

ORDINANCE NO. 11

TOWNSHIP OF SOUTHBEND, BLUE EARTH COUNTY, MINNESOTA

AN ORDINANCE ESTABLISHING SEWER AND WATER USE REGULATIONS

An ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system; and providing penalties for violations thereof.

Be it ordained and enacted by the Board of the Township of Southbend, Blue Earth County, Minnesota as follows:

ARTICLE I

DEFINITIONS

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

- Sec. 1 Act -The Federal Water Pollution Control Act also referred to as the Clean Water Act, as amended, 33. U.S.C. 1251, e t seq.
- Sec. 2 ASTM -American Society for Testing Materials.
- Sec. 3 Authority -The Township of Southbend, or its representative thereof. Minnesota
- Sec. 4 BODS 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).
- Sec. 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 outside the building wall.
- Sec. 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.
- Sec. 7 Township -The area within the corporate boundaries of the Township of Southbend as presently established or as amended by ordinance or other legal actions at a future time. The term "Township" when used herein may also be used to refer to the Township Board and its authorized representative.
- Sec. 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 11).

- Sec. 9 Compatible Pollutant -Biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants 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.
- Sec. 10 Control Manhole – A structure specially constructed for the purpose of measuring flow and sampling of wastes.
- Sec. 11 Easement -An acquired legal use of land owned by others right for the specific use of land owned by others.
- Sec. 12 Fecal Coliform -Any number of organisms common to the intestinal tract of man and animals in sanitary sewage whose presence in sanitary sewer is an indicator of pollution.
- 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 Individual Subsurface Sewage Treatment System (ISTS) – a subsurface sewage treatment system or part thereof, as set forth in Minnesota Statutes 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade that are designed to receive a sewage flow of 5,000 gallons per day or less. ISTS also includes all holding tanks that are designed to receive a design flow of 10,000 gallons per day or less; sewage collection systems and associated tanks that discharge into ISTS treatment and dispersal components; and privies.
- Sec. 17 Industry -Any nongovernmental or non-residential 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. 19 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. 19 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. 20 Infiltration/Inflow (I/I) -The total quantity of water from both infiltration and inflow.
- Sec. 21 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. 22 Interference -The inhibition or disruption of the Township's wastewater disposal system processes or operations which causes or significantly contributes to a violation of any requirement of the City of Mankato's NPDES and/or SOS Permit. The term includes sewage sludge use or disposal by the Township 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 Township.
- Sec. 23 MPCA - Minnesota Pollution Control Agency.
- Sec. 24 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. 25 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. 26 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. 27 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. 28 Normal Domestic Strength Waste -Wastewater that is primarily introduced by residential users with a BODS concentration not greater than 260 mg/l and a suspended solids (TSS) concentration not greater than 280 mg/l.
- Sec. 29 Person -Any individual, firm, company, association, society, corporation, or group.
- Sec. 30 pH - The logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.
- Sec. 31 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. 32 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. 33 Sewage - The spent water of a community. The preferred term is wastewater.
- Sec. 34 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. 35 Shall – is mandatory; May is permissive.
- Sec. 36 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. 37 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. 38 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. 39 Superintendent - The utilities superintendent or a deputy, agent or representative thereof.
- Sec. 40 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. 41 Toxic Pollutant - The concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse effects as defined in standards issued pursuant to Section 307 (a) of the Act.
- Sec. 42 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 benefited by discharge to the sanitary sewers and wastewater treatment facilities. (See "Non-contact Cooling Water, Sec. 23).
- Sec. 43 User - Any person who discharges or causes or permits the discharge of wastewater into the Township's wastewater disposal system.
- Sec. 44 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. 45 Wastewater Treatment Works or Treatment Works – An arrangement of any devices, facilities, structures, equipment, or processes owned or used by the Township 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. 46 Watercourse - A natural or artificial channel for the passage of water, either continuously or intermittently.
- Sec. 47 WPCF - The Water Pollution Control Federation.
- Sec. 48 Township Clerk - Duly appointed official of the Township which assists the Township in the operation of its affairs or a deputy, agent or representative thereof.
- Sec. 49: Service Area - The area within the limits of the Township which the Township Board has defined as the area which will be serviced by the wastewater and water facilities. Unless otherwise defined or modified by the Township Board, the

service area shall include all buildings or structures Which, for water or wastewater service, would require no more than a run of 100 feet from a water or wastewater main line. In addition, the service area shall include buildings and structures more than a 100 foot run but less than a 500 foot run from a water or wastewater main line when the Township Board shall have made a determination, on a case by case basis, that such building or structure shall be included within the service area. In making such determination, the Board shall consider all factors including, but not limited to,

- (a) The nature of the building or structure under consideration.
- (b) The proposed use of such building or structure.
- (c) The projected flow volume
- (d) The probable makeup of the wastewater from such building or structure.
- (e) The impact of inclusion of such building or structure upon the functioning of the entire system.
- (f) The elevation of such building or structure.
- (g) The nature of the terrain through which a line would have to run.
- (h) The cost of such run.
- (i) Alternatives available to the owner of such building or structure.

Buildings and structures located more than 500 feet from a main water or wastewater line shall be considered to be outside the service area.

ARTICLE II

CONTROL BY THE TOWNSHIP BOARD

- Sec. 1 The Township Board shall have control and general supervision of all public sewers and service connections in the Township and shall be responsible for administering and provisions of this ordinance to the end that a proper and efficient public sewer and water system is maintained.

ARTICLE III

RESTRICTIONS

A: SANITARY SEWER

- 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 Service Area, or in any area under jurisdiction, any human or animal excrement, garbage or objectionable waste.
- Sec. 2 It shall be unlawful to discharge from the service area 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.

- Sec. 3 Except as provided hereinafter, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, leeching tank, 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 service area as defined by the Township Board and adjacent to any street, alley, or eight-of-way in which there is now located, or may in the future be located, a public sanitary sewer of the Township, 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 ninety (90) 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 III, Section A.4. of the Ordinance, the Township must undertake to have said connection made and shall assess the cost thereof against the benefited property. Such assessment, when levied, shall bear interest at the rate determined by the Township Board and shall be certified to the Auditor of the County of Blue Earth, Minnesota and shall be collected and remitted to the Township in the same manner as assessments for local improvements. The rights of the Township shall be in addition to any remedial or enforcement provisions of this ordinance.

B: WATER SYSTEM

- Sec. 1 It shall be unlawful to have any cross connections between private well/water systems and the central water system.
- Sec. 2 Installation of new wells in the water use district for private use is prohibited. Existing private wells shall be abandoned as per EPA, MPCA AND Minnesota Department of Health regulations as they are taken out of service. Wells which are found to have water below acceptable quality standards shall also be abandoned.
- Sec. 3 It shall be unlawful for anyone to tamper with water meters. Damage to meters and piping will be charged to the property owner.
- Sec. 4 The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes from which domestic water is used, and which is situated within the service area as defined by the Township Board and adjacent to any street, alley, or eight-of-way in which there is now located, or may in the future be located, a public watermain of the Township, shall be required at the owner(s) expense to install a suitable service connection to the public watermain in accordance with provisions of this Code, within ninety (90) days of the date said public watermain is operational, provided said public sewer is within

500 feet of the structure using the domestic water. All future buildings constructed on property adjacent to the public watermain shall be required to immediately connect to the public watermain. If water 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 watermain in compliance with a notice given under Article III, Section B.4. of the Ordinance, the Township must undertake to have said connection made and shall assess the cost thereof against the benefited property. Such assessment, when levied, shall bear interest at the rate determined by the Township Board and shall be certified to the Auditor of the County of Blue Earth, Minnesota and shall be collected and remitted to the Township in the same manner as assessments for local improvements. The rights of the Township shall be in addition to any remedial or enforcement provisions of this ordinance.

