

**TITLE V: PUBLIC WORKS**

**TITLE V: PUBLIC WORKS**

Chapter

- 50. WATER AND SEWER**
- 51. GARBAGE; SOLID WASTE**

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER**

**CHAPTER 50: WATER AND SEWER**

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**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / GENERAL PROVISIONS**

**GENERAL PROVISIONS**

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / GENERAL PROVISIONS / § 50.01 DEPARTMENT ESTABLISHED.**

**§ 50.01 DEPARTMENT ESTABLISHED.**

There is hereby established a Public Works Department for the city. The water and sewer systems as they are now constituted or shall hereafter be enlarged or extended shall be operated and maintained under the provisions of this chapter subject to the authority of the City Council at any time to amend, alter, change, or repeal the same.

(1976 Code, § 62.01)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / GENERAL PROVISIONS / § 50.02 COUNCIL AUTHORITY OVER SYSTEMS.**

**§ 50.02 COUNCIL AUTHORITY OVER SYSTEMS.**

The City Council shall have charge and management of the water and sewer systems

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subject to such delegation of the authority to other employees as the Council shall provide.

(1976 Code, § 62.02)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / GENERAL PROVISIONS / § 50.03 DISCLAIMER.**

**§ 50.03 DISCLAIMER.**

The city shall not be held liable at any time for any deficiency or failure in the supply of water to the customer whether the same be occasioned by shutting off the water for repairs or connections or for any cause whatever.

(1976 Code, § 62.12)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / GENERAL PROVISIONS / § 50.04 EMERGENCY CONSERVATION REGULATIONS.**

**§ 50.04 EMERGENCY CONSERVATION REGULATIONS.**

The City Council may impose emergency regulations pertaining to the conservation of water by resolution of the City Council and by giving notice by publication or by posting in the city office and at public places as the Council may direct.

(1976 Code, § 62.15)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / CONSTRUCTION AND CONNECTIONS**

**CONSTRUCTION AND CONNECTIONS**

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / CONSTRUCTION AND CONNECTIONS / § 50.15 CONNECTION; APPLICATION, PERMITS, AND FEES.**

**§ 50.15 CONNECTION; APPLICATION, PERMITS, AND FEES.**

(A) No person, firm, or corporation shall make any type of connection to the water system, sanitary sewer system, or storm sewer system except upon making application therefor on a form provided by the city and receiving a permit issued by the city for those purposes. The application shall include the legal description of the property to be served, the uses for which the connection is requested, and the size of the service line to be used.

(B) At the time of taking the application, there shall be paid to the City Administrator, Clerk/Treasurer the following fees for the following purpose:

(1) No connection shall be made with respect to any sanitary sewer, water system, or storm sewer system serving property of any person or occupants of the land, parcel, or premises affected that have not paid or provided for the payment of the full and proportionate share of these utilities, which share shall be payable as follows:

(a) For service to property to which service lines have not been previously run from the street laterals to the property lines, the owner, occupant, or user shall pay into the city treasury an amount not less than the cost of making the necessary connections, taps, and installation of pipe and appurtenances to provide service to the property and the necessary street repairs.

(b) For service to property to which service lines have been run to the property lines but which have not been paid for, the owner, occupant, or user shall pay in cash or agree to pay charges in the form of special assessments to be levied against the property to be spread over a number of years coincident with the maturity requirements of any special improvement bonds sold for the purpose of financing the construction of the sanitary sewer, municipal water, or storm sewer system serving the property. The cash payment or assessment charge shall be in the principal amount of not less than the payments made by or charges placed against comparable properties for like services for the sanitary sewer, water, or storm sewer system in an amount as may be established by the City Council.

(c) In the instance of water services run to the property lines as provided under division (B)(1)(a) hereof, the payment to the City Administrator, Clerk/Treasurer of any amount required under division (B)(1)(b) hereof shall be reduced by the amount paid to the city under division (B)(1)(a). Where any property has heretofore been assessed a lump sum as established by the city's fee schedule and did not receive a connection from the street lateral to the property line, that assessment shall be reduced as hereinafter provided at the time application is made for a connection. For a long side service connection, the abatement shall be in the sum as established by the city's fee schedule. For the short side, it shall be established by the city's fee schedule. The Administrator, Clerk/Treasurer is authorized and directed to make

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and certify these reductions in the assessment roll at the time the applicant has paid for having the connection made. If the applicant has already fully paid the assessment, the applicant shall then be given credit in the amount provided herein toward the cost of the connection. Where the lump sum assessment has not heretofore been levied, the applicant shall pay a connection charge in the amount set by the Council from time to time by resolution in addition to other charges and fees provided herein. Any parcel of real estate having more than one residential living unit shall pay a charge as set by the Council from time to time by resolution for each residential unit before being connected to the municipal water system. Any parcel of real estate used for commercial or industrial purposes shall be required to pay a residential equivalent charge to be permitted to connect to the municipal water system. This charge shall be determined by the City Council with the advice of the City Engineer and Administrator, Clerk/Treasurer and shall be based upon the usage and needs of the business and demand upon the city system. In no event shall the connection charge be less than the amount set by the Council from time to time by resolution.

(d) For sanitary sewer service to property to which sewer service lines have not been previously run to the property lines, the owner, occupant, or user shall pay an amount not less than the cost of installation of the connection and the necessary street repairs. Where the lump sum assessment has not heretofore been levied, the applicant shall pay a lump sum charge in the amount set by the Council from time to time by resolution in addition to the other charges and fees provided herein.

(2) (a) Before proceeding with the construction, enlargement, alteration, or repair of any water or sewer lines connecting the water system, sanitary sewer system, or storm sewer system and any house or building, the owner or his or her agent shall first obtain a permit for the purpose from the municipality through its Administrator, Clerk/Treasurer. The applicant shall pay to the Administrator, Clerk/Treasurer a permit fee in the amount set from time to time by Council resolution for any water connection.

(b) The applicant shall pay to the Administrator, Clerk/Treasurer a permit and inspection fee for any sanitary sewer connection. The fees shall be in amounts set from time to time by Council resolution for inside inspection plus for inspection of the outside work from the dwelling or structure to the sewer service. In the event that the owner, occupant, or user installs the house sewer prior to the time the city system is in operation, an additional fee as set from time to time by Council resolution shall be paid at time of the application for the added inspection which will be required at the time of connection. There shall be an additional fee as set from time to time by Council resolution for each additional opening in the system.

(c) The Plumbing Inspector shall examine all applications before construction is begun, and after the construction, enlargement, alteration, or repair is complete, the Plumbing Inspector shall be notified. It shall be unlawful to cover any connecting line until an inspection has been made and the connection and the work incident thereto has been approved by the city as a proper and suitable connection. Prior to connection to the public sanitary sewer system, the Plumbing Inspector shall examine the existing drainage system and the interior

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plumbing system. All systems of this type shall conform to the requirements of this chapter and the requirements of the State Plumbing Code. In the event that the drainage or plumbing system does not conform to the above requirements, the applicant shall do whatever corrective work may be necessary before final hook-up to the city system is made.

(d) In the event a request for services of the city utility employees in respect to installation of sewer and water or outdoor inspection thereof is made on a Saturday, Sunday, or holiday, or any other time for which the city is obliged to pay overtime, the applicant shall be charged, in addition to all other fees provided for, the sum equal to the overtime costs that will be incurred by the city if affording the installation.

(1976 Code, § 62.03) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.16 IMPLIED CONSENT TO RULES,  
REGULATIONS, AND RATES.**

**§ 50.16 IMPLIED CONSENT TO RULES, REGULATIONS, AND RATES.**

Every person applying for water or sewer service, every owner of property for which any such application is made, every person accepting water or sewer service, and every owner of property where this type of service is accepted subsequent to the passage of this chapter, shall be deemed, upon making the application or accepting the service, to consent to all rules, regulations, and rates as established by this chapter and as may hereafter be set forth and adopted by the Council by resolution or ordinance.

(1976 Code, § 62.05)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.17 REPAIRS, MAINTENANCE,  
LEAKS; RESPONSIBILITY.**

**§ 50.17 REPAIRS, MAINTENANCE, LEAKS; RESPONSIBILITY.**

(A) The repair and maintenance of all sewer and water service connections from the city main, including all valves, stop boxes, or other appurtenances thereto, shall be the responsibility of the property owner served by the service line.

(B) In the event any service line should become in need of repair, the owner shall

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make the repairs immediately. If the owner fails or refuses to make repairs promptly, the city may if it chooses make the repairs, and charge the expenses to the owner. The city may, in that event, add the repair costs to the water or sewer bill of the owner.

(C) Any owner, occupant, or user of a premises shall notify the city immediately if a leak in a water service line shall be discovered. If the city is not notified within 24 hours of any noticeable leak, the water wasted due to the leak shall be estimated by the Administrator, Clerk/Treasurer and the owner shall be charged for that water at the established rate.

(1976 Code, § 62.09) Penalty, see § 10.99

### **TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / CONSTRUCTION AND CONNECTIONS / § 50.18 CONNECTION REQUIREMENTS, STANDARDS.**

#### **§ 50.18 CONNECTION REQUIREMENTS, STANDARDS.**

(A) *Water connection.* There shall be installed in every connection to the city water system, one full flow valve which shall be installed at a point near and before the meter so that the water may be turned off and the meter and house water distribution system can be entirely drained. There shall also be installed another approved full flow gate valve near and after the meter in the water distribution pipe on the house side of the meter. All water service pipes connected to the city water system shall be Type K copper, a minimum of one inch inside diameter, and shall be laid at a depth of not less than seven feet below the estimated grade. All new construction shall provide a wire for a remote water meter reader from the meter to the outside of the structure in a place that is readily accessible at any time of the year. This wire shall be a three-wire, number 18 gauge wire and shall extend six inches beyond the finished outside wall line.

(B) *Sewer connection.* All service pipe connecting to the city sewer system may be PVC of SDR 35 or greater quality pipe with a minimum size of four inches inside diameter. All pipe shall be installed with solvent cement joints. The joint at the connection may be made with a Fernco type fitting matching the pipe type and size. All house services shall have a grade of not less than one-fourth inch per foot. No connecting sewer shall contain bends or a combination of bends which at any point shall be greater than 45 degrees, and no more than two bends regardless of angle shall be permitted in any single house connection except where manholes or clean-outs are provided. No cesspool or septic tank shall be connected to any portion of the house sewer.

(1976 Code, § 62.10) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.19 CONNECTION INSTALLATION.**

**§ 50.19 CONNECTION INSTALLATION.**

All connections to the water system or sanitary sewer system shall be performed by a plumber licensed to do plumbing in the city, except that nothing in this section shall be construed as to prohibit an individual owner from obtaining a permit and installing the connection by his or her own labor, provided, however, that construction is conducted under the regulations of this chapter and requirements of the City Engineer and City Plumbing Inspector.

(1976 Code, § 62.11) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.20 CLEAR WATER IN SANITARY  
SEWER SYSTEM PROHIBITED.**

**§ 50.20 CLEAR WATER IN SANITARY SEWER SYSTEM PROHIBITED.**

It shall be unlawful for any owner, occupant, or user of any premises to direct into or allow any storm water, ground water, or surface water, or water from air conditioning systems to drain into the sanitary sewer system of the city.

(1976 Code, § 62.13) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.21 EXCAVATION AND  
CONSTRUCTION.**

**§ 50.21 EXCAVATION AND CONSTRUCTION.**

(A) All installation work or repair of connections to the water and sewer systems, including grade bends and backfilling, shall be performed under the direction and supervision of the Plumbing Inspector. No work shall be covered or backfilled until directed by the Inspector. All work and excavations shall be protected by barricades and warning markers and lights reasonable and suitable to the purpose. The city shall be held harmless of any claim or loss as might otherwise arise for damage, loss, or injury caused by or arising by reason of the work

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being performed; and the applicant causing the work to be done shall give undertaking to the city with respect thereto.

(B) No digging in any permanent type street shall be permitted except by special permission from the city.

(1976 Code, § 62.14) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.22 PRIVATE WATER; SEPARATION  
FROM CITY SYSTEM.**

**§ 50.22 PRIVATE WATER; SEPARATION FROM CITY SYSTEM.**

Whenever any premises are connected to the city water system, there shall be maintained a complete physical separation between the city water supply system and the private water supply system so that it is impossible to intentionally allow any water produced by a private system to be introduced in the supply line from the city system.

(1976 Code, § 62.17) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.23 DELAYED CONNECTION  
CHARGE.**

**§ 50.23 DELAYED CONNECTION CHARGE.**

Any person, firm, or corporation that does not connect to the city water system or sanitary sewer system within six months after the system is available shall be required to pay the minimum charges that would be charged in the event they were hooked up to services. A penalty in the amount set from time to time by Council resolution may be assessed for hook-ups delayed more than six months after the service has been available.

(1976 Code, § 62.18) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.24 AVAILABLE SEWER;  
CONNECTION REQUIRED.**

**§ 50.24 AVAILABLE SEWER; CONNECTION REQUIRED.**

It shall be the duty of every owner or occupant of any property having a building thereon used as a dwelling or business building which property abuts upon any public street or alley, or easement, along which a main or lateral sewer has been constructed, to connect therewith. No owner or occupant of any property shall fail to make connection with the sewer within 30 days after written notice has been given to the owner or occupant by the Administrator, Clerk/Treasurer.

(1976 Code, § 62.19)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.25 FUTURE SANITARY SEWERS.**

**§ 50.25 FUTURE SANITARY SEWERS.**

(A) All homes, apartments, and commercial buildings hereafter constructed within the limits of the city which do not have the city sewer system available to them shall have a future sanitary sewer line installed consisting of four-inch standard weight cast iron pipe with leaded joints. The sewer line shall run under the footing toward the street side extending three feet beyond the outside basement wall and shall be plugged. Also, all future inside openings shall be plugged.

(B) There shall be a four-inch Minneapolis-style clean-out installed with top at floor level as close to the inside basement wall as possible. In cases where laundry tubs or other drainage lines are run on the opposite side of the building away from the main stack, a future opening shall be left for same.

(1976 Code, § 62.20) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER /  
CONSTRUCTION AND CONNECTIONS / § 50.26 RIGHT OF ENTRY.**

**§ 50.26 RIGHT OF ENTRY.**

The city, by any authorized employee or agent, shall have the right to enter and be admitted to any lands and buildings in the city for the purpose of inspections of materials,

plumbing work, and fixtures of all kinds used by or in connection with the water and sewer systems.

(1976 Code, § 62.16)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / WATER METERS**

**WATER METERS**

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / WATER METERS / § 50.40 WATER METER REGULATIONS.**

**§ 50.40 WATER METER REGULATIONS.**

(A) Before any water conveyed through the municipal water system shall be used or utilized on the land or premises of any person, firm, or corporation, there shall first be installed a water meter that will accurately measure the water consumed on the premises, unless the installation shall be exempted by the city. All meters installed shall be of a type approved by the city. All commercial or industrial meters shall be furnished by the applicant. An applicant for a residential connection may request that the city furnish the meter, in which event the applicant shall purchase the meter for an amount that the Council may set from time to time by resolution. All water meters installed, whether provided by the city or the applicant, shall be and remain the property of the applicant or his or her successors.

(B) (1) All water meters installed prior to the passage of this section or under the provisions of this chapter shall be and remain the property of the applicant or his or her successors. Whenever a new application for water service is made, the city shall inspect the existing water meter, if any, to determine whether the meter is in good repair and will accurately measure the flow of water consumed on the premises. The cost of this inspection shall be determined from time to time by Council resolution and shall be charged to the applicant.

(2) No person, firm, or corporation other than the city or its designee shall install, maintain, or repair any water meter within the city limits. Every water meter connected to the water system shall be sealed by or under the direction of the Administrator, Clerk/Treasurer and no person, firm, or corporation shall break or remove the seal; provided, however, that a plumber licensed to do business in the city may break the seal or remove the meter for necessary repairs. In all cases where a seal is broken or a meter is removed by a licensed plumber, the plumber shall notify the Administrator, Clerk/Treasurer of the fact within

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24 hours after the seal is broken or the meter is removed. Whenever any seal attached to a water meter by or under the direction of the Administrator, Clerk/Treasurer is found broken, the broken condition of the seal shall be prima facie evidence that the seal was broken contrary to the terms and provisions in violation of this section.

(3) All water meters connected to the water system shall be accessible to the Administrator, Clerk/Treasurer or designee at any reasonable hour of any business day, and the refusal of admission by any owner or occupant of any premises wherein a water meter is installed after the owner or occupant has been notified that admission is desired for the purpose of inspecting a water meter installed in the premises shall constitute a violation of this section.

(C) The meters shall be repaired from time to time as is necessary to insure accurate measuring of the flow of water, except that whenever a meter has been damaged due to negligence on the part of persons other than the employees of the city, the owner, occupant, or user of premises or other persons desiring the use of the water shall reimburse the city for the expense of repairing any such meter. Upon failure to reimburse the city within a reasonable time and upon demand therefor, the water service and supply to the premises may be shut off or discontinued as determined to be in the best interest of the city.

(D) It shall be unlawful for any person to tamper with, alter, bypass, or in any manner whatsoever interfere with the proper use and functioning of any water meter within the city.

(1976 Code, § 62.04) Penalty, see § 10.99

### **TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / WATER METERS / § 50.41 METER READINGS.**

#### **§ 50.41 METER READINGS.**

(A) The Council may provide a system of water meter reading by post card, meter person, or any other method deemed suitable to the purpose of the Council. The Council may also establish billing areas or districts and provide for the reading of meters and billing charges by calendar quarters or monthly quarters or such periodic intervals as the Council shall determine suitable and necessary from time to time.

(B) The Council reserves the right to discontinue service to any customer of the water and sanitary sewer system without notice when necessary for repairs, additional connection, or reconnection or for non-payment of charges or bills, or for disregard of any rules or regulations in connection with the use or operation of the system. Whenever any service has been discontinued for non-payment of charges or bills or for disregard of any rules or regulations or for any other purpose, it shall not be resumed except upon payment of the charges or bills

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accrued together with interest thereon in the amount of 10% per annum, or compliance with the rules and regulations previously violated and payment to the Administrator, Clerk/Treasurer of a restoration fee in the amount set from time to time by Council resolution.

(C) In the event a water or sewer bill, whether incurred prior or subsequent to the passage of this section, is unpaid at the end of the calendar quarter or the billing period under which the billing is sent out, the bill shall be considered delinquent and the service may be discontinued as provided in division (B) above and the Council may cause the charges noted in the billing to become a lien against the property served by certifying to the County Auditor the amount of the delinquent bill in accordance with the statutes of the state.

(1976 Code, § 62.06) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / WATER METERS / § 50.42 METER TESTING.**

**§ 50.42 METER TESTING.**

Whenever a water user questions the accuracy of his or her meter and desires that the meter be tested, he or she shall pay a fine in the amount set from time to time by Council resolution if the meter tests accurate within a range of minus 3% to plus 1.5%. If it is not accurate within this range, no charge will be made for the period of time that the meter is assumed to be inaccurate, not to exceed two billing periods.

(1976 Code, § 62.14)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES**

**RATES AND CHARGES**

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.55 BILLING REGULATIONS; COUNCIL AUTHORITY.**

**§ 50.55 BILLING REGULATIONS; COUNCIL AUTHORITY.**

The Council shall have authority to prescribe by resolution the rates to be charged for water and sewer service to the customer from time to time and may prescribe the date of billing,

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a discount for payment within a prescribed period and penalty for failure to pay within that period, and further rules and regulations relative to the use and operation of those systems as it may deem necessary from time to time.

(1976 Code, § 62.07)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.56 FAULTY METERS; BILLING.**

**§ 50.56 FAULTY METERS; BILLING.**

If a meter fails to register or accurately measure the water, the charge for water consumed shall be paid for at the established rate based upon past average billings as determined by the City Administrator, Clerk/Treasurer.

(1976 Code, § 62.08)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.57 DELINQUENT PAYMENT; TAX LIEN.**

**§ 50.57 DELINQUENT PAYMENT; TAX LIEN.**

As provided by M.S. § 444.075(3), as it may be amended from time to time, it is hereby approved, adopted, and established that if payment of lawful charges levied by the city in connection with this chapter are not paid before the sixtieth day next succeeding the date of billing thereof, those charges plus the interest allowed by law shall be deemed to be a charge against the owner, lessee, and occupant of the property served, and the city or its agent shall certify the unpaid delinquent balance to the County Auditor with taxes against the property served for collection as other taxes are collected; provided, however, that this certification shall not preclude the city or its agent from recovery of the delinquent charges under any other available remedy.

(1976 Code, §§ 62.21, 63.03, 64.03, 65.05, and 65A.05) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.58 WATER RATES SET BY RESOLUTION.**

**§ 50.58 WATER RATES SET BY RESOLUTION.**

From and after the effective date of this section, the water rates within the city shall be amended from time to time by resolution of the City Council.

(1976 Code, § 63.01)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.59 WATER RATES; HOMESTEAD EXEMPTION.**

**§ 50.59 WATER RATES; HOMESTEAD EXEMPTION.**

Any resident homeowner of the city currently qualifying for homestead exemption, who has attained the age of 65 or more, or who is disabled, and who is paying a water use charge for single family residential water usage, shall not be charged a water user fee for the first 18,000 gallons of use each quarter. After 18,000 gallons, he or she shall be charged at the same rate per gallon as is specified in § 50.58 of this code. Application for exemption must be made annually.

(1976 Code, § 63.02)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.60 SEWER RATES; DEFINITION.**

**§ 50.60 SEWER RATES; DEFINITION.**

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**REC.** A unit of sewage volume of 100,000 gallons per year; and shall be assigned as follows:

- (1) Single-family houses, townhouses, and duplex units shall each comprise one unit;
- (2) Condominiums and apartments shall each comprise 80% of a unit;
- (3) Mobile homes shall each comprise 80% of a unit;
- (4) Other buildings and structures shall be assigned one unit for each 100,000

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gallons of flow or part thereof which it is estimated they will discharge; and

(5) Public housing units and housing units subsidized under any federal program for low and moderate income housing shall be counted as 75% of the unit equivalent for that type of housing.

(1976 Code, § 64.01)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.61 SEWER RATES SET BY RESOLUTION.**

**§ 50.61 SEWER RATES SET BY RESOLUTION.**

From and after the effective date of this section, the sewer rates within the city shall be amended from time to time by resolution of the City Council.

(1976 Code, § 64.02)

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.62 SEWER SERVICE AVAILABILITY AND CONNECTION CHARGES.**

**§ 50.62 SEWER SERVICE AVAILABILITY AND CONNECTION CHARGES.**

(A) *Connection charges.* No building or structure shall be permitted to be connected to the city sewer system until sewer service availability and connection charges as established herein have been paid to the city.

(1976 Code, § 65.01)

(B) *Recitals.* The Metropolitan Sewer Board has determined to reserve unused capacity in the metropolitan disposal system each year for local government units in which new buildings to be connected to the system and new connections to the system are commenced during that year; and to allocate the debt service costs of the unused capacity for the year among local government units. In order for the city to pay those costs allocated to it each year, it will be necessary to establish sewer service availability and connection charges for all buildings to be constructed or connected to the metropolitan disposal system.

(1976 Code, § 65.02)

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(C) *Establishment of charges.*

(1) For the purpose of paying costs of reserve capacity allocated to the city each year by the Metropolitan Sewer Board, there is hereby established a charge for:

(a) The availability of treatment works and interceptors comprising the metropolitan disposal system; and

(b) Connections, direct and indirect, to the metropolitan disposal system.

(2) The charge is imposed on each building or structure in the city and each connection to the metropolitan disposal system directly or through the city's system, inside any sewer service area established by the Metropolitan Sewer Board, construction of which is commenced on or after January 1, 1973. The charge shall be payable upon the issuance of a building permit or a connection permit, as the case may be, but no charge shall be due upon the issuance of a connection permit if a charge was paid upon issuance of a building permit.

(3) The charge for each building or structure shall be equal to the number of units or sewage volume which it will discharge, multiplied by the current service availability charge as established annually by the Metropolitan Waste Control Commission. A unit of sewage volume shall be 100,000 gallons per year and shall be assigned as follows:

(a) Single-family houses, townhouses, and duplex units shall each comprise one unit;

(b) Condominiums and apartments shall each comprise 80% of a unit;

(c) Mobile homes shall each comprise 80% of a unit;

(d) Other buildings and structures shall be assigned one unit for each 100,000 gallons of flow or part thereof which it is estimated they will discharge; and

(e) Public housing units and housing units subsidized under any federal program for low and moderate income housing shall be counted as 75% of the unit equivalent for that type of housing.

(1976 Code, § 65.03)

(D) *Administration.* The City Administrator, Clerk/Treasurer shall prepare or revise building permit or sewage connection permit application forms to provide information necessary for the computation of the number of units assignable to the building or structure in question, and shall collect the applicable charge before issuance of a permit. The Administrator, Clerk/Treasurer shall make this information available to the Sewer Board upon request. If, upon filing a report covering the permit with the Metropolitan Sewer Board, the Board determines that a greater number of units is assignable to the building or structure in question, any additional

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amount of cost allocated to the city as a result shall be paid by the person or company to whom the permit was granted.

(1976 Code, § 65.04)

Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.63 INDUSTRIAL USER SEWER STRENGTH CHARGE.**

**§ 50.63 INDUSTRIAL USER SEWER STRENGTH CHARGE.**

(A) *Recitals.* The Metropolitan Waste Control Commission (the “Commission”), a metropolitan commission organized and existing under the laws of the state, in order to receive and retain grants in compliance with the Federal Water Pollution Control Act Amendments of 1972, being 33 USC 1251 *et seq.* and regulations thereunder (the “Act”), as it may be amended from time to time, has determined to impose an industrial user sewer strength charge upon users of the metropolitan disposal system (as defined in M.S. § 473.121(24), as it may be amended from time to time) to recover operation and maintenance costs of treatment works attributable to the strength of the discharge of industrial waste, this sewer strength charge being in addition to the charge based upon the volume of discharge. In order for the city to pay those costs based upon strength of industrial discharge and allocated to it each year by the Commission, it is hereby found, determined, and declared to be necessary to establish sewer strength charges and a formula for the computation thereof for all industrial users receiving waste treatment services within or served by the city. Furthermore, M.S. § 444.075(3), as it may be amended from time to time, empowers the city to make that sewer charge a charge against the owner, lessee, occupant, or all of them and certify unpaid charges to the County Auditor as a tax lien against the property served.

(1976 Code, § 65A.01)

(B) *Establishment of strength charges.* For the purpose of paying the costs allocated to the city each year by the Commission that are based upon the strength of discharge of all industrial users receiving waste treatment services within or served by the city, there is hereby approved, adopted, and established, in addition to the sewer charge based upon the volume of discharge, a sewer charge upon each person, company, or corporation receiving waste treatment services within or served by the city, based upon strength of industrial waste discharged into the sewer system of the city (the “strength charge”).

(1976 Code, § 65A.02)

(C) *Establishment of strength charge formula.* For the purpose of computation of the

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strength charge established by division (B) hereof, there is hereby established, approved, and adopted in compliance with the Act the same strength charge formula designated in § 50.64 of this code, this formula being based upon pollution qualities and difficulty of disposal of the sewage produced through an evaluation of pollution qualities and quantities in excess of an annual average base and the proportionate costs of operation and maintenance of waste treatment services provided by the Commission.

(1976 Code, § 65A.03)

(D) *Strength charge payment.* It is hereby approved, adopted, and established that the strength charge established by division (B) hereof shall be paid by each industrial user receiving waste treatment services and subject thereto before the twentieth day next succeeding the date of billing thereof to that user by or on behalf of the city, and the payment thereof shall be deemed to be delinquent if not so paid to the billing entity before that date. Furthermore, it is hereby established, approved, and adopted that if the payment is not paid before that date an industrial user shall pay interest compounded monthly at the rate of 0.67% per month on the unpaid balance due.

(1976 Code, § 65A.04)

Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 50: WATER AND SEWER / RATES AND CHARGES / § 50.64 STRENGTH CHARGE FORMULA.**

**§ 50.64 STRENGTH CHARGE FORMULA.**

The Metropolitan Waste Control Commission hereby approves the Public Hearing Officer's report and findings and adopts the following:

(A) The Metropolitan Waste Control Commission strength charge system as recommended by the Hearing Officer and determined annually by application of:

- (1) Plant unit process evaluations;
- (2) Current quality control data; and
- (3) Current budgeted operation and maintenance costs for the treatment facilities.

(B) The basic strength charge system formula as follows.

- (1) *Strength charge formula.*

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$$SCF = SR [(R_{SS} (SS - SS_0) / SS_0) + (R_{COD} (COD - COD_0) / COD_0)]$$

Where:

SCF = Strength charge factor;

SR = Strength phase ratio (strength costs to system costs for administrative and O&M of treatment works);

$R_{SS}$  = Suspended solids cost ratio;

$R_{COD}$  = Chemical oxygen demand cost ratio;

SS = Suspended solids concentration of discharge (SS  $SS_0$ );

$SS_0$  = Suspended solids concentration of base;

COD = Chemical oxygen demand concentration of discharge  
(COD  $COD_0$ ); and

$COD_0$  = Chemical oxygen demand concentration of base.

(2) *Strength charge.*

$$SC = (SCF)(V)(TW)$$

Where:

SC = Strength charge;

SCF = Strength charge factor;

V = Volume of discharge; and

TW = Treatment works unit cost.

(Res. 76-172, passed 6-15-1976)

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE**

**CHAPTER 51: GARBAGE; SOLID WASTE**

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Section

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*Waste Disposal*

- 51.01 Definitions
- 51.02 Garbage collection; license
- 51.03 Solid waste placement for collection
- 51.04 Garbage containers
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**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL**

**WASTE DISPOSAL**

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.01 DEFINITIONS.**

**§ 51.01 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**GARBAGE.** Includes only organic refuse resulting from the preparation of food and decayed and spoiled food from any sources.

**RUBBISH.** Includes all inorganic refuse matter such as tin cans, glass, paper, sweepings, and the like.

**SOLID WASTE.** Includes refuse of all kinds, both organic and inorganic, which accumulates in the ordinary operation of a residential household or business. This includes

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putrescible wastes, refuse, paper products, and ashes. Specifically excluded are recyclable materials, sewage and other water-carried wastes, non-putrescible wastes such as rocks, earth, sand, gravel, cement, brick, and other similar substances which may accumulate as a result of construction or demolition operations.

(1976 Code, § 58.01)

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.02 GARBAGE COLLECTION; LICENSE.**

**§ 51.02 GARBAGE COLLECTION; LICENSE.**

(A) No person, firm, or corporation shall, for hire, collect or remove any garbage in this city except a person who is licensed.

(B) The annual license fees for the first vehicle and for each additional vehicle owned by any one licensee shall be in the amounts set from time to time by Council resolution. The license year shall be from February 1 to January 31. Licenses are not transferable, and the fee shall not be prorated.

(C) A license may be issued upon receipt of the fee and an application with the following information:

- (1) The name and address of the applicant;
- (2) A description of the vehicle and evidence that it complies with this section;
- (3) The area of the city which will be serviced; and
- (4) Deposit certificates of insurance with the City Administrator, Clerk/Treasurer as follows:
  - (a) A standard form motor vehicle policy, providing limits of liability as set forth in the insurance limits schedule; and
  - (b) A certificate of insurance in respect to general liability with the same limits as shown in the preceding division.

(1976 Code, § 58.02) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.03 SOLID WASTE PLACEMENT FOR COLLECTION.**

**§ 51.03 SOLID WASTE PLACEMENT FOR COLLECTION.**

It shall be the duty of every residential dwelling unit and every business to place solid waste materials in a city-approved container and set the solid waste materials out for collection in the manner designated by this subchapter.

(1976 Code, § 58.021) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.04 GARBAGE CONTAINERS.**

**§ 51.04 GARBAGE CONTAINERS.**

Every householder or occupant of any dwelling house, boarding house, restaurant, or any place of business having garbage to dispose of shall provide himself or herself with one or more fly- and watertight cans sufficient to receive all garbage which may accumulate between the times of collection. Each can shall be provided with a bail or handles and tight-fitting cover.

(1976 Code, § 58.03) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.05 CONTAINER LOCATION.**

**§ 51.05 CONTAINER LOCATION.**

Garbage containers shall be placed at curbside in the front of the property, and shall be accessible to collectors during the times and days indicated in § 51.10 of this code. Seniors and handicapped persons shall receive pick-up service at their garage if requested. Garbage containers shall be removed from the curb within 24 hours of pick-up.

(1976 Code, § 58.04) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.06 DUMPSTER ENCLOSURES REQUIRED.**

**§ 51.06 DUMPSTER ENCLOSURES REQUIRED.**

(A) The owners or responsible parties of all commercial, industrial, and residential/rental (as defined in §§ 150.065 *et seq.* of this code) properties within the city having dumpsters for the containment of garbage, rubbish, or recyclables shall provide an enclosure for that dumpster.

(B) The construction and location of the enclosure referenced above shall be approved by the City Building Inspector, the Administrator, Clerk/Treasurer, and the Public Works Director. The dumpster enclosure shall be constructed of concrete block.

(C) All owners of existing properties defined above in division (A) of this section shall be required to come into compliance with these regulations no later than December 31, 1992.

(1976 Code, § 58.041) (Am. Ord. 325, passed 7-5-2000) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.07 PRIVATE DISPOSAL.**

**§ 51.07 PRIVATE DISPOSAL.**

Nothing herein contained shall prevent any person from disposing of the garbage accumulating on his or her own premises in any sanitary manner, except that it shall be unlawful to burn garbage, and all garbage must be disposed of at least once each week. Where an approved incinerator has been installed inside a dwelling or building, it may be used for burning garbage.

(1976 Code, § 58.05) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.08 RUBBISH COLLECTION.**

**§ 51.08 RUBBISH COLLECTION.**

Rubbish shall not be permitted to be strewn about the premises but shall be kept in a box or container and shall be disposed of at least once each month, or sooner if the container shall

become overflowing.

(1976 Code, § 58.06) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.09 RUBBISH PLACEMENT.**

**§ 51.09 RUBBISH PLACEMENT.**

No person shall deposit or place rubbish or garbage on or along any public way or any private property without the owner's permission. Bagged or bundled rubbish may be placed on the curb adjacent to a public way or on private property on the day that the rubbish is to be picked up. It shall be unlawful to haul or in any manner transport garbage or refuse into or over public roads in the city, unless same is securely fastened or covered.

(1976 Code, § 58.07) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.10 COLLECTION TIMES.**

**§ 51.10 COLLECTION TIMES.**

No garbage or rubbish shall be collected in any residential area within the city except between the hours of 6:00 a.m. and 8:00 p.m. Garbage and rubbish collection shall be limited to Wednesday and Thursday of each week.

(1976 Code, § 58.08) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / WASTE DISPOSAL / § 51.11 RECYCLING FEE AUTHORIZED.**

**§ 51.11 RECYCLING FEE AUTHORIZED.**

The City Council is hereby authorized to set fees for the collection of recyclable material by resolution. The fees may be amended from time to time by resolution.

(1976 Code, § 58.09)

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / YARD WASTE; STORAGE AND DEPOSIT**

**YARD WASTE; STORAGE AND DEPOSIT**

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / YARD WASTE; STORAGE AND DEPOSIT / § 51.25 DEFINITIONS.**

**§ 51.25 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**COMMERCIAL ESTABLISHMENT.** Any premises where commercial or industrial enterprise of any kind is carried on, and shall include restaurants, clubs, churches, and schools where food is prepared and served.

**COMPOST.** A mixture of decaying organic matter in a contained area.

**COMPOSTING.** Any above-ground microbial process that converts yard waste to organic soil amendment or mulch by decomposition of material through an aerobic process providing adequate oxygen and moisture.

**GARDEN.** Ground area for cultivation of flowers, vegetables, or shrubs.

**MULTIPLE-FAMILY DWELLING.** Any building designed for or occupied by two or more families, together with the lot or parcel of land on which it is situated.

**SINGLE-FAMILY DWELLING.** Any single building designed for or occupied exclusively by one family, together with the lot or parcel of land on which it is situated.

**YARD WASTE.** Lawn and garden clippings and leaves.

(1976 Code, § 58A.01)

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / YARD WASTE; STORAGE AND DEPOSIT / § 51.26 STORAGE.**

**§ 51.26 STORAGE.**

(A) It is unlawful for the owner or occupant of a single-family dwelling or multiple-family dwelling to store garbage, except fruit or vegetable waste, or coffee grounds, in a compost pursuant to § 51.27 of this code, at the dwelling for more than one week. All storage of this type shall be in five- to 100- gallon metal or plastic containers with tight-fitting covers which shall be maintained in a clean and sanitary condition.

(B) It is unlawful for the owner or occupant of a single-family dwelling to store yard waste in the front yard setback.

(C) It is unlawful for the owner or occupant of a multiple-family dwelling to store garbage, except fruit or vegetable waste, or coffee grounds, in a compost pursuant to § 51.27 below, at the dwelling for more than a week. All storage of this type shall be in containers as for single-family dwellings, except that so-called dumpsters with tight-fitting covers may be substituted.

(D) No garbage may be buried within the city.

(1976 Code, § 58A.02) Penalty, see § 10.99

**TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / YARD WASTE; STORAGE AND DEPOSIT / § 51.27 COMPOST.**

**§ 51.27 COMPOST.**

(A) It is prohibited for the owner or occupant of a single-family or multiple-family dwelling to engage in composting yard waste, or fruit or vegetable waste, or coffee grounds, at a dwelling except as hereinafter provided.

(1) A compost shall be established in a manner so as not to create an odor or other condition that is a nuisance.

(2) A compost may consist only of yard waste, fruit or vegetable waste, or coffee grounds generated from the site on which the compost is located.

(3) A compost may not occupy any front yard setback and must be three feet from any side or rear yard lot line, and no closer than 20 feet to any habitable building other than the composter's home.

(4) A compost that includes fruit or vegetable waste or coffee grounds must

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be enclosed in a container or other manner which will prevent animals from disturbing or removing the contents.

(5) A compost shall not be larger than ten feet wide by ten feet long, not to exceed a total of 100 square feet, and shall be no more than four feet in height. Every compost must be contained within a fenced area or enclosed container; except a compost consisting of yard waste only, not exceeding 18 inches in height, may be placed upon a garden area without a fence or closed container.

(6) None of the following may be placed in a compost: meat or bones, human or animal feces, fat, oil, dairy products, plastic fibers or resin, logs, or brush larger than one-fourth inch in diameter.

(B) It is prohibited for any person to engage in composting on public, commercial, office, or industrial property within the city.

(1976 Code, § 58A.03) Penalty, see § 10.99

### **TITLE V: PUBLIC WORKS / CHAPTER 51: GARBAGE; SOLID WASTE / YARD WASTE; STORAGE AND DEPOSIT / § 51.28 DEPOSIT.**

#### **§ 51.28 DEPOSIT.**

It is unlawful for any person to deposit garbage from any source, rubbish, offal, or body of a dead animal in any place other than a sanitary landfill or licensed disposal facility.

(1976 Code, § 58A.04) Penalty, see § 10.99