

**AN ORDINANCE OF THE ALEXANDRIA LAKE AREA SANITARY DISTRICT
REGULATING THE USE OF PUBLIC AND PRIVATE SEWER**

**THE BOARD OF THE ALEXANDRIA LAKE AREA SANITARY DISTRICT DOES
ORDAIN:**

Preamble: The board determines that this ordinance is necessary to carry out its responsibility under Minnesota Statutes 869, as amended. It further determines that the ordinance is necessary to protect the natural environment, the public health, and the public welfare of its citizens.

Section 1.00- Sewer Use Code

Section 1.05 - Definitions.

For the purpose of this ordinance, the following words and terms shall have the meaning set out below, unless the context specifically indicates otherwise.

“Act” The Federal Water Pollution Control Act, also referred to as the Clean Water Act (CWA), as amended, Title 33 of the United States Code (U.S.C.), sections 1241 et seq.

"ALASD" (Alexandria Lake Area Sanitary District) is the area established by State of Minnesota Chapter 869 of the laws of 1971 and as subsequently amended in which the Sanitary Sewer Board of the ALASD has certain rights, powers, privileges, and duties pursuant to said Act. The term ALASD when used herein may also be used to refer to the Sanitary Sewer Board and its authorized representatives.

"BOD" (Biochemical Oxygen Demand) means the quantity of oxygen utilized in the oxidation of organic matter expressed in milligrams per liter, as determined in accordance with standard laboratory procedure as set out in the latest edition of Standard Methods for the Examination of Water and Wastewater.

“Building Drain” That part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste, and other drainage pipes inside the building walls, and conveys it to the private building sewer, which begins five (5) feet outside the inner face of the building wall.

“Clean Water Act” (CWA) The Clean Water Act is an act passed by the U.S. Congress to control water pollution.

“Code of Federal Regulations” (CFR) A codification of the final rules published daily in the Federal Register National Archives and Records Administration. Title 40 of the CFR contains the regulations for the Protection of the Environment.

"COD" (Chemical Oxygen Demand) means the quantity of oxygen utilized in the chemical oxidation of organic matter, expressed in milligrams per liter, as determined in accordance with standard laboratory procedure as set out in the latest edition of Standard methods for the

Examination of Water and Wastewater.

"Composite Sample" The sample resulting from the combination of individual samples of wastewater taken at selected intervals, for a specified time period. The individual samples may have equal volumes, or the individual volumes may be proportioned to the flow at the time of sampling.

"Connection" is the attachment of a user to a sewer.

"Control Authority" means the ALASD.

"Cooling Water" is water discharged from any system of condensation, air conditioning, refrigeration, or other sources.

"Enabling Legislation" means Chapter 869, as amended, passed by Act of the Minnesota State Legislature. This Act created and enabled the Alexandria Lake Area Sanitary District.

"EPA" means the United States Environmental Protection Agency.

"Garbage" means solid wastes resulting from domestic, commercial, and industrial uses including food products or waste from the preparation of food. "Flushable" wet wipes are considered garbage to be discarded in the trash and are not permitted unless certifiable to be disposed of down the sewer.

"Industrial Waste" means the solid, liquid, or gaseous wastes resulting from any industrial or manufacturing process.

"Indirect discharge" is the introduction of pollutants into a publicly owned treatment works (POTW) from any nondomestic source regulated under the CWA section 307 (b), (c), or (d).

"Industrial User" is defined as a source of indirect discharge.

"Inflow" means water other than wastewater that enters the private sewer system from ground or surface water.

"Interference" A discharge that, alone or in conjunction with a discharge or discharges from other sources, both (1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use, or disposal; and (2) therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal (40 CFR Part 403.3(k)).

"Local Government Unit" (LGU) means any municipal or public entity located in whole or part in the ALASD, or located outside of district boundary with a service agreement with ALASD who is authorized by law to provide for the construction of infrastructure to collect and convey wastewater.

"National Pollution Discharge Elimination System Permit" or "NPDES Permit" means the system for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone, and the oceans by the Administrator of the Environmental Protection Agency pursuant to section 402 and 405 of the Federal Water Pollution Control Act Amendment 1972.

