

IDA TOWNSHIP ORDINANCE
Number 07-01

AN ORDINANCE ESTABLISHING A CHARGE FOR THE CONNECTION OF CERTAIN BUILDING SEWERS TO THE PUBLIC SANITARY SEWER SYSTEM WITHIN IDA TOWNSHIP AND AUTHORIZING CARLOS TOWNSHIP PROPERTIES TO CONNECT TO THE IDA TOWNSHIP SEWER SYSTEM

WHEREAS, the Ida Township Board believes that in the interest of equity and to pay current debt it is necessary to establish a connection charge for future building sewers; and

WHEREAS, the Agreement between Ida Township and the State of Minnesota requires a method of cost recovery; and

WHEREAS, the Ida Township Board believes it necessary to pass a connection charge ordinance when it passes upon special assessments on the Ida Township Sanitary Sewer Project; and

WHEREAS, **LANDOWNERS** in Carlos Township have requested permission to connect to the Ida Township Sanitary Sewer System.

NOW THEREFORE, BE IT ORDAINED by the Ida Township Board of Supervisors as follows:

SECTION I: SEWER CONNECTION

In addition to all other charges for connecting with the public sanitary sewer system that include inspection and connection, street opening fees, and permit fees established by other authorities, no sanitary sewer connection permit shall be issued, nor shall any service line be installed or connection made, with or into the public sanitary sewer within Ida Township, either directly or indirectly from any lot, tract, or parcel of land unless the Ida Township Clerk can certify that one of the following provisions have been met:

1. A full assessment has been levied for construction costs; or
2. Proceedings for the levying of a full assessment for construction costs have been or will be commenced in due course; or
3. The cost of construction for said sewer has been paid by the developer or builder platting said lot, tract, or parcel of land, and the existing sanitary sewer is not adjacent to or abutting this land. This does not apply to lots or tracts served by public sewer installed by Ida Township.

If such lot being served by sanitary sewer has not been fully assessed for the cost of construction of said sewer, or if a new use of this stub is planned which would have

originally resulted in a higher assessment figure, a Sewer Connection Charge shall result in accordance with Section II.

SECTION II: SEWER CONNECTION CHARGE

Should a Sewer Connection Charge be required pursuant to Section I, the charge shall be paid in full before a permit to connect is issued. The amount of the Sewer Connection Charge shall be calculated in the same manner as though it were part of the original project assessment. That amount is \$8,400.00 per residential lot.

This Sewer Connection Charge shall apply to a lot which was not fully assessed because title to that lot and title to an adjacent lot were held by the same owner at the time of the original assessment, when the owner of the lot applies for a sanitary sewer connection permit for the lot.

However, if the cost of construction for the sewer has been paid by the developer or builder platting said lot, tract, or parcel of land, then a Sewer Connection Charge will not be charged to the developer or builder.

SECTION III: SINKING FUNDS

Any sums received by Ida Township pursuant to Section I and Section II shall be deposited or paid into the Sewer Access Charge (SAC) Fund to be used for sewer related expenses or future sewer system capital improvement costs.

SECTION IV: SERVICE STUB INSTALLATION

Properties whose owners paid for additional stubs at their own expense when the sewer was originally constructed will have the Sewer Connection Charge reduced by the amount of that payment.

It is the responsibility of the property owner to install the sewer line connection in accordance with Ida Township and Alexandria Lakes Area Sanitary District (ALASD) specifications. When connecting to the sewer line in a township roadway or road right-of-way, all areas must be restored to pre connection conditions, including but not limited to the roadway, top soil, and vegetation, and must be inspected by the Ida Township Board.

SECTION V: SEWER ACCESS CHARGE

A Sewer Access Charge shall apply when the public sanitary sewer is extended from the existing Ida Township public sewer. The Sewer Access Charge (also known as the Wastewater Treatment Expansion Fee) shall be paid in full prior to ALASD's approval of the private sanitary sewer connection permit. All revenue generated from Sewer Access Charges shall be placed into the Sewer Access Charge Fund in accordance with Section III.

The Sewer Access Charge shall be \$2,500.00 per unit or lot to be served, and shall be in addition to any Sewer Connection Charge required pursuant to Section II. A

developer or builder shall be charged a Sewer Access Charge pursuant to this section regardless of whether it pays a Sewer Connection Charge pursuant to Section II.

SECTION VI: CARLOS TOWNSHIP

1. The Ida Township Board will consider each application for connection, whether involving Ida Township property or Carlos Township property, individually and on a first-come, first-served basis.
2. Consideration of applications for connection of Carlos Township property shall be limited to planned developments or individually owned properties having their main ingress or egress off of County State Aid Highway Number 34.
3. The subject property of the proposed sewer connection in Carlos Township shall be annexed to ALASD prior to application for connection.
4. Any planned development located in Carlos Township shall have the preliminary approval of Carlos Township before the Ida Township Board shall consider the application for connection.
5. The proposed connection shall be approved by ALASD, maintained by ALASD, and any liabilities associated with the connection, structure, or on-going maintenance shall be included for coverage by the ALASD general liability policy. Ida Township shall be held harmless and be indemnified from all losses and expenses incurred as a result of any claim, demand, action, or cause of action.
6. Total connections from Carlos Township properties, presently projected to be 200 units, shall not exceed recommended sewage intake as determined by the Ida Township Board with the advice of the Ida Township Engineer and approval by ALASD. One unit shall equal 200 gallons of sewage disposal per day.
7. The \$2,500.00 Sewer Access Charge per unit shall be paid to Ida Township before a permit is granted to connect a lot within a planned development located in Carlos Township to the Ida Township Sanitary Sewer System.
8. The \$8,400.00 Sewer Connection Charge shall be paid to Ida Township before a permit is granted to connect a single residential lot located in Carlos Township to the Ida Township Sanitary Sewer System.
9. The \$8,400.00 Sewer Connection Charge shall be paid to Ida Township before a permit is granted to connect a commercial lot located in Carlos Township to the Ida Township Sanitary Sewer System, together with an additional \$2,500.00 Sewer Access Charge for each projected unit or fraction of a unit, whichever is greater, in excess of the first unit of 200 gallons of sewage disposal

per day. The landowner must agree in writing, in recordable form, to the following:

- a. The landowner shall give notice to the Ida Township Board at the time of filing of any building permit application with Douglas County, or as soon thereafter as possible, which may increase sewage disposal into the Ida Township Sanitary Sewer System from the involved property. The application must be approved by the Ida Township Board before County approval of the application will be deemed effective as to the property.
 - b. Building permits shall not be granted if the anticipated sewage disposal from the proposed structure creates sewage disposal into the Ida Township Sanitary Sewer System in excess of the limitations set forth in paragraph six (6) herein.
 - c. Prior to issuance of the requested building permit, the landowner shall pay Ida Township a Sewer Access Charge of \$2,500.00 for each unit or fraction of a unit, whichever is greater, in excess of units or fractions of units for which the landowner has already paid a Sewer Access Charge.
10. Applications for connection of Carlos Township property shall conform with all requirements otherwise held by Ida Township and ALASD for connection to the sewer system.

SECTION VII: ENFORCEMENT AND PENALTY

It shall be the duty of Ida Township to enforce this Ordinance through the proper legal methods and authorities.

Violations of this Ordinance shall constitute a misdemeanor and shall be punishable by up to the maximum penalty for a misdemeanor as provided by state law as from time to time may be amended, including the cost of prosecution. Each day a violation shall occur shall constitute a separate violation.

Nothing contained in this Ordinance shall be deemed to repeal or amend any ordinance requiring a permit, unless specifically stated.

The prosecution of any violation, and the imposition of any fine or sentence shall not exempt the violator from compliance with requirements of this Ordinance, and Ida Township may pursue by appropriate actions or proceedings any or all additional remedies, including injunctive relief.

SECTION VIII: SEVERABILITY

If any portion of this Ordinance shall be found to be unconstitutional or otherwise invalid by a court of proper jurisdiction, all remaining provisions shall remain in effect and shall not be affected by the ruling on the invalid section.

SECTION IX: EXCEPTIONS

Prior to the adoption of this ordinance, Ida Township had agreements with certain developments to charge a \$1,000 Sewer Access Charge to connect to the Ida Township Sanitary Sewer System. These agreements remain in effect for all parcels listed in **ADDENDUM A** herein. All developments other than those set forth in **ADDENDUM A** herein are subject to the Sewer Connection Charge set forth in Section II and the Sewer Access Charge set forth in Section V, as well as the other terms of this ordinance.

SECTION X: EFFECTIVE DATE

This Ordinance shall become effective and enforceable on the day following publication.

SECTION XI: REPEALER

Ida Township Ordinance, Number 07-01, adopted and made effective December 3, 2007, as amended on December 17, 2018 is hereby repealed and replaced.

ADOPTED by the Ida Township Board of Supervisors this 7th day of October, 2019, by the following vote:

YES: WES [Signature]

NO: _____

[Signature]
Chairman

[Signature]
Clerk



ADDENDUM A
to
IDA TOWNSHIP ORDINANCE
NUMBER 07-01

COUNTRY ESTATES

APPRCL	APLOT	APBLOK	APPLAT	PLDESC	APSECT	APTOWN	APRANG
24-1032-000	001	001	177	COUNTRY ESTATES	35	129	38
24-1032-010	002	001	177	COUNTRY ESTATES	35	129	38
24-1032-020	003	001	177	COUNTRY ESTATES	35	129	38
24-1032-030	004	001	177	COUNTRY ESTATES	35	129	38
24-1032-040	005	001	177	COUNTRY ESTATES	35	129	38
24-1032-050	006	001	177	COUNTRY ESTATES	35	129	38
24-1032-060	007	001	177	COUNTRY ESTATES	35	129	38
24-1032-070	008	001	177	COUNTRY ESTATES	35	129	38
24-1032-080	009	001	177	COUNTRY ESTATES	35	129	38
24-1032-090	010	001	177	COUNTRY ESTATES	35	129	38
24-1032-100	001	002	177	COUNTRY ESTATES	35	129	38
24-1032-110	002	002	177	COUNTRY ESTATES	35	129	38
24-1032-120	003	002	177	COUNTRY ESTATES	35	129	38
24-1032-130	004	002	177	COUNTRY ESTATES	35	129	38
24-1032-140	005	002	177	COUNTRY ESTATES	35	129	38
24-1032-150	006	002	177	COUNTRY ESTATES	35	129	38
24-1032-160	007	002	177	COUNTRY ESTATES	35	129	38
24-1032-170	008	002	177	COUNTRY ESTATES	35	129	38
24-1032-180	009	002	177	COUNTRY ESTATES	35	129	38
24-1032-190	010	002	177	COUNTRY ESTATES	35	129	38
24-1032-200	011	002	177	COUNTRY ESTATES	35	129	38
24-1032-210	012	002	177	COUNTRY ESTATES	35	129	38
24-1032-220	013	002	177	COUNTRY ESTATES	35	129	38
24-1032-230	014	002	177	COUNTRY ESTATES	35	129	38
24-1032-240	015	002	177	COUNTRY ESTATES	35	129	38
24-1032-250	016	002	177	COUNTRY ESTATES	35	129	38
24-1032-260	017	002	177	COUNTRY ESTATES	35	129	38
24-1032-270	001	003	177	COUNTRY ESTATES	35	129	38
24-1032-280	002	003	177	COUNTRY ESTATES	35	129	38
24-1032-290	003	003	177	COUNTRY ESTATES	35	129	38
24-1032-300	004	003	177	COUNTRY ESTATES	35	129	38
24-1032-310	005	003	177	COUNTRY ESTATES	35	129	38
24-1032-320	006	003	177	COUNTRY ESTATES	35	129	38
24-1032-330	007	003	177	COUNTRY ESTATES	35	129	38
24-1032-340	008	003	177	COUNTRY ESTATES	35	129	38
24-1032-350	009	003	177	COUNTRY ESTATES	35	129	38
24-1032-360	010	003	177	COUNTRY ESTATES	35	129	38

IDA ESTATES

APPRCL	APLOT	APBLOK	APPLAT	PLDESC	APSECT	APTOWN	APRANG
24-0699-000	001	001	363	IDA ESTATES	22	129	38
24-0699-025	002	001	363	IDA ESTATES	22	129	38
24-0699-050	003	001	363	IDA ESTATES	22	129	38
24-0699-075	004	001	363	IDA ESTATES	22	129	38
24-0699-100	005	001	363	IDA ESTATES	22	129	38
24-0699-125	006	001	363	IDA ESTATES	22	129	38
24-0699-150	007	001	363	IDA ESTATES	22	129	38
24-0699-175	008	001	363	IDA ESTATES	22	129	38
24-0699-200	009	001	363	IDA ESTATES	22	129	38
24-0699-225	010	001	363	IDA ESTATES	22	129	38
24-0699-250	001	002	363	IDA ESTATES	22	129	38
24-0699-275	002	002	363	IDA ESTATES	22	129	38
24-0699-300	003	002	363	IDA ESTATES	22	129	38
24-0699-325	004	002	363	IDA ESTATES	22	129	38
24-0699-350	005	002	363	IDA ESTATES	22	129	38
24-0699-375	006	002	363	IDA ESTATES	22	129	38
24-0699-400	007	002	363	IDA ESTATES	22	129	38
24-0699-425	008	002	363	IDA ESTATES	22	129	38
24-0699-450	009	002	363	IDA ESTATES	22	129	38
24-0699-475	010	002	363	IDA ESTATES	22	129	38
24-0699-500	011	002	363	IDA ESTATES	22	129	38
24-0699-525	012	002	363	IDA ESTATES	22	129	38
24-0699-550	013	002	363	IDA ESTATES	22	129	38
24-0699-575	014	002	363	IDA ESTATES	22	129	38
24-0699-600	015	002	363	IDA ESTATES	22	129	38
24-0699-625	016	002	363	IDA ESTATES	22	129	38
24-0699-650	017	002	363	IDA ESTATES	22	129	38
24-0699-675	018	002	363	IDA ESTATES	22	129	38
24-0699-700	019	002	363	IDA ESTATES	22	129	38
24-0699-725	020	002	363	IDA ESTATES	22	129	38
24-0699-750	021	002	363	IDA ESTATES	22	129	38
24-0699-775	022	002	363	IDA ESTATES	22	129	38

IDA OAKS

APPRCL	APLOT	APBLOK	APPLAT	PLDESC	APSECT	APTOWN	APRANG
24-0159-050	001	001	367	IDA OAKS	03	129	38
24-0159-060	002	001	367	IDA OAKS	03	129	38
24-0159-070	003	001	367	IDA OAKS	03	129	38
24-0159-080	004	001	367	IDA OAKS	03	129	38
24-0159-090	005	001	367	IDA OAKS	03	129	38
24-0159-100	001	002	367	IDA OAKS	03	129	38
24-0159-110	002	002	367	IDA OAKS	03	129	38
24-0159-120	003	002	367	IDA OAKS	03	129	38
24-0159-130	004	002	367	IDA OAKS	03	129	38
24-0159-140	005	002	367	IDA OAKS	03	129	38
24-0159-150	006	002	367	IDA OAKS	03	129	38
24-0159-160	007	002	367	IDA OAKS	03	129	38
24-0159-170	008	002	367	IDA OAKS	03	129	38
24-0159-180	009	002	367	IDA OAKS	03	129	38
24-0159-190	010	002	367	IDA OAKS	03	129	38
24-0159-200	011	002	367	IDA OAKS	03	129	38
24-0159-210	001	003	367	IDA OAKS	02	129	38
24-0159-220	002	003	367	IDA OAKS	02	129	38
24-0159-230	003	003	367	IDA OAKS	02	129	38