

Section 705 - Sanitary sewer system

705.01. Tap; license required. No person may tap or make any perforation or opening of any kind in a sanitary sewer pipe, or make connection to a sanitary sewer main or building sewer in the city, without first having obtained the licenses and permits and paid the fees required by this code.

705.03. Sewer connection. Subdivision 1. Permit. No public sewer shall be tapped or connection made thereto from any lot, piece or parcel of land without first securing a written permit to do so from the building official upon proper written application therefore and paying the required fees. (Amended Ord. #92-710)

Subd. 2. Application for permit. Applications shall be made upon forms to be provided therefor by the city and require the following information:

- a) exact legal description of premises for which sewer connection is applied, including plat and parcel number;
- b) address of premises;
- c) name and address of plumber or other contractor;
- d) name and address of owner of premises;
- e) date of opening and installation of connection;
- f) general description of type and method of connection to be used or made; and
- g) such other pertinent information as the building official may require.

Subd. 3. Charges. The following charges shall accompany the application:

- a) the charges set by Council resolution;
- b) if, for the parcel described in such application, the city has not been reimbursed or otherwise secured for said parcel's proportionate beneficial share of the special benefit and total cost of the construction and installation of the public sewers within the project district or area in or from which the parcel is to be served, the applicant shall pay an additional sum equal to that proportionate share of such special benefit and cost which said parcel bears to such entire area or district and which was specially assessed or charged for said public improvement, plus interest on said sum at the rate of seven percent per annum from the date or dates of the original construction or installation of such public improvements to the date of the issuance of the connection permits. (Amended Ord. #92-710)

Subd. 4. Sewer Connections. Connections with a public sewer or drain may be made only by licensed plumbers or authorized city employees. (Added Ord. #92-710)

Subd. 5. Special fund. Sums received under subdivision 3 shall be deposited or paid into a special assessment fund or account and may be credited to the special assessments which may have been previously levied for sewer improvements involving the premises for which such special connection fee has been collected.

705.05. Rules. Subdivision 1. Connections. Connections with the main sanitary sewer must be made to the "Y" or "T" branch, or to the house connection already installed by the city. In the event a "Y" or "T" branch is not available opposite the particular lot, permission may be granted to tap the main sewer pipe. New connections made must be made within the middle third of the interior height of the sewer to which connection is made. A ductile iron or PVC inserting "T" or "Y" saddle of approved pattern must be inserted in such tapped hole and the joints thoroughly cemented. Under no circumstances shall the service pipe extend beyond the outer wall of the main sanitary sewer when inserted into the connection. (Amended Ord. #92-710)

Subd. 2. Compliance. No connections may be made with the sewer system without a permit. The resident or owner is responsible for maintenance and repair of the sanitary sewer line from the main to the clean out in the building including the sewer way and stack and all connections attached to the sewer main. If any portion of the sewer service which is the owner's responsibility develops a leak or becomes defective, the city may repair such defect and assess all repair costs against benefited property. (Amended Ord. #92-710)

Subd. 3. Stacks. Connections at chimney stacks must be made with two one-eighth bends of the required diameter, separated by one length of straight pipe. Under no circumstances will a service be connected to a stack serving another property. Existing services connected to a combined stack must be disconnected from the combined stack and connected to a new, separate stack in the event the existing combined stack requires repairs. (Added Ord. #92-710)

Subd. 4. Line: grade. Building sewers must be laid to a true line and grade from the sewer to the building and must be inspected before being covered. (Amended Ord. #92-710)

Subd. 5. Laying. A sewer connection may not be laid in the same trench with water, gas or other pipe unless installed in accordance with the state plumbing code. Sewer connections must be laid far enough from others to admit for the repair or removal or relaying of any one without disturbing the others. (Added Ord. #92-710)

Subd. 6. Materials. The only materials allowed for sewer service connections from the main to the property line shall be PVC Schedule 40 pipe, or ductile iron pipe (bell and spigot pattern), and shall not be less than 4" in diameter. Vitrified clay pipe may only be used for repair purposes in this area. Materials used for sewer connections from the property line to the structure must be in conformance with the State Plumbing Code. (Added Ord. #92-710)

Subd. 7. Pipe bedding. Connection pipe must be enveloped in clean sand or approved material to a thickness of not less than one foot on all sides of the pipe. If service pipe is placed on soil not suitable for supporting pipe and maintaining grade, other support methods, approved by the engineer, must be used to ensure pipe grade does not change. (Added Ord. #92-710)

Subd. 8. Check systems. Check systems must be installed on services connected to any main directly servicing or connected to a sanitary sewer lift station force main or otherwise connected to sanitary sewer main that has experienced problems in the past. (Added Ord. #92-710)

Subd. 9. Sewer depth. Sewers must be placed not less than seven feet below the surface. Sewers placed less than seven feet from the surface must be protected from freezing in a manner approved by the Public Works Director. (Added Ord. #92-710)

Subd. 10. Street Excavation. The street must be opened in a manner which will occasion the least inconvenience to the public and provide for the passage of water along the gutters. One half of the street must be in good and safe condition at all times for the passage of vehicles or an adequate detour provided. No tunneling will be permitted except when exigencies require such a permit. No excavating in any street or public place shall be left open over night, unless thoroughly barricaded or fenced off in accordance with the Minnesota Manual on Uniform Traffic Control Devices, and properly lighted so as to secure public safety. In all cases when it is necessary to leave open during the night, a trench for pipe a sufficient number of lighted lanterns shall be placed over such trench, from twilight until daylight, and the trench shall be properly fenced. (Amended Ord. #92-710)

Subd. 11. Refilling openings. In refilling openings the earth must be replaced in the trench, and thoroughly tamped as directed by the Water Superintendent. The Water Superintendent may require new trench material hauled in and existing material hauled away if existing material is unacceptable. Disposing of the unusable material is the responsibility of the contractor. (Added Ord. #92-710)

Subd. 12. Trench backfilling. After the pipe is laid and inspected the refilling must proceed at once and it must be thoroughly tamped or puddled, or both, as so done that there is no surplus earth remaining. If there is a deficiency of the earth to fill the excavation, the plumber doing the work must supply the deficiency with clean sand or approved material. No rock larger than four inches across or thick may be placed within two feet of the pipe. A sidewalk, street, alley or driveway removed in order to make such connection must be re-paved subject to the approval of the engineer. (Added Ord. #92-710)

Subd. 13. Protection for pipes. If openings are made, and water mains and service pipes exposed, adequate measures must be taken to protect the pipes from frost. In refilling openings, all the earth must be replaced in the trench, and if the earth is frozen, the excavation just be filled with pure bank sand, in layers of not over six inches, and thoroughly compacted to prevent after-settlement. (Amended Ord. #92-710)

Subd. 14. Inspection. All work must be done under the supervision of an inspector appointed by the city, who shall be permitted at all times to examine, inspect and superintend all plumbing work, excavating, refilling, materials and fixtures. Refusal to permit such inspection, or any interference with the inspector, is grounds for immediate suspension or forfeiture of the permit.

Subd. 15. Authority to inspect. The Water Superintendent or other city inspectors may at reasonable times enter upon the premises drained by a house drain and or sump pump which is connected with a public sewer to determine whether the provisions of this code in regard to house drains and sump pumps have been complied with. If a sump pump, drain or its attachments do not conform to the provisions of the code, the Water Superintendent will notify the owner of the premises. The owner must repair or reconstruct as to make the drain or sump pump conform within 30 days from the time of receiving the notice. (Added Ord. #92-710 and 98-810)

705.07. Toilets required. Subdivision 1. Notice. The owner or occupant of real property having a dwelling house or business structure thereon, shall install a toilet in the dwelling or business structure and make connection thereof with the water and sanitary sewer mains in the street or alley adjacent thereto within 30 days after written notice to that effect by the city manager is given to the owner or occupant.

Subd. 2. Toilet facilities; No sewer available. Any property owner who can demonstrate due to distance or topography, or pending land use change, may make a written application to the City Council for a variance from the connection requirement, so long as no health, safety or welfare hazard exists or would result from the variance. The written application must state those circumstances which make the connection unfeasible. Where a public sanitary sewer is determined not to be available, the buildings sewer shall be connected to an individual sewage disposal system complying with all requirements of the State Plumbing Code. (Added Ord. #92-710)

Subd. 3. City installation. If the owner or occupant of any property notified in writing to install a toilet and make sanitary sewer and water connections thereto, fails, refuses or neglects to make such connections and install such a toilet within 30 days after written notice pursuant to subdivision 1 has been given, the council may, by resolution, direct that a toilet be installed and connections be made with the sanitary sewer and water mains and that the cost of the installation be paid in the first instance out of the permanent improvement revolving fund of the city, and the actual cost thereof assessed against the property so benefited.

Subd. 4. Cost assessed. After such installation and connections are completed, there shall be served a written notice of such assessment and an order directing the owner or occupant of the property to pay the assessment within ten days after the service of notice. Upon proof of the service of such notice and order and proof that said assessment has not been paid within the ten days allowed, the clerk shall certify to the county auditor for collection of other assessments and benefits. The assessments shall be spread over a term of three years and shall become a lien upon said property until paid.

Subd. 5. Time to connect. Within 24 months after a public sewer becomes available to a property served by a private sewage disposal system or treatment works, the property served by the private system shall make a connection to the public sewer in accordance with city ordinance and state plumbing code requirements. All private sewage disposal systems or treatment works in existence as of June 1, 1992, shall have until October 1, 1994, to connect to the public sewer system. Requirements of Section 705.07 shall be enforced for properties failing to connect to the public sewer within the specified time period. (Added Ord. #92-710)

Subd. 6. Abandonment of private systems. When a public sewer becomes available to a property served by a sewage disposal system and a direct connection is made to the public sewer in compliance with this Section, any septic tanks, cesspools and similar individual sewage disposal system shall be abandoned and filled with suitable material. (Added Ord. #92-710)

705.09. Connection to Sanitary Sewer. Subdivision 1. Prohibited Discharges. No person shall discharge or cause to be discharged any stormwater, groundwater, roof runoff, yard drainage, yard fountain, pond overflow, or any substance other than sanitary sewage into the sanitary collection system. Use of a sump pump discharge for these purposes is illegal.

- a) No roof runoff, sump pump, subsurface or surface water drainage shall be connected to the sanitary sewer system and no building shall hereafter be constructed nor shall any existing buildings be hereafter altered in such a manner that the roof drainage or any other source of discharge or drainage other than sanitary sewer shall connect with the sanitary sewer system inside or outside the building.
- b) The discharge of more than a de minimis amount of fats, oils and greases, food waste, or similar material into the sanitary sewer is prohibited. The discharge any amount of such material that causes or exacerbates the formation or deposit of an obstruction in the sanitary sewer is presumed to be the discharge of more than a de minimis amount.

Any business or property owner that discharges fats, oils and greases, food waste, or similar material into the sanitary sewer system shall utilize a grease trap, separator or similar device to prevent discharge of a prohibited amount or concentration of fats, oils and greases, food waste, or similar material. The business or property owner shall install, maintain, and replace equipment as necessary to prevent an unlawful discharge and to prevent the formation of deposits or obstructions, and shall educate its tenants or employees as to proper handling of fats, oils and greases, food waste, or similar materials.

All business or property owner must maintain documentation detailing maintenance of equipment installed pursuant to this Section and shall submit it to the Director of Public Works or other authorized agent on demand.

An authorized agent of the Director of Public Works may inspect the buildings and property to confirm installation and condition of grease separator equipment. The building or property owner shall allow access during for such inspections during reasonable business hours. Such City inspections may be conducted annually or more frequently upon a suspected violation of this Section.

The business or property owner shall immediately take action to come into compliance with this Section on written notice by the City.

In the event of an unlawful discharge, the discharging business or property owner shall reimburse the City for the cost of maintenance necessary to restore proper operation of the sanitary sewer system, plus a \$200 surcharge.

Recovery of such costs may be through a special assessment against the property. Upon a second or subsequent violation/s within one year of a previous violation, such violation as evidenced by an additional City response requiring non-routine pipe or lift station maintenance to restore proper sewer function, business or property owner shall be subject to the costs of such City maintenance plus an additional \$100 surcharge (ex. 2<sup>nd</sup> violation = City costs + \$300 surcharge, 3<sup>rd</sup> violation = City costs + \$400 surcharge, etc.). Recovery of such costs may be through a special assessment against the property. (Ord. No. 2012-1048)

