

## CHAPTER 6

### UTILITIES

#### WATER SYSTEM

##### Water System, Generally

6.101. City Water System. The City of Long Prairie shall construct, operate, and maintain a water system for the benefit of the residents of the city.  
(Ord. 133, 4/12/51)

6.102. Connection Required. Every premise, to which water system facilities are reasonably available, shall have a separate service connection to the mains of the system.  
(Ord. 133, sec. 4, 4/12/51)

6.103. Rules and Regulation a Part of Contract. The rules, regulations, and water rates prescribed by the council shall be considered a part of the contract with every person supplied with water from the water system of the city, and every person supplied and taking water from the city water system shall be deemed to have expressed consent to be bound thereby.  
(No prior Ord.)

6.104. City Reserves Right to Discontinue Service. The city reserves the right to discontinue service to any or all persons supplied water through the city water system without notice when the discontinuation of service is necessary to repair or maintain the water system.  
(Ord, 133, sec. 14, 4/12/51)

##### Connections

6.110. Permit to Make Connection. No person may make any connection with the city water system without first obtaining a permit from the City Administrator/Clerk.  
(Ord. 133, 4/12/51)

6.111. Application for Connection Permit. Any person desiring a permit required in section 6.110 shall submit a written application to the City Administrative/Clerk:

- (1) The application shall be on a form supplied by the city and shall contain the following information:
    - a. The exact description of the premise to be served;
    - b. The name of the plumber employed to do the work;
    - c. An approved application for an excavation permit.
- (Ord. 133, sec. 1, 4/12/51)

### Permit for Use of Water

6.112. Application to Use System Required. Upon receiving from an applicant a properly completed application, the City Administrator/Clerk may issue a permit if he is satisfied that all conditions have been met and that the connection will be made in compliance with law. (Ord. 133, sec. 2, 4/12/51)

6.113. Condition of Permit. Any person issued a permit to make connection to the water system shall be bound by the following conditions:

- (1) No one except regular employees of the water department or plumbers holding licenses issued by the State of Minnesota shall do any plumbing work on any pipes connected to the city water system.
- (2) No service line or pipe connected therewith shall be covered until after it has been inspected by some one properly designated for that purpose by the city. When any portion of pipe is laid ready to cover, the plumber shall notify the village and the inspector shall determine whether or not all material is of good quality and properly connected and laid in place in accordance with the provisions hereof, and the plumbing code of the State of Minnesota. When such line is approved it may be covered and the ditch filled. No excavations made by plumbers in public ground shall be kept open longer than is absolutely necessary to make connections required, and while open shall be protected by suitable barriers, guards and lights. Backfilling shall be thoroughly compacted and left in a condition satisfactory to the water and sewer superintendent. Where excavations are unsatisfactorily filled, the water and sewer superintendent shall fill them in a satisfactory manner and the cost thereof shall be charged to the plumber whose license shall be suspended and who shall not be issued a permit unless that sum is paid within ten days after notice thereof.
- (3) There shall be a curb cock in every service line attached to the mains, the same to be placed as near as possible to the curb if on a street. Curb cocks shall be of a style and type to be prescribed by the water and sewer superintendent and shall be enclosed in a substantial iron case covered with a tight fitting iron lid. There shall be one or more stop and waste cocks attached to every supply pipe at some point between the main and the meter so that the water can be shut off and the meter and the house plumbing entirely drained.
- (4) Check valves are hereby required on all connections to steam boilers or on any other connection deemed by the water and sewer superintendent to

require one. Safety and relief valves shall be placed on all boilers, water heaters or other steam apparatus connected with the water system.

- (5) The cost of the original installation of all plumbing between the main and any service devices maintained by the consumer, and all extensions hereafter made to such service pipes as well as all repairs and replacements to the same shall be borne entirely by the owner of the premises, although such service pipes and devices shall at all reasonable times be subject to inspection by duly authorized officials of the water department. Any repairs found to be necessary by such officials shall be made promptly.  
(Ord. 133, sec. 5, 6, 7, 8, 9, 10; 4/12/51)

Use of Water

6.120. Application to Use System Required. No water may be delivered to any premises until the person desiring the use of water at that premises has submitted to the city administrator/clerk an application containing the following information:

- (1) The date water service is desired;
- (2) The exact description of the premise to receive service;
- (3) The name and address of the person to whom billings shall be sent.  
(No prior Ord.)

6.121. Turning on of Water. Upon receiving a properly completed application, the City Administrator/Clerk shall authorize the water to be turned on at the curb box at the premises described on the application.

- (1) No person, except an authorized city employee, shall turn any curb cock on or off.  
(Ord. 133, sec. 18, 4/12/51)

6.122 Meter Required. All premises to which water is delivered from the city water system shall have connected to the pipes a meter which shall measure all water delivered to that premises.  
(Ord. 133, sec. 3,11; 4/12/51)

6.123 Installation of Meters. The city shall install and maintain all meters subject to the following conditions:

- (1) When any premises are connected to the water system and a new meter is

installed, the consumer shall pay into the city treasury an installation fee which shall be equal to the cost of the meter installed. Thereafter, the city shall maintain the meter and, if necessary, install a new meter at no cost to the consumer.

(Ord. 133, sec. 11, 4/12/51 and new material)

6.124. Tampering with Meter. No person shall tamper with, reverse, nor break the seal of any meter, or in any manner interfere with the proper and accurate metering of the water passing through the same.

(No prior Ord.)

6.125. Inaccurate Meters. The city shall, from time to time and whenever requested to by the consumer, test meters for accuracy. Whenever any meter is less than 98 percent accurate, it shall be repaired or replaced immediately.

(Ord. 133, sec. 11, 4/12/51)

6.126. Reading of Meters. The City Administrator/Clerk shall keep a full record of all water delivered to each premises and to that end a duly authorized city employee may enter any premises to read the water meter at any reasonable hour.

(Ord. 133, sec. 12, 4/12/51)

6.127 Water Rates

Water rates and charges to users of the city's water system shall be determined and fixed by resolution of the city council. The resolution shall be published in the local paper and shall be effective upon publication.

6.129 Use of Water During Fire. No person shall use or allow to be used during a fire, any water from the water system except for the purpose of extinguishing a fire and upon the sounding of the fire alarm it shall be the duty of every person to see that all water services are tightly closed and that no water is used except in extraordinary cases of emergency during the fire, provided however that use of water for human consumption shall be permitted during a fire.

6.130. Damaging of Water System. No person shall willfully or carelessly break, injure, mar or deface, interfere with or disturb any building, machinery, apparatus, fixture, attachment or appurtenances of the water works system, hydrants, mains, curb cocks, meter, water supply or service pipes, or any part thereof, or to deposit anything in any valve or curb cock or box, or to commit any act.

6.131. Discontinuation of Service. Owners or consumers desiring to discontinue the use of water shall give notice thereof to the City Administrator/Clerk. The regular rates shall be charged until such notice is given. The owners of premises connected with the water system, shall notify the City Administrator/Clerk in writing of any change in tenants. Any owner intending to discontinue the water service shall be responsible for disconnection at the main.

Said disconnection shall be completed subject to inspection and approval by the water and sewer superintendent.

Penalties

6.140. Penalty. Any person violating any provisions of sections 6.101 to 6.131 shall be guilty of a misdemeanor and any person interfering with a city employee in the performance of duties prescribed in sections 6.101 to 6.104 or sections 6.110 to 6.114 or of sections 6,120 to 6.131 shall be guilty of a misdemeanor.

Water Emergency

6.150. Definitions. For the purpose of Section 6.150 to 6.154, the following terms shall have the meanings given them:

- (1) "Due Notice to the Public" shall mean twelve hours notice given to the public by all media available to announce or publish the notice.
- (2) "Water Emergency" means, but is not limited to, a period of extended dry weather or other adverse weather conditions during which regulations concerning water use by citizens of the city shall be necessary to protect the public health and safety, and to protect public and private property.

6.151. Declaration of "Water Emergency". If, in the judgment of the Water Superintendent, restrictions on the use of city water is necessary, the City Administrator/Clerk shall declare a water emergency and give notice to the public that the use of city water for the purpose of watering lawns, trees, or shrubs, shall be prohibited at the times specified in the public notice.

6.152. Use of City Water. No person shall use water contained in the city water system for the purpose of watering trees, lawns or shrubs when the use of such water has been prohibited for a water emergency, and due notice to the public of the prohibition has been given.

6.163. Penalty. Any person violating any provision of Section 6.150 to 6.152 shall be guilty of a misdemeanor.

SANITARY SEWER SYSTEM

Sewer Use Code

6.201. Definitions For the purpose of this Ordinance (Sections 6.201 to 6.332), the following words and terms shall have the meaning set out below, unless the context specifically indicates otherwise.

- (1) “Administration” - Those fixed costs attributable to administration of the wastewater treatment works (i.e., billing and associated bookkeeping and accounting costs).
- (2) “BOD” (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C expressed in milligrams per liter. Laboratory procedures shall be in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.
- (3) “Building Drain” means that part of the lower horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet outside the inner face of the building wall.
- (4) “Building Sewer” means the extension from the building drain to the public sewer or other place of disposal, also called house connection.
- (5) “Capital Costs” means any costs for constructing and/or abandoning wastewater treatment facilities.
- (6) “City” is the area within the corporate boundaries of the City of Long Prairie, 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 representatives.
- (7) “COD” (chemical oxygen demand) means the quantity of oxygen utilized in the chemical oxidation of organic matter, expressed in milligrams per liter, as determined in accordance with standard laboratory procedures as set out in the latest edition of Standard Methods For The Examination of Water and Wastewater.
- (8) “Combined Sewer” means a sewer originally designated to receive both surface water runoff and sewage.

- (9) “Commercial User” - Any place of business which discharges sanitary waste as distinct from industrial wastewater.
- (10) “Commercial Wastewaters” - Domestic wastewater emanating from a place of business as distinct from industrial wastewater.
- (11) “Debt Service Charge” - A charge levied on users of wastewater treatment facilities for the cost of repaying money bonded to construct said facilities.
- (12) “Extra Strength Waste” - Wastewater having a BOD, TSS, TKN and/or P greater than domestic waste as defined in, Section 6.201(22) above and not otherwise classified as an incompatible waste.
- (13) “Garbage” means solid waste resulting from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage or sale of meat, fish, fowl, fruit, vegetable or condemned food.
- (14) “Governmental User” - Users which are units, agencies or instrumentalities of federal, state, or local government discharging Normal Domestic Strength wastewater.
- (15) “Incompatible Waste” - Waste that either singly or by interaction with other wastes interferes with any waste treatment process, constitutes a hazard to humans or animals, creates a public nuisance or creates any hazard in the receiving waters of the wastewater treatment works.
- (16) “Industrial Users” or "Industries" are:
  - a. Entitles that discharge into a publicly owned wastewater treatment works, liquid wastes resulting from the processes employed in industrial or manufacturing processes, or from the development of any natural resources. These are identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemental under one of the following divisions:
    - Division A. Agriculture, Forestry and Fishing
    - Division B. Mining
    - Division D. Manufacturing
    - Division E. Transportation, Communications, Electric, Gas, and Sanitary Sewers
    - Division I. Services

For the purpose of this definition, domestic waste shall be considered to have the following characteristics:

BOD <sub>5</sub>	less than <u>300 mg/L</u>
Suspended Solids	less than <u>300 mg/L</u>
TKN	less than <u>16 mg/L</u>
P	less than <u>4 mg/L</u>

b. Any nongovernmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.

- (17) “Industrial Wastes” means the solid, liquid, or gaseous wastes resulting from an industrial or manufacturing processes, trade or business, or from the development, recovery, or processing of natural resources.
- (18) “Industrial Wastewater” - The liquid processing wastes from an industrial manufacturing process, trade, or business including but not limited to all Standard Industrial Classification Manual Divisions A, B, D, E and I manufacturers as distinct from domestic wastewater.
- (19) “Infiltration/Inflow (I/I)” - The total quantity of water from both infiltration and inflow.

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.

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-connection from storm sewers, catch basins, surface runoff, street wash waters or drainage.

- (20) “Institutional User” - Users other than commercial, governmental, industrial or residential users, discharging primarily Normal Domestic Strength wastewater (e.g. Non-profit organizations).



- (21) “Natural Outlet” means any outlet into a watercourse, pond, ditch, lake or other body of surface groundwater.
- (22) “Normal Domestic Strength Wastewater” - Wastewater that is primarily produced by residential users, with BOD5 concentrations not greater than 300 mg/L, suspended solids concentrations not greater than 300 mg/L, Total Kjeldahl Nitrogen concentration not greater than 16 mg/L, and Phosphorous concentration of not greater than 4 mg/L, in accordance with Section 6.222.
- (23) “NPDES Permit” (National Pollutant Discharge Elimination System) Permit means the system for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone, and the oceans by the Environmental Protection Agency pursuant to the Federal Water Pollution Control Act of 1972, Sections 402 and 405.
- (24) “Operation and Maintenance” - Activities required to provide for the dependable and economical functioning of the treatment works, throughout the design or useful life, whichever is longer of the treatment works, and at the level of performance for which the treatment works were constructed. Operation and Maintenance includes replacement.
- (25) “Operation, Maintenance and Replacement (OM&R) Costs” - Expenditures for operation and maintenance, including replacement.
- (26) “Other Wastes” shall mean garbage, municipal refuse, decayed wood, sawdust shavings, bark, lime, sand, ashes, oil tar, chemicals, offal, and other substances except sewage and other wastes.
- (27) “P” means phosphorous which is contained in the wastewater. The methods for determining phosphorous limits shall be set forth in the latest edition of “Standard Methods”.
- (28) “Person” means any individual, firm, company, association, society, corporation, municipal corporation, governmental unit, or group.
- (29) “pH” means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- (30) “Process Water” means any water used in the manufacturing, preparation or production of goods, materials or food. Process water is an industrial waste.

- (31) “Public Sewer” means any sewer owned or operated by a unit or agency of government.
- (32) “Public Wastewater Collection System” - A system of sanitary sewers owned, maintained, operated and controlled by the City.
- (33) “Replacement” - Obtaining and installing of equipment, accessories, or appurtenances which are necessary during the design life or useful life, whichever is longer, of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- (34) “Replacement Costs” - Expenditures for replacement.
- (35) “Residential User” - A user of the treatment facilities whose premises or building is used primarily as a residence for one or more persons, including dwelling units such as detached and semi-detached housing, apartments, and mobile homes; and which discharges primarily normal domestic strength sanitary wastes.
- (36) “Sanitary Sewer” or “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.
- (37) “Sewage”, “Wastewater”, or “Sanitary Waste” means the water carried waste products from residences, public buildings, institutions, industrial establishments or other buildings including the excrementitious or other discharge from the bodies of human beings or animals, together with such ground, surface and storm waters as may be present.
- (38) “Sewer Service Charge” - The aggregate of all charges, including charges for operation, maintenance, replacement, debt service, and other sewer related charges that are billed periodically to users of the City's wastewater treatment facilities.
- (39) “Sewer Fund” - A fund into which income from Sewer Service Charges is deposited along with other income, including taxes intended to retire debt incurred through capital expenditure for wastewater treatment. Expenditure of the Sewer Fund will be for operation, maintenance and replacement costs; and to retire debt incurred through capital expenditure for wastewater treatment.
- (40) “Sewer System” means pipelines or conduits, pumping stations, forcemains and all other devices and appliances appurtenant thereto, used

for collecting or conducting sewage, industrial wastes or other wastes to a point of ultimate disposal.

- (41) “Shall” is mandatory. “May” is permissive.
- (42) “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 15 minutes more than five times the average 24 hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.
- (43) “Standard Industrial Classification Manual” - Office of Management and Budget, 1972.
- (44) “Storm Sewer” (sometimes termed Storm Drain) means a sewer which carries storm or surface water and drainage, but excludes sewage and industrial waste, other than unpolluted cooling or process water.
- (45) “Suspended Solids (SS)” or “Total Suspended Solids (TSS)” - The total suspended matter that either floats on the surface 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.
- (46) “TKN” means the Total Kjeldahl Nitrogen which is contained in the wastewater. The methods for determining TKN limits shall be set forth in the latest edition of “Standards Methods”.
- (47) “Toxic Pollutant” - The concentration of any pollutant or combination of pollutants as defined in standards issued pursuant to Section 307 (a) of the Clean Water Act, which upon exposure to or assimilation into any organism will cause adverse effects.
- (48) “Unpolluted Water” means clean water uncontaminated by industrial wastes, other wastes, or any substance which renders such water unclean or noxious or impure so as to be actually or potentially harmful or detrimental or injurious to public health, safety or welfare to domestic, commercial, industrial or recreational used; or to livestock, wild animals, birds, fish, or other aquatic life.
- (49) “User Charge” - A charge levied on users of a treatment works for the user's proportionate share of the cost of operation and maintenance, including replacement.

- (50) “Users” - Those residential, commercial, governmental, institutional and industrial establishments which are connected to the public sewer collection system.
- (51) “Wastewater” - The spent water of a community, also referred to as sewage. From the standpoint of source it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface water and storm water that may be present.
- (52) “Wastewater Treatment Works” or “Treatment Facilities” - 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.

Use of Public Sewers

6.210. Unlawful Discharges. It shall be unlawful to discharge to any natural outlet within the City or any area under the jurisdiction of the City any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

6.211. Existing Facilities. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage if adequate and feasible City facilities are available.

6.212. Mandatory Connection. The owner of any building or property which is located within the City and from which wastewater is discharged shall be required to connect to a public sewer at his expense within 90 days of the date said public sewer is operational, provided that said public sewer is within 60 feet of the structure generating the wastewater and such public sewer is located in a public right-of-way or easement for sewer purposes adjacent to the property. 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 being made pursuant to

this subdivision, an official 90 day notice shall be served instructing the affected property owner to make said connection.

6.213. Connection by the City. In the event an owner shall fail to connect to a public sewer in compliance with a notice given under Section 6.212 of this Ordinance, the City may undertake to have said connection made and shall assess the cost thereof against the benefitted property. Such assessment shall be a lien against said property. Such assessment, when levied, shall bear interest at the legal rate for local improvements and shall be certified to the Auditor of the County of Todd, 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.

6.214. No person shall discharge or cause to be discharged directly or indirectly any storm water, groundwater, roof runoff, subsurface drainage, waste from on-site disposal systems, unpolluted cooling or processing water to any sanitary sewer except as permitted by the City or other local unit of government. No person may discharge sump pump or footing drain water into the public sanitary sewer.

6.215. Storm Water/unpolluted water. Storm water and all other unpolluted water shall be discharged to a storm sewer, except that unpolluted cooling or processing water shall only be so discharged upon approval by the City or other unit of local government.

6.216. Prohibited Discharges. No person shall discharge or cause to be discharged directly or indirectly, any of the following described substances to any public sewer.

- (1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (2) Any water or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the wastewater treatment works.

A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307A of the Clean Water Act.

- (3) Any water or waste having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater treatment works.

- (4) Solid or viscous substances, either whole or ground, in quantities or of such size capable of causing obstruction to the flow in the sewers, or other interference with the proper continuation of the wastewater facilities, but not limited to ashes, cinders, disposable diapers, glass grinding or polishing wastes, stone cuttings or polishing wastes, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, sanitary napkins, paper dishes, cups, milk containers and other paper products.
- (5) Noxious or malodorous liquids, gases or substances which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repairs.

6.217 Restricted Discharges. No person shall discharge or cause to be discharged directly or indirectly the following described substances to any public sewer unless in the opinion of the City such discharge will not harm the wastewater facilities, nor cause obstruction to the flow in sewers, nor otherwise endanger life, limb, or public property, nor constitute a nuisance. In forming its opinions as to the acceptability of the wastes the City may give consideration to such factors as the quantities of the subject wastes in relation to flows and velocities in the sewers, materials or construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, the City's NPDES permit, and other pertinent factors. The City may make such determinations either on a general basis or as to discharges from individual users or specific discharges, and may prohibit certain discharges from individual users because of unusual concentrations or combinations which may occur.

The substances prohibited are:

- (1) Any liquid or vapor having a temperature in excess of one hundred fifty (150) degrees F. (65 degrees C.)
- (2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or as permitted by the City or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150) degrees F. (zero <0> and sixty-five <65> degrees C.
- (3) Any garbage that has not been ground or comminuted to such degree that all particles will be carried freely in suspension under

flows normally prevailing in the public sewers, with no particles greater than one-half (1/2) inch in any dimension.

- (4) Any water or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions, whether neutralized or not.
- (5) Any water or wastes containing phenols or other taste or odor producing substances which constitute a nuisance or hazard to the structures, equipment, or personnel of the wastewater works, or which interfere with the treatment required to meet the requirements of the State or Federal Government, or any other public agency with proper authority to regulate the discharge from the wastewater treatment plant.
- (6) Any radioactive wastes or isotopes of such half-life or concentration that they are not in compliance with regulations issued by the appropriate authority having control over their use or may cause damage or hazards to the treatment works or personnel operating it.
- (7) Any water or wastes having a pH in excess of 9.5.
- (8) Materials which exert or cause:
  - a. Unusual concentrations of suspended solids, (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
  - b. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
  - c. Unusual BOD, chemical oxygen demand, TKN, P, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment works.
  - d. Unusual volume of flow or concentration of wastes constituting a slug.
  - e. Water or water containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of the NPDES Permit, or requirements of other

governmental agencies having jurisdiction over discharge from the wastewater treatment plant.

6.218 Actions to Regulate Non-Conforming Waste Discharges. If any water or wastes are discharged, or are proposed to be discharged directly or indirectly to the public sewers, which water or wastes do not meet the standards set out in or promulgated under this Subsection, or which in the jurisdiction of the City may have a deleterious effect upon the treatment works, processes, equipment, or receiving waters, or which otherwise create a hazard to life, or constitute a public nuisance, the City may take all or any of the following steps:

- (1) Refuse to accept the discharges.
- (2) Require control over the quantities and rates of discharge.
- (3) Require pretreatment to an acceptable condition for the discharge to the public sewers.
- (4) Require payment to cover the added cost of handling or treating the wastes.

The design and installation of the plant and equipment for pretreatment or equalization of flows shall be subject to the review and approval of the City, and subject to the requirements of 40 CFR 403, entitled "Pretreatment Standards", and the Minnesota Pollution Control Agency.

6.219 Interceptors for Grease, Oil, and Mud. Grease, oil and mud interceptors shall be provided when they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Subdivision 6.217 (2) this Ordinance, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection.

6.220 Operation of Interceptors. Where preliminary treatment flow equalization, or interceptors are required for any water or waste, they shall be effectively operated and maintained continuously in satisfactory and effective condition by the owner at his expense and shall be available for inspection by the City at all reasonable times.

6.221 Control Structures. When required by the City, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure and equipment, when required, shall be constructed at the owner's expense in accordance with plans approved by the City and shall be maintained by the owner so as to be safe and accessible at all times.



6.222 Wastewater Analysis Standards. All measurements, tests and analyses of the characteristics of water and waste to which reference is made in this Ordinance shall be determined in accordance with 40 CFR 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants"; the latest edition Standard Methods For The Examination of Water and Wastewater and shall be determined at the control structure provided, or upon suitable samples taken at said control structure. In the event that no special structure has been required, the control structure shall be considered to be the nearest downstream manhole in the public sewer from the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effluent constituents and their effect upon the treatment works and to determine the existence of hazards of life, health and property. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis subject to approval by the City.

6.223 Waste Water Analysis Required By City. 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 and 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 the 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, analysis and reporting required by the City. At such times as deemed necessary and City reserves the right to take measurements and samples for analysis by an outside laboratory.

6.224 New Connections. New connections to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities, including, but not limited to, capacity for flow, BOD, TSS, P, and TKN.

6.225 Special Arrangements/Conditions for Industries. No statement contained in this Section shall be constructed as preventing any special agreement or arrangements between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore by the industrial concern, in accordance with applicable ordinance and any supplemental agreements with the City.

#### Private Sewage Disposal

6.230 Regulations. Where a public sanitary sewer is not available under the provisions of sections 6.210-6.225, the building sewer shall be connected to a private wastewater disposal system complying with the rules and regulations 6 MCAR 4.8040 entitled Individual Sewage Treatment System Standards or the requirements of the City or other regulatory agencies, whichever is more restrictive.

6.231 Permission Required. No new private sewer systems or sewer system extensions shall be constructed within the City without first obtaining written approval of the system plan and the materials to be used in the construction of said system.

6.232 Requirements for Installation.

- (1) It is unlawful for any person to engage in the work or business of installing private sewer service lines and appurtenances for others in the City unless the plumber has a State License.
- (2) Each person performing private sewer work shall submit a certificate of insurance in a company acceptable to the City showing public liability insurance coverage with limits of at least \$100,000 per person; \$250,000 per occurrence and \$10,000 for property damage. Such certificate shall specifically state that such insurance covers underground construction operations and shall contain a provision that the coverage afforded under the policies will not be canceled or materially changed until at least 15 days prior written notice has been given to the City.

6.233 Permit Required. No person, unless authorized by a written permit from the City shall make, install, repair, alter, disturb, uncover, open or break any sewer connection to the sanitary sewer system of the City. Permits for connection of a new sewer service or repairs to an existing service shall be issued by the City after consideration of the application for such permit with regard to compliance with other Sections of this Ordinance. Permits shall be issued in the following manner:

- (1) Application for a permit to perform work on a sewer service connection within the City shall be made on a form supplied by the City by the person or firm who will be performing such work to the City along with a fee for the installation of a new connection. The fee shall be determined by the City. The person or firm performing such work shall be licensed by the State of Minnesota to perform such work in the City.
- (2) After approval of the permit application by the City, the applicant shall furnish to the City a performance bond. The amount of the bond shall be determined by the City. The performance bond shall be for the good and faithful performance of all work on public and private property relative to the work being performed. The bond shall warrant the work for a period of one year from the date of completion.
- (3) The City Administrator-Clerk shall issue a permit for the work after the application is approved and the bond is received.

6.234 Costs of Installation and Connecting to City System. All costs and expenses incidental to the installation and connection of the building sewer or repairs to an existing connection shall be borne by the owner. The owner shall indemnify and hold harmless the City from any loss or damage to the public sewer that may directly or indirectly be occasioned by the installation of the building sewer.

6.235 Separate Building Sewers. A separate and independent building sewer shall be provided for every building. Special variances will be considered by the City.

6.236 Use of Existing Building Sewers. Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing by the City, to meet all the requirements of this Ordinance.

6.237 Septic tanks, Cesspools, Leeching Pits, etc. Unused septic tanks, cesspools, leaching pits and similar devices and structures shall be backfilled or made safe and unusable in a manner acceptable to the City.

6.238 Regulations for Construction of Building Sewers. The size, slope, alignment and materials of construction of a building sewer and the method used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the building code and plumbing code; or other applicable rules and regulations. In the absence of code provisions, or in amplifications thereof, the materials and procedures set forth in appropriate specifications of the "Water Pollution Control Federation (W.P.C.F.) Manual of Practice No. 9" and the American Society for Testing Materials (A.S.T.M.) Standards shall apply.

6.239 Elevations of Building Sewer. 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, such building drain shall be provided with a lifting device by an approved means and discharged to the building sewer.

6.240 Stormwater/Groundwater Connections to Sanitary Sewer-Prohibited. No person shall make connection of roof downspout, roof drains, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer.

6.241 Compliance to State of Mn. Plumbing Code. The construction of the building sewer and its connection into the public sewer shall conform to the requirements of the State of Minnesota Plumbing Code, the sewer specifications included herein, and other applicable rules and regulations and procedures adopted by the City. All such construction shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the City prior to installation.

6.242 Inspection of Sewer Connections and Installations. Employees of the City 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 the work is ready for final inspection and no underground portions shall be covered before the final inspection is complete. The connection shall be made under the supervision of the City or its representative.

6.243 Excavation Sites. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways and other public property disturbed during the course of the work shall be restored in a manner satisfactory to the City.

Main and Lateral Sewer Construction

6.250 Prohibited. No person, unless authorized shall uncover, make any connection with or opening into, use, alter, or disturb any sanitary or storm sewer within the City or any part of the City wastewater facilities.

No sanitary or storm sewers shall be constructed in the City (except house or building service sewers) except by the City or by others in accordance with plans and specifications approved by a professional engineer. No such sewers shall be constructed or considered to be part of the public sewer system unless accepted by the City.

The size, slope, alignment, material of construction, methods to be used in excavation, placing of pipe, jointing, testing, backfilling and other work connected with the construction of sewers shall conform to the requirements of the City.

Authority of Inspectors

6.260 Inspection. Duly authorized employees of the City shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Ordinance. Those employees shall have no authority to inquire into processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries except as is necessary to determine the kind and source of the discharge to the public sewer.

6.261 Inspection Safety. While performing the necessary work on private property as referred to in Subdivision 1 of this Subsection, the authorized employees of the City shall observe all safety rules applicable to the premises.

6.262 Entering of Private Properties. Duly authorized employees of the City shall be permitted to enter all private properties through which the City holds easements for the purpose of, but not limited to, inspection, observation, maintenance and construction of public sewers.

Penalties

6.270 Penalty. Any person found to be violating any provisions 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 time period stated in such notice permanently cease all violations.

6.271 Continued Violation. Any person who shall continue any violation beyond the time limit provided for in said written notice shall be guilty of a misdemeanor and on conviction thereof shall be fined according to Minnesota Statutes for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

6.272 Liability to City. 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.

6.273 Validity. The validity of any section, subdivision, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

ESTABLISHMENT OF A SEWER SERVICE CHARGE SYSTEM

Establishment of a Sewer Service Charge System

6.280 Establishment of Charge System. The City of Long Prairie hereby establishes a Sewer Service Charge System whereby all revenue collected from users of the wastewater treatment facilities will be used to affect all expenditures incurred for annual operation, maintenance and replacement and for debt service on capital expenditure incurred in constructing the wastewater treatment works.

6.281 User Share of Operation, Maintenance & Replacement. Each user shall pay its proportionate share of operation, maintenance and replacement costs of the treatment works, based on the users' proportionate contribution to the total wastewater loading from all users as determined by the City Council.

6.282 User Share of Debt Service Charges. Each user shall pay debt service charges to retire local capital costs as determined by the City Council.

6.283 Sewer Fund. Revenues collected for Sewer Service shall be deposited in a separate fund known as "The Sewer Fund". Income from revenues collected will be expended to offset the cost of operation, maintenance and equipment replacement for the facility and to retire the debt for capital expenditure.

6.284 Administration of Sewer Service Charge & Sewer Fund. Sewer Service Charges and the Sewer Fund will be administrated in accordance with the provisions of Sections 6.304-6.306 of this Ordinance.

Determination of Sewer Service Charges

6.290 User Classification. Users of the City of Long Prairie wastewater treatment works shall be identified as belonging to one of the following user classes:

- (1) Residential
- (2) Commercial
- (3) Industrial

The allocation of users to these categories for the purpose of assessing User Charges and Debt Service Charges shall be the responsibility of the City Administrator/Clerk. Allocation of users to user classes shall be based on the substantive intent of the definitions of these classes contained herein.

6.291 User Payment Based on Proportionate Flow. Each user shall pay Operation, Maintenance, and Replacement costs in proportion to the user's proportionate contribution of wastewater flows to loadings to the treatment plant, with the minimum rate for loadings of BOD and TSS being the rate established for concentrations of 300 mg/L BOD, 300 mg/L TSS, 16 mg/L TKN, and 4 mg/L P (i.e. Normal Domestic Strength Wastewater) as defined in 6.2010 (21) of this Ordinance.

Those "Industrial Users" discharging segregated "Normal Domestic Strength Wastewater" only, can be classified as "Commercial Users" for the purpose of rate determination.

6.292 Sewer Service Charge for Normal Domestic Strength Users:

- (1) Calculating Billable Flows and Loading
  - a. Measurement of Wastewater Volume =

The charges assessed residential users and those users of other classes discharging "Normal Domestic Strength Wastewater" shall be established proportionately according to billable wastewater volume. Billable wastewater volume shall be calculated as follows:

- 1. Residential Users:

Billable wastewater volume for residential users shall be calculated on the basis of metered water usage. The per monthly billable wastewater volume shall be equal to monthly metered water usage as averaged between the first and last quarters of the calendar year. The City may require residential users to install water meters for the purpose of determining billable wastewater volume.

2. Non-Residential Users:

The Billable wastewater volume of non-residential users may be determined in the same manner as for residential users, except that if the City determines that there are significant seasonable variations in the metered water usage of non-residential users resulting in a proportionate increase (or decrease) in wastewater volume, then billable wastewater volume shall be: 1) calculated on the basis of monthly metered water usage as recorded throughout the year, or 2) calculated on the basis of wastewater flow meters.

The City may, at its discretion, require nonresidential users to install such additional water meters or wastewater flow meters as may be necessary to determine billable wastewater volume.

b. Determination of Loadings from Metered Water Usage:

The billable amounts of BOD, TSS, TKN and P will be calculated from the volume of metered water usage, as determined above; where the billable quantities will be those attributable Normal Domestic Strength Wastewater.

(2) Determination of Sewer Service Charges For Normal Domestic Strength Users:

The City shall establish a method for calculating domestic sewer user charges. The user charges shall be reviewed by the City annually and changes in the user rates adopted by City Council resolution.

6.293 Sewer Service Charges for User Discharging Wastes with Concentrations Greater than Normal Domestic Strength. Sewer Service Charges for User Discharging Wastes with Concentrations Greater than Normal Domestic Strength.

(1) Calculating Billable Flows and Loadings

a. Calculation of Billable Flows

The billable amount of flow will be calculated from the volume of metered water usage, or at the discretion of the City, from the measurement of effluent flow at user's point of discharge. Measurements shall be according to a regular program prescribed by the City.

b. Calculation of Billable Loadings

The billable amounts of BOD, TSS, P and TKN will be calculated by the measurement of these wastes according to a program prescribed by the City in keeping with the latest edition of Standard Methods for the Examination of Water and Wastewater and in accordance with Sections 6.222.

When a particular reading indicates concentrations greater than or equal to Normal Domestic Strength, the actual reading shall be entered into the average for billing purposes.

(2) Determination of Sewer Service Charge For Greater Than Normal Domestic Strength Users.

An industrial user agreement shall be prepared for each industrial user. The industrial user agreement shall include a determination of O&M and capital cost allocations.

6.294 Approval Required for Admission of Industrial Wastewater into the Public Sewers.

Review and acceptance of the approving authority shall be obtained prior to the discharge into the public sewers of any wastes and waters having one or more of the following characteristics:

- (1) A five-day, 20 degrees Celsius, biochemical oxygen demand (BOD) greater than 300 ppm.
- (2) A suspended solids concentration greater than 300 ppm.
- (3) A TKN concentration of greater than 16 ppm.
- (4) A P concentration of greater than 4 ppm.
- (5) A volume greater than 10,000 gallons per day.

The approving authority shall have the right to reject industrial waste in whole or in part for any reason. A special agreement or contract for service may be executed when such an agreement is deemed appropriate by either the city or industry requesting service. The city shall have the right to surcharge for any wastes exceeding the characteristics enumerated in this section.



Sewer Fund

6.301 Establishment of Sewer Service Fund and Account. The City of Long Prairie hereby establishes a "Sewer Fund" as an income fund to receive all revenues generated by the Sewer Service Charge System, and all other income dedicated to the operation, maintenance, replacement and construction of the wastewater treatment works, including taxes, special charges, fees, and assessments intended to retire construction debt.

6.302 Placement of Revenues and Funds. All revenue generated by the Sewer Service Charge System, and all other income pertinent to the treatment system, including taxes and special assessments dedicated to retire construction debt, shall be held by the City Administrator/Clerk separate and apart from all other funds of the City. Funds received by the Sewer Service Fund shall be transferred to the "Sewer Fund".

Administration

6.304 Council Determination of Charges. The City Administrator/Clerk shall maintain a proper system of accounts suitable for determining the operation and maintenance, equipment replacement and debt retirement costs of the treatment works, and shall furnish the City Council with a report of such costs annually in the City's Financial Report.

The City Council shall annually determine whether or not sufficient revenue is generated for the effective operation, maintenance, replacement and management of the treatment works, and whether sufficient revenue is being generated for debt retirement. The Council will also determine whether the user charges are distributed proportionately to each user in accordance with Section 6.280 of this Ordinance and Section 204(b) (2) (A) of the Federal Water Pollution Control Act, as amended.

The City shall thereafter, but not later than the end of the year, reassess, and as necessary revise the Sewer Service Charge System then in use to insure the proportionality of the user charge and to insure the sufficiency of funds to maintain the capacity and performance to which the facilities were constructed, and to retire the construction debt.

6.305 Responsibility for Compliance with the Sewer Service Charge System. In accordance with Federal and State requirements, the City Administrator/Clerk shall be responsible for maintaining all records necessary to document compliance with the Sewer Service Charge System adopted.

6.306 Sewer Billings, Due Dates, Penalties. Bills for Sewer Service Charges shall be rendered on a monthly basis succeeding the period for which the service was rendered. Any bill not paid after the due date of the billing invoice will be considered delinquent. At that time the City shall notify the delinquent owner/occupant in writing regarding the delinquent bill and

subsequent penalty. The penalty shall be computed as 10% of the original bill and shall be increased the same 10% for every month the bill is outstanding.

An administration charge may also be attached to delinquent bills which would be placed on the taxes at the discretion of the City.

Penalties

6.310 Levy as Taxes or Assessments any Unpaid Balances. Each and every sewer service charge levied by and pursuant to this Ordinance is hereby made a lien upon the lot or premises served, and all such charges which are past due and delinquent, shall be certified to the County Auditor as taxes or assessments on the real estate. Nothing in this Ordinance shall be held or construed as in any way stopping or interfering with the right of the City to levy as taxes or assessments against any premises affected any delinquent or past due sewer service charges.

6.311 Civil Action to Collect Unpaid Balances. As an alternative to levying a lien, the City may, at its discretion, file suit in a civil action to collect such amounts are delinquent and due against the occupant, owner, or user of the real estate, and filing the civil action. Such attorney's fees shall be fixed by order of the court.

6.322 Interest on Unpaid Account Balances. In addition to all penalties and costs attributable and chargeable to recording notices of the lien or filing a civil action, the owner or user of the real estate being serviced by the treatment works shall be liable for interest upon all unpaid balances at a per annum rate set by the City Council.

6.324 Unpaid Sewer Bills. The City shall, at its discretion, shut off the water to the property for unpaid sewer bills. The City shall, at its discretion, discontinue City utilities to the property for delinquent services. The City also may establish a fee to resume those services which have been discontinued.

Severability and Validity

6.330 Validity. If any section or subdivision of this ordinance shall be held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Ordinance, which shall continue in full force and effect.

6.331 Precedence of Ordinance. The sewer service charge system shall take precedence over any terms or conditions of agreements or contracts which are inconsistent with the requirements of section 204(b) (1) (A) of the Act and Federal regulation 40 CFR (Code of Federal Regulations) 35.2140 of the Environmental Protection Agency's grant regulations.

6.332 This Ordinance shall be in full force and take effect from and after its passage and approval and publication as provided by law.

STORM SEWER SYSTEM

6.501. City Storm Sewer System. The city shall construct, operate and maintain a storm sewer system for the drainage of excessive accumulations of surface water and for the drainage of excessive subsurface water for the benefit of the residents of the city.

6.502. Under Control of Water and Sewer Superintendent. The water and sewer superintendent shall have general charge and supervision of the operation and maintenance of the storm sewer system.

FRANCHISES

6.601 Granting of Franchises. The City may grant a franchise, consistent with all applicable law and local regulation, for the construction, maintenance, operation and provision of services and utilities within the City, including, but not limited to: power, gas, and communication. Such franchises shall be granted upon terms and conditions as deemed appropriate and reasonable to the City. Copies of the franchise agreements shall be kept on file in the office of the City Administrator/Clerk.