

CHAPTER 160
MUNICIPAL SEWER SYSTEM

160.01 FINDINGS DECLARATION POLICY PURPOSES.

- (A) The City of Chisago City has financed in part the construction of a sewer system, which reasonably serves the needs of the residents of Chisago City, and those extra-territorial users currently connected. This sewer system has been financed by service charges on current users and general levies on property within the City at the time of construction and bond retirement.
- (B) Because the City of Chisago City and surrounding areas are now undergoing strong growth and development pressure, increased numbers of requests for sewer system hook-ups are being received by residents of the areas served by the water system facilities appear unavoidable.
- (C) Since the need for new or substantially modified facilities is almost entirely created by future hook-ups to the sewer system, it seems only just to make provisions for financing this sewer system expansion largely by those who are creating a need for it.
- (D) A sewer system hook-up charge, hereafter referred to as the hook-up charge or sewer access charge (SAC), along with area trunk charges in the judgment of the City Council, offers the best means of assuring that additional necessary capacity will be within the financial means of this City and that users who have already paid for a sewer system sufficient for their needs will not be charged for capacity provided to serve others.

160.02 DEFINITIONS. Unless the context specifically indicates otherwise, the terms used in this Ordinance shall have the meaning herein designated.

- (A) ACT: The Federal Water Pollution Control Act also referred to as the Clean Water Act, as amended, 33. U.S.C. 1251, et seq.
- (B) ASTM: American Society for Testing Materials.
- (C) BOD5 OR BIOCHEMICAL OXYGEN DEMAND: The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade in terms of milligrams per liter (mg/l), as described in "Standard Methods for the Examination of Water and Wastewater", current edition.
- (D) BUILDING DRAIN: That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning two (2) feet outside the inner face of the building wall.
- (E) BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal also referred to as a service connection.
- (F) CITY: The area within the corporate boundaries presently established or as amended by ordinance or other legal actions at a future time. The term "City" when used herein, shall refer to the City of Chisago City, and to the City Council and its authorized representative.
- (G) CHEMICAL OXYGEN DEMAND (COD): The quantity of oxygen utilized in the chemical oxidation of organic matter as determined by standard laboratory procedures, and as expressed in terms of milligrams per liter (mg/l).
- (H) COMMISSION: When used in the text will refer to the Chisago Lakes Joint Sewage Treatment Commission.

- (I) **COMPATIBLE POLLUTANT:** Biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the NPDES/SOS Permit if the treatment facilities are designed to treat such pollutants to a degree, which complies with effluent concentration limits imposed by the permit.
- (J) **CONTROL MANHOLE:** Means any manhole installed at an industry to facilitate observation, sampling and measurement of waste.
- (K) **EASEMENT:** An acquired legal right for the specific use of land owned by others.
- (L) **FECAL COLIFORM:** Any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.
- (M) **FLOATABLE OIL:** Means any oil, that has a density less than that of water which causes it to float on the sewage and which tends to coat surfaces and cause maintenance problems.
- (N) **GARBAGE:** animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.
- (O) **INCOMPATIBLE POLLUTANT:** Any pollutant that is not defined as a compatible pollutant (Letter I, Chapter 160.01) including non-biodegradable dissolved solids.
- (P) **INDUSTRY:** Any nongovernmental or nonresidential user, of a publicly owned Treatment works which is identified in the Standard Industrial Classifications Manual, latest edition, which is categorized in Divisions A, B, O, E and I.
- (Q) **INDUSTRIAL WASTE:** Gaseous, liquid, and solid wastes resulting from Industrial or manufacturing processes, trade or business, or from the development, recovery, and processing of natural resources, as distinct from residential or domestic strength wastes.
- (R) **INFILTRATION:** Water entering a sewer system (including building drains and pipe), from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls.
- (S) **INFILTRATION/INFLOW (I/I):** The total quantity of water from both Infiltration and inflow.
- (T) **INFLOW:** Water other than wastewater that enters a sewer system, including (building drains) from such sources as, but not limited to roof leaders, cellar, 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 water, or drainage.
- (U) **INTERFERENCE:** The inhibition or disruption of the Commission's wastewater disposal system processes or operations which causes or significantly contributes to a violation of any requirement of the Commission'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.
- (V) **MPCA:** Minnesota Pollution Control Agency.
- (W) **NATIONAL CATEGORIAL PRETREATMENT STANDARDS:** Federal regulations establishing pretreatment standards for introduction of pollutants in publicly owned wastewater treatment facilities, which are determined to be not susceptible to treatment by such treatment facilities, or would interfere with the operation of such treatment facilities, pursuant to Section 307(b) of the Act.

