



## **ORDINANCE NO.16**

v1.1

**AN ORDINANCE FOR THE PURPOSE OF PROMOTING HEALTH, SAFETY, ORDER, CONVENIENCE AND GENERAL WELFARE, BY REGULATING THE SPECIFICATIONS, INSTALLATION, AND MAINTENANCE OF ON-SITE SEWER DISPOSAL AND WATER SUPPLY SYSTEMS IN THE CITY OF PINE SPRINGS, MINNESOTA.**

The City Council of the City of Pine Springs, Washington County, Minnesota, ordains:

### **SECTION 1. TITLE**

101 Short Title. This Ordinance shall be known, cited and referred to as the Pine Springs Pollution Control Ordinance; except as referred to herein, where it shall be known as, "This Ordinance".

### **SECTION 2. INTENT AND PURPOSE**

201 Purpose. This Ordinance is adopted for the purpose of:

- (1) Protecting the health, safety and welfare of residents and future residents of the City of Pine Springs.
- (2) Regulating individual sewer disposal systems so as to prevent contamination of underground bodies of water or of streams, lakes, rivers or other surface bodies of water.
- (3) Regulating individual water supply systems so as to prevent contamination of water derived from such system and other health hazards.
- (4) Preventing individual sewer disposal systems from creating a health hazard and/or nuisance for the general public or for individuals.
- (5) Making it unnecessary to provide central public sewage disposal systems and water supply systems for the City of Pine Springs in accordance with the Comprehensive Plan for the City.

### **SECTION 3. ADOPTION OF WASHINGTON COUNTY SANITARY SEWER DISPOSAL CODE**

There is hereby adopted by reference in its entirety, except as herein after modified, the Washington County Sanitary Sewer Disposal Code (herein after called "Code") adopted as a model sanitary sewer disposal code for all communities in Washington County and recommended as a sanitary sewer disposal ordinance for unincorporated areas in the County by the Washington County Planning Commission on June 21, 1972 and adopted as the County Sanitary Sewer Disposal Ordinance for unincorporated areas by the Washington County Board of Commissioners on July 6, 1972, of which at least one copy is on file in the office of the City Clerk.

### **SECTION 4. MODIFICATIONS OF CODE**

The Washington County Sanitary Sewer Disposal Code, herein adopted by reference, is hereby modified as follows:

- A. Delete Sections 101, 201, 301.01, 501, 502, 503, 601, 602, 701, 801, and 802.
- B. Delete Section 302.01(4) and insert in lieu thereof:  
"(4) Inspector. A person duly authorized by ordinance or resolution adopted by the City Council to enforce all or some of the provisions of this Ordinance".

C. Delete Section 401.01 of the Code and insert in lieu thereof the following:

"401.01. All individual sewage disposal systems installed subsequent to the adoption of this Ordinance and all alterations, extensions and repairs to individual sewage disposal systems irrespective of the date of original installation shall be regulated in accordance with all of the requirements of this Ordinance. Any individual sewage disposal system or pertinent part thereof, irrespective of the date of original installation, must be corrected and must as far as practicable conform to these standards within ninety (90) days after written notification, where there is evidence of septic tank effluent percolating from the ground or of other inadequate control of sewage."

D. Delete subsection 402.09 of the Code and insert in lieu thereof:

"402.09. The system shall consist of a building sewer, a septic tank, and a soil absorption unit. The soil absorption unit shall consist of a subsurface disposal field. All sewage shall be treated in the septic tank and the septic tank effluent shall be discharged to the disposal field. The septic tank drain field system shall be considered the only acceptable system for installation unless it can be demonstrated that the system being proposed as an alternative will not create a pollution problem."

E. Delete the third sentence of Section 403.01 of the Code and insert in lieu thereof:

"The buried or concealed portions of any building sewer, building drain or branches thereof located less than fifty (50) feet from any well shall be constructed of standard cast iron soil pipe with rubber joints."

F. Delete Section 403.02 of the Code and insert in lieu thereof:

"403.02. The portions of any buried sewer or buried suction line shall be adequate size and constructed of cast iron. No building drain or building sewer shall be less than four (4) inches in diameter."

G. Delete Section 403.03 and insert in lieu thereof:

"403.03. Construction of the line shall be such as to secure watertight and root tight joints, free of obstructions, and shall provide a grade of not less than 1/8 inch per foot. The ten (10) feet of sewer immediately preceding the septic tank shall not slope more than 1/4 inch per foot. No 90° ells shall be permitted, and where the direction of the sewer is changed in excess of 22 1/2°, accessible cleanouts shall be provided."

G. Delete Section 405.01 (1) of the Code and insert in lieu thereof:

"(1) Any water supply well or buried water suction pipe ... 75 feet."

## SECTION 5. REGULATION OF ON-SITE WATER SUPPLY SYSTEMS

A. Each water supply system shall be so located and constructed that it will not be contaminated by any existing or future sewage disposal system. It shall also be constructed to minimize the possible contamination of the well from all possible external sources within the geological strata surrounding the well.

B. Wells shall be located in a manner to be free from flooding and the top shall be so constructed and located as to be above all possible sources of pollution. No well shall be located closer than three (3) feet to the outside basement wall of a dwelling. The outside basement footing shall be continuous across the opening of the well alcove. No well shall be located closer than fifteen (15) feet to a property line. The following minimum distances between a well and possible sources of contamination shall be complied with:

(1) Buried or concealed standard cast iron sewer or drain lines with a rubber air tested joints - 30 feet.

(2) Vitrified clay or concrete sewers (or cast iron sewers not of construction described above), septic tanks - 50 feet.

(3) Dry wells, seepage pits, cesspools, and subsurface disposal fields - 75 feet.

C. No well shall hereafter be installed in a pit below the surface of the ground unless such well pit is an alcove opening directly into the main basement area of the building being served by the well. The well pit floor shall be constructed according to the requirements for pump room floors outlined in this Ordinance.

D. No well constructed in the City of Pine Springs shall terminate in the Decorah Shale, Platteville Limestone or Shakopee Oneota Dolomite. No existing well shall be increased in depth to terminate in those formations.

E. The minimum diameter of any finished well casing shall be four (4) inches. Well casings shall be constructed of welded or coupled steel or wrought iron and shall conform to the following specifications for weight and thickness:

Diameter	Wall thickness	Weight per lineal foot with threads and couplings
4"	.237 inches	10.98 lbs
5"	.258 inches	14.8 lbs
6"	.280 inches	19.45 lbs
8"	.322 inches	29.35 lbs
10"	.365 inches	41.85 lbs
12"	.375 inches	51.15 lbs

The casing of any well constructed entirely in unconsolidated earth formations shall extend to a depth of 150 feet below established ground level or through the first impervious soil formation encountered, whichever is deeper, and at least 5 feet below pumping level (level below ground level to which the water surface is lowered in the well during pumping). Where a water-bearing formation is encountered during well construction at a depth which satisfies these minimum requirements, the acceptability of the formation for well development shall be based on the satisfactory results of analysis of the water by a competent laboratory. Any water-bearing formation yielding water which is contaminated, as evidence by the presence of chemicals or bacteria of sewage original, shall be regarded as unsatisfactory for well development.

F. All wells for domestic use, hereafter constructed in the City of Pine Springs shall produce a minimum initial supply of 600 gallons of sand free water per hour.

G. The pump and equipment shall be installed in a manner satisfactory to the City of Pine Springs and shall conform to the following:

(1) Pump and equipment shall be designed to assure a pollution proof and frost proof installation.

(2) The pump base shall be constructed so as to permit installation of a water tight mounting.

(3) A well seal shall be used. Such well seal shall be of simple construction, easily installed, removal and reinstalled should it become necessary to remove the drop pipe for repair.

(4) The top of well casing shall be a minimum of 18 inches above the basement floor level and the seal shall be so constructed and installed as to maintain its watertight feature, should flooding occur. The pump room floor shall be at least 6 inches above the surrounding grade and the concrete platform shall be minimum 4 inches above grade at the edge.

(5) Suction lines installed through the well casing, or where otherwise installed less than 10 feet below grade, shall be provided with an outline, protective casing. Such protective casing shall be set watertight into the well casing. The suction line shall be caulked into the protective casing to provide a watertight joint which will permit easy removal. The suction line shall slope upward toward the pump.

Where a suction line is brought into a basement from a well located some distance from the basement, the pump shall be located at least 18 inches above the basement floor.

(6) Provisions shall be made in the well seal for future measurements of static and pump levels.

H. After final installation of the pumping equipment, the well shall be pumped continuously until the water is free of turbidity, and then chlorinated heavily in accordance with the following procedure:

(1) Introduce into the well one pound of high test (70% or equivalent) calcium hypochlorite (chlorinated lime) by scattering same over the surface of the water in the well so that the powder will sink to the bottom thereby permeating the supply.

