

**CITY OF KANDIYOHI, COUNTY OF KANDIYOHI
STATE OF MINNESOTA**

CHAPTER 172: LOCAL LEGISLATION – MUNICIPAL UTILITIES

§172.04 SEWER REGULATIONS

(A) AN ORDINANCE PROHIBITING DISCHARGES INTO THE SANITARY SEWER SYSTEM AND TO PROVIDE FOR INSPECTION OF PROPERTY TO DETERMINE ILLEGAL CONNECTIONS TO THE SANITARY SEWER SYSTEM AND TO PROVIDE A SURCHARGE FOR NON-COMPLIANCE WITH INSPECTION AND CONNECTION REQUIREMENTS.

WHEREAS, the City Council of Kandiyohi, Minnesota finds that the discharge of water from any surface, groundwater sump pump, roofs, yards, lawns, streets, alleys, footing tile, or other natural precipitation into the sanitary sewer contributes to the flooding and overloading of the sanitary sewer system. Such overloading of the sanitary sewer system may result in sewage flowing into basements and/or residences and businesses, creating hazardous public health conditions and significant damage to properties. The City, therefore, determines that this ordinance is necessary to protect the health, safety, and welfare of its citizens through the regulation of connections to the City's sanitary sewer system.

The City Council of Kandiyohi, Minnesota ordains:

(B) DISCHARGE PROHIBITED.

Except as otherwise expressly authorized in this Section, no ponds, water fountains, water from any roof, surface, groundwater sump pump, swimming pool, or other natural precipitation shall be discharged into the sanitary sewer system. 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 water into a sanitary sewer system. 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 a storm sewer or discharge through the curb and gutter to the street. Within the home or business, the sump pump discharge pipe shall consist of a rigid discharge line, without valves or quick connections, that would alter the path of discharge. However, if the line is directly connected to a storm sewer line or catch basin a check valve and an air gap are required.

(C) INSPECTIONS.

Property owners shall allow an employee of the City 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. The City may periodically re-inspect any building or premises to determine compliance with the requirements of this ordinance.

(D) REMOVAL OF CONNECTIONS.

Any property owner who previously made any connection or installation in violation of this ordinance shall immediately remove such connection or correct such an installation. If not removed or corrected within 30 calendar days after notice of the violation has been delivered personally or by certified mail to the owner, the City may impose a surcharge in the amount provided in Section F of this Ordinance. Such a surcharge may also be imposed upon any property owner after a 30-calendar day notice has been delivered, and if the owner refuses to allow their property to be inspected. The owner of a building or premises found to be not in conformance with this ordinance during periodic reinspection may be subjected to a surcharge as provided in Section F of this Ordinance.

(E) FOUNDATION DRAIN TILE

Future Homes and Businesses: Groundwater from foundation drain tile for future homes and businesses shall not discharge to the sanitary sewer system. The groundwater shall flow through.

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the tile and drain to a sump basket and shall then be pumped and discharged to the exterior of the structure with the use of a sump pump.

Existing Homes and Businesses: Some existing homes and businesses may have been constructed with groundwater from foundation drain tile discharging to the sanitary sewer. If the connection of the foundation drain tile to the sanitary sewer pipe is on the exterior of the home, the connection will be considered grand-fathered, and disconnection will not be required. If the connection of the foundation drain tile to the sanitary sewer pipe system is on the interior of the home or business, the connection is considered “not in compliance” and the owner is required to correct the improper connection. Any connection considered “not in compliance” shall abide by the sections contained in this ordinance.

(F) SURCHARGE.

A surcharge of One Hundred and 00/100 Dollars (\$100.00) per month is hereby imposed on every sewer bill to property owners for the following conditions:

- 1) not in compliance with this ordinance
- 2) refusal of property inspection

(G) EFFECTIVE DATE.

This ordinance shall be in full force and effect from and after its passage and publication.

This Ordinance adopted on: December 20, 2018

§172.05 SEWER LINE MAINTENANCE (Kandiyohi City Code 1995, Revised 2015, Numbering Revised 2024)

(A) So long as any owner is required by these Ordinances to connect the owner's property to sewer and water mains, it shall be the owner's duty and responsibility to maintain that entire part of the connection on the property, up to and including the sewer and/or water main connection ("the Connection"). Maintenance shall include, but not be limited to, repair of broken conduits, conduit obstruction removal, conduit replacement, and such other repairs to ensure proper functioning of the Connection.

(B) The City shall establish the standards, specifications, engineering requirements, and materials suitable for a Connection in compliance.

- 1) The City shall administer the issuance of a Certificate of Sanitary Sewer Compliance.
- 2) The City may engage other entities to conduct inspections or effectuate repairs on any Connection as provided in this Ordinance.

(C) The owner is liable to pay all fees, costs, labor, and materials related to maintenance of the connection.

(D) No owner of real property within the City for which there is a Connection, shall transfer such property until it is inspected and certified compliant and a Certificate of Sanitary Sewer Compliance is issued. The owner must provide a copy of the Certificate of Sanitary Sewer Compliance to the buyer prior to the sale. For this section, "Sale" shall mean the date of execution of any written document conveying an interest in real property including, but not limited to a Contract for Deed, Warranty Deed, Limited Warranty Deed, or Quit Claim Deed. A Sale is not a transfer of an interest in real property authorized or directed by a court of competent jurisdiction.

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- 1) An owner desiring to transfer property situated within the City shall apply for a Certificate of Sanitary Sewer Compliance from the City.
 - 2) Upon receipt of an executed application for a Certificate of Sanitary System Compliance, the real property shall be inspected by the City to determine whether the Connection complies with standards maintained and approved by the City.
 - 3) No transferee of real property situated within the City shall take occupancy of any dwelling or structure on the property until a Certificate of Sanitary System Compliance issues, provided however, a transferee may take occupancy of a dwelling or structure if the transferee shall post a bond with the City equal to 125% of the cost to render the Connection compliant with standards maintained and approved by the City.
 - 4) The City shall be authorized to charge and collect a fee for the inspection and issuance of a Certificate of Sanitary System Compliance.
 - 5) A Certificate of Sanitary Sewer System Compliance issued under this section shall be effective until ownership of the property is transferred.
- (E) Every Connection is subject to inspection by the City upon 14 days-notice to the owner. Inspections of the Connection shall be conducted and recorded by non-destructive video camera. The City shall provide a copy of the recording to the owner in a format suitable for viewing on a personal computer or other electronic device.
- 1) Every inspection shall evaluate the integrity of the Connection for compliance. If non-compliance occurs, the Connection must be repaired at the owner's expense such that compliance is re-established within 180 days of the date of inspection.
 - 2) If the Connection is not repaired within 180 days, the City may undertake repairs on 30 days-notice to the owner, served by US mail, return receipt requested. All owners of real property situated within the City and served by a Connection implicitly consent to ingress and egress upon the property by the City or its agents to effectuate repairs and compliance of the Connection. All charges and expenses for repairs undertaken by the City shall be charged to the owner. If the charges and expenses for repairs are not paid within sixty (60) days of mailed notice to the owner, they will be assessed to the real property and recoverable as a lien.
 - 3) No owner shall prevent, obstruct, impede, or delay the City or its agents from undertaking repairs of the Connection on the owner's property, provided the City served 30 days-notice to the owner as required herein. The violation of this provision shall be a misdemeanor offense.