- c) Any person, firm, or corporation having a roof, sump pump, cistern overflow pipe, subsurface or surface in violation of Subdivision 1 drain now connected or discharging into the sanitary sewer system shall disconnect and remove it within 30 days after written notice from the City Manager and install the necessary pipes, plumbing fixtures, and appliances and otherwise connect said drainage with and into the storm sewer system in compliance with this Ordinance which shall be verified by City inspection. All disconnects or openings in the sanitary sewer shall be closed or repaired in an effective, workmanlike manner in accordance with City codes and policies.
- d) Every person owning improved real estate that discharges in the fashion above described into the city sanitary sewer system shall allow a representative of the city to inspect the buildings and property to confirm the absence or correction of such prohibited discharge to the sanitary sewer system. Any person refusing to allow such property to be inspected shall promptly become subject to the penalties and remedies of the City as provided in its policy and codes including, but not limited to, assessments, charges, attorney fees and court costs in achieving compliance and in addition shall be subject to the surcharge hereinafter provided for, until the inspection is allowed and/or Code Compliance is met.
- e) A surcharge of \$100.00 per month is imposed and shall be added to every utility billing mailed to properties refusing or failing compliance or inspection as herein provided. The surcharge shall be added to every monthly billing until the property is in compliance or inspection has been permitted. In addition to such surcharge, the City retains all rights and remedies available to it including, but not limited to, obtaining a Court Order directing compliance allowing inspection or permitting the City to correct the violation and certify such costs as a special assessment against the property. All properties found during annual re-inspections by the City or its agents to have violated this Ordinance will be subject to the \$100/month penalty for all months between the two most recent sump pump inspections.

Subd. 2. The provisions of Subdivision 1(b), above, do not apply to single-family dwellings, as defined in Section 407 of the Hopkins Code, that are actually occupied as residential dwellings. (Ord. No. 2012-1048)

Subd. 3. Storm sewer: sanitary sewers: separate. In making the pipe and other installations and connections required by subdivision 1, no pipes shall be installed or connections made in such a manner that any water requiring sanitary sewage disposal treatment enters into the storm sewer system; no pipes shall be installed or connections made in any manner so that any water not requiring sanitary sewage treatment shall enter into the sanitary sewer system. The City will require a permit for any drainage piping or pumps which will discharge clear water from any structure or basement directly into a storm sewer system. This permitting process shall follow the permit procedures outlined in 705.03 in accordance with City standards (see 705.14). Anyone discharging non-contact cooling water must meet the MPCA Requirements and Permits for this activity. (Subd. 2 amended by Ord. 98-810)

Subd. 4. Availability. This subsection applies to real property located where there is both a storm sewer main and a sanitary sewer main located and installed in a street or alley adjacent thereto, or within a reasonable distance therefrom.

Subd. 5. City installation. When the owner or occupant of any property notified in writing to comply with subdivision 1 fails, refuses or neglects to comply with the notice within 30 days, the council may, by resolution, direct the installation of the required pipes, plumbing fixtures and appliances. The cost of the installation be paid in the first instance out of the permanent improvement revolving fund of the city, and the actual cost thereof assessed against the real property benefited.

Subd. 6. Cost Assessed. After such installation and connections are completed, there shall be served upon the owner or occupant of said real property a written notice of such assessment and an order directing the owner or occupant of such property to pay such assessment within ten days after the service of said written notice to the city. Upon proof of the service of such notice and order, and proof that the assessment has not been paid within the ten days allowed, the assessment shall be certified by the clerk to the county auditor for collection as other assessments and benefits. The assessments shall be spread over a period of three years and shall become a lien upon the property payable in the same manner and along with the general taxes on the property.

Subd. 7. Voluntary Assessment. An owner of real property may petition the council for installation and connection of a storm sewer or sanitary sewer system serving the property in order to separate discharge of such storm water from the sanitary sewage disposal system. The petition shall be based upon an agreement between the city and the property owner providing for such installation and connection and the manner and terms of assessment. The council may adopt a resolution without a public hearing and order in the improvement in conformance with the terms of the agreement. The agreement upon which the petition is based must contain or be accompanied by an undertaking that is satisfactory to the city that the petitioner will grant the necessary easements and entry upon the property to construct, install, and connect the necessary sewer system connections. The work may be contracted for and performed by the property owner or by the city. If the owner contracts for the improvement, the city shall review and approve the plans, specifications, and cost estimates. The validity of the resolution ordering the improvement shall not thereafter be questioned by the property owner and all notices and rights to object if waived in the agreement between the city and the property owner shall be binding and enforceable against the property owner. (Added by Ord. #93-730)

(Section 705.09, Subd. 1 amended by Ord. No. 93-730, Ord. No. 98-810, Ord. No. 2012-1048)

705.11. Prohibited drainage. It is unlawful to drain or deposit, or permit to be drained or deposited, into a public sewer or into any drain or pipe connecting with a public sewer, any gasoline, naphtha, benzene, kerosene, turpentine, or any other spirit, gas or fluid containing any materials of and explosive or suffocating nature or that may gasify or create combustible or suffocating gases or vapors. It is unlawful to place, throw or deposit in a catch basin, sewer or drain, butcher's offal, garbage, dead animals, ashes, shavings, motor oil, any hazardous substance, or solid refuse. (Added Ord. #92-710)

705.13. Industrial user strength charge. Subdivision 1. Recitals. The Metropolitan Waste Control Commission, a metropolitan commission organized and existing under the laws of the State of Minnesota, in order to receive and retain grants in compliance with the Federal Water Pollution Control Act Amendments of 1972, and regulations thereunder, has determined to impose an industrial user sewer strength charge upon users of the Metropolitan Disposal System, as defined in Minnesota Statutes, section 473.121, subdivision 24, to recover operation and maintenance costs of treatment works attributable to the strength of the discharge of industrial waste, such sewer strength charge being in addition to the charge based upon the volume of discharge. In order for the city to pay such 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. Minnesota Statutes, section 444.075, subdivision 3, empowers the city to make such sewer charge or 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.

Subd. 2. Establishment. For the purposes 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 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.

Subd. 3. Formula. For the purposes of computation of the strength charge established by subdivision 2, there is hereby established, approved and adopted in compliance with the act the same strength charge formula designated in Resolution No. 76-172 adopted by the governing body of the commission on June 15, 1976, which formula is based upon pollution qualities and difficulty of disposal of the sewage produced through an elevation 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.

Subd. 4. Payment. The strength charge established by subdivision 2 shall be paid by each industrial user receiving waste treatment services and subject thereto before the 20th day next succeeding the date of billing thereof to such user by or on behalf of the city, and such payment thereof shall be deemed to be delinquent if not paid to the billing entity before such date. Furthermore, it is hereby established, approved and adopted that if such payment is not paid before such date an industrial user shall pay interest compounded monthly at the rate of 2/3% per month on the unpaid balance due.

Subd. 5. Lien. As provided by Minnesota Statutes, section 444.075, subdivision 3, if payment of the strength charge established by subdivision 2 is not paid before the 60th day next succeeding the date of billing thereof to the industrial user or by or on behalf of the city, the delinquent sewer strength charge, plus accrued interest 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 such unpaid delinquent balance to the director of property taxation with taxes against the property served for collection as other taxes are collected; provided, however, that such certification shall not preclude the city from recovery of such delinquent sewer strength charge and interest thereof under any other remedy available at law or in equity.

705.14. Sump Pump Discharge Design Standards. Dwellings and other buildings and structures which require, because of infiltration of water into basements, crawl spaces, and the like, a sump pump discharge system, shall have a permanently installed discharge line which shall not at any time discharge clear water into the sanitary sewer system, except as provided herein. A permanent installation shall be one which provides for year round discharge capability to either the outside of the dwelling, building, or structure, or is connected to City storm sewer or discharge through the curb and gutter to the street. It shall consist of a rigid discharge line, without valving or quick connections for altering the path of discharge, and if connected to the City storm sewer line, include a check valve and an air gap located in a small diameter structure as shown in the City's standard plates. (705.14 Added by Ord. 98-810)

705.15. Disconnection. Before March 30, 1998, any person, firm, or corporation having a roof surface, groundwater sump pump, or footing tile, now connected and/or discharging into the sanitary sewer system shall disconnect or remove same. Any disconnects or openings in the sanitary sewer system shall be closed or repaired in an effective, workmanlike manner. (705.15 Added by Ord/ 98-810)

705.16. Sump Pump Discharge Inspections. Every person owning improved real estate, with a sump pump that discharges into the City's sanitary sewer system shall allow an employee of the City of Hopkins or a designated representative of the City to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. In lieu of having the City inspect their property, any person may furnish a certificate from a licensed plumber certifying that their property is in compliance with this ordinance. (705.16 Added by Ord. 98-810)

705.17. Future Inspections. Each sump pump connection identified will be re-inspected periodically. (705.17 Added by Ord. 98-810)

705.18. New Construction. All new dwellings with sump pumps for which a building permit is issued after March 30, 1998, shall have a pump and shall be piped to the outside of the dwelling before a certificate of occupancy is issued. (705.18 Added by Ord 98-810)