"National Pretreatment Standard" is any regulation containing pollutant discharge limits promulgated by EPA in accordance with CWA pursuant to 40 CFR 403.5.

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

"Non-contact cooling water" is water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product. The only pollutant contributed from the discharge is heat.

"Other Wastes" shall mean products not allowed down sewer including garbage, rags, chemicals, debris, sand, FOG (Fats, Oils, Grease), and any other substance except allowed sewage.

"Person" means any individual, firm, company, association, society, corporation, municipal corporation, governmental unit, or group.

"Pass Through" A discharge that exits the POTW into waters of the United States in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES [National Pollutant Discharge Elimination System] permit (including an increase in the magnitude or duration of a violation) (40 CFR Part 403.3(p)).

"Public Sanitary Sewer" means that portion of the sewer system constructed by the Sanitary District, the Alexandria Lake Area Service Region, any Local Government Unit or public agency, developer, and shall include sewer lines not less than 8 inches in diameter, sewage pumping stations, force mains, air-release structures, and manholes.

"Property or Parcel" means any divided lot or tract of land owned by an entity or person.

"pH" means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

"Pretreatment" means the process of reducing the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means.

“Pretreatment Standard” means National Pretreatment Standards for industrial users promulgated by the EPA pursuant to the Act which regulates the quality of effluent discharge to the ALASD and must be met by all users subject to such standards.

“Process Wastewater” means any water which, during manufacturing or processing, comes into direct contact with, or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process water is considered an industrial waste.

“Potable Water System” means public or private water structures or water lines safe for human uses and consumption.

“Private Building Sewer” means the extension of service pipe from the building, running underground, either by gravity or pressure, to the public sewer line.

“Private Sewer” means sewer not accepted into the public sewer system by ALASD board action. Private sewers also include the service stub and the wye connection to the public sewer.

“Public Road Right-of-Way (ROW)” means road owned and dedicated to a local unit of government.

"Public Sanitary Sewer" means that portion of the sewer system constructed by the ALASD, the Alexandria Lake Area Service Region, the City of Alexandria, any other municipal corporation or public agency or developer and has been accepted or approved by the ALASD and shall include sewer lines not less than 8 inches in diameter, sewage pumping stations, grinder stations, force mains, air-release structures, underground valve structures, and manholes.

“Publicly Owned Treatment Works” (POTW) means a treatment works, as defined by Section 212 of the CWA, that is owned by the State or municipality. This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant.

“Sanitary Sewer Board” or “Board” means the sanitary sewer board established for the Alexandria Lake Area Sanitary District as provided in Section 3 of the Enabling Legislation.

"Sanitary Sewer" means a sewer, which carries sewage (sanitary wastes), and to which storm, surface, and ground water are not intentionally permitted.

“Sanitary Wastes” means the liquid and water-carried wastes discharged from sanitary plumbing facilities and characterized by a composition typical of the waste emanating from an average residential connection.

“Service Stub” means the portion of the private sewer line that is commonly installed with the

public sewer line. The service stub is commonly located on the ROW, street, or utility easement for access when connection is made.

"Sewage" or "Wastewater" means the liquid and water-carried waste products from residences, public and private buildings, commercial buildings, institutions, and industrial facilities together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, which is discharged into or permitted to enter the ALASD sanitary sewer system.

"Sewer Locates" means markings made by ALASD staff to locate public sewer systems for Gopher State One-Call requirements.

"Sewer System" means a system including lift stations, manholes, force mains, gravity mains, etc. that are used to collect and convey wastewater to a water reclamation facility or formerly known as a wastewater treatment facility.

"Shall" is mandatory; "may" is permissive.

"Significant Industrial User" (SIU) is an Industrial User that: 1) discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding domestic/sanitary, noncontact cooling and boiler blowdown wastewater); or 2) contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW Treatment plant; or 3) is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

"Slug" is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's ordinances, local limits or permit conditions.

"Storm Sewer" (sometimes termed "storm drain") means a sewer which carries storm and surface water and drainage but excludes sewage and industrial wastes, other than unpolluted cooling or process water.

"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, in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater.

"Unpolluted water" means clean water uncontaminated by residential, commercial, industrial, or other generated wastes.

"User" means any person or entity who discharges or causes the discharge into the sanitary sewer system of ALASD.

"Wastewater" or "Sewage" means the liquid and water-carried waste products from residences, public and private buildings, commercial, institutions, and industrial facilities together with any

groundwater, surface water, and stormwater that may be present, whether treated or untreated, which is discharged into or permitted to enter the ALASD sanitary sewer system.

"Wastewater Facilities" means the structures, equipment, and processes required to collect, convey, and treat sewage water from all sources.

"Water Reclamation Facility", "WRF", "Wastewater Treatment Plant or Facility" or "Treatment Works" means treatment facilities designed to remove pollutants from raw wastewater or sewage.

Section 1.10 - Use of Public Sewers.

Subd. 1. It shall be unlawful to discharge to any natural outlet within the ALASD or in any area under the jurisdiction of the ALASD any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Subd. 2. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, sewage treatment system, cesspool, or other facility intended or used for the disposal of sewage within the ALASD service territory.

Subd. 3. No person(s) shall willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the wastewater or water reclamation facilities. Any person violating this provision shall be subject to immediate arrest and may be charged with a misdemeanor.

Subd. 4. No person or user shall discharge or cause to be discharged, directly or indirectly, any storm water, surface water, ground water, roof runoff, subsurface drainage, waste from onsite disposal systems, cooling or process water to any sanitary sewer unless there is no prudent and feasible alternative and is permitted by the ALASD.

Subd. 5. Storm water and all other unpolluted water shall be discharged to a storm sewer, except that unpolluted non-contact cooling can be discharged upon approval by the ALASD.

Subd. 6. No discharge of water from any surface water, sump pump, ground water pump, roof, yards, lawns, streets, alleys, footing tile, or other natural precipitation is allowed into the sanitary sewer system.

Subd. 7. No person shall discharge or cause to be discharged, directly or indirectly, any of the following substances to any public sewer connected to ALASD's sanitary sewer system:

- (a) Any pollutant(s) to a POTW that can cause pass through or interference.
- (b) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade.

- (c) Wastewater having a pH lower than 5.0 or greater than 10 or having a corrosive property that will or is likely to cause damage or hazard to structures, equipment, or personnel of the ALASD.
- (d) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.
- (e) Any pollutant, including oxygen demanding pollutants (biochemical oxygen demand, etc.) released in a discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW.
- (f) Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40 °C (104 °F) unless the approval authority, upon request of the POTW, approves alternate temperature limits.
- (g) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
- (h) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems. Any trucked or hauled pollutants, except at discharge points designated by the POTW.
- (i) Any waste generated outside of the ALASD without prior written approval of the ALASD.
- (j) Phosphorous or other nutrients that exceed acceptable limits as set by the ALASD.
- (k) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit (65 degrees Centigrade) leaving the building or in excess of one hundred three (103) degrees Fahrenheit (40 degrees Centigrade) entering the POTW.
- (l) Any water or waste containing fat, wax, grease, or oil in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two Fahrenheit (0 degrees Centigrade) and one hundred fifty (150) degrees F. (65 degrees C).
- (m) Any garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in public sewers, with no particles greater than one-half inch in any dimension.
- (n) Any water or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions, whether neutralized or not.
- (o) Any water or waste containing phenols or other waste or odor producing substances which constitute a nuisance or hazard to the structures, equipment or personnel of the sewage works, or which interfere with the treatment required to meet the requirements of the State and Federal government and any other public agency with proper authority to regulate the discharge from the water reclamation facility.
- (p) Unusual concentration of 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).
- (q) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
- (r) Unusual BOD, chemical oxygen demand, or chloride in such quantities as to constitute a significant load on the wastewater treatment systems.
- (s) Unusual volume of flow or concentration of wastes constituting a slug.

- (t) Radioactive wastes or isotopes of such half-life or concentration that they are in non-compliance with regulations issued by the appropriate authority having control over their use or which have caused or may cause damage or hazards to the treatment works or personnel operating it.
- (v) Any water, wastes, or wastewater that exceeds National Pretreatment Categorical Pretreatment Standards unless permitted in writing by ALASD.
- (u) Wastewater containing substances which are not amenable to treatment or reduction by the ALASD treatment processes employed or are amenable to treatment only to such degree that the water reclamation facility effluent cannot meet the requirements of the NPDES Permit or requirements of other governmental agencies having jurisdiction over discharges from the ALASD system.

Subd. 8. If any water or wastes are discharged, or are proposed to be discharged directly or indirectly to the public sewers, that do not meet the standards set out in or promulgated under this ordinance or which in the judgment of the ALASD may have a deleterious effect upon the treatment works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the ALASD may take any or all of the following steps:

- (a) Refuse to accept the discharges, or
- (b) Require control over the quantities and rates of discharge, or
- (c) Require pretreatment to an acceptable condition for the discharge to the public sewers in accordance with Federal pretreatment Standards, or
- (d) Require payment to cover the added cost of handling and treating the wastes.
- (e) Require the potential discharger to apply for and be issued a significant industrial user permit/agreement to allow discharge into the ALASD sewer system. The permit shall be in writing and may require any or all of the items set out in subparagraphs (a), (b), c), (d) above and such other requirements as may be determined necessary to protect the system as established by ALASD consultants and staff.

Subd 9. National Pretreatment Standards and General Regulations promulgated under Title 40 of the Code of Federal Regulations (CFR) by the U.S. Environmental Protection Agency (EPA) pursuant to the Act shall be met by all industrial users in addition to the requirements of this ordinance.

Subd 10. Significant industrial users (SIUs) discharging wastewater to ALASD shall apply for a Permit for Industrial Discharge to the ALASD sanitary sewer system. Issuance a permit from ALASD does not relieve the user from any obligation to obtain any additional permits or licenses required by other authorities to comply with any local, state, or federal requirements regarding waste disposal.

Subd. 11. The design and installation of plans and equipment for pre-treatment or equalization of waste flows shall be subject to the review and approval of ALASD and subject to the requirements of National Pretreatment Standards.

Subd. 12. Grease, oil and sand traps/interceptors shall be provided when they are necessary for the proper handling of liquid wastes containing grease, or any flammable wastes, sand or other harmful ingredients. All interceptors required under this Subdivision shall be of a type and capacity approved by the ALASD and shall be located as to be readily and easily accessible for cleaning and inspection. The owner shall be responsible for the maintenance of interceptors, including proper removal and disposal of the captured materials by appropriate means of disposal, which are subject to review by the ALASD. Any materials and hauling must be performed by the owner.

Subd. 13. All measurements, tests, and analysis of the characteristics of water and wastes to which reference is made in this ordinance shall be determined in accordance with 40 CFR 136, 40 CFR403.12 (g), and the latest edition of Standard Methods for the Examination of Water and Wastewater. When required by ALASD, the permit holder of any property serviced by a building sewer carrying industrial wastewater shall install a suitable control structure, together with such necessary meters and other appurtenances in the building sewer to facilitate observation sampling, flow measurement, and measurement of wastes. ALASD will determine whether a twenty-four (24) hour composite of all outfalls of a customer is appropriate or whether a grab sample or samples should be taken.

Subd. 14. The ALASD may conduct such tests as are necessary to enforce this ordinance, and employees of the ALASD may enter upon any property for the purpose of taking samples, obtaining information, conducting surveys and/or investigations relating to such enforcement. Entry shall be made during operating hours unless circumstances require otherwise. In all cases where tests are conducted by the ALASD for the purpose of checking to determine if a previously found violation of this ordinance has been corrected, the cost of such tests shall be charged to the user and added to the user sewer charge. In those cases where the ALASD determines that the nature of volume of particular user sewage requires more frequent than normal testing, the ALASD may charge such user for the tests, after giving the user ten (10) days written notice of its intention to do so, and the cost thereof shall be added to the user's sewer charge. In any case where industrial wastes are discharged to a public sewer, the ALASD may require the user, at his own expense, to test his discharge on a regular basis and to report the test results to the ALASD within a reasonable time. All such tests shall be as ordered by the ALASD and shall be conducted by qualified personnel and in accordance with the standards set out this section.

Subd. 15 Any installed garbage grinder shall grind garbage to a degree so that no particle is greater than one-half (1/2) inch in any dimension and shall be empowered to order that any garbage grinder regardless of size or when it was installed, which does not grind garbage to a degree so as to make it acceptable under Subd. 7 and 8 of this section, not be used to grind garbage, which is thereafter directly or indirectly discharged into a public sewer.

Subd. 16. Accidental discharges of prohibited waste into the sewage works, directly or through another disposal system, or to any place from which such waste may enter the treatment works, shall be reported to the ALASD by the persons responsible for the discharge, or by the owner or occupant of the premises where the discharge occurred, immediately upon obtaining knowledge of the fact of such discharge. ALASD may issue a requirement for a spill protection plan be developed. Additionally, a notice shall be issued by persons responsible for the discharge advising employees of the spill protection plan and emergency notifications procedure in the event of a slug or accidental discharges. Notifications will allow measures to be taken to minimize damage to the treatment facilities. Notification will not relieve the discharger of liability for any expense, loss, or damage to the treatment facilities, or for fines imposed on the ALASD by any state or federal agency as a result of their actions.

Subd. 17 In addition to penalties that may be imposed for violation of any provision of the ordinance, the ALASD may assess against the user/owner the cost of repairing or restoring sewers and associated facilities damaged as a result of the discharge of prohibited wastes and may collect the assessment as an additional charge for the use of the public sewer system.

Subd. 18. New connections to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities, including capacity for flow, BOD, suspended solids, total nitrogen, and phosphorous.

Subd. 19. Discharge of leachate, septage, and contaminated groundwater discharge to the ALASD system are not allowed without prior written approval from ALASD. Conditions of the discharge, to be set forth by ALASD, will include monitoring requirements, discharge fees, and flow/load requirements to ensure proper operation, maintenance, and protection of ALASD sewer system capacities and treatment capabilities.

Subd. 20. No statement contained in this subsection shall be construed as preventing any special agreement or arrangement between the ALASD and any industrial concern whereby any industrial wastes of unusual strength or character may be accepted by the ALASD for treatment, subject to payment therefore, by the industrial concern, in accordance with applicable ordinances and any supplemental agreement with the ALASD.

Subd. 21. No special agreement or arrangement between the ALASD or any industrial user shall allow discharges which would upset the treatment plant, pass through the treatment causing water quality violations, cause problems with sludge disposal, or violate federal pretreatment standards or permit conditions.

Section 1.15 - Removal of Prohibited Discharge and Prohibited Connections

Subd.1. It shall be unlawful for any user to discharge clear water drainage into the ALASD sewer system or to any sewer system under the jurisdiction of the ALASD. It is also unlawful for

any person to make or maintain a connection that allows clear water drainage into the ALASD system.

Subd. 2. The ALASD finds that the discharge of water from any surface, groundwater sump pump, ground water pump, roof, yards, lawns, streets, alleys, footing tile, or other natural precipitation into the sanitary sewer system contributes to the flooding and overloading of the sanitary sewer system. Such overloading of the sanitary sewer system may result in sewage flowing into lower levels of residences and businesses, creating hazardous public health conditions and significant damage to properties. The ALASD, therefore, determines that is necessary to protect the health, safety, and welfare of its citizens through the regulation of these connections to the ALASD's sanitary sewer system.

Subd. 3 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 public sanitary sewer system. 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 a 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 connections for altering the path of discharge, and if connected to a storm sewer line, include a check valve and an air gap.

Subd. 4 Every person owning property with a structure that discharges into the sanitary sewer system shall allow an employee of the ALASD or a designated representative of the ALASD to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. The ALASD may periodically re-inspect any building or premises to determine compliance with the requirements of this Section.

Subd. 5 Any person, owner, lessee, or occupant, and any plumber or building contractor who has presently made or permitted to be made or shall make or permit to be made, any connection or installation in violation of Section 1.15, shall immediately remove such connection or correct such an installation. If not removed or corrected within 45 calendar days after notice of the violation has been delivered personally or by certified mail to such person, owner, lessee, or occupant, the ALASD may impose a surcharge in the amount provided in Subdivision 6 of Section 1.15 of this Ordinance. Such a surcharge may also be imposed upon any property owner, lessee, or occupant who, after 30 calendar day notice, refuses to allow their property to be inspected. The owner, lessee, occupant of a building or premises found to be not in conformance with this Section during periodic reinspection may be subjected to a surcharge as provided in Subdivision 6 of 1.15.