ARTICLE IV

PRIVATE WASTEWATER DISPOSAL AND WATER SUPPLY

- Sec. 1 Where a public sewer is not available within the service area under the provisions of Article III, Section A.4., the building sewer shall be connected to an Individual Subsurface Sewage Treatment System (ISTS).
- Sec. 2 Where a public watermain is not available within the service area under the provisions of Article III, Section B.4., the domestic water shall be provided by a private well.
- Sec. 3 The requirements for the placement, design, construction, repair, operation , maintenance and permitting of ISTS and private wells shall comply with all applicable Blue Earth County ordinances, state, and federal regulations governing such installations.
- Sec. 4 At such time as a public sewer or watermain becomes available to a property serviced by an ISTS or a private well, a direct connection shall be made to the public sewer or watermain within ninety (90) days in compliance with the Ordinance. Within 180 days of connection to the public sewer, any septic tanks, cesspools, leaching tanks 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. Within 180 days after connection to the public watermain, all private wells shall be abandoned in accordance with all applicable federal, state and local standards.
- Sec. 5 The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the Township.
- Sec. 6 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.

ARTICLE V
SEWER AND WATER CONNECTION
A: SEWER SYSTEM

- 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 Township Board.
- Sec. 2 No unauthorized person(s) shall 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 Township.
- 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 Township. 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 Township 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. Industrial users may petition the Township Board and obtain a permit at the Board's discretion allowing the connecting of interior lots to a single service. The Board may charge an additional hook-up charge for the additional lots connected to the service. The Township 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 Township Clerk or other Township 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 Township. 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. The property owner shall be responsible for providing the means by which the sewage is discharged to the building sewer.
- Sec. 10 It is unlawful to discharge storm water or other unpolluted drainage anywhere other than a specifically designed storm sewer or a natural outlet approved by the Township and other regulatory agencies. No person(s) shall make connection of roof down spouts, foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or indirectly to the waste water disposal system. Any property owner in violation of this section shall be assessed a monthly surcharge, the amount of which will be established by resolution of the Township Council, for each month that the conductor is not permanently disconnected. Failure to permanently disconnect the conductor or reconnection of a disconnected conductor may result in the suspension of water and sanitary sewer service. Prior to the change in ownership of any building within the Township that is connected to the public sewer system, the seller shall disclose to the buyer, in writing, whether or not the property is in compliance with the provisions of this chapter. The seller shall also provide a copy of said disclosure to the Township within 5 days of the date of sale of the property. Any property found where a reconnection of a disconnected conductor has occurred shall be assessed a surcharge of \$100 per month. The surcharge shall be calculated from the date of inspection until disconnection has been reestablished. Failure to permanently disconnect the conductor shall result in the suspension of water and sanitary sewer service.
- 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 Township, 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 gas tight 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 Township prior to installation
- Sec. 12 The applicant for the building sewer permit shall notify the Township 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 Township Board 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. Sidewalks, parkways, and other public property disturbed in the course of the work, shall be restored in a manner satisfactory to the Township. The Township shall repair all streets disrupted during sewer installations. The cost of all restoration work, including street restoration done by the Township, shall be the responsibility of the property owner.
- Sec. 14 No person shall make a service connection to any public sewer unless that person is a licensed master plumber in accordance with the State of Minnesota Plumbing Code or a plumber under the direct supervision of a master plumber. A plumbing permit shall be obtained from the Township for all service connections.
- Sec. 15 A tracer wire shall be installed on all non-conductive sewer lines when installing a new sewer service or modifying an existing sewer line. Tracer wires shall conform to the following requirements: Twelve gauge minimum solid copper wire coated for underground use. The coating shall be green in color. The tracer wire shall be laid in the trench alongside the sewer line. If splicing is necessary, a direct bury connection is required. The tracer wire shall daylight at the point of entry at the foundation of the building through PVC conduit and a blank box as a future contact point to locate the service line. Tracer wire shall be installed on new sewer main installations in a manner approved by the Township. Tracer wire shall be tested for continuity. If the tracer wire is found to be not continuous, it must be repaired or replaced.

B: WATER SERVICE CONNECTION

- Sec. 1 No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any part of the public water system or appurtenance thereof without first obtaining a written permit from the Township.
- Sec. 2 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. 3 All costs and expenses incidental to the installation and connection of the building water system shall be borne by the owner(s). The owner(s) shall indemnify the Township from any lost, or damaged that may be directly or indirectly occasioned by the installation of the building sewer.
- Sec. 4 A separate and independent building water connection shall be provided for every building, Industries may petition the Township Board for a permit which will be serviced by one connection. Property owners shall be responsible for piping from the corporation cock into the building.
- Sec. 5 Old building water services may be used in connection with new buildings only

when they are found, on examination and test by the Township Board or their representative, to meet all requirements of this ordinance.

- Sec. 6 The size, alignment, materials of construction of a building water connections 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 Township. In the absence of code provisions or in the amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM shall apply.
- Sec. 7 The applicant for the building water connection permit shall notify the Township when the building sewer is ready for inspection and connection to the public water system. The connection and inspection shall be made under the supervision of the Township Board or authorized representative thereof.
- Sec. 8 All excavations for building water service installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets g sidewalks, parkways, and other public property disturbed in the course of the work, shall be restored in a manner satisfactory to the Township.
- Sec. 9 No person shall make a service connection to any public watermain unless that person is a licensed master plumber in accordance with the State of Minnesota Plumbing Code or a plumber under the direct supervision of a master plumber. A plumbing permit shall be obtained from the Township for all service connections.
- Sec. 10 A tracer wire shall be installed on all non-conductive water lines when installing a new sewer service or modifying an existing sewer line. Tracer wires shall conform to the following requirements: Twelve gauge minimum solid copper wire coated for underground use. The coating shall be blue in color. The tracer wire shall be laid in the trench alongside the water line. If splicing is necessary, a direct bury connection is required. The tracer wire shall daylight at the point of entry at the foundation of the building through PVC conduit and a blank box as a future contact point to locate the service line. Tracer wire shall be installed on new watermain installations in a manner approved by the Township. Tracer wire shall be tested for continuity. If the tracer wire is found to be not continuous, it must be repaired or replaced.
- Sec.11 Deficiency of Water and Shutting Off Water.
- (A) The Township is not liable for any deficiency or failure in the supply of water to customers whether occasioned by shutting the water off for the purpose of making repairs or connections or by any other cause whatever. In case of fire, or alarm of fire, water may be shut off temporarily to certain areas of the Township in order to insure an adequate supply of water for firefighting. In making repairs or construction of new works, water may be shut off at any time and kept off so long as may be necessary.
- (B) The Township shall be held harmless in case of problems arising from shutting off water, changing meter, and the like.

- Sec. 12 It is the responsibility of the consumer or owner to maintain the service pipe from the main (including the corporation stop and saddle) into the house or other building. In case of failure upon the part of any consumer or owner to repair any leak occurring in his or her service pipe within 24 hours after oral or written notice has been given the owner or occupant of the premises, the water may be shut off and will not be turned on until a reconnection charge has been paid and the water service has been repaired. When the waste of water is great or when damage is likely to result from the leak, the water supply will be turned off if the repair is not undertaken immediately.
- Sec. 13 Water usage credit for repair of frozen service line.
All credits are subject to the approval of the Township Board. The total amount of any credit shall be approved by the Township Board. To receive a credit for excess use of water as a result of a frozen water line, a customer shall submit proof that work has been completed to open a frozen water service line. All claims a frozen water line has occurred shall be verified by a Township employee designated by the Township Board. Any credit issued shall only apply for charges during the at-risk period as determined by the Township Board not to exceed 4 months. Total gallons credited shall not reduce total water consumption to less than the comparable period average for that property, or a comparable property. Gallons credited per day may not exceed 300. Credits may only be given for 2 consecutive years.
- Sec. 14 All service installations connected to the water system that have been abandoned or, for any reason, have become useless for further service shall be disconnected at the main by means of a solid sleeve repair clamp or other Township approved device. The owner of the premises, served by this service, shall pay the cost of the disconnection. When new buildings are erected on the site of old ones, and it is desired to replace the old water service, a new permit shall be taken out and the regular tapping charge shall be made as if this were a new service. It is unlawful for any person to cause or allow any service pipe to be hammered or squeezed together at the ends to stop the flow of water, or to save expense in properly removing such pipe from the main. Also, such improper disposition thereof shall be corrected by the Township and the cost incurred shall be borne by the person causing or allowing such work to be performed.
- Sec. 15 Water service lines refer to the water line servicing or having the potential to service a parcel of land. This includes, but is not limited to, any apparatus used to connect to the public water supply, including tees, saddles, and corporations. The service line shall not be laid less than 7.5 feet below grade and shall be installed and maintained in accordance with the Minnesota State Plumbing Code. One-inch diameter shall be the minimum size water service line allowed. The water service line from the structure to the Township main shall be the property owner's responsibility to repair and maintain. Heavy duty compression fittings meeting AWWA standards shall be used. The tube they are installed on must be

reamed to the full bore of the tube.

- Sec. 16 No water pipe of the Township water system shall be connected with any pump, well, pipe, tank or any device that is connected with any other source of water supply and when such are found, the Township shall notify the owner or occupant to disconnect the same and, if not immediately done, the Township water shall be turned off. Before any new connections to the Township system are permitted, the Township shall ascertain that no cross-connections will exist when the new connection is made. When a building is connected to "Township Water" the private water supply may be used only for such purposes as the Township may allow.
- Sec. 17 As part of the new construction of any new residential, commercial or industrial building, the use of 2 water meters is required. One water meter shall meter the inside water usage and 1 water meter shall meter the outside water usage. The outside meter shall meter water that is not being returned to the Township sanitary sewer system. The meters become the property of the property owner who is responsible for all repair and maintenance. No person shall install water meters unless that person is a licensed master plumber in accordance with the State of Minnesota Plumbing Code or a plumber under the direct supervision of a master plumber. A plumbing permit shall be obtained from the Township for all water meter installations.
- Sec. 18 Whenever the Township shall determine that a shortage of water threatens the Township, it may limit the times and hours during which water may be used from the Township water system for lawn and garden sprinkling, irrigation, car washing, air conditioning, and other uses, or either or any of them. It is unlawful for any water consumer to cause or permit water to be used in violation of such determination after public announcement thereof has been made through the news media specifically indicating the restrictions thereof.
- Sec. 19 Owners of structures with self-contained fire protection systems may apply for and obtain permission to connect the street mains with hydrants, large pipes, and hose couplings, for use in case of fire only, at their own installation expense and at such rates as the Council may adopt by resolution as herein provided.
- Sec. 20 It is unlawful for any person, other than members of the Fire Department or other person duly authorized by the Township, in pursuance of lawful purpose, to open any fire hydrant or attempt to draw water from the same or in any manner interfere therewith. It is also unlawful for any person so authorized to deliver or suffer to be delivered to any other person any hydrant key or wrench, except for the purposes strictly pertaining to their lawful use.
- Sec. 21 No property owner or tenant shall plant any shrub, tree or other cultivar or construct any landscape structure that serves to screen any fire hydrant from view or to limit access to the fire hydrant for maintenance or fire suppression use. Upon written notice, a property owner shall have 10 calendar days to

remove any screening that the Township Board has determined to be unlawful. Such determinations are made at the sole discretion of the Township.

- Sec 22 The termination of the main water line may be on any floor of the building, as long as it terminates 12 inches above the floor with the main building valve immediately installed. At this juncture, in order to individually meter each unit, a manifold must be installed with individual valves and supplies to each unit. Meters may be installed at this juncture or in individual units with shut-off valves to each unit. The manifold shall be in an area not controlled by the individual tenants.

