

CHAPTER 2

SEWER¹

SECTION:

8-2-1: Service Connection Installation Regulations
8-2-1--1: Installation By City
8-2-1--2: Application
8-2-1--3: Deposits, Fees And Charges
8-2-1--4: Criteria For Approval
8-2-1--5: Grant Of Application
8-2-1--6: Service Connections
8-2-2: Use Regulations
8-2-2--1: Definition
8-2-2--2: Connection Required
8-2-2--3: Permit Required
8-2-2--4: Implied Consent
8-2-2--5: Application For Service; Deposit
8-2-2--6: Sewer Accounts
8-2-2--7: Sewer Service Charges
8-2-2--8: Commercial, Manufacturing And Industrial Discharge
8-2-2--9: Discharge Of Surface Water Prohibited
8-2-2-10: Inspection
8-2-2-11: Discontinuance Of Service
8-2-2-12: Connection Prior To Application
8-2-2-13: Outdoor Privy, Cesspool, Etc., Prohibited
8-2-3: Penalty

8-2-1: SERVICE CONNECTION INSTALLATION REGULATIONS:

8-2-1-1: INSTALLATION BY CITY:

In the installation of sanitary sewer service connections, all street excavations shall be made, taps into City sewer lines made and pipes installed from the lateral sewer line to the property line by the City, under the direction and general supervision of the City Council. (Ord. 33, 5-1-1969)

8-2-1-2: APPLICATION:

Any person desiring the installation of a sanitary sewer service connection to serve his property shall make written application to the City Administrator. (Ord. 33, 5-1-1969)

1. M.S.A. § 412.221, subds. 6 and 31.

8-2-1-3: DEPOSITS, FEES AND CHARGES:

A. Deposit:

1. Initial Deposit: A deposit as determined from time to time by the City Council shall be made by the applicant at the time of application, to be applied to the cost of installing such service connection from the lateral sewer line to the property line; provided that if application is made for the construction of such service connection after November 1 or before April 15 of any year, an additional deposit as determined from time to time by the City Council shall be made.

2. Additional Cost: The applicant shall agree in writing that in the event that such deposit or deposits are insufficient to pay the actual cost of construction of such service connection, he will make payment of the balance of the construction cost to the City within thirty (30) days after written demand therefore by the City Administrator.

3. Nonpayment Of Additional Costs: In the event that the amount so demanded is not paid as hereinbefore provided, the Council may levy a special assessment for said amount against the property served by said connection, together with interest thereon from the date of completion of said connection. (Ord. 33, 5-1-1969; 1996 Code)

B. Connection Fees:

1. Required When No Special Assessment Levied: No person connecting any drainage, waste disposal, or plumbing facilities with a City sewer service connection from property served by such service connection shall make such connection without first paying the connection fee as hereinafter set forth; provided, that this Section shall be applicable only to those cases where such service connection has been installed by the City, paid for from City funds, and where no special assessment has been levied against the property to be served for the cost of installing such service connection.

2. Fee: The connection fee shall be in a sum as determined from time to time by the City Council. (amended 12-11-2007)

3. Other Permit Fees: This fee shall not be in lieu of any other permit fee required by the ordinances of this City, whether now or hereafter adopted. (Ord. 34, 5-1-1969; 1996 Code)

C. Sewer Service Availability Charge:

1. Imposition Of Charge: There is imposed on each new building constructed within the City and upon each building hereafter connected to the sewer system of the City a sewer service availability charge. This charge is imposed to assist the City in meeting its obligations to the Metropolitan Council Environmental

Services, hereafter referred to as MCES, pursuant to Minnesota Statutes, chapter 473. All funds collected under this subsection shall be used by the City for that purpose. (amended 12-11-2007)

2. Amount Of Charge: The amount of the sewer service availability charge shall be fixed from time to time by resolution of the City Council. The charge shall be equal to the sewer service availability charge established by the MCES and shall be used as a basis for payments made to the MCES by the City. (amended 12-11-2007)

3. Administration; Building Permits: An applicant for a permit for building construction or for the connection of an existing building to the City's sewer system shall pay the sewer service availability charge to the City together with other fees required for the issuance of any such permit. The Building Inspector shall not issue a building permit for any new building to be connected to the sanitary sewer system or for any existing building to be connected to such system unless the charge is paid. (Ord. 60, 1-9-1973)

8-2-1-4: CRITERIA FOR APPROVAL:

A. Lateral Sewer Line: No such application for the installation of a service connection shall be granted unless the property being served abuts upon a street or alley in which a lateral sewer line has been laid.

B. Separate Service Connection: Unless special permission in writing from the City Council is first obtained, every lot, piece or parcel of land served by the City sanitary sewer system shall have a separate service connection.

C. Special Assessments: No application for the installation of a service connection to serve any property shall be made by the owner thereof unless all sanitary sewer special assessments upon such property then due and payable have been paid. (Ord. 33, 5-1-1969)

8-2-1-5: GRANT OF APPLICATION:

When the applicant has complied with the terms of this Section 8-2-1, the application may be granted by the City Administrator, who may thereupon order the installation of the service connection. (Ord. 33, 5-1-1969)

8-2-1-6: SERVICE CONNECTIONS:

Service connections so installed by the City shall be constructed from the wye in the street or alley adjoining the property to the nearest point on the property line, unless special permission

from the City Council is first obtained permitting construction in a different manner. (Ord. 33, 5-1-1969)

8-2-2: USE REGULATIONS:

8-2-2-1: DEFINITION:

For the purposes of this Section 8-2-2 the term "sanitary sewage" means wastewater from water closets, lavatories, sinks, bath tubs, cellar floor drains, bars, soda fountains, refrigerators, drinking fountains and liquid wastes resulting from any commercial, manufacturing or industrial operations or processes that drains into the metropolitan disposal system of the Metropolitan Council. (Ord. 32, 12-21-1971; amended 12-11-2007)

8-2-2-2: CONNECTION REQUIRED:

Notwithstanding any other provision in this Section 8-2-2, the use of all private sewage disposal facilities shall be discontinued on or before July 1, 1966, and thereafter all sanitary sewage facilities in use in this City on any residential, commercial, manufacturing or industrial property shall be connected to the City sanitary sewer system. (Ord. 32, 12-21-1971)

8-2-2-3: PERMIT REQUIRED:

No person shall connect any private sanitary sewage disposal facilities with the sanitary sewer system of the City, or discharge any sanitary sewage into the City sanitary sewer system without first obtaining a permit therefor. (Ord. 32, 12-21-1971)

8-2-2-4: IMPLIED CONSENT:

Every customer or person receiving sanitary sewage disposal service through the City sanitary sewage system shall be deemed to consent to all the rules, regulations and rates contained in the ordinances of the City and to all modifications thereof and all new rules, regulations or rates adopted by the City. (Ord. 32, 12-21-1971)

8-2-2-5: APPLICATION FOR SERVICE; DEPOSIT:

Before any sanitary sewage is discharged into the City system from any premises, the owner or his authorized agent shall apply to the City Administrator for sanitary sewage service and shall deposit with the City Administrator a sum to be determined from time to time by the City Council to hold the City free from any

loss occasioned by failure to pay any bill legally rendered against him for service of his property and from any loss resulting from damage to City-owned property adjacent to his premises. If such payment has already been paid as a water deposit, no sewer rental deposit is required, but application for sewage disposal service shall nevertheless be made. (Ord. 32, 12-21-1971)

8-2-2-6: SEWER ACCOUNTS:

Sewer accounts shall be carried in the name of the owner of the property, or in the name of the person designated by the owner in writing. Sewer service rates, charges or rentals shall be a charge against the owner, lessee or occupant of the premises, or against any or all of them; and any such claim for unpaid rates, charges or rentals which have been properly billed to the occupant of the premises may be collected in a civil action in any court of competent jurisdiction, or, in the discretion of the City Council, may be certified to the County Auditor with the taxes against such property serviced and shall be collected as other taxes are collected. Payments of delinquent sewer service rates, charges or rentals shall be credited to the same fund as current collections for that purpose are, deducting therefrom any cost of collection accruing to the City. (Ord. 32, 12-21-1971)

8-2-2-7: SEWER SERVICE CHARGES:

A. Charges Established By Resolution: For the purpose of providing funds for the sewer system of the City and for the providing of sewage disposal service, the Council shall, from time to time, establish the sewer service charges which are to be paid. Any such action taken by the Council shall be by resolution.

B. Based On Water Consumed: Such resolution may provide for basing the service charge upon the volume of water consumed upon the premises served by the City sanitary sewer system. Water meters of the type and design satisfactory to the regional water authority shall be installed on all sources of water supply connected with the sanitary facilities on such property, which meters shall be kept open for inspection and reading. (amended 12-11-2007)

C. Discount For Prompt Payment: Such service charges may include a discount for prompt payment.

D. Water And Sewer Statements: Water and sewer statements may be submitted on a single bill in those cases where the premises are served by both the regional water authority and City sewer systems. (Ord. 32, 12-21-1971; (amended 12-11-2007)

8-2-2-8: COMMERCIAL, MANUFACTURING AND INDUSTRIAL DISCHARGE:

No sanitary sewage consisting of liquid wastes from any commercial, manufacturing or industrial process shall be discharged into the sanitary system of the City without first securing the consent and approval of the Metropolitan Council and other applicable agencies, boards, and governing bodies.
(amended 12-11-2007)

8-2-2-9: DISCHARGE OF SURFACE WATER PROHIBITED:

Except as otherwise expressly authorized in this subdivision, no water from any roof, surface, sump pump, footing tile or drains, swimming pool, any other natural precipitation or groundwater, cooling water, or industrial process shall be discharged into the sanitary sewer system. Dwellings and other buildings and structures which require, because of the infiltration of water into basements, crawl spaces and the like, a sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system. A permanent installation shall be one which provides for year-round discharge capability to either the outside of the dwelling, building or structure, or is connected to a City storm sewer or draintile. It shall consist of a rigid discharge line without valving or quick connections for altering the path of discharge or a system otherwise approved by the city Public Works Coordinator or City Engineer.

Any person, firm, corporation, or other entity having a roof, surface, sump pump, footing tile or drains, swimming pool, cooling water or unpolluted industrial process water now connected and/or discharging into the sanitary sewer system shall disconnect or remove the same. Any disconnects or openings in the sanitary sewer system shall be closed or repaired in an effective, workmanlike manner, after obtaining the proper permits, and inspected by a representative or agent of the City. If a City draintile or storm sewer system is available to the property, these discharges may be connected to it. If a public system is not utilized, these discharges must be accommodated on the owner's property.

Any property owner applying for a building permit or plumbing permit (excluding permits for water heaters), variance, minor subdivision, or other approval from the City, shall agree to an inspection of the structure's sump pump, footing or foundation drain discharge for compliance with this code. Variances, minor subdivision, and other requested approvals shall not be forwarded to City committees or the City Council for review until the discharges are in full compliance with this chapter of City Code.
(amended 12-11-2007)

8-2-2-10: INSPECTION:

Every person owning improved real estate that discharges into the City's sanitary sewer system shall be subject to an inspection by an employee of the City or its designated representative to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system.

If any person refuses to allow their property to be inspected by a City employee or its designated representatives, the City reserves the right to seek an administrative search warrant from a court of competent jurisdiction before conducting the inspection in accordance with this chapter. (amended 3-25-2008)

New Home Inspections: All new homes with a sump pump system shall be inspected by a City employee or its designated representative before a certificate of occupancy is issued.

Assessments for Improvements: If a City employee or its designated representative identifies an illegal discharge into the sanitary sewer system and the cost to disconnect exceeds \$500, the property owner may petition the City Council to allow the disconnection costs to be assessed as a lien against its property under the provisions of Minnesota Statutes Chapter 429 and Lauderdale City Code 1-7-1.

Surcharge: A surcharge of one hundred dollars (\$100.00) per month will be imposed and added to sewer bills of residential property owners who are not in compliance with this Chapter by the correction date established by the City. A surcharge of three hundred dollars (\$300.00) per month shall be imposed and added to sewer bills of commercial or industrial property owners who are not in compliance with this Chapter by the correction date established by the City. The surcharges shall be added every quarter until the property is brought into compliance with this Chapter. (amended 3-25-2008)

8-2-2-11: DISCONTINUANCE OF SERVICE:

The City reserves the right to discontinue service of the sanitary sewer system without notice when the same is necessary in the repair of the system or any part thereof, or for nonpayment of bills, or for any cause when required by the City of Minneapolis or the Minneapolis-Saint Paul Sanitary District. (Ord. 32, 12-21-1971)

8-2-2-12: CONNECTION PRIOR TO APPLICATION:

In any case where private sanitary sewage facilities are connected with the sanitary sewer system of the City without first making application for and receiving all necessary permits

therefor, the City Council may elect to charge for sewage disposal service to the premises so connected, from the time that a sanitary sewer main was first available for use by such premises or from the time that a structure which could use such sewer main was first constructed on such premises, whichever is later. Any such charges may include charges for delinquency in paying for sewage disposal service when due. (Ord. 32, 12-21-1971)

8-2-2-13: OUTDOOR PRIVY, CESSPOOL, ETC., PROHIBITED:

No person shall construct, reconstruct, relocate or erect, nor shall any permit hereafter be issued for the construction, installation, reconstruction, relocation or erection of any outdoor privy, cesspool, septic tank, drainage field or similar structure for the disposal of sewage on any property or to serve any property abutting upon or adjacent to any street in which sewer mains have been laid, but connection of sanitary sewage facilities on any such property shall be made with the City sanitary sewage system at the time that such work is rendered necessary to provide sanitary disposition of sewage. (Ord. 32, 12-21-1971)

8-2-3: PENALTY:

Any person violating this Chapter shall be subject to penalty as provided by Section 1-4-1 of this Code. (Ord. 32, 12-21-1971; 1996 Code)