

## CHAPTER VII

## PUBLIC UTILITIES

Section 700 - Storm sewer utility

700.01. Storm sewer system; statutory authority. Minnesota Statutes, section 444.075, authorizes cities to impose just and reasonable charges for the use and availability of storm sewer facilities ("charges"). By this section, the city elects to exercise such authority.

700.03. Findings and determinations. In providing for such charges, the findings and determinations set out in this subsection are made.

- a) In the exercise of its governmental authority and in order to promote the public health, safety, convenience and general welfare, the city has constructed, operated and maintained a storm sewer system ("the system"). This section is adopted in the further exercise of such authority and for the same purposes.
- b) The system, as constructed, heretofore has been financed and paid for through the imposition of special assessments and ad valorem taxes. Such financing methods were appropriate to the circumstances at the time they were used. It is now necessary and desirable to provide an alternative method of recovering some or all of the future costs of improving, maintaining and operating the system through the imposition of charges as provided in this section.
- c) In imposing charges, it is necessary to establish a methodology that undertakes to make them just and equitable. Taking into account the status of completion of the system, past methods of recovering system costs, the topography of the city and other relevant factors, it is determined that it would be just and equitable to assign responsibility for some or all of the future costs of operating, maintaining and improving the system on the basis of the expected storm water runoff from the various parcels of land within the city during a standard one-year rainfall event.
- d) Assigning costs and making charges based upon typical storm water runoff cannot be done with mathematical precision but can only be accomplished within reasonable and practical limits. The provisions of this section undertake to establish a reasonable and practical methodology for making such charges.

700.05. Rates and charges. Subdivision 1. Residential equivalent factor. Rates and charges for the use and availability of the system are to be determined through the use of a "residential equivalent factor" ("REF"). For the purposes of this section, one REF is defined as the ratio of the average volume of surface water runoff coming from one acre of land and subjected to a particular use, to the average volume of runoff coming from one acre of land subjected to typical single-family residential use within the city during a standard one-year rainfall event.

Subd. 2. Determination of REF's for land uses. The REFs for the following land uses within the city and the billing classifications for those land uses are as follows:

<u>Land Uses</u>	<u>REF</u>	<u>Classification</u>
Cemeteries, vacant	.25	1
Parks and railroads	.75	2
Two-family residential	1.00	3
Single-family residential	1.00	4
Public and private schools and institutional uses, airport	1.25	5
Multiple-family residential uses and churches	3.00	6
Commercial, industrial and warehouse uses	5.00	7

Subd. 3. Other land uses. Other land uses not listed in the foregoing table are to be classified by the city manager by assigning them to the classes most nearly like the listed uses, from the standpoint of probable hydrologic response. Appeals from the city manager's determination of the proper classifications may be made to the city council in the same manner as other appeals from administrative determinations.

700.07. Establishing basic rate. In determining charges, the council may from time to time, by resolution establish a basic system rate to be charged against one acre of land having an REF of one. The charge to be made against each parcel of land will then be determined by multiplying the REF for the parcel's land use classification times the parcel's acreage times the basic system rate.

700.09. Standard acreage. For the purpose of simplifying and equalizing charges against property used for single-family and two-family residential purposes, each of such properties is considered to have an acreage of one-fifth acre.

700.11. Adjustments of charges. The city council may by resolution, from time to time, adopt policies providing for the adjustment of charges for parcels or grounds of parcels, based upon hydrologic data supplied by affected property owners, demonstrating an actual hydrologic response substantially different from the REF being used for the parcel or parcels. The adjustment may be made only after receiving the recommendation of the city manager and may not be made effective retroactively. If the adjustment would have the effect of changing the REF for all or substantially all of the land uses in a particular classification, however, such adjustment must be accomplished by amending the REF table in subsection 700.05, subdivision 2.

700.13. Excluded lands. A charge for system availability of service will not be made against land which is either (i) public street right-of-way or (ii) vacant and unimproved with substantially all of its surface having vegetation as ground cover.

700.15. Supplying information. The owner, occupant or person in charge of any premises must supply the city with such information as the city may reasonably request related to the use, development and area of the premises. Willful failure to provide such information or to falsify it is a violation of this subsection.

700.17. Estimated charges. If the owner, occupant or person in charge of any premises fails or refuses to provide the information requested, as provided in subsection 700.15, the charge for such premises must be estimated and billed in accordance with such estimate, based upon information then available to the city.

700.19. Billings and collections. Bills for charges for the use and availability of the system must be rendered by the finance department in accordance with usual and customary practice in rendering of water and sanitary sewer service bills. Bills must be rendered quarterly, must be payable at the office of the city finance department and may be rendered in conjunction with billings for water or sanitary sewer service, or both.

700.21. Penalties and remedies for delinquency or default in paying billings. Penalties and remedies for late payments or non-payment of billings are the same as those applicable to billings rendered for water and sanitary sewer service.

700.23. Use of revenues. Revenues received from charges are to be placed in a separate storm sewer system account and used first to pay the normal, reasonable and current costs of operating and maintaining the system. Revenues from time to time received in excess of such costs may be used to finance improvements to and betterment of the system.

Section 705 - Sewer system; private sewers

705.01. Definitions. Subdivision 1. For the purposes of this section the terms defined in this subsection have the meanings given them.

Subd. 2. "Sewage works" means facilities for collecting, pumping, treating and disposing of sewage.

Subd. 3. "Superintendent" means the utilities superintendent in the public works department. (Amended, Ord. No. 2011-1, Sec. 1)

Subd. 4. "Sewage" means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface and storm water as may be present.

Subd. 5. "Sewer" means a pipe or conduit for carrying sewage.

Subd. 6. "Public sewer" means a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

Subd. 7. "Sanitary sewer" means a sewer which carried sewage and to which storm, surface and ground waters are not intentionally admitted.

Subd. 8. "Storm sewer or storm drain" means a sewer which carried storm and surface waters and drainage, but excludes sewage and polluted industrial wastes.

Subd. 9. "Industrial wastes" means the liquid wastes from industrial processes as distinct from sanitary sewage.

Subd. 10. "Garbage" means solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Subd. 11. "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of food that has been shredded to such degree that particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch in any dimension.

Subd. 12. "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

Subd. 13. "Building sewer" means the extension from the building drain to the public sewer or other place of disposal.

Subd. 14. "B.O.D." (or biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C., expressed in parts per million (ppm) by weight.

Subd. 15. "ph" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Subd. 16. "Suspended solids" means solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

Subd. 17. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Subd. 18. "Watercourse" means the channel in which a flow of water occurs, either continuously or intermittently.

Subd. 19. "Sewage treatment plant" means an arrangement of devices and structures used for treating sewage.

705.03. Public sewers; general rules. Subdivision 1. Deposits. It is unlawful to place, deposit or permit to be deposited in an unsanitary manner human or animal excrement, garbage, or other objectionable waste in public or private property in the city.

Subd. 2. Discharge of sewage. It is unlawful to discharge sanitary sewage, industrial wastes, or other polluted waters into a natural outlet in the city.

Subd. 3. Septic tanks. Except as otherwise provided in this section, it is unlawful for any person to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

Subd. 4. Sewer connections. The owner of a house, building or properties used for human occupancy, employment, recreation, or other purpose, situated within the city and abutting on a street, alley, or right-of-way in which there was located on August 5, 1955 or thereafter located a public sanitary sewer of the city, is required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this section within 90 days after the date of official notice to do so. The owner of a house, building or property where cesspools or drainfields and septic tanks have been in existence prior to the construction of the sanitary sewer, must connect with the public sewer when such cesspools, drainfields or septic tanks are in need of repairs, reconstruction or pumping.

705.05. Private sewers. Subdivision 1. Permits. Building permits or plumbing permits for new construction of buildings or for the alteration of existing buildings will not be granted unless a direct connection to the public sanitary sewer is provided for. The building or plumbing inspector must examine plans and specifications of the applicant to insure compliance with this subsection.

Subd. 2. Connection. When a public sewer becomes available to a property served by a private sewage disposal system, a direct connection must be made to the public sewer in compliance with this section and any septic tanks, cesspools and other similar private sewage disposal facilities must be abandoned and filled with suitable material.

Subd. 3. Septic tanks; cesspools; filling. Contents of abandoned septic tanks or cesspools may be pumped into the sewer or may be emptied by flowing the contents thereof into the building sewer pipe at the property line, provided that a screen is placed at the inlet to the pipe to prevent obstructions from entering the system. After such draining into the sewer system the line must be flushed with clean water for a period of two hours. Solids may not be permitted to enter the sewer system.

705.07. Building sewers. Subdivision 1. Permit required. It is unlawful to uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the city and otherwise complying with the terms of this section. (Amended, Ord. No. 2011-1, Sec. 2)

Subd. 2. To whom issued. Permits for building sewers and connections may be issued only to master plumbers and pipelayers card holders licensed and bonded in accordance with appendix IV of this code. (Amended, Ord. No. 2011-1, Sec. 2)

Subd. 3. Plumbers; insurance. Prior to the commencement of construction work the master plumber must obtain a policy of insurance against damages to property or injury or death to persons, which policy must indemnify and save harmless the city and all of its officers and personnel against any claim, demand, damages, actions, or causes of action arising out of or by reason of the doing of the work or activities related to incident thereto, and from any costs, disbursements or expenses of defending the same. The property damage insurance coverage must be as required in Minnesota Statutes 466.04, as amended. Proof of insurance must be filed with the clerk prior to commencement of construction work. The policy must provide that the city is to be notified immediately of any termination of or modification to such insurance. Changes in insurance coverage or insurance carriers must be reported immediately to the clerk. If the insurance coverage provided in this section is inadequate in amount, then the master plumber must indemnify and save harmless the city and all of its officers and personnel in like manner. (Amended, Ord. No. 2011-1, Sec. 2)

Subd. 4. Application for permit. The master plumber or pipelayers card holder must make application for a building sewer permit on forms furnished by the city. The permit application must be supplemented by any plans, specifications, or other information that the superintendent may reasonably require, and accompanied by the fee imposed by appendix IV. The city must furnish a permit card with a permit number which must be prominently displayed on property where sewer connection is being made. The permit card must be displayed for the duration of the building sewer work. (Amended, Ord. No. 2011-1, Sec. 2)

Subd. 5. Costs. Costs and expenses incident to the installation and connection of the building sewer must be borne by the owner of the property. The owner must indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Subd. 6. Separate building sewers. A separate and independent building sewer must be provided for every building. Old building sewers may be used in connection with new buildings only when they are found, on examination and tested by the superintendent to meet all the requirements of this section.

Subd. 7. Construction materials. The Minnesota Plumbing Code, as amended, is hereby adopted and incorporated in this section by reference. All sanitary sewer construction and material shall be in accordance with the provisions of the Minnesota Plumbing Code, as amended, except as follows: (Amended, Ord. No. 2011-1, Sec. 2)

- a) If the distance is farther than 75 feet from the street to the building, a four-inch cleanout pipe with leak-proof cover set just below grade must be installed and brought to the surface of the ground from the sanitary sewer service at a distance not to exceed each 75-foot interval. (Added, Ord. No. 2011-1, Sec. 2)
- b) The diameter of all building sewer pipe must be equal to or less than the diameter of the service stub. (Added, Ord. No. 2011-1, Sec. 2)
- c) All quarter bends used in the sewer lines must be longsweep of bends. (Added, Ord. No. 2011-1, Sec. 2)
- d) A maximum of only two quarter bends will be permitted in a building sewer without cleanout. (Added, Ord. No. 2011-1, Sec. 2)
- e) No construction of the building sewer will be allowed until the service has been uncovered to establish the maximum building sewer grade. If the distance is farther than 100 feet from the street to the building, grade will be established and maintained by stubs and batter boards. (Added, Ord. No. 2011-1, Sec. 2)
- f) Only joints connected with approved connectors will be allowed connecting the building sewer to the building drain or the building drain to the public sewer. (Added, Ord. No. 2011-1, Sec. 2)
- g) Joints and connectors must be made gastight and watertight. (Added, Ord. No. 2011-1, Sec. 2)

Subd. 8. Private sewer crossings. Building sewer pipe may be laid across existing cesspools and septic tanks providing pipe rests on a steel reinforced concrete slab, the ends of which rest directly on the concrete block walls. The two center sections of a regular cesspool cover laid parallel with each other may be used.

Subd. 9. Building intersection. Whenever possible the building sewer must be brought to the building at an elevation below the basement floor. No building sewer must be laid parallel to or within three feet of any bearing wall which might thereby be weakened. The depth must be sufficient to afford protection from frost. The building sewer must be laid at a uniform grade and in straight alignment insofar as possible.

Subd. 10. Pumps. In buildings in which a building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain must be lifted by approved artificial means and discharged to the building sewer.

Subd. 11. Excavations. Excavations required for the installation of a building sewer must be open trench work unless otherwise approved by the superintendent. Tunnelling may be permitted but no tunnel may exceed six feet in length and the pipe must be installed so as to permit inspection of all joints. Backfill may not be placed until work has been inspected.

Subd. 12. Connections. The connection for the building sewer into the public sewer must be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer has no properly located "Y" branch available, the owner must at the owner's expense make a machine-cut hole into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of approximately 45 degrees. A 45 degree ell may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection must be the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint must be made, and the connection made secure and watertight by use of approved saddle or encasement in concrete. Special fittings may be used for the connection only when approved by the superintendent and the engineer. Where building sewers or house sewers have been provided for each separate structure, all connections to the public sanitary sewer must be made where building sewers and house sewers have been installed. Connection with the public sanitary sewer at any other location must be approved by the engineer prior to the starting of any construction. If the building sewer or house sewer which has been installed cannot be used, then the property owner must pay the full cost of making the connection elsewhere. (Amended, Ord. No. 2011-1, Sec. 2)

Subd. 13. Inspection of work. The applicant for the building sewer permit must notify the superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection must be made under the supervision of the superintendent or superintendent's representative. (Amended, Ord. No. 2011-1, Sec 2)

Subd. 14. Barricades. Excavations for building sewer installation must be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disbursed in the course of the work must be restored in a manner satisfactory to the city. Traffic control must be accomplished by following rules of the Minnesota Uniform Traffic Control Manual, as amended. (Amended, Ord. No. 2011-1, Sec. 2)

705.09. Storm water discharge. Subdivision 1. Designation of storm sewers. Storm water and other unpolluted drainage must be discharged to such sewers as are specifically designed as storm sewers, or to a natural outlet approved by the council. Industrial cooling waters or unpolluted process waters may be discharged upon approval of the council to a storm sewer, or natural outlet. Discharge of sump pump, footing drain and other runoff-related water is addressed in Section 730 of this Code. (Amended, Ord. No. 2002-01, Sec. 1; Ord. No. 2011-1, Sec. 3)

Subd. 2. Wastes prohibited in sewers. Except as provided in this section, it is unlawful to discharge or cause to be discharged any of the following described waters or wastes to any public sewer: (Amended, Ord. No. 2002-01, Sec. 1)

- a) Liquid or vapor having a temperature higher than 150 degrees F.
- b) Water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- c) Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- d) Garbage that has not been properly shredded.

