

CASTLE DANGER SEWER SERVICE AREA ORDINANCE

Town of Silver Creek Ordinance No. 98-1

AN ORDINANCE ESTABLISHING THE CASTLE DANGER SEWER SERVICE
AREA IN THE TOWN OF SILVER CREEK, LAKE COUNTY, MINNESOTA

An Ordinance establishing a sewer service area and regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system and providing penalties for violations thereof. By reference all provisions of the Town of Silver Creek/Castle Danger Wastewater Growth Plan adopted on September 4, 2007 are hereby incorporated into this ordinance.

ARTICLE I

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms used in this ordinance shall be as hereafter designated:

- Sec. 1. "Biochemical Oxygen Demand or BOD5" – The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade, expressed in milligrams per liter. It represents the breakdown of carbonaceous materials as distinct from nitrogenous materials.
- Sec. 2. "Building Drain" – That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside

the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

- Sec. 3. "Building Sewer" – The extension from the building drain to the public sewer or other place of disposal.
- Sec. 4. "Combined Sewer" – A sewer receiving both surface runoff and sewage.
- Sec. 5. "Garbage" – Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- Sec. 6. "Industrial Wastes" – The liquid, gaseous and solid wastes from industrial manufacturing processes, trade, or business as distinct from sanitary sewage.
- Sec. 9. "pH" – The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- Sec. 10. "Properly Shredded Garbage" – The wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch (1/2") (1.27 centimeters) in any dimension.
- Sec. 11. "Public Sewer" – A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Sec. 12. "Sanitary Sewer" – A sewer which carries sewage and to which storm, surface, and ground waters are not admitted.

- Sec. 13. "Sewage" – A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such incidental ground, storm, and surface waters as may be present.
- Sec. 14. "Sewage Treatment Plant" – Any arrangement of devices and structures used for treating sewage.
- Sec. 15. "Sewage Works" – All facilities for collecting, pumping, treating, and disposing of sewage.
- Sec. 16. "Shall" is mandatory; "May" is permissive.
- Sec. 17. "Slug" – Any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds from any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.
- Sec. 18. "Storm Sewer" – A sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- Sec. 19. "Superintendent" – The Superintendent of Sewage Works and/or of Water Pollution Control of the Town of Silver Creek or his/her authorized deputy, agent, or representative.
- Sec. 20. "Total Suspended Solids (TSS)" – Solids that either float on the surface of, or are suspended in water, sewage or other liquids, and which are removable by laboratory filtering.

- Sec. 21. "Watercourse" – A channel in which a flow of water occurs, either continuously or intermittently.
- Sec. 22. "Engineer" – The Town Engineer or his/her authorized deputy, agent, or representative.
- Sec. 23. "Natural Pollutant Discharge Elimination System (NPDES) Permit" – A permit issued by the United States Environmental Protection Agency/Minnesota Pollution Control Agency setting limits on pollutant strength that a permittee may legally discharge into the waters of the U.S. pursuant to the Federal and State Water Pollution Control regulations.
- Sec. 24. "Normal Domestic Strength Waste" – Wastewater characterized by wastes created in the preparation of foods, bathing, laundry facilities, and water carried human waste whose characteristics do not exceed 389 mg/l BOD₅ and 467 mg/l TSS, and is identified for the purpose of determining surcharge rates.

ARTICLE II

USE OF PUBLIC SEWERS REQUIRED

Sec. 1. There is hereby established the Castle Danger Sewer Service Area (the Service Area) within that part of the Town of Silver Creek legally described in Town of Silver Creek Resolution No. 95-2, Approving the Establishment of a Subordinate Service Area, and Town of Silver Creek Resolution No. 95-6, Approving the Extension of the "Castle Danger" Subordinate Service Area, and Town of Silver Creek Resolution No. 00-6 Approving the Extension of the "Castle Danger" Subordinate Service District, and Town of Silver Creek Resolution No. 03-2 Approving the Extension of the "Castle Danger"

Subordinate Service District. The provisions of this Ordinance shall apply to this Service Area.

Sec. 2. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Service Area or in any area under jurisdiction of the Service Area, any human or animal excrement, garbage, or other objectionable waste.

Sec. 3. It shall be unlawful to discharge to any natural outlet or watercourse within the Service Area or in any area within the jurisdiction of the Service Area, any sewage or other polluted waters except where suitable treatment as defined by State and Federal Regulation and/or in accordance with the Service Area's NPDES Permit has been provided in accordance with the provisions of this ordinance.

Sec. 4. Except as hereinafter provided, it shall be unlawful to construct or maintain any septic tank, cesspool, or other utility intended or used for the disposal of sewage, within the corporate limits of the Service Area.

Sec. 5. The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, and which by nature of its use generates sanitary sewage or other water carried waste which is amenable to conventional treatment processes, situated within the Service Area and butting on any street, alley, or right-of-way in which there is a public sanitary sewer, is hereby required at his/her expense to install suitable toilet facilities therein, and to connect such facilities, either new or existing, directly to the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice by the Town Board to do so, provided that said public sewer is within one hundred (100) feet (30.48 meters) of the owners property line.

Sec. 6. In the event an owner shall fail to connect to a public sewer in compliance with a notice given under Article VIII, Section 1 of the Ordinance, the Town shall undertake to have said connection made and shall assess the cost thereof against the benefited property. Such assessment, when levied, shall bear interest to the rate determined by the Town Board and shall be certified to the Auditor of the County of Lake, Minnesota and shall be collected and remitted to the Town in the same manner as assessments for local improvements. The rights of the Town shall be in addition to any penalties or remedial or enforcement provisions of this Ordinance.

Sec. 7. All sewer extensions shall be located in public streets, alleys or easements, and, when completed and approved, shall become the property of the Town.

Sec. 8. All connections to the sewer system shall be made in accordance with the engineering specifications of the Town.

Sec. 9. The Town may, by resolution, adopt reasonable rules and regulations relating to sewer construction, use, maintenance, discharges, and deposit or disposal of all wastewater, both directly or indirectly, within the Service Area. Such resolution may adopt rules and regulations by reference.

Sec. 10. There shall be paid to the Town a connection fee prior to any connection made to the Service Area sewer system. Additionally, the property owner shall pay the actual cost for the installation, including engineering, of new sewer line extensions, pumps, and related accessories or equipment, to provide service to the building drain. The amount of the connection fee shall be set by resolution of the Town Board at the annual rate review hearing established by Town of Silver Creek Ordinance No. 98-2, Article II, Sec. 4.

ARTICLE III

PRIVATE SEWAGE DISPOSAL

Sec.1 Where a public sanitary sewer is not available in the Castle Danger Sewer Service Area under the provisions of Article II, Section 5 above, the building sewer drain shall be connected to a private sewage disposal system complying with the provisions of this the Lake County Land Use Ordinance.

Sec. 2. Before commencement of construction of a private sewage disposal system within the Castle Danger Sewer Service Area, the owner shall first obtain a written permit issued by the Town. The application for such permit shall be made on a form furnished by the Town, which the applicant shall supplement with any plans, specifications, and other information as are deemed necessary by the Town, its Superintendent, or Engineer. A permit and inspection fee of \$50.00 shall be paid to the Town at the time the application is granted.

Sec. 3. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Town. The Town shall be allowed to inspect the work at any stage of construction and the applicant for the permit shall notify the Town when the work is ready for final inspection before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of the notice.

Sec. 4. The type, capacities, locations, and layout of a private sewage disposal system shall comply with Minnesota Pollution Control Agency Rule Chapter 7080. No permit shall be issued for any private sewage disposal system employing subsurface

soil absorption facilities where the area of the lot is less than two acres. No septic tank shall be permitted to discharge to any natural outlet.

Sec. 5. At such time as a public sewer becomes available to a property served by a private system, as provided in Article II, Section 5, a direct connection shall be made to the public sewer within ninety (90) days of notification by the Town Board and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and removed, or cleaned and filled with clean bank-run gravel. If an owner has a private sewage treatment system in place on the date of this Ordinance, which system is in compliance with Lake County Ordinance No. 12, the Lake County Land Use Ordinance, then the Town Board shall not give the notice to connect until the private sewage treatment system fails to comply with the Lake County Land Use Ordinance or twenty years have elapsed since the date of construction of the private sewage treatment system, or the property is developed or title is transferred as described in The Town of Silver Creek/Castle Danger Wastewater Growth Plan, whichever occurs first.

Sec. 6. The owner shall operate and maintain the private sewage disposal facility in a sanitary manner at all times, at no expense to the Town.

Sec. 7. No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by any officially recognized Health Office or the Minnesota Pollution Control Agency.

ARTICLE IV

BUILDING SEWERS AND CONNECTIONS

Sec. 1. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town.

Sec. 2. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make an application on a form furnished by the Town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Town. A permit fee of \$550.00 for a residential or commercial connection and \$550.00 for an industrial connection shall be paid at the time the application is granted. The Town Board may from time to time change the amount of the permit fee by resolution.

Sec. 3. All costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Sec. 4. A separate and independent building sewer shall be provided for every occupied building with running water; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Additional sewer service availability, tap fee, and hold harmless clause is necessary for separate ownership.

Sec. 5. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test by the Town or its designee, to meet all the requirements of this Ordinance.

Sec. 6. The size, slope, alignment, and materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, testing, and backfilling the trench, shall all conform to the requirements of the Plumbing Code or other applicable rules and regulations of the Town.

Sec. 7. Whenever economically possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which the building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Sec. 8. No person shall make or have any connection of roof downspouts, exterior foundation drains, area way drains, or other sources of surface runoff or groundwater, either directly or indirectly, to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

Sec. 9. The connection of the building sewer into the public sewer shall conform to the requirements of the Plumbing Code or other applicable rules and regulations of the Town. All such connections shall be made gastight and watertight. Any deviation from these prescribed procedures and materials must be approved by the Town before installation.

Sec. 10. The applicant for the building sewer permit shall notify the Town Superintendent when the building sewer is ready for final inspection and connection to the public sewer. The connection shall be made under the general supervision of the Town Engineer and his/her representative, or the Town Superintendent.

Sec. 11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored to as good or better condition than before work commenced.

Sec. 12. Future connections to the sewer system shall be limited in accordance to the availability of sufficient treatment capacity in the public owned treatment works.

ARTICLE V

USE OF THE PUBLIC SEWERS

Sec. 1. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

Sec. 2. Storm water and all other unpolluted waters shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Engineer. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Engineer, to a storm sewer, or natural outlet, subject to approval and the issuance of the discharge permit by the Minnesota Pollution Control Agency.

Sec. 3. No person shall discharge or cause to be discharged any of the following described waters or wastes in any public sewers:

- (a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the wastewater disposal system

or to the operation of the system. Prohibited materials include, but are not limited to, gasoline, kerosene, benzene, naphtha, fuel oil, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases as defined by Section 307 (a) of the Clean Water Act in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals in spite of treatment, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of Federal and State requirements in the wastes as discharged to the public sewer.

(c) Any waters or wastes having a pH lower than 5.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel or the sewage works.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, sanitary napkins, feathers, tar, plastics, wood, un-ground garbage, whole blood, paunch manure, hair and fletching, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

Sec. 4. No person shall discharge or cause to be discharged the following described substance, materials, waters or wastes if it appears likely in the opinion of the Engineer and/or Superintendent that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving waters, or can

otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Engineer and/or Superintendent will give consideration to such factors as the Town's NPDES Permit, the quantities of subject wastes in relation to the flows and velocities in the sewers, materials and construction of the sewers, nature of the treatment process, capacity of the treatment plant, degree of treatability of the wastes in the sewage treatment plant, and other factors deemed pertinent. The substances prohibited are:

- (a) Any wastewater that would directly or indirectly result in a violation of the Town's NPDES Permit.
- (b) Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees F (65 degrees C).
- (c) Any water or waste containing fats, wax, grease, oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperature between thirty-two (32) and one hundred fifty (150) degrees F (0 – 65 degrees C).
- (d) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Superintendent, or his/her authorized representative.
- (e) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.
- (f) Any waters or wastes containing iron, chromium, copper, zinc, nickel, lead, cadmium, mercury, cyanide, PCB's, and similar toxic or objectionable

substances to such degree that any such material received in the composite sewage at the treatment works exceeds the limits established by the Minnesota Pollution Control Agency for such materials.

- (g) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- (h) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent, in compliance with applicable State and Federal regulations.
- (i) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solution).
 - (3) Unusual BOD₅, chemical oxygen demand, or disinfection requirements in such quantities as to constitute a significant load on the sewage treatment works, except by special permit or agreement.
 - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

- (j) Waters or wastes containing substances which are not amenable to treatment or reduction by the treatment process employed, or are amenable to treatment only to such degree that the treatment plant effluent cannot meet the requirements of the agencies having jurisdiction over discharge to the receiving waters.

Sec. 5. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Sections 3 and 4 of this Article, and which in the judgment of the Superintendent and/or Engineer may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Engineer and/or Superintendent may:

- (a) Reject the wastes;
- (b) Require pretreatment to an acceptable condition for discharge to public sewers;
- (c) Require control over the quantities and rates of discharge;
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer service charges under the provisions of Town of Silver Creek Ordinance No. 98-2.

