



**A- 574364**

Recording Fee: \$46.00

OFFICE OF COUNTY RECORDER  
PINE COUNTY, MINNESOTA

Certified, Filed and/or Recorded on:  
January 25, 2023 12:30 PM

Lorri L. Houtsma, County Recorder

Received from: POKEGAMA TOWNSHIP

Returned To: POKEGAMA TOWNSHIP  
18336 TOWN HALL ROAD  
PINE CITY, MN 55063

REC'G PROCESS COMPLIANCE: \$11.00  
RECORDER TECH FUND: \$10.00  
STATE TREAS GENERAL FUND: \$10.50  
GENERAL ABSTRACT: \$14.50



**T- 22040**

Recording Fee: \$46.00

OFFICE OF REGISTRAR OF TITLES  
PINE COUNTY, MINNESOTA

Certified, Filed and/or Recorded on: Pages: 19  
January 25, 2023 12:30 PM Cert #: 1M

Lorri L. Houtsma, Registrar of Titles

Received from: POKEGAMA TOWNSHIP

Returned To: POKEGAMA TOWNSHIP  
18336 TOWN HALL ROAD  
PINE CITY, MN 55063

REC'G PROCESS COMPLIANCE: \$11.00  
RECORDER TECH FUND: \$10.00  
STATE TREAS GENERAL FUND: \$10.50  
TORRENS ASSURANCE FEE: \$1.50  
GENERAL TORRENS: \$13.00



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## RECORDING COVER SHEET

*This cover sheet was added by the Pine County Recorder's Office to allow space for the recording information of this document.*

*It is not intended to alter the document/certified copy which this sheet might be attached to.*

SEWER USE ORDINANCE  
TOWNSHIP OF POKEGAMA, PINE COUNTY, MINNESOTA  
POKEGAMA LAKE AREA SEWER COLLECTION SYSTEM  
AN ORDINANCE ESTABLISHING SEWER USE AND RATE REGULATIONS

An ordinance regulating the use of and establishing a charge system for public and private sewers, establishing methods for a sewer service charge system, and providing penalties for violations of the regulations herein defined.

Be it ordained by the Town Board of Pokegama Township, Pine County, Minnesota as follows:

ARTICLE I

Definitions

Unless the context specifically indicates otherwise, the terms used in this Article shall have the meaning hereby designated.

- Sec. 1. "Act": The Federal Water Pollution Control Act, also referred to as the Clean Water Act, as amended, 33. U.S.C. 1251 et seq.
- Sec. 2. "BODs" or "Biochemical Oxygen Demand": The quantity of oxygen utilized in the biochemical oxidation of organic matter standard laboratory procedures in five (5) days at 20 degrees Centigrade and as expressed in terms of milligrams per liter (mg/l).
- Sec. 3. "Building Drain": That point of a building which conveys wastewater to the building sewer, beginning 3 feet outside the building wall.
- Sec. 4. "Debt Service Charge": A charge to users of the wastewater treatment facility for the purpose of repaying capital costs.
- Sec. 5. "Industrial User"
- (a) Any entity as defined in the Standard Industrial Classification Manual (latest edition) as categorized, that discharges wastewater to the public sewer.

Division A: Agriculture, Forestry and Fishing

Division B: Mining

Division D: Manufacturing

Division E: Transportation, Communication, Electric, Gas and Sanitary Sewers

Division I: Services

(b) Any user whose discharges, singly or by interaction with other wastes:

- Contaminated the sludge of the wastewater treatment system
- Injure or interfere with the treatment process
- Create a public nuisance or hazard
- Have an adverse effect on the waters receiving wastewater treatment plant discharges
- Exceed NDSW limitations
- Exceed normal residential unit volumes of wastewater

- Sec. 6. “Infiltration/Inflow (I/I)”: Water other than wastewater that enters the sewer system from the ground or from surface runoff, as defined in Minnesota Rules.
- Sec. 7. “MPCA”: Minnesota Pollution Control agency.
- Sec. 8. “National Categorical Pretreatment Standards”: Federal regulations establishing pretreatment standards for introduction of pollutants in publicly owned wastewater treatment facilities. Section 307 (b) of the Act.
- Sec. 9. “National Pollutant Discharge Elimination System (NPDES) Permit”: A permit issued by the MPCA, setting limits on pollutants that a permittee may legally discharge pursuant to Section 402 and 405 of the Act.
- Sec. 10. “Natural Outlet”: Any outlet, including storm sewers combined sewers, which flows into a body of surface water or ground water.
- Sec. 11. “Non-residential User”: A user of the treatment facility whose building is not used as a private residence and discharges NDSW.
- Sec. 12. “Normal Domestic Strength Waste” (NDSW): Wastewater that is introduced primarily by Residential users with BOD<sub>5</sub> concentrations not greater than 300mg/l and total suspended solids (TSS) concentrations not greater than 300 mg/l.
- Sec. 13. “Operation, Maintenance and Replacement Costs”: (O M & R): Expenditures necessary to provide for the dependable, economical, and efficient functioning of the treatment facility throughout its design life, including operator training and permit fees. Replacement refers to equipment replacement costs, not the cost of future replacement of the entire facility.
- Sec. 14. “Residential Equivalent Unit”: (REU): Represents the volume of wastewater expected to be discharged by a single-family residence in the township.



- The wastewater REU in the Township is equal to 246 gpd. When Calculating equivalency on flow basis.

- Sec. 15. “Residential User”: A user of the treatment facility whose building is used primarily as a Private residence and discharges NDSW.
- Sec. 16. “Sewer”: A pipe or conduit that carries wastewater or drainage water.
- (a) “Building Sewer”: The extension from the building drain to the public sewer or other place of disposal; also referred to as a service connection.
- (b) “Sanitary Sewer”: A sewer designed to carry only liquid and water-carried wastes from residential, non-residential, and industrial sources together with minor quantities of infiltration/inflow.
- (c) “Storm Sewer”: A sewer intended to carry unpolluted surface and sub-surface water from any source.
- Sec. 17. “Sewer Service Charge”: The total of the User Charge and the Debt Service Charge.
- Sec. 18. “Slug”: A discharge of water or wastewater which in concentration or in quantity of flow exceeds for any period of duration longer than 15 minutes, more than 5 times the average 24-hour concentration of flows during normal operation.
- Sec. 19. “State Disposal System (SDS) Permit”: A permit issued by the MPCA pursuant to Minn. Stat. § 115.07 for a disposal system as defined by Minn Stat §115.01, subd. 8.
- Sec. 20. “Township”: The area within the boundaries of the Township of Pokegama, the Town Board, or its authorized representatives.
- Sec. 21. “Total Suspended Solids” (TSS): The total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and is removable by laboratory filtering as prescribed in “Standard Methods for the Examination of Water and Wastewater” (latest edition).
- Sec. 22. “Unpolluted Water”: Water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards. An example could be non-contact cooling water.
- Sec. 23. “User Charge”: A charge to users of a treatment facility for the user’s proportionate share of the cost of operation and maintenance, including replacement.



- Sec. 24. "Wastewater": Liquid and water-carried wastes from residential, non-residential, and industrial users, together with any ground water, surface water, and storm water that may be present.
- Sec. 25. "Wastewater Treatment Facilities" or "Treatment Facilities": The land, devices, facilities, structures, equipment, and processes owned or used by Pokegama Township and/or the City of Pine City for the purpose of the transmission, storage, treatment, recycling, and reclamation of municipal wastewater, and the disposal of residues resulting from such treatment.

## ARTICLE II

### Control by the Authorized Representative

The Township's governing Town Board shall appoint an Authorized Representative who shall have control and general supervision of all public sewers and service connections in the Township and shall be responsible for administering the provisions of the Ordinance to ensure that a proper and efficient public sewer is maintained. The authorized representative may delegate responsibilities to designated representatives.

## ARTICLE III

### Use of Public Sewers Required

- Sec.1. Within 90 days of receiving official notification the owners of all properties directly adjacent to the sanitary sewer collection system shall install a suitable service connection and terminate private wastewater disposal systems, at their own expense, in accordance with the provisions of this Ordinance.
- Sec.2. In the event an owner shall fail to connect to the public sewer and to terminate private wastewater disposal systems in compliance with a notice given under this Ordinance, the Township will have said work done and shall assess the cost against the benefited property. Costs for such hook-up shall include the actual cost of hook-up, the cost of abandonment of the private wastewater disposal system, and a Sewer Access Charge (SAC) as defined in the Township's Sewer Service Charge System (SSCS).
- Sec.3. Except as provided hereinafter, it shall be unlawful to construct or maintain any private facility intended or used for the disposal of wastewater.
- Sec.4. In the event of any development or subdivision of land for which sewer service is available, any new structures, homes, or other improvements generating any kind of wastewater or sewage must be connected to the public sewer. If additional infrastructure, such as lift stations, collections lines, force mains, etc., are necessary in order to connect the new

dwelling to the system, such connections, improvements, lift stations, etc. must be installed at the expense of the developer and subject to approval by the Township's engineers. Approval by the Township's engineers means that the engineers have certified the following:

- (a) That there is sufficient capacity in the system.
- (b) That the improvements as constructed are in accordance with the plans acceptable to the Township from an engineering perspective.
- (c) That the improvements have been constructed in a workmanlike and acceptable manner.
- (d) That there are no other problems that the engineers have identified which mandate that approval be denied.

Developer/owner shall work with the Township and its engineers to seek preliminary approval to have their plans approved at the planning stage. Developer/owner shall be responsible for all costs of the Township, including engineering, legal, any special meeting, etc., related to revision, approval, inspection and installation of the improvements described in this section. Any improvements, lift stations, or other components of the sewer system installed in public rights-of-way or installed in streets or roads which become public rights-of-way upon completion of a development, must be dedicated to the Township, and shall become the property of the Township when the Township accepts them as completed and approved.

Sec.5. The developers/owners of property shall be responsible for all access and monthly charges as soon as the property in question is ready to be connected to a structure, and capacity has been dedicated for or made available to the property.

#### ARTICLE IV

##### Private Wastewater Disposal Systems Use and Abandonment

Sec. 1. Where a public sewer is not available under the provisions of Article III, the building sewer drain shall be connected to a private wastewater disposal system complying with the provisions required by Pine County, the MPCA, and all other regulatory agencies.

All costs and expenses related to the installation and connection, operation and maintenance, and the replacement of a service connection, including building drains, private lift stations and associated piping shall be borne by the property owner. Property Owners are responsible for the free flowing of their service line from the building to the direct connection at the Sanitary Sewer Collection System main.

The property Owner shall indemnify the Township from any loss or damage that may directly or indirectly be occasioned by the installation of the service connection or building drain.



- Sec. 2. When and whenever the public sewer becomes available to a property serviced by a private wastewater disposal system, use of the private system shall be disconnected, and a direct connection shall be made to the public sewer within 90 days of receiving official notification of public sewer availability. Within 120 days after official notification of public sewer availability, the private system must be abandoned in accord with current requirements of Pine County, at the property owner's sole expense.
- Sec. 3. No Statement contained in the Article shall be construed to interfere with any additional requirements that may be imposed by the MPCA, Pine County, the State Department of Health, or other responsible federal, state, or local agencies.

## ARTICLE V

### Building Sewers and Connections Designs

- Sec. 1. No person(s) shall make any alterations to the public sewer or any appurtenances thereof without first obtaining a written permit from the Township. No private building drain shall extend the limits of the building or property for which the permit has been given.

Any new connection to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities including, but not limited to, capacity for flow, BOD<sub>5</sub>, and TSS as determined by the authorized representative.

- Sec. 2. A separate and independent building sewer shall be provided for each building. Old building sewers may be used to service new building only when they are found to meet all requirements of this Ordinance.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, wastewater shall be lifted by an approved means and discharged to the building sewer.

A camping/recreational vehicle on a lot served by the sewer collection system must be currently licensed. If it is not currently licensed, it will be considered a building and therefore, will be assessed or charged a sewer access charge, and it must be connected to the sewer collection system, unless the property owner removes the vehicle immediately from the lot. No residential lot may have more than two camping/recreational vehicles located on it at any given time.

A vehicle, such as a camper or motor home, used for traveling and recreational activities. A cab over camper detached to a pickup truck that is rented as a single unit is considered a recreational vehicle.



A property owner who requests sewer service to an outbuilding which does not contain a residential unit and which is on the property owner's residential lot or is on a contiguous lot owned by the property owner, will not be charged a sewer access charge for connection to the outbuilding, provided that:

1. The property owner's lot which has a residential living unit has been assessed for the sewer collection system, or the property owner has paid a sewer access charge; and
2. The property owner pays the Township the appropriate permit fee for the connection, and
3. The property owner pays the cost incurred by the Township to install a lateral to the outbuilding, if any; and
4. The connection and the outbuilding are inspected by the Township's sewer inspector.

Sec. 3. The construction and connection of the building sewer to the public sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code, applicable rules and regulations of the Township and the materials and procedural specifications set forth in the American Society of Testing Material (ASTM) and the Water Environment Federation (WEF) Manual of Practice No. 9. All such connections shall be made gas- and water-tight and shall be verified by proper testing to prevent infiltration/inflow.

Sec. 4. No unpolluted water sources shall be connected to the sanitary sewer.

Further, no owner shall permit unpolluted water sources to enter the sanitary sewer. In the event an owner becomes aware that unpolluted water is entering the sanitary sewer through that owner's connection, whether said water be household water, storm water runoff, high water from lakes or other sources, that owner shall immediately act to cap the flow of said water into the public sewer system. Every day in which water is permitted by an owner with the knowledge of the violation of this section to flow into the public sewer system shall constitute a separate violation of this Ordinance.

Sec. 5. The applicant for a building sewer permit shall notify the Township's Sewer Inspector when the building sewer is ready for connection to the public sewer. The connection shall be made under the supervision of the Township's Sewer Inspector. The cost of a permit shall be set from time to time by action of the Town Board. A permit fee must be paid for each building to be connected to the sewer.

Sec. 6. An appropriate construction license is required to install a service connection. Any person desiring a license shall apply in writing to the Town's Sewer Inspector, providing satisfactory evidence of the applicant's qualification. At a minimum, the applicant must demonstrate the she/he/it is qualified to install, remove and pump individual septic treatment systems, and is licensed by the State of Minnesota to perform such work. If

approved by the Town Board, the license shall be issued by the Town Board upon filing of a bond and providing of certificates of insurance as hereinafter provided.

- Sec.7. A license to install a sewer service connection shall be issued until a \$10,000.00 performance bond in favor of the Township is filed and approved by the Town Board. In addition, a license shall not be issued until the license provides indemnity of the Township and property owner from all suits, accidents and damage that may arise by reason of performing the work of making sewer connections, or by reason of any opening in any street, road, private road, alley, or private or public ground made by the licensee, by those in the licensee's employment, or those contracted by the licensee. Such indemnity shall be in the form of a general liability insurance policy with limits of not less than \$500,000.00.
- Sec.8. The cost of a license for making service connections shall be set by action of the Town Board from time to time. All licenses shall expire on December 31<sup>st</sup> of each calendar year unless the license is suspended or revoked by the Town Board for any reasonable cause.
- Sec. 9. The Town Board may suspend or revoke any license issued under this article for any of the following causes:
- (a) Giving false information in connection with the application for a license.
  - (b) Incompetence of the licensee
  - (c) Willful violation of any provisions of the Article or any rule or regulation pertaining to the making of service connection.
  - (d) Failure to adequately protect and indemnify the Township and the property owner.

## ARTICLE VI

### Use of Public Wastewater Treatment Facilities

- Sec. 1. No unpolluted water such as storm water, ground water, roof runoff, or surface drainage shall be discharged to the sanitary sewer. Such water shall be discharged only to storm sewers or to natural outlets approved by the Township and other regulatory agencies.
- Sec. 2. No person(s) shall discharge any of the following substances to the public sewer:
- (a) liquids, solids, gases, or other substances which singly or by interaction with others may cause fire or explosion.
  - (b) Solid or viscous substances which may cause obstruction to the flow in a sewer.
  - (c) Wastewater having a pH of less than 5.0 or greater 9.5 or having any other corrosive or caustic property capable of causing damage or hazard.



(d) Wastewater containing toxic pollutants, as defined in section 307 (a) of the Water Pollution Control Act and Minn. Stat §115.01 subd. 14.

Sec.3. Discharges of the following substances shall be limited to concentrations or quantities which will not harm the wastewater facility, streams, soils, vegetation and ground water, and will not otherwise create a hazard or nuisance. The authorized representative may set limitations lower than the prohibition limits outlined below. Consideration will be given to such factors as the quantity of waste in relation to flows and velocities, materials of construction, Pine City's NPDES permit, capacity of the treatment plant, degree of treatability of wastes, and other pertinent factors.

- (a) Wastewater having a temperature greater than 150°F (65.6°C), or causing, individually or in combination with the other wastewater, the influent at the treatment facilities to have a temperature exceeding 104°F (40°C), or having heat in amounts which will be detrimental to biological activity in the treatment facilities.
- (b) Wastewater containing fats, wax, grease or oils in excess of 100mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65.6°C).
- (c) A discharge of water or wastewater which in concentration or in quantity of flow exceeds for any period of duration longer than 15 minutes, more than 5 times the average 24-hour concentration of flows during normal operation.
- (d) Food wastes not properly shredded to such a degree that all particles will be carried freely under normal flow conditions with no particle greater than ½ inch in any dimension.
- (e) Noxious or Malodorous liquids, gases, or solids.
- (f) Wastewater with objectionable color not removed in the treatment process.
- (g) Wastewater containing inert suspended solids in such quantities that would cause disruption to the wastewater treatment facilities.
- (h) Radioactive wastes or isotopes in concentrations that exceed limits established by applicable state or federal regulations.
- (i) Wastewater with BOD<sub>5</sub> suspended solids levels greater than that defined as normal domestic strength waste, except as may be permitted by specific written agreement with the Township subject Article VI, Sec 11 of this Ordinance.
- (j) Wastewater containing substances which cannot be treated to produce effluent quality required by the agreement for wastewater treatment with Pine City or causing a violation of any applicable local, state, or federal regulation.

Sec.4. In the event of discharges to the public sewers which contain substances or possess characteristics prohibited in Secs. 1-3 of this Article or which in the judgement of the Township may have a deleterious effect on the treatment facility, receiving waters, soils, vegetation, or which create a hazard or nuisance, the Township may:



- (a) Refuse to accept the wastes.
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers, pursuant to Section 307 (b) of the Act and all addenda thereof.
- (c) Require control over the quantities and rates of discharge.
- (d) Require payment to cover all the added costs of handling, treating, and disposing, of wastes not covered by existing taxes or sewer charges.

If the Township permits the pretreatment or equalization of waste flows, the design, installation, maintenance and efficient operation of the facilities and equipment shall be at the owner's expense and shall be subject to review and approval by the Township pursuant to the requirements of the MPCA.

Sec. 5. No user shall increase the use of process water or in any manner attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this Article, the National Categorical Pretreatment Standards, and any state or local requirement.

Sec. 6. Grease, Oil and sand interceptors shall be provided at the owner's expense when, in the opinion of the Township, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, and flammable wastes, sand or other harmful ingredients. All interceptors shall be readily and easily accessible for cleaning and inspection. The owner shall be responsible for the maintenance of the interceptors, including proper removal and disposal of the captured materials by appropriate means, and shall maintain a record of dates and means of disposal which are subject to review by the Township.

Any material removal and hauling must be performed by the property owner's personnel or a currently licensed waste disposal firm and in compliance with all applicable laws and regulations.

Sec. 7. Where required by the Township, industrial users shall install and maintain, at their own expense, a suitable structure or control manhole with such necessary meters and other testing equipment needed to facilitate observation, sampling, and measurement of wastewater. The manhole will be a safe and accessible at all times. The Town Board may require submission of laboratory analyses to illustrate compliance with this Ordinance and any special conditions for discharge established by the Town Board or responsible regulatory agency. All measurements, tests and analyses to which reference is made in this Ordinance shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis by the Township.

Sec. 8. Where required by the Township, users shall provide protection from an accidental discharge of substances regulated by this Ordinance. Where necessary, facilities to prevent accidental discharges of prohibited materials shall be provided and maintained at the owner's expense.

Detailed plans and operating procedures of said facilities shall be submitted to the Representative for review and approval prior to construction of the facility. Approval of such plans and operating procedures shall not relieve user from responsibility of modifying the facility as necessary to meet the requirements of the Ordinance.

Users shall notify the Township immediately if a slug or accidental discharge of wastewater or if any other discharge into the public sewer system occurs in violation of this Ordinance. Notification will allow measures to be taken to minimize damage to the treatment facilities. Notification will not relieve users of liability for any expense, loss or damage to the treatment facilities, or for fines imposed on the community by any state or federal agency as a result of their actions.

A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees of the emergency notification procedure in the event of a slug or accidental discharge.

Sec. 9. No person shall permit any substance or matter which may form a deposit or obstruction of flow to be discharged into the public sewer. Whenever any service connection becomes clogged, obstructed, detrimental to the use of the public sewer, or unfit for the purpose of drainage, the owner shall make repairs as directed by the Township.

Each day after three (3) days the property owner neglects to make said repairs shall constitute a separate violation of this Section. The Township may have the work done and recover related expenses including attorney fees from the owner or agent by an action in the name of the Township.

Sec. 10. In additions to penalties that may be imposed for violation of any provision of this Article, the Township may assess against the user/owner the cost of repairing or restoring sewers and associated facilities damaged as a result of the discharge of prohibited wastes and may collect the assessment as an additional charge for the use of the public sewer system.

Sec. 11. Subject to the agreement for wastewater treatment with Pine City, no statement contained in this Article shall prevent any special agreement or arrangement between Pokegama Township and any industrial user. Industrial waste of unusual strength or character may be accepted by the facility for treatment, subject to adequate payment by the industrial user, providing that National Categorical Pretreatment Standards and NPDES and SDS permit limitations are not violated.

Sec. 12. In the event any user/owner shall discontinue use of the sewer system by either removing a building, moving a building, destroying a building, or in some other way rendering a pipe to the system unconnected to a structure, user/owner shall notify the Township twenty days in advance of the anticipated changes on the property that will result in the system no longer being connected. The township shall, through its agents or employees, verify the capped line and ensure that it is a properly disconnected from the public sewer system. The user/owner shall be responsible for all costs of the Township associated with said capping/disconnecting.



- (a) In the event of high water or emergency flooding, the property owner shall be responsible for immediately capping the sewer line and notifying Pokegama Township and the Emergency Service Provider.

The Township may require that said costs, or an estimate of them, be paid in advance of the work being performed. Unpaid capping and disconnecting costs may be recouped by the Township in a civil action or by assessing said costs against the property. In the event of a successful civil action, the user/owner shall pay the Township's costs and attorney fees. Every day in which this section is violated shall; be a separate violation of the Ordinance.

## ARTICLE VII

### Prosecution for Damages to the Facilities

No person(s) shall willfully or negligently break, damage, destroy, uncover, deface or tamper with and structure, appurtenance, or equipment which is part of the wastewater treatment facilities. Any person who violates this provision shall be subject to immediate arrest and will be prosecuted to the full extent of the law.

## ARTICLE VIII

### Powers and Authority of Inspectors

Duly authorized employee(s) or agents(s) or other designated representative(s) of the Township, bearing proper credentials and identification, shall be permitted to enter all properties for inspection, observations, measurement, sampling, testing, repair and maintenance in accordance with the provisions of this Ordinance.

Industrial users shall be required to provide information concerning industrial processes which have a direct bearing on the type and source of discharge to the collecting system. An industry may withhold information considered confidential. However, the industry must establish that the information in question might result in an advantage to competitors and that the industrial process does not have deleterious impacts on the treatment process.

## ARTICLE IX

### The Sewer Service Charge System

- Sec. 1. Pokegama Township hereby establishes a Sewer Service Charge System (SSCS). The wastewater service charge is for the use of and for service supplied by, the wastewater facilities of Pokegama Township and shall consist of a basic user charge, debt service charges, a capital improvement charge and applicable surcharges.



- (a) All revenue collected from users of the wastewater facilities will be used for annual operation, maintenance, replacement, and capital costs. Each user shall pay a proportionate share of operation, maintenance, debt service, depreciation, capital improvements and replacement costs based on the user's proportionate contribution to total waste loading.
- (b) Revenues collected through SSSS shall be deposited in a separate fund known as the Sewer Service Fund (SSF)
  - 1. The SSF administered by a designated representative shall be separate and apart from all other accounts. Revenue received by the SSF shall be transferred to the following accounts established as income and expenditure accounts:
    - a. Operation, Maintenance and Repair
    - b. Equipment replacement including depreciation
    - c. Debt retirement for Collection System and Treatment Facility
    - d. Capital improvement Plan

## Sec. 2. Administration of Sewer Service Fund

- 1. A designated representative shall maintain a proper system of accounts and records suitable for determining the operation, maintenance, replacement and debt retirement costs of the Wastewater Treatment Facility, and shall furnish the Town Board with a report of such costs annually.
- 2. The Town Board shall review the user charge system "annually" and revise user charge rates as necessary to ensure that the system generates adequate revenues to pay the costs of operation and maintenance, capital improvement costs, debt service, depreciation and replacement costs so that the system continues to provide for the proportional distribution of operation and maintenance including replacement costs among users and user classes.
- 3. The Town Board shall then by resolution, fix each classification's user rate so as to recover operation, maintenance, debt service, capital improvements and replacement costs.
- 4. Notifications of Rate Changes; The Township will notify each user of any rate change. This notice will be in conjunction with a regular bill. This notice will include the rate being charged for the operation and maintenance, capital improvement, debt service, depreciation and replacement costs for the Collection System.
- 5. Sewer Service Charges are billed as follows:
  - a. Residential Users shall be billed on a quarterly basis
  - b. Industrial/Commercial User shall be billed on a monthly basis
- 6. Basic User Charges: Charged on all users to recover the Operation, Maintenance plus replacement costs, Capital Improvement costs, depreciation and Debt Service Costs. A Surcharge may be added to any user whose wastewater exceed the normal domestic concentrations of BOD and TSS as defined in this ordinance.
  - a. Basic User Charges are computed as follows:

- i. Non-metered residential users of the Wastewater Facilities shall pay a fixed rate per quarter. This is a charge for a single-family home. A property with multiple housing units is charged a single-family rate for each dwelling unit on the property.
- ii. Non-metered commercial users of the Wastewater Facilities shall pay a fixed rate per month based upon total Residential Equivalent Units calculated for that classification and use.
- iii. Metered Industrial and Commercial users of the Wastewater Facilities shall pay monthly rates based on an per 1000 gallons of wastewater usage as recorded by wastewater flow meters for wastes having the normal domestic concentrations.

- 1. The cost per 1000-gallon basic charge shall be calculated by utilizing the following formula:

“Total Annual Expenses/Total Annual Flow X 1000 gallon”

- (a) Calculate the annual total Expense required to operate and maintain the wastewater collection system, include all costs.
  - (b) Calculate the total annual wastewater flow to Pine City Wastewater Facility
  - (c) Compute cost per 1000 gallons for normal domestic strength sewage using formula.
  - (d) Proportion the calculated O,M,&R costs, Capital Improvement Costs and Debt Service costs to each user class by volume
  - (e) Compute surcharge (if applicable) per pound for BOD and TSS concentrations in excess of normal domestic strengths,
- 2. All industrial and Commercial Businesses discharging wastes into the Public Sewer shall install and maintain, at their expense, wastewater metering devices of a type approved by the Town Board for the purpose of determining the volume of wastewater for billing purposes. Following approval and installation, such meters may not be removed, unless service is cancelled, without the consent of the Town Board.

## ARTICLE X

### Penalties for Ordinance Violation

- Sec.1. Any person found to be violating any provision of this ordinance shall be served by the Township with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.



- Sec.2. Any person who shall continue any violation beyond the time limit provided for in Section 1 of this Article shall be fined an amount not exceeding \$500.00 for each violation. Each day in which any such violation occurs shall be deemed as a separate offense.
- Sec.3. Any person violating any of the provisions of this Ordinance shall become liable to the Township for any expense, loss or damage occasioned by the Township by reason of such violation.

## RULES OF GOVERNANCE FOR POKEGAMA TOWNSHIP SEWER COMMITTEE (BYLAWS)

### ARTICLE XI

#### **Section 1. Establishment**

The Sewer Committee of the Township of Pokegama, Pine County, Minnesota shall be governed by Township Resolution 2004-1 signed and dated the 12<sup>th</sup> day of February, 2004.

#### **Section 2. Responsibilities**

**The Sewer Committee** is to investigate and make recommendations to the Township Board regarding the Sewer System and its Operations instructed by the Township Board.

**The Sewer Committee** will not have final authority delegated to it, but shall be charged with making recommendations to the Township Board on actions deemed beneficial or desirable for the operation of the Sewer System.

**The Sewer Committee** will consist of a five (5) Property Owner members, located in the Sewer Service Area. These members shall have no other interest, other than to promote a climate for gathering information to assist the Township Board in their responsibilities of managing the Sewer System.

#### **Section 3. Officers and Committees**

A. The chairperson shall be the sewer committee chairperson, who shall preside at the meetings of the Committee, supervise the work of the secretary, and decide all points of procedure unless otherwise directed by a majority of the Committee members.

B. The Vice Chairperson shall be appointed by the chairperson at the first meeting of the committee in May of each year.



- C. The Secretary shall be appointed by the Township Board. The secretary shall prepare all correspondence for the Committee; receive the file all referrals, papers, and records; prepare, publish and mail all notices required; and prepare and keep all minutes and records of the Committee proceedings.
- D. The Township Zoning Administrator shall attend meetings for the purpose of providing technical assistance when requested by the Committee.

#### **Section 4. Meetings**

- A. Meetings shall be held Quarterly, if needed. The Committee hereby establishes a regular meeting day of the 3<sup>rd</sup> Wednesday of each third Month, at 7 pm. Meetings shall be held at the Pokegama Town Hall.
- B. Meetings shall be open to the Public.
- C. Closed Sessions the Committee may go into closed executive sessions for the purposes enumerated in the Minnesota Open Meeting Law.
- D. A Quorum shall be three (3) members.
- E. The Order of Business at meetings shall be substantially as follows;
  - 1. Call to Order
  - 2. Pledge
  - 3. Roll call and declaring a quorum
  - 4. Reading and approval of minutes from previous meeting
  - 5. Communication and reports
  - 6. Unfinished business
  - 7. Review of sewer service hook ups (if required)
  - 8. New business
  - 9. Miscellaneous
  - 10. Adjournment
- F. Minutes of the meetings and record of all actions shall be kept by the secretary, showing the vote of members upon each question, the reason for committee's determination, and its findings. These records shall be immediately filed with the Township Clerk and shall be public record.

G. Special Meeting of the Committee shall be called upon the request of the chair, or one-third of the Committee. Notice of Special meetings shall be sent out by the secretary to each committee member at least two-(2) weeks in advance.

#### **Section 5. Vacancies**

A. When a vacancy on the committee exists, the secretary must receive nominations for new members from present committee members two weeks in advance of the Sewer Committee meeting. These nominations shall be sent out to committee members with the regular meeting correspondence, to be voted upon at the next committee meeting. These vacancies will be filled only by the Board of supervisors.

#### **Section 6. Resignation, termination, and absence**

Resignation from the committee must be in writing and received by the secretary. A committee member shall be terminated from the committee due to excess absences, more than two (2) unexcused absences from committee meetings in a year. A committee member may be removed for other reasons by a three-fourths vote of the remaining committee members.

#### **Section 7. Amendments**

These Rules of governance may be amended, suspended, or revoked by a majority vote of the full Township Board at any meeting.

#### **Section 8. Conflict**

Whenever any conflict occurs between these rules of governance and the laws of the State of Minnesota or the Ordinance of the Township of Pokegama, the State Law and Pokegama Township Ordinance shall prevail.

#### **Section 9. Effective Date**

These rules of Governance shall be effective upon the adoption by the Pokegama Township Board and filing with the County Recorder.

D Deutschlander  
Chairman

Christy Belshem  
Township Clerk

Date Adopted; December 8<sup>th</sup> 2022

Date Filed; \_\_\_\_\_

ACKNOWLEDGMENT:

STATE OF Minnesota } ss.

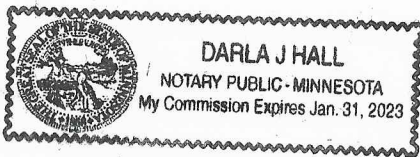
COUNTY OF Pine } ss.

This Instrument was acknowledged before me this 25<sup>th</sup> day of January 2023

by David Deutschlander and Christy Belshem

Notary Seal

Darla J Hall  
(Notary Public Signature)



01-31-2023  
My Commission Expires

This instrument was drafted by:  
Pokegama Township  
18336 Town Hall Road  
Pine City, MN 55063