

**WABEDO TOWNSHIP SOUTH LITTLE BOY ENVIRONMENTAL
SUBORDINATE SERVICE DISTRICT**

**FOR THE GOVERNANCE OF THE SOUTH LITTLE BOY ENVIRONMENTAL
SUBORDINATE SERVICE
DISTRICT WASTE WATER COLLECTION SYSTEM**

RULES AND REGULATIONS

Wabedo Township Board of Supervisors, under Minnesota Statute 365A, establishes rules and regulations for the South Little Boy Environmental Subordinate Service District as follows:

ARTICLE I

AUTHORITY:

The Wabedo Township Board of Supervisors, pursuant to authority granted under Minnesota Statutes, Chapter 365A and Chapter 444 enacts the following rules and regulations to govern the South Little Boy Environmental Subordinate Service District for the health, safety and welfare of the users and members of Wabedo Township.

ARTICLE II

INTRODUCTION:

Subdivision 1. The South Little Boy Environmental Subordinate Service District (DISTRICT) was established under Minnesota Statute, Chapters 365A and 444. On September 1, 1994, the DISTRICT began operation for the residents in that part of Government Lot 1, Section 22, Wabedo Township, in Cass County. The DISTRICT is under the control and management of the Wabedo Township Board (BOARD).

Subdivision 2. The DISTRICT is created as a management tool to operate and administrate a common wastewater collection system on behalf and for the residents encompassed by this DISTRICT pursuant to Minnesota Statute Chapter 365A, and Minnesota Statute Chapter 444, authorizing the powers herein.

Subdivision 3. The BOARD is responsible for the management of the DISTRICT, and the operations and maintenance of the wastewater collection system(SEWER SYSTEM) in the DISTRICT pursuant to the rules and standards imposed by the Minnesota Pollution Control Agency, Chapter 7080, and Cass County.

Subdivision 4. Said SEWER SYSTEM shall include all equipment, pumps, sewer lines, and appurtenances, presently existing or hereinafter acquired, as are found necessary for completion of such SEWER SYSTEM in first-class operating condition adequate to collect and transmit all wastewater effluent into the system, and for the proper treatment and disposal of such wastewater.

Subdivision 5. It is hereby declared and ordained that the establishment and operation of the DISTRICT is necessary and conducive to the public health, safety, welfare and convenience of the DISTRICT and its inhabitants, that the collection of wastewater confers direct and indirect benefits to the inhabitants for which reasonable rates and charges may be imposed.

ARTICLE III

DEFINITIONS

Subdivision 1. The following words and phrases when used in the definitions in this Section and when otherwise used in this document shall have the meanings ascribed to them in this Section, unless the context otherwise clearly indicates.

1. BOARD -the Township Board of Supervisors
2. DISTRICT -the South Little Boy Environmental Subordinate Service District, and its residents within the boundaries.

3. SEWER SYSTEM -the common wastewater collection system which includes all equipment, pumps, sewer lines and appurtenances of the "common" portion of the system.
4. PRIVATE SYSTEM -that portion of the wastewater collection system that resides within the private boundaries of the USERS in the system, and which contributes effluent to the "common" portion of the District system.
5. USER -means a resident, inhabitant, owner of land or dwelling that is causing or permitting the discharge of wastewater to the DISTRICTS common wastewater treatment collection system.
6. SEWER -means a system which carries wastewater.
7. MPCA 7080 Standards -the minimum standards promulgated by the Minnesota Pollution Control Agency and contained in Minnesota Rules, Chapter 7080, and the Cass County Sanitary Ordinance.
8. CONTRACTOR - Independent person(s), entity (entities), party (parties) contracted with to manage, operate or maintain the DISTRICT SEWER SYSTEM.

ARTICLE IV

RATES AND CHARGES:

Subdivision 1. The BOARD will set a budget for the management, operations and maintenance of the DISTRICT SEWER SYSTEM.

Subdivision 2. The BOARD may set such rates, fees and deposits as it deems appropriate. No such resolution setting such fees shall be adopted before a public hearing has been held thereon. Notice of such public hearing containing the effective date thereof shall be kept on file and open to inspection in the office of the Township Clerk and shall be uniformly enforced. For the purpose of fixing such rates and charges, the BOARD shall categorize and classify under various types of service, provided, that such categorization and classification shall be included in the resolution authorized by the Section.

Subdivision 3. The BOARD may, under Minnesota Statute 366.012, certify each year to the county Auditor, any unpaid service charges, costs, and fees, which shall then be collected together with property taxes levied against the property. The BOARD must serve written notice to the USER of its intention to certify the charge to the County Auditor. Any unpaid charges will be subject to the same penalties, interest, and other conditions provided for the collection of regular property taxes.

ARTICLE V

USE OF DISTRICT SYSTEM

Subdivision 1. It shall be unlawful for any USER to discharge upon, in or under the ground or to any natural outlet within the DISTRICT any wastewater other than to the common wastewater collection system.

Subdivision 2. It shall be unlawful for any USER to discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, hot tubs, swimming pools, into the DISTRICTS SEWER SYSTEM by means of a sump pump, or otherwise.

Subdivision 3. It shall be unlawful for any USER to discharge liquids or solids into the wastewater of the DISTRICTS SEWER SYSTEM that has concentrations or quantities that will harm the collective system, endanger lives, or constitute a public health risk or nuisance, or to create any hazard in the receiving waters of the system. Example of such materials that are harmful include, but are not limited to the following:

- (a) Any gasoline, fuel oil, oil solvent, or other flammable or explosive liquids, solids or gas.
- (b) Any waters containing toxic or poisonous solids or liquids, which alone or by interaction with other wastes could release noxious gases, form suspended solids which interfere with the DISTRICTS SEWER SYSTEM, or create a condition deleterious to structures and treatment processes.

(c) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow or proper operation of the wastewater collection system such as, but not limited to, ashes, asphalt, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, and other similar items, tar, plastics, disposable diapers, wood, unground garbage, whole blood, paper dishes, napkins, cups, milk containers, sanitary napkins and tampons and other similar items as well as the containers for such items.

(d) No USER shall connect a garbage disposal to the DISTRICTS SEWER SYSTEM without prior approval from the BOARD by written request and approval.

(e). No USER shall connect a water softener to the DISTRICTS SEWER SYSTEM without prior approval from the BOARD by written request and approval.

Subdivision 4. Any USER presently not hooked into the DISTRICTS SEWER SYSTEM and is in the DISTRICT proper will be monitored yearly for on-site treatment compliance according to MPCA Chapter 7080 Standards and Cass County Standards. At such time that the on-site treatment is identified as non-conforming, then the USER must connect to the DISTRICT SEWER SYSTEM. Any residence outside the DISTRICT who wishes to become a part of the DISTRICT and hook into the DISTRICTS SEWER SYSTEM must petition the BOARD under the Minnesota Statute 365A process.

Subdivision 5. The BOARD, its agents or CONTRACTOR (S) have the right to enter in and upon private property at all times reasonable under the circumstances for the purpose of monitoring, inspecting, pumping and repairing the SEWER SYSTEM, or any part thereof. This right of entry is in relationship to performing these tasks in the PRIVATE SYSTEM area.

Subdivision 6. Ownership, of all common plants, lines, mains, extensions and appurtenances thereto of the DISTRICT SEWER SYSTEM shall remain in the TOWNSHIP. Those parts referred to as PRIVATE SYSTEM are located on private property, belong to and are under the ownership of the individual property owner.

Subdivision 7. The BOARD, along with Cass County Environmental Services Department, and Contractor, will inspect the physical portion of the DISTRICTS SEWER SYSTEM, review maintenance and operation logs, and receive a yearly status report; said report will become public record for all to examine.

ARTICLE VI

DAMAGE TO DISTRICT SEWER SYSTEM PROHIBITED

Subdivision 1. No person shall engage in an act intentionally or carelessly which results in breaking, damaging, destroying, uncovering, defacing, or tampering with any structure, appurtenances or equipment which is part of the DISTRICT SEWER SYSTEM.

Subdivision 2. Each USER of the DISTRICT SEWER SYSTEM shall comply with all rules and provisions of the Minnesota Pollution Control Agency, Chapter 7080 Standards, Cass County Sanitary Code and the provisions contained in this Ordinance.

ARTICLE VII

VIOLATION IS A MISDEMEANOR

Subdivision 1. Any person who willfully or negligently violates any provisions of the Minnesota Pollution Control Agency, Chapter 7080 standards, the Sanitary Code of Cass County, and/or the provisions of the Ordinance contained herein will be subject to notification of violation. The County of Cass, through an agreement with the BOARD, will process any violations when so notified by the BOARD.

Subdivision 2. Any USER or person who violates a Section, Subdivision, paragraph, or provision of this Ordinance when he or she performs an act thereby prohibited, or declared unlawful or fails to do an act required, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as and for a misdemeanor, except as otherwise stated in specific provisions hereof. Each day of non-compliance with any of the terms of this Ordinance shall be considered a separate violation and a separate criminal act.

ARTICLE VIII

Amendments or Changes

Subdivision 1. Amendments or changes to these rules and regulations made can be made by the BOARD.

Subdivision 2. Ninety (90) days written notice shall be provided to all USERS before any amendments or changes to this Ordinance are adopted by the BOARD. Said notice shall include the date, time and place of said hearing. Any Township member or USER may be heard at the hearing or through written comment addressed to the Township BOARD Clerk.

ARTICLE IX

VALIDITY AND SEVERABILITY

Subdivision 1. The invalidity of any Section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance, which can be given effect without such invalid part or parts.

ARTICLE X

EFFECTIVE DATE

Subdivision 1. This Ordinance, its rules and regulations for the South Little Boy Environmental Subordinate Service District shall take effect and be in full force immediately following its adoption by the Wabedo Town Board of Supervisors.

Wabedo Township Board Supervisor MONAHAN moved the adoption of these rules and regulations for the South Little Boy Environmental Subordinate Service District and Board Supervisor NEUFELD duly seconded the motion, and it was adopted on the following vote:

Yeas: Bliss, Monahan, Neufeldt

Nays: NONE

Absent: NONE

Abstain: NONE

These Rules and Regulations for governance of the South Little Boy Environmental Subordinate Service District was declared adopted by the Wabedo Township Board of Supervisors on the 13 day of July, 1995.

William C. Bliss

Chairman, Wabedo Township

8-1-95

Judith W. Ginder

