

**ORDINANCE NO. 967**

**CITY OF MOUNDS VIEW  
COUNTY OF RAMSEY  
STATE OF MINNESOTA**

**AN ORDINANCE AMENDING TITLE 900, CHAPTER 907 OF THE MOUNDS VIEW  
MUNICIPAL CODE RELATING TO INFLOW AND INFILTRATION COMPLIANCE**

**THE CITY OF MOUNDS VIEW ORDAINS:**

**SECTION 1.** The City Council of the City of Mounds View hereby amends Title 900, Chapter 907 by deleting Section 907.15 in its entirety and replacing it with a new Section 907.15 as follows:

**907.15: CERTIFICATE OF INFLOW AND INFILTRATION COMPLIANCE:**

Subd. 1. Required: No person shall sell, advertise for sale, give or transact a change in title or property ownership of real property with one or more buildings or structures, without first either obtaining a certificate of inflow and infiltration (I&I) compliance from the City or fully complying with subdivision 5 of this Section. No permanent occupancy for a new/remodeled structure will be issued without a certificate of I&I compliance unless an escrow agreement is in place with the City.

Subd. 2. Application and Fees:

a. Unless the property owner already has a certificate of I&I compliance for a property, the owner or owner's representative is required to apply for a certificate and complete an inspection thereof before such property is offered for sale, gifted or transferred, and before the owner or owner's representative enters into any contract for deed or other transaction changing the party responsible for the property. If the property owner already has a certificate of I&I compliance but it is more than one year old, a sump pump inspection is still required for all properties containing sump pumps pursuant to this Section.

c. At the time of application, the applicant for either a certificate of I&I compliance or a sump pump inspection shall pay the appropriate application fee. Such fees shall be set in the City's fee schedule.

Subd. 3. Inspection: The applicant for a certificate of I&I compliance or sump pump inspection is responsible for providing an inspection of the property after making application and payment of fees. An inspection shall be made either by the City or by a licensed plumber to determine whether the property use is in accordance with City sanitary sewer service regulations, as provided in this Chapter. The entire property and all buildings on the property shall be made available for inspection.

Subd. 4. Compliance and Expiration:

- a. Upon inspection, when the property use is in accordance with City sanitary sewer services regulations, a new certificate of I&I compliance will be issued by the City.
- b. A certificate of I&I compliance is valid to be used for the transfer of property.
- c. The certificate of I&I compliance must be conspicuously displayed on the premises at all times when the property is being shown for sale and the owner is responsible for informing any potential buyers, gift recipients or other persons to whom it intends to transfer title as to its receipt of the certificate of I&I compliance.

Subd. 5. Correction Notice: If an inspection discloses that use of a property is not in accordance with City sanitary sewer service regulations, a correction notice may be issued by the City permitting the transfer of property, providing:

- a. An agreement by the owner or owner's representative has been executed with the City, whereby the owner or owner's representative agrees to complete corrections to the property necessary to bring it within compliance of the City sanitary sewer service regulations within 60 days of the transfer of property.
- b. A security to ensure completion of any corrections to the property must be posted with the closing agent in the form of an escrow, or with the City when a closing agent is not involved, at the time of property transfer or closing. The security shall be in an amount at least equal to 125 percent of the retail value of the work necessary for compliance with this Section. The escrow must be fully maintained until a certificate of I&I compliance is issued. A correction notice shall not be issued for more than 180 days following the first inspection of the property, but it may be extended for additional periods up to 180 days each by the City Administrator, or its designee.

The owner (or transferor) and any real estate agents involved in the transaction are responsible for disclosing the correction notice to the transferee and all other persons or entities involved in the transaction. The responsibility for repairing any nonconformance with the sanitary sewer service regulations runs with the land and not only rests with the owner or transferor but is also an obligation of the transferee of the property. If repairs are not completed within one year of the first inspection, the inspection becomes invalid and the process starts again, which includes paying the applicable inspection fee.

Subd 6. Repeated Inspection: Upon inspection, when the property use is not legal in accordance with City's sanitary sewer service regulations, the owner shall be entitled to a second inspection to be scheduled within 90 days of the original inspection. If, as a result of this inspection, the City inspector determines (or a licensed plumber certifies and the certified videotape is determined by the City to be compliant) that all violations of City sanitary sewer regulations have been corrected, the City shall immediately issue a certificate of I&I compliance.

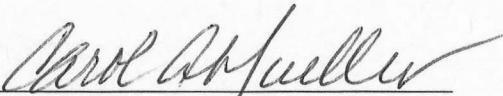
**SECTION 2.** The removal of the previous language contained in Section 907.15 was due solely to its duplicative nature, as Section 104.01, subd. 1 already provides that all code violations are

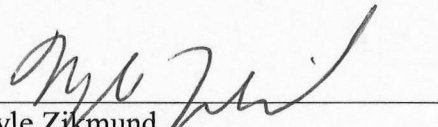
misdemeanors. Pursuant to Section 104.01, subd. 1, any violation of Chapter 907 is still a misdemeanor.

**SECTION 3.** This ordinance shall take effect and be in force 30 days from and after its passage and publication, in accordance with Section 3.09 of the City Charter.

Introduction and First Reading by the Mounds View City Council on October 14, 2019. Second Reading and Adoption by the Mounds View City Council on October 28, 2019.

Publication Date: November 12, 2019.

  
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Carol A. Mueller, Mayor

  
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Nyle Zikmund  
City Administrator

Attest:

