

CHAPTER 3

MUNICIPAL SEWERAGE SYSTEM

Sec. 3.01. RULES AND REGULATIONS RELATING TO MUNICIPAL SEWERAGE SYSTEM - Adopted 2/31/83

Subd. 1. DEFINITIONS

1. For the purpose of this Ordinance, the following words and terms shall have the meaning set out below, unless the context specifically indicates otherwise.
2. BOD (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C expressed in milligrams per liter. Laboratory procedures shall be in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.
3. "Building Drain" means that part of the lower horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet outside the inner face of the building wall.
4. "Building Sewer" means the extension from the building drain to the public sewer or other place of disposal, also called house connection.
5. "City" is the area within the corporate boundaries of the City of Trimont as presently established or as amended by Ordinance or other legal actions at a future time. The term "City" when used herein may also be used to refer to the City Council and its authorized representatives.
6. "COD" (Chemical Oxygen Demand) means the quantity of oxygen utilized in the chemical oxidation of organic matter, expressed in milligrams per liter, as determined in accordance with standard laboratory procedures as set out in the latest edition of Standard Methods for the Examination of Water and Wastewater.
7. "Combined Sewer" means a sewer originally designated to receive

both surface water runoff and sewage.

8. "Garbage" means solid waste resulting from the domestic and commercial preparation, cooking, and dispensing of food and from the handling, storage, or sale of meat, fish, fowl, fruit or vegetables and condemned food.
9. "Industrial Wastes" means the solid, liquid or gaseous waste resulting from industrial or manufacturing processes, trade or business, or from the development, recovery or processing of natural resources.
10. "NPDES Permit" (National Pollutant Discharge Elimination System Permit) means the system for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone, and the oceans by the Environmental Protection Agency pursuant to the Federal Water Pollution Control Act of 1972, Sections 402 and 405.
11. "Natural Outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
12. "Normal Domestic Strength Wastes" shall mean wastes which are characterized by a per capita discharge of 100 gallons per day at a loading of 390 mg. per liter BOD, and 460 mg. per liter suspended solids. - Amended 9/16/95
13. "Other Wastes" shall mean garbage, municipal refuse, decayed wood, sawdust, shavings, bark, lime, sand, ashes, oil, tar, chemicals, offal, and all other substances except sewage or industrial waste.
14. "Person" means any individual, firm, company, association, society, corporation, municipal corporation, governmental unit, or group.
15. "Ph" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
16. "Process Water" means any water used in the manufacturing, preparation or production of goods, materials, or food. Process water is an industrial waste.

17. "Public Sewer" means any sewer owned or operated by a unit or agency of government.
18. "Sanitary Sewer" means a sewer which carries sewage and to which storm, surface, and groundwater are not intentionally admitted.
19. Sanitary Waste means the liquid and water carried wastes discharged from sanitary plumbing facilities.
20. "Sewage" or "Wastewater" means the water carried waste products from residences, commercial buildings, public buildings, institutions, industrial establishments or other buildings including the excrementitious or other discharge from the bodies of human beings or animals, ~~together with such ground, surface, and storm waters as may be present.~~ Amended 6-27-2018
21. "Sewer" means a pipe or conduit for carrying sewage, industrial wastes or other waste liquids.
22. "Sewer System" means pipelines or conduits, pumping stations, forcemains, and all other devices and appliances appurtenant thereto, used for collecting or conducting sewage, industrial wastes or other wastes to a point of ultimate disposal.
23. "Shall" is mandatory. "May" is permissive.
24. "Slug" means any discharge of water, wastewater or industrial waste which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow during normal operation.
25. "Storm Sewer" (sometimes termed Storm Drain) means a sewer which carries storm or surface water and drainage, but excludes sewage and industrial waste, other than unpolluted cooling or process water.
26. "Suspended Solids" means solids that either float on the surface or are in suspension in water, sewage, or other liquids and which are

removable by laboratory filtering in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.

27. "Unpolluted Water" means clean water uncontaminated by industrial wastes, other wastes, or any substance which renders such water unclean or noxious or impure so as to be actually or potentially harmful or detrimental or injurious to public health, safety or welfare; to domestic, commercial, industrial or recreational uses; or to livestock, wild animals, birds, fish, or other aquatic life.
28. "Wastewater Facilities" means the structures, equipment or processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
29. "Wastewater Treatment Works" or "Treatment Works" means an arrangement of devices and structures for treatment of wastewater, industrial waste, and sludge. Sometimes used as synonymous for "Wastewater Treatment Plant" or "Waste Treatment Plant" or "Water Pollution Control Plant" or "Sewage Treatment Plant."

Subd. 2. USE OF PUBLIC SEWERS

1. It shall be unlawful to discharge to any natural outlet within the City or any area under the jurisdiction of the City any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
2. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage if adequate and feasible City facilities are available.
3. The owner of any building or property which is located within the city and from which wastewater is discharged, shall be required to connect to a public sewer at his expense within eighteen (18) months of the date said public sewer is operational. All properties proposed to be served shall be served. All future buildings constructed on property adjacent to the public sewer shall be required to immediately connect to the public sewer. If sewer connections are not being made pursuant to this subdivision, an

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

4. In the event the owner shall fail to connect to a public sewer in compliance with a notice given under Subd. 2 and 3 of this Ordinance, the City may undertake to have said connection made and shall assess the cost thereof against the benefited property. Such assessment shall be a lien against said property. Such assessment, when levied, shall bear interest at the maximum legal rate for local improvements and shall be certified to the Auditor of Martin County, Minnesota, and shall be collected and remitted to the City in the same manner as assessments for local improvements. The rights of the City shall be in addition to any remedial or enforcement provisions of this Ordinance.
5. No person shall discharge or cause to be discharged directly or indirectly any storm water, groundwater, roof runoff, sub-surface drainage, waste from on-site disposal systems, unpolluted cooling or processing water to any sanitary sewer except as permitted by the City.
6. Storm water and all other unpolluted water shall be discharged to a storm sewer if available, except that unpolluted cooling or processing water shall only be so discharged upon approval by the City and other regulatory agencies.
7. No person shall discharge or cause to be discharged directly or indirectly, any of the following described substances to any public sewer:
 - a. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - b. Any water or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the wastewater treatment works.
 - c. Any water or waste having a ph lower than 5.5 or having any other corrosive property capable of causing damage or

hazard to structures, equipment and personnel of the wastewater treatment works.

- d. Solid or viscous substances, either whole or ground, in quantities or of such size capable of causing obstruction to the flow in the sewers, or other interference with the proper continuation of the wastewater facilities such as, but not limited to, ashes, cinders, disposable diapers, glass grinding or polishing wastes, stone cuttings or polishing wastes, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, sanitary napkins, paper dishes, cups, milk containers, and other paper products.
 - e. Noxious or malodorous liquids, gases, or substances which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance or repairs.
8. No person shall discharge or cause to be discharged directly or indirectly the following described substances to any public sewers unless in the opinion of the City such discharge will not harm the wastewater facilities, nor cause obstruction to free flow in sewers, nor otherwise endanger life, limb, or public property, nor constitute a nuisance. In forming its opinion as to the acceptability of the wastes, the City may give consideration to such factors as the materials or construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, the City's NPDES permit, and other pertinent factors. The City may make such determination either on a general basis or as to discharges from individual users or specific discharges, and may prohibit certain discharges from individual users because of unusual concentrations or combinations which may occur. The substances prohibited are:
- a. Any liquid or vapor having a temperature in excess of one hundred fifty (150) degrees F. (65 degrees C.).
 - b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter or containing substances which may solidify or become viscous at temperatures between thirty-

two (32) and one hundred fifty (150) degrees F. (0 and 65 degrees C.).

- c. Any garbage that has not been ground or comminuted to such degree that all particles will be carried freely in suspension under flows normally prevailing in the public sewers, with no particles greater than one-half (2) inch in any dimension.
- d. Any water or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions, whether neutralized or not.
- e. Any water or wastes containing phenols or other taste or odor producing substances which constitute a nuisance or hazard to the structures, equipment, or personnel of the sewage works, or which interfere with the treatment required to meet the requirements of the State or Federal Government, or any other public agency with proper authority to regulate the discharge from the sewage treatment plant.
- f. Any radioactive wastes or isotopes of such half-life or concentration that they are not in compliance with regulations issued by the appropriate authority having control over their use or may cause damage or hazards to the treatment works or personnel operating it.
- g. Any water or wastes having a pH in excess of 9.5.
- h. Materials which exert or cause:
 - (1) Unusual concentrations of suspended solids, (such as, but not limited to, Fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride or sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

- (3) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment works.
 - (4) Unusual volume of flow or concentration of waste constituting a slug.
 - (5) Water or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the NPDES permit, or requirements of other governmental agencies having jurisdiction over discharge from the sewage treatment plant.
9. If any water or wastes are discharged, or are proposed to be discharged directly or indirectly to the public sewers, which water or wastes do not meet the standards set out in or promulgated under this Subsection, or which in the judgment of the City may have a deleterious effect upon the treatment works, processes, equipment or receiving waters or which otherwise create a hazard to life, or constitute a public nuisance, the City may take all or any of the following steps.
- a. Refuse to accept the discharges.
 - b. Require control over the quantities and rates of discharge.
 - c. Require pretreatment to an acceptable condition for the discharge to the public sewers.
 - d. Require payment to cover the added cost of handling or treating the wastes.

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

10. Grease, oil, and mud interceptors shall be provided when they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in 8(b) of this Ordinance, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the City and shall be located as to be readily and easily accessible for cleaning and inspection.
11. Where preliminary treatment, flow equalization, or interceptors are required for any water or waste, they shall be effectively operated and maintained continuously in satisfactory and effective condition by the owner at his expense and shall be available for inspection by the City at all reasonable times.
12. When required by the City, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure and equipment, when required, shall be constructed at the owner's expense in accordance with plans approved by the City and shall be maintained by the owner so as to be safe and accessible at all times.
13. All measurements, tests, and analyses of the characteristics of water and waste to which reference is made in this Ordinance shall be determined in accordance with 40 CFR 136 "Guidelines Establishing Test Procedures for the Analysis of Pollutants; the latest edition of Standard Methods for the Examination of Water and Wastewater and shall be determined at the control structure provided, or upon suitable samples taken at said control structure. In the event that no special structure has been required, the control structure shall be considered to be the nearest downstream manhole in the public sewer from the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effluent constituents and their effect upon the treatment works and to determine the existence of hazards to life, health and property. Sampling methods location, times, duration, and frequencies are to be determined on an individual basis subject to approval by the City.

14. The owner of any property serviced by a building sewer carrying industrial wastes shall, at the discretion of the City, be required to provide laboratory measurements, tests, and analyses of waters or wastes to illustrate compliance with this Ordinance and any special condition for discharge established by the City or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated by the City. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the Federal, State and local standards are being met. The owner shall bear the expense of all measurements, analyses and reporting required by the City. At such times as deemed necessary the City reserves the right to take measurements and samples for analysis by an outside laboratory.
15. New connections to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities, including, but not limited to, capacity for flow, BOD, and suspended solids.
16. No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore by the industrial concern, providing that National Categorical Pretreatment Standards and the City's NPDES Permit limitations are not violated. Amended 6/20/83.

Subd. 3. PRIVATE SEWAGE DISPOSAL

1. Where a public sanitary sewer is not available under the provisions of Subd. 2, the building sewer shall be connected to a private sewage disposal system complying with the rules and regulations of the City and State Rule 6 MCAR 4.8040 entitled, "Individual Sewage Treatment System Standards". Amended 6/20/83.
2. No new private sewer systems or sewer system extensions shall be constructed within the City without first obtaining written approval of the system plan and the materials to be used in the construction of said system.

Subd. 4. BUILDING SEWERS AND CONNECTIONS

1.
 - a. It is unlawful for any person to engage in the work or business of installing private sewer service lines and appurtenances for others without license therefore from the City.
 - b. Any person desiring to engage in such work shall make application to the City on forms to be supplied by the City together with a fee in the amount of \$10.00. All licenses issued shall be for one (1) calendar year only and each renewal shall be made by application together with a \$10.00 annual fee.
 - c. Each applicant for license shall sign an agreement on such form as may be delivered by the City agreeing to pay the City the actual cost of repair for any damage caused to the City sewer systems by the applicant, or by any of his employees or agents. This agreement shall accompany the license application.
 - d. Each applicant shall accompany his application with a certificate of insurance in a company acceptable to the City showing public liability insurance coverage with limits of at least \$100,000.00 per person; \$300,000.00 per occurrence; and \$100,000.00 for property damage. Such certification shall specifically state that such insurance covers underground construction operations and shall contain a provision that the coverage afforded under the policies will not be canceled or materially changed until at least fifteen (15) days prior written notice has been given to the City.
2. No person, unless authorized by a written permit from the City shall make, install, repair, alter, disturb, uncover, open, or break any sewer connection to the sanitary sewer system of the City. Permits for connection of a new sewer service or repairs to an existing service shall be issued by the City after consideration of the application for such permit with regard to compliance with other Sections of this ordinance. Permits shall be issued in the following manner:

- a. Application for a permit to perform work on a sewer service connection within the City shall be made on a form supplied by the City, by the person or firm who will be performing such work, to the City along with a fee of \$25.00 for the installation of a new connection. The City may waive the fee requirements for repair work. The person or firm performing such work shall be licensed to perform such work by the City.
 - b. After approval of the permit application by the City, the applicant shall furnish to the City a performance bond in the amount of \$5,000.00. The performance bond shall be for the good and faithful performance of all work on public property relative to the work being performed. The bond shall be payable to the City of Trimont. The bond shall warrant the work for a period of one year from the date of completion.
 - c. The City Clerk shall issue a permit for the work after the application is approved and the bond is received.
3. All costs and expenses incidental to the installation and connection of the building sewer or repairs to an existing connection shall be borne by the owner. The owner shall indemnify and hold harmless the City from any loss or damage of the building sewer.
4. A separate and independent building sewer shall be provided for every building, except where two or more buildings are situated on one parcel such that the parcel may not be subdivided. Such a joint use private sewer may be extended to the rear building or buildings and the whole considered as one joint use private sewer provided the buildings are the property of a single owner. Special variances will be considered by the City.
5. Old building sewers may be used in connection with new buildings only when they are found, upon examination and testing by the City, to meet all requirements of this Ordinance.
6. It is recommended that unused septic tanks, cesspools, leaching pits, and similar devices and structures shall be backfilled or made safe and unusable in a manner acceptable to the City.
7. The size, slope, alignment, and materials of construction of a

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

8. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, such building drain shall be provided with a lifting device by an approved means and discharged to the building sewer.
9. No person shall make connection of roof downspouts, roof drains, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer.
10. The construction of the building sewer and its connection into the public sewer shall conform to the requirements of the State of Minnesota Plumbing Code, the sewer specifications included herein, and other applicable rules and regulations and procedures adopted by the City. All such construction shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the City prior to installation.
11. Employees of the City shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the City when the work is ready for final inspection and no underground portions shall be covered before the final inspection is complete. The connection shall be made under the supervision of the City or its representative.
12. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways and other public property disturbed during the course of the work shall be restored in a manner satisfactory to the City.

Subd. 5. MAIN AND LATERAL SEWER CONSTRUCTION

1. No person, unless authorized, shall uncover, make any connection with or opening into, use, alter, or disturb any sanitary or storm sewer within the City or any part of the City wastewater facilities.
2. No sanitary or storm sewers shall be constructed in the City (except house or building service sewers) except by the City or by others in accordance with plans and specifications prepared by a registered professional engineer. No such sewers shall be constructed or considered to be part of the public sewer system unless accepted by the City.
3. The size, slope, alignment, material of construction, methods to be used in excavation, placing of pipe, jointing, testing, backfilling, and other work connected with the construction of sewers shall conform to the requirements of the City.

Subd. 6. AUTHORITY OF INSPECTORS

1. Duly authorized employees of the City shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance. Those employees shall have no authority to inquire into processes including metallurgical, chemical, oil refining, ceramic, paper, or other industries except as is necessary to determine the kind and source of the discharge to the public sewer.
2. While performing the necessary work on private property as referred to in Subd. 1 of this Subsection, the authorized employees of the City shall observe all safety rules applicable to the premises.
3. Duly authorized employees of the City shall be permitted to enter all private properties through which the City holds easements for the purpose of, but not limited to, inspection, observation, maintenance, and construction of public sewers.

Subd. 7. PENALTIES

1. Any person found to be violating any provisions of this Ordinance shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the

satisfactory correction thereof. The offender shall, within the time period stated in such notice permanently cease all violation.

2. Any person who shall continue any violation beyond the time limit provided for in said written notice shall be guilty of a misdemeanor and on conviction thereof shall be fined in the amount not exceeding \$500.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
3. Any person violating any of the provisions of this Ordinance shall become liable to the City for any expense, loss or damage occasioned by the City by reason of such violation.
4. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under the charge of a misdemeanor.

Sec. 3.02. SEWER SERVICE CHARGE SYSTEM - Revised 10/3/85

Subd. 1. DEFINITIONS

1. For the purposes of this ordinance, unless the context specifically indicates otherwise, the words and terms used herein shall have the meanings set forth in Section 3.01 Subd. 1 and as set out below.
2. "City Clerk" means the City Clerk appointed by the City Council of the City of Trimont or his authorized agent or representative.
3. "Debt Service Charge" - a charge levied on all users for the repayment of principal and interest on all outstanding debt attributed to the wastewater facilities.
4. "Extra Strength Waste" means wastewater having a BOD and/or Suspended Solids greater than domestic or sanitary waste as defined in Section 3.01, Subd. 1(12), and not otherwise classified as an incompatible waste.
5. "Incompatible Waste" is waste that either singly or by interaction with other wastes interferes with any waste treatment process, constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in the receiving waters of the

wastewater treatment facilities.

6. "Operation and Maintenance (O&M)" - those expenditures and costs which are attributable to the normal operations and maintenance of the wastewater facilities. The term "O&M" includes the term "Replacement" as defined in paragraph 7.
7. "Replacement" - expenditures for obtaining and installing equipment, accessories, and appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "Operation and Maintenance" includes replacement.
8. "Sewer Service Charge" - the total charges levied on all users of the wastewater facilities including user charges, debt service charges, and surcharges.
9. "Surcharge" - a charge levied by the City on any user for the treatment of extra strength wastes, for the treatment of extraneous flow or a charge levied on any user which has caused an increase in the cost of management of the wastewater facility by the discharge of toxic and/or incompatible wastes.
10. "User" - any person or entity which discharges wastewater to the wastewater facilities.
11. "User Classes"
 - a. "Residential" - a principal family residence or habitation classed as a single-family, multi-family or apartment dwelling, that discharges domestic wastewater into the wastewater facility.
 - b. "Commercial" - retail or wholesale type establishments, i.e. - restaurants, hotels, motels, stores, filling station, commercial laundry, and so forth, that discharge wastewater into the wastewater facility.
 - c. "Institutional/Governmental" - schools, churches, City, County, State or Federal institutional buildings or facilities that discharge wastewater into the wastewater facility.

d. "Industrial" -

- (1) Entities that discharge into the wastewater facility, liquid wastes resulting from the processes employed in industrial or manufacturing processes, or from the development of any natural resource. These are identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under on of the following divisions:

Division A. Agriculture, Forestry, Fishing
Division B. Mining
Division D. Manufacturing
Division E. Transportation, Communications,
Electric, Gas and Sanitary Sewers
Division I. Services

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

Subd. 2. SEWER SERVICE CHARGE SYSTEM

1. The City hereby establishes a Sewer Service Charge System whereby all revenues collected from users will be used to offset all expenditures incurred for operation and maintenance, equipment replacement, administrative, and annual debt service requirements of the wastewater facility.
2. The City hereby establishes a Sewer Service Fund as the depository for all revenue collected from users for disbursement into the Operation and Maintenance Fund, the Equipment Replacement Fund and Debt Retirement Fund. For the purpose of cost accounting records, the Sewer Service Fund is designated as an

income account.

3. The City hereby establishes an Operation and Maintenance Fund as an expenditure account for the purposes of funding and paying for all expenditures of operating, maintaining, and administrating the wastewater facility owned and operated by the City including costs for treatment of extra strength wastewater. Revenue for this fund will be transferred from the Sewer Service Fund.
4. The City hereby establishes an Equipment Replacement Fund as an expenditure fund in accordance with federal regulations for the purpose of accruing funds and interest to purchase capital equipment for replacement when necessary, as planned and budgeted. The City shall annually transfer the revenue generated for the purpose of replacement from the Sewer Service Fund to the Equipment Replacement Fund.
5. The City hereby establishes a Debt Retirement Fund as an expenditure account for the purpose of providing funds to be used solely for the retirement of outstanding debts attributed to the wastewater facility. The City shall transfer as necessary to meet debt service requirements, the revenue generated for debt retirement from the Sewer Service Fund, if any.

Subd. 3. USER CLASSIFICATION

1. Users of the City of Trimont Wastewater Facility shall be identified as one of the following classifications:
 - A. Residential
 - B. Commercial
 - C. Institutional/Governmental
 - D. Industrial
2. Residential, Commercial and Institutional/Government users are all non-industrial users.
3. The classification of users for the purpose of assessment of user charges shall be the responsibility and prerogative of the City. Classification of users shall be based in part upon the substantive intent of the definitions of user classes contained herein.

Subd. 4. ASSESSMENT OF USER CHARGES

1. Each user of the City of Trimont Wastewater Facility shall be billed monthly on the basis of wastes contributed which shall be determined according to the following schedule.
2. Residential Users - The Assessment of Sewer User Charge attributable to Residential contributors to the wastewater facility shall be based on the average monthly water consumption of those users during the last month of the previous year plus the first two months of the current year.
3. Commercial Users - The Assessment of Sewer User Charge attributable to Commercial contributors to the wastewater facility shall be based on the actual water consumption of those users during the calendar month for which the user charge is being assessed.
4. Institutional/Governmental Users - The Assessment of Sewer User Charge attributable to Institutional/Governmental contributors to the wastewater facility shall be based on the actual water consumption of those users during the calendar month for which the charge is being assessed.
5. Industrial Users - The Assessment of Sewer User Charge attributable to Industrial contributors to the wastewater facility shall be based upon the actual water consumption of those users and the strength of the wastes contributed during the calendar month for which the user charge is being assessed.

Subd. 5. ANNUAL DETERMINATION OF USER CHARGES

1. The City Clerk shall annually prepare a budget for the wastewater facility, identifying costs to be incurred in operation, maintenance, replacement, debt service and administration. The Clerk shall then calculate the applicable charges to be assessed facility users to support the program.

In accordance with federal and state regulations, the user charge to be assessed against each user shall be based on the user's proportionate share of operation, maintenance, replacement and

administration costs in proportion to user's contribution to the total wastewater loading from all users.

2. The base charge for operation, maintenance, replacement and administration shall be calculated by multiplying the cost unit by volume by the flow contributed by that user in accordance with the provisions of Subdivision 4 and the following formula:

$$C_u = C_a + (V_c \times V_u)$$

where C_u = a user's charge per unit of time

C_a = Administration cost per user per unit of time

V_c = the cost per unit of volume; and

V_u = the volume contribution from a user per unit of time

3. A Surcharge will be added to the base charge for those system users other than residential, which discharge a wastewater with a strength exceeding 390 mg/l BOD5 or 460 mg/l SS based on wastewater discharge. Of the various costs involved in operation of the total utility only those related to the wastewater treatment plant are divisible into fractions for flow, BOD5 and SS. The total budgeted treatment plant operating costs shall be apportioned as 33% flow related, 30% Biological Oxygen Demand related and 37%, suspended solids related. These costs shall be reduced to a weight basis to determine a surcharge based upon BOD5 day and SS/day contributed to the sewer utility, computed as follows:

$$SES = (WB - 390) \times .00834 V \times CB + (WS - 460) \times .00834 V \times CS$$

where SES = surcharge for extra strength

WB = BOD strength of waste in mg/l

WS = suspended solids strength of waste in mg/l

V = water use in thousands of gallons per unit of time

CB = cost per pound to treat BOD

CS = cost per pound to treat SS

Negative values will not be credited against charges.

4. A surcharge will be added to the base charge for those system users which discharge foundation drainage to the sewer collection and treatment facilities by sump pump. The surcharge shall distribute the cost of treating such flow as follows:

$$SEF = \frac{0.60 (COMR)E}{12N}$$

where SEF = surcharge for extra flow, per month
.60 = estimated proportion of extraneous flow attributable to sump pumps

(COMR)E = annual cost of operation, maintenance and replacement attributable to extraneous flow

N = number of sump pump installations discharging to the system.

5. A surcharge may be levied at any time against a user which discharges to the wastewater facility any toxic or incompatible waste which causes an increase in the cost of management of the facility, in an amount equal to such increased costs as determined by the City.
6. The debt service charge to each user, if any, shall be computed by the following formula:

$$DSU = VDS \times V_u$$

where DSU = a user's debt service charge per unit of time

VDS = unit debt cost attributed to collection and treatment of a unit of wastewater volume; and

VU = volume contribution from a user per unit of time.

7. The adequacy of the Sewer Service Charge System shall be reviewed annually by the City Council and the Sewer Service Charge shall be revised periodically to reflect any change in debt service, operation and maintenance, replacement and administrative costs. The review shall assure that:
 - a. Sufficient revenue will be generated for the efficient operation of the treatment facilities.
 - b. A proportionate distribution of OM&R cost will be maintained.
 - c. Excess revenue generated from any user class for OM&R shall be applied to that user class for the next year and the user charge shall be adjusted accordingly.
8. There shall be a minimum monthly Sewer Service charge to each user based upon a monthly billable flow of 1500 gallons usage, and

that amount shall be applied to rates as determined by the City Council and the provisions of Subd. 5 (7).

9. The monthly billable flow determined from the average monthly water consumption during the last two months of the previous year plus the first month of the current year for residential and institutional/ governmental users, shall be applied until such billable flows are re-determined at the end of the first month of the succeeding year.
10. For any commercial user whose contribution to the wastewater facility cannot be equitably equated to the user's water consumption due to the nature of the activity, the City Council shall annually determine a billable flow based upon a percentage of water consumption after considering all information and data pertaining thereto which is reasonably obtainable.
11. In the instance where the meter readings of residential users for the period of time used to establish the consumption rate for the year are not indicative of normal use due to the absence of occupants for all or a part of that period, the City Council may use readings from the previous base period for determining the consumption rate to be applied for the ensuing year.
12. When a "new user" utilizes the sewer system, the base period for determining the consumption rate to be applied for the ensuing year shall be based upon the first month's meter reading. For purpose of this paragraph, a "new user" shall be a user who is utilizing the sewer system for the first time.

Subd. 6. NOTIFICATION

1. Upon annual adoption of the User Charge Rates, the City Clerk shall, in conjunction with the first billing made thereunder, advise each user of the rates and the portion thereof which applies to operation, maintenance and replacement as distinguished from debt service.

Subd. 7. BILLINGS AND COLLECTION

1. Sewer service charges shall be computed and billed monthly in conjunction with billings for water service. Sewer service charge billings shall be due and payable 20 days after being rendered. If

the charge for sewer service is not paid within 60 days of billing, such charges are deemed and are hereby declared to be delinquent, and the City may levy an interest penalty for late payment.

2. On or before October 10 of each year the City Clerk shall prepare a list of delinquent sewer accounts including penalty interest due.

The City Council shall assess the delinquent accounts against the property receiving the use and service of the wastewater facility and shall certify such assessments to the County Auditor as a lien against the affected properties for collection in the same manner as other special assessments. The sum collected, together with interest shall be deposited in the Sewer Service Fund for subsequent transfer to the appropriate expenditure accounts.

Subd. 8. ACCESS TO RECORDS

The U. S. Environmental Protection Agency or the Minnesota Pollution Control Agency or an authorized representative thereof shall have access to any books, documents, papers and records of the City or the users of the City sewer facility which are applicable to the system of user charges for the purpose of making audit, examination, excerpts and transactions thereof to insure compliance with the terms of the Special and General Conditions to any Federal or State Grant.

Subd. 9. CONFLICT

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.