

CHAPTER 12. WATER AND SEWER

SECTION 1200 MUNICIPAL WATER SYSTEM

1200.01 General. The municipal water system in Woodland will be operated as a public utility, and all revenues and operating expenditures of the utility will be properly accounted for in a separate municipal water fund. The Council may establish fees for connection to and use of the municipal water system from time to time by ordinance or resolution.

1200.02 Operation, Records and Inspections. The City will:

- (a) Provide for operation and maintenance of a limited municipal water system with water service provided by the City of Minnetonka, Minnesota.
- (b) Keep records of the location and size of facilities which are part of the water system, connections to the water system, and other plans, measurements or records which may be necessary.
- (c) Inspect connections for service and installation of meters.

1200.03 Applications for Service. Any property owner desiring to connect a dwelling, building, or other structure to the municipal water system may apply to the City on a form provided by the City. The form will call for such information as the Council may from time to time require. Each applicant by applying agrees to be bound by all provisions of this Section, amendments thereto and all rules and regulations established by the City, and the applicant will pay the appropriate fee or fees as set forth in Section 305.

1200.04 Connection Permits, Special Assessments. No permit will be issued to connect with the water system, either directly or indirectly, from any lot or tract of land unless the Clerk has certified as to one of the following:

- (a) That the lot or tract of land to be served has been assessed for its share of the cost of the system.
- (b) A connection fee equal to the amount which would be assessable against the lot or tract of land has been paid to the City.

1200.05 Fees and Permits.

Subd. 1. Plumbing Permit. No person may commence any plumbing work of any kind where a permit is necessary without obtaining the permit and complying with it.

Subd. 2. Excavation Permit. An excavation permit is required if any part of the excavation for municipal water is within a City street or right-of-way.

Subd. 3. Connection and Meter Charge. The connection charge and the meter charge must be paid at the time application for service is made and before the service is installed. No water will be turned on until such charges are paid.

Subd. 4. Service Charges. The City may require the payment of service charges for turning water on or off at the request of the property owner or for raising or lowering stop box tops to correspond with ground level changes made by the property owner.

1200.06 Rates and Charges.

Subd. 1. Rates. Rates and charges for water from the City system and for maintenance and operation of the system will be as set forth in Section 305.

Subd. 2. Owner Liability. The owner of a property is liable for all bills accruing through the use of water on the property whether the water is personally used by the owner, a tenant, or any other occupant of the property.

Subd. 3. Statements. Statements for water charges for a quarter or other billing period established by the Council will be mailed to the owner after the first day of the next quarter or other such period and will include any amount due for repairs of meters, fines, penalties or other indebtedness. The statement will be deemed sufficient notice to the consumer and to the owner of the property against which the charges are made. The statement is due and payable to the City on or before the end of the month in which it is sent.

Subd. 4. Shut-Off for Non-Payment. At the end of 30 days after the date of the statement all bills not paid will become delinquent and a delinquency charge in the amount provided in Section 305 will be added to the amount owing. The City will notify each delinquent owner or consumer or, in case they cannot be found, then the person in charge of the premises, of the amount owing. If the amount owing is not paid within 10 days after such notice, the City may notify the delinquent owner or consumer or the person in charge of the premises that the water service will be shut off. In all cases where satisfactory arrangements for payment have not been made within 72 hours after the City's notice, instructions may be given by the City to shut off service at the stop box.

Subd. 5. Procedure for Shut-Off. Water will not be shut off under Subdivision 4 until notice and an opportunity for a hearing have first been given the occupant of the premises involved. The notice will be personally served and will state that if payment is not made before a date stated in the notice but not less than 10 days after the date on which the notice is given, the water supply to the premises will be shut off. The notice will clearly

inform the customer of the available opportunities to present objections to the bill, and will identify the telephone number, address, and officer or employee who will handle the customer's complaint and who has the authority to review the facts and files, to correct any errors in the billing and to arrange for credit terms. The notice will also state that the occupant may before such date demand a hearing on the matter, in which case the supply will not be cut off until after the hearing is held. If the customer requests a hearing before the date specified, a hearing will be held on the matter by the Council at least one week after the date on which the request is made. If as a result of the hearing, the Council finds that the amount claimed to be owing is actually due and unpaid and that there is no legal reason why the water supply of the delinquent customer may not be shut off in accordance with this Code, the City may shut off the supply.

Subd. 6. Delinquent Bills. Charges for municipal water plus 8% interest, plus charges for delinquencies may be collected in an action brought for that purpose in the name of the City, or the Clerk may certify to the County Auditor the amount due plus a delinquency charge of \$5.00 for each delinquent quarterly bill, and an assessment fee of \$20.00 for each delinquency assessed, together with the legal description of the premises served, and the County Auditor will enter such amount with the tax levy on said premises collectible with the taxes for the ensuing year. Nothing in this subdivision will change the provisions of this Section regarding shutting off water for the nonpayment of a water bill.

Subd. 7. Procedure for Owner's Notification to Turn-Off. An owner may notify the City to turn off water service, and the meter will be read to determine the final bill.

Subd. 8. Surcharge. In addition to the rates and charges referred to in Subd. 1 of this Section, a surcharge in the amount set forth in Section 305. shall be paid for each service connection, to be remitted to the Minnesota Department of Health as prescribed by State statute.

1200.07 Sprinkling Limitations. The use of lawn hoses is permitted at all hours of the day, but in case of fire in any area served by the water system, all lawn hoses must be shut off and all other unnecessary use of water stopped. Whenever the City determines that a shortage of water is threatened, it may, by published notice, limit the times and hours during which water may be used from the City water system for lawn or garden sprinkling, irrigation, car washing, swimming pools, air conditioning or other uses. Notice of a violation of the published notice will be mailed to the violator and violation of the mailed notice is prohibited. Any water customer who causes or permits water to be used in violation of the provisions of this notice two days after its mailing may have water service discontinued.

1200.08 Meters.

Subd. 1. Charges. The City will exclusively own, control and supply the water meters to be used in the City water system. The meter will be replaced or changed by the customer's licensed contractor as to size and type whenever the City deems necessary. A meter charge will be made to each consumer connecting to the City water system after

the date the City acquired ownership of the same. This charge will be in the amount set forth in Section 305.

Subd. 2. Meter Reading. The City or its authorized agent will keep an accurate record of each meter in use, cause all meters to be read approximately quarterly, or more often at the discretion of the Council, and calculate the amount of water used by each consumer.

Subd. 3. Damaged Meter. If a meter is damaged by freezing, hot water, or other cause, by carelessness or neglect of the owner or occupant of the premises or their agents, the owner will pay for repair of the meter. The cost of ordinary maintenance and repair of meters owned by the City will be borne by the City.

Subd. 4. Meter Testing. At the written request of any owner or consumer, the City will test the meter supplying the premises of the owner or consumer. A deposit as set by the Council will be required before the meter is disconnected. The deposit will be returned to the owner or consumer if the meter is in error by 10% or more, otherwise the deposit will be retained by the City to cover the cost of the test. The owner or consumer may be present at the time the test is made. The result of the test will be reported to such owner or consumer.

Subd. 5. Charge Adjustment. If testing of a meter indicates that it registers in excess of 10% error, the charge for water used during the quarter in which the test was made will be based on the corresponding quarter for the previous year. If the water was not in use during the corresponding quarter of the previous year, or if that quarterly period otherwise cannot be justly applied, the charge for the quarter in which the test occurred will be equitably adjusted by the Council. Any other adjustment of charges for water supplied will be made by the Council.

Subd. 6. Meter Required. No person may use City water until a meter supplied by the City registers all water consumed, and the City determines that all other parts of the plumbing and pipe fittings in and about the premises are in full compliance with the requirements of the City.

Subd. 7. Meter Placement. The bottom of each water meter may be no less than 4 inches, or more than 12 inches, from the top of the finished basement floor line, and the meter may not be set more than 12 inches, measured horizontally, from the inside line of the basement wall.

Subd. 8. Meter Installation. All meter installations must have valves on both the house side and the main side of the meter.

Subd. 9. Connections. The water pipe connecting with the City watermain may have no joints under the basement or slab floor.

Subd. 10. Meter Obstructions Prohibited. No person may obstruct a meter so as to interfere with the reading or repairing of the meter.

1200.09 Access to Premises. The City Inspector, or the City of Minnetonka Inspector, so designated, and other duly authorized employees of the City of Woodland or Minnetonka, bearing proper identification, may at reasonable times enter upon all properties for the purpose of inspection, observation, sampling and testing in connection with the operation of the City water system. The City will notify the owner or occupant in writing of any required repairs. If required repairs are not made within 10 days, the City may shut off the water.

1200.10 Connections.

Subd. 1. Permit Required. No person may make an attachment to any pipe or water fixture in any premises in which water has been shut off, or make any connection with any service pipe which is not in use between the watermains and the meters, without applying to and obtaining from the City a written permit for the work. No person may make any replacement tap or connect any tap in any watermain without first removing the old service and plugging the old watermain tap hole.

Subd. 2. Measurements. The applicant will assist the City in making any measurements necessary in locating the tap in the main and curb cock.

Subd. 3. Minimum Size. The minimum size water service is one-inch tube of any material permitted by the State Plumbing Code with the exception of type "L" copper, which is not permitted. Plastic services must be a minimum of 160 P.S.I. rating. Cast iron pipe will not be permitted in the system. No flared fittings will be permitted on plastic services.

Subd. 4. Service Pipes. The corporation cock inserted in the distributing pipe must be of the size specified on the permit order. Every copper service pipe must be laid with not less than one foot of extra length to prevent rupture by settlement. Service pipes must be placed not less than 7-1/2 feet below the surface in all cases, so arranged as to prevent rupture from freezing.

Subd. 5. Stop Cock. A stop cock accessible from the surface through a sleeve without digging must be placed outside in a box at the property line, and a shutoff or other stop cock with waste of the size and strength required must be placed close to the inside wall of the building, well protected from freezing. All stop boxes and cocks must be approved by the City. All stop boxes at the property line must be set in front of the building intended to be supplied or as approved by the City.

Subd. 6. Service Line. The service line must enter the building so that the meter and horn is in a horizontal position. In no case may there be more than 12 inches of pipe exposed between the point of the entrance through the basement floor and the stop and waste, and the stop and waste must be connected directly to the meter.

1200.11 Stop Box City Property. The stop cock at main and property or curb line, together with box and cover, are the property of the City and all unauthorized persons are forbidden to interfere with them.

1200.12 Water Service, Freezing Weather. The water service to a building may not be turned on in freezing weather unless the temperature within the building is 50 degrees or more.

1200.13 Connection Prohibited.

Subd. 1. No. Per Pipe. No more than one building or dwelling unit on a lot or tract of land may be supplied from one water service pipe except by special permission of the City. If two or more buildings or units are supplied from one connection to the main, each must have a separate stop box at the property line.

Subd. 2. City Water Supply Only. No water pipe of the City water supply system may be connected with any pump, well pipe or tank that is connected with any source of water supply other than the City water system.

1200.14 Breaks, Interrupted Service. No claim may be made against the City for the breaking of any watermain or service pipe or fixture or for any other interruption of the supply or stoppage for repair.

1200.15 Tampering with System Prohibited. No person may maliciously, willfully, or negligently, break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the City water system.

1200.16 Opening Hydrants. No person, except authorized employees of the City of Woodland, or the City of Minnetonka, or a member of the Fire Department in case of fire, will be allowed to open any fire hydrant in the water system for any purpose whatsoever, without first securing authorization from the City.