- (X) NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT: 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.
- (Y) NATURAL OUTLET: Any outlet, which leads directly or indirectly to the natural environment without first going through the public sewer system.
- (Z) NON-CONTRACT COOLING WATER: The water discharged from any use such as air conditioning, cooling or refrigeration, or during which the only pollutant added, is heat.
- (AA) NORMAL DOMESTIC STRENGTH WASTE: Wastewater that is primarily introduced by residential users with a BOD5 concentration not greater than 200 mg/l, a suspended solids XTSS) concentration not greater than 250mg/l.
- (AB) PERSON: Any individual, firm, company, association, society, corporation, or group.
- (AC) PH: The logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.
- (AD) PLANT OPERATION: The utilities superintendent or a deputy, agent or representative thereof.
- (AE) PRETREATMENT: The treatment of wastewater from industrial sources prior to the introduction of the waste effluent into a publicly owned treatment works. (160.02, Letter U).
- (AF) PROPERLY SHREDDED GARBAGE: The wastes from the preparation, cooking and dispensing of foods 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.
- (AG) SEWAGE: The spent water of a community. The preferred term is wastewater.
- (AH) SEWER: A pipe or conduit that carries wastewater or drainage water.
- 1) Collection Sewer -a sewer whose primary purpose is to collect wastewater from individual point source discharges and connections.
 - 2) Combined Sewer - a sewer intended to serve as a sanitary sewer and a storm-sewer.
 - 3) Force Main -a pipe in which wastewater is carried under
 - 4) Interceptor Sewer -a sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.
 - 5) Private Sewer -a sewer, which is not owned and maintained by a public authority. It shall include the entire service line including that beneath the public right-of-way to the point of connection with the lateral or other public sewer line.
 - 6) Public Sewer -a sewer owned, maintained and controlled by a public authority.
 - 7) Sanitary Sewer -a sewer intended to carry only liquid and water-carried wastes from residences, commercial building, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters, which are not admitted intentionally.
 - 8) Storm Sewer or Storm Drain -a drain or sewer intended to carry storm waters, surface runoff, ground water, subsurface water, street wash water, drainage, and unpolluted water from any source.
- (AI) SHALL: Is mandatory; MAY: Is permissive.

- (AJ) **SIGNIFICANT INDUSTRIAL USER:** Any industrial user of the wastewater treatment facility, which has a discharge flow (1) in excess of 25,000 gallons per average work day, or (2) has exceeded five percent (5%) of the total flow received at the treatment facility, or (3) whose waste contains a toxic pollutant in toxic amounts pursuant to Section 307 (a) of the Act, or (4) whose discharge has a significant effect, either singly, or in combination with other contributing industries, on the wastewater disposal system, the quality of sludge, the system's effluent quality, or emissions generated by the treatment system.
- (AK) **SLUG:** Any discharge of water or wastewater which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five times the average 24-hour concentration of flows during normal operation, and which adversely affect the collection system and/or performance of the wastewater treatment works.
- (AL) **STATE DISPOSAL SYSTEM (SDS) PERMIT:** Any permit (including any terms, conditions and requirements thereof) issued by the MPCA pursuant to Minnesota Statutes 115.07 for a disposal system as defined by Minnesota Statutes 115.01, Subdivision 8.
- (AM) **SUSPENDED SOLIDS (SS) OR TOTAL SUSPENDED SOLIDS (TSS):** The total suspended matter that either floats on the surface of, or is suspended 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.
- (AN) **TOXIC POLLUTANT:** 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.
- (AO) **UNPOLLUTED WATER:** Water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards, and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities. (See "Non-contact Cooling Water", Section 21.)
- (AP) **USER:** Any person who discharges or causes or permits the discharge of wastewater into the City's wastewater disposal system.
- (AQ) **WASTEWATER:** 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.
- (AR) **WASTEWATER TREATMENT WORKS OR TREATMENT WORKS:** An arrangement of any devices, facilities, structures, equipment, or processes owned or used by the City (Commission) 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.
- (AS) **WATERCOURSE:** A natural or artificial channel for the passage of water, either continuously or intermittently.
- (AT) **WPCF:** The Water Pollution Control Federation.

SECTION 160.03 CONTROL BY THE PUBLIC WORKS DIRECTOR (PWD) The PWD shall have control and general supervision of all public sewer and service connections in the City and shall be responsible for the administration of this ordinance to the end that a proper and efficient public sewer is maintained.

