

ORDINANCE NO. 100 AS AMENDED APRIL 6, 2026

AN ORDINANCE REQUIRING POINT-OF-SALE CERTIFICATION OF SANITARY SEWER SERVICE COMPLIANCE

Chapter 15 Regulation of Public Works and Improvements Section 4 Regulation of Water and Sewer Systems
Subd. 7

The City Council of the City of Silver Lake does ordain as follows:

SUBD. 7: POINT-OF-SALE CERTIFICATION OF SANITARY SEWER SERVICE COMPLIANCE (*Added July 2022*) (*Amended April 6, 2026*)

Effective January 1, 2023, no property owner with a connection to the City sanitary sewer shall sell, transfer or assign, or contract to sell the property without providing a copy from the city indicating compliance with the city's statutory sewer regulations, including regulations regarding the discharge of clear water.

1. Prior to closing, unless the property owner already has a completed sewer service inspection, the seller must obtain and submit a completed SEWER SERVICE COMPLIANCE INSPECTION form to the City. If a property owner has an approved compliance form which is less than 5 years old, a new sewer service inspection is not required.
2. Upon receipt of a properly executed Sewer Service Compliance Inspection form, the Public Works Supervisor shall determine whether the private service line is in compliance with City guidelines. All repairs shall be inspected for compliance by the Public Works Director and/or designee. The sanitary service shall be deemed to be in compliance with City guidelines for sanitary services if the sanitary line is in proper working order, as demonstrated by televising the sanitary service to the City's sanitary sewer line. In the event of multi-family residential, scaled commercial or industrial developments, this includes all private lines and potential sources of infiltration and inundation on the parcel. Also, there shall be no sump pumps, roof drains, or other non-domestic sewer connection to the sanitary line. The applicant shall be responsible for the cost of and scheduling of the inspection.
3. The City shall maintain a list of suggested Contractors provided by the Public Works Supervisor **that can perform the Sewer Service Compliance Inspection and/or repair.**
4. In the event that the transaction takes place when the ground is frozen or the seller cannot make the appropriate corrections, the proposed purchaser may take occupancy of the dwelling or structure prior to the approval of a Sewer Service Compliance Inspection by filing **a properly executed written escrow agreement between** the seller and prospective purchaser. The prospective purchaser shall have one (1) year from the date of closing to complete the necessary corrective action. In order to obtain approval of a pending Sewer Service Compliance Inspection, an escrow shall be established at 1.5 times the estimated cost to complete the corrective action, **with the funds being held with either** the City or the title company conducting the closing **and the agreement must include a copy of the repair estimate used to determine the escrow amount.**

5. A Sewer Service Compliance Inspection **certificate** issued under this ordinance shall be effective for five (5) years **from the date on which the system successfully passed the inspection.**
6. For structures constructed in the past ten (10) years, the Public Works Supervisor may, at his or her discretion, approve of the Sewer Service Compliance Inspection without requiring televising the service line. A walk-through inspection will still be required.
7. Any property owner who fails to obtain a Sewer Service Compliance Inspection **or fails to complete the corrective action in the timeframe allowed** shall be subject to a civil penalty as determined by the City Council from time to time. Each month a property owner is in violation of this ordinance, it shall be deemed a separate offense. **Any property that is in violation of this ordinance for three months will have their water shut off until all repairs are completed.**

SUBD. 8 MAINTENANCE AND REPAIR OF SANITARY SEWER LINES FOR INFLOW AND INFILTRATION (I&I) (*Amendment to Ordinance 100 May 20, 2024*)

Effective June 1, 2024, Public Works shall be allowed the right of entry to inspect the interior of any buildings or structures to confirm compliance with this ordinance for just cause including, but not limited to, city projects or visible defects, at which time Public Works will submit a completed SEWER SERVICE COMPLIANCE INSPECTION form to the City.

1. Every person owning improved real estate that discharges into the city's sanitary sewer system shall ensure that all lateral service sewer lines serving their property shall be maintained, replaced, repaired or altered in accordance with the Minnesota State Plumbing and Building Codes. Any expenses incurred to maintain compliance with this ordinance shall be the sole burden of the private property owner. Said private property owner's responsibility shall commence and include at the junction of the private service line with the trunk line and continue to and include the private residence, commercial structure, or other facility being serviced by said sanitary sewer service. Lateral service sewer lines shall be defined as any line connecting to a trunk line and intended to serve an individual property or properties.
2. Any repairs, maintenance, replacement or construction or alterations of sanitary sewer lines upon any private or public property, including all excavation, refill, repatching and repaving and graveling within the City of Silver Lake must be inspected for compliance by the Public Works Director and/or designee and must be in compliance with the Minnesota State Plumbing and Building Codes, as may be amended from time to time.
3. Except for proceedings undertaken for special assessments within the meaning of Minnesota Statutes Chapter 429 as amended, all repair, alteration and maintenance of any trunk sanitary sewer lines located within the City of Silver Lake shall be undertaken by the City of Silver Lake at its own cost and expense. All work shall be inspected for compliance by the Public Works Director and/or designee prior to covering any work. Trunk sanitary sewer line shall be defined as any main sanitary sewer line downstream from a manhole directly on that line.

4. The sanitary service shall be deemed to be in compliance with City guidelines for sanitary services if the sanitary line is in proper working order, as demonstrated by televising the sanitary service to the City's sanitary sewer line and meeting all of the requirements listed on the Sewer Compliance Inspection form that must be filed with the city. In the event of multi-family residential, scaled commercial or industrial developments, this includes all private lines and potential sources of infiltration and inundation on the parcel. Also, there shall be no sump pumps, roof drains, or other non-domestic sewer connection to the sanitary line. The City shall be responsible for the cost and scheduling of the inspection if the inspection is due to work being performed by the city. All costs or scheduling of the inspection due to visible defects or the result of improperly working sewer lines on the property shall be the responsibility of the property owner. Any person refusing to allow his or her property to be inspected shall immediately be in violation of this ordinance and shall be subject to a civil penalty as determined by the City Council from time to time. Each month a property owner is in violation of this ordinance shall be deemed a separate offense and will continue to be considered non-compliant until such a time as right of entry is granted and compliance with this ordinance is confirmed.

5. In the event that a violation is identified when the ground is frozen or the property owner cannot make the appropriate corrections at the time of the inspection, the property owner shall have one (1) year from the date listed on the Sewer Compliance Inspection form filed with the city to complete the necessary corrective action. In the case of failure to make the necessary repairs within the time prescribed, the City shall hire a contractor to complete the necessary repairs at the expense of the owner. If not paid, the City Clerk/Treasurer shall certify such cost to the County Auditor as a special assessment against the property involved for collection in the same manner as other special assessments. As an additional or alternative remedy, the owners of any interest in said property and the occupant shall be jointly and severally liable for such costs and the costs will be recoverable in any action brought against any of them in the name of the City.

6. A Sewer Service Compliance Inspection **certificate** issued under this ordinance shall be effective for five (5) years **from the date on which the system successfully passed the inspection.**

The effective date of this Ordinance shall be immediately upon its passage and publication according to law.

Adopted by the City Council of the City of Silver Lake, Minnesota on this **April 6, 2026.**

Approved by: _____
Bruce Bebo, Mayor

Attest: _____
Diane E. Pedersen, City Clerk

Seal of the City: