

ORDINANCE NO. 2008-37

**AN ORDINANCE AMENDING CITY CODE SECTIONS
1200.065, 1200.070, AND 1200.100 REGARDING WATER SERVICE
AND UTILITY CONNECTIONS**

The City of Minnetonka Ordains:

Section 1. City code section 1200.065 is amended as follows:

1200.065. ~~Water Service, Freezing Weather~~Disconnecting City Water Service.

~~The water service to a building must not be turned on in freezing weather unless the temperature inside the building is 50 degrees Fahrenheit or above.~~

1. When reasonably necessary to protect public health, safety, the public water supply, or private property, the chief building official or the public works director may disconnect the city water service to a property if any of the following conditions exists:

a. The property is vacant;

b. The property is unsecured;

c. The property is determined to be uninhabitable or unsuitable for occupancy;

d. Other utilities to the property providing heat or light have been shut off;

e. The property has plumbing that is failing or unsafe;

f. Water service to the property creates or contributes to an unsanitary or unsafe condition for anyone who enters the property;

g. Water service to the property has the potential to adversely affect the city's water system; or

h. The property owner or occupant has refused access to a city representative as authorized by this code.

2. When there is no immediate emergency, disconnection cannot occur until five days after the city has provided written notice of the impending disconnection to the property owner of record by mail and by posting on the building.

3. After the city has disconnected the water service, the service cannot be re-

The ~~stricken~~ language is deleted; the underlined language is inserted.

connected to the property until it has passed an inspection by the chief building official and the necessary permits have been issued and fees have been paid.

Section 2. City code section 1200.070 is amended as follows:

1200.070. Connection Prohibited.

1. No more than one building or in the case of townhouses, one unit, may be supplied from one water service pipe, except by special permission of the city. Whenever two or more parties are supplied from one pipe connecting with the distribution main, each building or part of the building must have a separate stop box at the curb.
2. No part of the city water supply system may be connected with any other source of water, except adjoining municipal water systems. Failure to immediately disconnect such a connection upon notice from city is a violation of this ordinance. If the connection is not terminated, the city may turn off the city water supply.
3. If any person wishes to use a private well system in conjunction with city water, that well system must not be connected to the city water and sewer systems. The private well system may supply only spigots located on the outside of the building, one cold water faucet inside the building located only on a kitchen sink, and any other location approved by the city that is served by means of a separate line run from the well. Water obtained from those spigots may be used only for watering lawns, gardens and shrubs, washing cars and other similar uses. None of the drainage from those uses may go into the city sewer system.
4. No building located on property lying outside the city may be connected to the city sanitary sewer system unless there is a proper contract between the city and the municipality containing the building.
5. No sanitary sewer connection may be made to any structure unless the structure has at least a vented main line.

6. The water service to a building must not be turned on in freezing weather unless the temperature inside the building is 50 degrees Fahrenheit or above.

Section 3. City code section 1200.100 is amended as follows:

1200.100. Correction Required.

The city may notify any person who has done work that does not comply with the

provisions of this ordinance, ~~or~~ who has failed to do work required by this ordinance, or whose service line connecting to the city's system is defective and require correction within a reasonable time. Failure to make a timely correction is a violation of this ordinance. If a timely correction is not made, the city may enter onto the property to make the necessary correction. The person responsible for making the correction must reimburse the city for its costs. If reimbursement is not made, the city may certify the unpaid amount against the property where the violation occurred, for collection in the same manner as unpaid water and sewer charges.

Section 4. A violation of this ordinance is subject to the penalties and provisions of Chapter XIII of the city code.

Section 5. This ordinance is effective 30 days after publication.

Adopted by the city council of the City of Minnetonka, Minnesota, on November 24, 2008.

Janis A. Callison, Mayor

ATTEST:

David E. Maeda, City Clerk

ACTION ON THIS ORDINANCE:

Date of introduction: November 10, 2008
 Date of adoption: November 24, 2008
 Motion for adoption: Allendorf
 Seconded by: Wiersum
 Voted in favor of: Allendorf, Callison, Ellingson, Hiller, Schneider, Wagner, Wiersum
 Voted against:
 Abstained:
 Absent:

Ordinance adopted.

Date of publication:

CERTIFIED COPY:

I certify that the foregoing is a correct copy of an ordinance adopted by the city council of the City of Minnetonka, Minnesota, at a meeting held on November 24, 2008.

David E. Maeda, City Clerk