ARTICLE VI

USE OF PUBLIC SERVICES

- 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 noncontact 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 Township Board 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 Township Board 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 6.0 or greater than 10.0 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 Township Board may set limitations lower than limitations established in the regulations below if, in the Board's opinion, such more severe limitations are necessary to meet the above Objectives. In forming their opinion as to the acceptability of wastes, the Township Board 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 of Mankato'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 Township Board and City of Mankato 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 rats, wax, grease, or oils, whether emulsified or not, in excess of 50 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 50 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
 - 1.05 mg/l lead
 - 0.01 mg/l mercury
 - 1.5 mg/l nickel
 - 0.5 mg/l silver
 - 0.5 mg/l total chromium
 - 1.5 mg/l zincphenolic compounds which cannot be removed by City of Mankato'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.
- (l) Any waters or wastes containing BODS 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 Township Board 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 Township 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 Township 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 Township Board 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 Township Clerk. 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 Township, 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 Township. 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 Township, 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 Township 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 Township. The industry must supply a complete analysis of the constituents with Federal, State and local standards being met. The owner shall report the results of measurements and laboratory analyses to the Township at such times and in such manner as prescribed by the Township. The owner shall bear the expense of all measurements, analyses, and reporting required by the Township. At such times as deemed necessary, the Township 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 Township Clerk.
- Sec. 12 Where required by the Township, 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 Township Clerk 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 Township Clerk 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 Township Clerk 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

Township 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 Township, 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 Township Clerk 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 Township Clerk 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 Township Clerk may direct. Each day after 10 days that a person neglects or fails to so act shall constitute a separate violation of this section, and the Township 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 Township.
- Sec. 15 The owner Of opera tor 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 Township 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 said person and may collect such assessment as an additional charge for the use of the public sewer system or in any other manner deemed appropriate by the Township Board.
- Sec. 17 No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Southbend Township and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Township for treatment, providing that National Categorical Pretreatment Standards and the City of Mankato's NPDES and/or state Disposal System Permit limitations are not violated
- Sec. 18 Limitations on wastewater strength:
1. National Categorical Pretreatment Standards promulgated by the U.S. Environmental Protection Agency (EPA) pursuant to the Act shall be met by all users which are subject to such standards in any instances where they are more stringent than the limitations in this section, except as the MPCA has approved modifications of the specific limits in the National Categorical Pretreatment Standards;

2. State requirements and limitations of discharges shall be met by all users which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this section.

Sec. 19 The Township is not responsible for any damage that may be caused by an interruption in sewer or water services.

ARTICLE VII

DAMAGE OF WASTEWATER AND WATER FACILITIES

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 or water facilities. Any person violating this provision shall be subject to immediate arrest under the charge of a misdemeanor.

ARTICLE VIII

USER RATE SCHEDULE FOR CHARGES

Sec. 1 Each User of sewer service and water service shall pay the charge(s) applicable to the type of service, and in accordance with the provisions set forth in Ordinance No. ____.

ARTICLE IX

POWERS AND AUTHORITY OF INSPECTORS

Sec. 1 The Township Board or other duly authorized employees of the Township, 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 Township's sewer and water systems in accordance with the provisions of this ordinance.

Sec. 2 The Township Board 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 Township Board or duly authorized employees of the Township 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 Township employees and the Township shall indemnify the company against loss or damage to its property by Township 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 Township Board or other duly authorized employees of the Township bearing proper credentials and identification shall be permitted to enter all private properties through which the Township 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 and water 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.

ARTICLE X

PENALTIES

- Sec. 1 Any person found to be violating any provision of this ordinance, shall be served by the Township 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. Each day in which any such violation occurs shall be deemed as a separate offense.
- Sec. 3 Any person violating any of the provisions of this ordinance shall become liable to the Township for any reason of such violation.

ARTICLE XI

VALIDITY

- 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 Southbend Township of the County of Blue Earth, Minnesota on the ____ day of _____, 20____.

Chairman of the board

Attest:

Township Clerk