

ORDINANCE NO. 745

**AN ORDINANCE OF THE CITY OF AUSTIN, MINNESOTA
AMENDING SECTION 3.30 OF THE CITY CODE CLARIFYING
STANDARDS FOR REGULATIONS RELATING TO
SEWER USE AND SERVICE CHARGE.**

The Council of the City of Austin does ordain:

Edits: Deletions are in ~~STRIKE THROUGH~~. Additions are UNDERLINED.

Section 3.30, Subd. 8 is hereby amended as follows:

Subd. 8. Penalties.

A. Administrative fines. Notwithstanding any other subdivision of this section, any user who is found to have violated any provision of this section, individual control mechanism agreements, or permits and orders issued hereunder, shall be fined in an amount not to exceed less than \$1,000 per violation. Each day on which noncompliance shall occur or continue shall be deemed a separate and distinct violation. Unpaid charges, fines, and penalties shall constitute a lien against the individual user's property. Industrial users desiring to dispute the fines must file a request for the City Finance Director to reconsider the fine within ten days of being notified of the fine. When the City Finance Director believes a request has merit, the Finance Director shall convene a hearing on the matter within 30 days of receiving the request from the industrial user.

B. Criminal penalties. Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be furnished by a fine of not ~~more~~ less than \$1,000, or by imprisonment for not to exceed 90 days, or both.

C. Costs. In addition to the penalties provided herein, the city may recover court costs, court reporter's fees and other expenses of litigation by an appropriate action against the person found to have violated this section or the orders, rules, regulations, and permits issued hereunder.

D. Costs of damage. Any person violating any of the provisions of this section shall become liable to the city for any expense, loss, or damage. The Director may add to the user's charges and fees the costs assessed for any cleaning, repair, or replacement work caused by the violation or discharge. Any refusal to pay the assessed costs shall constitute a violation of this section.

E. Falsifying information. Any person who knowingly makes false statements, representation or certification in any application, record, report, plan or other document filed

or required to be maintained pursuant to this section, or an individual control mechanism agreement, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this section, shall upon conviction, be punished by a fine of not ~~more~~ less than \$1,000 or by imprisonment for not more that 90 days, or both.

Passed by a vote of yeas and nays this 16th day of March, 2026.

YEAS 5

NAYS 0

APPROVED:

Stephen M. King, Mayor

ATTEST:

Brienne D. Wolf, City Clerk

This ordinance was introduced on March 16, 2026; approved on March 16, 2026; was published in the Austin Daily Herald on March 21, 2026, and becomes effective March 28, 2026.