

AN ORDINANCE OF THE ALEXANDRIA LAKE AREA SANITARY DISTRICT REQUIRING MANDATORY CONNECTION TO PUBLIC SEWER

The Board of the Alexandria Lake Area Sanitary District does ordain:

Section. 1. Preface. The Alexandria Lake Sanitary District (ALASD) Board of Directors determines that it is necessary to accomplish the ALASD mission of protecting the public health, safety and welfare of its citizens through this Mandatory Connection to Public Sewer Ordinance. The ordinance will assist in the prevention, control, and abatement of water pollution within the ALASD service territory to assure effective and efficient operation of sewer system. The term ALASD herein means the area established by the State of Minnesota, the ALASD Board of Directors, or its authorized representatives.

Section. 2. Existing Buildings. The owner of any building generating wastewater that is located on land within the ALASD that abuts or is adjacent to any public street, road, or easement that contains a public sanitary sewer line or facilities shall connect all such buildings to the public sewer.

Section. 3. Future Construction. All buildings, other than buildings which generate animal or other agricultural waste, that are constructed on parcels adjacent to or abutting any public street, road or easement that contains a public sanitary sewer line or facilities, shall be required to connect to the public sanitary sewer.

Section. 4. Subdivisions. All subdivisions within the ALASD shall provide each separate parcel in said subdivision with public sanitary sewer.

Section. 5. Existing On-site Systems. Any building generating wastewater, that is on land adjacent to or abutting any public street, road or easement that contains a public sanitary sewer line or facilities, shall not be permitted to do corrective work on any on-site sewage disposal system if the system is failed or determined to be non-compliant. The owner of such building shall be required to make connection to the public sanitary sewer within one year following receipt of written notification from appropriate public agency.

Section. 6. Mandatory Connection Date. All buildings required to be connected to the public sanitary sewer pursuant to this ordinance, shall make such connection on or before the following dates:

- (a) Newly constructed buildings shall connect prior to commencement of use of the building.
- (b) Existing buildings not previously on public sanitary sewer shall connect within one year after failed on-site system has been identified.

Section. 7. 90-Day Notice to Connect. Should any sewer connection as required by this ordinance not be made by the required time limit, the ALASD shall serve the property owner with a written notice giving such property owner 90 days within which to make the connection to the public sewer system.

Section. 8. Connection by the ALASD. Should any property owner fail to make the connection as required by this ordinance in a timely manner, whether by the date required by this ordinance or within the 90 days following written notice from ALASD, the board may make connection of that property owner's building to the public sewer and levy the cost of such connection against the property as a special assessment in accordance with Minnesota Statutes Chapter 429.

Section. 9. Deferment. The board may grant deferment of connection or assessment for any homestead property owned by a person for whom it would be a hardship to make the payments. This provision must be included in the special assessment notice to all properties being assessed and may also apply for the ALASD Wastewater Treatment Expansion Fee (WTEF) charges. The board will establish by resolution criteria for determining eligibility for the deferral in each individual case.

Section. 10. User Charge. Any property owner who has not made the required connection to the public sewer by the date specified in this ordinance, or within the 90-day period following notification by the ALASD, shall be levied the regular user charge for the property and building involved as specified in ALASD User Rate Ordinance. Such levy and user charge to be collected from the date of the required connection to public sewer.

Section. 11. 2024 Revisions and Effective Date

Subdivision 1. Any person violating any provisions of this ordinance shall become liable to the ALASD for any expense, loss or damage occasioned by the ALASD by reason of such violation.


Subdivision 2. If any portion of this ordinance is ruled invalid by any court of competent jurisdiction, or by reason of any existing or subsequently enacted legislation, the remaining portions or provisions of this ordinance shall continue to have full force and effect.

ALASD Mandatory Connection Ordinance is hereby passed, adopted, and ordained by the Sanitary Sewer Board of the Alexandria Lake Area Sanitary District on this 10th day of January 2024 by the following vote:

APPROVED THIS DATE:

Yes: Thalman, Eldevik, Sternquist, Bowen, Dahlheimer, Diedrich, Lerohl, Nettekstad, Niblett, Tvrdik, and Waldorf, *Rentz*

No: None


Roger Thalman, Chairman


Rebecca Sternquist, Secretary