

802.08: PROHIBITED DISCHARGES:

All discharge into the City's sanitary sewer system shall be in conformance with the Waste Discharge Rules adopted by the Metropolitan Council Environmental Services (1995 Code). Prohibited discharges include, but are not limited to, any unpolluted water, such as noncontact cooling water, rain water, storm water, groundwater, or water collected from foundation drains or sumps, or roof drainage; water insoluble oils, including but not limited to, fuel oil, non-biodegradable cutting oil, lubricating oil, hydraulic oil, mineral oil and motor oil.

A. Waiver. The Public Works Director shall have the power and duty of hearing and deciding requests for waivers from the applicability of the provision of this Section where strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration or cause a safety problem. This may also include cases where it would not be practical or feasible to correct an otherwise prohibited discharge in the City's sewerage system.

1. Application for waivers pursuant to this Section shall be addressed in writing to the Public Works Director. The applications shall at a minimum identify the subject property, the name of the property owner/applicant, and describe in detail what characteristics of the subject property create an undue hardship. Within 30 days the Public Works Director shall make a decision on the matter and send a copy of such decision to the applicant by regular mail. Upon approval of an application for a waiver, a property owner shall be allowed to discharge directly into the sewerage system for a limited time specified in the written decision and in accordance with other terms and conditions specified. If a temporary waiver is granted, the property owner shall pay a fee in an amount duly adopted by City Council and set forth in the City's Fee Schedule.
2. The Public Works Director may set conditions to the temporary waiver. The Public Works Director may terminate the temporary waiver upon failure to comply with any conditions imposed on the temporary waiver. The Public Works Director must give a five-day written notice of the termination to the property owner and occupant setting forth the reasons for the termination. After expiration or termination of a temporary waiver, the property owner shall comply with the provisions of this section.
3. Appeal: Any person may appeal the determination of the Public Works Director. A written notice of appeal must be received within 10 days from the date of the Public Works Director's decision. Hearing on the appeal before the City Council shall take place within 30 days from the date of receipt of the notice of appeal. The decision of the City Council shall be final.

B. Surcharge. A monthly surcharge in an amount duly adopted by City Council and set forth in the City's Fee Schedule shall be assessed against property owners who are found not in compliance with this section. The surcharge shall be added every month until the property is verified to be in compliance through the city's inspection program.

C. Action to Collect Charges: Any amount due for the above referenced surcharge in excess of 90 days past due shall be certified to the County Auditor for collection with real estate taxes. This certification shall take place regardless of who is responsible for water utility payments, whether it was the owner, tenant or other person. The City shall also have the right to bring a civil action or other remedies to collect unpaid charges.