76. SUPERVISION AND CONTROL OF SEWERS

76.01. Definitions. Subdivision 1. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

Subd. 2. “Act” means the Federal Water Pollution Control Act as amended, 33 U.S.C. §1251, et. Seq.

Subd. 3."Ammonia Nitrogen (NH_3-N)” means the quantity of nitrogen present in wastewater in the form of ammonia as measured by procedures described in “Standard Methods.”

Subd. 4.“Building Drain” means that part of the lowest horizontal 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 the building sewer, beginning five feet outside the inner face of the building wall.

Subd. 5. “Building Sewer” means the extension from the building drain to the public sewer or other place of disposal, also called house connection or service connection.

Subd. 6. “Carbonaceous Biochemical Oxygen Demand ($CBOD_5$)” means the quantity of oxygen utilized after five days in the biochemical oxidation of organic matter present in wastewater as measured by procedures described in “Standard Methods.”

Subd. 7. “City” means the City of Rochester, Minnesota or its governing body, the Common Council of the City of Rochester.

Subd. 8. “City Engineer” means the Public Works Director or his or her designee.

Subd. 9. “Domestic or Sanitary Waste” means that waste which is primarily produced by residential users. The following concentrations of wastewater characteristics are established as domestic or sanitary waste and any concentration found to be greater is considered high strength waste:

$CBOD_5$	250 mg/L
TSS	250 mg/L
TP	7 mg/L
NH_3N	28 mg/L

Subd. 10. “Easement” means an acquired legal right for the specific use of land owned by others.

Subd. 11. “Fats, Oil, and Grease (FOG)” means fat, oil, or grease in a physical state such that it will separate by gravity from wastewater. Wastewater shall be considered free of fat, oil, or grease if it is properly pretreated, the wastewater does not interfere with the collection system, and is present in concentrations below 100 milligrams per liter as found in reference to Standard Methods for the Examination of Water and Wastewater, Oil and Grease, method 5520.

Subd. 12. “Garbage” means the animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

Subd. 13. “Incompatible Waste” means waste that either singly or by interaction with other waste interferes with any waste treatment process, constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in the receiving waters of the water reclamation plant.

Subd. 14. "Industrial Users” or “Industries" means a source that introduces pollutants into the sanitary sewer from a non-domestic source regulated under section 307(b)(c), or (d) of the Act.

Subd. 15. “Industrial Wastes” means wastewater discharged by industries.

Subd. 16. “Natural Outlet” means any outlet, including storm sewers and combined sewer overflows, into a watercourse pond, ditch, lake or other body of surface of groundwater.

Subd. 17. “Person” means any individual, firm, company, association, society, corporation or group.

Subd. 18. “pH” means the reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution as measured in procedures described in “Standard Methods.”

Subd. 19. “Properly Shredded Garbage” means wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than ½ inch (1.27 centimeters) in any dimension.

Subd. 20. “Public Sewer” means a sewer owned and controlled by the City.

Subd. 21. “Publicly Owned Treatment Works (POTW)” means the publicly owned treatment works that is comprised of the sanitary sewer system, including the treatment plant and collection of infrastructure, operated by the City of Rochester Public Works Department.

Subd. 22. “Residential/Commercial Users” are all non-industrial users.

Subd. 23. “Sanitary Sewer” means a pipe or conduit that carries wastewater from residences, commercial buildings, industrial plants, and institutions to the Water Reclamation Plant.

Subd. 24. “Slug” means any discharge of water or wastewater in a sewer which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes whereas more than five times the average 24 hour concentration or flow is discharged.

Subd. 25. “Standard Methods” means the latest edition of Standard Methods for the Examination of Water and Wastewater prepared and published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation, and, of options are available for a particular characteristic, the method as chosen by the Water Reclamation Plant for analysis.

Subd. 26. “Storm Drain” or “Storm Sewer” means a drain or sewer for conveying surface water, groundwater, sub-surface water, or unpolluted water from any source.

Subd. 27. “Total Organic Carbon (TOC)” means the oxidizable carbon of organic origin that is present in wastewater as measured according to procedures described in “Standard Methods” and is determined using a total organic carbon analyzer.

Subd. 28. “Total Phosphorus (TP)” means all forms of phosphorus present in wastewater as measured in procedures described in “Standard Method.”

Subd. 29. “Total Suspended Solids (TSS)” means the non-filterable residual matter present in wastewater as measured in procedures described in “Standard Methods.” If a waste has a solids concentration, which cannot be filtered using “Standard Methods” procedures, then total solids will be measured and used in lieu of TSS using procedures described in “Standard Methods.”

Subd. 30. “Unpolluted Water” means water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards

and would not be benefitted by discharge to the sanitary sewer and wastewater treatment facilities provided.

Subd. 31. "User" means a person who discharges, or causes or permits the discharge of, wastewater into the City's wastewater disposal system.

Subd. 32. "Wastewater" means the spent water of a community and includes a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, and surface water that may be present.

Subd. 33. "Water Reclamation Plant (WRP)" means an arrangement of devices and structures for treating wastewater and biosolids owned and operated by the City of Rochester Public Works Department.

Subd. 34. "Watercourse" means a natural or artificial channel for the passage of water either continuously or intermittently.

76.02. Control by the City Engineer. The City Engineer shall have control and general supervision of all public sewers and service connections in the City, and shall be responsible for administering the provisions of this chapter to the end that a proper and efficient public sewer system is maintained.

76.03. Unlawful Acts. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the City, or in any area under the jurisdiction of said City, any human or animal excrement, garbage, or objectionable waste.

Subd. 2. It shall be unlawful to discharge to any watercourse within the City, or in any area under the jurisdiction of said City, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

Subd. 3. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

Subd. 4. No person shall 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 City Engineer.

Subd. 5. Violations of this section are a misdemeanor. In addition, designated City staff may issue an administrative citation pursuant to chapter 5 of this Code. (4294, 4/17/17)

76.04. Private Wastewater Disposal. Subdivision 1. Where a public sanitary sewer is not available the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.

Subd. 2. Before commencement of construction of a private wastewater disposal system, the owner shall obtain a permit issued by the City Engineer. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the City Engineer.

Subd. 3. The use of such private system shall not be made until the installation is completed to the satisfaction of the City Engineer. The City Engineer shall be allowed to inspect the work at any stage of construction, and the applicant shall notify the City Engineer when the system is ready for final inspection and before any underground portions are covered.

Subd. 4. The type, capacities, location, and layout of a private wastewater disposal system shall comply with all requirements of the Department of Public Health of the State of Minnesota and/or the Olmsted County Health Department. No permit shall be issued for construction of any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than 20,000 square feet. No disposal system employing a septic tank or cesspool shall be permitted to discharge to any watercourse.

Subd. 5. When an owner disconnects a private wastewater disposal system, the septic tank, cesspool, or similar private wastewater disposal facility shall be cleaned of sludge. The bottom shall be broken to permit drainage, and the tank or pit filled with suitable material.

Subd. 6. The owner shall operate and maintain a private wastewater disposal facility in a sanitary manner at all times, at no expense to the city.

76.05. Connections; Permit Required. This section repealed by Ordinance #4294 on 4/17/17.

76.06. Application for Connection Permit. Subdivision 1. An application for a permit

shall be made by the person employed to make the connection and shall state the location, name of owner, street address of building to be connected, its use, and the name of the person doing the work. The individual signing the application for the person employed to make the connection shall be empowered to bind said person. No person shall extend any private drain beyond the limits of the building or property for which a service connection permit has been given. A person who desires to construct, reconstruct, extend, or alter a service connection shall before beginning work file with the City Engineer a plan showing the whole course of the service connection and all branches, traps and fixtures connected therewith. If the City Engineer finds that the plan does not conform to the requirements of this ordinance, the City Engineer shall not issue a permit for such connection.

Subd. 2. Installation costs and expenses. No costs or expenses related to the installation and connection of the building sewer shall be borne by the City. The person making the application for the permit, as a condition of issuance of the permit, shall agree to indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Subd. 3. Connection charge. In addition to a permit fee which may be established by the Common Council from time to time by resolution, the owner may be required as a condition of issuance of a permit under this section to pay a suitable connection charge if the same has been established for said property by resolution of the Common Council.

76.07. Connections; Standards. Subdivision 1. A separate and independent building sewer shall be provided for every building except: (A) that more than one building may be served by a single connection when the buildings are designed and built as a single complex to remain under the control and ownership of one person; or, (B) where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, driveway, or easement, the front building sewer may be extended to the rear building and the whole considered as one building sewer. Provided further, a single building consisting of a structure designed and constructed to be located on two separate lots or parcels of land owned by different persons must be served by a separate and independent service connection to each part of the structure located on a separate lot or parcel.

Subd. 2. An existing building sewer may be used in connection with a newly constructed building only if it is determined by the City Engineer to meet all requirements imposed by this ordinance.

Subd. 3. The size, slope, alignment and material of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling

the trench, shall all conform to the requirements of the standard specifications for construction of service connections promulgated by the City Engineer. In the absence of standard specifications or in amplification thereof, the materials and procedures set forth in appropriate specifications of the City of Rochester Public Works Specifications and Standards shall apply.

Subd. 4. If possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Subd. 5. No person shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or indirectly to a public sanitary sewer.

Subd. 6. The connection of the building sewer into the public sanitary sewer shall conform to the requirements of the Building and Plumbing Code and other applicable regulations of the City, or the procedures set forth in appropriate specifications of the City of Rochester Public Works Specifications and Standards. Any connection shall be made gastight and watertight and verified by proper testing. A deviation from the prescribed procedures and materials must be approved by the City Engineer in advance of installation.

Subd. 7. An excavation for building sewer installation shall be adequately guarded with suitable barricades and lights so as to protect the public from any hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City Engineer.

76.08. Connections; Final Inspection. The applicant for the building sewer permit shall notify the City Engineer when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the City Engineer.

76.09. Connections; License Required. Subdivision 1. No person shall make a connection with any public sewer unless regularly licensed under this section to perform such work.

Subd. 2. A person desiring a license to make a connection with a public sewer shall apply in writing to the common council, and shall furnish the council satisfactory evidence that the applicant is a person trained or skilled in the business, is in compliance with all requirements of state law, and is otherwise qualified to receive a license. The application shall be referred to the City Engineer for recommendation to the council. If approved by the

council, a license shall be issued by the City Clerk upon the payment of fees and filing of a bond as hereinafter provided.

Subd. 3. No license shall be issued to a person until a certificate of general liability and vehicle liability insurance in an amount not less than $2,000,000 each occurrence and $4,000,000 aggregate**,** and a $10,000 licensing bond has been filed with the City Clerk. The licensing bond shall state that it covers defects in the work performed during the license year with the coverage to extend for a period of two years after completion of the work. No bond shall be accepted that attempts to spread the coverage of the bond amount over more than one license year. The bond shall be approved as to form by the City Attorney and shall be conditioned that: (A) the licensee will indemnify and save harmless the City from all suits, accidents and damage that may arise by reason of any opening in any street, alley or public ground, made by the licensee or by those in the licensee's employment for any purpose whatever; (B) the licensee will replace and restore the street or alley over such opening to as good a state and condition as the licensee found it; the licensee will keep guard by day and adequate lights by night and keep and maintain the same in good order, to the satisfaction of the City Engineer; and (C) the licensee shall conform in all respects to the rules and regulations of the Common Council relative thereto, and pay all fines that may be imposed on the licensee by law.

76.10. License Fee. The annual license fee**,** including any additional fees for late renewal, shall be established by resolution of the Common Council. All licenses shall expire on December 31 of the license year unless sooner suspended or revoked by the council for cause.

