

ORDINANCE NO. 2023-05-05

CITY OF BIRCHWOOD VILLAGE

WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE UTILITY AVAILABILITY FEES IN THE CITY FEE SCHEDULE, SECTIONS 201.070 AND 201.071 OF ORDINANCE NO. 201, TITLED "CITY WATER SYSTEMS" AND SECTIONS 202.060 AND 202.070 OF ORDINANCE NO. 202, TITLED "CITY PLUMBING AND SEWAGE SYSTEM"

The City Council of the City of Birchwood Village hereby ordains that:

Section 1. The Fee Schedule of the Municipal Code of the City of Birchwood Village is amended to read as specified in EXHIBIT A.

Section 2. Section 201.070 of Ordinance 201 is amended to read as follows:

201.070. NEW CONNECTION - COST.

For a water service connection, water service lines and shut-off boxes shall be installed, water mains shall be tapped and pipes laid within the right-of-way, at the expense, including materials and labor, of the property owner, by a licensed plumber bonded to operate in the City. The property owner shall also pay the fee set in the fee schedule for connection of each dwelling unit to the City water system. The fee shall relate to the cost of establishing and providing the water system. However, the City shall waive one fee if the dwelling unit, or a dwelling unit that the dwelling unit replaces, including after a lot split, subdivision or consolidation:

1. was connected to City water service, with or without a water meter, before January 1, 2009; or
2. previously paid the fee; or
3. had an approved water meter installed and sealed by the City.

Not more than one fee shall be waived for each dwelling unit replaced. Where an existing water main cannot be used to establish a connection, the City may assess additional costs.

Section 3. Section 201.071 of Ordinance 201 is amended to read as follows:

201.071. MULTIPLE CONNECTIONS. Multiple connections of more than one building to a single building sewer or sewer service line shall be permitted only by variance. To apply for a variance, the applicant shall submit a detailed sketch showing location, grades and special structures to the City, and shall describe the practical difficulty. All costs for the variance and engineering review shall be paid by the applicant at the time of variance application. Multiple connections shall pay charges and receive credits as in 202.070.

Section 4. Section 202.060 of Ordinance 202 is amended to read as follows:

202.060. USE OF PUBLIC SANITARY SEWER SYSTEM REQUIRED. To protect the general health and welfare of the City, it is required that the wastes from any plumbing system of any residence, dwelling or building be discharged into the public sanitary sewer system. Outside toilets or cesspools are not permitted. This does not prohibit the use of portable chemical toilet facilities on public property or construction sites.

Section 5. Section 202.070 of Ordinance 202 is amended to read as follows:

202.070. CONNECTING TO SEWER LINE. Sewer service lines shall be installed at the expense, including materials and labor, of the property owner within the right-of-way by a licensed plumber bonded to operate in the City. Before connecting to the City sanitary sewer, the property owner shall pay the fee set in the fee schedule. The fee shall relate to the cost of establishing and providing the City sanitary sewer system. In addition, the property owner shall pay to the City the Metropolitan Council Environmental Services Sewer Access Charge (MCES SAC). However, the City shall waive one City fee and one MCES SAC if the dwelling unit, or a dwelling unit that the dwelling unit replaces, including after a lot split, subdivision or consolidation:

1. was connected to City sanitary sewer service before January 1, 2009; or
2. previously paid the City fee and MCES SAC.

These fees and charges shall apply to connections to City sanitary sewer from properties inside or outside of the City. Not more than one City fee and one MCES SAC shall be waived for each dwelling unit replaced. Where an existing sewer main cannot be used to establish a connection, the City may assess additional costs.

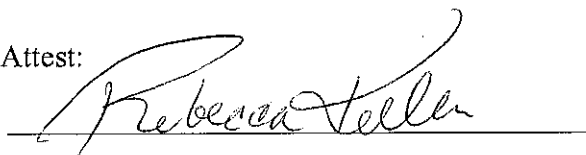
EFFECTIVE DATE: This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by M.S. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of M.S. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the City of Birchwood Village City Council this 13 th day of June, 2023



Margaret Ford, Mayor

Attest:



Rebecca Kellen, City Administrator-Clerk

