

## CHAPTER 3: UTILITIES

ORDINANCE 31	MUNICIPAL SEWER SYSTEM .....	31-1
Section 31.01:	ESTABLISHMENT.....	31-1
Section 31.02:	CONTRACT .....	31-1
Section 31.03:	PAST DUE ACCOUNTS.....	31-1
Section 31.04:	CHANGE IN STATUS .....	31-1
Section 31.05:	PROHIBITED USE .....	31-1
Section 31.06:	PROHIBITED DISCHARGE.....	31-1
Section 31.07:	OWNERSHIP .....	31-1
Section 31.08:	COSTS.....	31-1
Section 31.09:	FEES .....	31-2
Section 31.10:	SEWER RATE .....	31-2
Section 31.11:	USER FEE.....	31-2
Section 31.12:	CONNECTION TO PUBLIC SEWERS .....	31-2
Section 31.13:	PENALTY .....	31-2

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### ORDINANCE 31     MUNICIPAL SEWER SYSTEM

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Section 31.01: ESTABLISHMENT. The City establishes a Sanitary Sewer Department, which shall be responsible for the management, operation, maintenance, and repair of a sanitary sewage collector system.

Section 31.02: CONTRACT. All stipulations contained in this Ordinance are a contract with any individual, firm, or corporation as binding as if they were entered into with full consent.

Section 31.03: PAST DUE ACCOUNTS. All costs accrued pursuant to this Ordinance are a lien upon the property served. All accounts past due by more than thirty (30) days on the 30th day of September of each year may be certified to the County Auditor as a special assessment against the property served even though the costs may have been accrued by a tenant.

Section 31.04: CHANGE IN STATUS. The property owner must notify the Sanitary Sewer Department of any change in the status of any tenant to whom the sanitary sewer collector services are provided. In all cases, the property owner shall be the final obligee for all costs when the tenant fails to pay.

Section 31.05: PROHIBITED USE. It is a violation of this Ordinance to use the City's sanitary sewage collector system in a manner that is not approved by the City Council.

Section 31.06: PROHIBITED DISCHARGE. No user of the sanitary sewer system shall discharge or permit to be discharged into the system any sewage other than domestic or household sewage without first notifying the City Council of the sewage components. The City Council may require special provisions to protect the public health and welfare and, may prohibit discharge of a particular substance into the system entirely.

Section 31.07: OWNERSHIP. The property served owns the sanitary sewer service connection and all of its appurtenances beginning with the tap onto the main sanitary sewer collector system.

Section 31.08: COSTS. The property owner is responsible for all costs for the installation of the sewer service from the sanitary sewer main to the building, its connection, operation, maintenance, and repair.

Section 31.08 Updated 10/2011

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### Section 31.09: FEES.

Subd. 1: Connection Fee. A connection fee, as authorized by Minnesota Statute Section 414.075, for connecting onto the sanitary sewer system shall be as established and modified by resolution of the City Council. The amount of the fee shall be based upon costs paid by existing residents of the City for the construction of the infrastructure to which connection will be provided. (See Appendix A for the current connection fee.)

Subd. 2: Trunk Sewer Charge. A per acre trunk sewer charge, as authorized by Minnesota Statute Section 40447. 5, Subd. 3, shall be established and modified by resolution of the Council for the City of Albany. The amount of the charge shall be based upon costs incurred by the City for the construction, reconstruction, repair, enlargement, and improvement of the municipal sewer system infrastructure. The Trunk Sewer Charge shall be based on a Developable Acreage of the Plat or Subdivision. The Developable acreage shall be calculated as the total acreage, less delineated wetlands and dedicated public right of way. (See Appendix A for the current trunk sewer charge.)

Section 31.09 Subd. 2 amended 2/2003

Subd. 3: Payment of Trunk Sewer Charge. The trunk sewer charge shall be payable in full upon plat or subdivision approval, or if improvements are being assessed, the developer may include the charge in the assessments against the developed property.

Section 31.09 Subd. 3 amended 6/2004

Section 31.10: SEWER RATE. Users of the sanitary sewage collector system will be billed as the City Council determines.

Section 31.11: USER FEE. Any user of the sanitary sewer service who is hooked up to the City water distribution system will pay the fee based upon the volume of discharge as established by the City Council. A surcharge, as established and modified by City Council resolution, is levied against every sanitary sewer service account which is not timely paid. Invoices are mailed after each bi-monthly period. Payment is due by the 15<sup>th</sup> of the following month. (See Appendix A for current rates.) Volume will generally be based upon water usage. Fees for other users not hooked up to the City's water distribution system will be set on a case-by-case basis by the City Council. In setting fees, the Council shall consider the criteria set forth in Ordinance 32. Users shall be charged a periodic flat fee as established by the Council, which shall be set without regard to actual sewage use.

Section 31.11 updated 7/6/2022

Section 31.12: CONNECTION TO PUBLIC SEWERS. All buildings constructed after this Code's adoption that are occupied or used in a manner that domestic sewage, industrial waste, water or other liquids having the nature of sewage, are disposed from the premises, must connect its sewage disposal facilities to the City's public sanitary sewer system within 180 days after the public sanitary sewer system is made available within 300 feet of the building served.

Section 31.13: PENALTY. Any person violating this Ordinance shall be guilty of a misdemeanor.