76.11. Suspension or Revocation of a License. Subdivision 1. The Common Council may suspend or revoke a license issued under this chapter for any of the following reasons:

A. Providing false information in connection with the application for a license; or

B. Incompetence of the Licensee; or

C. Willful violation of any provision of this chapter or any regulation pertaining to the making of connections, including the failure to obtain and maintain licensures, bonds, and insurance as required by this chapter or state law.

Subd. 2. Whenever it appears to the Common Council that adequate grounds may

exist for the suspension or revocation of a specific license granted under this chapter, the Council shall order a hearing to be held upon notice to the licensee. The notice of hearing shall specify the nature of the alleged grounds upon which such action may be taken and shall be mailed to the licensee a reasonable period of time prior to the scheduled hearing. Following the hearing the Common Council shall determine whether the licensee has engaged in conduct in violation of subdivision 1 of this section. Upon a finding that a violation has occurred, the Council may either.

A. Suspend the license for a period of up to 60 days;

B. Revoke the license; or

C. Impose such other conditions as it determines will ensure the Licensee's continued compliance with this chapter.

76.12. Change of Name or Ownership of License. A licensee shall immediately notify the City Clerk of any change in the name under which the licensee's business is conducted; and, of any change in the ownership of a licensed business if the license is issued in the name of the business and not a natural person.

76.13. Unlawful Acts; Licensees. A person licensed under this chapter shall not permit his/her name to be used by any other person, for the purpose of obtaining permits or doing any work under his or her license for the purpose of evading the licensing requirements of this ordinance.

76.14. Public Sewer; Discharge of Unpolluted Water. Subdivision 1. No persons shall discharge or cause to be discharged any unpolluted water, including stormwater, groundwater, roof runoff, subsurface drainage, or cooling water, to any public sanitary sewer.

Subd. 2. Stormwater and all other unpolluted drainage shall be discharged only to such public sewers as are specifically designated as storm sewers or to a natural watercourse approved by the City Engineer and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the City Engineer, to a storm sewer, or natural watercourse. A discharge to a storm sewer or natural outlet may in addition require a National Pollutant Discharge Elimination System (NPDES) permit issued by the United States Environmental Protection Agency.

76.15. Certain Discharges: General Limitation. Any substances, materials, water, or waste shall be limited in discharges to a public sanitary sewer to concentrations or quantities which will not harm either sewers, the Water Reclamation Plant treatment process or

equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger persons or public property, or constitute a nuisance. The WRP Manager may set a limitation lower than a limitation otherwise established by this ordinance if in his opinion the more restrictive limitation is necessary to meet the foregoing objectives. In establishing such a limitation, the WRP Manager may give consideration to factors such as the quantity of waste in reaction to flows and velocities in the sewers, materials of construction of the sewers, and the safety of personnel at the Water Reclamation Plant.

76.16. Certain Discharges Prohibited. No user shall discharge or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or to any public sewer:

A. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system. At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system or at any point in the system, be more than five percent nor any single reading over ten percent of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

B. Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities including, but not limited to: grease, garbage with particles greater than 1/2" in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, personal hygiene wipes or cleaning paper products that do not readily dissolve within two minutes, spent grains, spent hops, waste paper, wood, plastic, gas tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grinding or polishing wastes. Exceptions for some wastes, pursuant to section 76.16 (p) are allowed.

C. Any wastewater having a pH less than 5.0 or greater than 11.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater disposal system.

D. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters or the wastewater disposal system.

E. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.

F. Any substance which may cause the wastewater disposal system's effluent or any other product of the wastewater treatment process such as residues, biosolids, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the wastewater disposal system cause the system to be in noncompliance with biosolids use or disposal criteria of the State.

G. Any substance which will cause the wastewater disposal system to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards.

H. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

I. Any wastewater which creates conditions at or near the wastewater disposal system which violates any statute or any rule, regulation or ordinance of any public agency or state or federal regulatory body.

J. Any wastewater having a temperature greater than 150°F (65.6°C), or causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding 104°.

K. Any slug load, which shall mean any pollutant, including but not limited to $CBOD_5$, TSS, NH_3N, TP, high or low pH, etc., released in a discharge of such volume or strength as to cause interference in the wastewater disposal system. In no case shall a slug load have a flow rate or contain

concentration or quantities of pollutants that exceed for any time period longer than 15 minutes more than five times the average 24 hour concentration, quantities, or flow. The Water Reclamation Plant must be notified immediately in the event of any slug load accidentally discharged or any other discharge that has the potential, either singly or in combination with other wastewater, to cause interference with the wastewater disposal system's process.

L. Any wastewater containing fats, oils or grease, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65.6°C); and any wastewater containing oil and grease concentrations of mineral origin of greater than 25 mg/l, whether emulsified or not.

M. Wastewater containing inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in such quantities that they would cause interference with the wastewater disposal system.

N. Wastewater containing hexavalent chromium. Any industrial discharger producing waste containing hexavalent chromium shall provide pretreatment facilities which will effectively reduce the chromium to the trivalent state. Dischargers will also be subject to appropriate limitations on total chromium discharges to the municipal wastewater collection system.

O. Any trucked or liquid hauled waste except as designated by the WRP Manager.

P. Any medical wastes, except as provided for in an acceptable infectious waste management plan in compliance with the Minnesota Pollution Control Agency, pursuant to Minnesota Statutes.

Q. Any discharge, which if otherwise disposed of would be considered a listed or characteristic hazardous waste under 40 CFR part 261, unless approved by the Water Reclamation Plant. Notification of such discharges must be made in writing and receive approval prior to discharge.

76.17. Remedies for Unlawful Discharges. Subdivision 1. If any waters or wastes are discharged or are proposed to be discharged to the public sanitary sewers, which waters contain the substances or possess the characteristics enumerated in section 76.16 and which in the judgment of the WRP Manager, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the City may.

A. Reject the wastes;

B. Require pretreatment to an acceptable condition for discharge to the public sewers;

C. Require control over the quantities and rates of discharge; or

D. Require payment to cover added cost of handling the wastes not covered by existing taxes or sewer charges.

Subd. 2. If the City permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the City Engineer.

Subd. 3. No provision contained in this ordinance shall be construed to prevent or prohibit a separate or special contract or agreement between the City and any user whereby waste and material of unusual strength, character or composition may be accepted by the City for treatment, subject to additional payment therefore by such user; provided, however, that such agreement shall have the prior approval of the WRP Manager.

Subd. 4. No provision of this section shall be construed to limit the applicability of any other civil or criminal remedy by the City in the event of a violation by a person of section 76.16 For the purpose of a criminal prosecution for a violation of section 76.16 each day that such unlawful discharge occurs shall be construed as a separate violation.

76.18. Grease, Oil, Sand Interceptors. A grease, oil, or sand interceptor shall be provided when, in the opinion of the WRP Manager or Plumbing Inspector, it is necessary for the proper handling of liquid wastes containing floatable grease, flammable wastes, sand or other harmful ingredients; except that an interceptor shall not be required for private living quarters or dwelling units. An interceptor shall be of a type and capacity approved by the WRP Manager or Plumbing Inspector, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintenance of an interceptor the owner shall be responsible for the proper removal and disposal by appropriate means of any captured

material and shall maintain records which are subject to review by the WRP Manager of the dates, and means of disposal. Any removal and hauling of collected material not performed by the owner must be performed by currently certified waste disposal firms.

76.19. Pretreatment; Flow Equalization Facilities. Where a pretreatment or flow-equalizing facility is provided or required for any waters or wastes, it shall be continuously maintained in satisfactory and effective operation by the owner at his/her expense.

76.20. Industrial Waste; Metering and Sampling. If required by the WRP Manager, the owner of any property serviced by a building sewer carrying industrial wastes shall install such necessary meters and other equipment in the building sewer to facilitate observation, sampling, and measurement of the waste discharged. Such equipment, when required, shall be accessible and safely located and shall be installed in accordance with plans approved by the WRP Manager. The equipment shall be installed by the owner at his/her expense and shall be maintained and accessible at all times. When required by the WRP manager, composite sampling equipment shall be capable of collecting a flow weighted sample via means of electronic communication between flow meter and sampler. All samples shall be properly refrigerated to 4º Celsius. All flow meters shall be calibrated annually, at a minimum, by a third party vendor.

