

ORDINANCE 02-2019

CITY OF AFTON

WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING CHAPTER 12 ARTICLE IX. SEWAGE

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:

The following sections of Chapter 12, Article IX of the Afton Code of Ordinances shall be amended by adding the **bold and underlined** language and deleting the ~~strike-through~~ language.

Sec. 12-1955. Inspections.

Inspections of ISTS, community systems, or connections to LSTS, **including inspections to determine unlawful connections and unlawful discharge to LSTS**, as required to determine compliance with this article shall be performed by the City Administrator or his/her agent under the following circumstances:

A. Duly authorized employees of the City shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this article. Those employees shall have no authority to inquire into processes including metallurgical, chemical, oil refining, ceramic, paper, or other industries except as is necessary to determine the kind and source of the discharge to the public sewer.

Sec. 12-1954. Connection to Large Subsurface Treatment System (LSTS).

This article shall apply and be in effect for the stated purposes within the Historic Village Sewage Treatment Service Area, as shown in the Comprehensive Plan. Any property outside of the HVSTSA shall be connected to an individual subsurface sewage treatment system (ISTS) meeting the requirements of Section 12-83 of the Zoning Code ("Septic Permits") or to a community sewage treatment system approved under the authority of the City.

A. The sewer permit fee and sewer connection charges shall be established by the City, as outlined in the City's fee schedule.

B. At the time the LSTS becomes available to properties within the HVSTSA, the City Engineer shall contact the property owner in writing notifying them of the availability of the LSTS and requesting completion of a sewer permit and to schedule a connection. Properties previously connected to the "201" community sewage treatment system or with existing ISTS which are failing to adequately treat sewage, posing a hazard to the public health or otherwise deemed by the City to be ~~non-complaint~~ **non-compliant** shall connect to the LSTS within 60 days from when the **LSTS sewer** becomes available.

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1. In the case when it is not clear whether an existing ISTS is compliant; if a property owner is not able to demonstrate that the existing ISTS is compliant, a compliance inspection is required within 30 days. If the compliance inspection does not find that the ISTS is compliant, or if the property owner fails to obtain a compliance inspection within 30 days, the property shall be connected to the sanitary sewer system within 60 days.

C. At the time a property within the HVSTSA with an ISTS is sold, transferred or otherwise disposed of, the property shall connect to the LSTS within 60 days.

~~C.~~ D. All properties located in the HVSTSA shall be connected to the LSTS no later than December 31, 2024.

~~D.~~ E. Properties within the HVSTSA where construction is proposed for a new structure with a building drain requiring sewage treatment shall not be granted final building permit approval without the issuance of a sewer permit to connect to the LSTS system.

~~E.~~ F. The size, slopes, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of the state building and plumbing code or other applicable rules and regulations of the City. In the absence of code provisions or in the amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials (ASTM) and Water Pollution Control Federation (WPCF) Manual of Practice No. 9, shall apply.

G. If ground conditions do not reasonably allow a connection to sewer within the required 60 day period, i.e. the ground is frozen, an extended time for connection could be allowed, as determined by the City.

H. A non-compliant ISTS that is not connected within the required timeline shall be subject to a fee, and the fee shall be as set out in the City's Fee Schedule.

Sec. 12-1984. Unlawful discharge to LSTS.

No person shall discharge or cause to be discharged directly or indirectly any waste which, by volume or strength or nature, may harm the LSTS facility or cause obstruction to the free flow in sewers or endanger life or cause a nuisance.

A. No person shall discharge or cause to be discharged directly or indirectly any stormwater, groundwater, roof runoff, subsurface drainage, waste from on-site disposal systems, unpolluted cooling or processing water to the LSTS except as permitted by the City. Unlawful discharge to the LSTS shall be subject to penalty per the city's fee schedule.

B. No person shall connect a sump pump to the LSTS. Unlawful connections shall be subject to penalty, per city's fee schedule.

C. Stormwater and all other unpolluted water shall be discharged to a storm sewer or to the ground surface, and as allowed by MPCA.

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Subdivision III. Use of Individual Sewage Treatment Systems

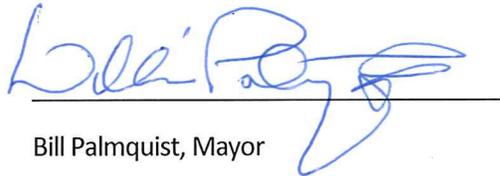
Sec. 12-2006. Use of ISTS Located in a Floodplain and/or Subject to Flooding

ISTS located in a flood plain and/or subject to flooding shall be prohibited from being used during periods when the system does not meet the required 3 foot separation from groundwater that is necessary to properly treat wastewater and/or any part of the system is inundated with water such that wastewater may be released into the flood waters, with the exception that a water-tight septic tank that can be disconnected and sealed off from the drainfield and regularly pumped to prevent wastewater from being released into the floodwaters could continue to be used.

Sec. 12-2006~~7~~—12-2040. Reserved.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS 18TH DAY OF JUNE, 2019.

SIGNED:



Bill Palmquist, Mayor

ATTEST:



Ronald J. Moorse, City Administrator

Motion by:

Second by:

Perkins:

Wroblewski:

Ross:

Nelson:

Palmquist: