

## **Chapter 19**

### **SEWERS AND SEWAGE DISPOSAL**

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### **ARTICLE I. IN GENERAL**

#### **Section 01. Definitions.**

For the purposes of this chapter the following words and phrases shall have the meanings respectively ascribed to them by this section:

BOD: Shall mean the five-day twenty (20) degrees centigrade biochemical oxygen demand determined as set forth in the latest edition of "Standard Methods for Examination of Water and Sewage" as published by the American Public Health Association.

Building drain: Shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the

building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

Building sewer: Shall mean the extension from the building drain to the public sewer or other place of disposal.

Combined sewer: Shall mean a sewer receiving both surface runoff and sewage.

Engineer: Shall mean the City Engineer.

Hotel or motel: Shall mean a building containing four (4) or more guest rooms in which lodging is provided with or without meals for compensation, which is open to transient or permanent guests or both, and where no provision is made for cooking in any guest room.

Industrial wastes: Shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

Inspector: Shall mean the persons duly authorized by the City to inspect and approve the installation of building sewers and their connection to the public sewer system.

Public sewer: Shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

Sanitary sewer: Shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

Sewage: Shall mean a combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments together with such ground, surface and storm waters as may be present.

Sewerage works: Shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Superintendent: Shall mean the Superintendent of Utilities of the City. (Ord. No.168, Sec. 1, 10/5/64)

## **Section 02. Damaging equipment of sewerage system prohibited; penalty.**

No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the public sewerage works.

## **Section 03. Superintendent of Utilities to direct and control sewer system.**

The Superintendent of Utilities, under the direction of the City Council, shall have control of the drainage and sewer system, and of all drains and sewers hereafter built or authorized by the City, and the building, repair and maintenance thereof and connections therewith. (Ord. No.155, Sec. 1, 9/23/55)

## **Section 04. Powers and authority of City employees.**

The Superintendent, Inspector and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. (Ord. No.168, Sec. 8, 10/5/64)

**Section 05. Unsanitary disposal of wastes prohibited.**

It shall be unlawful for any person to place, deposit or permit to be deposited, in an unsanitary manner, upon public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, garbage or other objectionable waste which ordinarily would be regarded as sewage or industrial wastes. (Ord. No.168, Sec. 4,10/5/64)

**Section 06. Right of entry to inspect drains and sewers.**

The Superintendent of Utilities, or any member of the Board of Health, shall have the right to enter upon any premises or into any building in the City at all reasonable hours to inspect the sewers and drains and traps and fixtures connected therewith. If it shall be found from such inspection or otherwise that the provisions of law are not being complied with in any respect or that any part of the drainage system is in need of clearing out or repair, the Superintendent or any such member of the Board of Health shall serve a notice at once, or as soon as may be possible, upon the owner, the occupant, and the person in charge of the premises, specifying the work necessary to be done to make the sewer system comply with the law, or to put it in good workable condition. The notice shall also specify such time as is reasonable, considering the amount of work to be done and the nature of the emergency, within which the defects must be remedied. It shall thereupon become the duty of every person served with such notice to comply therewith, and if it is not complied with, the City may cause the work to be done at the expense of any person so served. (Ord. No.155, Sec. 6,9/23/55)

**Section 07. Violations.**

(a) Unless otherwise provided, any person found to be violating any provision of this chapter shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations, and in the event such violations continue beyond said time limit, the City Council may, in its discretion, terminate and discontinue sewage service to such offender.

(b) Any person who shall continue any violation beyond the time limit provided for in this section shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to the penalty provided for in Section 08 of Chapter 1. Each day in which any such violation shall continue shall be deemed a separate offense.

(c) Any person violating any of the provisions of this chapter shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation. (Ord. No.168, Sec. 10, 10/5/64)

**Sections 08 through 20. Reserved.**

**ARTICLE II. BUILDING SEWERS AND CONNECTIONS**

**Section 21. Duty to connect with sewer and have suitable toilet facilities.**

(a) Where a public sanitary sewer is located within one hundred (100) feet of the property line of a lot, tract or parcel of land on which is situated any house or building used for human occupancy, employment, recreation or other purpose, such house or building must have suitable toilet facilities therein which are connected directly with such sewer. All such connections shall be made at the owner's expense and shall be made within sixty (60) days after official notice to make such connection.

(b) It shall be unlawful for any person to own, occupy or use any house or building which fails to meet the requirements of this section. (Ord. No.168, Sec. 4, 10/5/64)

## **Section 22. Separate sewers required.**

A separate and independent building sewer shall be provided for every building, except where one (1) building stands at the rear of another on an interior lot and no separate sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. The building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Other exceptions will be allowed only by special permit granted by the City Council. (Ord. No. 168, Sec. 6,10/5/64)

## **Section 23. Use of old sewers.**

Old building sewers or portions thereof may be used in connection with new buildings only when they are found on examination and test by the Superintendent to meet all requirements of this chapter. (Ord. No.168, Sec. 6, 10/5/64)

## **Section 24. Plans to be approved.**

No drain shall be built, repaired, extended or connected with any public sewer or drain unless and until all of the provisions of this chapter are complied with and a permit for such building, repair or extension and connection has been issued as herein provided. (Ord. No.155, Sec. 2, 9/23/55)

## **Section 25. Permit required.**

No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public sanitary sewer or any public storm sewer, or any appurtenance thereof, without first obtaining a written permit from the City Clerk. No permit shall be issued to connect to any sanitary sewer main or sanitary sewer trunk system of the City either directly or indirectly from any lot or tract of land unless it should be determined that:

(a) The lot or tract of land to be served by such connection has been assessed for the cost of connection for the sanitary sewer or main and sanitary sewer trunk system with which the connection is made;or

(b) If no assessment has been levied for such construction cost;

(c) The proceedings for levying such assessments have been or will be commenced in due course; or

(d) The sanitary sewer main to which it is to be connected was constructed and financed by private individual and has been inspected and accepted as a public facility by the City.

(e) If none of the above requirements have been met the sum equal to the portion of costs for construction of said sanitary sewer main and sanitary sewer trunk system which would be assessable against said tract of land must have been paid to the City. The City Administrator shall be responsible for determining the amount of pay of which will be based on the cost of constructing a similar facility based on present dollars. (Ord. No.168, Sec. 6, 10/5/64; Ord. No.382, Sec. 1, 6/17/85)

**Section 26. Application for permits; contents; form.**

(a) All applications for sewer permits shall be made to the City Clerk by the person employed to do the work. The applicant shall, before beginning work upon the sewer to be constructed, repaired, or extended, deposit with the City Clerk a sketch thereof showing the lot and block number upon which the proposed work is to be done and showing generally the location of the sewer proposed to be constructed, repaired or extended, with the location of all branches, traps and fixtures connected therewith. If the proposed sewer, as shown in the sketch, complies with the provisions of other ordinances and is satisfactory to the Superintendent of Utilities, he shall authorize the granting of the permit. The sketch shall be filed as a permanent record in the office of the City Clerk.

(b) The form of application for a sewer permit shall be substantially as follows, but the City Council, before approving the granting of the permit may add such other restrictions and conditions as are, in its opinion, necessary to secure the construction of a satisfactory sewer in compliance with all requirements of law:

**APPLICATION FOR SEWER CONSTRUCTION PERMIT**

I, \_\_\_\_\_ hereby apply for a permit to (construct), (repair), (extend) a sewer under the property at \_\_\_\_\_ owned by \_\_\_\_\_ and occupied by the following building or buildings \_\_\_\_\_ to be connected with the public sewer at the following point (described precisely the point of connection) \_\_\_\_\_ in accordance with the plans deposited this day with the City Clerk.

If the above application is granted, I agree to construct the said sewer of material and in a manner satisfactory to the Superintendent of Utilities, and in accordance with the ordinances of the municipality, and to notify the Superintendent of Utilities before any connection is made with the public sewer, when the excavation and sewer pipe as laid is open to inspection, and at such other times during the progress of construction as may be required by the Council.

It is understood that the granting of this application does not permit any connection to be made with the public sewer. Such connection can be made only after the granting of the Sewer Connection Permit below.

\_\_\_\_\_  
Applicant

**SEWER CONSTRUCTION PERMIT**

The plans for the above described sewer having been submitted to and approved by the Council on the \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_ and the fee of \$2.00 having been paid by the above applicant to the undersigned this \_\_\_\_\_ day of 200\_\_\_ the permit applied for is hereby granted, subject to the specified conditions.

\_\_\_\_\_  
City Clerk

**SEWER CONNECTION PERMIT**

The sewer above described has been examined by the undersigned this \_\_\_\_\_ day of 200\_\_\_, and found satisfactory both as to materials and mode of construction; and permission is hereby granted to connect the same with the public sewer at the following point (describe precisely the point of connection)\_\_\_\_\_.

\_\_\_\_\_  
Superintendent of Utilities

(c) After such application has been approved by the Council, and the applicant has paid to the City Clerk a fee as required by this article, the City Clerk shall grant the permit by fixing his signature on the blank provided for that purpose. (Ord. No.155, Sec. 3, 9/23/55; Ord. No.168, Sec. 6, 10/5/64)

**Section 27. Bond required.**

Before a permit may be issued for excavating for plumbing in any public street, way or alley, the person applying for such permit shall have executed and deposited with the City Clerk a corporate surety in the sum of not less than five hundred dollars (\$500.00), conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules and regulations established under the authority of any ordinances of the City pertaining to plumbing. This bond shall state that the person will indemnify and save harmless the City and the owner of the premises against all damages, costs, expenses, outlays and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with plumbing or excavating for plumbing as prescribed in this chapter. Such bond shall remain in force as to all penalties, claims and demands that may have accrued thereunder prior to such expiration. Copies of insurance shall be filed with the City Clerk and coverage shall conform to current requirements for construction contracts of the City. (Ord. No.155, Sec. 8, 9/23/55; Ord. No.168, ec. 6, 10/5/64)

**Section 28. Classes of building sewer permits.**

There shall be two (2) classes of building sewer permits:

(a) For residential and commercial service; and

(b) For service to establishments producing industrial waste. (Ord. No.168, Sec. 6, 10/5/64)

## **Section 29. Permit and inspection fees.**

A permit and inspection fee of ten dollars (\$10.00) for a residential or commercial building sewer permit and forty dollars (\$40.00) for an industrial building sewer permit shall be paid to the City Clerk at the time the application is filed. (Ord. No.168, Sec. 6, 10/5/64; Ord. No.243, Sec. 12, 1/3/77)

## **Section 30. Owner to bear expenses for installations; indemnification of City.**

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by any such installation. (Ord. No.168, Sec. 6, 10/5/64)

## **Sections 31 through 41. Reserved.**

### **ARTICLE III. CONSTRUCTION**

## **Section 42. Specifications generally.**

All building sewers shall be constructed of either vitrified-clay sewer pipe and fittings meeting the current A. S. T .M. *Specifications for Standard or Extra Strength Clay Sewer Pipe* or extra-heavy cast-iron soil pipe meeting the current A.S.T.M. specifications of the Department of Commerce, *Commercial ,Standards for Extra Heavy Cast Iron Soil Pipe and Fittings*. If installed in filled or unstable ground, the building sewer shall be of cast-iron soil pipe, except that vitrified-clay pipe may be accepted if laid on a suitable improved bed or cradle as approved by the Engineer or Superintendent, or their representative. Other sewer materials may be used if approved by resolution of the City Council. (Ord. No.168, Sec. 6, 10/5/64)

## **Section 43. Size and slope of sewer .**

The size and slope of the building sewer shall be subject to the approval of the Superintendent but in no event shall the diameter be less than four (4) inches. The slope of such four-inch pipe shall not be less than one-eighth (1/8) inch per foot. A slope of one-fourth (1/4) inch per foot shall be used wherever practical. (Ord. No.168, Sec. 6, 10/5/64)

## **Section 44. Sewer depth.**

Whenever possible the building and sewer shall be brought to the building at an elevation below the basement floor. The depth shall be sufficient to afford protection from frost. (Ord. No.168, Sec. 6, 10/5/64)

## **Section 45. Low drain.**

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drains shall be lifted by approved artificial means and discharged to the building sewer. No water-operated sewage ejector shall be used. (Ord. No.168, Sec. 6, 10/5/64)

## **Section 46. Excavations.**

(a) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by Inspector. Pipe laying and backfill shall be

performed in accordance with A.S.T.M. specifications (Designation C12) except that no backfill shall be placed until the work has been inspected by the Inspector or the Superintendent or his representative.

(b) Except as may otherwise be provided, the provisions of the excavation ordinance of the City as set out in Sections 55 through 71 of Chapter 21 shall control when making excavations for sewers within the City. (Ord. No.168, Sec. 6, 10/5/64)

**Section 47. Specifications for joints of building sewers.**

All joints and connections shall be made gastight and watertight. Vitrified-clay sewer pipe shall be fitted with factory made resilient compression joints meeting the A. S. T. M. *Specifications for Vitrified Clay Pipe Joints Having Resilient Properties* (Designation C425). Before jointing the pipe in the trench, the bell-and-spigot surfaces shall be wiped free of dirt or other foreign matter. A lubricant or sealer as recommended by the pipe manufacturer shall be applied to the bell-and-spigot mating surfaces just before they are jointed together. The spigot end shall be positioned into the bell end of the pipe previously laid and shall then be shoved home to compress the joint and to assure a tight fit between the interfaces. Joints for cast-iron soil pipe shall be made by inserting a roll of hemp or jute and thoroughly caulking it into place and then following with pure molten lead well caulked, not less than one (1) inch deep; rubber ring joints will also be permitted. No paint, varnish or putty will be allowed in the joints until they have been tested and approved by the Inspector. (Ord. No.168, Sec. 6, 10/5/64)

**Section 48. Manner of connecting to public sewer.**

The connection of the building sewer into the public sewer shall be made at the y branch designated to that property, if such branch is available at a suitable location. Any connection not made at the designated y branch in the main sewer, shall be made only as directed by the Superintendent. (Ord. No.168, Sec. 6, 10/5/64)

**Section 49. Notice to Superintendent when ready for connection; supervision of connection.**

The applicant for the building sewer shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative. (Ord. No.168, Sec. 6, 10/5/64)

**Section 50. Protection of work.**

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public property disturbed in the course of the work and shall be restored in a manner satisfactory to the City Council. (Ord. No.168, Sec. 6, 10/5/64)

**Sections 51 through 60. Reserved.**

## ARTICLE IV. USE

### Section 61. Prohibited discharges generally.

Except as otherwise provided, no person shall discharge or cause to be discharged any of the following described wastes or waters into any public sewer:

(a) Any liquid or vapor having a temperature higher than one hundred ninety (190) degrees Fahrenheit.

(b) Any water or waste containing more than one hundred (100) milligrams per liter by weight of fats, oils or greases.

(c) Any liquids, solids or gases which by reason of their nature or quality may cause fire or explosion, or be in any other way injurious to persons, to the sewerage works structures or to the operation of these works.

(d) Any noxious or malodorous gas or substance, which either singly or by interaction with other wastes is capable of creating a public nuisance or hazard to life, or which may prevent entry into sewers or their maintenance and repair.

(e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, cesspool sludge, bones, feathers, rubber, tires, plastic, wood, paunch manure, swimming pool sludge, blood, butcher's offal, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or sewage treatment works.

(f) Any water or waste having a pH lower than 6.0 or higher than 9.5 or having any corrosive property capable of causing damage or hazards to structures, equipment or personnel of the sewerage works or affecting the biological treatment of the waste.

(g) Any water or waste containing toxic substances in quantities in excess of the following limits as measured at the point of discharge into the sewer system:

| <u>Item</u>           | <u>Milligrams per liter</u> |
|-----------------------|-----------------------------|
| Cyanide (Cn)          | None                        |
| Copper (Cu)           | 0.3                         |
| Chromium (hexavalent) | 0.05                        |
| Cadmium (Cd)          | 0.4                         |
| Zinc (Zn)             | 0.3                         |
| Nickel (Ni)           | 2.0                         |

or any substance which is toxic to fish or marine life or salts that will pass through the sewage treatment works and exceed the State, interstate or United States Public Health Service requirements for the receiving stream.

(h) Any water or waste containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the Sewage Treatment Plant; provided, however, that the City Council may issue a special permit to do so under such terms and conditions and charges as determined by the City Council.

(i) Any toxic radioactive isotopes; provided, however, that the City Council may issue a special permit to do so under such terms and conditions and charges as determined by the City Council.

(j) Swimming pool waste in an amount exceeding one-fourth (1/4) of the capacity of the pool in any one (1) day shall not be drained into a public sewer without first notifying the Superintendent, and such draining shall be done at times and at such volume of flow as the Superintendent shall direct.

(k) Any sewage having a BOD or suspended solids concentration over one thousand two hundred (1,200) parts per million. (Ord. No.168, Sec. 2, 10/5/64)

### **Section 62. Discharge of untreated sewage prohibited.**

It shall be unlawful to discharge to any natural outlet within the City, or in any area under the jurisdiction of the City, any sanitary sewage, industrial waste or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this chapter. (Ord. No.168, Sec. 4, 10/5/64)

Section 1. Chapter 19, Article IV, Section 63, of the Code of Ordinances of the City of Chaska, is hereby amended to read as follows:

### **Section 63. Prohibited discharges into sanitary sewer.**

- (a) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling waters (except as may be permitted in this chapter) or unpolluted industrial or commercial process water into any sanitary sewer.
- (b) Every person owning improved real estate that discharges into the City's sanitary sewer system shall allow the City of Chaska employee(s) to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system.
- (c) Every property owner who owns improved real estate which is connected to the City's sanitary sewer system shall, within thirty (30) days after written notice from the City:
  - (i) Allow a representative of the City to inspect both the inside and outside of buildings located on the property to confirm that there is no prohibitive discharge into the municipal sanitary sewer system, or

- (ii) In lieu of having inspection by a City representative, the property owner shall furnish a certificate from a licensed plumber, in a form acceptable to the City, certifying that the property has no prohibited discharge into the municipal sanitary sewer system. Failure to provide such certificate of compliance within the above time shall make the property immediately subject to the surcharge provided for in Section 63 (e) of this Chapter until the property is inspected and/or compliance is met, including any penalties and remedies that the City has provided in its policies and codes, by way of assessments, and administrative expenses in achieving compliance.

(Ord. 840/06-21-10)

- (d) The City Council may, by resolution, provide for a waiver by reason of hardship from the requirements of this Section.

(Ord. 840/06-21-10)

- (e) A surcharge in the amount of \$100.00 shall be added to the monthly sanitary sewer bill as provided by Chapter 19, Article VI, to each property violating any provision of this Section until correction is made and verified by the City or any property wherein the property owner has refused to allow such inspection. Said surcharge shall be added every month to the regular sanitary sewer bill until the property is in compliance herewith.

(Ord. 801/04-02-07)

**Section 64. Discharge of cooling water from air conditioning units into sanitary sewer prohibited.**

- (a) Inasmuch as the sanitary sewers of the City are not designed to handle the volume of cooling water produced by air conditioning units, the discharge of cooling water from air conditioning units, three (3) tons of refrigeration or air conditioning and larger, draining into any one (1) building drain without cooling towers or recirculating systems is prohibited without securing a special permit from the City Council. Cooling water which is free from bacteria and harmful chemicals should be drained into the storm and water drains.
- (b) The discharging of any water as set forth in (a) above into the Chaska municipal sanitary sewer system is prohibited and the provisions for inspection thereof and the surcharge as provided in Chapter 19, Article I, Section 63, above shall apply.

(Ord. 801/04-02-07)

- (a) Effective for the month commencing January 1, 1980, and each month thereafter, the City Clerk shall compute the amount due the City for sewer rents and charges in accordance with this article and shall render to the sewer system user's statements therefor monthly at the same time as the City water statements for the same month are

rendered by him. Both charges shall be separately itemized and included in one (1) bill where both are properly chargeable by the City. Such statements shall be made for each water meter (or its equivalent if water is not supplied by the City), and shall include the sewer rental charges for all units whether classified as residential, commercial, industrial or any combination of such classifications, on each single meter. Such sewer rentals shall be due and shall become delinquent, respectively, at the same time as the City water charges for the same period.

- (b) In addition to the sewer rental rates and charges in (a) above, a surcharge as provided in Chapter 19, Article I, Section 63, shall be charged.

(Ord. 801/04-02-07)

### **Section 65. Policy regarding use of sanitary sewers for industrial wastes.**

The economy and desirability of the combined treatment of industrial wastes and sanitary sewage is recognized, however, not all types and quantities of industrial wastes can be so treated; hence it shall be the established policy of the City to admit those types and quantities of industrial wastes that are not harmful or damaging to the structures, processes or operation of the sewerage works or are not specifically prohibited by this chapter. It is also recognized that to provide this service additional facilities are required, the cost of which must be borne by those persons receiving its benefits. The types and quantities of industrial wastes which may be admitted into the public sewage system of the City without pretreatment shall be established by the Engineer and approved by the City Council. (Ord. No.168, Sec. 3, 10/5/64)

### **Section 66. Certain discharges subject to approval of City Council.**

The discharge into the public sewers of any of the following waters or wastes shall be subject to the review and approval of the City Council:

- (a) A five-day twenty (20) degrees centigrade BOD greater than four hundred (400) milligrams per liter;
- (b) A suspended solids content greater than four hundred (400) milligrams per liter;
- (c) A chlorine demand greater than twenty (20) milligrams per liter in any fifteen-minute time period;
- (d) An average daily flow greater than two percent (2%) of the average daily sewage treatment works;
- (e) Any toxic substance;
- (f) Any wastes which are considered by the Engineer to offer possibilities of harm to structures, processes, or operation of the plant. (Ord. No.168, Sec. 3, 10/5/64)

### **Section 67. Survey data required.**

(a) All users of the sewerage system who are not discharging industrial wastes to the public sewers shall, upon request of the City Council, file with the Engineer within sixty (60) days, a questionnaire which shall furnish pertinent data, including quantity of flow, and an analysis of the water discharged into the sewerage works and treatment plant. Similarly any persons desiring to make a new connection to the sewerage system for the purpose of discharging industrial waters into the public sewers shall file with the Engineer an industrial waste questionnaire which shall furnish pertinent or predicted data, including quantity of flow and a complete analysis of the industrial waste to be discharged into the sewer system.

(b) When it can be shown that it is impractical to meet the schedule imposed under this section due to the size or complexity of the waste disposal problem of an industry, a request for a reasonable extension of time may be presented to the City Council. (Ord. No.168, Sec. 3, 10/5/64)

### **Section 68. Sampling and analysis.**

Samples shall be composite samples collected over a three-day period of operation so as to be a duly representative sample of the actual quality of the wastes. Samples for analysis must be collected by the Engineer or his representative. An analysis shall be made by a qualified sanitary engineer using the laboratory methods for the examination of industrial waste as set forth in the latest edition of "Standard Methods for Examination of Water and Sewage" as published by the American Public Health Association. (Ord. No.168, Sec. 3, 10/5/64)

### **Section 69. Installation of control manhole.**

Any establishment discharging industrial wastes into the sewerage system shall construct and maintain at their expense a suitable control manhole or manholes downstream from any treatment, storage or other approved works, to facilitate observation, measurement and sampling of all wastes, including domestic sewage, from the establishment. The control manhole or manholes shall be constructed at suitable and satisfactory locations and built in a manner approved by the Engineer. The control manhole shall be accessible to the Engineer at all times for observing, measuring and sampling of such wastes. Persons using the sewerage system for industrial wastes shall also provide a flow-measuring device, approved by the Engineer, to record total flowage and rate of flow at no cost to the City for such device. (Ord. No.168, Sec. 3, 10/5/64)

### **Section 70. Oil traps.**

Any establishment discharging oils or grease to the sewerage system shall maintain a suitable device to trap and collect oil and grease before it enters the sewerage system. (Ord. No.168, Sec. 3, 0/5/64)

### **Section 71. Pretreatment.**

Any person using the City sewer system shall provide at their expense such preliminary treatment or handling as may be necessary to modify the objectionable characteristics or constituents to come within the limits set forth in this chapter. (Ord. No, 168, Sec. 3, 10/5/64)

### **Section 72. Special agreements between City and industrial users.**

No statement contained in this chapter shall be construed as prohibiting any special agreement or arrangement between the City and person whereby an industrial waste of unusual strength or character may be admitted into the sanitary sewers for treatment by the City either before or after pretreatment. (Ord. No.168, Sec. 2, 10/5/64)

**Sections 73 through 84. Reserved.**

## **ARTICLE V. PRIVATE SEWER DISPOSAL**

### **DIVISION 1. GENERALLY**

#### **Section 85. Intent.**

The improper design, location, installation, use and maintenance of on-site sewage treatment systems adversely affects the public health, safety and general welfare by discharge of inadequately treated sewage to surface and ground waters. The City of Chaska does herein provide the minimum requirements for the design, location, installation, use and maintenance of on-site sewage treatment systems. The City of Chaska, in adopting this Ordinance, does not guarantee or warrant that compliance with the requirements herein will result in on-site sewage treatment systems that are fail safe, but consider that compliance with the requirements herein will result in on-site sewage treatment systems with a reasonable assurance of satisfactory performance when properly maintained.

#### **Section 86. Applicability.**

This Ordinance shall apply to the design, location, installation, use and maintenance of on-site sewage treatment systems constructed, altered, extended or repaired in the City of Chaska.

#### **Section 87. Definitions.**

The following words and phrases, when used in this Ordinance, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section

Agency: When used in the standards adopted herein shall mean Department or Inspector where appropriate.

City Council: Shall mean the Chaska City Council.

Department: Shall mean the City/Carver County Inspection (Zoning) Departments.

Director or Executive Director: When used in the standards adopted herein shall mean Inspector.

Failure: Shall mean the discharge of sewage, sewage tank effluent or seepage from a soil treatment system to the ground surface, abandoned wells, or bodies of surface water, or into any rock or soil formation the structure of which is not conducive to purification of water by filtration or into any well or where there is a demonstrated public health hazard.

Inspector: Shall mean the person or persons employed or engaged by the department and assigned the responsibility for the administration and implementation of this Ordinance.

Person: Shall mean any human being, any governmental or political subdivision or public agency, any public or private corporation, any partnership, any firm, association or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing or any other legal entity.

Repair: Shall mean the act or process of storing or replacing a defective element of an on-site sewage treatment system to approximately its original function without altering its original location, capacity or operating characteristics. Only repairs or replacements performed downstream of the inlet of the distribution device or replacement of the septic tank or dosing chamber shall be considered repairs requiring a permit under this Ordinance.

### **Section 88. Compliance.**

No person shall design, locate, install, construct, alter, extend, repair, use, maintain or perform percolation tests and/or soil evaluation for any on-site sewage treatment system, except in full compliance with this Ordinance and standards adopted herein.

### **Section 89 Conditions**

Violation of any condition imposed by the City on a license, permit, or variance shall be deemed a violation of this Ordinance and subject to the penalty provisions set forth in this Ordinance.

### **Section 90. False information.**

Omission of any information or submission of false information may constitute grounds for the denial of the license, permit or variance applied for, or the suspension or revocation of an issued license, permit or variance.

### **Sections 91 through 95. Reserved.**

## **DIVISION 2. STANDARDS**

### **Decton 96. Standards for health, safety, and environment preservation.**

Any privy or privy vault installed on any lot or parcel of land where a sanitary sewer is available is hereby declared to be a nuisance.

### **Section 97. Standards adopted.**

The rules of the Minnesota Pollution Control Agency 6 MCAR 4.8040, Individual Sewage Treatment Systems Standards and Appendixes A and D are hereby adopted by reference and made a part of this Ordinance as if set down fully herein. .'

### **Section 98. Standards amended.**

The above adopted rules, 6 MCAR 4.8040 are hereby amended as follows:

- (a) Section C3 shall be deleted in its entirety.

(b) The table in Section F.2.b. (1) is amended to read as follows:

| <u>Number of Bedrooms</u> | <u>Tank Liquid Capacity – Gallons</u> |
|---------------------------|---------------------------------------|
| 2 or less                 | 1,000                                 |
| 3 or 4                    | 1,250                                 |
| 5 or 6                    | 1,500                                 |
| 7, 8, or 9                | 2,000                                 |

(c) Section H.2A. (5) is amended to read as follows:

Table III gives the required bottom area assuming twelve (12) inches of filter material below the distribution pipe for trenches and beds. The required bottom area may be reduced, for trenches only, by the following percentages: 20 percent (20%) for eighteen (18) inches of filter material below the distribution pipe; 34 percent (34%) for twenty-four (24) inches. The filter material shall completely encase the distribution pipe to a depth of at least two (2) inches.

(d) Section K is deleted in its entirety.

### **Section 99. Additional standards.**

In addition to the above standards the following shall also apply:

(a) Alternative systems provided herein may be used only for the repair or replacement of existing non-conforming systems or on existing lots of record.

(b) The design, construction, and location of component parts of any alternative sewage treatment and disposal system shall comply, insofar as practical, with the design, construction, and location requirements for the equivalent components of a standard on-site sewage treatment and disposal system as set forth in this Ordinance.

(c) Section 86.03(a) of this chapter provides for limited use of alternative sewage treatment system primarily to correct a failure to an existing system or to permit development on existing lots of record. The need for an alternative treatment system in these instances is because the land has characteristics which are not conducive to conventional on-site sewage treatment. Monitoring of the alternative system can provide valuable data related to the applicability of the particular design to other similar situations. For this reason, any person proposing to utilize an alternative sewage treatment system may be required to permit the Department to install monitoring devices at the time of initial construction, or upon any alteration, repair, or extension of said system. The cost of installing the monitoring device and any subsequent laboratory analysis shall be borne by the City of Chaska. The system owner shall permit reasonable access by the Department for the purpose of monitoring the system. The Department shall make its monitoring data available to the owner of the system.

(d) It shall be the responsibility of any person utilizing an alternative sewage treatment system to report to the Department all discharges from a malfunctioning alternative sewage treatment system as soon as possible but not later than eighteen

(18) hours upon knowledge of such discharge, and further abate such discharge as soon as possible but no later than forty-eight (48) hours.

(e) All beds shall be sized at 1.25 times the soil treatment area required in 6 MCAR 4.8040 H.2a (4) Table III.

(f) Where dosing a chamber is used the dosing chamber shall be sized so that in case of dosing device failure there will be storage capacity for three (3) days of restricted water use and the dosing chamber shall be equipped with a warning device to indicate dosing device failure.

(g) Where conditions prevent the construction, replacement, alteration and/or repair of an individual sewage treatment system on any existing developed parcel of real property, the Department *may* reduce property line and building setbacks and system sizing requirements provided said reduction does not endanger or unreasonably infringe on adjacent properties and with the concurrence of the affected properties.

(h) Not more than one (1) dwelling, commercial, business, institutional, or industrial unit shall be connected to an existing on-site sewage system unless such multiple connection has been approved by permit.

(i) All mounds shall be sized at 1.25 times the soil treatment area required in 6MCAR 4.8040 Appendix A, Section E,-1g. Mounds located in soils with percolation rates over sixty (60) minutes per inch shall be sized at least 1.5 times the soil treatment area required in 6 MCAR 4.8040 Appendix E,-1g.

**Sections 100 through 105. Reserved.**

### **DIVISION 3. PERMITS**

**Section 106. Permit required.**

No person, firm, or corporation shall install, construct, alter, extend, or repair an on-site sewage treatment system in the City of Chaska without first obtaining a permit therefor from the Department for each specific installation, construction, alteration, extension, or repair. Such permits shall be valid for a period of twelve (12) months from the date of issuance.

**Section 107. Permit application requirements.**

Application for permits shall be made in writing on forms furnished by the City Clerk and shall be signed by the applicant and the licensed installer.

Each application shall contain:

- a. Legal description of the property
- b. Location description of the property
- c. Name, address and phone number of the property owner(s)
- d. Name, address and phone number of the licensee
- e. Maximum number of bedrooms
- f. Estimated water usage if building is not a swelling unit

- g. List of water using appliances
- h. Estimate depth of well

Each application shall be accompanied by:

1. Two (2) copies of a plot plan of the land drawn to scale showing:
  - a. Boundary lines
  - b. Proposed and/or existing buildings
  - c. Location of well and water pipes
  - d. Location of septic tank
  - e. Location of drainfield
  - f. Location of building sewer
  - g. Location of distribution box(es)
  - h. Location of any animal confinement areas within fifty (50) feet of septic tank or drainfield
  - i. Location of any water bodies located within two hundred (200) feet of septic tank or drainfield
  - j. Roads and driveway
  - k. Land elevations
  - l. Mature trees
2. Two (2) copies of a complete on-site sewage system plan showing location, size and design of all parts of the system to be installed, altered, repaired, or extended.
3. Two (2) copies of the results of the site evaluation and percolation tests.
4. Any additional information that may be required by the Inspector to assure compliance with this Ordinance.

### **Section 108. Permit fees.**

All permit and permit renewal applications must be accompanied by the appropriate fees. The amount of each permit, permit renewal fee, late fees or such other fees as may be needed for the administration of this Ordinance, plus the method and time of payment thereof shall be determined by the resolution of the City Council.

### **Section 109. Relation to other permits.**

No building permit or occupancy permit, where required, will be issued until the on-site sewage system permit is approved and issued.

### **Section 110. Permit denied.**

If an application for a permit or permit renewal is denied, notice of denial shall be served on the applicant by mail. The notice shall state the reasons for denial and inform the applicant of his right to request a hearing as provided in Sections 92.06 and 92.07 of this chapter.

### **Section 111. Permittee responsibilities.**

It shall be the responsibility of the permittee to notify the Inspector that the job is ready for inspection at least twelve (12) City working hours prior to inspection time requested. It shall be the responsibility of the permittee to provide the Inspector with free access to the property at reasonable times for the purpose of making such inspections. The permittee and the licensee shall be responsible for the correction or elimination of all defects and no system shall be placed or replaced in service until all defects have been corrected or eliminated and a Certificate of Compliance has been issued. No part of the system shall be covered until it has been inspected and/or approved by the Inspector.

### **Section 112. Reinspection charge.**

Violations of this Ordinance that necessitate follow-up inspection will be subject to a re-inspection fee. This inspection charge shall be established by Resolution of the City Council. The re-inspection payment must be received by the Department within ten (10) days following the re-inspection. Failure by the licensee to pay a re-inspection charge shall be grounds for revocation of a license.

### **Sections 113 through 115. Reserved.**

## **DIVISION 4. FAILING SYSTEMS**

### **Section 116. Failing systems.**

All on-site sewage systems determined to be failing, by the Inspector, and in violation of this Ordinance shall immediately abate the failure and the failing system shall be satisfactorily repaired or replaced. (Ord. No.168, Sec. 5, 10/5/64; Ord. No.360, Sec. 88, 3/19/84)

### **Sections 117 through 120. Reserved.**

## **DIVISION 5. MAINTENANCE**

### **Section 121. Pumping of septic tanks.**

The owner of the on-site sewer system should ensure that the septic tank(s) are properly pumped in order to prevent the sludge from reaching any point closer than twelve (12) inches from the bottom of the outlet baffle or the scum from reaching a point closer than three (3) inches above the bottom of the outlet baffle.

### **Section 122. Disposal of septage.**

All septage removed from septic tanks or holding tanks shall be removed from the site in sealed containers and shall be disposed of in a location and manner approved by the Inspector and/or Minnesota Pollution Control Agency. If the septage is to be disposed of into the municipally controlled sewage facility or into a Metropolitan Waste Control Commission facility it shall be disposed of in a location and manner approved by said governmental authority.

**Sections 123 through 126. Reserved.**

## **DIVISION 6. ABANDONMENT**

### **Section 127. Abandonment.**

When on-site sewage systems are abandoned all septic tanks, cesspools, and leaching pits shall be pumped to remove all liquid, sludge and scum. The covers to all septic tanks, cesspools and leaching pits shall be either collapsed or removed and tanks or cavities shall be filled with clean earth. The earth shall be adequately mounded to allow for settling.

### **Section 128. Connection.**

When municipal sewer services are available all failing systems shall make connection immediately.

**Sections 129 through 135. Reserved.**

## **DIVISION 7. LICENSING AND CERTIFICATION**

### **Section 136. License required.**

No person, firm or corporation shall: (A) design; (B) install, construct, alter, extend or repair; (C) maintain or pump; (D) perform percolation tests, soil boring or soil evaluations - for on-site sewage treatment systems within the City of Chaska without first obtaining a license to carry on such operation. Said license shall be issued by the Department, shall be renewable and may be denied, revoked or suspended for cause.

City acknowledges persons licensed through Carver County.

### **Section 137. Application form.**

Application for a license or license renewal shall be on a form furnished by the City Clerk. The applicant shall provide such information as may be required by this Ordinance, and any further information as the Department may require for the administration and enforcement of said license.

### **Section 138. License fee.**

All license and licensee renewal applications must be accompanied by the appropriate fee. The amount of each license or license renewal fee, late fees, or such other fees as may be needed in the administration of this Ordinance, plus the method and time of payment thereof shall be determined by resolution of the City Council.

### **Section 139. License non-transferable.**

A license obtained pursuant to this Ordinance shall not be transferable.

### **Section 140. License application requirements.**

Before any license under this Ordinance can be issued, an applicant for the license shall:

- a. Demonstrate acquisition of suitable experience and training as determined by Resolution of the City Council.
- b. Provide Certificate of Insurance and/or Performance Bond as established by Resolution of the City Council. The insurance and/or bond shall be written by an insurer or bonder licensed to do business in the State of Minnesota.
- c. Provide within three (3) years of the effective date of this Ordinance an individual Sewage Treatment System Certification issued by the Minnesota Pollution Control Agency and the Individual Sewage Treatment System Advisory Committee and satisfactorily maintain certification as required.
- d. Pay the required license fee.

**Section 141. License denied.**

If an application for license or license renewal is denied, notice of the denial shall be served on the applicant by mail. The notice shall state the reasons for the denial and inform the applicant of his right to request a hearing as provided in Sections 92.06 or 92.07 of this chapter.

**Section 142. Licensed installer responsibility.**

The installer shall comply with provisions of this Ordinance, the construction permit and installers license. The installer shall make three (3) as-built plans, one shall be kept by the installer for his records and two (2) copies to the City, one (1) shall be given to the permittee to be maintained on-site, and one (1) shall be retained by the Inspector to be maintained on file.

**Section 143. Licensed pumper responsibility.**

Pumpers shall have equipment capable of agitating septage sludge and thoroughly remove sludge and scum from the septic tanks or holding tanks.

All septage removed from septic tanks or holding tanks shall be removed from the site in sealed containers and disposed of in accordance with Section 89.02 of this chapter. The pumper shall make reports monthly to the City reporting on the total number of systems pumped, approximate volume pumped and location of septage disposal.

**Section 144. Licensed percolation tester or site evaluator responsibilities.**

All percolation tests, soil and/or site evaluation shall be done in compliance with this Ordinance. All reports submitted to the City shall be submitted on forms approved by the Inspector.

**Section 145. Licensed designer responsibilities.**

All on-site sewage treatment systems shall be in compliance with this Ordinance. Designs submitted to the City shall be of sufficient detail and to scale so as to allow adequate review for compliance by the Inspector.

**Section 146. Effective dates of license requirements.**

Requirements for licensing under this Ordinance shall be in effect on the following dates:

- a. Installer- effective date of this Ordinance June 1, 1984
- b. Pumper- June 1, 1984
- c. Designer- June 1 1984
- d. Percolation Tester/Soil Evaluator -June 1 1984

**Section 147. Authority to repair .**

Repair shall be performed by licensed installer or licensed pumper. Repairs requiring a permit shall be performed by a licensed installer.

**Sections 148 through 155. Reserved.**

**DIVISION 8. ADMINISTRATION AND ENFORCEMENT**

**Section 156. Administration and enforcement.**

The application for a permit required by this article shall be made on a form furnished by the City, which the applicant shall supplement by such plans, specifications and other information as are deemed necessary by the Superintendent.

**Section 157. Duties of the Inspector .**

The Inspector shall be responsible for the administration and enforcement of this Ordinance. The Inspector's duties shall include, but not necessarily be limited to the following:

- a. Receive and review license or license renewal applications, permits or permit renewal applications pursuant to this Ordinance, and issue licenses and permits in conformance with this Ordinance.
- b. Inspect new or repaired on-site sewage treatment systems and septage disposal sites as provided in this Ordinance, issue Certificates of Compliance and investigate complaints of violations of his Ordinance.
- c. Recommend that legal proceedings be initiated by the City Attorney to compel compliance with the provisions of this Ordinance.
- d. Advise, consult, cooperate with the public and other governmental agencies in the fuselage of his Ordinance .

**Section 158. Inspector .**

The Inspector responsible for the administration and enforcement of this Ordinance shall be certified as an Inspector by the Minnesota Pollution Control Agency.

### **Section 159. Inspection.**

The inspection and/or evaluation of the on-site sewage treatment systems will be made by the Inspector to determine compliance with the provisions of this Ordinance. The permittee shall be provided with written notice of any deficiencies, recommendations for the correction, and a date by which the correction shall be accomplished. The permittee shall allow the Inspector or his authorized agent access for the purposes of making such inspections as may be necessary to determine compliance with the requirements of this Ordinance and shall allow the Inspector to make any and all appropriate tests to determine compliance with this Ordinance. Failure of the City to inspect shall not relieve or lessen the responsibility or liability of any person owning, operating, controlling or installing any on-site sewage treatment system.

### **Section 160. Revocation of license.**

Any license issued pursuant to this Ordinance may be revoked by the City Council for violation of any provisions of this Ordinance. Revocation shall not occur earlier than ten (10) calendar days, exclusive of the day of service, after written notice of revocation has been served on the licensee. Such written notice shall contain the effective date of revocation, the nature of the violation or violations constituting the basis for the revocation, the facts which support the conclusion that a violation or violations have occurred, and a statement that if the licensee desires a hearing, he must within ten (10) calendar days, exclusive of the day of service, file a written request with the Inspector. If the licensee fails to request a hearing, he shall forfeit any opportunity for a hearing. If a hearing is requested, the revocation shall be stayed pending the outcome of the hearing.

### **Section 161. Suspension of license.**

Any license required under this Ordinance may be suspended for not longer than sixty (60) days by the City Council for violation of any provisions of this Ordinance. Suspension shall not occur earlier than ten (10) calendar days exclusive of the day of service, after written notice of suspension has been served on the licensee. Such written notice shall contain the effective day of suspension, the nature of the violation or violations constituting the basis for the suspension, the facts which support the conclusion that a violation or violations have occurred and a statement that if the licensee desires a hearing that he must within ten (10) calendar days, exclusive of the day of service, file a written request with the Inspector. If the licensee fails to request a hearing, he shall forfeit any opportunity to a hearing. If a hearing is requested, the suspension shall be stayed pending the outcome of the hearing.

### **Section 162. Administrative hearing.**

Any person wishing to appeal an Inspector or departmental decision may request an administrative hearing. The request shall be in writing stating the grounds for appeal and served personally or by registered or certified mail on the Inspector's Department by 4:00 p.m. the fifth (5th) City working day following service of the Inspector or departmental decision in question. After receipt of an appeal request, the department shall set a time and place for the hearing. The department shall reply as soon as possible, not to exceed five (5) City working days of the receipt of the request for hearing and identify a hearing time within twenty (20) calendar days of the receipt of the request for hearing. If the department fails to grant an administrative hearing or if after the hearing the person wishes to appeal the decision reached

as a result of the administrative hearing they may request a formal hearing as identified in Section 92.07 of this chapter.

### **Section 163. Hearings.**

Whenever a formal hearing is requested in regard to an application, renewal, suspension or revocation of a license or permit or as provided in Section 92.06 of this chapter, the procedure shall be governed by the following:

a. *Hearing Officer.* The City Council shall have the power to conduct public hearings pursuant to this Section. By Resolution the City Council may appoint an individual learned in the law to be known as the hearing officer to assist the Council in the administration of the hearing or to conduct the hearing on behalf of the Council. If the individual conducts the hearing on behalf of the City Council, he shall submit to the City Council in writing, findings of fact, conclusions, and recommendations, and the City Council may adopt, modify or reject the report of the hearing officer.

b. *Hearing Date.* Upon receipt of request for a hearing, the City Council shall set a hearing date which shall be set at a time convenient for the council, but in no case earlier than ten (10) days or no later than thirty (30) days exclusive of the day of service, after the date of the receipt of request.

c. *Notice of Decisions.* The City Council shall notify the applicant or licensee in writing as to its decision within ninety (90) days after the close of the hearing.

d. If the applicant or licensee fails to appear at the hearing, he shall forfeit any right to a public hearing before the hearing officer.

e. Any applicant or licensee aggrieved by a decision of the City Council shall have the right to appeal to the District Court on questions of law and fact.

### **Sections 164 through 170. Reserved.**

## **DIVISION 9. VIOLATIONS AND PENALTIES**

### **Section 171. Misdemeanor.**

Any person who fails to comply with the provisions of this Ordinance is guilty of a misdemeanor. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

### **Section 172. Injunctive relief.**

In the event of a violation or a threat of violation of this Ordinance, the City may institute appropriate actions or proceedings, including requesting injunctive to prevent, restrain, correct or abate such violations or threatened violations.

### **Section 173. Civil action.**

If a person fails to comply with the provisions of this Ordinance, the City may recover cost or damages incurred in a civil action in any court of competent jurisdiction.

**Sections 174 through 180. Reserved.**

## **DIVISION 10. VARIANCES**

### **Section 181. Variances.**

In any case where, upon written application by an applicant or the licensee it appears that by reason of exceptional circumstances the strict enforcement of any provision of this Ordinance would cause hardship, or that strict conformity with the Ordinance would be unreasonable, impractical, or not feasible under the circumstances, and in order to promote the effective and reasonable application and enforcement of the provisions of this Ordinance, the City Council may grant a variance from the provisions of this Ordinance upon such conditions as it may prescribe for on-site sewage system management consistent with the general purpose and intent of this Ordinance, provided that:

- a. The condition causing the hardship is unique to that property; and
- b. The granting of the variance will not be contrary to the public interest or be damaging to rights property of others. (Ord. No.360, Secs. 85-94,3/19/84)

**Sections 182 through 200. Reserved.**

## **ARTICLE VI. RATES AND CHARGES**

### **DIVISION 1. GENERALLY**

#### **Section 201. Sewer rental charges authorized.**

For the purpose of providing funds to meet the cost of maintenance and operation of the sanitary sewers, the costs of construction, maintenance and operation of a sewage disposal plant, payment of capital charges represented by bonds, certificates of indebtedness, or otherwise, and the payment of reasonable requirements for replacement and obsolescence thereof, there is hereby levied and assessed upon each lot, parcel of land, building or premises presently or hereafter having any connection, directly or indirectly, with the public sanitary sewer system of the City, a sewer rental charge determined as provided in this article. (Ord. No.168, Sec. 9,10/5/64)

#### **Section 202. Authority to classify users of system.**

The City Council shall have the power to classify the sewage discharged into the sanitary sewerage system based upon its quantity, concentration, pollution, qualities in general and the costs of its disposal, to fix reasonable and equitable sewer rental charges therefor according to such classification, and shall have the power, by resolution, to modify from time to time any classification or sewer rental charge provided in this article as may be, in the exercise of its discretion, reasonably required. (Ord. No. 168, Sec. 9, 10/5/64)

#### **Section 203. Classifications.**

For the purpose of this chapter the following classifications of property according to the use of the sewerage system are hereby established:

Class 1. Residential: This classification shall include property used exclusively for residential purposes by a single-family unit, but does not include multiple residential buildings served by one (1) meter. Residential quarters constituting a single-family unit in buildings where a portion thereof is used for other than residential purposes shall be included in this classification, if the water used in such residential quarters shall be separately metered. A "single-family unit" is hereby defined to include the following:

a. A single person occupying residential quarters having either a private bath or toilet or kitchen facilities.

b. Two (2) or more persons occupying residential quarters as a common residential unit and having either a private bath or toilet or kitchen facilities; and

c. Two (2) or more persons occupying separate residential quarters, but having in common with other such persons living separately the use of either the same private bath or the same toilet or the same kitchen facilities.

Class 2. Commercial: This classification shall include any property used by a single unit for any purposes not properly included in Classes 1 and 3, and which also include any multiple residential building served by one meter. A "single-unit" shall include:

a. Each establishment or office having a separate toilet or other water-using facilities; and

b. Two (2) or more establishments or offices occupied separately, but having in common with such other establishments or offices the use of the same toilet or other water-using facilities.

Notwithstanding anything to the contrary in this section, a "single-family unit" or single-unit" as used in this classification shall be defined as any such unit having not more than ten (10) "fixtures" as defined in the State of Minnesota Plumbing Code. Each unit having more than ten (10) such fixtures shall, for the purposes of sewer rents, rates and charges be considered a separate "single" unit for each ten (10) fixtures or fraction thereof located within said unit.

Class 3. Industrial: This classification shall include any property used by any establishment where any sewage or waste discharged into the public sewers therefrom has:

a. A five-day twenty (20) degrees centigrade BOD greater than four hundred (400) milligrams per liter; or

b. A suspended solids content greater than four hundred (400) milligrams per liter; or

c. A chlorine demand greater than twenty (20) milligrams per liter in any fifteen-minute time period; or

d. An average daily flow greater than two percent (2%) of the average daily sewage flow at the sewage treatment works; or

- e. Any toxic substance; or
- f. Any wastes which are considered by the Engineer to offer possibilities of harm to structures, processes or the operation of the plant. (Ord. No.168, Sec. 9, 10/5/64; Ord. No.217, Secs. 1, 2, 1/21/74)

**Section 204. City Clerk to compute amount due and render statements.**

Effective for the month commencing January 1 1980, and each month thereafter, the City Clerk shall compute the amount due the City for sewer rents and charges in accordance with this article and shall render to the sewer system user's statements therefor monthly at the same time as the City water statements for the same month are rendered by him. Both charges shall be separately itemized and included in one (1) bill where both are properly chargeable by the City. Such statements shall be made for each water meter (or its equivalent if water is not supplied by the City), and shall include the sewer rental charges for all units whether classified as residential, commercial, industrial or any combination of such classifications, on each single meter. Such sewer rentals shall be due and shall become delinquent, respectively, at the same time as the City water charges for the same period. (Ord. No.168, Sec. 9, 10/5/64; Ord. No.295, Sec. 1, 12/17/79)

**Section 205. Statements to be a charge against owner, lessee and occupant.**

Prior to the furnishing of any sanitary sewer service to any user or property, a deposit or other security, as provided in Section 15 of Chapter 8, Code of Ordinances, shall be provided. (Ord. No.168, Sec. 9, 10/5/64, Ord. No.388, Sec. 3, 12/16/85)

**Section 206. Recovery of unpaid bills.**

Any unpaid and delinquent sewer rental charges may be recovered from the occupant of the premises billed therefor in a civil action by the City in any court of competent jurisdiction or, in the discretion of the City Council, may be certified to the County Auditor as taxes against any such property to be collected and paid over to the City along with other taxes. Either or both of such methods of collection thereof may be pursued by the City until payment in full has been made, and the initiation of one (1) such method of collection shall not be deemed to be an election stopping the City from thereafter using the other method of collection until paid in full. Payment of delinquent sewer rentals collected shall be credited to the same fund hereinafter provided for current sewer rentals, deducting therefrom any costs of collection accruing to the City therefor. (Ord. No.168, Sec. 9, 10/5/64; Ord. No.388, Sec. 4, 2/16/85)

**Section 207. Charges collected to be placed in separate fund.**

The sewer rentals provided for in this article shall be placed and deposited in a separate general sewer fund to be known as the sewage disposal fund of the City, and shall be disbursed only for the purpose specified in Section 106 of this chapter. (Ord. No.168, Sec. 9, 10/5/64)

**Sections 208 through 220. Reserved.**

## **DIVISION 2. RENTAL CHARGES**

### **Section 221. Imposed.**

The sewer rates, charges and rentals to be charged against property shall be based upon the quantity of water used thereon and the quality of sewage generated there from and shall be determined as follows:

a. The charges each calendar month shall be based on the amount of water used on said property measured as provided in Section 19-122 and are hereby established as follows:

Three dollars and eighteen cents (\$3.18) per thousand (1,000) gallons per calendar month. (Ord. No. 845 Art. VI, Div. 2, Sec. 221 (a)/12-20-10)

b. The charges each calendar month for residential properties located on Co Rd 10 within the City of Chaska and those units in that portion of Planning Area 9-B/9-C located in Chaska Township involved in the 201 Sanitary Sewer Project, and elect to choose a flat sewer user fee for on-site wastewater treatment systems are hereby established as follows:

|                             |         |
|-----------------------------|---------|
| Sewer Rental Fee, Per Month | \$16.95 |
| Pumping Fee, Per Month      | \$ 2.85 |

(Ord. No. 772, Chap. 19, Art. VI, Div. 2, Sec. 221/01-03-05.) (Ord. No. 817, Sec. 221/01-07-08) (Ord. No. 845 Art. VI, Div. 2, Sec. 221 (b)/12-20-10).

### **Section 222. Minimum Charges**

a. Notwithstanding anything to the contrary otherwise appearing in this article the minimum sewer rental charge, according to classification of property use as provided by the article shall be as follows:

|         |                              |         |
|---------|------------------------------|---------|
| Class 1 | Residential, per month       | \$7.35  |
| Class 2 | Commercial, per month        | \$7.35  |
| Class 3 | Industrial, per month        | \$31.70 |
| Class 4 | Sewer Rental Fee, per month  | \$16.95 |
| Class 5 | Sewer Pumping Fee, per month | \$2.85  |

The above stated minimum charges as applied to single-family dwelling townhouses, condominiums, apartments and duplex homes shall be seven dollars and thirty-five cents

(\$7.35) for each living unit contained therein. (Ord. No. 845, Art. VI, Div. 2, Sec. 222/12-20-10)

### **Section 223. Determining Amount of Water Used**

The measure of volume of sewage waste for purposes of determining the rates and charges provided for in Section 120 of this chapter shall be based on the amount of water used on said premises and determined as follows:

a. In the event water used on any such property is supplied fully by the City water system, the number of gallons of water supplied to such premises by the City water system as measured by the City water meter therein in use shall be the gallonage figure used in determining the sewer use and charges as hereinbefore provided, except that where such property is classified as residential, the charge each month shall be based upon the number of gallons of water supplied thereto by the City water system, except that the monthly charge for the months of May through and including November of any year shall be based upon the less of:

1. The number of gallons of water supplied thereto by the City water system; or
2. The average number of gallons of water supplied thereto for the monthly charge of the previous December, through and including April adjusted to 105% of average,

b. In the event water used on any such property is supplied in whole or in part with water not obtained from the City water system, the number of gallons used on said premises, as if wholly supplied by the City water system as measured by a water meter(s) metering the source of all water used on such property, shall be the gallonage figure used in determining the sewer use and charges as hereinbefore provided, except that where such property is classified as residential the charge each month shall be based upon the number of gallons of water used on said premises, except that the monthly charge for the months of May through and including November of any year shall be based upon the less of:

1. The number of gallons of water supplied thereto by the City water system; or
2. The average number of gallons of water supplied thereto for the monthly charge of the previous December, through and including April adjusted to 105% of average.

It shall be the duty of any such owner, lessee or occupant thereof, and all of them to have installed by them, at no expense to the City, the necessary metering equipment as approved by the Utility Superintendent to measure the total amount of water used on said premises.

Until such time such owner, lessee or occupant installs the necessary metering equipment to measure the total amount of water used thereon, or where it is not practical to measure the same by metering equipment, the Utility Superintendent shall cause to be

determined in such manner and by such methods as he shall reasonably determine, considering conditions and attendant circumstances in each case, the estimated total amount of water used thereon, and such estimate shall be used in lieu of the meter volume of water to determine the sewer rental charges thereon; except that where such property is classified as residential the charge each month shall be based upon the estimated number of gallons of water used on said premises, except that the monthly charge for the months of May through and including November of any year shall be based upon the less of:

1. The estimated number of gallons of water supplied thereto by the City water system; or
2. The estimated average number of gallons of water supplied thereto for the monthly charge of the previous December, through and including April adjusted to 105% of average.

Any person using the sewerage works of the City may install, at no expense to the City, a meter of a style and type approved by the Utility Superintendent to meter actual sewage volume discharged from such property, and in that event, that gallonage figure shall be used in determining the sewer use for such property. Such metering equipment shall be maintained to provide accurate measurement of the sewer use and shall be tested and calibrated at the Utility Superintendent's request or at least annually with test results and maintenance records submitted to the Utility Superintendent for his review and approval. This shall be done by a competent metering contractor approved by the Utility Superintendent and at no expense to the City .If the above maintenance and testing is not done as required, the City shall hire an approved contractor to perform this work and the cost thereof shall be added to the customer's sewer charges. (Ord. No.168, Sec. 9, 10/5/64; Ord. No.279, Sec. 1, 3/5/79; Ord. No.287, Sec. 1, 9/17/79; Ord. No.295, Sec. 4, 12/17/79; Ord. No.495, Sec. 3, 12/16/91; Ord. No.519, Sec. 4, 12/21/92)

#### **Section 224. Determination of BOD.**

The BOD or suspended solids concentration in anyone (1) calendar quarter shall be determined from an average of three (3) standard tests for such concentrations taken by the Superintendent or his representative any time during said calendar quarter. Such test shall be taken and the analysis determined as provided in Section 68 of this chapter. (Ord. No.168, Sec. 9, 10/5/64)

#### **Section 225. Payment for sewer services.**

Payment for sewer services billed shall be made to the office of the City Clerk and shall be due on or before the fifteenth (15th) day of the month in which the bill is received by the customer. A five percent (5%) penalty shall be added to bills not paid by the close of the business day on the fifteenth (15th) day of the month. (Ord. No.243, Sec. 16, 1/3/77; Ord. No.295, Sec. 5, 12/17/79)

#### **Section 226. Industrial user's strength charges.**

- a. Establishment of strength charges: For the purpose of paying the costs allocated to the City of Chaska each year by the Metropolitan Waste Control Commission

that are based upon the strength of discharge of all industrial user's receiving waste treatment services within or served by the City, there is hereby established, in addition to the sewer charge based upon volume of discharge as hereinbefore provided, a sewer charge upon each company or corporation receiving waste treatment services within or served by the City, based upon strength of industrial waste discharged into the sewer system by the City called the "strength charge."

b. Establishment of strength charge formula: For the purpose of computation of the strength charge established by Subsection(a) hereof, there is hereby established a strength charge formula as designated in Resolution No.76-172 adopted by the governing body of the Metropolitan Waste Control Commission on June 15, 1976, which is hereby made a part of this section as if fully set forth herein, such formula being based upon pollution quality 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 cost of operation and maintenance of waste treatment services provided by the Metropolitan Waste Control Commission.

c. Strength charge payment: It is hereby determined that the strength charge established by Subsection(a) hereof shall be paid by each industrial user receiving waste treatment services and subject thereto before the twentieth (20th) day next succeeding the date of billing thereof to such user by or on behalf of the City and such payment thereof shall be deemed to be delinquent if not so paid to the billing entity before such date. Furthermore, it is hereby established that if such payment is not paid before such date an industrial user shall pay interest compounded monthly at the rate of two-thirds of one percent ( $2/3$  of 1%) on the unpaid balance due.

d. Establishment of tax lien: As provided by Minnesota Statutes, Section 444.075 Subdivision 3, it is hereby determined that if payment of the strength charge as established by Subsection(a) hereof is not paid before the sixtieth (60th) day next succeeding the date of billing thereof to the industrial user by or on behalf of the City, said delinquent sewer strength charge, plus accrued interest established pursuant to Subsection(c) hereof, shall be deemed to be a charge against the owner, lessee or occupant of the property served and the City or its agents shall certify such unpaid delinquent balance to the County Auditor as taxes against the property served for collection as other taxes are collected; provided, however, that such certification shall not preclude the City or its agents from recovery of such delinquent sewer strength charge and interest thereon under any other available remedy. (Ord. No.143, Sec. 17, 1/3/77)

**Sections 227 through 235. Reserved.**

### **DIVISION 3. CONNECTION CHARGES**

#### **Section 236. Purpose and Intent.**

a. For the purpose of paying for the establishment, obtainment, construction, reconstruction, repair, replacement, depreciation, enlargement, and improvement of the total municipal sewer system including but not limited to the cost of collection and conveyance; it is hereby determined by the City Council of the City that

charges, in accordance with the schedules provided, shall be paid to the City as set forth by Resolution for every lot, piece, or parcel of land connecting to the municipal sanitary sewer system, or additional use causing excessive discharge of sewage or additional living units constructed upon land already connected to the system. Said charges are reviewed and, if necessary, revised each November, effective January first of the following year.

b. It is hereby determined to be the policy of the City that the benefit to any lot, piece, or parcel of land developed within the drainage district hereinafter defined and within the classifications set forth in this division, for sanitary sewer interceptor, trunk or subtrunk service or availability is similar and that payment for said service or availability should be collected on as fair, reasonable and equitable basis as possible. It is further determined that the charges as set forth by Resolution and determined fairly and reasonably represent a benefit to said land in addition in any amount previously assessed for sanitary sewer interceptor, trunk or subtrunk service or availability or any amount paid for any permit fee and charges paid for inspection of said connection pursuant to any other ordinance of the City or any other governmental entity or agency. (Ord. No.208, Sec. 1 1/23173)

### **Section 237. Definitions.**

As used in this division the following terms shall have the meanings given:

**Acreage availability charges:** Is the amount of dollars per acre as determined and set forth by Resolution. The acreage used in computation of the acreage availability charge shall be the net developable land area exclusive of lakes, major parks, major recreational areas, major greenways and major thoroughfares and external collector streets as shown on the appropriate comprehensive guide plans of the City, or amendments thereof.

**Basic Equivalent Unit (BEU):** For the purpose of this division the classification of property, and the computation of the number of BEUs applicable for each connection to the municipal sewerage system, shall be in accordance with the classification and computation of the Metropolitan Council Environmental Services procedures for classification and computation of its service availability charge as more particularly set forth in that document identified as Service Availability Charge Procedures Manual, January 1998.

**Basic equivalent unit charge:** Is the amount of dollars per Basic Equivalent Unit as set forth by Resolution

**Connection to sewer system:** For purpose of this division every lot, piece or parcel of land is considered to be connected to the sanitary sewer system at the time a sewer connection permit is issued. Where a sanitary sewer is available the sewer connection permit shall be applied for at the time of application for a building permit.

**Drainage district:** Shall mean the area of land within the City within the East Creek Drainage area is more particularly shown on the sewer map, identified as Figure 4, as amended, of the Comprehensive Sewer Report dated 1972 as transmitted February 14, 1972, which map is marked "Exhibit A", attached hereto and made a part hereof .

Sanitary sewer charge: Shall mean the total amount of charges against a lot, piece or parcel of land to be paid to the City for sanitary sewer interceptor, trunk or subtrunk service or availability, exclusive of sanitary sewer laterals, service connections and use charges, and that said total sanitary sewer charge shall be a combination of the acreage availability charge (AAC) and basic equivalent unit (BEU) charge. (Ord. No.208, Sec. 2, 1/23172; Ord. No.326, Sec. 1 5/3/82)

### **Section 238. Establishment of charges.**

In order to accomplish the purpose and intent of this division there is hereby established a sanitary sewer charge against every lot, piece or parcel of land within the drainage district, which charge shall be collected as follows:

At the appropriate time the City Clerk, or his duly authorized representative, shall compute the total acreage availability charge and the basic equivalent charge against the land to be subdivided, to be developed or for which a building permit is requested, or which is to be connected to the municipal sanitary sewer system. The sum total of the above two (2) charges shall constitute the sanitary sewer charge for said land. From the sanitary sewer charge shall be deducted the principal amount of any sanitary interceptor, trunk or subtrunk assessments previously levied against said land pursuant to Minnesota Statutes, Chapter 429 together with interest paid on the total amount of any such assessment principal in excess of eight hundred eighty four dollars (\$884.00) per acre, as determined from the respective assessment rolls and adjusted to net developable acres, to December 31 of the year in which connection is made to the municipal sanitary sewer system. The remaining balance shall constitute the amount of the sanitary sewer charge to be paid prior to the issuance of a sewer permit. (Ord. No. 208, Sec. 3, 01-23-73; Ord. No. 277, Sec. 1, 03-19-79; Ord. No. 417, Sec. 1, 08-03-87 Policy 08-01-94)

### **Section 239. Continued payment of assessment levied.**

A property owner may continue to make assessment payments as provided in the original assessment roll. In that event an amount equal to the total principal assessed together with interest on any such assessment principal in excess of eight hundred eighty four dollars (\$884.00) per acre, to December 31 of the year in which the property is connected to the municipal sanitary sewer system shall be deducted from the sanitary sewer charge and the difference shall be paid in cash prior to the issuance of a sewer permit pursuant to this chapter, unless paid as so permitted in Section 142 of this chapter. (Ord. No. 208, Sec. 3, 01-23-73; Ord. No. 277, Sec. 2, 03-19-79, Policy 08-01-94)

### **Section 240. Credits against future assessment payments.**

A property owner may in the event that more than eight hundred eighty four dollars (\$884.00) per acre, as adjusted to net developable acres, is assessed against the land which is to be connected to the municipal sanitary sewer system, have the total amount assessed in excess of eight hundred eighty four dollars (\$884.00) per acre together with the interest paid on such excess amount credited against future payments of assessments already levied against other property of the owner. (Ord. No. 208, Sec. 3, 01-23-73; Ord. No. 277, Sec. 03-19-79, Policy 08-01-94)

**Section 241. Payment for additional living units.**

Prior to the issuance of a building permit for construction of additional living units on any land already connected to the municipal sanitary sewer system an amount equal to the basic equivalent unit charge for each of such additional living units to be constructed thereon shall be paid to the City. (Ord. No. 208, Sec. 3, 11-23-73)

**Section 242. Payment for excessive sewage.**

In the event that the discharge of sewage from any land already connected to the sanitary sewer system within the classification as set forth in Section 136 of this chapter shall exceed two hundred thousand (200,00) gallons per acre per year, the City Clerk shall recalculate the basic equivalent unit charge based upon such increased discharge. From the basic equivalent unit charge as so determined shall be deducted any basic equivalent unit charges theretofore paid and the remaining balance shall be the additional basic equivalent unit charge to be paid to the City for such excessive discharge. (Ord. No. 208, Sec. 3, 01-23-73)

**Section 243. Rates**

The sanitary sewer charge established as of January 1997 and thereafter, or until changed, as hereinafter set forth is the sum total of the following:

|                              |                   |
|------------------------------|-------------------|
| Acreage availability charge  | \$884.00 per acre |
| Basic equivalent unit charge | \$520.00 per BEU  |

Because of the added tax base, the addition of new jobs and employment opportunities. it is in the best interest of the City to encourage the subdivision of land in accordance with the Subdivision Ordinance of the City, business, commercial and industrial development within the City, and in connection therewith it is hereby determined that the basic equivalent unit (BEU) charge for any land subdivided or for any development within the classification as defined in Section 136 of this chapter shall be paid in cash, or assessed if requested of the owner or Developer. at the time the land is subdivided or developed, whichever occurs first, and if assessed, be paid over a period of years not to exceed ten (10) years within the guidelines hereinafter set forth:

a. If the BEU charge is assessed the City Council shall, by Resolution, after taking into consideration the amount of the charge, the results of the latest fiscal analysis as set forth in Section 244 of this chapter and any other factors they deem necessary and advisable, determine the number of years over which the assessment is to be spread.

b. The City Council in said Resolution shall determine the number of years said charge shall be spread and the amount of interest to be charged thereon. Said payments may be spread over a period of not less than three (3) nor more than ten (10) years at an interest rate dependent upon the municipal investment market at that time.

c. Prior to said charges being paid over a period of years, the land owner and/or Developer shall execute an agreement with the City whereby the land owner and/or Developer agrees that said charges shall be spread on the same basis as, and shall be considered as assessments against the land developed; and that said charges

be a first and prior lien against the property in question and on a parity with other assessments levied pursuant to Minnesota Statutes, Chapter 429, if any.

The Acreage Availability Charge (AAC) if not paid in cash, shall be assessed as provided above time of development or subdivision of land, whichever occurs first. The Basic Equivalent Unit (BEU) charge, if not paid in cash or assessed as above provided, shall be collected at time of obtaining a building permit. (Ord. No.208, Sec. 4, 1/23/73; Ord. No.277, Sec. 4, 3/19/79; Ord. No.417, Sec. 2, 8/3/87)

#### **Section 244. Annual review of charges.**

A complete fiscal analysis and review of current and projected revenue capital expansion and projected growth shall be made prior to each major interceptor, trunk or subtrunk capital improvement project or at least annually by the City Administrator, together with such other persons as he deems necessary and advisable, and it shall be reported to the City Council on or before January 1, of each year.

Such analysis shall include and take into account changes in the estimated capital costs resulting from inflation or deflation, engineering design, technology, location and alignment of sewer lines; increase or decrease in lateral benefits from the interceptors, trunks or subtrunks, amendments to the comprehensive sewer layout, new materials, governmental grants, State and Federal regulations, and any other items or considerations which will have an affect upon the total cost of the municipal sanitary sewer system. Changes or potential changes in land use, zoning, density, rate of growth, interest earned on sinking funds and prepayments, or any other financial considerations or other factors affecting projected revenue of the system shall also be considered.

The acreage availability charge and/or basic equivalent unit connection charge may be adjusted to reflect any changes shown to be necessary by said fiscal review. (Ord. No.208, Sec. 5, 1/23/73)

#### **Section 245. Separate account.**

All charges collected under this division not specifically pledged to the repayment of a past or future bond issue shall be placed in a separate account. Revenues from time to time received in excess of amounts so pledged may be pledged by Resolution of the governing body, or may be used, though not so pledged, for the payment of principal and interest on obligations issued pursuant to Minnesota Statutes Chapter 444 or 475 for sanitary sewer interceptors, trunks and subtrunks or for any other purpose permitted under Minnesota Statutes Chapter 444. (Ord. No.208, Sec. 6, 1/23/73)

#### **Sections 246 through 255. Reserved.**

### **DIVISION 4. RESERVE CAPACITY CHARGES**

#### **Section 256. Recitals.**

The Metropolitan Sewer Board has determined to reserve unused capacity in the metropolitan disposal system each year commencing in 1973 for local government units in which new buildings will be connected, and new connections will be made, to that system during such year and to allocate that debt service costs of such unused capacity for the year among such local government units. In order for the City to pay such costs allocated to it each

year, it will be necessary to establish sewer service availability and connection charges for all buildings constructed or connected to the metropolitan disposal system on or after January 1, 1973. (Ord. No.207, Sec.1, 12/18/72)

**Section 257. Establishment of charges and amount of charges.**

a. For the purpose of paying the costs of reserve capacity allocated to the City each year by the Metropolitan Sewer Board, there is hereby established a charge for:

1. The availability of treatment works and interceptors comprising the metropolitan disposal system; and
2. Connections, direct and indirect, to the metropolitan disposal system.

The charge is hereby imposed on each building in the City, and on each connection to the metropolitan disposal system directly or through the City's system, which is within any sewer area established by the Metropolitan Sewer Board, construction of which building is commenced, or which connection is made, on or after January 1, 1973. The charge shall be payable at the time of, and as conditioned to, the issuance of a building permit or a connection permit, as the case may be, but no charge shall be due upon the issuance of a connection permit if a charge was paid upon issuance of a building permit.

b. The charge for each building shall be equal to the number of units of sewage volume which it will discharge, multiplied by the effective rate determined by the Metropolitan Wastewater Services. The charge after 1977 shall be as the City Council, by ordinance, may determine. A unit of sewage volume shall be one hundred thousand (100,00) gallons per year and shall be assigned as follows:

1. Single-family dwellings and each living unit within any townhouse development, duplex and mobile homes greater than fourteen (14) feet in width shall comprise one unit;
2. Each living unit within condominiums for residential use and apartments and mobile homes fourteen (14) feet in width or less shall each comprise eighty percent (80%) of a unit;
3. All other buildings shall be assigned one (1) unit for each one hundred thousand (100,000) gallons of flow or part thereof which the City estimates they will discharge;
4. Buildings for residential use and existing or for which building permits were issued prior to January 1, 1973, shall be counted as one-half (1/2) the unit equivalent for that type of residential building if connected to the metropolitan disposal system prior to January 1, 1974, and shall be counted at the full rate thereafter. (Ord. No.207 , Sec. 2, 12/18/72)

**Section 258. Administration.**

The City Administrator, or his duly authorized representative, shall prepare or revise building permits and sewage connection permit application forms to provide information necessary for the computation of the number of units assignable to the building in question. The Administrator shall make such information available to the Metropolitan Sewer Board upon request. (Ord. No.207, Sec. 2, 2/18/72)

**Section 259. Council may change charges.**

The City Council may by ordinance increase, diminish, or change the amount and basis of the charges herein established, from time to time. (Ord- No.207, Sec. 2, 12/18/72)

**Section 260. Charges to be in addition to other charges.**

The charges herein established shall be in addition to, and not in lieu of, all other charges imposed from time to time by the City for building permits, sewer connection permits and sewer rental charges. (Ord. No.207 , Sec. 2, 12/18172)