

## CHAPTER 5

### BUILDING REGULATIONS AND LICENSES

#### 5.01 LICENSES REQUIRED

Section 1. No person shall carry on the business of plumbing within the city, making any connections whatsoever with the water pipes, water mains, or other water service pipes of said city, or making any repairs, or installation of any fixtures connected with or designed to be connected with the water distribution system of said city, without first having obtained a license to do so in the manner prescribed herein, except agents or employees of the city.

Section 2. No permit for making any connections with the water distribution system of the city or the making of any repairs or installation of any fixtures connected with the water distribution system of said city shall be issued except to the plumber who has obtained a license to perform such work under the provisions hereof, except such work as is done by the city.

#### 5.02 APPLICATION FOR PLUMBING LICENSE

Section 1. Any person desiring a license to make service connections with the water distribution system, shall apply in writing to the City Council with satisfactory evidence that the applicant or employer is trained or skilled in the business and qualified to receive a license.

Section 2. All applications for a license shall be referred to the Public Utilities Commission for recommendation to the City Council. If such application is approved by the City Council, such license shall be issued by the city clerk upon the filing of a bond as hereinafter provided.

#### 5.03 PLUMBER'S BOND

Section 1. No license shall be issued to any person until a Two Thousand and no/100 Dollar (\$2,000.00) bond to the city, approved by the City Council is filed with the city clerk, conditioned upon the faithful and lawful performance of all work entered upon within the City. The bond shall be for the benefit of persons, including the city, injured or suffering financial loss by reason of failure of performance. The term of the bond shall be concurrent with the term of the license, and shall be written by a corporate surety licensed to do business in the State of Minnesota.

Section 2. In addition to such bond as provided in Section 1 above, the applicant for a license shall provide liability insurance in such form and with such limits of liability as specified by the Public Utilities Commission, which liability insurance shall protect the city against all claims for damages of any kind arising as a result of any work performed by the licensee.

#### 5.04 TERMS OF LICENSE

Section 1. The license fee for making service connections to the city water distribution system is Fifty and no/100 Dollars (\$50.00) per year. All licenses shall expire on December 31 of the license year unless the license is previously suspended or revoked by the City Council for cause. Upon failure to apply for a license renewal prior to the expiration date thereof, the license fee for the ensuing year shall be Fifty and no/100 Dollars (\$50.00).

Section 2. The City Council may suspend or revoke any license issued under this ordinance for any of the following causes:

- A. Giving false information in connection with the application for a license.
- B. Incompetence of the licensee.
- C. Willful violation of any provisions of this ordinance or any rule or regulation pertaining to the making of service connections to the city water distribution system.
- D. Failure to follow directions given by the superintendent of utilities respecting the performance of any services undertaken by any such licensee in connection with the water distribution system and all connections thereto.

#### 5.05 LICENSE REQUIREMENTS

Section 1. No person who has obtained any license pursuant to the provisions of this ordinance shall allow his name to be used by any other person either for purpose of obtaining permits, or doing any work under the license; and every licensee shall have recorded in the city clerk's office its place of business and the name under which the business is transacted, and shall immediately notify the city clerk of any change.

Section 2. No person shall be required to obtain a license under the provisions of this ordinance if such person holds a valid license under the provisions of Section 5.23, Subsections 14 through 18 of the city code of the City of Springfield.

#### 5.06 PLUMBING STANDARDS--MINNESOTA PLUMBING CODE

Section 1. The Minnesota Plumbing Code as in effect on July 16, 1990, is hereby adopted and shall be enforced and in effect in the City of

Springfield, except as otherwise modified pursuant to the terms of this ordinance.

Section 2. The Minnesota Plumbing Code as in effect on July 16, 1990, is hereby incorporated by referenced in this ordinance, together with all future changes and amendments, and the provisions thereof, including the terms defined therein, shall apply and supplement this ordinance except as specifically modified under the terms of this ordinance.

Section 3. Whenever the provisions of this ordinance are more restrictive in terms of the allowable materials which may be used than the Minnesota Plumbing Code, the terms of this ordinance shall be applicable.

#### 5.07 FILING OF CODE--EFFECTIVE DATE

Section 1. One copy of the Minnesota Plumbing Code as in effect on July 16, 1990, shall be filed by the city clerk in the Office of the City Clerk for inspection and use of the public, and shall be marked with the words "City of Springfield Official Copy". One copy of said plumbing code shall also be filed in the Office of the Superintendent of Utilities.

Section 2. This ordinance shall become effective immediately upon its passage and publication as provided by law.

#### 5.08 PERMITS REQUIRED

Section 1. It shall be unlawful for any licensed plumber to construct, install, alter, or repair any water service line from its point of connection with the city water main through the individual service water meter, without first obtaining a permit from the Public Utilities Commission to do such work. Application for such permit shall be made at the Office of the Superintendent of Utilities on forms supplied by the city. Said application for permit shall contain the general description and the proposed work to be done, and the name of the person requesting said work, the name of the owner of the premises where such work is to be performed, and the location of such premises, so that the Public Utilities Commission may investigate whether such proposed work will comply with the Minnesota Plumbing Code and the provisions of this ordinance.

Section 2. The permit issued by the Public Utilities Commission shall provide that the licensed plumber shall upon completion of the work, prepare and file a written, verified report, on forms furnished by the city, describing the manner and type of work done, and the kind, type, and form of materials used in performing such work.

Section 3. Prior to issuance of any such permit, the licensed plumber shall provide to the Public Utilities Commission the name of any subcontractors that will be employed in performing such work, including the name of any person who will perform any digging or excavation relating to such work. Such licensed plumber shall also provide to the Public Utilities Commission proof that any such subcontractor or other person performing services in connection with such work have insurance coverage

in such amounts as is established by resolution by the Public Utilities Commission to cover any damages that may result from such work or excavation.

Section 4. No application for a permit under this section shall be granted until 48 hours have elapsed from the time of application for such permit, unless the Public Utilities Commission determines that an emergency exists requiring immediate action, such that waiver of the 48-hour waiting period is justified.

Section 5. The Public Utilities Commission shall inspect all plumbing work for which a permit is required under the provisions of this section prior to connection of such work to the city water distribution system. The person to whom a permit has been granted shall notify the Public Utilities Commission when the work is ready for inspection, and final connection and filling of any excavation shall only be made after the completion of such inspection. The inspection shall be made within 72 hours of the receipt of notice that the work is ready for inspection. If final connection and filling of any excavation is made prior to the giving of notice that the work is ready for inspection; or, when notice has been given, prior to completion of such inspection or the expiration of 72 hours; then, in addition to the other penalties provided by this ordinance, the person to whom a permit has been granted shall be liable for an additional inspection fee in the amount of Fifty and no/100 Dollars (\$50.00).

Section 6. The person applying for a permit under the provisions of this section shall pay at the time of application a fee of Ten and no/100 Dollars (\$10.00) to cover the cost of record keeping and inspection relating to the work to be performed, which fee is a separate and additional fee to the fee required under the provisions of Section 5.23 of the City Code. If such application is not made prior to commencement of work, then in addition to the other penalties provided in this ordinance, the application fee for a permit shall be Twenty and no/100 Dollars (\$20.00).

#### 5.09 ENFORCEMENT

Section 1. It shall be the duty of the Public Utilities Commission to enforce the provisions of this ordinance. All plumbing work hereafter performed shall be inspected by the Public Utilities Commission, and if found not to be in accordance with this ordinance or the Minnesota Plumbing Code, it shall be corrected, remedied, and repaired by the plumber.

Section 2. Notice of any plumbing work which needs to be corrected, remedied, or repaired shall be given in writing by the Public Utilities Commission to the person performing such work. If such person fails or refuses to correct, remedy, or repair such work in accordance with such written notice within ten (10) days thereafter, the city may remove such work, change and correct the same, and charge the cost thereof to the person to whom such notice was directed.

Section 3. The Public Utilities Commission may delegate for performance its authority, duties, and responsibilities under this ordinance to the Superintendent of Utilities or such other employees of the Public Utilities Commission as it determines advisable.

#### 5.10 PENALTY

Section 1. Any person violating any provisions of this ordinance shall be guilty of a misdemeanor punishable as provided by state law. Violation of this ordinance shall include but not be limited to refusal to correct deficient work within ten (10) days after receipt of notice of the need for such correction from the superintendent of utilities.

#### 5.11 GENERAL PROVISIONS AND CONDITIONS

Section 1. Following completion of any plumbing work involving excavation in any city street, the city will cause to be replaced the bituminous surface or concrete pavement, the expense of which replacement shall be paid to the city by the property owner. Such replacement will only be done after all ditches or trenches have been thoroughly replaced and packed by or under the direction of the person performing the plumbing work.

Section 2. The licensed plumber to whom a permit to do any work has been granted under the provisions of this ordinance shall not cut any opening larger than is necessary for the work to be done in a safe manner, including complying with OSHA regulations when necessary, and until such excavation is completely restored to its original condition, place barricades, warning flags, and at night time proper warning lights, at all trenches.

Section 3. The licensed plumber to whom a permit is granted under this ordinance shall not obstruct the streets for an unnecessary length of time, shall finish the work in the streets at once, and shall pack all filling, and tamp all filling under sidewalks, curbs, and pavements, so that settling will be avoided, in accordance with such policies as are adopted by the City Council or the Public Utilities Commission.

Section 4. All water service connections from the city water mains to residential consumers' meters shall be not less than 3/4 inch inside diameter and of larger diameter where required by the superintendent of utilities. All water service connections shall be of copper extra-heavy type "K" from the water main to the consumer's meter, except that if the distance from the curb cock to the water meter exceeds fifty (50) feet in length, then copper only need be used from the main to the curb cock plus ten (10) feet and the portion of the service line from ten (10) feet beyond the curb cock to the water meter may be polyethylene of minimum working pressure of 200 p.s.i. or polyvinyl chloride (PVC) D2241 of minimum working pressure of 200 p.s.i. If such polyethylene or polyvinyl chloride is installed, proper transition fittings to connect to copper on both ends of such material must be used, and a continuous tracer wire with no splices and of a minimum of 12 gauge must be connected with stainless

steel clamps to the copper water line at the point of transition and at the water meter. All connections and all fittings of service pipe shall be of same inside area as the service pipe.

Section 5. All water service pipes from the city water main to buildings in industrial and commercial buildings shall be not less than one inch inside diameter.

Section 6. The owner or occupant of any property shall provide ready and convenient access to the water meter so that it may be easily examined and read by the city's authorized agent without moving obstacles, and all customers of water shall permit the city's authorized agent at all times between 8:00 a.m. and 5:00 p.m. to enter the premises or buildings for purposes of reading or testing any meters or to examine the pipe, meters, or other fixtures.

Section 7. The owner of all property having a water service connection to the city water distribution system shall keep the service pipe, stop cock, and all other apparatus in good order and repair and protect the same from frost at the owners risk and expense; and no claims shall be made against the City of Springfield by reason of a defective coupling cock, curb stop, service cocks, or any other water apparatus, or if from any cause the supply of water shall fail, or from damage arising from shutting off water to repair mains, making extensions or connections, or for any purpose which may be deemed necessary by the superintendent of utilities; and the right is hereby reserved to the city to cut off the water supply at any time, notwithstanding any permit that may have been granted to the contrary.

Section 8. Water service pipes must be laid not less than seven (7) feet in depth and in all cases be so protected as to prevent rupture by freezing, and to be laid in trenches as required by the State Plumbing Code.

Section 9. Corporation and stop curb cocks, and curb boxes shall be placed in the water service pipe and on the edge of the sidewalk or such location as directed by the Public Utilities Commission, and protected by a box of iron pipe reaching from the top of the stop cock to the surface of the ground, of a suitable size to admit a stop key for turning on and off the water. Suitable standard head cap closures shall be provided, and the top of this cap shall be flush with grade; said iron box or pipe to be kept closed and in good repair by the owner of the property.

Section 10. In the event of failure of the property owner to keep the stop boxes and curb cocks, water service pipes and all water apparatus in good condition, the city, if deemed advisable by the Public Utilities Commission, shall have the same placed in good working order at the expense of the property owner, or the city may excavate and close the corporation cock at the property owner's expense. Each property owner shall install a wheel-handle type stop cock attached to every supply pipe entering a building, on each side of the water meter. Each property owner shall cause to be installed a check valve between each hot water boiler,

hot water tank, and the meter, and also a safety valve to be connected with the hot water apparatus.

#### 5.12 REPORT ON COMPLETED WORK

Section 1. After the completion of any water service work, the Public Utilities Commission shall make a record of such work, with a description of all service connections, measurements and arrangements of the water pipe, together with a plat or drawing showing the exact location by measurement from the lot lines and the building wall, of the stop cock and service pipes, corporation cock, and any other particulars deemed necessary.

Section 2. The licensed plumber to whom a permit has been granted to perform any water service work shall furnish to the Public Utilities Commission such information as requested in order to assist the Public Utilities Commission in the making of the record required under this section.

#### 5.13 CONNECTIONS AND TAPS

Section 1. No person, except the city's authorized agents shall make taps to water mains or insert the corporation cocks. All pipes shall in all cases be tapped at an angle to the side and not in any case nearer than twelve (12) inches to the end of the pipe or bell nor nearer than two (2) feet to any other tap.

Section 2. Owners of business buildings may be permitted to connect their property by larger pipes with inside hydrant and hose couplings, with water mains, at their own expense, if permission to do so is granted by the Public Utilities Commission upon application of such owners. If such permission is granted, installation shall be performed as directed by the superintendent of public utilities. Such connection shall only be used in case of fire; and shall have no valved outlets other than those closed by connected hose for fire; with wheel, handle type main stop and drain valve inside the building entrance.

Section 3. Prior to the making of a tap to the water main by the city, the owner of the premises shall pay to the city such tap fees as are established by resolution of the Public Utilities Commission.

#### 5.14 FIRE HYDRANTS

Section 1. All hydrants erected in the city for the purpose of extinguishing fires, are hereby declared public hydrants and no person other than members of the fire department, and then only for the use and purpose of said fire department, or persons specifically authorized by the Public Utilities Commission, and then only in the exercise of the authority delegated by the Public Utilities Commission, shall open any of said hydrants, or attempt to draw water from said hydrants.

## 5.15 REPAIR AND DISCONNECTION OF WATER SERVICE

Section 1. It shall be the duty of all property owners to promptly repair all leaky water fixtures, pipes and water connections that are connected to the city water mains; and to comply with all provisions of this ordinance. In the event of failure of the property owner to promptly repair any leaking water fixture, pipe or connection, or failure to comply with any provision of this ordinance, within the time limit determined by the Public Utilities Commission, the city may effectuate such repair or correct such non-compliance, either through its own employees or by contracting with a licensed plumber, with the cost of such work to be the property owner's expense.

Section 2. In the event any property owner desires to abandon water service to the real estate owned by such property owner, the water service must be shut off at the water main in accordance with the regulations established by the Public utilities Commission, unless the Public Utilities Commission, upon application of the property owner, allows for termination of such service at a point within the boulevard area in accordance with regulations adopted by it. In the event of failure of the property owner to effectuate such termination of water service in accordance with regulations of the Public Utilities Commission within ten (10) days of giving of notice by the superintendent of utilities of the need to take such action, then the city may take all action necessary to terminate such water service either through its own employees or by contracting with a licensed plumber, which work shall be done at the expense of the property owner.

(2004, Ord. No. 369)

## 5.16 WATER SUPPLY AND METERS

Section 1. The city reserves the right to suspend the use of water for sprinkling yards, lawns, gardens, and other uses, whenever it is determined by the Public Utilities Commission that an emergency exists and such suspension of water use is necessary for reasons of public emergency.

Section 2. In the event any water meter fails to function or register properly, the city shall have the right to take out and repair such water meter, which expense shall be charged against the property owner if such repairs are necessitated by reason of the owner's conduct or neglect.

Section 3. In the event any water meter fails to register water usage, charges for water use during such period of non-registration shall be established by reference to prior corresponding monthly periods. No water shall be furnished to any person except through a meter, which meter shall be furnished by the city, unless by special permission from the Public Utilities Commission.

Section 4. Each individual residence shall be provided with an individual water meter. Each residential unit within a building containing more than one residential unit shall



have a water meter installed for each residential unit, unless the Public Utilities Commission, because of hardship or practical necessity, grants permission to service more than one residential unit through an individual meter. In any situation where such permission is granted, each residential unit shall be charged with the basic per unit water charge, plus the charge for water usage over the base charge.

Section 5. In the event that two or more residential units are supplied water through only one water meter without having been granted permission from the Public Utilities Commission, the city shall cause the water service to be discontinued until such time as individual meters are installed.

Section 6. In the event any water consumer fails to pay in full his monthly charges for water usage, the city shall cause the water service to be discontinued until payment has been made.

Section 7. The Public Utilities Commission may issue permits for the free use of water for building and construction purposes. Such water usage shall be metered whenever possible through a meter provided by the city.

#### 5.17 INJURY TO PIPES AND WATER EQUIPMENT

Section 1. No person shall willfully or carelessly break, injure, or deface, interfere with, or disturb machinery, apparatus, fixtures, attachments, or appurtenances of the city water distribution system, or of any public or private hydrant, hose, stop cock, meters, supply or service pipes, or any part thereof.

Section 2. No person shall deposit anything in any stop cock box, or commit any act tending to obstruct or impair the intended use of any of the fixtures, attachments, or appurtenances of the water distribution system.

#### 5.18 ELECTRICAL STANDARDS

Section 1. All electrical construction, all materials, and appliances used in connection with electrical work in the operation of all electrical appliances or apparatus in the City of Springfield, Minnesota, shall be constructed, installed, and operated in conformity with the rules and regulations therefore contained in the National Electrical Code and approved by the American National Standards Institute (ANSI) as set forth in the Minnesota Building Code now in effect, which is hereby adopted and incorporated by reference, together with all future changes and amendments.

Section 2. One copy of the current edition of the National Electrical Code shall be kept on file in the Office of the City Clerk and one copy shall be kept on file in the Office of the Superintendent of Utilities.

(1994 Ord. No. 317)

## ORDINANCE ESTABLISHING SEWER USE REGULATIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall have the meanings hereinafter designated:

- 5.19      Section 1. Act - The Federal Water Pollution Control Act also referred to as the Clean Water Act, as amended, 33. U.S.C. 1251, et seq.
- Section 2. ASTM - American Society for Testing Materials.
- Section 3. Authority - The City of Springfield, Minnesota or its representative thereof.
- Section 4. BOD5 or Biochemical Oxygen Demand - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° Centigrade in terms of milligrams per liter (mg/l).
- Section 5. Building Drain - That part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning immediately feet outside the building wall.
- Section 6. Building Sewer - The extension from the building drain to the public sewer or other place of disposal, also referred to as a house connection or service connection.
- Section 7. City - The area within the corporate boundaries of the City of Springfield 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 representative.
- Section 8. Chemical Oxygen Demand (COD) - The quantity of oxygen utilized in the chemical oxidation of organic matter as determined by standard laboratory procedures, and as expressed in terms of milligrams per liter (mg/l).
- Section 9. Compatible Pollutant - Biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutant identified in the NPDES/SDS Permit if the treatment facilities are designed to treat such pollutants to a degree which complies with effluent concentration limits imposed by the permit.
- Section 10. Control Manhole - A structure specially constructed for the purposes of measuring flow and sampling of wastes.
- Section 11. Easement - An acquired legal right for the specific use of land owned by others.
- Section 12. Fecal Coliform - Any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.
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- Sec. 13     Floatable Oil - Oil, fat, or grease in a physical state, such that it will separate by gravity from wastewater.
- Sec. 14     Garbage - Animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.
- Sec. 15     Incompatible Pollutant - Any pollutant that is not defined as a compatible pollutant (Sec. 9) including non-biodegradable dissolved solids.
- Sec. 16     Industry - Any nongovernmental or nonresidential user of a publicly owned treatment works which is identified in the Standard Industrial Classification Manual, latest edition, which is categorized in Divisions A, B, D, E, and I.
- Sec. 17     Industrial Waste - Gaseous, liquid, and solid wastes resulting from industrial or manufacturing processes, trade or business, or from the development, recovery, and processing of natural resources, as distinct from residential or domestic strength wastes.
- Sec. 18     Infiltration - Water entering the sewage system (including building drains and pipes) from the ground through such means as defective pipes, pipe joints, connections, and manhole walls.
- Sec. 19     Infiltration/Inflow (I/I) - The total quantity of water from both infiltration and inflow.
- Sec. 20     Inflow - Water other than wastewater that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, yard and area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers, catch basins, surface runoff, street wash waters or drainage.
- Sec. 21     Interference - The inhibition or disruption of the City's wastewater disposal system processes or operations which causes or significantly contributes to a violation of any requirement of the City's NPDES and/or SDS Permit. The term includes of sewage sludge use or disposal by the City in accordance with published regulations providing guidelines under Section 405 of the Act or any

regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria applicable to the method of disposal or use employed by the City.

- Sec. 22 MPCA - Minnesota Pollution Control Agency.
- Sec. 23 National Categorical Pretreatment Standards - Federal regulations establishing pretreatment standards for introduction of pollutants in publicly-owned wastewater treatment facilities which are determined to be not susceptible to treatment by such treatment facilities or would interfere with the operation of such treatment facilities, pursuant to Section 307 (b) of the Act.
- Sec. 24 National Pollutant Discharge Elimination System (NPDES) Permit - A permit issued by the MPCA, setting limits on pollutants that a permittee may legally discharge into navigable waters of the United States pursuant to Sections 402 and 405 of the Act.
- Sec. 25 Natural Outlet - Any outlet, including storm sewers and combined sewers, which overflow into a watercourse, pond, ditch, lake or other body of surface water or ground water.
- Sec. 26 Non-contact Cooling Water - The water discharged from any use such as air conditioning, cooling or refrigeration, or during which the only pollutant added, is heat.
- Sec. 27 Normal Domestic Strength Waste - Wastewater that is primarily introduced by residential users with a BOD<sub>5</sub> concentration not greater than 225 mg/l and a suspended solids (TSS) concentration not greater than 250 mg/l.
- Sec. 28 Person - Any individual, firm, company, association, society, corporation, or group.
- Sec. 29 pH - The logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.
- Sec. 30 Pretreatment - The treatment of wastewater from industrial sources prior to the introduction of the waste effluent into a publicly-owned treatment works. (See Sec. 23).

- Sec. 31 Properly Shredded Garbage - The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than 1/2-inch (1.27 cm) in any dimension.
- Sec. 32 Sewage - The spent water of a community. The preferred term is wastewater.
- Sec. 33 Sewer - A pipe or conduit that carries wastewater or drainage water.
- (a) Collection Sewer - A sewer whose primary purpose is to collect wastewaters from individual point source discharges and connections.
  - (b) Combined Sewer - A sewer intended to serve as a sanitary sewer and a storm sewer.
  - (c) Forcemain - A pipe in which wastewater is carried under pressure.
  - (d) Interceptor Sewer - A sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.
  - (e) Private Sewer - A sewer which is not owned and maintained by a public authority.
  - (f) Public Sewer - A sewer owned, maintained and controlled by a public authority.
  - (g) Sanitary Sewer - A sewer intended to carry only liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters which are not admitted intentionally.
  - (h) Storm Sewer or Storm Drain - A drain or sewer intended to carry storm waters, surface runoff, ground water, sub-surface water, street wash water, drainage, and unpolluted water from any source.

Sec. 34 Shall - is mandatory; May is permissive.

- Sec. 35    Significant Industrial User - Any industrial user of the wastewater treatment facility which has a discharge flow (1) in excess of 25,000 gallons per average work day, or (2) has exceeded five percent (5%) of the total flow received at the treatment facility, or (3) whose waste contains a toxic pollutant in toxic amounts pursuant to Section 307 (a) of the Act, or (4) whose discharge has a significant effect, either singly or in combination with other contributing industries, on the wastewater disposal system, the quality of sludge, the system's effluent quality, or emissions generated by the treatment system.
- Sec. 36    Slug - Any discharge of water or wastewater 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 24-hour concentration of flows during normal operation, and shall adversely affect the collection and/or performance of the wastewater treatment works.
- Sec. 37    State Disposal System (SDS) Permit - Any permit (including any terms, conditions and requirements thereof) issued by the MPCA pursuant to Minnesota Statutes 115.07 for a disposal system as defined by Minnesota Statutes 115.01, Subdivision 8.
- Sec. 38    Superintendent - The utilities superintendent or a deputy, agent or representative thereof.
- Sec. 39    Suspended Solids (SS) or Total Suspended Solids (TSS) - The total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater", latest edition, and referred to as non-filterable residue.
- Sec. 40    Toxic Pollutant - The concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse affects as defined in standards issued pursuant to Section 307 (a) of the Act.

- Sec. 41 Unpolluted Water - Water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards, and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities. (See "Non-contact Cooling Water", Sec. 23).
- Sec. 42 User - Any person who discharges or causes or permits the discharge of wastewater into the City's wastewater disposal system.
- Sec. 43 Wastewater - The spent water of a community and referred to as sewage. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface water and storm water that may be present.
- Sec. 44 Wastewater Treatment Works or Treatment Works - An arrangement of any devices, facilities, structures, equipment, or processes owned or used by the City for the purpose of the transmission, storage, treatment, recycling, and reclamation or municipal sewage, domestic sewage or industrial wastewater, or structures necessary to recycle or reuse water including interceptor sewers, outfall sewers, collection sewers, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled water supply such as standby treatment units and clear well facilities; and any works including land which is an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.
- Sec. 45 Watercourse - A natural or artificial channel for the passage of water, either continuously or intermittently.
- Sec. 46 WPCF - The Water Pollution Control Federation. (1986 Ord. No. 285)

CONTROL BY THE UTILITIES SUPERINTENDENT

- 5.20      Sec. 1      The Utilities Superintendent shall have control and general supervision of all public sewers and service connections in the City, and shall be responsible for administering and provisions of this ordinance to the end that a proper and efficient public sewer is maintained. (1986 Ord. No. 285)
- 5.21      Sec. 1      It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under jurisdiction, any human or animal excrement, garbage or objectionable waste.
- Sec. 2      It shall be unlawful to discharge to any natural outlet any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance and the City's NPDES/SDS Permit.
- Sec. 3      Except as provided hereinafter, 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 wastewater.
- Sec. 4      The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes from which wastewater is discharged, and which is situated within the City and adjacent to any street, alley, or right-of-way in which there is now located, or may in the future be located, a public sanitary sewer of the City, shall be required at the owner(s) expense to install a suitable service connection to the public sewer in accordance with provisions of this Code, within thirty (30) days of the date said public sewer is operational, provided said public sewer is within 500 feet of the



structure generating the wastewater. 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 made pursuant to this section, an official thirty (30) day notice shall be served instructing the affected property owner to make said connection.

- Sec. 5 In the event an owner shall fail to connect to a public sewer in compliance with a notice given under Article II, Section 4 of the Ordinance, the City must undertake to have said connection made and shall assess the cost thereof against the benefitted property. Such assessment, when levied, shall bear interest at the rate determined by the City Council and shall be certified to the Auditor of the County of Brown, 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. (1986 Ord. No. 285)

#### PRIVATE WASTEWATER DISPOSAL

5.22

- Sec. 1 Where a public sewer is not available under the provisions of Article III, Section 4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article.
- Sec. 2 Prior to commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the City. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary to the City.
- Sec. 3 A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the City or its

authorized representative. The City or its representative 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 work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice.

- Sec. 4 The type, capacities, location, and layout of a private wastewater disposal system shall comply with all requirements of 6 MCAR 4.8040, entitled, "Individual Sewage Treatment System Standards." No septic tank or cesspool shall be permitted to discharge to any natural outlet.
- Sec. 5 At such time as a public sewer becomes available to a property serviced by a private wastewater disposal system, a direct connection shall be made to the public sewer within thirty (30) days in compliance with the Ordinance, and within thirty (30) days any septic tanks, cesspools, and similar private wastewater disposal systems shall be cleaned of sludge. The bottom shall be broken to permit drainage, and the tank or pit filled with suitable material.
- Sec. 6 The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the City.
- Sec. 7 No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the MPCA or the Department of Health of the State of Minnesota. (1986 Ord. No. 285)

#### BUILDING SEWERS AND CONNECTIONS

- 5.23 Sec. 1 Any new connection(s) 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, BOD5, and Suspended Solids, as determined by the Superintendent.

- Sec. 2 No unauthorized person(s) 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 Public Utilities Commission. No application for a permit under this section shall be granted until 48 hours have elapsed from the time of application for such permit, unless the Public Utilities Commission determines that an emergency exists requiring immediate action, such that waiver of the 48-hour waiting period is justified. The person applying for a permit under the provisions of this section shall pay at the time of application a fee of Ten and no/100 Dollars (\$10.00) to cover the cost of record keeping and inspection relating to the work to be performed, which fee is a separate and additional fee to the fee required under the provisions of Section 5.08 of the City Code. If such application is not made prior to commencement of work, then in addition to the other penalties provided in this ordinance, the application fee for a permit shall be Twenty and no/100 Dollars (\$20.00).  
(1994 Ord. No. 316)
- Sec. 3 Applications for permits shall be made by the owner or authorized agent and the party employed to do the work, and shall state the location, name of owner, street number of the building to be connected, and how occupied. No person shall extend any private building beyond the limits of the building or property for which the service connection permit has been given.
- Sec. 4 There shall be (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the application shall be supplemented by any plans, specifications, or any other information considered pertinent in the judgement of the City. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.
- Sec. 5 All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the City from any loss or damage that may be directly or indirectly occasioned by the installation of the building sewer.
- Sec. 6 A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private 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 one building sewer. The City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection aforementioned.

- Sec. 7 Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent or his representative, to meet all requirements of this ordinance.
- Sec. 8 The size, slopes, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the City. In the absence of code provisions or in the amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9, shall apply.
- Sec. 9 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, sanitary sewer carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- Sec. 10 No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or indirectly to the wastewater disposal system.
- Sec. 11 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, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight, and verified by proper testing to prevent the inclusion of infiltration/inflow. Any deviation from the prescribed procedures and materials must be approved by the City prior to installation.
- Sec. 12 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 and inspection shall be made under the supervision of the superintendent or authorized representative thereof.

- Sec. 13 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 City.
- Sec. 14 No person shall make a service connection with any public sewer unless regularly licensed under this chapter to perform such work, and no permit shall be granted to any person except such regularly licensed person. Provided, that no person shall be required to obtain a license under the provisions of this section if such person holds a valid license under the provisions of Section 5.01 through 5.05 of the City Code of the City of Springfield. (1994 Ord. No. 316)
- Sec. 15 Any person desiring a license to make a service connection with public sewers, shall apply in writing to the City Council with satisfactory evidence that the applicant or employer is trained or skilled in the business and qualified to receive a license. All applications shall be referred to the Superintendent for recommendations to the Council. If approved by the Council, such license shall be issued by the City Clerk upon the filing of a bond as hereinafter provided.
- Sec. 16 No license shall be issued to any person until a Two Thousand and no/100 Dollars (\$2,000.00) bond to the city, approved by the City Council is filed with the City Clerk, conditioned upon the faithful and lawful performance of all work entered upon within the City. The bond shall be for the benefit of persons, including the city, injured or suffering financial loss by reason of failure of performance. The term of the bond shall be concurrent with the term of the license, and shall be written by a corporate surety licensed to do business in the State of Minnesota. In addition to such bond, the applicant for a license shall provide liability insurance in such form and with such limits of liability as specified by the Public Utilities Commission, which liability insurance shall protect the city against all claims for damages of any kind arising as a result of any work performed by the licensee. (1994 Ord. No. 316)
- Sec. 17 The license fee for making service connections is \$350.00. All licenses shall expire on December of the license year unless the license is suspended or revoked by the Council for cause. Upon failure to apply for a license renewal prior to the expiration date thereof, the license fee for the ensuing year shall be \$350.00.

Sec. 18 The Council may suspend or revoke any license issued under this article for any of the following causes:

- (a) Giving false information in connection with the application for a license.
- (b) Incompetence of the licensee.
- (c) Willful violation of any provisions of this article or any rule or regulation pertaining to the making of service connections.  
(1986 Ord. No. 285)

#### USE OF PUBLIC SERVICES

5.24

Sec. 1 No person(s) shall discharge or cause to be discharged any unpolluted water such as storm water, ground water, roof runoff, surface drainage, or non-contact cooling water to any sanitary sewer.

Sec. 2 Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers or to a natural outlet approved by the City and other regulatory agencies. Industrial cooling water of unpolluted process waters may be discharged to a storm sewer or natural outlet on approval of the City and upon approval and the issuance of a discharge permit by the MPCA.

Sec. 3 No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

- (a) Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.

- (b) Solid or viscous substances which will cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to, grease, garbage with particles greater than one-half (1/2) inch in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes.
- (c) Any wastewater having a pH of less than 5.0 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater disposal system.
- (d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to inhibit or disrupt any wastewater treatment process, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307 (a) of the Act.

Sec. 4      The following described substances, materials, water, or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either sewers, the wastewater treatment works treatment process or equipment, will not have an adverse effect on the receiving stream and/or soil, vegetation and ground water, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent may set limitations lower than limitations established in the regulations below if, in his opinion, such more severe limitations are necessary to meet the above objectives. In forming his opinion

as to the acceptability of wastes, the Superintendent will give consideration to such factors as the quantity of subject waste in reaction to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, the City's NPDES and/or SDS permit, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater discharged to the sanitary sewer which shall not be violated without approval of the Superintendent are as follows:

- (a) Any wastewater having a temperature greater than 150° F (65.6° C), or causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding 104° F (40° C), or having heat in amounts which will inhibit biological activity in the wastewater treatment works resulting in interference therein.
- (b) Any wastewater containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32° F and 150° F (0° C and 65.6° C); and any wastewater containing oil and grease concentrations of mineral origin of greater than 100 mg/l, whether emulsified or not.
- (c) Any quantities of flow, concentrations, or both which constitute a "slug" as defined herein. (See Article I, Section 36).
- (d) Any garbage not properly shredded, as defined in Article I, Section 31. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food on the premises or when served by caterers.
- (e) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are capable of creating a



public nuisance or hazard to life, or are sufficient to prevent entry into the sewers for their maintenance and repair.

- (f) Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.
- (g) Non-contact cooling water or unpolluted storm, drainage, or ground water.
- (h) Wastewater containing inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to sodium chloride and sodium sulfate) in such quantities that would cause disruption with the wastewater disposal system.
- (i) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.
- (j) Any waters or wastes containing the following substances to such degree that any such material received in the composite wastewater at the wastewater treatment works in excess of the following limits for such materials:

- 0.5 mg/l arsenic
- 0.5 mg/l cadmium
- 1.5 mg/l copper
- 0.5 mg/l cyanide
- 1.5 mg/l lead
- 0.05 mg/l mercury
- 1.5 mg/l nickel
- 0.5 mg/l silver
- 0.5 mg/l total chromium
- 1.5 mg/l zinc
- phenolic compounds which cannot be removed by City's wastewater treatment system

- (k) Any wastewater which creates conditions at or near the wastewater disposal system which violates any statute, rule, regulation, or ordinance of any regulatory agency, or state or federal regulatory body.

- (1) Any waters or wastes containing BOD<sub>5</sub> or suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment works, except as may be permitted by specific written agreement subject to the provisions of Section 16 of this Article.

Sec. 5 If any waters or wastes are discharged or are proposed to be discharged to the public sewers which contain substances or possess the characteristics enumerated in Section 4 of this Article, and/or which in the judgement of the Superintendent, may have a deleterious effect upon the wastewater treatment facilities, processes, or equipment; receiving waters, and/or soil, vegetation, and ground water; or which otherwise create a hazard to life or constitute a public nuisance, the City may:

- (a) Reject the wastes,
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers, pursuant to Section 307 (b) of the Act and all addendums thereof,
- (c) Require control over the quantities and rates of discharge, and/or,
- (d) Require payment to cover the added costs of handling, treating, and disposing of wastes not covered by existing taxes or sewer service charges.

If the City permits the pretreatment or equalization of waste flows, the design, installation, and maintenance of the facilities and equipment shall be made at the owners' expense, and shall be subject to the review and approval of the City pursuant to the requirements of the MPCA.

Sec. 6 No user shall increase the use of process water or, in any manner, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in Sections 3 and 4 of this Article, or contained in the National Categorical Pretreatment Standards or any state requirements.

- Sec. 7 Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation at the expense of the owner(s).
- Sec. 8 Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 4 (b), any flammable wastes as specified in Section 3 (a), 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 the type to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal of the captured materials by appropriate means, and shall maintain a record of dates and means of disposal which are subject to review by the Superintendent. Any removal and hauling of the collecting materials not performed by the owner's personnel, must be performed by a currently licensed waste disposal firm.
- Sec. 9 Where required by the City, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure, or control manhole, with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastes. Such structure shall be accessible and safely located, and shall be constructed in accordance with plans approved by the City. The structure shall be installed by the owner at his expense and shall be maintained by the owner to be safe and accessible at all times.
- Sec. 10 The owner of any property serviced by a building sewer carrying industrial wastes may, at the discretion of the City, be required to provide laboratory measurements, tests, or 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 with Federal, State and local standards

are being met. The owner shall report the results of measurements and laboratory analyses to the City at such times and in such manner as prescribed by the City. 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 independent laboratory.

Sec. 11 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis subject to approval by the Superintendent.

Sec. 12 Where required by the City, the owner of any property serviced by a sanitary sewer shall provide protection from an accidental discharge of prohibited materials or other substances regulated by this ordinance. Where necessary, facilities to prevent accidental discharges of prohibited materials shall be provided and maintained at the owner's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review and approval prior to construction of the facility. Review and approval of such plans and operating procedures shall not relieve any user from the responsibility to modify the user's facility as necessary to meet the requirements of this ordinance. Users shall notify the Superintendent immediately upon having a slug or accidental discharge of substances of wastewater in violation of this ordinance to enable countermeasures to be taken by the Superintendent to minimize damage to the wastewater treatment works. Such notification will not relieve any user of any liability for any expense, loss or damage to the wastewater treatment system or treatment process, or for any fines imposed on the City on account thereof under any State and Federal law. Employees shall insure that all employees who may cause or discover such a discharge, are advised of the emergency notification procedure.

- Sec. 13 No person, having charge of any building or other premises which drains into the public sewer, shall permit any substance or matter which may form a deposit or obstruction to flow or pass into the public sewer. Within thirty (30) days after receipt of written notice from the City, the owner shall install a suitable and sufficient catch basin or waste trap, or if one already exists, shall clean out, repair or alter the same, and perform such other work as the Superintendent may deem necessary. Upon the owner's refusal or neglect to install a catch basin or waste trap or to clean out, repair, or alter the same after the period of thirty (30) days, the Superintendent may cause such work to be completed at the expense of the owner or representative thereof.
- Sec. 14 Whenever any service connection becomes clogged, obstructed, broken or out of order, or detrimental to the use of the public sewer, or unfit for the purpose of drainage, the owner shall repair or cause such work to be done as the Superintendent may direct. Each day after thirty (30) days that a person neglects or fails to so act shall constitute a separate violation of this section, and the Superintendent may then cause the work to be done, and recover from such owner or agency the expense thereof by an action in the name of the City.
- Sec. 15 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.
- Sec. 16 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 sewers or associated facilities damaged as a result of the discharge or prohibited wastes by such applicable to the type of service, and in accordance with the provisions set forth in Ordinance No. \_\_\_\_\_. (1986 Ord. No. 285)

Section 17. In the event any property owner desires to abandon sewer service to the real estate owned by such property owner, the service must be disconnected at the main in accordance with the regulations established by the Public Utilities Commission, unless the Public Utilities Commission, upon application of the property owner, allows for termination of such service at a point within the boulevard area in accordance with regulations adopted by it. In the event of failure of the property owner to effectuate such termination of sewer service in accordance with regulations of the Public Utilities Commission with ten (10) days of giving of notice by the Superintendent of Utilities of the need to take such action, then the city may take all action necessary to terminate such sewer service either through its own employees or by contracting with a licensed plumber, which work shall be done at the expense of the property owner.

(2004 Ord. No. 369)

## DAMAGE OF WASTEWATER FACILITIES

- 5.25      Sec. 1      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. (1986 Ord. No. 285)

## USER RATE SCHEDULE FOR CHARGES

- 5.26      Sec. 1      Each user of sewer service shall pay the charge(s) applicable to the type of service, and in accordance with the provisions set forth in Ordinance No. \_\_\_\_\_. (1986 Ord. No. 285)

## POWERS AND AUTHORITY OF INSPECTORS

- 5.27      Sec. 1      The Superintendent or other duly authorized employees of the City, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing pertinent to the discharges to the City's sewer system in accordance with the provisions of this ordinance.
- Sec. 2      The Superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the type and source of discharge to the wastewater collection system. An industry may withhold information considered confidential however, the industry must establish that the revelation to the public of the information in question, might result in an advantage to competitors.

Sec. 3 While performing necessary work on private properties, the Superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section 9 of this ordinance.

Sec. 4 The Superintendent or other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. (1986 Ord. No. 285)

#### PENALTIES

5.28

Sec. 1 Any person found to be violating any provision 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 period of time stated in such notice, permanently cease all violations.



- Sec. 2 Any person who shall continue any violation beyond the time limit provided for in Section 1 of this Article, 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 occurs shall be deemed as a separate offense.
- Sec. 3 Any person violating any of the provision of this ordinance shall become liable to the City for any reason of such violation. (1986 Ord. No. 285)

#### VALIDITY

5.29

- Sec. 1 This ordinance shall be in full force and task effect from and after its passage and approval and publication as provided by law.
- Sec. 2 All other ordinances and parts of other ordinances inconsistent or in conflict with any part of this ordinance, are hereby repealed to the extent of such inconsistency or conflict.
- Sec. 3 Passed by the City Council of the City of \_\_\_\_\_, Minnesota on the 25<sup>th</sup> day of March, 1986. (1986 Ord. No. 285)

\_\_\_\_\_  
Mayor

Attest:

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

Published in the \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

AN ORDINANCE ESTABLISHING A SEWER SERVICE CHARGE  
SYSTEM FOR THE CITY OF SPRINGFIELD, MINNESOTA

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

- 5.30      Section 1. Administration - Those fixed costs attributable to administration of the wastewater treatment works (i.e., billing and associated bookkeeping and accounting costs).
- Section 2. Biochemical Oxygen Demand or BOD5 -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.
- Section 3. City - The area within the corporate boundaries of the City of Springfield, as presently established or as amended by Ordinance or other legal actions at a future time. When used herein the term "City may also refer to the City Council or its authorized representative.
- Section 4. Nonresidential User - Any place of business which discharges sanitary waste as distinct from industrial wastewater.
- Section 5. Nonresidential Wastewaters - Domestic wastewater emanating from a place of business as distinct from industrial wastewater.
- Section 6. Debt Service Charge - A charge levied on users of wastewater treatment facilities for the cost of repaying money bonded to construct said facilities.
- Section 7. Normal Domestic Strength Wastewater - Wastewater that is primarily produced by residential users, with BOD5 concentrations not greater than 225 mg/l and suspended solids concentrations not greater than 250 mg/l.
- Section 8. Extra Strength Waste - Wastewater having a BOD5 and/or TSS greater than domestic waste as defined in Article I, Section 7 above and not otherwise classified as an incompatible waste.
- Section 9. Incompatible Waste - 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 works.
- Section 10. Industrial Users or Industries are:
- a. Entitles that discharge into a publicly owned wastewater treatment works, liquid wastes resulting from the processes employed in industrial or manufacturing processes, or from the development of any natural resources. These are identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemental under one of the following divisions:
- Division A - Agriculture, Forestry and Fishing
- Division B - Mining
- Division D - Manufacturing
- Division E - Transportation, Communications, Electric, Gas and Sanitary Sewers
- Division I - Services

For the purpose of this definition, domestic waste shall be considered to have the following characteristics:

-BOD <sub>5</sub>	Less than 225mg/l
-Suspended Solids	Less than 250mg/l

- b. Any nongovernmental user of a publicly owned treatment works which discharge wastewater to the treatment works 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 any municipal systems, or to injure or to interfere with any 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 any discharge from the treatment works.

- Sec. 11 Industrial Wastewater - The liquid processing wastes from an industrial manufacturing process, trade, or business including but no limited to all Standard Industrial Classification Manual Divisions A, B, D, E, and I manufacturers as distinct from domestic wastewater.
- Sec. 12 Operation and Maintenance - Activities required to provide for the dependable and economical functioning of the treatment works, throughout the design or useful life, which ever is longer of the treatment works, and at the level of performance for which the treatment works were constructed. Operation and Maintenance includes replacement.
- Sec. 13 Operation and Maintenance Costs - Expenditures for operation and maintenance, including replacement.
- Sec. 14 Public Wastewater Collectin System - A system of sanitary sewers owned, maintained, operated and controlled by the City.
- Sec. 15 Replacement - Obtaining and installing of equipment, accessories, or appurtenances which are necessary during the design life or useful life, whichever is longer, of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

- Sec. 16    Replacement Costs - Expenditures for replacement.
- Sec. 17    Residential User - A user of the treatment facilities whose premises or building is used primarily as a residence for one or more persons, including dwelling units such as detached and semi-detached housing, apartments, and mobile homes; and which discharges primarily normal domestic strength sanitary wastes.
- Sec. 18    Sanitary Sewer - A sewer intended to carry only liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm, and surface waters which are not admitted intentionally.
- Sec. 19    Sewer Service Charge - The aggregate of all charges, including charges for operation, maintenance, replacement, debt service, and other sewer related charges that are billed periodically to users to the City's wastewater treatment facilities.
- Sec. 20    Sewer Service Fund - A fund into which income from Sewer Service Charges is deposited along with other income, including taxes intended to retire debt incurred through capital expenditure for wastewater treatment. Expenditure of the Sewer Service Fund will be for operation, maintenance and replacement costs; and to retire debt incurred through capital expenditure for wastewater treatment.
- Sec. 21    Shall - is mandatory; May - is permissive.
- Sec. 22    Slug - Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24 hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.
- Sec. 23    Standard Industrial Classification Manual - Office of Management and Budget, 1972.

- Sec. 24    Suspended Solids (SS) or Total Suspended Solids (TSS) - The total suspended matter that either floats on the surface or is in suspension in water, wastewater or other liquids, and is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater", latest edition, and referred to as non-filterable residue.
- Sec. 25    Toxic Pollutant - The concentration of any pollutant or combination of pollutants as defined in standards issued pursuant to Section 307 (a) of the Act, which upon exposure to or assimilation into any organism will cause adverse effects.
- Sec. 26    User Charge - A charge levied on users of a treatment works for the user's proportionate share of the cost of operation and maintenance, including replacement.
- Sec. 27    Users - Those residential, non-residential, and industrial establishments which are connected to the public sewer collection system.
- Sec. 28    Wastewater - The spent water of a community, also referred to as sewage. From the standpoint of source it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface water and storm water that may be present.
- Sec. 29    Wastewater Treatment Works or Treatment Works - An arrangement of any devices, facilities, structures, equipment, or processes owned or used by the City for the purpose of the transmission, storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage or industrial wastewater, or structures necessary to recycle or reuse water including interceptor sewers, outfall sewers, collection sewers, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled water supply such as standby treatment units and clear well facilities; and any works including land which is an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.  
(1986 Ord. No. 286)

## ESTABLISHMENT OF A SEWER SERVICE CHARGE SYSTEM

5.31

- Sec. 1 The City of Springfield hereby establishes a Sewer Service Charge System whereby all revenue collected from users of the wastewater treatment facilities will be used to affect all expenditures incurred for annual operation, maintenance, and replacement and for debt service on capital expenditure incurred in constructing the wastewater treatment works.
- Sec. 2 Each user shall pay its proportionate share of operation maintenance and replacement costs of the treatment works, based on the users proportionate contribution to the total wastewater loading from all users.
- Sec. 3 Each user shall pay debt service charges to retire local capital costs as determined by the City Council.
- Sec. 4 Sewer Service rates and charges to users of the wastewater treatment facility shall be determined and fixed in a "Sewer Service Charge System" developed according to the provisions of this Ordinance. The Sewer Service Charge System developed with the assistance of shall be adopted by resolution upon enactment of this Ordinance, shall be published in the local newspaper, and shall be effective upon publication. Subsequent changes in Sewer Service rates and charges shall be adopted by Council resolution and shall be published in the local newspaper.
- Sec. 5 Revenues collected for Sewer Service shall be deposited in a separate fund know as "The Sewer Service Fund". Income from revenues collected will be expended to offset the cost of operation, maintenance and equipment replacement for the facility and to retire the debt for capital expenditure.
- Sec. 6 Sewer Service Charges and the Sewer Service Fund will be administrated in accordance with the provision of Article V of this Ordinance. (1986 Ord. No. 286)

## DETERMINATION OF SEWER SERVICE CHARGES

5.32

Sec. 1 Users of the City of Springfield wastewater treatment works shall be identified as belonging to one of the following user classes:

- 1) Residential
- 2) Nonresidential
- 3) Industrial

The allocation of users to these categories for the purpose of assessing User Charges and Debt Service Charges shall be the responsibility of the City Clerk. Allocation of users to user classes shall be based on the substantive intent of the definitions of these classes contained herein.

Sec. 2 Each user shall pay operation, maintenance, and replacement costs in proportion to the user's proportionate contribution of wastewater flows and loadings to the treatment plant, with the minimum rate for loadings of BOD and TSS being the rate established for concentrations of 225mg/l BOD and 250mg/l TSS (i.e. Normal Domestic Strength Wastewater).

Those "Industrial Users" discharging segregated "Normal Domestic Strength Wastewater" only, can be classified as "Nonresidential Users" for the purpose of rate determination.

Sec. 3 The charges assessed residential users and those users of other classes discharging "Normal Domestic Strength Wastewater" shall be established proportionately according to billable wastewater volume. Billable wastewater volume shall be calculated as follows:

A. Residential Users

Billable wastewater volume for residential users shall be calculated on the basis of metered

water usage. The per quarter billable wastewater volume shall be equal to quarterly metered water usage as averaged between the first and last quarters of the calendar year (September 15 - March 15).

The City may require residential users to install water meters for the purpose of determining billable wastewater volume.

**B. Non-Residential Users**

The billable wastewater volume of non-residential users may be determined in the same manner as for residential users. Except that if the City determines that there are significant seasonal variations in the metered water usage of non-residential users resulting in a proportionate increase in wastewater volume; then billable wastewater volume shall be: 1) calculated on the basis of quarterly metered water usage as recorded throughout the year, and 2) calculated on the basis of wastewater flow meters.

The City may, at its discretion, require non-residential users to install such additional water meters or wastewater flow meters as may be necessary to determine billable wastewater volume.

**Sec. 4 Determination of User Charges**

User Charges for Normal Domestic users shall be determined as follows:

**A. Calculation of Unit Cost for Treatment of Normal Domestic Strength Wastewater**

$$Uomr = \frac{Comr}{Tbwv}$$

Where: Uomr = Unit cost for operation, maintenance and replacement in \$/Kgal.



Comr = Total annual OM & R costs excluding administrative and infiltration/inflow (I/I) costs. The administrative and I/I costs will be billed on a connection basis.

Tbvw = Total annual billable wastewater volume in kgal.

#### B. Calculation of Billable Connection Cost

$$U_A = \frac{C_A}{T_c}$$

Where:  $U_A$  = Unit Billable Connection Cost  
 $C_A$  = Costs for Administrative and I/I.  
 $T_c$  = Total Number of Billable Connections

Since 15% of total project cost was attributable to I/I, the I/I cost contribution will be calculated by multiplying 15% x the total annual OM & R cost.

#### C. Calculation of User Charge

$$U_c = U_{omr} \times bwv + U_A \times U$$

Where:  $U_c$  = User Charge  
 $U_{omr}$  = Unit cost for operation, maintenance and replacement in \$/kgal.  
 $bwv$  = Billable wastewater volume of a particular user in kgal.  
 $U_A$  = Unit Billable Connection Cost  
 $U$  = Number of Billable Connections for a Particular User.

#### Sec. 5 Recovery of Local Construction Costs

Local construction costs of the wastewater treatment facility will be recovered through a Debt Service Charge calculated using usage and connection charges as follows:

- A. Calculation of Debt Service Unit Cost for Wastewater Volume:

$$U_{ds} = \frac{C_{ds}}{T_{bwv}}$$

Where:  $U_{ds}$  = Unit cost for debt service in \$/kgal.

$C_{ds}$  = Cost of annual debt service assigned for wastewater volume.

$T_{bwv}$  = Total annual billable wastewater volume in Kgal.

- B. Calculation of Debt Service Billable Connection Cost:

$$U_D = \frac{C_{DC}}{T_C}$$

Where:  $U_D$  = Unit Billable Connection Cost for debt service.

$C_{DC}$  = Costs of Annual Debt Service Assigned for Connections.

$T_c$  = Total Number of Billable Connections

- C. Calculation of Debt Service Charge

$$D_c = U_{ds} \times bwv + U_D \times U$$

Where:  $D_c$  = Debt Service Charge

$U_{ds}$  = Unit Cost for Debt Service in \$/Kgal

$U_D$  = Unit Billable Connection Cost for Debt Service

$U$  = Number of Billable Connections for Particular User

$bwv$  = Billable Wastewater Volume of a Particular User in Kgal

Sec. 6      Determination of Sewer Service Charges

The Sewer Service Charge for a particular connection shall be determined as follows:

$$SSC = Uc + Dc$$

Where: SSC = Sewer Service Charge

Uc = User Charge

Dc = Debt Service Charge

Sec. 7      The Sewer Service charges established in this Ordinance shall not prevent the assessment of additional charges to users who discharge wastes with concentrations greater than Normal Domestic Strength or wastes of unusual character, or contractual agreements with such users, as long as the following conditions are met:

- 1) The user pays Operation, Maintenance, and Replacements costs in proportion to the user's proportionate contribution of wastewater flows and loadings to the treatment plant, and no user is charged at a rate less than that of "Normal Domestic Strength Wastewater".
- 2) The measurements of such wastes are conducted according to the latest edition of Standard Methods for the Examination of Water and Wastewater in a manner acceptable to the City as provided for in Ordinance No. \_\_\_\_ "An Ordinance Establishing Sewer Use Regulations".

A study of unit costs of collection and treatment processes attributable to Flow, BOD, TSS and other significant loadings shall be developed for determining the proportionate allocation of costs to flows and loadings for users discharging wastes of greater than normal domestic strength or wastes of unusual character. (1986 Ord. No. 286)

## SEWER SERVICE FUND

5.33

Sec. 1 The City of Springfield hereby establishes a "Sewer Service Fund" as an income fund to receive all revenues generated by the Sewer Service Charge System, and all other income dedicated to the operation, maintenance, replacement, and construction of the wastewater treatment works, including taxes, special charges, fees, and assessments intended to retire construction debt.

The City also establishes the following accounts as income and expenditure accounts within the Sewer Service Fund:

- 1) Operation and Maintenance Account
- 2) Equipment Replacement Account
- 3) Debt Retirement Account

Sec. 2 All revenue generated by the Sewer Service Charge System, and all other income pertinent to the treatment system, including taxes and special assessments dedicated to retire construction debt, shall be held by the Clerk separate and apart from all other funds of the City. Funds received by the Sewer Service Fund shall be transferred to the "Operation and Maintenance Account," the Equipment Replacement Account," and the "Debt Retirement Account" in accordance with State and Federal regulations and the provisions of this ordinance.

Sec. 3 Revenue generated by the Sewer Service Charge sufficient to insure adequate replacement throughout the design of useful life, whichever is longer, of the wastewater facility shall be held separate and apart in the "Equipment Replacement Account" and dedicated to affecting replacement costs. Interest income generated by the "Equipment Replacement Account" shall remain in the "Equipment Replacement Account."

Sec. 4 Revenue generated by the Sewer Service Charge System sufficient for operation and maintenance shall be held separate and apart in the "Operation and Maintenance Account." (1986 Ord. No. 286)

## ADMINISTRATION

5.34

The Sewer Service Charge System and Sewer Service Fund shall be administrated according to the following provisions:

Sec. 1     The City Clerk shall maintain a proper system of accounts suitable for determining the operation and maintenance, equipment replacement and debt retirement costs of the treatment works, and shall furnish the City Council with a report of such costs annually in January.

The City Council shall annually determine whether or not sufficient revenue is being generated for the effective operation, maintenance, replacement and management of the treatment works, and whether sufficient revenue is being generated for debt retirement. The Council will also determine whether the user charges are distributed proportionately to each user in accordance with Article II, Section 2 of this Ordinance and Section 204 (b) (2) (A) of the Federal Water Pollution Control Act, as amended.

The City shall thereafter, but not later than the end of the year, reassess, and as necessary revise the Sewer Service Charge System then in use to insure the proportionality of the user charges and to insure the sufficiency of funds to maintain the capacity and performance to which the facilities were constructed, and to retire the construction debt.

Sec. 2     In accordance with Federal and State requirements each user will be notified annually in conjunction with a regular billing of that portion of the Sewer Service Charge attributable to operation, maintenance and replacement.

Sec. 3     In accordance with Federal and State requirements, the City Clerk shall be responsible for maintaining all records necessary to document compliance with the Sewer Service Charge System adopted.

- Sec. 4 Bills for Sewer Service Charges shall be rendered on a monthly basis succeeding the period for which the service was rendered and shall be due 25 days from the date of rendering. Any bill not paid in full 10 days after the due date will be considered delinquent. At that time the City shall notify the delinquent owner/occupant in writing regarding the delinquent bill and subsequent penalty. The penalty shall be computed as 10% of the original bill.
- Sec. 5 The owner of the premises, shall be liable to pay for the service to such premises, and the service is furnished to the premises by the City only upon the condition that the owner of the premises is liable therefore to the City.
- Sec. 6 Any additional costs caused by discharges to the treatment works of toxics or other incompatible wastes, including the cost of restoring wastewater treatment services, clean up and restoration of the receiving waters and environs, and sludge disposal, shall be borne by the discharger(s) of said wastes, at no expense to the City. (1986 Ord. No. 286)

## PENALTIES

5.35

- Sec. 1 Each and every sewer service charge levied by and pursuant to this Ordinance is hereby made a lien upon the lot or premises serviced, and all such charges which are on December of each year past due and delinquent, shall be certified to the County Auditor as taxes or assessments on the real estate. Nothing in this Ordinance shall be held or construed as in any way stopping or interfering with the right of the City to levy as taxes or assessments against any premises affected any delinquent or past due sewer service charges.
- Sec. 2 As an alternative to levying a lien, the City may, at its discretion, file suit in a civil action to collect such amounts as are delinquent and due against the occupant, owner, or user of the real estate, and shall collect as well all attorney's fees incurred by the City in filing the civil action. Such attorney's fees shall be fixed by order of the court.
- Sec. 3 In addition to all penalties and costs attributable and chargeable to recording notices of the lien or filing a civil action, the owner or user of the real estate being serviced by the treatment works shall be liable for interest upon all unpaid balances at the rate of 10% per annum. (1986 Ord. No. 286)

*Adopted 25th day of March, 1986.*

**Section 5.36. Load Management System.**

- (a) **Established:** There is hereby established a load management system for all residential electrical consumers of power from the city, hereinafter known as consumers, who utilize said power for central air conditioners.
- (b) **Purpose:** The purpose of the load management system is to control the consumption of electric power within the city's electric distribution system during the periods of maximum or peak consumption.
- (c) **Installation or Required Equipment:**
  - (1) The city shall install in each home which has central air conditioners to which it distributes electric power a load control receiver, the cost of said installation to be an obligation of the city.
  - (2) Said receivers shall be connected to all central air conditioners.
  - (3) The city, through its employees and agents, shall have the right to enter upon the consumer's premises upon oral notice to said consumer, for the purpose of installing, maintaining, relocating, repairing and removing said receivers.
- (d) **Title of Receivers:** The aforementioned receivers shall be considered fixtures and shall remain the property of the city after installation on the consumer's premises.
- (e) **Duties of Consumer:**
  - (1) It shall be the duty of the consumer to allow the city employees and agents access to their premises, upon reasonable oral notice, for the purpose of installing, maintaining, relocating, repairing and removing said receiver.
  - (2) Consumers shall not tamper with or alter any of said receivers.