1200.17 Variances. The Council may permit variances from provisions of this Section if it is satisfied that there are special circumstances or conditions affecting the premises for which the variance is requested and that the granting of the variance will not materially adversely affect the health, safety or general welfare or public or private property.

SECTION 1205 SEWER REGULATIONS

1205.01 Connection Permit.

Subd. 1. Permit Fee. A permit must be obtained to connect to the sewer at existing wyes, risers, or service lines. The fee for such permit is set forth in Section 305.

Subd. 2. Additional Charges. Additional charges will be made and collected for tapping and making connections with the sewer main where a house connection is not installed. The amount to be charged will be fixed by the Utility Superintendent based upon the cost of installing the service.

1205.02 Permit Conditions. No permit to connect to the City's sewer system will be issued unless the Clerk has certified as to one of the following:

- (a) That the lot or tract of land to be served has been assessed for its share of the cost of the system.
- (b) A connection fee equal to the amount which would be assessable against the lot or tract of land has been paid to the City.

1205.03 Sewer Rates. The sewer charge for each sewer user within the City is the amount set forth in Section 305. Sewer bills will be mailed to users and will specify the charges. Payment is due and payable in full upon receipt of the bill.

1205.04 Delinquent Accounts. If sewer charges are not paid within 30 days of the issuance of a statement from the City, a delinquency charge of \$5.00 per quarter will be added. All unpaid charges plus the delinquency charges which remain unpaid on September 15, together with an assessment fee of \$20.00 may be assessed by the City against the property served and will become a lien upon the property when assessed. The Clerk will prepare an assessment roll each year which will assess the delinquent sewer charges plus the additional charges against the respective properties served. The assessment roll will be submitted by the Clerk to the Council for adoption on or before October 10 of each year.

1205.05 Sewer System Regulations.

Subd. 1. Definitions. Unless the context specifically indicates otherwise, the following terms will have the meanings ascribed to them in this Section:

- (a) “BOD” (denoting Biochemical Oxygen Demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in 5 days at 20 degrees Centigrade, expressed in milligrams per liter.
- (b) “Building Drain” means that part of the lowest 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 a building sewer and which extends 5 feet beyond the outside of the building footings.
- (c) “Building Sewer” means the extension from the outer end of the building drain to the public sewer or other place of disposal.
- (d) “Garbage” means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- (e) “Industrial Wastes” means any liquid, or water borne wastes resulting from any process of industry, or manufacturing, trade or business.
- (f) “Natural Outlet” means any outlet to a watercourse, pond, ditch, lake or other body of surface or groundwater.

- (g) “pH” means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- (h) “Pollution” means the contamination of any waters so as to create a nuisance or render such waters unclean, or noxious, or impure so as to be actually or potentially harmful or detrimental or injurious to public health, safety or welfare, to domestic, commercial, industrial or recreational use, or to livestock, wild animals, birds, fish or other aquatic life.
- (i) “Properly Shredded Garbage” means garbage that has been shredded to such a degree that all particles thereof will be carried freely under the flow conditions normally prevailing in public sewers.
- (j) “Public Sewer” means a sewer in which all owners of abutting properties have equal rights, and which is controlled by public authority.
- (k) “Sanitary Sewer” means a sewer which carries sewage or industrial wastes and to which storm, surface, and ground waters are not intentionally admitted.
- (l) “Sewage” means any liquid wastes containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution.
- (m) “Sewage Treatment Plant” means any arrangement of devices and structures used for treating sewage and industrial wastes.
- (n) “Sewage Works” means all facilities and equipment for collecting, pumping, treating and disposing of sewage and industrial wastes.
- (o) “Sewer” means a pipe or conduit for carrying sewage or industrial wastes.
- (p) “Slug” means any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period longer than 15 minutes more than 5 times the average 24 hour concentration or flows during normal operation.
- (q) “Storm Drain” means a building drain which conveys storm water but not sewage.
- (r) “Suspended Solids” means 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.
- (s) “Watercourse” means a channel in which a flow of water occurs, either continuously or intermittently.

Subd. 2. Building Sewers and Connections.

- (a) No person may 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 Clerk.
- (b) All costs and expense incident to the installation and connection of a building sewer will be borne by the person making the installation and connection. The person will indemnify and hold harmless the City from any loss, claim, damage or expense that may, directly or indirectly, be occasioned by the installation and connection of a building sewer.
- (c) Old building sewers may be used in connection with new buildings only when they are found to meet all the requirements of the building and plumbing code and the utility regulations of the City.
- (d) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, place of the pipe, jointing, testing and backfilling the trench, must all conform to the requirement of the building and plumbing code and the utility regulations of the City.
- (e) No person may connect directly or indirectly roof downspouts, exterior foundation drains, areaway drains or other sources of storm water, ground water, roof runoff, surface water and unpolluted drainage to a building drain which, in turn, is connected, directly or indirectly, to a public sanitary sewer.
- (f) The connection of the building sewer into the public sewer must conform to the requirement of the building and plumbing code and the utility regulations of the City. Any deviation from the prescribed procedures and materials must be approved in writing by the City Engineer before installation and connection.
- (g) All excavations for building sewer installation must be adequately guarded with barricades and lights by the person making the installation so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed due to the work must be restored in a manner satisfactory to the City by the person making the installation.

Subd. 3. Use of Public Sewers.

- (a) No person may cause to be discharged any storm water, ground water, roof runoff, surface water, unpolluted drainage, unpolluted industrial cooling water or unpolluted industrial process water to any public sanitary sewer. No roof runoff, downspout, drainpipe, sump dump, swimming pool discharge, or surface water drainage shall be connected to the sanitary sewer system, inside or outside a building.
- (b) No person may cause to be discharged any of the following described waters or wastes to any public sewer:

- (1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases.
 - (2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other waters or wastes, to injure or interfere with any sewage treatment process, to constitute a hazard to humans or animals, to create a nuisance or to create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of 2 milligrams per liter as CN in the wastes as discharged to the public sewer.
 - (3) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works or the sewage treatment plant.
 - (4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works or sewage treatment plant such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, garbage, whole blood, manure, hair and fleshing, entrails, and any paper dishes, cups or other paper containers or paper products, whether whole or ground by garbage grinders.
 - (5) Other substances in amounts in excess of the concentrations permitted under Rules and Regulations of the Metropolitan Sewer Board.
- (d) No person may cause to be discharged any of the following described waters or wastes to any public sewer unless the person has a permit from the City Engineer specifically authorizing the discharge of such water or waste and unless the conditions, if any, set forth in the permit have been complied with by such person:
- (1) Any waters or other liquid or vapor having a temperature higher than 150 degrees Fahrenheit (65 C).
 - (2) Any waters or wastes containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit (0 and 65 C).
 - (3) Any garbage that has not been properly shredded.
 - (4) Any waters or wastes containing pickling wastes or concentrated plating solutions.

- (5) Any waters or wastes containing iron, chromium, copper, zinc and similar substances in such concentrations so as to cause the waters or wastes to be objectionable or toxic.
- (6) Any waters or wastes exerting a chlorine requirement or demand such that when the waters or wastes are received in the composite sewage at the sewage treatment plant, the chlorine requirement or demand of the composite sewage exceeds reasonable limits.
- (7) Any waters or wastes containing phenols or other taste or odor producing substances in concentrations which exceed reasonable limits in view of the applicable requirements of the state, federal or other public agencies having jurisdiction over effluent discharge to the receiving waters.
- (8) Any radioactive wastes or isotopes of such half-life or concentration as may exceed reasonable limits in view of the applicable State or Federal regulations.
- (9) Any waters or wastes having a pH in excess of 9.5.
- (10) Materials which exert or cause:
 - (i) Concentrations of inert suspended solids, such as, but not limited to, Fullers earth, sand, lime, slurries and lime residues, or of dissolved solids, such as, but not limited to, sodium chloride and sodium sulfate, which are likely to be harmful to the sewer, sewer works or sewage treatment plant.
 - (ii) Excessive discoloration, such as, but not limited to, dye wastes and vegetable tanning solutions.
 - (iii) Unusual BOD or chemical oxygen demand in such quantities as to constitute a significant load on the sewage treatment plant.
 - (iv) Unusual volume of flow or concentration of waters or wastes constituting "slugs" as defined herein.
- (11) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes utilized by sewage treatment plants, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the state, federal or other public agencies having jurisdiction over effluent discharge to the receiving waters.

- (e) Where pretreatment or flow-equalization facilities and/or where grease, oil or sand interceptors are provided for any waters or wastes, such facilities and/or interceptors must be maintained continuously in satisfactory and effective operation by the user at no expense to the City.
- (f) The owner of any property having a building sewer into which industrial wastes are discharged must install a suitable control structure together with any necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the industrial wastes. Such structure, when required, must be accessibly and safely located and will be constructed in accordance with plans approved by the City Engineer. The structure will be installed by the owner at his expense, and will be maintained by him so as to be safe and accessible at all times.
- (g) All measurements, tests and analyses of the waters and wastes discharged to a public sewer will be determined in accordance with the latest edition of “Standard Methods of the Examination of Water and Wastewater”, published by the American Public Health Association, and will be determined at the control structure provided, or if no special control structure has been provided, at the nearest downstream manhole in the public sewer from the point at which the building sewer is connected to the public sewer. Sampling will be carried out by customarily accepted methods under the direction of the City Engineer to reflect the effect of the waters and wastes upon the sewers, sewage works and the sewage treatment plant and to determine the existence of hazards to public health, safety and welfare.
- (h) Notwithstanding any other provision in this Section, the City may enter into a valid agreement with any person whereby industrial wastes and/or sewage of unusual strength or character may be discharged to a public sewer and accepted by the sewage treatment plant, subject to the payment of special charges to the City by the person; and provided that the City gives its prior, written approval to the special agreement.

1205.06 Right to Enter. The duly authorized employees or representatives of the City bearing proper credentials and identification will have the right to enter all properties served by the City’s sewer system for the purpose of inspection, observation, measurement, sampling and testing in accordance with and for the purpose of enforcing the provisions of this Section. The employees or representatives will have the power and authority to obtain a warrant to secure entry onto a property and will obtain a warrant to enter any property upon which entry has been refused. The employees or representatives have no authority to inquire into any industrial processes beyond that point in the process having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for treatment.

1205.07 Remedies.

Subd. 1. Responsibilities and Rights. Each person who connects with a public sewer located in the City is deemed to have agreed to and will indemnify and hold harmless the City with respect to all costs, damages and expenses, including penalties and special charges assessed by the sewage treatment authority against the City resulting, directly or indirectly, from a violation of 1205.05. The City will also have the right to institute an action for all costs, damages and expenses resulting, directly or indirectly, from a violation of these provisions.

Subd. 2. City's Rights. Notwithstanding any other provision of this Section, the City will have the right to seek injunctive relief from a continuing violation of the provisions of 1205.05. It will also have the right to institute an action for all costs, damages and expenses resulting, directly or indirectly, from a violation of these provisions.

1205.08 Liability. Each user or owner is responsible for maintaining and cleaning the sewer connection from his house to the sewer main. The City will not be liable for any stoppages in the sewer system. Each user must provide a suitable back water valve to prevent flooding of basements in the event of sewer stoppage.

1205.09 One House Per Connection. Not more than one house or building may be supplied from one sewer connection, except with the permission of the City Engineer.