(2) If powder cannot be introduced directly, then mix one pound of calcium hypochlorite, high test (70% or equivalent), with five gallons of water and pour the mixture into the well.

(3) Allow the chemical to remain in the well for at least twelve hours then pump to waste until the odor and taste of the chemical have practically disappeared.

(4) Where calcium hypochlorite tablets meeting the above requirements are used, they shall remain in the well for a minimum period of 48 hours before the water is pumped to waste as described above.

(5) Wells larger than four inches in diameter require proportionally larger doses of the chemical for chlorination but shall not have a concentration of applied solution less than 150 parts per million for twelve hours.

I. All commercial wells shall comply with the requirements of the Minnesota State Department of Health for public water supplies.

J. Upon completion of drilling a well, a pumping test of sufficient duration to determine the yield and maximum drawdown shall be conducted. Within fifteen days after inspection of the well, the permit holder shall file an affidavit with the City Clerk setting forth the results of the pumping test, the capacity of the well, the pumping level, the depth of casing from grade, and length and size of screen if one is used.

A geological log of the formation encountered in drilling each well shall be kept by the driller. A copy of said log, typed on 8-1/2 X 11" paper shall be filed along with the well affidavit and such log shall specifically state where impervious formation is encountered. Failure to provide such a log or affidavit, or willful failure to provide accurate information with respect thereto shall constitute a violation of this Ordinance.

K. The construction of a well for the purpose of disposing of any liquids, including surface waters, air conditioning or commercial wastes, shall be prohibited in the City of Pine Springs.

L. The following terms used in this Ordinance are clarified as follows:

(1) Drawdown - The change in surface elevation of a body of water as the result of the withdrawal of water there from.

(2) Glacial Drift - An assemblage of deposits left by the melting of an ice sheet or glacier. It is composed of an accumulation of unstratified material of all sizes which formed at the margin of the ice.

(3) Grout - A thin mortar consisting of Portland cement and water or Portland cement, sand and water in the following proportions:

(a) one sack cement to 4-1/2 to 5-1/2 gallons of water.

(b) one part cement, one part clean sand, and 4-1/2 to six gallons water. The sand grout shall be used only where abnormal loss of grout to crevices or faults occurs.

- (4) Log - A chronological record of the soil and rock formations encountered in the operation of drilling a well, with either their thickness, or the elevation of the top and bottom of each formation given. It also includes statements as to the composition and water bearing characteristics of each formation.
- (5) Porosity - An index of the void characteristics of a soil as it pertains to percolation.
- (6) Turbidity - A condition of a liquid due to fine visible material in suspension, which may not be of sufficient size to be seen as individual particles by the naked eye but which prevents the passage of light through the liquid.
- (7) Yield - The quantity of water flow (gallons per minute or per hour) which can be collected (pumped) from the well.

## SECTION 6. ADMINISTRATION

### 601. Enforcing Officer

601.01 The City Council of the City of Pine Springs shall be responsible for the administration of this Ordinance, provided that the City Council may appoint an individual to assist it in carrying out any such duties and powers and to lawfully delegate to him such functions as are appropriate for this purpose.

### 602. Issuance of Permits

602.01. No building permit for any building requiring an onsite sewage disposal system or water supply system shall be issued until the permit, as required by this Ordinance has been issued.

### 603. Inspection

603.01 A person duly authorized by the City Council by Ordinance or resolution shall make such inspection or inspections as are necessary to determine compliance with this Ordinance. No part of the onsite sewage system shall be covered until it has been inspected and accepted by such inspector. It shall be the responsibility of the applicant for the permit to install such system to notify the inspector that the job is ready for inspection or re-inspection and it shall be the duty of the inspector to make the indicated inspection within twenty-four (24) hours after such notice has been given.

It shall be the duty of the owner or occupant of the property to give the inspector free access to the property at reasonable times for the purpose of making such inspections.

603.02. If upon inspection the inspector discovers that any part of the system is not constructed in accordance with the minimum standards provided in this Ordinance, he shall give the applicant written notification describing the defects. The applicant shall pay an additional fee as determined by resolution of the City Council of the City of Pine Springs for each re-inspection that is necessary. The applicant shall be responsible for the correction or elimination of all defects, and no system shall be placed or replaced in service until all defects have been corrected or eliminated. The applicant may take an appeal to the City Council of any decision or determination made by any inspector.

