

1ST READING:	10/2/98
REFERRED TO (NAME OF) COMMITTEE:	T&PW
PUBLIC HEARING:	10/16/98
2ND READING AND FINAL PASSAGE:	11/13/98

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

Mead _____ presents the following ordinance:

Amending Title 19, Chapter 511 of the Minneapolis Code of Ordinances relating to Water, Sewers and Sewage Disposal: Sewers and Sewage Disposal.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 511.80 of the above-entitled ordinance be amended to read as follows:

511.80. Rules for sewer connections. The following rules must be observed and carried out in all work relating to sewer connections:

- (a) Connections with sewers must be made with the slant already put in by the city. Deviations from this requirement may be made if the city engineer ~~thinks best, but his~~ gives written consent ~~must be obtained~~ before any such change is made.
- (b) Any new connections must be made within the middle third of the interior height of the sewer connected with.
- (c) All connection pipes must be laid in a true line from the sewer to the curb ~~in an open trench and before any refilling is done.~~
- ~~(d) All the connection pipe must be enveloped in clean sand to a thickness of four (4) inches.~~
- ~~(e) All joints of clay sewer pipe must be made with good cement mortar, and all joints of cast iron sewer pipe must be caulked with oakum and lead, in the best manner and to the satisfaction of the city engineer.~~
- ~~(f) After the pipe is properly laid and inspected, the refilling must proceed at once and it must be thoroughly tamped or puddled or both, and so done that there shall be no surplus earth left.~~
- ~~(g) Should there be a deficiency of earth to fill the excavation, then the plumber or person doing such work must supply such deficiency with clean sand or other approved material.~~
- ~~(h) No rock of any sort larger than four (4) inches in any direction must may be put into any excavation.~~
- ~~(i) In all streets which are paved or which have been ordered paved by the city council, such refilling shall be made with clean sand or gravel properly tamped or puddled and all excess material shall be removed from the street, and the city engineer in repaving paved streets shall cut back the concrete a distance of at least one foot from the edge of the excavation.~~
- (h) Right-of-way restoration shall be done in accordance with section 430.70. Such restoration shall assure that the general area is returned to the same condition that existed before the commencement of the work and that the work is performed in accordance to the standards and with the materials specified by the city engineer.

- (ji) All work must be done under the supervision of an inspector named by the city engineer. 12
- (kj) Any sanitary sewer pipe installed between the city sewer main and the property line must be laid at a depth of not less than nine (9) feet as measured to the top of the pipe at the curb line. Any sanitary sewer pipe installed between the property line and the building line must be laid at a depth of not less than seven (7) feet as measured to the top of the pipe at the building line.

Section 2. That Section 511.100 of the above-entitled ordinance be amended to read as follows:

511.100. Notice when connection ready for inspection. The person who is to make the connection with any sewer or drain shall give five (5) hours' notice at the office of the city engineer when such work ~~will be~~ is ready for inspection, ~~previous to making said connection. This notice must be made in writing and so left between the hours of 8:00 a.m. and 12:00 noon, or 1:00 p.m. and 5:00 p.m.~~

Section 3. That Section 511.110 of the above-entitled ordinance be amended to read as follows:

511.110. Underground connection required. All new buildings, ~~such as hotels, boardinghouses, taverns, eating houses, barbershops, livery stables, dyeing and scouring rooms, and factories located on adjacent to~~ streets, avenues or alleys where sewers are laid shall be provided with underground drain connections with the sewer, for the purpose of carrying off the waters or ~~liquors~~ liquids that would otherwise be discharged on the sidewalks, or in the gutters, of the street or alleys, by the conductors and downspouts of the building, or by the pipes, draining sinks or other receptacles of water within the premises; and every owner of any such building shall provide for and construct such underground sewer connection. The city council may relieve any person from the requirements of this section.

The director of inspections shall give notice to all parties affected by this section to comply with the provisions set forth herein to make underground connections with the public sewer within thirty (30) days thereafter; any person failing to make such connection within thirty (30) days after being so notified shall be guilty of a breach of this section.

Section 4. That Section 511.200 of the above-entitled ordinance be amended to read as follows:

511.200. Action on application. Upon the filing of such application and the payment of the fees herein provided for, the city engineer shall, within a reasonable time, cause the premises and their available sewer system to be inspected and surveyed. The city engineer shall then solely and from the findings so obtained determine upon such what changes or alterations in such the sewer system as in his opinion shall be necessary before issuing an approval of the application. No such approval shall be issued where the capacity of the public sewer system within the particular sewer district is insufficient, or where the additional demand and service caused by the use of such commercial garbage grinder is likely to impair the efficiency of the sewer system.

Section 5. That Section 511.280 (c) of the above-entitled ordinance be amended to read as follows:

511.280. Definitions. (a) *Operation and maintenance:* Activities required to provide for the dependable and economical functioning of the sanitary sewer system, throughout the design or useful life, whichever is longer of the sanitary sewer system, and at the level of performance for which the sanitary sewer system was constructed. Operation and maintenance includes replacement.

(b) *Replacement*: Obtaining and installing of equipment, accessories, or appurtenances which are necessary during the design life or useful life, whichever is longer, of the sanitary sewer system to maintain the capacity and performance for which such system was designed and constructed.

(e) *Sewer service utility charge*: The aggregate of all charges, including charges for billing, metering, operation, maintenance, replacement, debt service, and other sewer related charges that are billed periodically to users of the city's wastewater disposal system.

Section 6. That Section 511.290 of the above-entitled ordinance be amended to read as follows:

511.290. Sewer service utility charges. For the purpose of paying the cost of operation and maintenance of the storm water drainage system and sewage disposal system, including the sewage treatment works and sewer system; for the cost of construction of such sewage disposal system, including the principal and interest on bonds sold for such construction; and for paying Minneapolis' share of the ~~m~~Metropolitan waste control commission's Council Environmental Services' annual budget as provided in Chapter 473, Minnesota Statutes, a sewer service utility charge shall be levied and assessed against every lot, parcel of land, building or premises now or hereafter having connection to the Minneapolis sewer system or otherwise discharging domestic sewage, commercial or industrial waste water, or other liquid, gaseous, or solid wastes either directly or indirectly to the Minneapolis sanitary sewer system. Such sewer service utility charges shall be based on the volume of such sewage into the city sewer system as measured or as determined by the volume of water use. ~~In addition, the costs of operating and maintaining the city's sanitary sewer system shall be recovered on the basis of actual use in accordance with regulations established pursuant to the Federal Clean Water Act.~~

Section 7. That Section 511.310 of the above-entitled ordinance be amended to read as follows:

~~511.310~~ **511.315. Sewer rental rate established through December 31, 1998.** The rental rate to be charged property within the City of Minneapolis, and property without the City of Minneapolis sewer system and which are served directly by the City of Minneapolis sewer system and which are all served either directly or indirectly by the sewage disposal system constructed, maintained and operated by the ~~m~~Metropolitan waste control commission Council Environmental Services under and pursuant to Minnesota Statutes Sections 473.517, 473.519 and 473.521, Sub. 2, is hereby fixed through December 31, 1998, as follows:

- (a) The sewer rental rate applicable inside the City of Minneapolis for the first one hundred thousand (100,000) cubic feet generated per month is two dollars and fifty-one cents (\$2.51) per one hundred (100) cubic feet; for the next nine hundred thousand (900,000) cubic feet per month, two dollars and forty-eight cents (\$2.48) per one hundred (100) cubic feet; for the next one million (1,000,000) cubic feet per month two dollars and forty-five cents (\$2.45) per one hundred (100) cubic feet; for the next one million (1,000,000) cubic feet per month two dollars and forty-two cents (\$2.42) per one hundred (100) cubic feet; for amounts over three million (3,000,000) cubic feet per month two dollars and thirty-nine cents (\$2.39) per one hundred (100) cubic feet. The sewer rental rate applicable outside the City of Minneapolis for all sewage flow generated is two dollars and fifty-one cents (\$2.51) per one hundred (100) cubic feet.
- (b) The minimum sewer rental rate shall be six dollars (\$6.00) per quarter within the City of Minneapolis and eighteen dollars (\$18.00) per quarter outside the limits of Minneapolis. Sewer rental service without water service outside the limits of Minneapolis shall be twelve dollars (\$12.00) per month or thirty-six dollars (\$36.00) per quarter.

- (c) The sewer rental charge for residential property not exceeding two (2) residential units shall be based on the volume of water used during the winter quarter season which is defined as a three-month period between October 1 and March 31.
- (d) The sewer rental charge for residential property exceeding two (2) residential units and all other commercial and industrial property shall be based on measured sewage volume or the total water volume used during the billing period as is appropriate.
- (e) The foregoing rates shall be applied to sewer rental billings for water meters read from and after January 1, 1998, and a penalty of five (5) percent shall be imposed for failure to pay such rental charges in full on the last due date shown on such bills.
- (f) The same administrative procedures for payments, delinquencies and service termination shall be applied to sewer rental charges as are applied for water use under sections 509.1030--509.1042 of the Minneapolis Code of Ordinances.
- (g) Pursuant to Minnesota Laws 1973, Chapter 320, whenever payment remains in default for sewage disposal services furnished to real property by the city, the city council may annually levy an assessment equal to such unpaid costs including penalty and interest against each property so served and upon which the service utility charge is unpaid.

This section shall be rescinded on midnight of December 31, 1998.

Section 8. That Chapter 511 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 511.310 to read as follows:

511.310. Sewer rental rates established. Sewer rental rates shall be set by city council resolution to be effective beginning January 1, 1999, and as revised thereafter.

The same administrative procedures for payments, delinquencies and service termination shall be applied to sewer rental charges as are applied for water use under Chapter 509 of the Minneapolis Code of Ordinances.

Pursuant to Minnesota Laws 1973, Chapter 320, whenever payment remains in default for sewage disposal services furnished to real property by the city, the city council may annually levy an assessment equal to such unpaid costs including penalty and interest against each property so served and upon which the utility charge is unpaid.

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Ostrow	X						Thurber	X					
Campbell	X						McDonald	X					
Biernat	X						Mead	X					
Johnson	X						Colvin Roy	X					
Niland	X						Minn	X					
Goodman	X						President						
Herron	X						Cherryhomes	X					

PASSED NOV 13 1998 APPROVED - NOT APPROVED - VETOED NOV 18 1998

DATE _____ DATE _____

Jackie Chyn PRESIDENT OF COUNCIL *Alan Page Burt* MAYOR

ATTEST Mary Koop

CITY CLERK