

**AGREEMENT TO SPECIAL ASSESSMENT AND
WAIVER OF IRREGULARITY AND APPEAL**

THIS AGREEMENT, is made this ____ day of _____, 2014, between the City of Anytown, State of Minnesota, hereinafter referred to as "City" and _____, hereinafter referred to as "Owner".

In consideration of the action of the City Council, at the owner's request, to cause the construction of a new sanitary sewer line across the property owned by the undersigned, the owner agrees to pay the cost of said improvement over a period of 5 years. The total amount which is estimated to be \$_____, shall be certified as a special assessment against the owners' real estate described as follows:

Such assessment amount shall accrue interest from _____, at the rate of 2% per annum and such interest, together with 1/5 of the principal, shall be payable each year as a special assessment with the real estate taxes on said property. Owner expressly waives objection to irregularity with regard to the said improvement assessments and any claim that the amount thereof levied against owner's property is excessive, together with all rights to appeal in the courts.

In testimony whereof, the parties have executed this agreement this ____ day of _____, 2014.

CITY OF ANYTOWN

By: _____

Its: _____

Owner

Owner

Adress
Anytown, Minnesota
(Phone) • (Fax)

PRIVATE SANITARY SEWER SERVICE REPLACEMENT REVIEW

Date: _____

Property Address: _____

Televised By: _____

Date of Televising: _____

Disk Number: _____

Video Number: _____

Deficiency Review:

- Clogged
- Obstructed
- Broken
- Damaged
- Tile or Sump Line Cross Connection
- Root Intrusion/Leaking/Infiltration
- Plumbing Code Non-conformance

Comments: _____

Summary of Staff's Review of the Sanitary Sewer Service Video Inspection:

- Service Line Must be Replaced
- Service Line is Recommended to be Replaced
- No Action Required at This Time

Address
Anytown, Minnesota
Phone • Fax

Date

Dear Property Owner,

We are writing to inform you of how the current Utility and Street Project may affect your private property and invite you to an informational meeting to learn more and get your questions answered. The meeting will be held _____ at the Anytown Community Center. The meeting will focus on clean water currently entering the city's sewer system from private sewer lines.

For years the City believed based on manhole observations that excessive amounts of clean water were entering the sewer system. Several years ago a sewer camera was purchased. The camera has allowed Wastewater Department employees to see clearly which sewer mains are in poor condition. As part of the now underway 2012-14 Utility and Street Project these sewer mains are being replaced.

Private sewer lines are being inspected by camera as part of the 2012-14 Utility and Street Project. Many of these lines are likely in poor condition and will need replacing. Replacing private lines is the responsibility of the property owner.

To help property owners replace old private sewer lines the Anytown Utility Commission has established a low interest loan program. To insure that poor private lines are replaced the City has adopted *Ordinance #6-12 Replacement of Private Sanitary Sewer Lines Connected to the Public Sanitary Sewer*. The ordinance and loan program are enclosed.

The low interest loan program and Ordinance #6-12 will be discussed at the informational public meeting. We encourage you to attend this important meeting on _____ at the Anytown Community Center.

If you are unable to attend and want more information stop by City Hall or call _____.

Sincerely,

The City of Anytown

Address
Anytown, Minnesota
Phone • Fax

DATE: _____
TO: _____

Dear Property Owner,

An inspection as part of 2012-14 Utility and Street Project has shown that your private sewer line at _____ does not meet City Code Subdivision 8.12 and must be replaced by _____. If you wish to appeal all appeals must be filed with the City by _____. If the work is not completed within one year the city may disconnect water to the property or make the connection and assess the cost against the property.

All inspections were recorded. If you would like to see the inspection of your property's private sewer line contact City Hall at _____ or (email) to schedule a time.

You will need to hire your own contractor. The new line must be inspected by the City before the trench is closed. Contact the Wastewater Dept. at _____ to schedule an inspection.

All owner-occupied homes in the 2012-14 Utility and Street Project area are eligible to receive a two (2) %, five (5) year loan after completing the enclosed *Agreement to Special Assessment and Waiver of Irregularity and Appeal* and returning it and the bill from the completed work to City Hall. Bills will be paid after the line has passed inspection and the City has a signed waiver agreement from the property owner.

A grant/loan program is available to homeowners earning less than 50% of the Area Median Income. See chart below. The application can be picked up at City Hall and must be returned to Western Community Action for processing.

Household Size	1	2	3	4	5	6	7	8
Median Income	\$41,500	\$47,400	\$53,300	\$59,200	\$64,000	\$68,700	\$73,500	\$78,200
50% of Median Income	\$20,7500	\$23,700	\$26,650	\$29,600	\$32,000	\$34,350	\$36,750	\$39,100

CITY OF ANYTOWN, MINNESOTA

ORDINANCE #6--12

REPLACEMENT OF PRIVATE SANITARY SEWER LINES
CONNECTED TO THE PUBLIC SANITARY SEWER

Be it ordained the Anytown City Code is amended:

by adding Subdivision 12 Replacement of Private Sanitary Sewer Lines Connected the Public Sanitary Sewer,, Section 3.30 Rules and Regulations Relating to Sewage Service;

Subdivision 12. Replacement of Sanitary Sewer lines connected to the Public Sanitary Sewer

1. All houses, building or properties used for human occupancy, employment, recreation or other purposes from which waste water is discharged shall not use any sewer line connected with the public sanitary sewer system that is clogged, obstructed, broken, damaged, or not in conformance with the existing Plumbing Code as determined by the WWW Superintendent or designee.
2. Following inspection by the WWW superintendent or designee the owner of the property shall receive written notice of the non-conforming sewer line and requiring the installation of a new sewer line connection to the sanitary sewer within one (1) year from the date of notice. New connections shall be gastight and watertight. Appeals do not stay the time limits for compliance.
3. A request for review by the Utility Commission shall be filed with the City Administrator within thirty (30) days of the date of the written notice. The review will be heard within 30 days of the request being filed. The Utility Commission shall decide the matter within 30 days of the review being heard.
4. Appeals to the City Council shall be filed with the City Administrator within 30 days of the date of the Utility Commission decision. The Administrator shall, within one week of the appeal being filed, establish a date for a public hearing. The notice of such hearing shall be published in the legal newspaper not more 30 days or less than 10 days prior to the public hearing. The City council shall decide the matter appealed within thirty days after the date of the hearing.
5. In the event the owner fails to install a new service line to connect to the public sewer within one (1) year from the date of notice the city shall have the following remedies:

- a. The city may disconnect and/or shut off the property in question from city water service. This provision shall be made subject to the cold weather rule MN Statutes 216B.095. If the cold weather rule does not apply, the city shall notify the owner in writing personally or by certified mail. If the premises are not occupied and the address of the owner of the premises is unknown, service may be made by posting such notice on premises. Such notice shall provide an explanation of the city's intent to disconnect and/or shut off water service to the property and shall provide an opportunity for a hearing. The hearing shall be held no less than ten days after the notice is given.

- b. The city may undertake connection to the public sewer by installation of a private service line by a private contractor and assess the cost against the property. Such assessment, when levied, shall bear interest at the rate determined by the Council and shall be certified to the Auditor of Cottonwood County, and shall be collected and remitted to the city in the same manner as assessments for local improvements.

- c. Any person violating any provisions of Section 3.30 shall be guilty of a petty misdemeanor.

Adopted by the Council this _____

Attest:

Mayor

Clerk

Published in the Anytown newspaper on date

If you want more information stop by City Hall or call _____ or e-mail _____

Sincerely,

Clerk/Administrator
City of Anytown

Address
Anytown, Minnesota
Phone • Fax

DATE: _____
TO: _____

Dear Property Owner,

An inspection by _____ as part of 2012-14 Utility and Street Project has shown that your private sewer line at _____ meets the requirements of City Code Subdivision 8.12.

All inspections were recorded. If you would like to see the inspection of your property's private sewer line contact City Hall at _____ or (email) to schedule a time.

Sincerely,

Clerk/Administrator
City of Anytown

Public Information Meeting
Private Sewer Lines in the City of Anytown

Date

Time

Anytown Community Center

AGENDA

Welcome, Mayor

Sewer System Issues, City Engineer

Video of Private Sewer Lines, Waste Water Superintendent

Ordinance #6-12 and Loan Program, City Clerk/Administrator

Questions

Address
Anytown, Minnesota
Phone • Fax

DATE: _____
TO: _____

Dear Property Owner,

An inspection by _____ as part of 2012-14 Utility and Street Project has shown that your private sewer line at _____ appears meets City Code. However, due to the age and condition of the line it is reaching the end of its useful life and the City is recommending that you consider replacement at this time.

All inspections were recorded. If you would like to see the inspection of your property's private sewer line contact City Hall at _____ to schedule a time.

You will need to hire your own contractor. The new line must be inspected by the City before the trench is closed.

All owner-occupied homes in the 2012-13 Utility and Street Project area are eligible to receive a two (2) %, five (5) year loan after completing the enclosed *Agreement to Special Assessment and Waiver of Irregularity and Appeal* and returning it to City Hall. Contact the Wastewater Dept. at 427-2633 Ext. 6 or 1 to schedule an inspection. When the work is completed a bill from the contractor must be presented at City Hall. Bills will be paid after the new line has passed inspection and the City has a signed waiver agreement from the property owner.

A grant/loan program is available to homeowners earning less than 50% of the Area Median Income. See chart below. The application can be picked up at City Hall and must be returned to _____ for processing.

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Median Income	\$41,500	\$47,400	\$53,300	\$59,200	\$64,000	\$68,700	\$73,500	\$78,200

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If you want more information stop by City Hall or _____ or e-mail

Sincerely,

Clerk/Administrator
City of Anytown