, but the use of a fire hydrant, unless authorized by the city, is prohibited. Temporary service from fire hydrants is available for contractors. A hydrant rental fee is required for usage of a hydrant for small water users. A hydrant rental fee, along with a metered charge, is required for tank filling and prolonged usages of fire hydrant. The meter will be furnished and installed by the city.

Subd. 2. Permits to use a fire hydrant will be issued for each individual job or contract, and for a minimum of 30 day periods as the superintendent may determine. The permit must state the location of the hydrant and will be for the use of that hydrant and none other.

Subd. 3. The user must make an advance cash deposit to guarantee payment for water used and to cover breakage and damage to hydrant and water meter. The deposit will be refunded upon expiration of the permit, less applicable charges for use.

Subd. 4. The user must pay a rental charge for each 30 day period or fraction thereof, and the current water rates will be charged.

Subd. 5. Hydrants may be opened only with an operating hydrant wrench and spanner which must be obtained from the water department after a deposit fee has been paid. The hydrant must be fully opened in order to operate properly.

Subd. 6. The fire hydrant will be checked before and after the usage. Any damage done will be charged to the holder of the permit.

Subd. 7. A back flow preventer must be furnished by holder of the permit.

710.69. Senior Citizen Rates. The council may by resolution establish maximum water and sewer use rates for senior citizens and disabled persons, the qualifications for, and the method of administering the special rates.