

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.

Subd. 3. Licensee Requirements.

- A. The licensee shall replace and restore the street or alley over any service connection opening to as good a state or condition as the licensee found it, keep guard by day and adequate lights by night and keep and maintain the same in good order, to the satisfaction of the Council. No licensee shall allow the licensee's name to be used by any other person, for any purpose. Each licensee shall record in the Clerk's office the licensee's place of business, the name under which the business is transacted, and shall immediately notify the Clerk of any change in said information. The licensee shall, in addition, comply with all provisions of City's right-of-way ordinance.
- B. The Council may suspend or revoke any license issued under this Chapter for any of the following causes:
 - 1. Providing false information in connection with the application for a license;
 - 2. Incompetence of the licensee;
 - 3. Violation of any of the provisions of this Chapter, any rule or regulation pertaining to the making of service connections, and any terms or conditions of the license.

Subd. 4. Permit Required. No person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City. The provisions of this Section shall also apply to connections made indirectly through privately owned or privately constructed sewers. A connection fee, connection deposit and sewer availability charge shall be paid to the City at the time the application is filed. Connection fees will be set periodically by resolution of the Council as it deems necessary.

Subd. 5. Permittee Requirements.

- A. Plan. Any person who desires to construct, reconstruct, extend, or alter a service connection shall, before beginning work, file with the City a plan showing a whole course of the service connection and all branches, traps and fixtures connected therewith. If the City finds that the plan does not conform to the requirements of this Chapter, the City may not issue a permit for such work. All plans shall be filed as a permanent record within the office of the Clerk.
- B. Owner Indemnity. All costs and expenses incident to the installation and connection of the building sewer shall be the responsibility of the owner. The owner shall indemnify and hold harmless the City from any loss or damage to any public sewer that may directly or indirectly be occasioned by the installation of the building sewer.

- C. Existing Sewer Conditions. Old building sewers may be used in connection with new buildings only when they are found, upon examination by the Building Official, to meet all requirements of this Chapter.
- D. Separate Sewers. A separate and independent building sewer shall be provided for every building. Where one building stands at the rear of another on an interior lot and no building sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the front building sewer may, if approval is received from the Building Official in advance, be extended to the rear building sewer and the whole considered as one building sewer. The City does not assume any obligation or responsibility for damage caused by or resulting from any such single connection. A separate clean out shall be required for each building.
- E. City Inspection. The applicant for the building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer. The connection of the building sewer into the public sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the City. The connection and testing shall be made under the supervision of the Building Inspection Department. Any deviation from the prescribed procedures and materials must be approved by the Building Official prior to installation
- F. Excavation. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Council. The applicant shall comply with all provisions of the City's right-of-way ordinance.
- G. Variances. Variances from the strict application of any of the provisions of this Section may be permitted by the Council, if it is satisfied that special circumstances or conditions exist affecting the premises for which the variance is requested and that the granting of such variance will not adversely affect the health, safety and welfare of the citizens and property of the City.

SECTION 608.01. BUILDING SEWER CONSTRUCTION REQUIREMENTS.

All building sewer construction requirements shall conform to the requirements of the State of Minnesota Building Code except as amended in this Section. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing Materials ("ASTM") and Water Pollution Control Federation ("WPCF") Manual of Practice No. 9 shall apply.

Subd. 1. Materials. All pipes shall comply with the State Building Code.

Subd. 2. Joint and Connections. Type of joints shall comply with the State Building Code .