

## ORDINANCE NO. 991

### AN ORDINANCE AMENDING NORTHFIELD CITY CODE, CHAPTER 82 – UTILITIES

**THE CITY COUNCIL OF THE CITY OF NORTHFIELD DOES ORDAIN THAT** (new material is underlined; deleted material is lined out; sections and subsections which are not proposed to be amended are omitted; sections which are only proposed to be re-numbered are only set forth below as to their number and title):

SECTION 1. Northfield Code, Chapter 82 - Utilities, Article IV. - Sewers and Sewage Disposal, Division 1. - Generally, Section 82-171. - Definitions, is hereby amended as follows:

#### Sec. 82-171. - Definitions.

*BOD<sub>5</sub>* ~~and/or~~ *biochemical oxygen demand* mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five days at 20 degrees Celsius and as expressed in terms of milligrams per liter (mg/l).

*CBOD<sub>5</sub> or Carbonaceous Biochemical Oxygen Demand* means the quantity of oxygen expressed in milligrams per liter (mg/L) by weight, utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five (5) days at twenty (20) degrees centigrade (C). The laboratory determinations shall be made in accordance with procedures set forth in "standards methods."

*Industrial user* means:

- (1) Any entity as defined in the Standard Industrial Classification Manual, latest edition, that discharges wastewater to the public sewer system.
- (2) Any user whose discharges, singly or by interaction with other wastes: contaminate the sludge of the wastewater treatment system, injure or interfere with the treatment process, create a public nuisance or hazard, have an adverse effect on the water's receiving wastewater treatment plant discharges, or exceed normal domestic strength waste limitations, ~~exceed normal residential unit volumes of wastewater.~~

*Normal domestic strength waste (NDSW)* means wastewater that is primarily introduced by residential users with CBOD<sub>5</sub> concentrations not greater than ~~1250~~ 250 mg/l and total suspended solid (TSS) concentrations not greater than ~~1250~~ 250 mg/l.

*Public right-of-way* means the area on, below or above any public street, roadway, highway, cartway, bicycle lane, sidewalk, ground, easement or trail within the City that is owned by, under control of, or in which the City has an interest, including but not limited to rights-of-way dedicated by plat, statute, law, easement or otherwise owned, conveyed or dedicated to the City for general public use. The boundary of a public right-of-way may, but need not, be delineated in recorded subdivision plats or legally described in recorded easements.

*Sewer* means a pipe or conduit that carries wastewater or drainage water. The term "sewer" is further defined as follows:

- (1) *Building sewer* means the segment of sewer lateral ~~extension~~ extending from the building drain to the public sewer lead or other place of disposal, ~~also referred to as a "service connection."~~
- (2) *Sewer lead* means the segment of the sanitary sewer lateral located within the public right-of-way, but not including the building sewer.

- (23) *Sanitary sewer* means a sewer designed to carry only liquid and water-carried wastes from residential, nonresidential, and industrial sources together with minor quantities of infiltration/inflow.
- (34) *Storm sewer* means a sewer intended to carry unpolluted surface and subsurface water from any source.
- (5) Sewer lateral means the segment of sanitary sewer pipe that conveys wastewater from a building structure to the public sanitary sewer main including the building sewer, sewer lead and the sewer main connection point.

SECTION 2. Northfield Code, Chapter 82 - Utilities, Article IV. - Sewers and Sewage Disposal, Division 2. - Discharge Restrictions, Section 82-207. - Prohibited and limited discharges, is hereby amended as follows:

**Sec. 82-207. - Prohibited and limited discharges.**

(b) Discharges of the following substances shall be limited to concentrations or quantities which will not harm the wastewater facility, streams, soils, vegetation, groundwater, and will not otherwise create a hazard or nuisance. The authorized representative may set more stringent limitations than the limitations outlined in this subsection. Consideration shall be given to such factors as the quantity of waste in relation to flows and velocities, materials of construction, the city's NPDES and SDS permits, capacity of the treatment plant, degree of treatability of wastes and other pertinent factors:

- (9) Wastewater with CBOD<sub>5</sub> or total suspended solids levels that require additional treatment, except as may be permitted by specific written agreement with the city subject to section 82-213.

SECTION 3. Northfield Code, Chapter 82 - Utilities, Article IV. - Sewers and Sewage Disposal, Division 3. - Rates and Charges, Sections 82-244. - Discount available, is hereby repealed:

**Sec. 82-244. - Discount available.**

~~(a) The owner of any residential property which does not have a kitchen garbage disposal device may apply for a discount as against the property's monthly sewer service charges. The amount of the discount shall be as established by the city council by resolution from time to time and may be in the form of a dollar amount or a percentage. The city council shall take into account the ramifications of any particular discount or modification thereof to the city's billing practices and staffing requirements.~~

~~(b) To qualify for the discount in any calendar year, the property owner shall have certified to the city in writing by November 30 of the prior year that the property does not have a kitchen garbage disposal device. The property owner shall immediately advise the city in writing at any time that a kitchen garbage disposal device is installed on the property. The property owner shall allow a representative of the city to inspect the kitchen facilities on the property at any reasonable time to verify that there is no kitchen garbage disposal device, and no discount shall be granted at any time after such inspection is disallowed by the property owner or if the city is unable to contact the property owner and arrange for such inspection after a reasonable attempt to do so.~~

SECTION 4. Northfield Code, Chapter 82 - Utilities, Article IV. - Sewers and Sewage Disposal, Division 3. - Rates and Charges, is hereby amended to add a new Sec. 82-246, as follows:

**Sec. 82-246. - Inspection, maintenance and repair of sewer laterals.**

(a) Sewer laterals require routine monitoring, inspection and maintenance to ensure proper conveyance capacity and prevent sewer obstructions. Common causes of sewer lateral obstructions include, but are not limited to, root intrusion, debris entering the sewer lateral, pipe sags, pipe joint failure, pipe fractures, grease and oil accumulation, sediment accumulation and flushing of over-sized objects. The City does not provide, perform or conduct routine maintenance, inspection or monitoring of sewer laterals, except those serving City-owned buildings. The property owner of a premises or building served with sanitary sewer service is responsible to conduct and perform routine monitoring, inspection and maintenance, including but not limited to root cutting and cleaning, of the sewer lateral. The property owner, occupant or user of the premises or building served with sanitary sewer service is also responsible for promptly notifying the City Public Works Department if they are experiencing any sanitary sewer service backups.

(b) The following practices are established for building sewer connecting directly to public sewer leads. After the initial service connection has been made to the public sewer lead, the property owner of the premises or building served shall be responsible and liable for all operation, maintenance, inspection, repairs or replacement, including all costs and expenses associated therewith, required of or made to any building sewer serving the property, as determined necessary by the City or otherwise for connection of the premises or building to the sanitary sewer lead.

(c) The property owner is responsible and liable for any damage to the building sewer or the public sewer lead within the public right-of-way that is the result of the property owner or the property owner's agent performing or conducting cleaning, root cutting, repairs, maintenance, replacement or any other activities related to the building sewer. The property owner is responsible and liable for all costs and expenses associated with the entirety of the building sewer located on the property owner's property and in the public right-of-way from the point of connection of the building served to the point of service connection with the public sewer lead located in the public right-of-way.

(d) The following practices are established for sewer leads located within the public right-of-way connecting to the sewer main. After the initial service connection has been made to the public sewer main, the property owner of the premises or building served shall be responsible and liable for all operation, maintenance and inspection including all costs and expenses associated therewith, required of or made to any sewer lead serving the property, as determined necessary by the property owner(s) or City or otherwise for connection of the premises or building to the sanitary sewer main. For repairs/replacement of the sewer lead involving excavation of the sewer lead, the City shall conduct repairs to the portion of the sewer lead located within the public right-of-way at the City's expense, but all other costs for operation, maintenance and inspection of the sewer lead shall be the responsibility of the property owner.

**Sec. 82-247—82-270. - Reserved.**

SECTION 5: This Ordinance shall take effect thirty days after its publication.

Passed by the City Council of the City of Northfield, Minnesota, this \_\_\_\_ day of  
\_\_\_\_\_ 2017.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Published: \_\_\_\_\_

VOTE:     \_\_\_ POWNELL \_\_\_ COLBY \_\_\_ DELONG \_\_\_ NAKASIAN  
          \_\_\_ PETERSON WHITE \_\_\_ NESS \_\_\_ ZWEIFEL