CHAPTER 8 - CONTROL OF SEWERS

8.01 Control
8.02 Operated and Maintained
8.03 Private and Municipal Sewers
8.04 Requirements for Authorization for Wastewater Connection Permit
8.05 Permit Appeal Procedure
8.06 Inspection Required
8.07 Sewer Facilities Not in Compliance With Ordinances and Policies
8.08 Restrictions Regarding Building Sewer Drain Locations
8.09 Restrictions Regarding Lift Stations Within Floodplains
8.10 Exemption
8.11 Inspection of Sewer Facilities in Floodplains and Storm Water Management Facilities in Floodplains
8.12 State Construction Permit Required
8.13 Municipal Financed, Operated and Maintained Sanitary Sewers
8.14 Sewer Utility Map Requirements and and Procedures.

8.01 CONTROL. The District shall have the authority to inspect and approve the construction of all sanitary sewers, private and public, within the District that are connected, directly or indirectly, to the District's wastewater pollution control works. The District shall further have the authority to require maintenance, replacement or repairs of any sanitary sewers, private and public, within the District that are connected, directly or indirectly, to the District's wastewater pollution control works.

8.02 OPERATED AND MAINTAINED. All sanitary sewers financed and constructed by the District will be operated and maintained by the District.

8.03 PRIVATE AND MUNCIPAL SEWERS. All private sewers and sanitary sewers financed and constructed by a municipality, or others will be operated and maintained by the owners thereof, except as herein stated in Chapter 12.

8.04 REQUIREMENTS FOR AUTHORIZATION FOR WASTEWATER CONNECTION PERMIT. Municipalities and the Dickinson County Zoning Administrator will obtain the approval of the District Superintendent prior to issuing building permits for construction in the Sanitary District.

8.05 PERMIT APPEAL PROCEDURE. A decision of the Superintendent which is adverse to the permit applicant may be appealed to the District Trustees within thirty (30) days of receipt of notice of the adverse decision. Notice of the appeal shall be served on the District by the permit applicant, stating the grounds for the appeal. The District Trustees shall schedule a public hearing within thirty (30) days. All decisions of the District Trustees shall be served on the permit applicant by registered mail, sent to the billing address of the permit applicant.

8.06 INSPECTION REQUIRED. Any installation, replacement or repair of a building sewer line shall be inspected by the municipality or Sanitary District based on who finances, maintains and operates the sanitary sewer serving the connection.

8.07 SEWER FACILITIES NOT IN COMPLIANCE WITH ORDINANCES AND POLICIES. Any building sewer service, when found not in compliance with the Sanitary District's ordinances and/or policies, shall be modified, repaired or replaced in a manner acceptable to the Sanitary District's policies and this Code of Ordinances, within

ninety (90) days of notification. The District Superintendent may, at their discretion, extend this timeline by no more than sixty (60) days due to inclement weather.

8.08 RESTRICTIONS REGARDING BUILDING SEWER DRAIN LOCATIONS. Any applicant issued a signed Sewage Treatment Agreement or wastewater connection permit by the Sanitary District shall have no building sewer drains connected directly or indirectly to the public sewer less than twelve (12) inches above the highest elevation of the following:

1. The 100-year (100Q) flood elevation of the localized watershed associated with the stormwater management feature (e.g. detention pond, rain garden, bioretention, bioswale, or other device intended to temporarily or permanently store surface drainage or stormwater) serving the parcel in which the drain is to be located. Compliance with this drain location requirement must be inspected by the Sanitary District prior to and after the pouring of the foundation or the permanent installation of the private sewer system in the structure.

2. The 100-year (100Q) flood elevation of the nearest waterbody as set by the Federal Emergency Management Agency.

Manholes, cleanouts, lift stations, sewer forcemains, sewer mains, sewer services, or other sewer-related infrastructure shall not be located within or beneath a stormwater management feature.

8.09 RESTRICTIONS REGARDING LIFT STATIONS WITHIN FLOODPLAINS. Lift stations shall not be located within the 100Q floodplain as designated by the Federal Emergency Management Agency or within the 100Q floodplain of a constructed stormwater management feature without written agreement with the Sanitary District.

8.10 EXEMPTION. Existing installations that do not conform with the requirements of Sections 8.08, and/or 8.09 on or before the effective date of this ordinance are exempt from the requirements of that Section. However, as a condition of a District-issued permit, such non-conforming structures containing any drains which are in violation of Section 8.08 must install a flood valve that is maintained by the property owner and is accessible by the District when flood waters are project to be within or are within the structure.

8.11 INSPECTION OF SEWER FACILITIES IN FLOODPLAINS AND STORM WATER MANAGEMENT FACILITIES IN FLOODPLAINS. Sanitary sewer facilities within the 100 year (100Q) floodplains shall be inspected by the Sanitary District. Compliance with drain location requirements must be inspected by the Sanitary District prior to and after the installation of the building foundation or the permanent installation of the private sewer system in the structure. Failure to comply with this pre- and post-inspection requirement will result in disconnection from the wastewater pollution control works.

8.12 STATE CONSTRUCTION PERMIT REQUIRED. A State Wastewater Construction Permit may be required for the construction, reconstruction, or other improvement or modification of a public or private sewer facility. If a Sewage Treatment Agreement is required for the State Wastewater Construction Permit application, the applicant must

satisfy all State Wastewater Construction permit application requirements and submit all materials required by the Sanitary District before a Sewage Treatment Agreement will be considered for approval.

8.13 MUNICIPAL FINANCED, OPERATED AND MAINTAINED SANITARY SEWERS. Municipalities that apply for a State Wastewater Construction Permit under the Sanitary District NPDES Permit without a Sanitary District approved Sewage Treatment Agreement are in violation of these ordinances.

8.14 SEWER UTILITY MAP REQUIREMENTS AND PROCEDURES. Sewer utility maps are required as a part of the review for a treatment agreement for a State Wastewater Construction Permit Application. The sewer utility maps shall identify individual lots where structures may be built, final grade, public and private sewer facilities and list such lots that are within the100Q floodplains. The sewer utility maps must also show where new stormwater management features are created and the localized 100-year (100Q) floodplain resultant of each created stormwater management feature(s). Lots contained within the sewer utility maps shall match those lots documented in the plat proceedings. Failure to comply with these requirements will result in the District rejecting consideration of a Sewage Treatment Agreement.