- e) Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plasters, paunch manure, disposable diapers and linens and other similar wet-strength paper materials, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- f) Water of wastes having a ph lower and 5.5 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage works.
- g) Waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- h) Water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant.
- i) Noxious or malodorous gases or substances capable of creating a public nuisance.

Subd. 3. Interceptors. Grease, oil, and sand interceptors must be provided when necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors must not be required for private living quarters or dwelling units. All such interceptors must be of a type and capacity approved by the engineer, and must be located as to be readily and easily accessible for cleaning and inspections. Grease and oil interceptors must be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They must be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place must be gastight and watertight. Where installed, grease, oil and sand interceptors must be maintained by the owner, at the owner's expense, in continuously efficient operation at all times. (Amended, Ord. No. 2002-01, Sec. 1)

705.11. Approval of industrial wastes. Subdivision 1. Prohibited wastes. The admission into the public sewers of any water or wastes enumerated in this subsection must be approved by the engineer:

- a) A five day BOD greater than 300 parts per million by weight; or
- b) Containing more than 350 parts per million by weight of suspended solids; or
- c) Containing any quantity of substances having the characteristics described in subsection 705.09, subdivision 3.
- d) Having an average daily flow greater than 2% of the average daily sewage flow of the city.

The owner must provide at the owner's expense such preliminary treatment as may be necessary to:

- a) Reduce the BOD to 300 parts per million by weight and the suspended solids to 350 parts per million by weight; or
- b) Reduce objectionable characteristics or constituents to within the maximum limits provided for in subsection 705.09 of this code; or

- c) Control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities must be submitted for the approval of the engineer and of the Minnesota Pollution Control Agency. No construction of facilities may be commenced until written approvals are obtained from each.

Subd. 2. Preliminary treatment facilities. Where preliminary treatment facilities are provided for any waters or wastes, they must be maintained continuously in satisfactory and effective operation by the owner at the owner's expense.

Subd. 3. Control manholes. The owner of property served by a building sewer carrying industrial waste must install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. The manhole, when required, must be accessibly and safely located, and must be constructed in accordance with plans approved by the engineer. The manhole must be installed by the owner at the owner's expense, and must be maintained by the owner so as to be safe and accessible at all times.

Subd. 4. Test methods. Measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in subdivisions 1 and 2 of this subsection will be determined in accordance with methods employed by the Minnesota department of health, and will be determined at the control manhole provided for in subdivision 3 of this subsection, or from suitable samples taken at the control manhole. If a special manhole has not been required, the control manhole will be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

Subd. 5. Industrial exceptions. Nothing in this section is to be construed to prevent a special agreement or arrangement between the city and an industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment therefor by the industrial concern.

705.13. Damage. It is unlawful to maliciously, wilfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment that is a part of the municipal sewage works.

705.15. Inspections. The city engineer, superintendent, and other duly authorized employees of the city bearing proper credentials and identification may enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this section.

Section 710 - Sanitary sewer service charges

710.01. Definitions. Subdivision 1. For purposes of this section, the terms defined in this subsection have the meanings given them.

Subd. 2. "Normal sewage" means water-carried waste products from residences, public buildings, business or industrial establishments, schools, or any other buildings or structures, including the excrements or other discharge from human beings or animals, together with such ground water infiltration as may be present.

Subd. 3. "Industrial waste" means a liquid, gaseous or solid waste substance resulting from any process of industry, manufacturing, trade, business, the development of any natural resource or a similar activity.

710.03. Classification of users. Subdivision 1. Users of the city's sanitary sewer system are classified in the following subdivisions.

- Subd. 2. Residence or residential unit (two motel units must equal one residential unit)  
Filling stations  
Church  
Garage  
Drive-in  
Barber shop, four chairs or less  
Neighborhood grocery  
Bakery  
Business establishment with ten or less employees having private rest room facilities only.
- Subd. 3. Bowling alley  
Roller rink  
Restaurant  
Bank  
Business establishment with more than ten but less than 26 employees with private rest room facilities only.
- Subd. 4. On sale liquor establishment not serving food  
Meat market  
Medical clinic  
Drug store with fountain and lunch counter  
Business establishment with more than 25 but less than 51 employees with private rest room facilities only.  
Beauty shop
- Subd. 5. On sale liquor establishment, serving food, with seating capacity of less than 101 persons  
Business establishment with more than 50 or less than 76 employees with private rest room facilities only.

- Subd. 6. On sale liquor establishment, serving food, with seating capacity over 100 persons  
Business establishment with more than 75 employees and private rest room facilities only  
Laundromats  
Large supermarkets with refuse disposal units.
- Subd. 7. Buildings classified as personal property and located on land leased from the Metropolitan Airports Commission at the Crystal Airport. (Added, Ord. No. 2011-1, Sec. 4)

710.05. Sewer use rates. Subdivision 1. Charges imposed. The rates and charges for the use and service of the sanitary sewer system are fixed by this subsection. The rates and charges are made against each lot, parcel of land, unit or premises connecting directly or indirectly to the system and from which only normal sewage is discharged into the system.

Subd. 2. Flat charges. Where the rate is not based upon the metered use of water the following quarterly charges for the respective user classifications established in subsection 710.03 are as follows:

<u>User classification established by subsection 710.03</u>	<u>Quarterly charge</u>
Subd. 2	\$ 38.20
Subd. 3	91.25
Subd. 4	219.45
Subd. 5	501.85
Subd. 6	684.80

(Amended, Ord. No. 94-14, Sec. 1)

Subd. 3. Schools. For a public or private school the quarterly charge will be charged whether school is in session or not and will be based upon the metered water consumption on the premises served. The minimum quarterly charge is \$12.35 per classroom per quarter. If a school has an unmetered private water supply the minimum quarterly charge applies. (Amended, Ord. No. 94-14, Sec. 1)

Subd. 4. Metered flow charge. For premises where the sewer service charge is based upon metered use of water the charge is to be computed at the rate of \$1.25 per 100 cubic feet of water. (Amended, Ord. No. 94-14, Sec. 1)

Subd. 5. Commercial, industrial and institutional uses. The sewer service charge is based upon metered water consumption on the premises served. The minimum quarterly charge is \$38.10 per quarter. If the premises has an unmetered private water supply system, the quarterly charges set forth in subdivision 2 apply. Special charges for high intensity effluent users are established by ordinance no. 78-13. (Amended, Ord. No. 94-14, Sec. 1)

Subd. 6. Residential units. The sewer service charge for residential units is the quarterly charge set by subdivision 2 of this subsection. Each available unit of occupancy in a multiple residence is a residential unit.

Subd. 7. Crystal airport personal properties. There will be no sewer service charge if the water service is turned off. (Added, Ord. No. 2011-1, Sec. 5)

710.07. Metered water supply. Subdivision 1. Installation. A meter recording the use of water may be installed on any nonresidential lot, parcel, premises or unit enumerated in subsection 710.03, and thereafter the sewer use rate will be based upon such use of water. The engineer may require and order the installation of the meter on any such lot, parcel, premises, or unit or class thereof where it is determined that the flat charges are impractical to apply or result in inequitable charges because they are insufficient or excessive. Thereafter the rate will be based upon use of water as metered. (Amended, Ord. No. 2011-1, Sec. 6)

Subd. 2. Maintenance of meters. A water meter installed for use or used as a basis for the computation of sewer rates must be installed and maintained in good operating condition at all times. The installation of a water meter must be without expense to the city. Water meters must be of a type approved by the utilities superintendent and must accurately measure all water received on the premises. Installation of and maintenance of the meter must be made in accordance with chapter IV of this code, specifically the provisions in Section 425.11, subdivision 5. (Amended, Ord. No. 2011-1, Sec. 6)

710.09. Water credit. If the lot, parcel of land, or premises discharges normal sewage or industrial waste into the sanitary sewerage system, either directly or indirectly, and it can be shown to the satisfaction of the engineer that a portion of the water measured by the water meter does not and cannot enter the sanitary sewerage system, then the engineer may permit or require the installation of other or additional meters in such a manner that the quantity of water which actually could enter the sewer system may be determined. In these cases, the charges or rates will be based upon the amount of water which enters the sanitary sewerage system. (Amended, Ord. No. 2011-1, Sec. 7)

710.11. Information. The owner, occupant, or person in charge of any premises will supply the city with such information as the city may reasonably require related to use of water, use of sewer, or sewer rates. Wilful failure to provide such information or wilful falsification of such information is a violation of this section as is wilful failure to comply with any requirement or order issued pursuant to this section.

710.13. Estimated bills. If the owner, occupant or person in charge of any premises fails or refuses to provide information as provided in subsection 710.11 of this code or fails or refuses to comply with any requirement of this section, then the charge for the premises will be estimated and billed accordingly.

710.15. Pro-ration of charges. For a fraction of a quarter the charges and rates for non-metered units will be pro-rated according to the month of the quarter in which connection to the sewer is made.

710.17. Billing. Bills for charges for the use and service of the sewerage system will be made out by the city office in accordance with the usual and customary practices. Bills must be rendered quarterly. Bills are payable at the city office.

710.19. (Repealed, Ord. No. 94-14, Sec. 4)

710.20. Collections. Subdivision 1. Enforcement. A bill for sewer charges is due and payable on the 20th day of the month in which the bill is rendered. If payment of the billing has not been received by the city by the 25th day of the applicable month, a penalty of 10% of the billed amount will be added to the billed amount. The city may certify an unpaid bill, together with costs and interest, to the taxpayer services division manager for collection together with taxes against the property served as authorized by Minnesota Statutes, sections 279.03 and 444.075. This certification will be made regardless of who applied for sewer services, whether it was the owner, tenant or other person. Applications for sewer service will contain an explanation in clear language that unpaid sewer bills will be collected with real estate taxes in the following year. The city may bring a civil action or other remedies to collect unpaid charges. (Added, Ord. No. 94-14, Sec. 2)

Subd. 2. Definitions. For purposes of this subsection, the term "sewer charges" means and includes without limitation sewer rate charges, permit charges, availability charges, connection charges and any rate or charge authorized by Minnesota Statutes, section 444.075 or imposed by this section. When unpaid charges are certified for collection with taxes the term "charges" includes a certification fee set by appendix IV and interest on the unpaid charges at the annual rate set by appendix IV. (Added, Ord. No. 94-14, Sec. 2)

710.21. Special rates; senior citizens and disabled persons. The council may by resolution establish maximum sewer and water use rates for senior citizens and disabled persons, qualifications for, and the method of administering such special rates.

Section 715 - City water system

715.01. Utilities superintendent. The city manager may appoint a utilities superintendent who is to discharge the responsibilities imposed by this section, together with such other duties as may be required or assigned to that person.

715.03. General operation. The municipal water system is to be operated as a public utility and convenience from which revenue will be derived under the management and control of the city council, subject to the provisions of the agreement of the joint water commission. The system is to be operated and maintained in such a manner as to provide its service with maximum efficiency.

715.05. Use of water restricted to authorized persons. It is unlawful to make, construct or install a water service installation or make use of a water service that is connected to the water system except in the manner provided in this section.

715.07. Damage to water system. It is unlawful to remove or damage a structure, appurtenance or property of the water system, or fill or partially fill any excavation, or raise or open any gate constructed or maintained for the water system.

715.09. (Reserved, Ord. No. 2011-1, Sec. 8)

715.11. Deficiency of water; shutting off water. The city is not liable for a deficiency or failure in the supply of water to consumers. In case of fire, or alarm of fire, or in making repairs or construction of new works, water may be shut off and kept shut off as long as deemed necessary by the superintendent.

715.13. Supply from one service. Not more than one housing unit or building may be supplied from one service connection except by special permission of the superintendent.

715.15. Tapping of mains prohibited. It is unlawful for a person except one employed or authorized by the city to tap a distribution main or pipe of the water supply system or insert stopcocks or ferrules therein.

715.17. Repair of leaks. The consumer or owner must maintain the service pipe from the building side of the curb stop or building side of the building gate valve into the house or building. In the case of failure upon the part of a consumer or owner to repair a leak occurring in the service pipe within 24 hours after verbal or written notice from the superintendent, the water will be shut off and will not be turned on until a penalty charge has been paid and the leak repaired. If the waste of water is great or if damage is likely to result from the leak, the water may be turned off immediately pending repairs. (Amended, Ord. No. 2011-1, Sec. 9)

715.19. Abandoned services.

- a) Service installations that have been abandoned to not be used by property owner in the foreseeable future or have not been used for three years may be disconnected and plugged at the main by the city at the discretion of the city, and the related expense of the city will be charged to the property as an unpaid utility bill. (Amended, Ord. No. 2011-1, Sec. 10)
- b) As an alternative, at the discretion of the engineer, the owner may pay to the city the Alternative Service Abandonment Fee shown in appendix IV. This fee relieves the owner of any future responsibility for the abandoned water service instead of plugging the main at the owner's expense. (Added, Ord. No. 2011-1, Sec. 10)

- c) When buildings are reconstructed or redeveloped and it is desired to increase or change the old water service, connections with the mains may not be made until all old services have been removed and the main plugged by the owner's authorized contractor after said contractor obtains the required utility street cut permit from the city, and any related expense of the city will be charged to the property as an unpaid utility bill. (Amended, Ord. No. 2011-1, Sec. 10)

715.21. Excavation and construction requirements.

- a) An excavation for the water system may not be made until a permit for the connection has been issued by the superintendent. The permit fee is set in appendix IV.
- b) Excavations for making a tap from city water mains must conform to Federal Register Part 2 Department of Labor, Occupational Safety and Health Administration, 29 CFR 1926, Occupational Safety and Health Standards - Excavations: Final Rule. The excavations must extend to a depth at least 12 inches lower than the bottom of the water main. Ample clear space must be allowed for insertion of tapping machine. Excavations must be safe. If not determined safe by the tapper a tap may not be made. A safe ladder must be furnished by the contractor for use of entry, tapping, inspection and exiting.
- c) In compliance with the Minnesota plumbing code, separation of water service pipes and sewer service pipes must be no less than ten feet apart horizontally or may be placed in a common trench if the bottom of the water service pipe is kept at a minimum of 12 inches above the top of the sewer pipe at all points and the water pipe is placed on a solid shelf at one side of the common trench. A common trench may also be used without the separation requirements if the sewer pipe is of ductile iron, schedule 40 plastic, or SDR35 ASTM D3034 plastic pipe and the water pipe is of copper or ductile iron.

715.23. Private water supplies. It is unlawful to connect a water pipe of the water system with a pump, well, tank or piping that is connected with any other source of water supply. If such cross connections are found to exist, the owner or the owner's plumber must give notice to the superintendent and make an immediate correction of the problem. Failure to correct the problem will result in the discontinuation of the city's water supply by the superintendent.

715.25. Use confined to premises. It is unlawful to permit water from the water system to be used for any purpose, except upon that person's premises unless written consent is obtained from the superintendent.

715.27. Connections beyond city boundaries. Where water mains of the city are in any street or alley adjacent to or outside the corporate limits of the city, the city may issue permits to the owners or occupants of properties adjacent or accessible to the water mains to make proper water service pipe connections with the water mains of the city, and to be supplied with water in conformity with the applicable provisions of this section and subject to the contract for the supply of water between the city and the city of Minneapolis or other municipalities. (Amended, Ord. No. 2011-1, Sec. 11)

715.29. Restrictions against sprinkling; other limitations of water use. Water customers and consumers are governed by the applicable regulations promulgated by the city of Minneapolis as to the limitations in the time and manner of using water and such other applicable regulations promulgated by the joint water commission affecting the preservation, regulations and protection of the water supply. If the city council determined that a shortage of water supply threatens the city, the council may by resolution limit the times and hours during which water may be used from the water system. It is unlawful to cause or permit water to be used for anything other than in home use during the period covered by the resolution. A daily penalty will be charged for this violation as provided in appendix IV. Charges will be added to that person's next utility bill.

715.31. Applications. Subdivision 1. Applications for service installations and for water service are made to the city on printed forms as provided by the city. (Amended, Ord. No. 2011-1, Sec. 12)

Subd. 2. Applications for service installations and for water service must be made by the owner or agent of the property to be served and state the size and location of service connection required. The applicant must, at the time of making application, pay to the city the amount of fees or deposit required for the installation of the service connection set in appendix IV. Applications for services larger than one inch must be accompanied by two sets of plans or sketches indicating preferred location or service pipe and size of service based on building demand.

Subd. 3. When service connections have been installed, application for water service may be made to the city, either by the owner, agent, tenant or occupant of the premises. (Amended, Ord. No. 2011-1, Sec. 12)

Subd. 4. The size of water service connections and meters must be approved by the superintendent. The water service may not be less than the size of the service pipe from the main to the curb stop. To better serve the building over a longer period of time, and because of future water usage such as yard irrigation systems, swimming pools and dishwashers, it is recommended that a one inch service pipe be the smallest service size. All services up to two inch must be type K copper with flared fittings for one inch and three part compression connection fittings approved by the superintendent for two inch diameter copper. Services larger than two inch must be ductile iron class 52 type designated by the city of Crystal standard specifications for water mains for the current year.

Subd. 5. A meter yoke will be furnished to the contractor or plumber at the time a connection permit is issued. (Amended, Ord. No. 2011-1, Sec. 12)

Subd. 6. The plumber must notify the inspection department within 24 hours after piping is complete and ready for meter and remote radio transmitter installation, giving street address and permit number. (Amended, Ord. No. 2011-1, Sec. 12)

Subd. 7. Water billing starts at the time of installation of the water meter, or if the meter is not installed, seven days after completion of outside piping, the billing will be calculated upon the minimum quarterly rate prorated on a monthly basis.

715.33. Service charges. Subdivision 1. A permit must be obtained from the city to connect to the existing water service leads at the curb stop box and interior plumbing. Permits will be issued only to a plumber licensed by the city. (Amended, Ord. No. 2011-1, Sec. 13)

Subd. 2. Additional charges must be paid at the time of making application for restoration of street surface where a curb box and service lead is installed and the charges are as follows: (Amended, Ord. No. 2011-1, Sec. 13)

- a) The fees for restoration of a typical road bituminous street or for the restoration of a higher type street, the fee will be set by appendix IV. If owner restores roadway all backfill materials must be mechanically compacted in 12 inch layers to the density of the adjacent material in the roadway area in accordance with the Minnesota highway department standard specifications to the existing street grade, and fee will be refunded. (Amended, Ord. No. 2011-1, Sec. 13)
- b) The owner must install, or have installed, the service connections from the water main to the property line. Payment for the service connections must be made before the work is started. (Amended, Ord. No. 1022-1, Sec. 13)
- c) Service larger than two inch requires the owner to contract a qualified tapper who must be approved by the utilities superintendent. The tapping sleeves must be stainless steel. The sleeves must be mechanical joint or approved equal with a flanged outlet for connection to the tapping sleeve. The tapping sleeves must be as manufactured by Ford "fast tap" with ductile iron gland and stainless steel bolts or JCM model 432 stainless steel tapping sleeve, or approved equal. The owner must also provide valves and valve boxes. The valves must be resilient seat manufactured to meet applicable requirements of AWWA C500 and AWWA C109-80, as amended. The resilient seat valves must be Waterous, American, Clow or Mueller. The valve boxes must be Tyler 6860 or approved equal. (Amended, Ord. No. 2011-1, Sec. 13)

715.35. Damage to shutoff box. Before any grading or excavation is started, the water shutoff box must be located and checked for damage by the contractor. Location ties will be furnished by the superintendent at time connection permit is issued. If the shutoff box can not be located or is found bent or in a damaged condition, the superintendent is to be called at once. The contractor assumes all responsibility for damage to the shutoff box unless the superintendent certifies that damage existed before excavation or grading started.

715.37. Time for connections. If the plumber or contractor laying the service pipe fails to have the connection made at the time specified in the application, notice must be given to the superintendent fixing another day on which the plumber wishes to make connection. The notice must be given at least two days previous to the excavation for laying of the service pipe, and the connection must be made before 3:30 p.m. except in special cases, and then the work may be done only upon a written order from the superintendent. (Amended, Ord. No. 2011-1, Sec. 14)

715.39. Property Assessments. The permit fee for water main tapping will be paid for each connection in the amount specified in appendix IV. In addition, before any permit is issued the following conditions must be complied with:

- a) A permit will not be issued to tap or connect with any water main of the city directly or indirectly from any lot or tract of land unless the finance officer has certified:
  - 1) That such lot or tract of land has been assessed for the cost of construction of the water main with which the connection is made.

- 2) If no assessment has been levied for the construction cost, the proceedings for levying an assessment have been or will be completed in due course.
  - 3) If no assessment has been levied and no assessment proceedings will be completed in due course, that a sum equal to the portion of cost of constructing said water main would be assessable against the lot or tract has been paid to the city.
- b) If the certificate cannot be issued by the finance officer, a permit to tap or connect to any water main may not be issued unless the applicant has paid an additional connection fee, equal to the portion of the cost of construction of the main which would be assessable against the lot or tract to be serviced by such tapping connection, including interest at a rate equal to the interest rate of 20 years or the amount of years the assessment was decreased, when it is determined by the public works director that the improvement was not subject to utilization until a later date. The assessable cost is to be determined by the director upon the same basis as any assessment previously levied against other property for the main. If no such assessment has been levied, the assessable cost will be determined upon the basis of the uniform charge which may have been or which will be charged for similar tapping or connection with the main, allocated on frontage basis, or both.

715.41. Location and installation of stop boxes and building gate valve. Curb stop boxes must be installed at a point on the property line most suitable to the property, and must be left in an accurate vertical position when back filling is completed. Curb stop boxes will be installed at an approximate depth of 7 1/2 feet below the grade established by the public works director. Type K copper tubing must be used for installation of water services. The curb stop must be mounted on a concrete block for a good base support. The building gate valve if wet tapped must be located next to the watermain within two feet and must remain at the same depth as the watermain. This will be considered the building shut off. Whenever possible a wet tap is recommended so as not to interrupt existing customers.

715.43. Supervision by plumber. Piping connections from curb box to house supply piping must be made under the supervision of a licensed plumber.

715.45. Turning on water. Only an authorized city employee may turn on or off any water supply at the stop box.

715.47. Accounts; how kept. Accounts must be kept on the books of the finance department by the house and street number and under the account number assigned thereto, and by the name of the owner or of the person signing the application for service. Bills and notices sent by the finance department will be sent to the house or street number of the property. If nonresident owners or agents desire personal notice sent to a different address, they must file an application therefor with the finance department. An error in address must be promptly reported to the finance department. Responsibility for a notice of change of ownership rests with the owner. For purposes of this section the term "owner" has the meaning given by subsection 105.01, subdivision 8.

715.49. Water rates. Subdivision 1. Schedule. The rate due and payable to the city by each water user within the city for water taken will be charged consistent with the rates contained in appendix IV, payable periodically, subject, however, to a service charge to each water user for each period during which water service is furnished. This service charge represents fixed or capital costs associated with maintenance of the water system. The charges and units of water are set and defined by resolution of the city council on an annual basis in appendix IV. (Amended, Ord. No. 2011-1, Sec. 15)

Subd. 2. Estimates. In the case that it is not possible to obtain a reading from the meter, the amount of water used will be estimated in accordance with the amount used previously in comparable periods of the past year. (Amended, Ord. No. 2011-1, Sec. 15)

Subd. 3. Billing. Where service is for less than a full billing period, the charge will be prorated.

Subd. 4. Rates due and payable by each water user located beyond the territorial boundaries of the city will be determined by special contract. (Amended, Ord. No. 2011-1, Sec. 15)

Subd. 5. Where a service pipe is connected to the stop box and laid into the building with no intention of connection to the building piping for use immediately the service charge set in subsection 715.49, subdivision 1 apply. (Amended, Ord. No. 2011-1, Sec. 15)

Subd. 6. A meter must be installed on the street valve in the house and a remote radio transmitter outside regardless of whether inside piping is connected. (Amended, Ord. No. 2011-1, Sec. 15)

Subd. 7. If a water customer elects to discontinue the use of the municipal water system, the regular or service charge continues until such date as the service pipe is excavated and disconnected at the stop box. (Amended, Ord. No. 2011-1, Section 15)

Subd. 8. The service charge set forth in appendix IV does apply to any residence in which the owner and head of the household is receiving retirement survivors insurance or disability insurance under the Social Security Act, 42 U.S.C. section 301, as amended. (Amended, Ord. No. 2011-1, Sec. 15)

715.51. Payment of charges. Any prepayment or overpayment of charges may be retained by the city and applied on subsequent quarterly statements.

715.53. Penalty for late payment. Each billing for water service not paid when due incurs a penalty charge of 10% of the amount past due.

715.55. Action to collect charges. Subdivision 1. An amount due for water charges may be certified to the taxpayer services division manager for collection with real estate taxes in accordance with Minnesota Statutes, sections 444.075 and 279.03. This certification will be made regardless of who applied for water services, whether it was the owner, tenant or other person. Applications for water service will contain an explanation in clear language that unpaid water bills will be collected with real estate taxes in the following year. The city may bring a civil action or other remedies to collect unpaid charges. (Amended, Ord. No. 94-14, Sec. 3)

Subd. 2. For purposes of this subsection the term "water charges" means and includes without limitation water rate charges, permit charges, availability charges, connection charges and any rate or charge authorized by Minnesota Statutes, section 444.075 or imposed by this section. When unpaid charges are certified for collection with taxes the term "charges" includes a certification fee set by appendix IV and interest on the unpaid charges at the annual rate set by appendix IV.

715.57. Water meters. Subdivision 1. Except for extinguishment of fires only authorized city employees may use water from the water system or permit water to be drawn therefrom, unless the same is metered by passing through a meter supplied or approved by the city. Only persons authorized by the superintendent may connect, disconnect, take apart, or in any manner change, or cause to be changed, or interfere with any such meter or the action thereof.

Subd. 2. A water meter fee must be paid by customers for the furnishing of water meters and remote radio transmitters by the city. The customer must pay the fee before the water meter and remote radio transmitter are installed by the city. The fee required is not a customer service deposit and is not computed with reference to or based upon service supplied; the fee is required to insure the safekeeping and proper maintenance of the meter only, and for no other purpose. The fee is set by appendix IV. The fee stands to the credit of the property where the meter is installed, rather than to credit of the owner of the property at the time of the original fee payment. The water meter fee is non-refundable. (Amended, Ord. No. 2011-1, Sec. 16)

Subd. 3. The city will maintain and repair all meters and remote radio transmitters when rendered unserviceable through ordinary wear and tear and replace them if necessary. However, where replacement, repair, or adjustment of any meter or remote radio transmitter is rendered necessary by the act, neglect, including damage from hot water backup, freezeups, or carelessness of the owner or occupant of any premises, the expense caused the city thereby will be charged against and collected from the water customer. (Amended, Ord. No. 2011-1, Sec. 16)

Subd. 4. A consumer may, by written request, have a meter (up to one inch) tested by the water department; at which time the owner may be present or have a representative present. If the meter is found to register within 2% of being correct, a charge will be made for making the test. If the meter is found to register 2% incorrectly, no charge will be made for making the test. If the meter is found to over-register more than 2%, there will be a proportional deduction made from the previous water bill. A water meter will be considered to register satisfactorily when it registers within 2% of accuracy. The charges for meter testing are set by appendix IV.

Subd. 5. Meters and remote radio transmitter ownership. Except for additional or auxiliary meters, water meters and remote radio transmitters are the property of the city. (Amended, Ord. No. 2011-1, Sec. 16)

Subd. 6. Accessibility. Authorized city employees and authorized contractors and authorized employees of the authorized contractors have free access at reasonable hours to all parts of every building and premises connected with the water system for reading, inspection and repair of meters and remote radio transmitters. Failure to provide access may result in one or more of the following actions: (Amended, Ord. No 2011-1, Sec. 16)

- a) Imposition, along with and in addition to other charges for service, a quarterly penalty charged as established by appendix IV.
- b) Termination of service to the premises.
- c) Billing and collecting for service to the premises on an estimated consumption basis whether or not meter readings are being obtained.

Subd. 7. Commercial or industrial buildings must be metered with one master meter of adequate size, as approved by the superintendent. If additional or auxiliary meters are desired for recording the subdivision of such supply, the meters must be furnished and set up by the owner or consumer at the owner's or the consumer's expense, and the owner or consumer must assume all responsibility of reading, billing and maintaining same.

715.59. Water meter setting. Water meters must be installed in accordance with the following rules:

- a) The service pipe from the water main to the meter, when the same enters the building, must be brought through the floor in a vertical position.
- b) The meter must be located so that the bottom is not less than 12 inches above the finished floor line and not greater than 24 inches above the finished floor line. A full flow street side valve must be placed approximately 12 inches above the floor. In addition a gate valve or ball valve must be installed on the house side adjacent to the meter, or just above the meter yoke. Fittings and pipe are to be red brass or bronze. Full flow valves must be 125 pounds standard. The meter must be set not more than 12 inches measured horizontally from the inside line of the basement wall, unless an alternate method is approved by the superintendent. An approved yoke must be provided to support the meter in the proper vertical position. Meters larger than one inch must be set on a pedestal. The outside remote radio transmitter must be installed not less than three nor more than five feet above grade level and mounted on the side of the building five feet from the front. (Amended, Ord. No. 2011-1, Sec. 17)
- c) Meters two inch or greater in size must be equipped with a bypass line equal to one-half the size of the existing pipe size so that in the event a meter needs to be tested, repaired, or replaced, the building will still have a minimum amount of water supplied. The bypass line must be valved on each side, in addition to the meter valves and when completed must be sealed by the city utility department. This seal may not be tampered with and will be subject to a fine if seal is found tampered with or broken.
- d) Meter, valves and yoke must be kept readily accessible at all times. (Amended, Ord. No. 2011-1, Sec. 17)

715.61. Charges for the availability of municipal water. Subdivision 1. The purpose of this subsection is to establish a system of charges for the availability of municipal water in order to provide for an equitable sharing of the cost of the municipal water system and is adopted pursuant to Minnesota Statutes, section 444.075.

Subd. 2. Properties in the city that (i) are improved and have water-consuming plumbing facilities and (ii) that abut upon streets or other places where water mains are located are subject to the charges provided for in this subsection.

Subd. 3. Schedule of charges. Periodic charges may be made against all properties not connected to the municipal water system. Charges are set by appendix IV. Charges against properties not connected to the municipal water systems and not listed above will be made on the basis of the meter size which would be needed if the property were connected to the municipal water system, based upon sizes of meters installed on similar properties elsewhere in the city.

Subd. 4. Accounts and procedures. Accounts will be kept, bills will be rendered and collected, and charges will be made for delinquent accounts in accordance with the procedures applicable to charges for municipal water.

715.63. Private hydrant service charge. There is an annual service charge, in appendix IV, for fire hydrants, payable by each owner upon whose property the hydrant is situated. These hydrants must conform to the type specified by the city. Any other type must be replaced by the owner and at the owner's expense. The charge covers a yearly maintenance program at which time the city will operate and lubricate the operating nut, nozzle caps and visually inspect all bolts and nuts that are above existing grade. Any replacement of parts will be billed to the owner at the owner's expense and will include city's cost for labor. (Amended, Ord. No. 2011-1, Sec. 18)

715.65. Water service; discontinuing of seasonal customers; freeze-ups. Subdivision 1. Water service, discontinuing. A consumer desiring to discontinue the use of water must notify the water department.

Subd. 2. Seasonal customers. There are no seasonal customers for water and sanitary sewer services. Charges are based upon the consumption of water. If there is no consumption for that month, a fee is charged according to the current rate schedule or the customer may have the water shut off and turned on at the curb box at the current fee.

Subd. 3. Freeze-ups. Water breaks due to freezing lines, in which a residence is not in use, are the responsibility of the owner. The owner will be charged for all water consumption as well as any sewer rates. An owner may appeal their sewer billing to the city council.

715.67. Discontinuance of water service. Subdivision 1. Grounds. Water service to a property may be shut off at a curb stop box by the city for the following reasons: (Amended, Ord. No. 2011-1, Sec. 19)

- a) Violation of a provision of this code relating to the operation, maintenance or connection to the water system by any person; (Amended, Ord. No. 2011-1, Sec. 19)
- b) Fraud or misrepresentation by an owner or occupant in connection with an application for service or for services provided under this section; (Amended, Ord. No. 2011-1, Sec. 19)
- c) Failure of the owner or occupant to pay rates and charges or other financial obligations under this section for water service when due. (Amended, Ord. No. 2011-1, Sec. 19)

Subd. 2. Shut-off procedures. If the city manager determines that grounds exist for shutting off water service, the manager must notify the owner or occupant or both of the city's intent to shut off by mailed written notice not less than ten days nor more than 30 days prior to the date of shut-off. The notice must state that the owner or occupant or both may request a hearing before the city council at its next regularly scheduled meeting and that at the hearing the owner or occupant or both may present testimony as to why the service should not be shut off. The request for a hearing must be presented in writing to the city manager not later than the fifth day after mailing of the notice. A request from either the owner or occupant is sufficient to require the hearing. If a request for a hearing is received, the city manager may not shut off service until the hearing has been held and then only at the direction of the city council. If a request for a hearing is not timely received, the city manager may shut off the water service without further notice.

Subd. 3. Emergency shut-off. The procedure in subdivision 2 does not apply to water shut-off for the reasons specified in subsection 715.17.

715.69. Fire services. Subdivision 1. The construction of fire services must be made under the personal supervision of an authorized employee of the city. The cost of this supervision will be charged to the owner. (Amended, Ord. No. 2011-1, Sec. 20)

Subd. 2. Private fire protection services may be constructed with detect meters. All outlet valves must be sealed, and the system approved by the water department, fire department and conforms with all building codes. Detector checks the same size as building piping must be installed in all fire lines with a rising stem gate valve on each side of the check. All fire service lines will be equipped with a Watts Model 909 backflow preventer or approved equal unless waived by the superintendent. This requirement includes, but is not limited to, annual testing to be performed by the owner, and a copy of such test to be presented to the city. Testing must be done by an accredited backflow preventer tester.

Subd. 3. Fire protection systems may be opened in case of fire or for inspection, and may not supply water for domestic use, other than fire suppression purposes.

Subd. 4. When seals on a fire protection system are broken the owner or occupant must notify the water department within 24 hours.

Subd. 5. If more than one service is installed on the same premise, the piping of one may not be connected with the other, except with permission of the engineer. (Amended, Ord. No. 2011-1, Sec. 20)

Subd. 6. The fire marshal may limit the size of fire protection services where the street mains are not adequately sized in order to protect public interest.

Subd. 7. If the owner or occupant of any premises is found to be using water from a fire service for purposes other than fire protection, the water department may require the owner of the premises to furnish and install, at the owner's expense and under the direction of the water department, an approved water meter and radio and to keep the same in accurate operating condition. (Amended, Ord. No. 2011-1, Sec. 20)

715.71. Fire hydrants; permit required to use. Subdivision 1. Hydrants are available throughout the city, but the use of a fire hydrant, unless authorized by the water department, is prohibited. Temporary service from fire hydrants is available for contractors. A hydrant rental fee is required for usage of a hydrant for small water users. A hydrant rental fee, along with a metered charge, is required for tank filling and prolonged usages of fire hydrant. The meter will be furnished by the water department. (Amended, Ord. No. 2011-1, Sec. 21)

Subd. 2. Permits to use a fire hydrant will be issued for each individual job or contract, and for a minimum of 30 day periods as the superintendent may determine. The permit must state the location of the hydrant and will be for the use of that hydrant and none other.

