

SECTION 820
SANITARY AND STORM SEWERS

820.01 **DEFINITIONS**

Unless the context specifically indicates otherwise, the meaning terms used in this Ordinance shall be as follows:

Subd. 1 The short title of this ordinance shall be, "The Sewer Ordinance".

Subd. 2 "Sewage Works" shall mean all facilities for collecting, pumping, treating and disposing of sewage.

Subd. 3 "Superintendent" shall mean the Public Works Supervisor of the City of Tonka Bay his designated representative or his authorized deputy or agent.

Subd. 4 "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, but not to include ground, surface and storm waters.

Subd. 5 "Sewer" shall mean a pipe or conduit for carrying sewage.

Subd. 6 "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights or is controlled by public authority, or both.

Subd. 7 "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Subd. 8 "Storm Sewer" or "Storm Drain" shall mean a sewer which carries storm and surface waters and drainage but excluding sewage and polluted industrial wastes.

Subd. 9 "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

Subd. 10 "Industrial Wastes" shall mean the liquid wastes from industrial processes as distinct from sanitary sewage.

Subd. 11 "Garbage" shall mean solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.

Subd. 12 "Properly shredded Garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

Subd. 13 "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5 feet outside the inner face of the building wall.

Subd. 14 "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

Subd. 15 "B.O.D." (Denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic

matter under standard laboratory procedure in 5 days at 20 degree C. expressed in parts per million by weight.

Subd. 16 "pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Subd. 17 "Suspended Solids" shall mean 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.

Subd. 18 "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

Subd. 19 "Watercourse" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Subd. 20 "Person" shall mean any individual, firm, company, association, society, corporation or group.

Subd. 21 "Shall" is mandatory; "May" is permissive.

821 USE OF PUBLIC SEWER REQUIRED

821.01 PLACEMENT UPON PUBLIC OR PRIVATE PROPERTY PROHIBITED

It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the City of Tonka Bay, or in any area under the jurisdiction of said City, any human excrement, garbage or other objectionable waste, or animal excrement.

821.02 DISCHARGE PROHIBITED

It shall be unlawful to discharge into any natural outlet within the City of Tonka Bay, or in any area under the jurisdiction of said City, any sanitary sewage, industrial wastes, or other polluted waters.

821.03 CONSTRUCTION OF SEPTIC TANKS, ETC., PROHIBITED

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

821.04 CONNECTION TO PUBLIC SEWER SYSTEM REQUIRED

The owner of all houses, buildings or properties used for human occupancy, employment, recreation, or other purpose, situated within the City and abutting on any street, alley or right-of-way in which there is now located a public sanitary sewer of the City is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within 90 days after the date of written official notice given by the City Council to do so, provided that said public sewer is located in the street or alley or right-of-way of abutting property, but in all events connection to the public sanitary sewer shall be mandatory and required for all houses, buildings or properties used for human occupancy, employment, recreation or other purposes.

821.05 ABANDONMENT OF EXISTING SEPTIC TANKS, ETC.

The owners of all houses, buildings or properties where cesspools and septic tanks have been in existence prior to the construction of the sanitary sewer shall connect with the public sewer. Any septic tanks and cesspools and private

sewage disposal facilities then existing shall be abandoned and filled with suitable material.

822 **PRIVATE SEWAGE DISPOSAL**

822.01 **PRIVATE SEWAGE DISPOSAL SYSTEMS**

Where a public sanitary sewer is not available under the provision of 820.02 subd. 4 of this code, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

822.02 **WRITTEN PERMIT REQUIRED**

Before commencement of a private sewage disposal system and before the alteration, repair or reconstruction of any functional part thereof, the owner shall first obtain a written permit signed by the Superintendent of Sewers or his authorized representative. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications and other information as the Superintendent of Sewers may reasonable require.

822.03 **INSPECTION**

A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent of Sewers. The Superintendent of Sewers shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the office of the Superintendent of Sewers when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of the notice by the Superintendent of Sewers.

822.04 **APPLICATION OF STATE LAW AND LOCAL ORDINANCE**

The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the State of Minnesota and the Ordinance of the City of Tonka Bay. No septic tank or cesspool shall be permitted to discharge into any public sewer or natural outlet.

822.05 **CONNECTION TO PUBLIC SEWER WHEN AVAILABLE**

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in 821.04, a direct connection shall be made to the public sewer in compliance with this ordinance. Any septic tanks, cesspools and similar private sewage disposal facilities then existing shall be abandoned and filled with suitable material.

822.06 **SEPTIC TANKS SHALL NOT BE PUMPED INTO SANITARY SEWER SYSTEM**

Contents of septic tanks and cesspools or other refuse shall not be pumped or emptied into the City of Tonka Bay sanitary sewer system.

823.01 **ACTIVITY PROHIBITED**

No unauthorized person 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 Superintendent of Sewers and otherwise complying with the terms of this section.

823.02 SUPERVISION OF MASTER PLUMBER

No plumbing shall be done except under direct supervision of a Master Plumber when connecting with a public sewer.

823.03 INSPECTION

No permit shall be issued by the Superintendent of Sewers for existing structures until plumbing has been inspected and found to be in such condition as to safely and adequately accept the use of the public sanitary sewer.

823.04 CLASSES OF BUILDING AND CONNECTION PERMITS

There shall be two classes of building sewer and connection permits.

Subd. 1 For residential service; and

Subd. 2 For service to commercial establishments and establishments producing industrial wastes. In either case, application shall be made on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information which the Superintendent of Sewers may reasonably require. An inspection fee at a rate set by the City Council by resolution from time to time for sewer and connection permit, shall be paid to the City Clerk at the time the application is filed. Said inspection fee shall be set out in the fee schedule, 402.01 of this code.

Subd. 3 The City shall furnish a Permit Card with permit number which shall be prominently displayed on property where sewer connection is being made; said card shall be displayed for the duration of the work.

Subd. 4 No industrial or commercial permit shall be issued without the prior approval of the City Council of Tonka Bay and approval when required from the managing body of the Municipal Sewage Treatment Plant.

***823.05 COSTS AND EXPENSES**

All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. It shall be the responsibility of the owner to maintain and pay for repairs due to blockages to the service pipe from the main in the street into the house or structure. It shall be the responsibility of the owner to maintain and pay for repairs due to collapsed or broken lines to the service pipe from the property line into the house or structure. It shall be the responsibility of the City to maintain and pay for repairs due to collapsed or broken lines to the service pipe from the property line into the house or structure. It shall be the responsibility of the City to maintain and pay for repairs due to collapsed or broken lines to the service pipe from the property line to the main in the street.

823.06 SEPARATE AND INDEPENDENT SEWERS REQUIRED

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building

may be extended to the rear building and the whole considered as one building sewer except for rate purposes.

823.07 OLD BUILDING SEWERS

Old building sewers may be used in connection with new building only when they are found, on examination and test by the Superintendent to meet all requirements of this ordinance.

823.08 BUILDING SEWER SPECIFICATIONS

Subd. 1 Building sewer shall be of extra heavy-duty cast iron pipe. Polyvinyl Chloride pipe or plastic pipe approved by the Public Works Supervisor or his designated representative. No building sewer pipe shall be laid within ten feet of any well. When building sewer pipe shall come within twenty feet of any well, it shall be of heavy-duty cast iron construction. The minimum size of building sewer shall be a 4" extra heavy cast iron pipe. 4" PVC Pipe (ASTM Specification No. D-1784) with a minimum wall thickness of .125 and conform to requirements of Type 1, Grad 1, or 4" ABS (ASTM Specification No. D-1788). Type 1 or Type 4. Change in direction of building sewer shall require location of the clean out with the provision that the clean out shall be located at least every 75". All fittings shall be approved by the Utility Supervisor.

Subd. 2 Joints shall comply with the following specifications: Polyvinyl Chloride sewer pipe shall be pipe meeting requirements for Type 1, Grade 1 of the "Tentative Specifications for Rigid Polyvinyl Chloride Compounds" ASTM Designation D-1784 and the joints for both PBC and ABS shall be bell and spigot with solvent cement. All joints and connections shall be made gas-tight and watertight.

Subd. 3 PVC or ABS sewer pipe may be used in areas where the building sewer is exposed to damage by tree roots or where building sewer is located below ground water level. If building sewer is installed in filled or unstable ground, the building sewer shall be of cast iron pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Utility Supervisor.

823.09 INSTALLATION BELOW BASEMENT FLOOR

Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at a uniform grade and in straight alignment in so far as possible.

