SSTS ORDINANCE SUMMARY

PURPOSE AND AUTHORITY: This section describes the purpose and intent of the ordinance, authority under state law and rules, the scope and jurisdiction. This ordinance applies countywide including within incorporated city limits. The ordinance establishes minimum standards, requirements for permitting, installation, design and various changes to systems, establishes administrative procedures and enforcement.

DEFINITIONS: The major words/terms critical to the application of the standards are defined within the ordinance.

GENERAL PROVISIONS, ADMINISTRATION, AND ENFORCEMENT: This section lays out the administrative elements of the ordinance including liability, interpretation, fees and violations, etc..

VARIANCES: Variances are a required section of the ordinance per state rules. This section identifies the reasons and procedures for variances. It addresses variances related to state agency standards other than SSTS.

GENERAL REQUIREMENTS: There are several important subsections to this chapter that involve how the new ordinance deals with existing systems and permits, changes to existing systems such as bedroom additions, and imminent threat to public health. There are sections on waste management and prohibitions. The detailed section of the existing 1985 ordinance covering licensing has been removed as the state rules provide an extensive set of standards. This ordinance states that no person shall engage in site evaluation, inspection, design, installation, construction, repair, or other maintenance without an appropriate license issued by the MPCA per M.R. 7083.

SSTS STANDARDS: This section specifically states that the ordinance incorporates the M.R. 7080 – 7081 in their entirety. In addition there are standards that apply to the county that are more restrictive than the minimum standards from the state including the vertical separation. A section of the existing ordinance has been incorporated in this chapter that addresses procedures for the use of SSTS within urban service areas. Other factors covered include compliance criteria, holding tanks, hydraulic loading, etc..

SSTS PERMITTING: In this chapter are the permitting requirements and procedures for construction permits, operating permits, and abandonment certification. Operating permits are required with the new rules for property owners with holding tanks, mid-sized sewage treatment systems, Type IV and V systems, or any other system deemed by the Planning Department to require oversight. Mid-sized systems are those that discharge 5,000-10,000 gpd. Type IV and V systems are performance systems utilizing such things as pretreatment systems.

MANAGEMENT PLANS: These plans are to provide a description of operation and maintenance of an SSTS. All new or replacement SSTS are required to be covered by a management plan. The section identifies the necessary contents of a management plan. It also requires that any owner of an SSTS not operated under a management plan or an operating permit must pump the tank every three years per M.R. 7080.2450.

COMPLIANCE MANAGEMENT: This section is a critical section in the ordinance and a new section for the most part. This section lists Planning Department responsibilities regarding compliance inspections. Under new construction and replacement, compliance inspections must be performed on new and replacement SSTS. Certificates of compliance are issued and are valid for a 5 year period. For existing systems compliance inspections are required when a construction permit is required, when a building is expanded that would affect SSTS performance, when a property use is changed, when the department deems it necessary, when an operating permit is renewed, and at the time of sale/transfer of a property.

ABROGATION AND GREATER RESTRICTIONS: This section states that the adoption of this ordinance does not cause other more restrictive ordinances to be repealed or otherwise impaired.

ORDINANCE REPEALED: This chapter repeals the current ordinance.

ADOPTION: This chapter is the adoption of the new ordinance.