

ORDINANCE 96

SEWER RULES AND REGULATIONS ORDINANCE

AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS; THE INSTALLATION AND CONNECTION OF BUILDING SEWERS AND THE DISCHARGE OF WATER AND WASTES INTO THE PUBLIC SEWER SYSTEM; AND PROVIDING PENALTIES FOR VIOLATIONS OF SECTIONS THEREOF; IN THE VILLAGE OF BIRD ISLAND, MINNESOTA.

BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF BIRD ISLAND, RENVILLE COUNTY, MINNESOTA:

SECTION I . . . DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- A. "Sewage Works" shall mean all facilities for collecting, pumping, treating, and disposing sewage.
- B. "Superintendent" shall mean the Superintendent of the Municipal Sewage Works of the Village of Bird Island, Minnesota, if any, or the Superintendent of Village Properties, or his authorized deputy, agent or representative.
- C. "Inspector" shall mean any person or persons duly authorized by the Village to inspect and approve the installation of building sewers and their connection to the public sewer system.
- D. "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.
- E. "SEWER" shall mean a pipe or conduit for carrying sewage.
- F. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- G. "Combined Sewer" shall mean a sewer which receiving both surface runoff and sewage.
- H. "SANITARY SEWER" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.
- I. "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.
- J. "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.
- K. "Garbage" shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- L. "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
- M. "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 buildings and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.
- N. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- O. "B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20°C, expressed in part per million by weight.
- P. "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Q. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids; and which are removable by laboratory filtering.

- R. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.
- S. "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- T. "Person" shall mean any individual, firm, company, association, society, corporation, or grouped.
- U. "Shall" is mandatory; "May" is permissive.

SECTION II . . . USE OF PUBLIC SEWERS REQUIRED

- A. 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 Village of Bird Island, Minnesota, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste which ordinarily would be regarded as sewage or industrial wastes.
- B. It shall be unlawful to discharge to any natural outlet within said Village, or in any area under the jurisdiction of said Village, and sanitary sewage, industrial waste, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.
- C. The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes situated within the Village and abutting any street, alley or right-of-way in which there is now located or may in the future be located a public sewer or combined sewer of the Village, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities (and any unused septic tank, cesspools, and similar private sewage disposal facilities shall be abandoned) directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within 300 feet of the property line.

SECTION III . . . PUBLIC SEWAGE DISPOSAL

- A. Where the public sanitary or combined sewer is not available under the provisions of Section II C, the building sewer shall be connected to a private sewage disposal system complying with all requirements of the State Board of Health and of the State Pollution Control Agency.
- B. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Village.
- C. At such times a public sewer becomes available to a property served by a sewage disposal system as provided in Section II C, a direct connection shall be made to the public sewer in compliance with the ordinance, and any unused septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned, and filled with suitable material.
- D. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the State Board of Health and The State Pollution Control Agency.

SECTION IV . . . BUILDING SEWERS AND CONNECTIONS

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Village. 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 deposited with the Village Clerk a connection charge in the sum of \$75.00. He will perform faithfully all work with due care and skill, and in accordance with the laws, rules, and regulations established under any ordinance of the Village pertaining to plumbing.
- B. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner or the person installing the building sewer for said owner shall indemnify said Village from any loss or damage that may directly or indirectly be occasioned by said installation.
- C. A separate and independent building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear 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 permission granted by the superintendent.
- D. Old building sewer or portions thereof, may be used in connection with new buildings only when they are found on examination and test by the said Inspector to meet all requirements of this ordinance.

- E. The building sewer shall be constructed of either vitrified clay, cast iron, polyvinyls chloride, cement asbestos or other sewer pipe of substantially equal quality, which meets current A.S.T.M. specifications. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that other approved pipe may be accepted if laid on a suitable improved bed or cradle as approved by said Inspector.
- F. The size and slope of the building sewers shall be subject to the approval of the said Inspector, but in no event shall the diameter be less than 4 inches. The slope of such pipe shall not be less than 1/8 inch per foot. A slope of ¼ inch per foot shall be used whenever practical.
- G. Whenever possible and practical the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to and within three (3) feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the said Inspector. Pipe laying and backfill shall be performed in accordance with current A.S.T.M. specifications except that no backfill shall be placed until the work has been inspected by the Inspector or his representative.
- H. 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.
- I. The connection of the building sewer into the public sewer shall be made at the "Y" branch designated for 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 said Inspector.
- J. The applicant for the building sewer shall notify the said Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the said Inspector or his representative.
- K. 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 manner satisfactory to the said Village.

SECTION V . . . USE OF THE PUBLIC SEWERS

- A. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer.
- B. No person shall discharge or cause to be discharged to any public sewer, any harmful waters or wastes, whether liquid, solid, or gas, capable or causing the obstruction to the flow in sewer, damage or hazard or structures, equipment and personnel of the sewage works, or other interference with the proper operation of the sewage works.
- C. Grease, oil, and sand interceptors shall be provided when, in the opinion of the said Inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amount, or any flammable wastes, said, and other harmful ingredients except that such interceptors shall not be required for private living quarters or dwelling units. Where installed, they shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
- D. The admission into the public sewers of any waters or wastes having harmful or objectionable characteristics shall be subject to the review and approval of the Superintendent, who may prescribe limits on the strength and character of these waters or wastes. Where necessary, in the opinion of the Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to treat these waters prior to discharge to the public sewer. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the said Superintendent, and no construction of such facilities shall be commenced until said approval is obtained in writing. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective, operation by the owner at his expense.
- E. When required by the Superintendent, the owner of any property served by a building sewer carrying industrial wastes shall install and maintain at his expense a suitable control manhole in the building sewer to facilitate observations, sampling, and measurement of the wastes. All measurements, tests, and analyses of the characteristics of waters and wastes shall be determined at the control manhole or upon suitable samples taken

at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

SECTION VI . . . PROTECTION FROM DAMAGE

No authorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or temper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be guilty of and subject to immediate arrest under charge of disorderly conduct; said conduct prohibited by this Section is hereby declared to be a misdemeanor, and shall be punishable by a fine for not to exceed \$300.00 or by incarceration in jail for not to exceed Ninety (90) days or both.

SECTION VII . . . POWERS AND AUTHORITY OF INSPECTORS

The Superintendent, Inspector, and other duly authorized employees of the Village 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 Ordinance.

SECTION VIII . . . PENALTIES

- A. Any person found to be violating any provision of this Ordinance except Section VI, shall be served by the Village 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.
- B. Any person who shall continue any violation beyond the time limit provided for in Section VIII A, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not less than Ten (10.00) Dollars and not more than Three Hundred (\$300.00) Dollars for each violation, and may in addition thereto be incarcerated in jail for a period of time not to exceed ninety (90) days. Each day in which such violation shall continue shall be deemed a separate offense.
- C. Any person violating any of the provisions of this ordinance shall become liable to the Village for any expense, loss or damage occasioned by Village by reason of such violation.

SECTION IX . . . CONDITIONS OF SERVICE

- A. The Village shall install and maintain the sewer mains at its own expense. The customers shall install and maintain at their own expense that portion of the service from the sewer main to his premises. The size and slope of the building sewers shall be subject to the approval of the authorized personnel of the Village but in no event shall the diameter be less than six (6) inches. Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor.
- B. Applications may be cancelled and/or sewer service discontinued by the violation of any rule, regulation or condition of service, and especially for any of the following reasons:
 - 1. Misrepresentation in the application as to the property or fixtures to be serviced by the sanitary sewer system.
 - 2. Nonpayment of bills.
 - 3. Improper or imperfect service pipes and fixtures or failure to keep same in suitable state of repair.
- C. Bills and notices relating to the conduct of the business of the Village will be mailed to the customer at the address listed on the application, unless a change of address has been filed in writing at the business office of the Village; and the Village shall not otherwise be responsible for delivery of any bill or notice, nor will the customer be excused from nonpayment of a bill or from any performance required in said notice.
- D.1. Bills for sewer service are due and payable at the business office of the Village, or to any designated agent, on their date of issue. The past due shall be the 10th day of the month after the period of service. Bills will be dated and mailed each quarter.
 - 2. All bills not paid on or before the past due date shall be termed delinquent, and the Village shall serve on the customer a written final notice of said delinquency. If a delinquent bill is not paid within 30 days after

date due, the water and/or sewer service to the user will be subject to discontinuance, or other measures as State law will allow.

E. Where the water or sewer service supplied to a customer has been discontinued for nonpayment of delinquent bill, the Village reserves the right to request a nominal sum be placed on deposit with the Village for the purpose of establishing or maintaining any customer's credit. The reconnection will not be made until after all delinquent bills and other charges, if any, owed by the customer to the Village have been paid.

F. The Village shall make all reasonable efforts to eliminate interruptions of service, and when such interruption occurs will endeavor to re-establish service with the shortest possible delay. Whenever service is interrupted for purpose of working on the collection system of the treatment equipment, all consumers affected by such interruption will be notified in advance whenever it is possible to do so.

G. The Village shall in no event be held responsible for claim made against it by reason of the breaking of any mains or service pipes; or by reason of any other interruption of the service caused by the breaking of machinery or stoppage for necessary repairs; and no person shall be entitled to damages nor have any portion of payment refunded for any interruption.

H. The premises receiving sewer service shall at all reasonable hours be subject to inspection by duly authorized personnel of the Village.

I. Special terms and conditions may be made where sewer service is used by the Village or community for public purposes such as public parks, etc.

J. These rules may be changed or amended.

SECTION X . . . VALIDITY

All ordinances or parts of ordinance in conflict herewith are hereby repealed.

SECTION X . . . ORDINANCE IN FORCE

This ordinance to be in full force and effect from and after its passage, approval and publication according to the law of the State of Minnesota.

Passed by the Village Council on unanimous vote on the 17th day of May, 1972, with effective date to be July 1st, 1972, upon confirmation by the Village Council following a public hearing to be held at the Village Hall on the 22nd day of June, 1972, at 8:00 P.M.

Wilbur Bunker, Mayor

Frank Saunders, Clerk

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