## SECTION 7. LICENSES

### 701. Licensing.

701.01. No person, firm or corporation shall engage in the business of installing and constructing sewer disposal systems or water supply systems within the City of Pine Springs without first obtaining a license to carry on such occupation from the City Council or such person as is duly authorized by the City Council to issue such licenses. Applicant shall file with the City Council policies of public liability and property damage insurance which shall remain in force and effect during the entire term of said license and which shall contain a provision that they shall not be cancelled without ten (10) days written notice to the City. Public liability insurance shall not be less than One Hundred Thousand (\$100,000) Dollars for injuries including accidental death to any one (1) person and subject to the same limit for each person in an amount not less than Three Hundred Thousand (\$300,000) Dollars on account of any one (1) accident, and property damage insurance in

the amount of not less than Fifty Thousand (\$50,000) Dollars for each accident and not less than One Hundred Thousand (\$100,000) Dollars aggregated. In addition the applicant shall file with the City Council a bond in the amount of Two Thousand Five Hundred (\$2,500) Dollars in favor of the City and the public, conditioned upon the faithful performance of the contracts and compliance with this Ordinance. No work shall be done under license until said insurance policies and performance bond have been filed and approved by the City Council or its designated administrator. Said license shall be renewable annually and may be revoked or refused renewal for cause. Any installation, construction, alteration or repair of a sewage disposal system or water supply system by licensee in violation of the provisions of this Ordinance or refusal on the part of the licensee to correct such defective work performed by such Licensee shall be cause for revocation of or refusal to renew the license.

701.02. Before any license issued under the provisions of this section may be revoked or its renewal refused, the licensee shall be given a hearing by the City Council to show cause why such license should not be revoked or refused. Notice of the time, place and purpose of such hearing shall be in writing. The annual license fee shall be Twenty-five (\$25) Dollars. Application for such license shall be made annually on a form furnished by the City. Licenses shall be effective from July 1 to June 30 of the following year.

## SECTION 8. SANITARY SEWER AND WATER PERMITS

801.01 No person, firm or corporation shall install, alter, repair, or extend any individual sewage disposal system or water supply system in the City of Pine Springs without first obtaining a permit therefore from the City for the specific installation, alteration, repair or extension; and at the time of applying for said permit, shall pay a fee as determined by resolution of the City Council of the City of Pine Springs.

801.02. Applications for permits shall be made in writing upon printed blanks or forms furnished by the City and shall be signed by the applicant.

801.03 Each application for a permit shall have thereon the correct legal description of the property on which the proposed installation, alteration, repair or extension is to take place, and each application for a permit shall be accompanied by a plot plan of the land showing the location of any proposed or existing buildings located on the property with respect to the boundary lines of the property and complete plans of the proposed system and percolation tests, if applicable, attesting to the compliance with the minimum standards of this Ordinance. A complete plan shall include the location, size, and design of all parts of the system to be installed, altered, repaired or extended. The application shall also show the present or proposed location of the water supply system or sewage disposal system, as the case may be, and shall provide such further information as shall be required by the City Council or its designated administrator.

## SECTION 9. ENFORCEMENT

### 901. Violations and Penalties.

901.01. It is declared unlawful for any person to violate any of the terms and provisions of this Ordinance. Violation thereof shall be a misdemeanor. Each day that the violation is permitted to exist shall constitute a separate offense.

901.02. In the event of a violation or a threatened violation of this Ordinance, the City Council, or any member thereof, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct, or abate such violations and it is the duty of the City Attorney to institute such action.

901.03. Any taxpayer of the City may institute mandamus proceedings in District Court to compel specific performance by the proper official or officials of any duty required by this Ordinance.

## SECTION 10. EFFECTUATION

### 1001. Separability

1001.01. It is hereby declared to be the intention that the several provisions of this Ordinance are separable in accordance with the following:

1001.02. If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid such judgment shall not affect any other provisions of this Ordinance not specifically included in said judgment.

1001.03. If any court of competent jurisdiction shall adjudge invalid the application of any portion of this Ordinance to a particular property, judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

1001.04. Nothing contained in this Ordinance repeals or amends any ordinance requiring a permit or license to engage in any business or occupation.

1002. Effective Date

1002.01. This Ordinance shall take effect upon its passage and publication.

Passed by the City Council of the City of Pine Springs this 31st day of May, 1973.

Paul Linnerooth (signature)  
Mayor

Attest:  
R. G. Zietlow (signature)  
Clerk

#### Revision History

<b>Ver.</b>	<b>Changes</b>	<b>Date Changed</b>
1.0	Adopted by the City Council	May 31, 1973
1.1	Amended by Ordinance 26	Nov 10, 2020