76.21. Measurements; Analysis; Standards. All measurement, test, and analysis of the characteristics of waters and waste to which reference is made in this chapter shall be determined in accordance with the Standard Methods. Sampling methods, location, times, durations, and frequencies shall be determined on an individual basis subject to approval by the WRP Manager. In this regard, reference is made to 40 CFR 136, "Guidelines Establishing Test Procedures for the Analysis of Pollutants."

76.22. Inoperable Sewers. Whenever any connection to a public sewer becomes clogged, obstructed, broken or out of order, or detrimental to the use of the public sewer, or unfit for the purpose of drainage, the owner or person having charge of the connection shall repair or cause such work to be done as the City Engineer may direct. Each day following the third day after a written order to do so has been given that a person neglects or fails to so act shall constitute a separate violation of this section, and the City Engineer may then cause the work to be done, and recover from such owner or agent the expense thereof, including interest by means of an action brought in the name of the City.

76.23. Forbidden Substances. No person having charge of any building, or other premises, which drains into a public sewer, shall permit any substance or matter which may form a deposit or obstruction to flow or pass into the public sewer. Within ten days after notice in writing from the City Engineer, a person shall install a suitable and sufficient catch basin or

waste trap, or if one already exists, clean out, repair or alter the same, and perform such other work as the City Engineer may deem necessary to prevent any substance or matter passing into the public sewer which may cause a deposit or obstruction therein. In addition to any penalties that may be imposed for violating this section, if a person refuses or neglects to install a catch basin or waste trap or to clean out, repair, or alter the same, if one exists, for a period of five days, the City Engineer may cause such work to be done as deemed necessary, and recover the expense thereof, including interest, from such owner by means of an action brought in the name of the City.

76.24. Additional Charges. In addition to any penalty that may be imposed for violation of any provision of this ordinance, the City may assess against any person the cost of repairing or restoring sewers or associated facilities damaged as a result of the discharge of prohibited wastes by such person and may collect such assessment as an additional charge for the use of the public sewer system or in any other manner deemed appropriate by the City or the laws of the State of Minnesota.

76.25. Motor Vehicle Washing and Servicing Facilities. The owner or operator of any motor vehicle washing or servicing facility shall provide and maintain in serviceable condition at all times a catch basin or waste trap in the building drain system to prevent grease, oil, dirt, or any mineral deposit from entering the public sewer system.

76.26. Willful Destruction or Damage to Facilities. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which forms a part of the POTW.

76.27. Inspectors: Duties and Authority. Subdivision 1. The City Engineer or other duly authorized employees of the City shall be permitted to enter all property for the purpose of inspection, observation, measurement, sampling, and testing pertinent to discharge to the public sewer system in accordance with the provisions of this chapter.

Subd. 2. The City Engineer or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind or source of discharge to the wastewater collection system. An industry may withhold proprietary information in accordance with 40 CFR 403.14.

Subd. 3. While performing necessary work on private property the City Engineer or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the owner and the owner shall be held harmless for injury or death to the City employees and the City shall indemnify the owner against loss or damage to its property by City employees and against liability claims and demands for personal injury or property

damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required by section 76.20.

(132, 11/6/1895; 481, 6/4/35; 1437, 2/19/68; 1834, 3/15/76; 1844, 5/17/76; 2023, 2/20/79; 2112, 5/17/80; 2218, 11/17/81; 2348, 1/5/84; 2471, 10/8/85; 2122, 6/5/80; 2608, 10\25\88; 2803, 4/6/92; 3296, 11/16/99; 3396, 5/21/01; 3871, 6/2/08; 3974, 6/21/10; 4203, 8/3/15; 4226, 2/1/16; 4294, 4/17/17)