

## **ADDITION 5B**

### **MANAGEMENT AND OPERATION OF THE SEWAGE DISPOSAL PLANT, PROVIDING FOR THE APPOINTMENT OF A SUPERINTENDENT, FIXING HIS/HER POWERS AND DUTIES, AND PRESCRIBING THE RULES AND RATES FOR THE OWNERS OR OCCUPANTS OF PROPERTY NOW CONNECTED OR HEREAFTER CONNECTING WITH THE SEWER SYSTEM.**

#### 5B.01 CONNECTION.

That the rules, regulations, and rates hereinafter set forth or hereafter adopted by the City Council shall be considered a part of the contract with every person, co-partnership, or corporation owning or occupying any premises now connected or hereafter connecting with the sewer system of the City, and every owner or occupant of premises by maintaining a connection with said sewer to his/her or their property and accepting the use and benefit thereof shall be considered to express his/her or their consent to be bound thereby.

#### 5B.03 APPOINTMENT OF SUPERINTENDENT.

Immediately after the passage of this Ordinance, and annually thereafter at the 1st regular meeting of the Water, Light, and Power Commission of the City in each year, the said Commission shall appoint a Superintendent of the Sewage Disposal Plant. The Superintendent so appointed shall be a person qualified and competent to operate and maintain the sewage treatment, buildings, machinery, and equipment, and his/her term of office shall begin not later than the 1st secular day of February and shall be for one year or until his/her successor is appointed and qualified, subject to removal, however, at any time by the said Commission for cause. He/She may be on a full or part time basis and may also be employed on any other work by the municipality not inconsistent with his/her work as such Superintendent.

#### 5B.05 DUTIES.

The Superintendent shall have the immediate control, protection, and management of the sewage disposal plant, under the direction and supervision of the said Commission.

#### 5B.07 REPORTS.

The Superintendent shall make and file a monthly report of operations with the City Clerk, in the form prescribed by the said Commission. He/She shall annually make and file with the City Clerk for presentation to the said Commission a complete inventory of all tools, implements, furniture, and other articles or personal property belonging to the sewage disposal plant, and shall annually, and at such other times as he/she may be directed, make a report to the said Commission as to the condition of the plant and such other facts and circumstances relating to the plant as may be requested by the said Commission.

#### 5B.09 ACCESS.

The Superintendent, or such other person as may be directed by the said Commission shall have authority to enter and have free access to all premises and buildings connected with the sewer system of the City at all reasonable hours to ascertain the location and condition of all drains, outlets, or other fixtures in connection with said sewer, and for the purpose of ascertaining the quantity of sewage produced and its concentration, strength of its pollution qualities, and the cost of its disposal.

5B.11 DEFINITIONS.

Subd. 1. "Sanitary Sewage" is hereby defined as the waste from water closets, laboratories, sinks, bath tubs, showers, household laundries, cellar floor drains, bars, soda fountains, cuspidors, refrigerator drips, drinking fountains, and similar plumbing fixtures.

Subd. 2. "Industrial Wastes" are hereby defined as being the liquid waste resulting from any commercial, manufacturing or industrial operations or processes.

5B.13 FUNDING.

For the purpose of providing funds to meet the cost of operating and maintaining the sewage disposal plant and the facilities connected there with and the payment of capital charges represented by bonds, certificates of indebtedness, or otherwise, and to the payment of reasonable requirements for re-placement and obsolescence thereof, there is hereby levied and assessed upon each lot, parcel of land, building, or premises having any connection with the public sewer system of said City or otherwise discharging sewage, industrial wastes, water, or other liquids directly or indirectly into the public sewer system of the City, a sewage service charge payable as hereinafter provided and in determined amount as follows:

Subd. 1. For any lot, parcel of land, building, or premises having connection with the sewer system of the City, or otherwise discharging sanitary sewage either directly or indirectly into the sewer system, the charge will be based upon the quantity of water used thereon or therein as the same is measured by the City water meter there in use and said charge shall be 15 cents per 1000 gallons. Provided, however, that in determining the charge to be paid for premises within the residential district of the City and uses exclusively for residential purposes, the first readings of each year shall be used as the basis for the commutation for each quarter of that year.

Subd. 2. In the event any lot, parcel of land, building or premises discharging sanitary sewage, industrial waste, water, or other liquids into the sewer system of the City, either directly or indirectly, is not supplied with water from the water works of said City, and the water used thereon or therein is not measured by a City meter or by a meter approved by the Superintendent of water works, then in each such case the sewer service charge shall be fixed and determined by the said Commission in such a manner and by such method as they may find just, equitable, and practicable in the light of conditions and attendant circumstances of the case.

Subd. 3. The Water, Light and Power Commission shall have the power to classify the sewage discharged into the sewage system based upon its concentration and cost of disposal, and fix just and reasonable rates and charges for its disposal according to such classification, on a more onerous basis than is charged for sanitary sewage disposal and said Commission shall have the power to increase or decrease all rates and charges in this Ordinance provided for as the same may reasonable be required.

Subd. 4. The City Clerk shall compute the amount due the municipality for sewage charges, and render a statement thereof, either monthly or quarterly, as directed by the said Commission to the owner or occupant of any premises served, or to both. All amounts due hereunder shall be payable at the office of the City clerk.

5B.15 PAST DUE CHARGES.

Each charge levied by and pursuant to this Ordinance is hereby made a lien against both the owner and occupant of any lot, parcel of land or premises served by a connection to the sewer system of said City, and when any such charge is more than 30 days past due, and has been properly billed to the occupant of the premises served, water services to such premises shall be discontinued and not again begun until the bill is paid in full, with all penalties. If payment is not made within 10 days after the service is discontinued, civil action shall be begun by the Superintendent in the name of the City against the owner or occupant of the premises.

5B.17 DEPOSITION OF FUNDS.

The funds received from the collection of the charges or rentals authorized by this Ordinance shall be deposited, as collected, in a fund to be known as the Sewer Fund, and shall be disbursed:

- Subd. 1. To meet the costs of operating and maintaining the sewage disposal plant and facilities.
- Subd. 2. To be applied to capital charges represented by bonds or certificates of indebtedness.
- Subd. 3. For the reasonable requirements for replacement and obsolescence.