Subd. 6 A surcharge of One Hundred and 00/100 Dollars (\$100.00) per month is hereby imposed on every sewer bill to property owners who are found to be noncompliance with Section 1.15 of 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 ordinance will be subject to the \$100.00 per month penalty for all months between the two most recent inspections.

Section 1.20 - Building Sewers and Connections

Subd. 1. It is unlawful for any person to engage in the work or business of installing private sewer service lines and appurtenances for others without a license therefore from ALASD. Any person desiring to engage in such work shall make an application to the ALASD on forms to be supplied by the ALASD together with the required license fee. All licenses issued shall be for one (1) year and each renewal shall be made by application together with the required annual fee. Each applicant for the license shall sign an agreement provided by ALASD agreeing to pay the ALASD the actual cost of repair for any damage caused to the ALASD Sewer System by the applicant or any of his employees or agents. This agreement shall accompany the license application. Each applicant for license shall accompany his application with a certificate of insurance in a company acceptable to the ALASD showing public liability insurance coverage with limits of at least \$250,000 per person; \$500,000 per occurrence and \$50,000 for property damage. Such certificate shall specifically state that such insurance covers underground operations and shall contain a provision that the coverage afforded under the policies will not be canceled or materially changed until at least 15 days prior written notice has been given to the ALASD.

Subd. 2. No person unless authorized shall uncover, make any connections with or opening into, use, alter, repair, or disturb any public or private sewer or appurtenance thereof, without first obtaining a written permit from the ALASD.

Subd. 3. Any person's license or permit, which is revoked or denied by the ALASD, may appeal said revocation or denial to the board.

Subd. 4. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner and not ALASD. The owner shall indemnify and hold harmless the ALASD from any loss or damage to the public sewer that may directly or indirectly be occasioned by the installation of the building sewer.

Subd. 5. A separate and independent building sewer shall be provided for every building; except as approved by ALASD where two or more buildings are situated on one parcel such that the parcel may not be subdivided; such a joint use private sewer may be extended to the rear building or buildings and the whole considered as one joint use private sewer.

Subd. 6. Building sewer lines shall be connected to sewer mains. Connections to manholes will require ALASD approval.

Subd. 7. Old/existing building sewers may be used in connections with new buildings only when they are found, on examination and test by the ALASD to meet all requirements of this

ordinance.

Subd. 8 Unused septic tanks, cesspools, leaching pits and similar devices and structures shall be backfilled and disconnected in a manner acceptable to the ALASD and the appropriate land use authority.

Subd. 9. The size, slope, alignment, materials of construction of a building sewer, and the method to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the appropriate jurisdiction building code, Minnesota Plumbing Code or other applicable rules and regulations.

Subd. 10. 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, such building drain shall be provided with a lifting device by an approved means and discharged to the building sewer.

Subd. 11. Employees of the ALASD or a designated representative of the ALASD shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the ALASD when the work is ready for final inspection and no underground portions shall be covered before the final inspection is completed. The connection shall be made under the supervision of the ALASD or its designated representative.

Subd. 12. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazards. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the ALASD and/or the local unit of government having jurisdiction.

SECTION 1.21-Private Sanitary Sewer Responsibility and Liability

Subd. 1. The ALASD is responsible and shall operate, maintain, and repair the public sanitary sewer. Any property owner or person may operate, maintain, and repair their private sewer service. Any property owner is responsible for all private sewers including private sewer in the public right-of-way or easement. Private sewers also include the service stub and the wye connection to the public sewer.

Subd 2. When any person claims that the private sewer is operating improperly because of an obstruction or other defect in the service stub and that the obstruction or other defect was caused by defective construction or negligence on the part of the ALASD in the operation or maintenance of the public sewer system, such claims shall be investigated by the ALASD. The means, method, and extent of the investigation shall be determined by ALASD. The cost of this investigation shall be borne in full by the ALASD. ALASD's investigation shall not be an admission of liability by the ALASD nor a waiver of any defenses the ALASD may exercise against any claims made by any person.

Subd. 3. Should the ALASD, upon investigation, determine that the claimed improper operation is the result of an obstruction or other defect caused by defective construction or negligence in the operation or maintenance of the public sewer system, the ALASD shall, at its own expense, make the necessary repairs to correct the improper operation of the private sewer.

Subd. 4. Should the ALASD upon investigation, determine that the improper operation of the private sewer service is not the result of defective construction or the ALASD's negligence in the operation or maintenance of the public sewer system, the cost of making repairs shall be the responsibility of the person or entity responsible for the improper operation or defective construction.

Subd. 5. Should the ALASD, upon investigation, be unable to ascertain the cause of the improper operation of the private sewer, the ALASD shall make the necessary repairs to correct the improper operation of the private sewer.

Section 1.22. Sanitary Sewer Backup Policy

Subd.1. Upon receiving notification that wastewater is entering any person's residence or place of business, the ALASD will dispatch a crew to investigate. Should the ALASD determine that the back-up was caused by a blockage of the private sanitary sewer the appropriate person will be so informed. The ALASD will then provide technical assistance only.

Subd.2. Should the ALASD determine that the back-up is a result of a blockage or pump failure in the public sanitary sewer, ALASD will work with property owner to determine mitigation measures and corrective action.

Subd.3. The ALASD's insurer will be promptly notified of any back-up that was a result of a blockage or pump failure in the public sanitary sewer. Claims arising from any back-up of the public sanitary sewer shall be forwarded to the ALASD's insurer.

Subd.4. Should the ALASD repair any defect or remove any obstruction found not to have been caused by the ALASD, the person shall pay the reasonable cost of such repair or removal to the ALASD. Should any person fail or refuse to pay such cost, the ALASD shall levy the cost of such repair against the property as a special assessment in accordance with Minnesota Statutes Chapter 429.

Section 1.25 - Public Sanitary Sewer Construction

Subd. 1. No person unless authorized 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 ALASD.

Subd. 2. No sanitary sewers shall be constructed in the ALASD except by the ALASD or an

approved contractor in accordance with plans and specifications prepared by a professional engineer and approved by the ALASD. No such sewers shall be considered to be a part of the public sewer system unless approved by the appropriate local unit of government and accepted by the ALASD. This subdivision does not apply to private building sewer.

Subd. 3. The size, slope, alignment, material of construction, methods to be used in excavation, placing of pipe, jointing, testing, backfilling, and other work connected with the construction of sewers shall conform to the requirements of the ALASD.

Section 1.27 - Developer Construction of Public Sewer

Subd. 1. Developer may install public sewer as defined in Section 1.25. Developer shall provide ALASD with preliminary drawings showing conceptual or preliminary sewer layout prior to preliminary plat approval.

Subd. 2. The developer and/or contractor shall be responsible for obtaining all permits and approvals that may be required by the ALASD and other agencies and provide a copy of such approvals to the ALASD.

Subd. 3. The developer and/or contractor shall receive preliminary approval of the planned improvement by the the appropriate land use authority prior to approval consideration by the ALASD.

Subd. 4. The developer and/or contractor shall receive approval of the project by the affected local unit of government in which the public sewer is to be located prior to final approval by the ALASD.

Subd. 5. The developer and/or contractor will engage a duly registered engineer authorized to practice in the State of Minnesota to prepare detailed plans and specifications for public sewer.

Subd. 6. All plans and specifications prepared by the developer's engineer must meet with the approval of the ALASD. The ALASD reserves the right to hire an independent consulting engineer to review these plans and specifications at the developer's expense. The estimated cost of this review may be submitted to the contractor and/or developer prior to submitting these plans to the consulting engineer.

Subd. 7. Any general contractor or subcontractor selected by the developer to construct and install sanitary sewer shall be subject to the approval of the ALASD. The ALASD reserves the right to require evidence of competency and good financial status in any such contractor.

Subd. 8. All construction and materials shall be in accordance with the ALASD approved plans and specifications.

Subd. 9. The contractor and/or developer shall provide to the ALASD exclusive permanent and temporary easements necessary for the installation and maintenance of the public sewer.

Subd. 10. The developer and/or contractor will cause each person with whom the developer contracts for construction and installation of any sanitary sewer to furnish the ALASD evidence of complete insurance coverage. The contractor will provide a certificate of insurance to the ALASD. The certificate shall list the ALASD as an additional insured. Insurance limits will be determined by ALASD or as required by state law.