SECTION 160.04 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 the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste. Generally accepted gardening and agricultural practices are not prohibited hereby.

(B) 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 National Pollution Discharge Elimination System (NPDES) permit.

(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 sewage without approval of the City.

(D) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, other than trunk and lateral service lines, capable of service connection or other purposes from which wastewater is discharged, and which is situated within the City and adjacent on any street, alley, or right-of-way in which there is now located or is proposed to be located any public sanitary sewer of the City shall be required at the owner(s) expense to install suitable connection to the public sewer in accordance with the provisions of this Ordinance. Hook up is required within nine (9) months of the date said public sewer is operational, provided access to said public sewer is accessible from 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 ninety (90) day notice shall be served instructing the affected property owner to make said connection.

(E) In the event an owner shall fail to connect to a public sewer in compliance with a notice given under article III, Section 4 of the Ordinance, the City shall 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 Auditor of the County of Chisago, Minnesota and shall be collected and remitted to the City addition to any remedial or enforcement provisions of this ordinance.

(F) Parcels consisting of 5 acres or more, not adjacent to protected waters or having a septic system at least 500 feet from protected waters, and with a properly operating septic system may be permitted to defer connection to an available municipal sewer system until such a time as the current system fails or is no longer up to code, the parcel is subdivided, or the use of the parcel is expanded by an additional structure and/or the addition of bedrooms for increased occupancy.

(G) Chisago City recognized that each situation and neighborhood may present unique circumstances where a deviation from connection requirements may be justified. The following criteria or findings of fact should be evaluated when considering any deviation allowing continued use of private septic systems. Some of the same criteria may be used when evaluating any new systems to be installed.

1. Lot sizes should be 1 plus acre
2. Lot should not be within 500 feet from protected waters.
3. No drainage of area into protected waters.
4. If sewer lines are installed at no expense to the city.
5. If no sewer service is anticipated for at least five years.
6. If area is expected to continue to be somewhat rural in nature.
7. If soils are more than adequate for traditional installation (no mound or holding tanks).
8. The percentage of petitioners requesting sewer service. (if the minority requests service, they may be required to pay full cost).

9. If the installation of the sewer line is in the best interest of the city, but adjoining neighborhoods have no benefit/need.
10. Age of existing systems.

SECTION 160.05 PRIVATE WASTEWATER DISPOSAL

- (A) Where a public sewer is not available under the provisions of Article III, Section 4, the buildings sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article.
- (B) Prior to commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the Building Official of the City. The application for such permit shall be made on a form furnished by the City which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the City.
- (C) Operation of a private wastewater disposal system shall not be allowed until the installation is completed to the satisfaction of the City or its authorized representative. The City or its representative shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the City when work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice, if reasonably practicable.
- (D) The type, capacities, location, and layout of a private wastewater disposal system shall comply with all requirements of the Chisago County individual on-site sewer ordinance. No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- (E) 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. The routine maintenance of onsite systems is essential to protect the community health and welfare. An inspection report from all on site systems shall be required at a minimum of 3-year intervals.
- (F) No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the MPCA or the Department of Health of the State of Minnesota.

160.06 BUILDING SEWERS AND CONNECTIONS

- (A) 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, BOD, and Suspended Solids.
- (B) No unauthorized person 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.
- (C) Applications for permits shall be made by the owner or their authorized agent and the party employed to do the work, and shall state the location, name of owner, street number of the building to be connected, and how occupied. No person shall extend any private building drain beyond the limits of the building or property for which the service connection permit has been given.
- (D) There shall be two (2) classes of building sewer permits: (a) for residential and for commercial service, and (b) for service to establishments producing industrial wastes. In either case, the application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the City. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.
- (E) All costs and expense and liabilities incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(F) A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard or driveway, the building sewer from the front building may be extended to the rear building, and the whole considered one building sewer. Subdivision of such lots shall not be permitted until separate sewer lines are installed. The City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection aforementioned.

(G) Old building sewers may be used to connect buildings only when they are found, on examination and testing as required by the City to demonstrate that it meets all requirements of this Ordinance.

(H) 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 State of Minnesota Building and Plumbing Code and rules and regulations of the City. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, State Plumbing Code, and Water Pollution Control Federation Manual of Practice No. 9 shall apply.

(I) 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.

(J) No person shall make or maintain connection of roof downspouts, exterior foundation drains, areaway drains, surface sump pumps, runoff or groundwater to a building sewer or indirectly to the Wastewater Disposal System.

(K) The connection of the building sewer into the public sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code and applicable rules and regulations of the City or the procedures set forth in appropriate specifications of the ASTM WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight, and verified by proper testing to prevent the inclusion of infiltration/inflow. Any deviation from the prescribed procedures and materials must be approved by the City prior to installation.

(L) The applicant for the building sewer permit shall notify the City 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 IGU or authorized representative thereof.

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

(N) Any person desiring to make a service connection to the public sewer shall comply with the conditions set forth by the City.

(O) No person shall make a service connection to the public sewer until a bond to the City is filed with the PWD conditioned that the person will indemnify and save harmless the City from all suits, accidents, and damage that may arise by reason of any opening in any street, alley, or public ground, made by the person or by those in the person's employment for any purpose whatever, and that the person will replace and restore the street and alley over such opening to the condition existing prior to installation, adequately guard with barricades and lights and will keep and maintain the same to the satisfaction of the IGU, and shall conform in all respects to the rules and regulations of the IGU relative thereto, and pay all fines that may be imposed on the person by law.

(P) The Council may suspend or revoke any permit issued under this article and may take such other action as it may deem reasonable in order to facilitate compliance for any of the following causes:

1. Giving false information in connection with the application for a permit.
2. Incompetence of the permit holder.
3. Willful violation of any provisions of this article or any rule or regulation pertaining to the mixing of service connections.

160.07 USE OF THE PUBLIC SEWER

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

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

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

1. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.
2. Solid or viscous substances which will cause obstruction to the flow in a sewer or other interference with the proper operation of the Wastewater Treatment Facility such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground garbage grinders. Solids shall have a maximum allowable diameter of three (3) inches.
3. Any wastewater having a pH of less than 5.0 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater disposal system.
4. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to inhibit or disrupt any wastewater treatment process, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include but not be, limited to any pollutant identified pursuant to Section 307(a) of the Act.

(D) The following described substances, materials, water, or wastes shall be limited in discharges to municipal 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 City may set limitations lower than limitations treatment established in the regulations below if, in their opinion, such more severe are necessary to meet the above objectives. In forming their opinion as to the acceptability of wastes, the City 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 limitations the sewage process, the Commission's NPDES and/or SDS permit, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors.

The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer, which shall not be violated without approval of the City, are as follows:

1. Any wastewater having a temperature higher than one hundred fifty degrees wastewater, the influent at the wastewater treatment plant to have a temperature exceeding 104 F (40 C), or having heat in amounts, which will inhibit biological activity in the wastewater treatment, works resulting in interference therein.
2. Any waters or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty degrees Fahrenheit (150 F) (0 C and 65 C), and any wastewater containing oil and grease concentrations of mineral origin of greater than 100 mg/l, whether emulsified or not.
3. Any quantities of flow, concentrations, or both which constitute a "slug" as defined herein. (See Article I, Section 39).
4. Any garbage not properly shredded, as defined in Article I, Section 34. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food on the premises or when served by caterers.
5. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life, or are sufficient to prevent entry into the sewer for their maintenance and repair.
6. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
7. Non-contact cooling water or unpolluted storm, drainage, or groundwater.
8. Wastewater containing inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in such quantities that would cause disruption with the wastewater disposal system.
9. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Commission in compliance with applicable state or federal regulations.
10. Any waters or wastes containing the following substances: arsenic, cadmium, copper, cyanide, lead, mercury, nickel, silver, total chromium, zinc or phenolic compounds to a degree that the materials received prevent adequate treatment of the waste.
11. Any wastewater which creates conditions at or near the wastewater disposal system, which violates any statute, rule, regulation, or ordinance of any regulatory agency, or state or federal regulatory body.
12. Any waters or wastes containing 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 Section 16 of this Article.

(E) 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 in Section 4 of this Article, and/or which in the judgment of the Commission have a deleterious effect upon the wastewater treatment facility processes, equipment, or 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:

1. reject the wastes;
2. require pretreatment to an acceptable condition for discharge to the public sewers; pursuant to section 307(b) of the Act and all addendums thereof;
3. require control over the quantities and rates of discharge; and/or;
4. require payment to cover the added costs of handling and 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 and installation of the facilities and equipment shall be made at owner's expense, and shall be subject to the review and approval of the Commission pursuant to the requirements of the MPCA.

(F) 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 Sections 3 and 4 of this Article, or contained in the National Categorical Pretreatment Standards or any state requirements.

(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 at their own expense.

(H) Grease, oil and sand interceptors or extra septic tanks shall be provided and installed by the owner when, in the opinion of the City they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in Section 4(b), any flammable wastes, as specified in Section 3 (a), sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be to 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 City. Any removal and hauling of the collecting materials not performed by the owner's personnel must be performed by a currently licensed waste disposal firm.

(I) 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 accessibly and safely located, and shall be constructed in accordance with the plans approved by the City. The structure shall be installed by the owner at his/her expense and shall be maintained by the owner so as to be safe and accessible at all times.

(J) The owner of any property serviced by a building sewer carrying industrial wastes at the discretion of the City is required to provide laboratory measurements, tests, and analysis of waters and wastes to illustrate compliance with this Ordinance 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, analysis to be performed by the owner shall be as stipulated by the City. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the Federal, State, and local standards are being met. The owner shall report the results of measurements and laboratory analysis to the City at such times, and in such manner as prescribed by the City. The owner shall bear the expense of all measurements, analysis and reporting required by the City. At such times deemed necessary, the City reserves the right to take measurements and samples for analysis by an independent laboratory.

(K) All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this ordinance 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 City.

(L) 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 ordinance. 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 City 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 ordinance. Users shall notify the City and the Commission 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 IGU and the Commission 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 and Federal law. Employers shall insure that all employees who may cause or discover such a discharge are advised of the emergency notification procedure.

(M) 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 fifteen (15) 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 City 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 fifteen (15) days, the City may cause such work to be completed at the expense of the owner or representative thereof.

(N) 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 City may direct. Each day after fifteen (15) days that a person neglects or fails to so act shall constitute a separate violation of this section, and the City 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.

(O) 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 mineral deposit from entering the public sewer system.

(P) In addition to any penalties that may be imposed for violation of any provision of or in any other manner deemed appropriate by the City.

(Q) No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore, by the industrial concern, providing that National Categorical Pretreatment Standards and/or State Disposal System Permit limitations are not violated.

160.08 PROTECTION OF SEWAGE WORKS FROM DAMAGE. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment, which is a part of the wastewater. Any person violating this provision shall be subject to immediate arrest under charges of a misdemeanor.

160.09 USER RATE SCHEDULE FOR CHARGES

(A) Each user of sewer service shall pay the sewer access charge(s) applicable to the type of service, and in accordance with the provisions set forth in Ordinance No. 120. The sewer access charge shall be a one-time fee. The fee may be reviewed and set from time to time by council resolution.

(B) A base sewer service fee per 30,000 gallons shall be charged to all sewer connections. The base fee shall be reviewed and set from time to time by city council resolution.

(C) A charge for sewer usage shall be based on water usage for the first quarter of the year with the following exceptions:

1. Seasonal residential property is based on average individual usage.
2. If the current water usage is less than the first quarter of the year, the sewer rate will be adjusted down. Commercial property sewage shall be based on actual use per quarter.

160.09. POWERS AND AUTHORITY OF INSPECTORS

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

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

(C) While performing necessary work on private properties, the duly authorized representative or duly authorized employees 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 Article VI, Section 9 of this ordinance.

(D) The duly authorized representative 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 an 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 easement pertaining to the private property involved. In addition to other penalties for refusal to permit inspections under this section, all subsequent sewer bills shall be charged triple the regular rate until inspection if freely permitted by the refusing service recipient.

160.10 PENALTIES

(A) Any person violating any provision of this ordinance or any rule or regulation adopted in pursuance thereof, or any other provision of any code adopted in the ordinance by reference, shall, upon conviction be subject to a fine of not more than \$700.00 or imprisonment for a term not to exceed 90 days or both, plus, in either case, the costs of prosecution.

(B) Separate Violations. Unless otherwise provided, each act of violation and every day on which a violation occurs or continues constitutes a separate offense.

(C) Application to City personnel. The failure of any officer or employee of the City or the Commission to perform any official duty imposed by this ordinance shall not subject the officer or employee to the penalty imposed for violation unless a penalty is specifically provided for such failure.

(D) In addition to other penalties imposed for violation of this Ordinance, any person violating any of the provisions of this Ordinance shall become liable to the City for any expense, loss or damage occasioned by the City by reason of such violations.

160.11 VALIDITY

(A) This ordinance shall be in full force and take effect from and after its passage and approval and publication as provided by law.

(B) Separability. If any part of this ordinance is held invalid or suspended, such invalidity or suspension shall not apply to any other part of this ordinance or any other ordinance unless it is specifically provided otherwise.

(C) All other ordinances and parts of other ordinances inconsistent or in conflict with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

Amended 4/08/03, ORD. 264, ORD. 272. Revised 4/20/06.