

# City Code

## Chapter 24

### Sewers

**Article 1. General Conditions, §§ 24-1--24-27**

**Article 2. Connections, §§ 24-28--24-66**

*Division 1. General Terms, §§ 24-28--24-48*

*Division 2. Charges, §§ 24-49--24-66*

**Article 3. User Charges, §§ 24-67--24-86**

**Article 4. Sewer Layers, §§ 24-87--24-93**

#### Article 1. General Conditions

##### Sec. 24-1. Definitions.

The definitions in this Section shall apply when these words and phrases are used in this Chapter.

(1) **Authorized Inspector.** A representative of the City authorized to inspect the work and to approve or reject the material and workmanship as provided in the requirements of this Article and the State Board of Health regulations pertaining to the laying of sewers.

(2) **Building Drain.** The piping of a drainage system that is inside the walls of a building and within five feet outside the inner face of the building wall that receives discharge from soil, waste, and other drainage pipes inside the walls and conveys the drainage to the building sewer outside.

(3) **Building Sewer.** The extension of the building drain to the public sewer or other place of disposal.

(4) **Chief Administrator.** The Chief Administrator of the Sewer Board or a duly authorized representative of the Administrator.

(5) **Combined Sewer.** A sewer receiving both surface runoff and sewage.

(6) **Disposal System.** All facilities for collecting, pumping, treating, and disposing of sewage within the City.

(7) **Industrial Waste.** Solid, liquid, or gaseous waste, including cooling water, resulting from any industrial or manufacturing process or from the development, recovery, or processing of natural resources.

(8) **Load.** A quantity of waste carried by a mobile sewage carrier. Any amount up to 750 gallons shall be considered a single load.

(9) **Mobile Sewage Carrier.** A vehicle designed to collect and transport sewage collected from individual sewer systems.

(10) **Other Waste.** Garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, sand, ashes, offal, tar, chemicals, and all other substances not sewage or industrial waste.

(11) **Public Sewer.** A sewer owned or controlled by a public authority available for public use.

(12) **Sewage.**

- A. The water-carried waste products from residences, public buildings and institutions, or
- B. Other discharge from the bodies of human beings or animals.

(13) **Sewer.** A pipe or conduit for carrying sewage.

(14) **Sewer Board.** The Metropolitan Council, acting under Minnesota Statutes, Sections 473.501 through 473.549.

(15) **Waste.** Sewage, industrial waste, and other waste as defined in this Section. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

#### **Sec. 24-2. Compliance.**

(1) No connection to the sewage disposal system of the City shall be made directly or indirectly from any premises and no use of a connection from the premises to the system of the City shall be continued in use except in strict compliance with the provisions of this Chapter.

(2) Failure to comply with the provisions of this Chapter, whether as to connection or use of the City system or payment of charges imposed and to be collected with respect thereto, subjects an offender to disconnection and termination of use and claim for loss or damage sustained by the City or the Sewer Board. These conditions are in addition to all provisions and penalties imposed by law. (Code 1966; Ord. No. 314, 2-12-73; Code of 1988; Code of 2001)

#### **Sec. 24-3. Improvements Restricted.**

Construction of a new disposal system or any part thereof, or substantial alteration or improvement of a disposal system, shall not take place until the City has first determined that the facilities are in conformance with its Comprehensive Plan as approved by the Sewer Board. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

#### **Sec. 24-4. Deposits on Property Prohibited.**

No human or animal excrement, garbage, or other waste that is generally objectionable and that is ordinarily regarded as sewage, industrial waste, or other waste shall be placed, deposited, or permitted to be deposited in any unsanitary manner upon any public or private property within the City. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-5. Discharge into Natural Outlet Prohibited.**

No sanitary sewage, industrial waste, or other polluted waters shall be discharged, placed, deposited, or permitted to be deposited or disposed through a sewage system to any natural outlet within the City except in accordance with the provisions of this Chapter and with suitable treatment. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-6. Certain Facilities Prohibited.**

No privies, privy vaults, septic tanks, cesspools or other facilities intended or used for the disposal of sewage or the disposal of any other type waste that pollute any waters of the State within the City shall be constructed or maintained except in accordance with the provisions of this Chapter. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-7. Prohibited Discharges.**

No person shall discharge or cause to be discharged to a sanitary sewer, directly or indirectly, any: stormwater, surface water, ground water, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process water. Prohibited discharges include but are not limited to:

(A) Direct or indirect drainage of flooded streets or intersections through manhole openings or other openings into a sanitary sewer or any part of the sewer system.

(B) Direct or indirect drainage of ground water from footings or foundation drainage systems.

(C) Groundwater or surface water from buildings or basements without footings or foundation drainage systems or with an ineffective system.

(D) Direct or indirect discharge of waste water from air conditioners or similar appliances or devices. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

(2) Any person, firm or corporation having a roof drain, rain leader, sump pump, cistern overflow pipe or surface drain now connected and/or discharging into the sanitary sewer system shall disconnect and/or remove the same prior to February 1, 2006. Any disconnections or openings in the sanitary sewer shall be closed or repaired in a workmanlike manner with proper materials and as approved by the City Building Inspector.

(3) Every person owning improved real estate that discharges into the City of New Brighton sanitary sewer system shall allow an employee of the City or a designated representative of the City, or a licensed plumber, to inspect the building to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. Any person refusing to allow their property to be inspected shall immediately become subject to a surcharge in an amount established by City Council ordinance. Any property found to be discharging storm water into the municipal sewer system, either directly or in directly shall make the necessary changes and furnish proof of the changes to the City during the calendar year of the inspection. (Ord. No 751, 11-13-2007)

(4) There are a number of authorized methods to dispose of sump effluent. These include pumping the water into a cistern or discharging it within the property. The owner of any property that has an existing illegal connection may apply for City financial assistance by requesting a City inspector to verify the illegal connection, having the repair completion verified and submitting a receipt(s) for labor and/or materials. Upon verification of the corrective action and costs, the City will remit to the property owner an amount as established by City Council resolution for the cost to correct the illegal connection.

(5) A surcharge in an amount established by City Council ordinance shall be imposed on the property owner's sanitary sewer utility bill for properties in violation of this ordinance. The surcharge will be added to the property owner's utility bill until the property is found to be in compliance.  
(Ord. No. 736 January 24, 2006, Ord. No 751, 11-13-2007)

**Sec. 24-8. Discharge of Certain Wastes Restricted.**

The Sewer Board's current "Sewage and Waste Control Rules and Regulations for the Metropolitan Disposal System" shall be used to determine whether a particular waste discharge shall be permitted. Copies of these rules and regulations shall be on file with the City. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-9. Inspections.**

(1) All properties and premises shall be open to reasonable entry by authorized representatives of the Sewer Board and the City for the purpose of making an inspection, observation, measurement, sampling, and testing of any water or waste discharged from the premises. This shall include all equipment and appliances connected or to be connected to the sewer system. The Sewer Board and the City shall determine the scope of the inspection.

(2) Entry and inspection shall be made only at reasonable times upon prior notice to the owner or occupant except in case of an emergency. At all times entry shall be in a manner consistent with all relevant laws. Authorized representatives of the Sewer Board and the City shall carry proper identification. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-10. Industrial Waste Measurement and Sampling.**

(1) Any person discharging industrial waste into the metropolitan disposal system or any connected disposal system shall provide and maintain:

A. A suitable point or points of access and

B. The necessary meters and other appurtenances at an appropriate location prior to discharge of the waste into the disposal system in order to permit observation, measurement, and sampling of such waste by the Sewer Board and the City.

(2) Plans for sampling points and measuring equipment shall be submitted to and approved by the Sewer Board prior to their construction and installation.

(3) Sampling and measuring facilities shall provide for safe access for making inspection and verification of their proper operating condition.

(4) The metered water supply to a source of industrial waste may be used in lieu of a metered industrial waste volume where:

A. It can be established that the metered water supply and waste quantities are approximately the same, or

B. Where a measurable adjustment to the metered supply can be made to determine the waste volume. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-11. Industrial Waste Analyses.**

(1) Determination of the character and concentration of industrial waste discharged into the metropolitan disposal system shall be made by the person discharging it or a designated agent.

(2) Reports showing quantities and pertinent analytical data of the industrial waste discharge shall be filed as required by the Sewer Board. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-12. Measurement and Test Procedures.**

(1) All measurements, tests, and analyses of the characteristics of waste prescribed by this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

(2) Sampling shall be carried out by methods acceptable to and approved by the Chief Administrator. Alternate methods for certain analyses may be used subject to prior written approval of the Chief Administrator. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-13. Confidentiality of Critical Information.**

(1) Unless authorized by the discharger, any records or other information obtained by or furnished to the Chief Administrator by an industrial waste discharger which are certified by the discharger to relate to production or sales figures, processes or production unique to the discharge, or information which would tend to affect adversely the competitive position of the discharger shall be only for the confidential use of the Sewer Board and City in carrying out the required duties.

(2) The information referenced in Section 24-13 (1) may be used by the Sewer Board and City in compiling or publishing analyses or summaries relating to the general condition of the public waters so long as the analyses or summaries do not identify a discharger who has met the requirements of that Subsection. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-14. Liability.**

While performing necessary work on private property, authorized representatives of the Sewer Board or City are required to observe all established safety rules applicable to the premises. The premises shall be held harmless for injury or death to the authorized representatives of the Sewer Board or City. The Sewer Board shall indemnify the premises against:

(1) Loss or damage to its property caused by the authorized representatives of the Sewer Board or City, or

(2) Liability claims and demands for personal injury or property damage asserted against the company resulting from the gauging and sampling operation except as may be caused by the negligence or failure of the company to maintain safe conditions. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-15. Damage to Disposal System.**

Any person who shall without prior lawful authorization of the City maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is a part of the municipal sewer system shall be subject to immediate arrest and punishment and held liable for loss or damage suffered by the City. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-16. Use of Disposal System by Carriers.**

The terms of this section shall apply to the use of the disposal system by carriers.

(1) **Permits.** No person collecting and disposing of waste from septic tanks or other similar facilities shall discharge material into the local disposal system without an annual permit for the discharge and the vehicle. Copies of the permits along with the terms and conditions imposed on the user shall be filed with the Sewer Board.

(2) **Approved Sites.** No discharge of waste from a mobile sewer carrier shall be made to the disposal system unless the discharge is made at a site previously approved by the Sewer Board.

(3) **Discharge Fee.** The fee for the discharge of a load of sewage into the local disposal system shall be established by ordinance. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001, Ord. No 751, 11-13-2007 )

**Secs. 24-17--24-27. Reserved.**

## **Article 2. Connections**

### *Division 1. General Conditions*

#### **Sec. 24-28. Connection Required.**

The owner of every house, building, or property used for human occupancy, employment, recreation, or other purposes which abuts any street, alley, or right-of-way in which there is a public sewer available for interconnection to the property is required, at the owner's expense, to install suitable toilet facilities and connect the facilities directly to the public sewer in accordance with the provisions of this Chapter. No connection shall be required, however, unless the public sewer is located and available for connection within 75 feet of the property line of the premises and has been so located and available for at least six months. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

#### **Sec. 24-29. Waiver Available.**

Upon written application from the property owner, the City Council may waive the requirements of Section 24-28 if compliance creates a hardship to the owner-occupant of the property for the reasons specified in this Section. The waiver may be granted only if the City finds that the private sanitary sewer system is adequate to meet health and safety standards. The waiver may be for a period not to exceed one year. Upon receipt of the application, the City shall inspect the property and report the findings in writing. The waiver shall not be transferable and shall automatically terminate upon a change of ownership of the property.

The reasons for a waiver are:

(1) Inability to pay, or

(2) The value, condition, or other factors relating to the property itself. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

#### **Sec. 24-30. Termination of Waiver.**

The City Council shall review and have the power to terminate any waiver granted under Section 24-29 if the private sewer system on the property shall require repair or replacement. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

#### **Sec. 24-31. Waiver Fee.**

Each application for a waiver shall be accompanied by a fee to cover the costs of processing the application. The amount of the fee shall be established by ordinance. The City Council may waive the fee upon a showing of financial inability of the applicant to pay. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001, Ord. No 751, 11-13-2007)

**Sec. 24-32. Separate Sewer.**

A separate and independent sewer is required for every building except where the location of the sewer and the building to be connected reasonably requires otherwise. The City shall determine where separate and independent building sewers are not required. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-33. Permit Required.**

(1) A permit shall be obtained before uncovering, connecting to, making an opening in, using, altering, or disturbing a public sewer or appurtenance thereto. The permit shall be required of anyone making a connection to the disposal system.

(2) Application for a permit shall be made on a form as prescribed by the City.

(3) The permit shall be signed and dated by the connection licensee or by an individual doing work on their own property. The application shall show:

A. The kind and size of pipe, type of joint used, length of the building connection, depth at the street, and depth at the building.

B. The location of the building drain by distance from either side of the building when the connection is made to the building plumbing.

C. The signature of an authorized inspector. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-34. Fee.**

The fee for a sewer connection permit shall be established by ordinance. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001, Ord. No 751, 11-13-2007)

**Sec. 24-35. Specifications.**

Connection to a City sewer or other sewage disposal facility shall be made in accordance with the specifications of this Section.

(1) The connection shall be made only at a location and in a manner approved by the City.

(2) The sewer and any appurtenance so connected shall be in type, size, design, and material approved by the City.

(3) The sewer and any appurtenance so connected shall be free of fault or defect in composition, construction or operation, with all joints water and gas tight so that infiltration of any ground water or material not intended therein is prevented or reduced to a reasonable minimum.

(4) Any sewer and appurtenance so connected and found with fault or defect whether in material construction or operation may be ordered removed by the City and replaced or otherwise corrected and repaired as determined appropriate by the City. The cost of the correction, as well as any loss or damage caused to the City by reason of such fault or defect, may be charged against the person found responsible therefor. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-36. Compliance.**

All construction for a sewer connection shall be performed strictly and only in compliance with the approved plans and specifications. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-37. Liability for Expense.**

All costs and expenses incident to the installation and connection of a building sewer shall be borne by the property owner. The property owner shall indemnify the City against loss or damage that may directly or indirectly result from the installation. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-38. Use of Old Sewers.**

An old building sewer, or portions thereof, may be used in connection with a new building sewer only if found to meet all requirements of the City upon testing. The test shall be completed at the property owner's expense. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-39. Disconnection of Previous Disposal Systems.**

Upon a sewer connection being made to the disposal system, a connection to any other system from the premises shall be disconnected unless otherwise permitted by the City. This requirement shall apply to both the public and private sewers. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-40. Cesspools and Septic Tanks.**

The conditions of this Section shall apply to cesspools and septic tanks on premises connected to the disposal system.

(1) When a toilet connected with the City's sanitary sewer system has been installed in any residence, business buildings, or elsewhere on the land, any outside toilet, cesspool, or septic tank on that parcel of land is declared to be a nuisance.

(2) Any unused cesspool, septic tank, or outside toilet on the premises shall be filled or removed within six months after connection to the City's sanitary sewer system has been made. The work shall be completed by the person owning the land in fee simple or in possession thereof under lease or contract for purchase.

(3) Any person failing to comply with the provisions of this Section and who shall maintain a nuisance on the premises they own or occupy shall be guilty of a misdemeanor. A conviction shall not bar a later conviction for continued or subsequent violation of this Section. (Code 1966; Code of 1988; Code of 2001)

**Sec. 24-41. Plumbing Code.**

The regulatory provisions of the current Minnesota Plumbing Code are hereby adopted as a part of this Chapter and are incorporated herein by reference. A copy of the Minnesota Plumbing Code shall be on file with the City. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Secs. 24-42--24-48. Reserved.**

## *Division 2. Charges*

### **Sec. 24-49. Purpose.**

(1) Every lot, parcel of land, building, or premises shall be charged a "connection charge". The charge is for the privilege of making a connection, direct or indirect, to the disposal system through which the facilities of the City are made available for disposal of sewage, industrial waste, water, or other liquid from such premises.

(2) Connection charges shall be used for:

- A. The necessary construction, maintenance, additions, extensions, and operation of the disposal system.
- B. The payment of principal and interest due on bonds and other obligations issued for the construction, maintenance, and operation of the system. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

### **Sec. 24-50. Payment.**

Connection charges shall be payable at the time the building permit is issued. No building permit shall be issued until the connection charge is paid. If a building permit was issued prior to January 1, 1973 without connection to the disposal system, connection charges shall be payable prior to the time of connection. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

### **Sec. 24-51. Application and Permit.**

A permit shall be required for connection from any premises to the disposal system. The requirements for issuance of a permit are:

(1) An application for connection shall be filed with the City. The application shall be on a form as prescribed by the City.

(2) The City shall determine and establish the type of connection to be made.

(3) Payment of the required connection charge is made. Payment of the connection charge may be deferred or paid in installments upon approval of the City Council. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

### **Sec. 24-52. Increased Charges Based on Measurement.**

Determination of the connection charge is at all times subject to further review by the City or Sewer Board after the connection has been made and used. The review shall include an actual measurement of the sewage or waste discharge entering into the system. The receipt and acceptance by the City of any money paid as previously imposed does not bar the City's right to recover payment of the correct amount of money due as determined by the actual measurement. After a connection has been made and the connection charge established, imposed, and paid, no diminution in discharge from the premises shall entitle the owner or occupant to a reduction, reimbursement, or refund with respect to the connection charge. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-53. Calculation of Connection Charge.**

Calculation of the connection charge shall be based on the unit measure as determined by the Sewer Board. No building permit may be issued until the Sewer Board has advised the City of the connection charge. The Sewer Board shall review actual sewage flow one year after the initial discharge and the City shall impose additional connection charges as may be determined in accordance with Section 24-52. (Code 1966; Ord. No. 314, 2-13-73; Ord. No. 365, 1-13-76; Ord. No. 376, 12-14-76; Ord. No. 406, 12-27-77; Ord. No. 468, 12-11-79; Code of 1988; Code of 2001)

**Sec. 24-54. Right of Action.**

The City may recover in a civil action any unpaid charges levied pursuant to this Division which have been properly billed to the occupant of any premises served. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-55. Application of Funds.**

Money received pursuant to this Article shall be deposited in the Water and Sewer Fund and disbursed as follows:

- (1) To meet the costs of operating and maintaining the sewage disposal pumping stations and facilities.
- (2) To provide funds for the payment of principal and interest on bonds issued to finance the cost of constructing improvements to the City sanitary sewer system.
- (3) To provide funds for the reasonable requirements of extending, improving, and replacing City sanitary sewer facilities. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Secs. 24-56--24-66. Reserved.**

### Article 3. Use Charges

#### Sec. 24-67. Use Charge Established.

(1) Every lot, parcel of land, building, or premises shall be charged a "use charge". The charge is for the privilege of:

- A. Having a connection, direct or indirect, to the disposal system, or
- B. Otherwise discharging sewage, industrial waste, water, or other waste directly or indirectly into the City's disposal system.

(2) The purpose of the use charge is to provide monies necessary for:

- A. The construction, maintenance, additions, extensions, and operation of the disposal system, and
- B. The payment of principal and interest due on bonds and other obligations issued for the construction, maintenance, and operation of the system.

(3) The use charge shall be paid periodically commencing with connection and continuing for as long as the premises remain connected whether or not the connection is actively used for discharge of sewage or waste during any particular period of time. Payment of the use charge may be waived or excused for good cause. (Code 1966; Ord. No. 314, 2-13-73; Ord. No. 382, 1-11-77; Code of 1988; Code of 2001)

#### Sec. 24-68. Use Charges Established by Resolution.

Sewer use charges shall be established by Council ordinance. (Code 1966; Ord. No. 327, 12-27-73; Ord. No. 382, 1-11-77; Ord. No. 391, 5-10-77; Ord. No. 406, 12-27-77; Ord. No. 468, 12-11-79; Code of 1988; Code of 2001, Ord. No 751, 11-13-2007 )

#### Sec. 24-69. Reserved.

#### Sec. 24-70. Strength Charges.

In accordance with Minnesota Statutes, Section 444.075, Subdivision 1, all industrial users receiving waste treatment services within or served by the City shall be charged a strength based charge for industrial waste discharged into the City's sewer system. The strength based charge is in addition to the volume based discharge. The purpose of this charge is to pay the costs allocated to the City by the Sewer Board.

(1) **Strength Charge Formula.** For the purpose of computation of the strength charge, the City establishes the same strength charge formula designated in Resolution No. 76-172 by the Metropolitan Waste Control Commission on June 15, 1976. This formula is based upon pollution qualities and difficulty of disposal of the sewage produced through an evaluation of pollution qualities and quantities in excess of an annual average base and the proportionate costs of operation and maintenance of waste treatment services provided by the Metropolitan Waste Control Commission. The resolution and any amendments are hereby incorporated by reference.

(2) **Strength Charge Payment.** The strength charge shall be paid in entirety by the due date. Unpaid strength charges shall be subject to late fees and certification to the property taxes in a manner similar to the billing for other utility fees and charges. (Code 1966; Ord. No. 314, 2-13-73; Ord. No. 382, 1-11-77; Code of 1988; Code of 2001)

**Sec. 24-71. Billing.**

Billing for utility charges shall be at a frequency prescribed by resolution. (Code 1966; Ord. No. 314, 2-13-73; Ord. No. 382, 1-11-77; Ord. No. 545, 11-25-86; Code of 1988; Code of 2001)

**Sec. 24-72. Payment.**

Once a connection has been made, the property shall thereafter be subject to payment of charges. If the service is not being used, a sum of money at least equal to the use charge shall be imposed. The imposed amount shall be billed in the same periodic manner as all other utility user fees. (Code 1966; Ord. No. 314, 2-13-73; Ord. No. 382, 1-11-77; Code of 1988; Code of 2001)

**Sec. 24-73. Delinquent Accounts.**

The terms of Section 30-63 shall apply for non-payment of fees and charges. (Code 1966; Ord. No. 314, 2-13-73; Ord. No. 382, 1-11-77; Ord. No. 468, 12-11-79; Code of 1988; Code of 2001)

**Sec. 24-74. Right of Action.**

The City may recover in a civil action any unpaid charges levied pursuant to this Article which have been properly billed to the occupant or owner of any premises served. (Code 1966; Ord. No. 314, 2-13-73; Ord. No. 382, 1-11-77; Code of 1988; Code of 2001)

**Sec. 24-75. Application of Funds.**

Money received pursuant to this Division shall be deposited in the Water and Sewer Fund and disbursed in accordance with the provisions of Section 24-55. (Code 1966; Ord. No. 314, 2-13-73; Ord. No. 382, 1-11-77; Code of 1988; Code of 2001)

**Secs. 24-76--24-86. Reserved.**

## **Article 4. Sewer Layers**

### **Sec. 24-87. Qualifications.**

Any person engaged in laying sewer connections for buildings shall be qualified to perform the work and shall be familiar with all laws and regulations of the State and the City regulating the laying of sanitary sewer connections for buildings. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

### **Sec. 24-88. License Required.**

A licensee shall be required to engage in the business of laying sewer connections in the City. Application for a license shall be made on a form as prescribed by the City and shall be accompanied by the fee required by Section 24-89. (Code 1966; Ord. No. 314, 2-13-73; Code of 2001)

### **Sec. 24-89. License Fee.**

The annual license fee shall be established by ordinance. The license fee shall not be pro-rated. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001, Ord. No 751, 11-13-2007)

### **Sec. 24-90. Insurance.**

(1) A certificate of insurance shall be on file with the City before a license shall be issued. The insurance shall remain in full force and effect during the term of the license and the insurance shall contain a provision that the policy cannot be cancelled without ten days written notice to the City. A license shall terminate immediately if the insurance is cancelled or expires.

(2) The insurance shall provide at least \$300,000 for injuries per person for an amount of not less than \$500,000 per accident and at least \$300,000 for property damage per occurrence with an aggregate of \$500,000. Worker's compensation insurance shall be as prescribed by Minnesota Statutes. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

### **Sec. 24-91. License Period.**

The license shall cover a period of one year from July 1 to June 30 and shall be renewed prior to July 1 of each year. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-92. License Revocation.**

The City Council may revoke a license required by this Article. Prior to the revocation, the licensee shall be provided with written notice of the charges and shall be entitled to a hearing before the City Council. The written notice shall be provided to the licensee at least five days in advance of the action by the City Council. One year from the date of revocation, application may be made for another license. The reasons for revocation are:

- (1) The license was obtained through error or fraud.
- (2) The licensee is shown to be incompetent.
- (3) Any willful violation of any of the City's rules, regulations, or local ordinances applicable to such work. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)

**Sec. 24-93. Work Completed by a Property Owner.**

The property owner shall engage a licensed sewer layer to complete the connection if work undertaken by the property owner cannot be performed to the satisfaction of the City. Failure to do so will be considered just cause for the City to refuse a sewer connection to the property owner. (Code 1966; Ord. No. 314, 2-13-73; Code of 1988; Code of 2001)