Subd.11 By bond and written agreement the developer and contractor shall warrant all work for one year from the date of acceptance by the ALASD from defective material and workmanship.

Subd.12 The developer shall pay for the cost of general construction inspection. The ALASD shall select the firm or individual to perform resident inspection and construction staking. Prior to final acceptance and use the ALASD staff will conduct a final project inspection. Any workmanship or materials found not to meet the requirements of the specifications shall be removed by and at the expense of the contractor and/or developer and good and satisfactory materials and workmanship substituted, therefore. Settlement of debts and wages for any other work shall be remedied and made good by the contractor and/or developer.

Subd. 13 Project as-built drawings shall be submitted to the ALASD by March 1 of the year following project acceptance by the ALASD. These drawings shall be in electronic format. The drawings shall show actual horizontal and vertical locations of the completed facilities. Provide ties on the plans with which to locate manholes and service stubs and otherwise record the project as constructed. The as-built drawings shall consist of one complete set of reproducible electronic drawings and three paper copies of the same.

Subd. 14 All costs to install public sewer and meet the requirements of this section shall be borne by the developer and/or contractor at no expense to the ALASD.

Subd.15 By resolution the board of the ALASD will accept into the ALASD public sewer system if system(s) meet the above listed requirements. By this acceptance the ALASD assumes all operational and maintenance responsibilities for this public sewer in accordance with the maintenance agreement between the ALASD and/or LGU.

Section 1.30 – Chloride Reduction Measures

Subd. 1 All new connections to the ALASD system shall be required to install high-efficiency water softeners to reduce chloride discharges caused by brine generated from water softening, effective June 1, 2024.

Subd. 2. No time-based softeners/non-high efficiency water softeners will be allowed connection to or allowed to discharge brine to the ALASD system effective January 1, 2030.

Subd. 3 Effective January 1, 2030, all softeners connected to or discharging brine to the ALASD System shall meet the following requirements: NSF/ANSI standard 44 with minimum efficiency of 4000 grains/lb. regenerated salt.

Subd. 4 Every person owning property with a structure that discharges into the sanitary sewer system shall allow an employee of the ALASD or a designated representative of the ALASD to inspect the buildings to confirm softener system connected to the sewer system are compliant with the requirements of this Section. The ALASD may periodically re-inspect any building or premises to determine compliance with the requirements of this Section.

Section 1.35 - Authority of Inspectors

Subd. 1. Duly authorized employees of the ALASD or a designated representative of the ALASD bearing proper credentials and identification shall be permitted to enter all properties and buildings for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance.

Subd. 2. Duly authorized employees of the ALASD, or a designated representative, bearing proper credentials and identification shall be permitted to enter all private properties through which the ALASD holds an easement for the purpose of, but not limited to inspection, observation, repairs, and maintenance.

Section 1.40 - Penalties

Subd. 1. Any person found to be violating any provisions of this ordinance shall be served by the ALASD with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The person shall within the period of time stated in such notice permanently cease all violation.

Subd. 2. Any person who shall continue any violation beyond the time limit provided for in section 1.40 Subd. 1, shall be guilty of a misdemeanor and on conviction thereof shall be fined in an amount determined by ALASD for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Subd. 3. Any person violating any of the 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.

Subd. 4. Violations of Section 1.15 shall be subject to a surcharge in accordance with of that Section. Continued violation of Section 1.15 may result in the imposition of penalty under this Section.

Section 1.45 - Validity

Subd. 1. The validity of any section, subdivision, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance, which can be given effect without such invalid part or parts.

Subd. 2. All other ordinances and parts of ordinances or resolutions inconsistent or in conflict with any part of this ordinance are hereby repealed to the extent of such inconsistency.

Section 1.50 – 2024 Revisions and Effective Date


Subd. 1. This ordinance shall be in full force and in effect from and after the passage, approval, recording, and publication as provided by law.

ALASD Sewer Use 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, ~~Nettestad,~~ Niblett, Tvrdik, and Waldorf, *RENTZ*

No: None



Roger Thalman, Chairman



Rebecca Sternquist, Secretary