1205.10 Building Sewers. All building sewer connections must be made to the wye or riser provided for that purpose. No sewer connection may be laid in the same trench with water, gas or any other pipe and all sewer connections must be laid far enough from all others to permit the repair or removal or relaying of any one without disturbing the other, unless an alternate method is provided by the City Engineer.

At the time any connection is made to the City sanitary sewer system, all cesspools, septic tanks, or other sewage disposal facilities existing on the property which is connected must be pumped and then filled to earth level with suitable material. Such pumping and filling is not required if the tank or facility is constructed of concrete. The determination of whether the tank or facility is constructed of concrete will be made by the City Inspector by visual inspection of the tank or facility or by reference to appropriate City records. Piping through cesspools and septic tanks will be on the house side of the cesspools or tank, unless an alternate method is approved by the City Engineer.

All sewer connections must be made by a competent property owner or licensed contractor. Building sewers must conform with all utility regulations as to materials, depths of cover slope, and water tightness. No connection may be covered or otherwise concealed from sight until inspected and approved by the City Inspector. A drawing of the location of the sewer connection from the house to the sewer main as built will be furnished by the owner and maintained by the City in its files.

1205.11 Accounts. All accounts will be kept on the books of the Sewer Utility by the house and street number and under the account number assigned and the name of the owner or of the person signing the application for service. All bills and notices sent out by the Sewer Utility will be sent to the house or street number of the property. If non-resident owners or agents desire personal

notice sent to a different address, they must file an application therefore with the Sewer Utility. Any error in address must be promptly reported to the Sewer Utility.

SECTION 1210 - 1997 SEWER AND WATER PROJECT

1210.01 User Fees. The owner of any property served by the sewer and water facilities constructed as the City's 1997 Sewer and Water Project shall be charged the quarterly user fees set forth in Section 305.

1210.02 Maintenance Fees. The owner of any property served by the sewer and water facilities constructed as the City's 1997 Sewer and Water Project shall be charged quarterly maintenance fees set forth in Section 305.

SECTION 1215 - DEFERMENT OF ASSESSMENTS

1215.01. Criteria for Deferment. The Council may defer the payment of any special assessment (principal and interest) on homestead property owned by a person who is 65 years of age or older, or who is retired by virtue of permanent and total disability, and the City Clerk is hereby authorized to record the deferment of special assessments where the following conditions are met:

- (a) The applicant must apply for the deferment not later than ninety days after the assessment is adopted by the Council.
- (b) The applicant must be 65 years of age, or older, or retired by virtue of permanent and total disability.
- (c) The applicant must be the owner of the property.
- (d) The applicant must occupy the property as his principal place of residence.
- (e) The applicant's income from all sources shall not exceed the low income limit as established by the Department of Housing and Urban Development as used in determining the eligibility for Section VIII housing.

1215.02. Term of Deferment. The deferment shall be granted for as long a period of time as the hardship exists and the conditions as aforementioned have been met. However, it shall be the duty of the applicant to notify the City Clerk of any change in the applicant's status that would affect eligibility for deferment.

1215.03. Loss of Eligibility. The entire amount of deferred special assessments shall be due within sixty days after loss of eligibility by the applicant. If the special assessment is not paid within sixty days, the City Clerk shall add thereto interest at 6% per annum from the due date through December 31 of the following year and the total amount of principal and interest shall be certified to the County Auditor for collection with taxes the following year. Should the applicant plead and prove, to the satisfaction of the Council that full repayment of the deferred special assessment would cause the applicant particular undue financial hardship, the Council may order that the applicant pay within sixty days a sum equal to the number of installments of deferred

special assessments outstanding and unpaid to date (including principal and interest) with the balance thereafter paid according to the terms and conditions of the original special assessment.

1215.04. Events Requiring Payment. The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any one of the following:

- (a) The death of the owner when there is no spouse who is eligible for deferment.
- (b) The sale, transfer or subdivision of all or any part of the property.
- (c) Loss of homestead status on the property.
- (d) Determination by the Council for any reason that there would be no hardship to require immediate or partial payment.