

# Public Notice

(First Date of Pub.:  
Wed., March 18, 2020)  
(Dates of Pub.:  
Wed., March 18, 25, 2020)

ORDINANCE NO. 27

## AN ORDINANCE FOR THE REDUCTION OF CLEAR WATER IN THE SANITARY SEWER SYSTEM

The City Council finds that the discharge of water from roof, surface, groundwater, sump pump, footing tile or swimming pool, or other natural precipitation into the municipal sanitary sewer system has the potential to cause property damage and overload the municipal and regional sanitary sewer systems. The City Council therefore finds it essential for the maintenance of health, minimization of property damage, and to maintain the life and capacity of the wastewater treatment system that the provisions of this ordinance be strictly enforced.

The City Council of Garvin, Minnesota ordains that a new Section 5A.3070 shall be added to the Garvin City Code as follows:

### SUBDIVISION 1: Applicability

This ordinance shall apply to all water entering the sanitary sewer system unless explicitly exempted by the City. The City and its representatives are authorized to administer, implement, and enforce the provisions of this ordinance.

### SUBDIVISION 2: Definitions

For the purpose of this Ordinance, the following terms are defined:

*Clear water* means storm water, natural precipitation, melting snow, ground water, roof drainage, ground surface and subsurface drainage, down spout, yard drain, sump pump, foundation drain, yard fountain, pond, swimming pool, cistern overflow, or any other water that is not required to be treated by state or federal law. Swimming pool water that is required to be treated in accordance with city, county or state regulations shall not be considered clear water.

*Sewer service lateral* means all sewer service pipes that extend from the municipal sewer main to the structure that it serves.

### SUBDIVISION 3: Compatibility with Other Regulations

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall apply.

### SUBDIVISION 4: Prohibition Against Discharge into the Sanitary Sewer System

No person shall discharge or cause to be discharged into the municipal sanitary sewer collection system, or infiltrate into the sanitary sewer system any clear water because of a sump pump, defective plumbing, a defective sewer service lateral or by any other means from March 15 through November 15 of any year.

Any new home constructed in the City of Garvin with a sump pump or similar drainage system must, as part of construction and design, provide a permanent connection to the City Storm Sewer or other means of year round discharge which is not connected to the sanitary sewer system.

### Section 6: Inspection

All contractors and builders who are building a structure connected to the City's sanitary sewer system, shall obtain an inspection of each building located on such property by an inspector designated by the City. The purpose of this city inspection shall be to confirm that there is no prohibited discharge into the municipal sanitary sewer system and that provision is made to discharge clear water without utilizing the sanitary sewer system.

All homeowners, as a condition of obtaining and maintaining water and sewer service, shall allow an inspection of their home to verify compliance with this ordinance. The City may obtain an administrative search order from a Court in the event a property owner does not comply with the inspection requirements as set out in this ordinance. If the City successfully petitions a Court for an administrative search order after a homeowner fails to allow a voluntary inspection, and the City prevails in that application, the court costs and attorney's fees incurred in obtaining that order shall be paid by the homeowner.

The inspection requirements may also be met by having the property owner contract with a licensed plumber to perform the inspection. The plumber must inspect the property's sump pump, sewer service lateral, and groundwater drainage system, and upon completion, return an inspection form provided by the City documenting the results of the inspection. All costs associated with an inspection by a privately retained plumber shall be the responsibility of the property owner.

### Section 7: Corrections

Upon notice that the discharge of clear water on a property is not in compliance with this ordinance, the owner or occupant of the property shall cease from discharging clear water in violation of this ordinance and shall make the necessary repairs and corrections to discharge the clear water in accordance with this ordinance. Discharge of clear water in compliance with this ordinance shall be completed within 14 days of the date of notice of noncompliance, or as determined by the **public works director**. A second inspection of the property will be completed after 21 days following the notice of noncompliance.

### Section 8: Violations

A monthly surcharge in an amount duly adopted by the City Council and set forth in the City's fee schedule shall be assessed against any property on which clear water is discharged in violation of this ordinance. The monthly surcharge will be charged on the property's municipal utility billing statement if one or more of the following conditions apply: (1) an inspection as required herein has not been allowed by the property owner or occupant within 30 days after the city's notice of inspection; (2) the property owner or occupant fails to make the sewer line cleanout readily available for the inspection; (3) the necessary corrections have not been made within the time specified; and (4) the property owner or occupant reconnects a clear water discharge line to the municipal sanitary sewer system after it has been previously disconnected at the city's or a court's direction. A surcharge will be assessed for every month during which the property is not in compliance.

### Section 9: Temporary Waivers

The City may grant a temporary waiver from the provisions of this section where strict enforcement would cause a threat of damage or harm to other property, the environment, or public safety because of circumstances unique to the individual property or due to weather conditions. A written request for a temporary waiver

must be first submitted to the **public works director** specifying the reasons for the temporary waiver which shall then be considered by the City Council.

If a temporary waiver is granted, the property owner shall pay an additional fee for sewage service charges based on the number of gallons discharged into the City's sanitary sewer system as estimated by the **public works director**.

The **public works director** may set conditions to the temporary waiver. The **public works director** may terminate the temporary waiver upon a failure to comply with any conditions imposed on the temporary waiver. The **public works director** must give a five-day written notice of the termination to the property owner and occupant setting forth the reasons for the termination. After expiration or termination of a temporary waiver, the property owner shall comply with the provisions of this ordinance.

### Section 10: Appeals

Applications for appeal of any administrative determination made pursuant to this Ordinance shall be addressed in writing to the **city clerk** within 30 days of the determination.

Applications shall at a minimum identify the property for the appeal is sought, the name of the property owner, and describe in detail the determination which is being appealed. Within 60 days of receipt of the application, the City Council shall make its decision on the matter and send a written copy of such decision to the property owner by mail.

### Section 11: Severability and Validity

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person, establishment, or circumstances be declared by a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of other provisions or application of this ordinance.

Passed by the City Council of Garvin, Minnesota this 8th day of March, 2020.

James Julien

James Julien, Mayor

Attested:

Sandy Carlson

Sandy Carlson, City Clerk

(First Date of Pub.:  
Wed. March 25, 2020)  
(Dates of Pub.:  
Wed., March 25, 2020)

### NOTICE TO CONTRACTORS

Sealed Bids will be received until 11:00 a.m. on April 14, 2020 in the Auditor/Treasurers Office of the Lyon County Government Center, 607 West Main St., Marshall, MN by E.J. Moberg, Lyon County Auditor/Treasurer on behalf of the Board of Commissioners for the following projects.

SAP 042-601-012, SAP 042-603-029, SAP 042-609-035, SAP 042-632-007, SAP 042-633-011, SAP 042-635-002, and FOB Mix Bituminous Surfacing

See the Lyon County website, HYPERLINK "http://www.lyonco.org" www.lyonco.org, for complete Notice and bid information.

Electronic version of the plans and proposal are available to view/download at HYPERLINK "https://egram.lyonco.org/" https://egram.lyonco.org/. Look under "Projects in Bidding".

Aaron VanMoer, P.E.  
Lyon County Engineer

(First Date of Pub.:  
Wed. March 25, 2020)  
(Dates of Pub.: Wed. March 25,  
April 2, 8, 2020)

### ADVERTISEMENT FOR BIDS

#### TO WHOM IT MAY CONCERN:

Tracy Area Public Schools will receive bids at the District Office until 3:00 p.m. on April 15, 2020, for the following project:

**To Renovate Men's Restroom nearest the gymnasium. This includes removal and disposal of concrete floor and block walls to expose plumbing. Remove and replace all waste water pipe and add floor drains. Installation of new concrete floor. Provide and install new plumbing fixtures. And Provide and install tile floor and walls.**

Bids shall be directed to Tracy Area Public Schools, Attention Superintendent Dr. Chad Anderson securely sealed and endorsed upon the outside wrapper with a brief statement or summary as to the work for which the bid is made. Bids will be opened on April 15, 2020 at 3:00 pm in the Superintendent's office.

Tracy Area Public Schools reserves the right to reject all bids.

No bidder may withdraw his bid for at least 30 days after the scheduled closing time for the receipt of bids.

Specifications are on file at Tracy Area High School, 934 Pine St, Tracy, Minnesota, 56175. Copies of the specifications and bidding documents will be furnished on request to any prospective bidder. Call 507-629-5500 to obtain a complete bid package.

Dated this 24 day of March, 2020  
Chad Anderson  
TAPS Superintendent

(First Date of Pub.:  
Wed., March 18, 2020)  
(Dates of Pub.:  
Wed., March 18, 25, April 1, 2020)

### 2020 Sewer Line Replacement and HVAC Replacement Project TWIN CIRCLE APARTMENTS TRACY, MINNESOTA

Twin Circle Apartments will receive sealed bids for the "2020 Sewer Line Replacement and HVAC Replacement Project, Twin Circle Apartments, Tracy, MN". Bids will be mailed or delivered to Ms. Dawn Benson, Executive Director, Twin Circle Apartments, 760 Morgan Street, Tracy, MN 56175, until 11:00 a.m. (prevailing time), Wednesday, April 8, 2020, at which time bids will be opened and read aloud.

The scope of work will be performed under one Prime Contract.

Form of Proposal, Drawings and Specifications will be on file at the office of Twin Circle Apartments, 760 Morgan Street, Tracy, MN 56175. Contact Dawn Benson at phone number: 507-629-3160 or email: [tracyhra@iw.net](mailto:tracyhra@iw.net) for bid packets.

Plans and specifications will be available on Wednesday, March 18, 2020.

All bids must be accompanied by a Cashier's Check or Bid Bond payable to Twin Circle Apartments, in an amount equal to five percent (5%) of the total amount of the bid. No bid may be withdrawn within thirty (30) days after the scheduled closing time for the receipt of bids without consent of Owner.

The Owner reserves the right to reject any or all bids and to waive any informality in the bidding.

By: Dawn Benson, Executive Director  
Twin Circle Apartments  
Tracy, MN

Date: March 16, 2020

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