

**Subd. 18. Prohibited Waste Discharge Repair.** In addition to any penalties that may be imposed for violation of any provision of this Chapter, the City may assess against any person the cost of repairing or restoring sewer or associated facilities damaged as a result of the discharge or prohibited wastes by such person and may collect such assessment as an additional charge for the use of the City sewer system or may collect in any other manner deemed appropriate by the City.

**Subd. 19. Motor Vehicle Service.** The owner or operator of any motor vehicle washing or servicing facility shall provide and maintain, in serviceable condition at all times, a catch basin or waste trap in the building drain system to prevent grease, oil, dirt, or any mineral deposit from entering the public sewer system.

**Subd. 20. Dilution Prohibited.** Under no circumstances shall the owner of any property served by the City sanitary sewer system use increased amounts of process water in an attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the requirements of this Chapter.

**Subd. 21. Accidental Discharges.** Accidental discharges of prohibited waste into the City sewer system, directly or through another disposal system, or to any place from which such waste may enter the City sewer system, shall be reported to the City by the persons responsible for the discharge, or by the owner or occupant of the premises where the discharge occurred, immediately upon obtaining knowledge of the fact of such discharge.

*History:* Subd. 2 and 3 amended by Ordinance O-95-02 §2 and 3, January 17, 1995.

## **SECTION 606.01. PROHIBITED DISCHARGES FROM SUMP PUMPS AND OTHER SOURCES INTO THE SANITARY SEWER SYSTEM.**

**Subd. 1. Purpose.** The Council finds that the discharge of water from roofs, downspouts, surfaces, groundwater sump pumps, footing tiles or swimming pools, air conditioning systems, areaway drains, or other means of transmitting natural precipitation into the City sanitary sewage system will, and has on numerous occasions in the past, flooded and overloaded the sanitary sewage system to such an extent as to cause significant and grave damage to the waste treatment plant and sanitary sewer trunk systems. Such damage is caused by the backup of sewage into the plant, private properties, and pressure damage to trunk lines. The Council, therefore, finds it essential to the minimization of damage to property and to meet Minnesota Pollution Control Agency and Delano City Code requirements that the provisions of this Ordinance be strictly enforced to avoid emergencies in the future.

**Subd. 2. Prohibition against discharges into sanitary sewer system.** No water from any roof, surface, groundwater, sump pump, footing tile, swimming pool, or other natural precipitation shall be discharged into the sanitary sewer system. Dwellings and other buildings and structures which require, because of infiltration of water into basements, crawl spaces and the like, a sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system, except as provided herein. A “permanently installed discharge line” shall be one which provides for year-around discharge

capacity to either an appropriate drainage area on the outside of the dwelling, building or structure (in no event shall such a drainage area include property owned by others or any public right-of-way), or is connected to the City storm sewer. It shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge. It shall not be capable of connection or reconnection to the sanitary sewer system.

**Subd. 3. Disconnection.** Any person, firm, or corporation having a roof surface, groundwater, sump pump, footing tile or swimming pool now connected and/or discharging into the sanitary sewer system shall immediately disconnect and/or remove same. Any disconnects or openings in the sanitary sewer shall be closed in an effective, workmanlike manner, as approved by the Delano Public Works Director or the Director's designated agent.

**Subd. 4. Inspection.** Every person owning improved real estate that discharges into the City's sanitary sewer system shall, within 45 days after notice from the City, obtain an inspection of each building located on such property by an inspector designated by the City. The purpose of this inspection shall be to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. In lieu of having the City inspect such property, the owner may furnish a certificate from a licensed plumber, in a form acceptable to the City, certifying that the property is in compliance with this Section 606.01.

**Subd. 5. Additional Inspections.** Any building may be reinspected on a yearly basis in conjunction with yearly water meter or other inspections.

**Subd. 6. New home inspections.** All new homes will be required to have their sump pump system inspected and be in compliance with this Section 606.01 prior to issuance of a certificate of occupancy.

**Subd. 7. Waivers.** The Council shall have the power and duty of hearing and deciding requests for waivers from the applicability of the provisions of this Section 606.01 where strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration or cause a safety problem. This may also include cases where it would not be practical or feasible to correct a clear water discharge problem.

Application for waivers pursuant to this Section 606.01 shall be addressed in writing to the City Administrator. The applications shall at a minimum identify the subject property, the name of the property owner/applicant, and describe in detail what characteristics of the subject property create an undue hardship. Within a reasonable time the Council shall make its decision on the matter and send a copy of such decision to the applicant by regular mail. Upon approval of an application for a waiver, a property owner shall be allowed to discharge directly into the sanitary sewer system for a limited time specified in the Council's written decision and in accordance with other terms and conditions specified by the Council. The applicant will be required to agree to pay an additional fee for the additional sewer service, along with the regular monthly charge. Fees for this service will be based on estimated yearly average amounts discharged to the sanitary sewer.

**Subd. 8. Surcharge and Penalties.** A surcharge of \$100.00 per month is added to every sewer bill mailed to property owners who have not obtained a required property inspection or who are not in compliance with this Section 606.01. The surcharge shall be added every month thereafter for properties not complying with this Section 606.01. All properties found during any inspection to have violated this Section 606.01 will be subject to the \$100.00 per month charge for all months between the two most recent inspections, and for each month thereafter until the property owner submits proof to the City that the property is brought into full compliance. If the surcharge is not paid, the City reserves the right to assess the property owner the unpaid balance pursuant to Minnesota Statute § 429.101. In addition to the \$100.00 per month charge, a property owner or other person who is not in compliance this Section 606.01 may be mailed, by regular mail, a notice that such violation must cease and desist within a time limit provided by the Council. If such violation does not cease and desist by the established time limit, the owner of the property or other person violating Section 606.01 shall be guilty of a misdemeanor.

*History:* Chapter 6, 603.02, amended by Ordinance O-03-03, February 4, 2003.

## **SECTION 607.01. BUILDING SEWERS AND CONNECTIONS.**

**Subd. 1. Licensed Required.** No person shall engage in the work or business of installing or servicing building sewers and connections without a license therefor from the City.

**Subd. 2. License Application.** Any person desiring to engage in the work of installing or servicing sewers and connections shall make application to the City on forms supplied by the Clerk, shall pay the application fee, and shall file, with the Clerk, the following:

- A. Proof that the applicant is a Master Plumber currently licensed with the State of Minnesota or proof of a pipelayers certificate issued by the State of Minnesota.
- B. Proof that the applicant has obtained a surety bond in the face amount set by resolution of the Council, running to the City, conditioned that the City will be saved harmless from any loss, damage, cost, or expense, by reason of improper or inadequate performance or compliance with the terms of this Chapter by the licensee or the licensee's agents or employees.
- C. A certificate of insurance showing that the applicant has obtained public liability insurance coverage with limits of at least \$250,000.00 per person; \$500,000.00 per occurrence and \$250,000.00 for property damage. The certificate of insurance shall state that such insurance covers underground operations and shall contain a provision that the coverage afforded under the policies will not be canceled or materially altered until at least 10 days prior written notice has been served upon the City. Failure to maintain such insurance is grounds for denial or revocation of the license.
- D. An agreement, on a form supplied by the Clerk, whereby the applicant agrees to pay the City the actual cost of repair for any damage caused to the City sewer system by the applicant or the applicant's employees or agents.