

CITY COUNCIL
CITY OF WOODLAND
MEETING OF FEBRUARY 10, 2014

Agenda Item 5. A.

Public Hearing

TO: Honorable Mayor and Members of the City Council

FROM: Kathyne McCullum, City Clerk

SUBJECT: Items pertaining to the City of Woodland Municipal Fee Schedule:

- 1) Public Hearing concerning amendments to the City Code of Ordinances
- 2) First Reading: An Ordinance O01-2014 amending Chapters 3 and 9 of the City Code, adding language relating to municipal fees (Chapter 3) and road condition inspections by the City Engineer (Chapter 9)
- 3) Resolution No. 11-2014 adopting Ordinance No. O01-2014 and authorizing publication of a summary ordinance

Background

In 2013, the Council made several amendments to the Municipal Fee Schedule. One noteworthy amendment established a road damage escrow that would require contractors/owners to be responsible for any damage to City streets and rights-of-way caused in conjunction with construction projects.

On January 13, 2013, the City Council considered amendments to Chapters 3 and 9 and requested that staff publish for a public hearing and place the item on the February 10 agenda for consideration. The public hearing notice was published in the City's official newspaper on January 23, 2014.

Staff recommends that the City Council hold the public hearing and introduce the ordinance by First Reading. If the Council is inclined to waive the Second Reading, an additional recommendation has been added to direct staff to publish a summary ordinance in the City's official newspaper as required by Statute. Resolution No. 11-2014 is attached for use by the Council.

Recommendation

- 1) Hold the Public Hearing concerning amendments to the City Code of Ordinances.
- 2) Introduce the ordinance by First Reading, amending Chapters 3 and 9 of the City Code, adding language relating to municipal fees (Chapter 3) and road condition inspections by the City Engineer (Chapter 9).
- 3) If the Council wishes to waive the Second Reading of the Ordinance, a resolution, number 11-2014, has been prepared and is attached. The Council is requested to adopt the resolution which provides for City Council adoption of the ordinance and authorizes publication of a summary ordinance in the official newspaper.

**CITY OF WOODLAND
HENNEPIN COUNTY, MINNESOTA**

ORDINANCE NO. 001-2014

**AN ORDINANCE AMENDING CHAPTERS 300 AND 900 OF THE CITY CODE
ADDING LANGUAGE RELATING TO MUNICIPAL FEES (CHAPTER 300) AND
ROAD CONDITION INSPECTIONS BY THE CITY ENGINEER (CHAPTER 900)**

THE CITY OF WOODLAND, MINNESOTA ORDAINS:

Section 1. Chapter 305 of the City Code is hereby amended. Additions to the Code are highlighted and underlined

305.01 License Fees. The fee for any license, permit or application required under this Code will be the amount stated in Section 305.02, which amount will be paid by the applicant at the time the application is submitted to the Clerk. All fees paid are non-refundable if the license has been correctly issued.

305.02 Establishment of Fee Amounts. The dollar amounts of fees required by this Code are as stated in the following table.

Animal Licenses & Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
1	405.03	Dog license – Multiple Dog	Annual license	\$ 25.00
2	405.03	Release of impounded dog	0 impounds last 12 months	\$ 40.00
			1 impound last 12 months	\$ 65.00
			2 or more impounds last 12 months	\$ 90.00
3	405.03	Impounded animals	Monthly retainer fee	\$100.00
			Euthanasia & disposal	\$ 75.00
			Cremation only	\$ 60.00
			Daily fee for boarding of cats	\$ 23.00
			Daily fee for boarding of dogs	\$ 25.00
			Minimum daily fee per animal	\$ 25.00
4	406.02Sub d. 5	Dangerous Dog Annual Fee	Certification of Registration of Dangerous Dog Annual fee	\$500.00

Building Permit Fees			
Fee No.	Code No.	Item	Amount
5	700.03	Minimum Building Permit Fee	\$23.50
		All Building Permit Fees based on 1997 UBC/SBC Standards	Fee per Building Valuation Standards per Current I.C.B.O. Data
		Plan Review Fee	65% of Building Permit Fee
	705.05	Individual Sewage Treatment Permit (New or Repair)	Fee per Building Valuation Standards per Current I.C.B.O. Data

Contractor's Licenses				
Fee No.	Code No.	Purpose of Fee	Item	Amount
6	315.01	Annual Tree Trimming / Removal		\$ 50.00
7	314.02	Gas Fitter's License	Class A	0
8	314.02	Heating/ventilation installer	Class B	0
9	313.01	Plumbers License (registration)		0

Electrical Permit Fees			
Fee No.	Code No.	Item	Amount
10	312.03	Minimum Residential Fee	\$40.00
		Swimming pool flat rate	\$45.00

False Alarm Fees & Fire Call Charges				
Fee No.	Code No.	Purpose of Fee	Item	Amount
11	445.02	3-6 false alarms	Within one calendar year	\$50.00
		7-10 false alarms	Within one calendar year	\$100.00
		In excess of 10 false alarms	Within one calendar year	\$150.00
12	430.02	Fire Call Charge Minimum (false alarm or actual fire)	First Summons within one calendar year	\$250.00
13	430.02	Fire Call Charge	Second and subsequent summons within one calendar year	\$500.00
14	430.02	Delinquent Fire Call Charge	Per each unpaid Fire Call Charge within one calendar year	\$100.00

Heating and Gas Fitting Permit Fees				
15	415.08	Heating, Ventilating, Air-conditioning and Refrigeration		
		(1) Central System	2% of estimated cost with a minimum of	\$ 40.00
		(2) Additions, Alterations & Repairs	2% of estimated cost with a minimum of	\$ 40.00
		(3) Addition of A/C to heating system	2% of estimated cost with a minimum of	\$ 40.00
		(4) Furnace or boiler replacement	1.25% of estimated cost with a minimum of	\$ 40.00
		(5) Gas Piping	First (3) units	\$ 7.50
			Each additional unit	\$ 4.00

Parking Permits				
Fee No.	Code No.	Purpose of Fee	Item	Amount
16	500.05	Temporary on-street parking permits (designated zones)	Per Day All purpose Contractors or residents	\$ 5.00
17		Temporary on-street parking permits (designated zones)	Monthly (30 day period) Contractors or residents	\$ 25.00
18	500.03	Load Limit Permit	Permit to exceed the road load limit of 9 ton per axel by 2 ton per axel - May 2 to February 28	\$50.00
19	500.04	Seasonal Load Limit Permit	Permit to exceed the posted seasonal road load limit of 4 ton per axel by 2 ton per axel – March 1 to May 1	\$500.00

Planning and Zoning Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
20	800.05	Subdivision	Filing fee plus direct costs from (City Attorney & Engineer)	\$150.00
21	900.06	Alteration of Nonconforming Use	Filing fee	\$250.00
22	900.14	Variance	Filing fee	\$400.00
23	900.15	Conditional Use Permit	Filing fee	\$400.00
24	900.16	Application for Wetland Alteration	Filing fee	\$ 50.00
25	900.17	Land Alteration Permit	Filing fee	\$200.00
26	900.19	Permit for Vegetation Clearing	Filing fee	\$ 25.00
27	900.06 900.14 900.15	Renewal of zoning permits	Filing fee (1 year extensions of previously approved zoning applications)	\$ 50.00
28	900.24 Subd. 1 (b)	Road Damage Deposit Escrow Fee Based on Project Valuation: \$20,000 - \$200,000 = \$ 2,500 \$200,001 - \$500,000 = \$ 3,500 > \$500,001 = \$ 4,500 Projects less than \$20,000 are not subject to a road damage escrow fee <u>Road Condition Inspection Fee</u>	Escrow Fee in conjunction with all construction activity per Ordinance 900.24 (b). (refund of unexpended balance not to include earned interest) (effective 5-24-2013) <u>City Engineer inspection of the road condition prior to any construction and final inspection of the roads at the completion of the project.</u>	\$2,500.00 to \$4,500.00 based on project value <u>\$150.00</u>
29	700.03 Subd. 3 (e)	As-built Survey Deposit	Escrow fee for issuance of temporary occupancy pending completion of as-built surveys 700.03 (e) (refund of unexpended balance not to include earned interest upon completion of as-built survey)	\$2,500.00

Plumbing Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
30	313.04	Residential plumbing fee	Minimum fee	\$40.00
		Residential plumbing fee	Fee per fixture	\$8.50
		Water softener	Minimum fee	\$15.00
		Water heater	Minimum fee	\$15.00
31		State Surcharge Fee for plumbing permits	Surcharge (minimum \$5.00)	\$5.00

Police Service Fees & Other Fees				
Fee No.	Code No.	Purpose of Fee	Item	Amount
32	215.03	Release of impounded property	Fee includes cost + \$5.00 per day	\$50.00
33	320.07	Peddler, solicitors and transient merchant - photograph	2 photographs provided by Police Dept. to be used for peddler, solicitors and transient merchant application	\$5.00
34	320.01	Peddler, solicitors and transient merchant	Per applicant for 14 consecutive day period	\$50.00

Utility Fees and Permits				
Fee No.	Code No.	Purpose of Fee	Item	Amount
35	1205.03	Sewer Use Rates	130% of current Minnetonka Rate Per quarter, 15,000 gallon minimum	
36	1205.04	Sewer Use – Past Due	Delinquent sewer bill charge / per quarter	\$ 5.00
37	1205.01	Sewer Connection Permit Fee	Stub in	\$50.00
38	1205.01	Sewer Disconnect Permit Fee (CAP)	Physical disconnect from main service line	\$50.00

39	1200.02	New Sewer Connection Charge	Fees based on Minnetonka Trunk and Lateral Charge (Agreement)	
40	1205.02	Sewer Availability Charge	Met Council - charge calculated annually	
41	1210.01	Project User Fee Charge (Water & Sewer)	1997 water and sewer project fee / per quarter; adjusted annually by Resolution	Res.
42	1210.02	Maintenance Charge	Water and sewer system maintenance fee per quarter; adjusted annually by Resolution	Res.
43	1200.06	Water System Use Rates	130% of current Minnetonka Rate Per quarter, 15,000 gallon minimum	
44	1200.06	Water Use – Past Due	Delinquent water bill charge / per quarter (3 calendar days past due)	\$5.00
45	1200.05	Water Service Charge	City staff turning on or off water service per request of property owner	\$50.00
46	1200.06 (Subd. 8)	Annual safe water surcharge per State Statute	Calculated by MN Department of Health annually; adjusted annually by Resolution (Minnetonka updates the City with surcharge amount)	
47	1200.08	Water Meter Charge	City's cost of meter plus 15% (15% added only to the meter cost from the manufacture – do not add 15% to sales tax or shipping costs though)	
48	1200.10	Water Connection Permit Fee	Stub in	\$50.00
49	1200.05 (Subd. 2)	Water Disconnect Permit Fee	Physical disconnect from main service line (excavation permit)	\$50.00
50		Fire Sprinkler	Fire sprinkler with service connect	\$50.00
			Surcharge	\$0.50
51	1200.04	New Water Connection Charge	Fee based on Minnetonka Trunk and Lateral Charge (Agreement)	

305.03 Fees Established by Resolution. Fees other than those set forth in Section 305.02 will be payable to the City in amounts established by resolution of the Council for miscellaneous items and administrative services, including without limitation, special assessment searches, accident reports, copying, ordinances, maps, minutes of Council and various commission meetings, printed forms, and certified copies.

Section 2. Chapter 900.24 of the City Code is hereby amended. Additions to the Code are highlighted and underlined

900.24 Construction Site Management. The purpose of these requirements is to ensure preparation and implementation of construction site management plans in order to limit the impact of construction on the immediate neighborhood.

Subd 1. General Regulations. All residential and commercial construction sites shall comply with the following:

- (a) Prior to issuance of a building permit, the applicant will be required to provide proof that they have contacted all adjacent property owners within five hundred (500) feet of the applicant's property to make them familiar with the proposed construction and to provide them with contact information for the applicant.
- (b) All construction activity which includes the physical alteration or repair of the structure envelope, i.e., the alteration of the footprint or height of an existing structure, or the construction of a new structure shall require the submittal of a road damage escrow as required by Section 305 of the City Code. In addition, the City Engineer will document the condition of the road surface in the vicinity of the access to the proposed project: 1) prior to the commencement of construction and, 2) before the refund of the escrow. The City will incur expenses related to the City Engineer's road condition inspection. A road condition inspection fee for this service shall be submitted to the City by the applicant as required by Section 305 of the City Code.

All damage to the road that can be attributed to the project shall be repaired and restored to the previously existing condition by the owner of the construction site and to the satisfaction of the City Engineer by a duly licensed and approved contractor. In the alternative, the cost of repair to the road surface by the City's appointed contractor shall be deducted from the road damage escrow. All costs in excess of the submitted escrow amount will be charged to the property owner of record and must be paid in full. The City shall have the right to certify all unpaid costs made for road and right-of-way repairs. In the event that weather or other conditions prevent the completion of necessary road repairs, the City will retain the full escrow amount until such time road repairs can be made, not to exceed a period of 6 months. The remaining balance of the road damage escrow will be refunded with no accrued interest.

Section 3. Effective date. This ordinance shall become effective as of the date of publication.

Adopted by the City Council of Woodland on _____, 2014, and published in the Minnesota Sun Publications on _____, 2014.

ATTEST:

Kathryne McCullum, City Clerk

James S. Doak, Mayor

CITY OF WOODLAND

Meeting Date: February 10, 2014
 Motion:

Resolution No. 11-2014
 Second:

RESOLUTION ADOPTING ORDINANCE NO. 001-2014 AND AUTHORIZING SUMMARY PUBLICATION OF THE ORDINANCE AMENDING CHAPTERS 3 AND 9 OF THE CITY CODE OF ORDINANCES, ADDING LANGUAGE RELATING TO MUNICIPAL FEES (CHAPTER 3) AND ROAD CONDITION INSPECTIONS BY THE CITY ENGINEER (CHAPTER 9)

WHEREAS, on February 10, 2014, the City Council of the City of Woodland held a public hearing, conducted a First Reading, and waived the second reading of Ordinance No. 001-2014 amending Chapters 3 and 9 of the City Code of Ordinances, adding language relating to municipal fees (Chapter 3) and road condition inspections by the City Engineer (Chapter 9); and

WHEREAS, the City Council of the City of Woodland adopted Ordinance No. 001-2014 amending Chapters 3 and 9 of the City Code of Ordinances, adding language relating to municipal fees (Chapter 3) and road condition inspections by the City Engineer (Chapter 9); and

WHEREAS, because of the length of Ordinance No. 001-2014, the City Council has directed that a summary ordinance be prepared for publication; and

WHEREAS, staff prepared a summary of Ordinance No. 001-2014 to read as follows:

Chapter 305 of the City Code is hereby amended. Additions to the Code are highlighted and underlined

28	900.24 Subd. 1 (b)	Road Damage Deposit Escrow Fee Based on Project Valuation: \$20,000 - \$200,000 = \$ 2,500 \$200,001 - \$500,000 = \$ 3,500 > \$500,001 = \$ 4,500 Projects less than \$20,000 are not subject to a road damage escrow fee <u>Road Condition Inspection Fee</u>	Escrow Fee in conjunction with all construction activity per Ordinance 900.24 (b). (refund of unexpended balance not to include earned interest) (effective 5-24-2013) <u>City Engineer inspection of the road condition prior to any construction and final inspection of the roads at the completion of the project.</u>	\$2,500.00 to \$4,500.00 based on project value <u>\$150.00</u>
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(b) All construction activity which includes the physical alteration or repair of the structure envelope, i.e., the alteration of the footprint or height of an existing structure, or the construction of a new structure shall require the submittal of a road damage escrow as required by Section 305 of the City Code. In addition, the City Engineer will document the condition of the road surface in the vicinity of the access to the proposed project: 1) prior to the commencement of construction and, 2) before the refund of the escrow. The City will incur expenses related to the City Engineer's road condition inspection. A road

condition inspection fee for this service shall be submitted to the City by the applicant as required by Section 305 of the City Code.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND:

1. That Ordinance No. 001-2014 is hereby adopted.
2. That the City Council finds that the above title and summary of Ordinance No. 001-2014 informs the public of intent and effect of the Ordinance.
2. The City Clerk is directed to publish the Ordinance No. 04-14 by title and summary, pursuant to Minnesota Statutes, Section 412.191, Subdivision 4.
3. A full printed or electronic copy of the ordinance is available for review by any person at City Hall, 20225 Cottagewood Road, Deephaven, Minnesota.

ADOPTED BY the Woodland City Council on February 10, 2014 upon the following vote:

	Yes	No	Abstain	Absent
Mayor Doak				
Councilor Carlson				
Councilor Massie				
Councilor Newberry				
Councilor Rich				

State of Minnesota

County of Hennepin

CITY OF WOODLAND

By: _____
James S. Doak, Mayor

I, Kathryn A. McCullum, duly appointed City Clerk to the Council for the City of Woodland, County of Hennepin, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution or motion with the original minutes of the proceedings of the Woodland City Council, at their meeting held on February 10, 2014, now on file in my office and have found the same to be true and correct copy thereof.

Witness my hand and official seal at Woodland, Minnesota, the 10th day of February, 2014.

Attest: _____
Kathryne A. McCullum, City Clerk

CITY COUNCIL
CITY OF WOODLAND
MEETING OF FEBRUARY 10, 2014

Agenda Item 6. A.

New Business

TO: Honorable Mayor and Members of the City Council
FROM: Kathyne McCullum, City Clerk
SUBJECT: Discussion on policy issues regarding the City's SSTS ordinance update

Background

On November 29, 2013, the Hennepin County Board of Commissioners, the Association of Minnesota Counties (AMC), and the majority of other counties stated support for the State legislation for the extension of the deadline to update local septic ordinances. The new deadline for counties is February 4, 2014. Many county boards, the AMC, and septic professional organizations have been lobbying to have the existing rules changed or to revert back to the former rules (legislation was proposed last year to do just that but was not passed.)

On December 10, 2013, the Hennepin County Environmental Health representative e-mailed the proposed changes to the County's existing septic ordinance to comply with the new MN Rules, 7080, 7081 (& 7082). At the request of Mayor Doak, the City Engineer was asked to compare the proposed ordinance to the existing City ordinance and make recommendations on potential amendments. (Memo from the City Engineer is attached.)

On February 4, 2014, Mayor Doak, Councilor Newberry, and staff met with the City Engineer regarding the Engineer's recommended amendments to the ordinance. After review, it was decided that there were several policy questions that needed to be addressed by the full City Council. The policy questions are briefly described below. Councilor Newberry will lead the Council discussion and provide additional detail on each question.

On February 25, 2014 at 1:30 p.m., the County is expected to hold a public hearing relating to the amendments to the County ordinance with final approval scheduled on March 11, 2014.

Policy Discussion

Policy Question No. 1

Should the City require compliance inspections at the point of sale?

Policy Question No. 2

Should the City's current inspection process be considered a "maintenance" inspection rather than considered a "compliance" inspection?

Policy Question No. 3 - (See No. 4 Reduced Separation Distance on page 2 of the Engineer's memo).

Should the City follow the County rule of a 15-percent reduction in the separation distance?

Policy Question No. 4 (See No. 6 Timeframe for Upgrade, Replacement, or Repair of Failing Systems on Page 3 of the Engineer's memo.)

The County requires upgrade, replacement, repair or abandonment of systems failing to protect ground water within 3 years with the possibility of a 2 year extension. The City's ordinance is less restrictive with a 5-7 year timeframe. The City may be more restrictive than the County requirements, but not less restrictive.

Policy Question No. 5

The statute requires that someone from the City be designated as an SSTS Program Administrator. The Council is requested to discuss who would be the most appropriate person for this position.

Policy Question No. 6 (See No. 12 Systems in Floodplain on Page 4 of the Engineer's memo.)

Should the City allow SSTS in floodplain areas? If so, what restrictions should apply?

Recommendation

Provide direction to staff on how the Council wishes to proceed and direct the City Engineer to begin developing a draft for Council review at the next City Council meeting.

HENNEPIN COUNTY ORDINANCE

Ordinance #19

~~INDIVIDUAL~~ SUBSURFACE SEWAGE TREATMENT SYSTEMS STANDARDS
FOR HENNEPIN COUNTY

Adopted by the
Hennepin County Board of Commissioners
of Hennepin County, Minnesota
September 28, 1999

Amended on February 4, 2014

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The Hennepin County Board of Commissioners does hereby adopt this Ordinance establishing county-wide standards for the regulation of ~~Individual~~ Subsurface Sewage Treatment Systems (SSTS) pursuant to Minn. Stat. § 115.55 and Minn. Rules Chapter 7080, 7081 and 7082.

SUBDIVISION 1: GENERAL PROVISIONS.

1.1 Purpose. This ordinance is enacted to provide minimum standards for the regulation of ~~individual~~ subsurface sewage treatment systems (SSTS) including: their proper location, design and construction; their necessary modification and reconstruction; their operation, maintenance and repair for the purpose of protecting surface water and groundwater from contamination by human sewage and waterborne household and commercial wastes; the protection of the public's health and safety; and the elimination and prevention of the development of public nuisances, pursuant to the authority granted under Minn. Stat.

Chapters 115 and 145A and Minnesota Rules Chapter 7080, 7081, and 7082 as amended that may pertain to sewage and wastewater treatment. All sewage generated in unsewered areas of the county shall be treated and dispersed by an approved SSTS that is sited, designed, installed, operated, and maintained in accordance with the provisions of this ordinance or by a system that has been permitted by the MPCA.

1.11 Sewage discharge to ground surface or surface water. It is unlawful for any person to construct, maintain, or use any wastewater treatment system regulated under this ordinance that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted by the MPCA under the National Pollutant Discharge Elimination System program.

1.12

1.2 Objectives. The principal objectives of this Ordinance are as follows:

1.21 The protection of Hennepin County's lakes, rivers and streams, wetlands, and groundwater essential to the promotion of public health, safety, welfare, socioeconomic growth and development of the County in perpetuity.

1.22 The regulation of proper SSTS construction, reconstruction, repair and maintenance to prevent the entry and migration of contaminants, thereby ensuring the non-degradation of surface water and groundwater.

1.23 The establishment of minimum standards for SSTS placement, design, construction, reconstruction, repair and maintenance to prevent contamination and, if contamination is discovered, the identification and control of its consequences and the abatement of its source and migration.

1.24 The appropriate utilization of privy vaults and other non-water carried SSTS.

1.25 The prevention and control of water-borne disease, lake degradation, groundwater related hazards, and public nuisance conditions through technical assistance and education, plan reviews, inspections, SSTS surveys and complaint investigation.

SUBDIVISION 2: DEFINITIONS.

2.1 Health Authority. The Hennepin County ~~Community~~ Public Health Department and its designated agent who shall be a qualified employee or licensee.

~~2.2 Non-Standard Systems. SSTS that are Alternative, Performance or Other Systems as described in Minnesota Rules, parts 7080.0172, 7080.0178 and 7080.0179- SSTS. Subsurface Sewage Treatment System as defined in Minn. R. 7080.1100, subp. 82..~~

2.3 ISTS. An individual sewage treatment system as defined in Minn. R. 7080.1100, subp. 41.

2.4 MSTs. A Midsized Subsurface Sewage Treatment System as defined in Minn. R. 7081.0020, subp. 4.

2.5 Other Establishment. Any private or public structure, other than a dwelling, that generates sewage having characteristics other than residential-type waste or has an average waste flow greater than 2,000 gallons per day and discharges to an individual sewage treatment system.

2.6 Owner. The fee owner(s) and, if applicable, the contract-for-deed purchaser. Ownership interests shall be determined by reference to the records of Hennepin County. The owner of each lot served by an SSTS is responsible for the lawful operation and maintenance of each SSTS.

~~2.5 Standard System. ISTS designed and installed in accordance with the construction standard specified in Minnesota Rules, Chapter 7080.0060-7080.0170.~~

2.7 TYPE I SYSTEM. An ISTS designed according to Minn. R. parts 7080.2200 to 7080.2240, as may be amended.

2.8 TYPE II SYSTEM. An ISTS designed according to Minn. R. parts 7080.2250 to 7080.2290, as may be amended.

2.9 TYPE III SYSTEM. An ISTS designed according to Minn. R. 7080.2300, as may be amended.

2.10 TYPE IV SYSTEM. An ISTS designed according to Minn. R. 7080.2350, as may be amended.

2.11 TYPE V SYSTEM. An ISTS designed according to Minn. R. 7080.2400, as may be amended.

SUBDIVISION 3: STANDARDS INCORPORATED BY REFERENCE.

3.1 This Ordinance hereby incorporates by reference Minnesota Rules Chapter 7080, and 7081, as may be amended.

SUBDIVISION 4: JURISDICTION.

4.1 Municipalities. Municipalities in Hennepin County that ~~elect to regulate Individual Sewage Treatment Systems shall do so pursuant to Minnesota Rules, Chapter 7080.0305-7080.0315~~ administer a SSTS program by ordinance within their jurisdiction shall be at least as strict as this ordinance. Municipalities that elect to assume or abandon ~~SSTS~~ jurisdiction shall:

A. Provide verification to the Health Authority of its intention to assume or abandon jurisdiction of Individual Sewage Treatment Systems by submitting a resolution of the City Council or authorized governmental official to the Health Authority at least one year in advance of the first of January of any given calendar year, or with approval of the Health Authority.

B. In the event of abandonment of jurisdiction, agree to cooperate with the Health Authority in the transfer of responsibility including timely transfer of all records maintained by the municipality.

SUBDIVISION 5: ADMINISTRATION BY THE HEALTH AUTHORITY.

5.1 The Health Authority shall have the following duties and responsibilities:

A. To review all applications for SSTS.

B. To issue all required permits.

C. To conduct construction inspections and to perform all necessary tests to determine its conformance with this Ordinance.

D. To investigate complaints regarding SSTS.

E. To perform compliance inspections and to issue Certificates of Compliance or Notices of Noncompliance where appropriate.

F. To issue Stop Work Orders and Notices of Violation pursuant to this Ordinance.

G. To take complaints to the Municipal or County Attorney for violations of this Ordinance.

H. To maintain proper records for SSTS including site evaluation records, design records including calculations and summaries for all system component sizings and as-builts, complaints on noncompliance, compliance inspections, site evaluations, applications and exhibits, variance requests, issued permits, Certificates of Compliance, and enforcement proceedings.

I. To submit annual reports to the MPCA to demonstrate enforcement of this Ordinance per Chapter 7082.0040 Subpart 5.

5.2 Neither the issuance of permits, Certificates of Compliance nor Notices of Noncompliance as requested or issued shall be construed to represent a guarantee or warranty of the system's operation or effectiveness. Such certificates signify that the system in question is or has been designed and installed in compliance or non-compliance with the provision of these standards and regulations.

SUBDIVISION 6: PERMITTING.

6.1 Required Permits. A permit from the Health Authority is required before any SSTS in Hennepin County's jurisdiction is installed, replaced, abandoned, altered, repaired, rejuvenated or extended. Installation, replacement, alteration, repair, or extension of an SSTS shall not begin prior to the receipt of a permit from the Health Authority for each specific installation, replacement, alteration, repair or extension pursuant to this Ordinance. Such permits are not

transferable as to person or place. Such permits shall expire 12 months after date of issuance. Upon request of an inspector, permits shall be provided by the permittee at the time of inspection.

6.2 Permits Not Required. Permits shall not be required for the following activities:

- A. Repair or replacement of pumps, floats or other electrical devices of the pump.
- B. Repair or replacement of baffles in the septic tank.
- C. Installation or repair of inspection pipes and manhole covers.
- D. Repair or replacement of the line from the building to the septic tank.
- E. Repair or replacement of the line from the septic tank or pump chamber to the distribution box or lines.

6.3 Permit Application. All applications for an SSTS permit shall include the following information:

- A. Name and address of property owner.
- B. Property identification number.
- C. Legal description of the property.
- D. SSTS Designer name, address, telephone number and State MPCA license number; (or Health Authority qualified employee name and number).
- E. SSTS Installer name, address, telephone number and MPCA license number.
- F. Site evaluation report on forms approved by the Health Authority.
- G. System design with full information including applicable construction information on forms approved by the Health Authority.
- H. The location of at least one designated additional soil treatment area that can support a standard soil treatment system as described in Minn. R. parts 7080.2200 through 7080.2230 or site conditions described in Minn. R. 7081.0270, subps. 3 through 7, on lots created after January 23, 1996.
- ~~J. A certified statement from the person who conducted the work.~~
- I. A management plan as described in Minn. R. 7082.0600 and this ordinance; and
- J. I. Any other information requested pertinent to the process.

~~6.4 Additional Requirements for the Permitting of Non-Standard Systems. Non-standard systems shall only be permitted if all of the requirements of Minn. Rules, Chapter 7080.0172, 7080.0178 and 7080.0179 and the following:~~

- ~~A. The Health Authority agrees that a Standard System cannot be installed;~~
- ~~B. Reasonable assurance of performance of the system, as determined by the Health Authority, is submitted by the Designer;~~
- ~~C. An operating permit has been approved by the Health Authority; and~~
- ~~D. A water meter is installed to monitor flow.~~