

## SECTION 2

302.001

### **WATER AND SEWER CONNECTIONS.**

All of the following utility connection provisions shall apply to all districts within the City:

- A. **Mandatory Connection.** The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes from which wastewater is discharged and which is situated within the City and adjacent to any street, alley, or right-of-way in which there is now located, or may in the future be located, a water service connection or public sanitary sewer of the City, shall at his or her expense, be required to install a suitable service connection to the public water and sewer lines, in accordance with provisions of this Code, within thirty (30) days of the date said public water and sewer is operational, provided said public water and sewer is within one thousand (1,000) feet of the structure generating water and wastewater. All service connections shall be made and installed according to regulations established by the City. Any new connection to the waterworks system shall be prohibited unless sufficient water capacity is available.
1. *State Plumbing Code; Compliance Required.* All piping, connections and appurtenances shall be installed and performed strictly in accordance with the State of Minnesota Plumbing Code. Failure to install or maintain the same in accordance therewith, or failure to have or permit required inspections, shall, upon discovery by the City, be grounds for termination of water and sewer service to any user.
  2. Each individually owned unit, excluding multiple family structures and manufactured homes, within the City of Winsted served by City utilities, shall be separately connected to the City main and metered individually. Any unit discovered to be connected in conjunction with another unit, shall be disconnected and reconnected by direct connection to the City main as soon as practically possible after notice by the City to the owner. All taps to the City main shall comply with this code.
  3. No consumer shall supply water to others, nor suffer others to take water off his premises, or otherwise sell water to other parties without the express written consent of the City Council.
- B. **Connection Fee.** Connection fees or utility availability charges for water and sewer shall be adopted annually by the City Council. The availability charges shall be paid to the City before a building permit is issued unless other arrangements for the payment of the City unit are made and approved by the City. The City Council may approve the assessment of City connection charges on new or enlarged multiple residential, commercial or industrial buildings when the number of residential equivalent units is ten (10) or more. The City Council may assess the City connection charge on any dwelling or building when the installation of the City utility system is made after the construction of the dwelling or building. The rate of interest shall be set by the City Council.
1. A trunk water connection charge shall be adopted annually by the City Council; however, the City Council may waive any portion of the charge at their discretion.
  2. The City Council may adjust the above utility availability charges from time to time by amending the fee schedule.
  3. For the purpose of this Code, a “unit” shall be interpreted as follows:
    - single family residences
    - each unit of a duplex,
    - each unit of a townhome comprised as one unit,
    - multiple family structures over two units,
    - manufactured homes over two units,
    - commercial, industrial and institutional structures shall be calculated as one unit per address and may from time to time be adjusted.

4. The City Council shall have the power to waive any or all of the foregoing availability charges as a part of a residential development program or business subsidy and according to a development agreement with each particular developer for which the City finds there to be a benefit to the City by such a waiver.
- C. **Supervision of Connection.** The applicant for the building permit shall notify the City when the building is ready for connection to the public water and sanitary sewer system. The connection shall be made under the supervision of the Public Works Supervisor or his designee.
  - D. **Failure to Connect.** If a connection is not made pursuant to Section 302.001 (A), an official thirty (30) day notice shall be served instructing the affected owner to make said connection. In the event an owner fails to connect to a public water and sewer in compliance with notice, the City will undertake to have said connection made and shall assess the cost against the benefited property. Such assessment shall be certified to the Auditor of the County of McLeod, Minnesota, and shall be collected and remitted to the City in the same manner as assessments for local improvements. The rights of the City shall be in addition to any remedial or enforcement provisions of this ordinance.
  - E. **Abandoned Services.** All service installations connected to the utility system that have been abandoned or, for any reason that have become useless for further service shall be disconnected at the City's discretion. The owner of the premises, served by this service, shall pay the cost of the excavation and restoration. The City shall perform an inspection of the disconnection. If a new building is constructed on a building site where there is access to a previously used existing service, and with utility department approval, a new connection may be made and the appropriate charges shall be made as if this were a new service. If the existing service does not meet the needs of the new building, or the new owner is not willing to take responsibility for the existing service, it shall be abandoned and a new service installed at the property owner's expense. It is unlawful for any person to cause or allow any service pipe to be hammered or squeezed together at the ends to stop the flow of water, or to save expense in improperly removing such pipe from the main. Also, the City shall correct such improper disposition and the cost incurred shall be borne by the person causing or allowing such work to be performed.
  - F. No claim shall be made against the City by reason of breaking or freezing of any service pipe or service connection; nor if from any cause the supply of water shall fail; nor from damage arising from shutting off water to repair the mains, making the connections or extensions; nor for flushing or opening of hydrants; nor for any other purpose that may be deemed necessary. The City may cut off the supply at any time, for the purpose of repairs or any other necessary purpose, any permit granted, or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off water supply within any district of said City, the City Council, or its duly authorized agent, shall, if practicable, give notice to each consumer within said district, of the time when such supply shall be shut off.

302.002

#### **ELECTRICAL POWER SYSTEMS.**

All electrical power lines shall be located underground. All maintenance and service shall be the responsibility of the electric power supplier or its designated agent. Any and all meters or metering devices shall be attached to the main structure located on the premises.

302.003

#### **TELEPHONE AND OTHER WIRE COMMUNICATION SYSTEMS.**

Telephone and other wire communication systems shall be located underground. Exception to this would include only a central plant consisting of switching gear located at a central office. All maintenance and services shall be the responsibility of the supplier of services or his designated agent. The continuity of service of these systems is an especially important consideration in that they are relied upon in emergencies and disaster situations. As such, the design and operation of such systems shall be accomplished in such a way as to best serve the citizens of Winsted. Local customer loop circuits,

wherever possible, will be designed in such a way as to fit the pattern of the street system or easements along property lines. All extensions of services proposed into new subdivisions following the adoption of this ordinance shall be submitted to the Planning Commission for its review and recommendation, then forwarded to the City Council for approval or denial. The review by the Planning Commission and City Council shall be limited to matters pertaining to the location of circuits connecting each customer to a local central office. Should easements be required, the Planning Commission will recommend suitable locations and forward these recommendations to the City Council for approval. Meters or metering devices shall be attached to the main structure located on the premises served.

302.004

**GAS SYSTEMS.**

Gas systems include those installations and functions required to convey gas from source to customer. The primary elements of the gas system include gathering systems facilities, including processing and compression stations, transmission lines installed for the purpose of transmitting to one or more distribution centers to the customer meters. All primary and secondary distribution systems shall be located underground. All maintenance and service shall be the responsibility of the gas system supplier or his designated agent. Where feasible, all distribution systems shall be designed in a loop pattern so as to provide service for more than one direction in case of failure in one part of the system. All gas mains shall be laid by direct burial under streets, sidewalks, or parking strips with service connections provided by taps and valve branches. Meters or metering devices shall be attached to the main structure located on the premises.