Subd. 3. The user must make an advance cash deposit per appendix IV to guarantee payment for water used and to cover breakage and damage to hydrant and water meter. The deposit will be refunded upon expiration of the permit, less applicable charges for use. (Amended, Ord. No. 2011-1, Sec. 21)

Subd. 4. The user will pay a rental charge for each hydrant meter per appendix IV and the current water rates will be charged. (Amended, Ord. No. 2011-1, Sec. 21)

Subd. 5. Hydrants may be opened only with a hydrant operating wrench. The hydrant must be fully opened in order to operate properly. (Amended, Ord. No. 2011-1, Sec. 21)

Subd. 6. The fire hydrant will be checked before and after the usage. Any damage done will be charged to the holder of the permit.

Subd. 7. Hydrant meters not returned at the end of the construction season and kept over winter months will be charged an additional rental charge upon return of the meter. (Added, Ord. No. 2011-1, Sec. 21)

715.73. Senior citizen rates. The council may by resolution establish maximum water and sewer use rates for senior citizens and disabled persons, the qualifications for, and the method of administering the special rates.

Section 720 - Street lighting

720.01. System established. The city street lighting system is established and continued. The system consists of street lighting facilities, whether owned by the city or otherwise, for which the city purchases and supplies electrical energy from a public utility.

720.03. Costs of system. The costs of the street lighting system are the actual costs as billed to the city by the public utility, plus 10% for administrative expense.

720.05. Billing; billing units. Subdivision 1. Unit defined. For purposes of this section a billing unit is:

- a) a single family residence,
- b) an individual dwelling unit in a multiple dwelling, which must be considered to be 3/4 of one billing unit,
- c) each two dwelling units in a motel or hotel,
- d) each commercial or industrial office, store, plant, warehouse or institution,
- e) each school building, and
- f) each church building.

Subd. 2. Billing. The service charge to be billed to each billing unit is determined by dividing the total system cost by the number of billing units. The city clerk is to send quarterly bills to each billing unit directed to the same person to whom city sewer and water billings are sent for that unit. If a billing unit is not connected to the city water or sewer system the bill is to be sent to the owner of the billing unit. Bills are to be sent to all such units whether occupied or unoccupied. In the case of vacant property or property upon which construction is in progress, a bill may not be sent until city water and sewer service commences, or might have commenced if the property were to connect to city water and sewer service, and such billing will be pro-rated for the period of actual liability for street lighting service.

720.07. Assessment of unpaid bills. On or before November 1st of each year, the clerk must list the total unpaid charges for street lighting service against each separate lot or parcel to which they are attributable. The council will then spread the charges against property benefited as a special assessment under Minnesota Statutes, section 429.101 and other pertinent statutes for certification to the director of property taxation of Hennepin county and collection the following year along with the current taxes. (Amended, Ord. No. 2005-16, Sec. 1)

725 - Assessment of unpaid utility charges  
(Added, Ord. No. 95-14, Sec. 1)

725.01. Authority. This section is adopted pursuant to section 8.03 of the city charter.

725.03. Assessment of unpaid utility bills. Subdivision 1. Additional authority. The method of collecting unpaid utility charges provided for in this section is in addition to other collection methods specified in this chapter and law.

Subd. 2. Assessment of unpaid bills. On or before November 1 of each year, the clerk must list the total unpaid charges for utility services governed by this chapter against each separate lot or parcel to which the charges are attributable. The council will then spread the charges against property benefited as a special assessment under Minnesota Statutes, section 429.101 and other pertinent statutes for certification to the taxpayer services division manager of Hennepin County and collection the following year together with current taxes. (Amended, Ord. 2004-10, Sec. 1)

Subd. 3. Definition of charges. For purposes of this section, the term "utility charges" means without limitation: water rate, sewer rate, storm sewer rate charges; permit charges; late payment charges; availability charges; connection charges, and any rate or charge authorized by Minnesota Statutes, section 444.075 or imposed by this chapter and appendix IV.

Section 730 – Prohibiting discharges into the  
sanitary sewer system

(Added, Ord. No. 2002-01, Sec. 2)

730.01. Purpose. The discharge of water from roof, surface, groundwater sump pump, footing tile, swimming pool, or other natural precipitation into the city sewerage system results in flooding and overloading of the sewerage system. When this water is discharged into the sanitary sewer system it is treated at the sewage treatment plant. This results in very large and needless expenditures. The city council, therefore, finds it in the best interest of the city to prohibit such discharges.

730.03. Discharge prohibited. Except as otherwise expressly authorized in this section, no water from any roof, surface, groundwater sump pump, footing tile, swimming pool, or other natural precipitation shall be discharged into the sanitary sewer system. Dwellings and other buildings and structures which require, because of infiltration of water into basements, crawl spaces, and the like, a sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system, except as provided herein. A permanent installation shall be one which provides for year round discharge capability to either the outside of the dwelling, building, or structure, or is connected to city storm sewer or discharge through the curb and gutter to the street. It shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge, and if connected to the city storm sewer line, shall include a check valve and an air gap located in a small diameter structure.

730.05. Disconnection. Before June 1, 2002, any person having a yard drain, roof surface, groundwater sump pump, footing tile, or swimming pool now connected and/or discharging into the sanitary sewer system shall disconnect or remove same. Any disconnects or openings in the sanitary sewer system shall be closed or repaired in an effective, workmanlike manner.

730.07. Inspection. Every person owning improved real estate that discharges into the city's sanitary sewer system shall allow an employee of the city of Crystal or a designated representative of the city to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. In lieu of having the city inspect their property, any person may furnish a certificate from a licensed plumber certifying that their property is in compliance with this section.

730.09. Future inspections. Each sump pump connection identified will be reinspected periodically.

730.11. New construction. All new dwellings with sumps for which a building permit is issued after June 1, 2002, shall have a pump and shall be piped to the outside of the dwelling before a certificate of occupancy is issued.

730.13. Surcharge. A surcharge as specified in appendix IV is hereby imposed on every sewer bill mailed on and after January 1, 2003 to property owners who are not in compliance with this section or who have refused to allow their property to be inspected to determine if there is compliance. All properties found during reinspection to have violated this section will be subject to the penalty for all months between the two most recent inspections. (Amended, Ord. No. 2011-1, Sec. 22)

730.15. Winter discharge. The city manager is authorized to issue a permit to allow a property owner to discharge surface water into the sanitary sewer system. The permit shall authorize such discharge only from November 15 to March 15 and a property owner is required to meet at least one of the following criteria in order to obtain the permit:

- a) The freezing of the surface water discharge from the sump pump or footing drain is causing a dangerous condition, such as ice buildup or flooding, on either public or private property.
- b) The property owner has demonstrated that there is a danger that the sump pump or footing drain pipes will freeze up and result in either failure or damage to the sump pump unit or the footing drain and cause basement flooding.
- c) The water being discharged from the sump pump or footing drain cannot be readily discharged into a storm drain or other acceptable drainage system.

Following ten days written notice and an opportunity to be heard, the city manager may require a property to discharge their sump pump into the sanitary sewer from November 15 to March 15 if surface water discharge is causing an icy condition on streets.