If the Engineer and/or Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to review and approval by the Town and subject to the requirements of all applicable Federal and

State codes, ordinances, and pretreatment standards established pursuant to Section 307 (b) of the Clean Water Act.

Sec. 6. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing constituents, as described in Sections 3 and 4 above, in prohibited amounts. All interceptors shall be of a design approved by the Engineer and shall be located as to be readily accessible for cleaning and inspection.

Sec. 7. Where preliminary treatment or flow equalization facilities are provided for any wastes or water, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

Sec. 8. 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 Sections 3 and 4 of this Article, or contained in the National Categorical Pretreatment Standards or any State requirements.

Sec. 9. When required by the Engineer and/or Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole or manholes together with such necessary meters, samplers, and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole shall be easily accessible and safely located, and shall be constructed in accordance with plans approved by the Engineer. The manhole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe for use at all times.

Sec. 10. The owner of any property serviced by a building sewer carrying industrial wastes may, at the discretion of the Town, be required to provide laboratory

measurements, tests, or analyses of waters or wastes to illustrate compliance with this Ordinance and any special condition for discharge established by the Town or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated in writing by the Town. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with Federal, State and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the Town as such times and in such manner as prescribed by the Town. The owner shall bear the expense of all measurements, analyses, and reporting required by the Town. At such times as deemed necessary, the Town reserves the right to take its own measurements and samples for analysis by an independent laboratory.

Sec. 11. All measurements, tests, and analyses of the characteristics of waters and wastes 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 subject to approval by the Superintendent and Engineer.

Sec. 12. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefore by the industrial concern, providing that National Categorical Pretreatment Standards and the Town's NPDES and/or State Disposal System Permit limitations are not violated, and that payment for the Operation, Maintenance, and Replacement Costs of wastewater treatment is in proportion to said industry's contribution of wastewater loadings to the treatment facilities, in accordance with 40 CFR S 35,2140 and the Town of Silver Creek Ordinance No. 98-2.

ARTICLE VI

PROTECTION FROM DAMAGE

Sec. 1. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works.

ARTICLE VII

POWER AND AUTHORITY OF INSPECTORS

Sec. 1. The Engineer and/or Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of the ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil refining, ceramic, paper, or other industrial processes considered the property of the industry beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

Sec. 2. While performing the necessary work on private properties referred to in Article VII, Section 1 above, the Engineer, Superintendent, or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the owner and the owner shall be held harmless for injury or death to the Town's employees and the Town shall indemnify the company against loss or damage to its property by Town's employees and against liability claims and demands for personal injury or property damage asserted against the owner and growing out of the gauging and sampling

operation, except as such may be caused by negligence or failure of the owner to maintain safe conditions as required in Article V, Section 9.

Sec. 3. The Engineer and/or Superintendent and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties for the purpose of inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said property. All entry and subsequent work, if any, on said property shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE VIII

PENALTIES

Sec. 1. It is unlawful for any person to violate any provision or to fail to comply with any of the requirements of this Ordinance. Any person found to be violating any provisions of this Ordinance shall be served by the Town Board 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 for correction as provided in Section 1, may be charged with a misdemeanor and shall upon conviction be subjected to a fine and/or imprisonment in an amount and/or for a term not to exceed the maximums allowed by Minnesota State law. In either case, the costs of prosecution as permitted by Minnesota Statutes, Rule of Court for the District Courts of Minnesota, and the Minnesota Rules of Criminal Procedure shall also be imposed. Each act of violation and every day on which a violation occurs or continues is a separate offense.

Sec. 3. Any person violating any of the provisions of this Ordinance shall become liable to the Town for any expense, loss, or damage occasioned the Town by reason of such violation.

Sec. 4. Any remedies or penalties provided in this ordinance shall be cumulative and in addition to any other remedies, either in law or equity, that may be available to the Town.

ARTICLE IX

VALIDITY

Sec. 1. Ordinances and all parts of ordinances in conflict herewith are hereby repealed.

Sec. 2. 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.

Sec. 3. This ordinance may be amended by the Town Board of Supervisors at a public hearing following 30 days notice given to the sewer system users of the intended amendment. Notice to the users shall be in writing and mailed to each user at their account address.

ARTICLE X

ORDINANCE IN FORCE

Sec. 1. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Sec. 2. Passed and adopted by the Board of Supervisors of the Town of Silver Creek, State of Minnesota, on the 4th day of December, 2007.

Town Board Chair:

Attest:

Town Clerk