

CHAPTER 28 CITY OF
MAPLE LAKE

ORDINANCE ESTABLISHING SEWER USE REGULATIONS

An ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system(s); and providing penalties for violations thereof.

Be it ordained and enacted by the City of Maple Lake, Minnesota as follows:

28.01 DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall have the meanings hereinafter designated:

1. **Act** - The Federal Water Pollution Control Act, also referred to as the Clean Water Act, as amended, 33. U.S.C. 1251, et seq.
2. **ASTM** - American Society for Testing Materials.
3. **Authority** - The City of Maple Lake, Minnesota or its representative thereof.
4. **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° Centigrade in terms of milligrams per liter (mg/l).
5. **Building Drain** - 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 three (3) feet outside the building wall.
6. **Building Sewer** - 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.
7. **City** - The area within the corporate boundaries of the City of Maple Lake 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.
8. **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).
9. **Compatible Pollutant** - Biochemical oxygen demand, suspended solids, pH, and fecal coliform 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.
10. **Control Manhole** - A structure specially constructed for the purpose of measuring flow and/or sampling of wastes.
11. **Easement** - An acquired legal right for the specific use of land owned by others.

12. **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.
13. **Floatable Oil** - Oil, fat, or grease in a physical state, such that it will separate by gravity from wastewater.
14. **Garbage** - Animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.
15. **Incompatible Pollutant** - Any pollutant that is not defined as a compatible pollutant (28.01:09) including non-biodegradable dissolved solids.
16. **Industry** - 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.
17. **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.
18. **Infiltration** - 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.
19. **Infiltration/Inflow (I/I)** - The total quantity of water from both infiltration and inflow.
20. **Inflow** - 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.
21. **Interference** - 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 the inhibition or disruption 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.
22. **MPCA** - Minnesota Pollution Control Agency.
23. **National Categorical Pre treatment 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.
24. **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.

25. **Natural Outlet** - Any outlet, including storm sewers and combined sewers, which overflow into watercourse, pond, ditch, lake or other body of surface water or groundwater.
26. **Non-contact Cooling Water** - The water discharged from any use such as air conditioning, cooling or refrigeration, or during which the only pollutant added is heat.
27. **Normal Domestic Strength Waste** - Wastewater that is primarily introduced by residential users with a BOD₅ concentration not greater than 280 mg/1, a suspended solids (TSS) concentration not greater than 268 mg/1, and a phosphorus concentration not greater than 20 mg/1. concentrations shall be revised annually according to procedures described in the Sewer Service Charge System Report.
28. **Person** - Any individual, firm, company, association, society, corporation, or group.
29. **pH** - The logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.
30. **Pretreatment** - The treatment of wastewater from industrial sources prior to the introduction of the waste effluent into a publicly-owned treatment works (See 28.01:23).
31. **Properly Shredded Garbage** - 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 particles greater than V_i inch (1.27 cm) in any dimension.
32. **Sewage** - The spent water of a community. The preferred term is wastewater.
33. **Sewer** - A pipe or conduit that carries wastewater or drainage water.
 - A. **Collection Sewer** - A sewer whose primary purpose is to collect wastewater from individual point source discharges and connections.
 - B. **Combined Sewer** - A sewer intended to serve as a sanitary sewer and a storm sewer.
 - C. **Force Main** - A pipe in which wastewater is carried under pressure.
 - D. **Interceptor Sewer** - A sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.
 - E. **Private Sewer** - A sewer which is not owned and maintained by a public authority.
 - F. **Public Sewer** - A sewer owned, maintained and controlled by a public authority.
 - G. **Sanitary Sewer** - 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** - A drain or sewer intended to carry stormwater, surface runoff, groundwater, sub-surface water, street wash water, drainage, and unpolluted water from any source.

34. **Shall** is mandatory; **May** is permissive.
35. **Significant Industrial User** - Any industrial user of the wastewater treatment facility which has a discharge flow:
 - A. In excess of 25,000 gallons per average work day.
 - B. Has exceeded five percent (5%) of the total flow received at the treatment facility.
 - C. Whose waste contains a toxic pollutant in toxic amounts pursuant to Section 307(a) of the Act.
 - D. 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.
36. **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 (5) times the average 24-hour concentration of flows during normal operation, and shall adversely affect the collection and/or performance of the wastewater treatment works.
37. **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.
38. **Public Works Director** - The utilities Public Works Director or a deputy, agent or representative thereof.
39. **Suspended Solids (SS) or Total Suspended Solids (TSS)** - 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.
40. **Toxic Pollutant** - The concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse affects as defined in standards issued pursuant to Section 307(a) of the Act.
41. **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 benefitted by discharge to the sanitary sewers and wastewater treatment facilities. (See "Non-contact Cooling Water", Sec. 26.).
42. **User** - Any person who discharges, causes or permits the discharge of wastewater into the City's wastewater disposal system.
43. **Wastewater** - The spent water of a community; sometimes 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 groundwater, surface water and stormwater that may be present.
44. **Wastewater Treatment Works or Treatment Works** - 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.

45. **Watercourse** - A natural or artificial channel for the passage of water, either continuously or intermittently.
46. **WPCF** - The Water Pollution Control Federation.

28.02 CONTROL BY THE UTILITIES PUBLIC WORKS DIRECTOR

1. The utilities Public Works Director 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 ordinance to the end that a proper and efficient public sewer is maintained.

28.03 VIOLATIONS

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 of the City, any human or animal excrement, garbage or objectionable waste.
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.
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.
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 Code, within ten (10) days of the date said public sewer is operational, provided said public sewer is available at the property line. 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 thirty (30) day notice shall be served instructing the affected property owner to make said connection.
5. In the event an owner shall fail to connect to a public sewer in compliance with a notice given under Ordinance 28.03:04, the City must undertake to have said connection made and shall assess the cost thereof against the benefitted 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 Wright, Minnesota and shall be collected and remitted to the City

in the same manner as assessments for local improvements. The rights of the City shall be in addition to any remedial or enforcement provisions of this ordinance.

28.04 **PRIVATE WASTEWATER DISPOSAL**

1. Where a public sewer is not available under the provisions of Ordinance 28.03:4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Ordinance.
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. 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 to the City.
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, 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 4 hours of the receipt of notice.
4. The type, capacities, location, and layout of a private wastewater disposal system shall comply with all requirements of Minnesota Rules 7080, entitled, "Individual Sewage Treatment System Standards." No septic tank or cesspool shall be permitted to discharge to any natural outlet.
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 ten (10) days in compliance with the Ordinance, and within thirty (30) days 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.
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.
7. No statement contained in this Ordinance 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.

28.05 **BUILDING SEWERS AND CONNECTIONS**

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, Suspended Solids, and phosphorus, as determined by the Public Works Director.
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.
3. Applications for permits shall be made by the owner or 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.

4. There shall be two (2) classes of building sewer permits:
 - A. For service to establishments producing industrial wastes.
 - B. For establishments producing domestic strength wastes.

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 applicant, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

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 of the building sewer.
6. A separate and independent building sewer service 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. The City, in its discretion, may permit a different service connection.
7. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Public Works Director or his representative, to meet all requirements of this ordinance.
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 State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the City. In the absence of code provisions or in the amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9, shall apply.
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.
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.
11. The connection of the building sewer into the public sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications

of the ASTM and the 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.

12. 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 the Public Works Director or authorized representative thereof.
13. 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.

28.06 USE OF PUBLIC SERVICES

1. No person(s) shall discharge or cause to be discharged any unpolluted water such as stormwater, groundwater, roof runoff, surface drainage, or non-contact cooling water to any sanitary sewer.
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 the MPCA.
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, perchlorates, bromates, carbides, hydrides, and sulfides.
 - 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 waste- water 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.
4. 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 groundwater, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Public Works Director may set limitations lower than limitations established in the regulations below if, in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability of wastes, the Public Works Director 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 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 Public Works Director are as follows:
- A. Any wastewater having a temperature greater than 150°F (65.6°C), or causing, individually or in combination with other 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.
 - B. Any wastewater containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/1 or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65.6°C); and any wastewater containing oil and grease concentrations of mineral origin of greater than 100 mg/1 whether emulsified or not.
 - C. Any quantities of flow, concentrations, or both which constitute a "slug" as defined herein. (See Ordinance 29.01:36).
 - D. Any garbage not properly shredded, as defined in Chapter 28 of the City ordinances. 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.
 - 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 water, storm drainage, or groundwater.
 - 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 Public Works Director 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 limitations set by the Public Works Director for such materials: arsenic, cadmium, copper, cyanide, lead, mercury, nickel, silver, total chromium, zinc, phenolic compounds which cannot be removed by the 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, suspended solids, or phosphorus 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 Ordinance 28.06:16.
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 in Ordinance 28.06:04, and/or which in the judgment of the Public Works Director, may have a deleterious effect upon the wastewater treatment facilities, processes, or equipment; receiving waters and/or soil, vegetation, and groundwater; 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.
 - 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 owners expense, and shall be subject to the review and approval of the City pursuant to the requirements of the MPCA.

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 Ordinance 28.06:03, 04, or contained in the National Categorical Pretreatment Standards or any state requirements.

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).
8. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Public Works Director, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in 28.06-.4B, any flammable wastes as specified in 28.06:3 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 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 Public Works Director. 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.
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 expense and shall be maintained by the owner to be safe and accessible at all times.
10. The owner 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 Ordinance and any special condition for discharge established by the City or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated by the City. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with Federal, State, and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the City at 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.
11. All measurements, tests, and analyses 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 Public Works Director.
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 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 Public Works Director 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 Public Works Director 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 Public Works Director 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.

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 thirty (30) 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 Public Works Director 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 sixty (60) days, the Public Works Director may cause such work to be completed at the expense of the owner or representative thereof.
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 Public Works Director may direct. Each day after three (3) days that a person neglects or fails to so act shall constitute a separate violation of this section, and the Public Works Director 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.
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.
16. In addition to any penalties that may be imposed for violation of any provision of this chapter, 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.

17. No statement contained in this Ordinance shall be construed as preventing any special agreement or arrangement between the City of Maple Lake 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 the City's NPDES and/or State Disposal System Permit limitations are not violated.

28.07 DAMAGE TO WASTEWATER FACILITIES; PENALTY

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 immediate arrest under the charge of a misdemeanor.

28.08 USER RATE SCHEDULE FOR CHARGES AND SEWER ACCESS CHARGES

1. Each user of sewer service shall pay the charge(s) applicable to the type of service, and in accordance with the provisions set forth in Ordinance No. 29 and the City's Fee Schedule.
2. Each new hookup to the City's sewer system will pay a Sewer Access Charge as set forth in Ordinance No. 29 and the City's Fee Schedule.

28.09 POWERS AND AUTHORITY OF INSPECTORS

1. The Public Works Director 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.
2. The Public Works Director 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.
3. The Public Works Director 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 in accordance with the terms of the duly negotiated easement pertaining to the private property involved.

28.10 PENALTIES

1. Any person found to be violating any provision of this ordinance, 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.

2. Any person who shall continue any violation beyond the time limit provided for in 28.10:01, shall be guilty of a misdemeanor. Each day in which any such violation occurs shall be deemed as a separate offense.
3. 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 violation.

28.11 RULES AND REGULATIONS RELATING TO DISCHARGES FROM SUMP PUMPS AND OTHER SOURCES INTO THE CITY SANITARY SEWER SYSTEM

Subd. 1. Purpose. The Council finds that the discharge of water from roofs, down spouts, eave troughs, rain spouts, yard drains, surfaces, groundwater, sump pumps, footing tiles or swimming pools, foundation drains, yard fountains, ponds, cistern overflow, air conditioning units or systems, areaway drains, industrial processes, and other means of transmitting natural precipitation and surface waters, collectively referred to as excess infiltration and inflow (I & I), into the Sanitary Sewer system will and has in the past overloaded the Sanitary Sewer system. The Council, therefore, finds it essential for orderly growth in the community, fiscal responsibility, and compliance with City Code requirements that the provisions of this Section be strictly enforced..

Subd. 2. Prohibition against discharges into sewer system. No water from any roof, down spout, eave trough, rain spout, yard drain, surface, groundwater, sump pump, footing tile or swimming pool, foundation drain, yard fountain, pond, cistern overflow, air conditioning unit or system, areaway drain, industrial process, or other natural precipitation shall be discharged into the sewer system. Dwellings and other buildings and structures which require, because of 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 sewer system, except as provided herein. A "permanently installed discharge line" shall be one which provides for year-around discharge capacity to either an appropriate drainage area on the outside of the dwelling, building or structure (in no event shall such a drainage area include property owned by others or any public right-of-way), or is connected to the City storm sewer. The permanently installed discharge line shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge. It shall not be capable of connection or reconnection to the sewer system.

Subd. 3. Disconnection. Within 90 days of notice from the City, any person having a roof surface, down spout, cave trough, rain spout, yard drain, surface, groundwater, sump pump, footing tile or swimming pool, foundation drain, yard fountain, pond, cistern overflow, air conditioning unit or system, areaway drain, industrial process now connected and/or discharging into the sewer system shall immediately disconnect and/or remove same. Any disconnects or openings in the sewer system shall be closed in an effective, workmanlike manner, as approved by the Director of Public Works. If a city drain tile or storm sewer system is available to the property, connection of said discharges to these systems shall be mandatory.

Subd. 4. Compliance and Inspection. Every person owning improved real estate that discharges into the City's sewer system shall comply with the requirements of this Section within 90 days of notice from the City. Within 30 days after notice from the City, the property owner shall contact the City Maintenance Department to schedule an inspection, at no cost to the property owner, of each building and the utility service lines located on such property by an inspector designated by the City. The purpose of this inspection shall be to confirm that there is no sump pump or other prohibited discharge into the sewer system. In lieu of having the City inspect such property, the property owner may, at the property owner's expense, furnish a certificate from a licensed plumber, in a form acceptable to the City, certifying that the property is in compliance with this Section.

Subd. 5. Additional Inspections. The City may require any building be re-inspected if a violation is suspected or the building is for listed for sale. Additionally, the City may perform random inspections in an amount and frequency determined by the City to be appropriate. Any property found not to be in compliance upon reinspection, or any person refusing to allow their property to be reinspected within 30 days after receipt of written notice from the City requiring reinspection shall be subject to the nonrefundable charge set forth in Section 28.11, subd. 8B.

Subd. 6. New building inspections. All new buildings will be required to have their sump pump system inspected and be in compliance with this Section prior to issuance of a certificate of occupancy.

Subd. 7. Waivers. The City shall have the power and duty of hearing and deciding requests for waivers from the applicability of the provisions of this Section where strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration or cause a safety problem. This may also include cases where it would not be practical or feasible to correct an otherwise prohibited discharge in the City's sewer system.

Application for waivers pursuant to this Section shall be addressed in writing to the Public Works Director. The applications shall at a minimum identify the subject property, the name of the property owner/applicant, and describe in detail what characteristics of the subject property create an undue hardship. Within a reasonable time the Public Works Director shall make a recommendation on the matter and refer the application to the Council for determination. Upon approval of an application for a waiver, a property owner shall be allowed to discharge directly into the sewer system for a limited time specified in the written decision and in accordance with other terms and conditions specified.

If correction of the prohibited discharge requires construction which would damage City right of way (e.g. digging up a City street), the City, in its discretion, may grant a waiver and provide that no fee is owed for the prohibited discharge.

In all other cases where a waiver is granted, the applicant will be required to pay an additional fee for the additional sewer service, along with the regular monthly charge. Fees for this service will be based on estimated yearly average amounts discharged to the sewer system.

Subd. 8. Surcharge and Winter Permits.

- A. A surcharge in the amount set forth in the City's Fee Schedule shall be added to every sewer bill mailed to property owners who have not demonstrated compliance with this section or have not obtained an inspection required by this Section within 90 days after notice by the City. The surcharge shall be added every month thereafter for properties not complying with this Section until the property owner submits proof to the Director of Public Works that the property is brought into full compliance. The full amount of the surcharge shall apply regardless of whether the non-compliance has been for the entire month or a portion of it. If the surcharge is not paid, the City may certify delinquent bills to the County pursuant to the procedures set forth in Section 24.01 Subd. 7.
- B. The City Council is authorized to issue a permit (on an annual basis) to allow a property owner to discharge water into the sanitary sewer system upon a property owner's application and payment of the non-refundable application fee in the amount set forth in the City's Fee Schedule. Prior to issuance of the permit, the Public Works Director or City Engineer shall determine whether one of the criteria to issue the permit has been satisfied and shall issue a recommendation to the Council.

A property owner is required to meet at least one of the following criteria in order to obtain the permit and must demonstrate that there are no alternative solutions such as an electrical cord or alternative piping, that would prevent the occurrence of one of the events below:

1. The freezing of the surface water discharge from the sump pump or footing drain is causing a dangerous condition, such as ice buildup or flooding, on either public or private property.
2. The property owner has demonstrated that there is a danger that the sump pump or footing drain pipes will freeze up and result in either failure or damage to the sump pump unit or the footing drain and cause basement flooding.
3. The water being discharged from the sump pump or footing drain cannot be readily discharged into a storm drain or other acceptable drainage system.

The permit shall authorize such discharge only from November 15 to March 15, or such other date as provided by written notice from the City.

Any property receiving an annual permit shall be subject to a discharge fee for each month in which the property is allowed to discharge into the sanitary sewer pursuant to the permit (beginning with the December billing and ending with the March billing unless the permit is terminated by February 28th). The discharge fee shall be in an amount set forth in the City's Fee Schedule.

The owner of the permit shall be required to permit an inspection of the property upon expiration of the permit, (March 16th or such other date provided for in the written notice) or as soon thereafter as possible to determine that discharge into the sanitary sewer has been discontinued and shall subject the owner to the monthly nonrefundable charge in the event the owner refuses an inspection or has failed to discontinue the discharge into the sanitary sewer. This Failure to Pass Inspection Surcharge shall be in the amount set forth in the City's Fee Schedule and will commence with the April water billing and continue until the property owner establishes compliance with this section.

Following ten day's written notice and an opportunity to be heard, the city administrator may require the owners of property to discharge their sump pump into the sanitary sewer from November 15 to March 15 if surface water discharge is causing an icy condition on streets.

- C. If a property which has been brought into compliance is found to have subsequently violated this Ordinance by having a roof surface, down spout, cave trough, rain spout, yard drain, surface, groundwater, sump pump, footing tile or swimming pool, foundation drain, yard fountain, pond, cistern overflow, air conditioning unit or system, areaway drain, industrial process connected and/or discharging into the sewer system, said property shall be subject to a fine and penalty surcharge in an amount set forth in the City's fee schedule. The penalty surcharge shall be added to every sewer bill mailed to the property until the property is again brought into compliance. The full amount of the penalty surcharge shall apply regardless of whether the

non-compliance has been for the entire month or a portion of it. If the penalty surcharge is not paid, the City may certify delinquent bills to the County pursuant to the procedures set forth in Section 24.01 Subd. 7.

Amendment History

Amended: June 30, 2010, Resolution #R2010-06

Effective: July 14, 2010

Language was added for additional regulations to inspect and enforce illegal connections that result in excess inflow and infiltration into the sewer system.

Amended: November 1, 2011, Resolution #R2011-48

Effective: November 9, 2011

Section 28.11, Subd. 7, Language was added to provide there would be no fee for prohibited discharge if construction would damage City property.