823.10 SEWER LIFTS

In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer. In those instances where the public sanitary sewer system was intentionally designed not to allow gravity flow to the public sewer from the then existing buildings, the City will provide and install a sump pump.

823.11 EXCAVATION

All excavating required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent of Sewers. Pipe

laying and back fill shall be performed in accordance with rules and regulations of the City of Tonka Bay. No backfill shall be placed until the work has been approved by the duly authorized City official. Tunneling may be permitted but no tunnel shall exceed six (6) feet in length and the pipe shall be installed so as to permit inspection of all joints.

823.12 JOINTS

Subd. 1 All joints and connections shall be made gas-tight and watertight.

Subd. 2 Lead shall be run in one pouring and caulked right. No paint, varnish, or other coating shall be permitted on the jointing material until after the joint has been tested and approved.

Subd. 3 All joints in vitrified clay pipe or between such pipe and metals shall be made with approved hot-poured jointing material as specified below:

- (a) Material for hot-poured joints shall not soften sufficiently to destroy the effectiveness of the joint when subjected to a temperature of 160 degrees Fahrenheit, not be soluble in any of the wastes carried by the drainage system. The joint shall first be caulked tight with jute, hemp, or similar approved material. Other jointing materials and methods may be used only by approval of the Superintendent.

823.13 Connection of Building Sewer into Public Sewer

Subd. 1 The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is 12 inches in diameter or less, and no properly located "Y" branch is available, the owner shall at his expense install a "Y" branch in the public sewer at the location and manner specified by the superintendent of Sewers. Where the public sewer is greater than 12 inches in diameter, and no properly located "Y" branch is available a neat hole may be cut into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about 45 degrees.

Subd. 2 A 45 degree "L" may be used to make such connection with the spigot and so cut as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by engagement in concrete. Special fitting may be used for the connection only when approved by the Superintendent.

823.14 INSPECTION

The applicant for the building sewer and connection permit shall notify the Superintendent of Sewers when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent, and in such manner as is required by the Superintendent. The City Inspector or Superintendent may require an air test of the system at his discretion.

823.15 EXCAVATIONS BARRICADED

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

824 USE OF THE PUBLIC SEWERS

824.01 USE PROHIBITED

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water to any sanitary sewer.

824.02 STORM SEWERS

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated storm sewers, or to a natural outlet approved by the City Council. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the City Council, to a storm sewer, or natural outlet.

824.03 DISCHARGE PROHIBITED

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described water or wastes to any public sewer:

Subd. 1 Any liquid or vapor having a temperature higher than 150 degrees.

Subd. 2 Any water or waste which may contain more than 100 parts per million by weight, of fat, oil, or grease.

Subd. 3 Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

Subd. 4 Any garbage that has not been properly shredded.

Subd. 5 Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

Subd. 6 Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

Subd. 7 Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the sewage treatment plant.

Subd. 8 Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

Subd. 9 Any noxious or malodorous gas or substance capable of creating a public nuisance.

824.04 GREASE, OIL AND SAND INTERCEPTORS

Subd. 1 Grease, oil and sand interceptors shall be provided when, they are necessary for the proper handling of liquid wastes containing grease in

excessive amounts or any inflammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All such interceptors shall be of a type and capacity approved by the City Engineer, and shall be located as to be readily and easily accessible for cleaning and inspection.

Subd. 2 Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable cover which when bolted in place shall be gas-tight and watertight.

Subd. 3 Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

824.05 HIGH BOD CONTENT WASTE

Subd. 1 The admission into public sewers of any waters or wastes having (a) 5-day Biochemical Oxygen Demand greater than 300 parts per million by weight, or (b) containing more than 350 parts per million by weight of suspended solids or (c) containing any quantity of substances having the characteristics described in Section 503 or (d) having an average daily flow greater than 2% of the average daily sewage flow of the City shall be subject to the review and approval of the City Council

Subd. 2 The owner shall provide, at his expense, such preliminary treatment as may be necessary to, (a) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight or (b) reduce objectionable characteristics of constituents to within the maximum limits provided for in Section 503, or (c) control the quantities and rates of discharges of such water or wastes. Plans, specification, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the City Council and of the Water Pollution Control Commission of the State of Minnesota, and no construction of such facilities shall be commenced until said approvals are obtained in writing.

Subd. 3 Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.

824.06 TEST AND ANALYSIS OF WASTE

All measurements, tests and analysis of the characteristics of water and wastes to which reference is made in Section 824.03 and 824.05 subd. 3 shall be determined in accordance with methods employed by the Minnesota Department of Health.

824.07 SPECIAL AGREEMENTS

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any industrial or commercial concern whereby an industrial or commercial waste may be accepted by the City for treatment.

824.08 PROTECTION FROM DAMAGE

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be guilty of a misdemeanor.

824.09 POWER AND AUTHORITY OF INSPECTORS

The City Engineer and Superintendent of Sewers and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this ordinance.

824.10 PENALTIES

Any person violating any provision of sections 820, 821, 822, 823 and 824 shall be guilty of a misdemeanor. Each day that violation shall continue shall constitute a separate offense.

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

825 RULES, RATES AND CHARGES FOR SANITARY SEWER

825.01 DEFINITIONS

Unless the language clearly indicates that a different meaning is intended, the following terms and phrases shall be given the meaning set out below for the purposes of this ordinance:

A. "Normal Sewage" - is water-carried waste products from residences, public buildings, businesses, schools, or any other building or structures including the excrementious or other discharge from human beings or animals, together with such ground water infiltration as may be present.

825.02 RATES

The following rates and charges for use and services of the sanitary sewer system are hereby established, such charges and rates to be made against each lot, parcel of land, unit or premises which may have a connection directly or indirectly into the city sanitary sewer system and which discharge only normal sewage into such system.

Subd. 1 Minimum Charges

The minimum quarterly charge whether use of water is metered or not shall be as set by the City Council by resolution from time to time.

Subd. 2 Metered Flow Charges

For all premises where the rate is based upon metered service, the rate shall be as set by the City Council by resolution from time to time.

Subd. 3 Fee Schedule

The amounts of the minimum quarterly charge and metered flow charge as established by the City Council shall be established by council resolution from time to time.

825.03 METERING WATER SUPPLY IN LIEU OF FLAT CHARGE

A meter recording the use of water may be installed on any non-residential lot, parcel, premises or unit enumerated in Section 2 of this ordinance and thereafter

the rate shall be based upon such use of water. The City Council may, by resolution, require and order the installation of such meter on any such lot, parcel, premises or unit or class thereof where it shall determine that the aforementioned flat charges are impractical to apply, or result in inequitable charges because insufficient or excessive; and thereafter the rate shall be based upon such use of water.

825.04 INSTALLATION OF METER

Any water meter installed for use or used as a basis for the computation of sewer rates shall be installed and maintained in good operating condition at all times, such installation and maintenance to be without expense to the City. Any such meter shall be of a type approved by the City Council, and shall accurately measure all water received on the premises. Installation of and maintenance of such meter shall be made in accordance with the plumbing regulations of this City.

825.05 WATER USED NOT ENTERING SEWER SYSTEM

If the lot, parcel of land, or premises discharges normal sewage or industrial waste into the sanitary sewage system, either directly or indirectly, and it can be shown to the satisfaction of the City Council that a portion of the water measured by the water meter does not and cannot enter the sanitary sewage system, then, and in that event, the City Council may permit or require the installation of other or additional meters in such a manner that the quantity of water which actually could enter the sewer system may be determined. In such case the charges or rates shall be based upon the amount of water which can enter the sanitary sewage system.

825.06 SUPPLY INFORMATION

The owner, occupant, or person in charge of any premises shall supply the City with such information as the City may reasonably require related to use of water, use of sewer, or sewer rates. Willful failure to provide such information or willful falsification of such information shall constitute a violation of this ordinance, as shall willful failure to comply with any requirement or order issued pursuant to this ordinance.

825.07 ESTIMATED BILLS

The owner, occupant, or person in charge of any premises shall fail or refuse to provide information as provided in 825.06 hereof, or shall fail or refuse to comply with any requirement of this ordinance, the proper charge for such premises shall be estimated and billed in accordance with such estimate.

825.08 BEGINNING SERVICE

For a fraction of a quarter the charges and rates of non-metered units shall be based upon the amount of the established flat charge, provided, however, that the actual month of beginning shall be considered as having begun on the first or the fifteenth of the month, whichever is closer.

825.09 BILLING

Bills for charges for the use and service of the sewage system shall be made out by the City or its agents in accordance with usual and customary general billing practices. All bills shall be payable to the City of Tonka Bay. Bills shall be rendered quarterly.

825.10 **COLLECTIONS**

All bills shall be due and payable when rendered. If payment is not made within 30 days of mailing of the bill a penalty of 10% or 50 cents, whichever is greater, shall be added to the amount due on such bill. When a charge is more than 45 days past due civil action may be begun on behalf of the City for the collection of said sewage service charge, and if such charge is not paid within 60 days after due the said unpaid charge plus penalty may be certified to the county auditor with the taxes against said property and shall be collected with other taxes on such property.

825.11 **SEWER OPERATING FUND**

All revenues derived from these rates and charges shall be credited to the Sewer Operating Fund. Such revenue shall be used only for the purpose of paying the cost of operating and maintaining the sewage system, paying charges made by the City of Excelsior for the operation of the joint municipal sewage plant, providing an adequate fund, paying costs of meter-reading, billing, collection, and other similar or related sewer operating expenses. If the rates and charges prescribed herein do not produce a net revenue sufficient to permit payment of the purposes for which established, the rates and charges provided herein shall be adjusted from time to time to permit the accumulation of net revenues equal to the charges and expenses of operating the sanitary sewer system.

825.12 **PENALTIES**

Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor.

826 **SEWER CONNECTION**

825.01 **SEWER CONNECTION PERMIT**

No connection to the public sewer of the City of Tonka Bay shall be made by any person or corporation until a sewer connection permit has been issued by the City for said connection as provided in this section.

826.02 **SEWER CONNECTION CHARGE**

Subd. 1 A fee hereinafter designated as sewer connection charge shall be paid for the issuance of sewer connection permit to supply sewer service to premises referred to in this section.

Subd. 2 The sewer connection charge provided in this section shall be paid in addition to the inspection fee provided for in 823.04.

Subd. 3 The sewer connection charge shall be in the amount of \$1,138.00.

*Subd. 4 (*Amended October 25, 1988) The assessment of the Tonka Bay Sanitary Sewer Project 1963-1 and 1964-1 levied and spread for the purpose of paying the cost of the installation of the Tonka Bay Sanitary Sewer System was assessed on a unity basis of \$1,138.00 per full unit for each buildable lot where served by laterals. For those applications hereinafter made to connect to the Tonka Bay Sanitary Sewer System, which exceed the number of units assessed against the particular premises, a sewer connection charge, as provided for herein, shall be paid for the issuance of each sewer connection permit exceeding the number of units assessed against the premises, provided that the sewer

connection charge shall equal the following formula and provided further that for those premises which were not served by laterals in the original sewer installation, such property shall receive a credit of 1/3 of the connection charge, but the applicant shall be obligated to pay the full cost of the installation of sewer laterals to serve the property, either in cash or through a spread of special assessments for the installation of laterals to serve such premises. The formula referred to above shall be as follows:

Construction Cost Index as published
by the Engineering News Record (ENR)
the year in which the assessable cost
would be applicable _____ x \$1,138/unit
January 1, 1976 ENR Construction
Cost Index

The Construction Cost Index in the numerator of the above formula shall be as determined in January of each year by Engineering News Record (ENR) and shall be used for the remainder of that calendar year.

Subd. 5 At the time the application is filed with the City, the Sewer Connection Charge shall be paid in full.

Subd. 6 In those instances when a sewer connection permit is due and owing to the City, no building construction permit shall be issued until the connection charge is paid in full.

Subd. 7 Except as herein provided, no sewer connection charge shall be due and payable for the issuance of a sewer connection permit other than the inspection fee provided for in 823.04.

826.03 REVENUE RECEIPTS

All revenue derived from sewer connection charges shall be credited to the sewer operating fund. Such revenues shall be used, together with other monies in the fund, for the purpose of paying costs for establishment, operation and administration of the system; for such maintenance as may be necessary to preserve the system in good repair and working order; for payment of the interest upon and the principal of all bonds payable therefrom, whether issued or to be issued, as and when the same shall become due and payable; and for the creation of a reserve for the payment of the principal and interest on such bonds as required; and to build up a fund for replacements to the system as needed.

826.04 PENALTY FOR A VIOLATION

Any person, firm or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor.