

BENTON COUNTY ORDINANCE NO. 357 A

WHEREAS, the Benton County Department of Development instituted proceedings to amend the Benton County Ordinance 185; and,

WHEREAS, on April 8, 2003, Notice of Public Hearing and intent to amend Benton County Ordinance was published in the official newspaper of the county; and,

WHEREAS, on April 22, 2003, the Benton County Planning Commission held a public hearing thereon and recommended same to the Benton County Board of Commissioners for approval and passage; and,

WHEREAS, on May 6, 2003, the Benton County Board of Commissioners held a public hearing and approved the proposed ordinance amendment; and,

NOW PURSUANT TO THE AUTHORITY VESTED BY MINNESOTA STATUTES SECTION 394.25, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS: that portions of Section 9.6 of the Benton County Ordinance 185 be amended:

- 9.6.3 To allow for any successor rules to be adopted by reference.
- 9.6.6 Standard sewerability for new construction requiring all newly created lots, and all vacant lots of record shall have two separate areas capable of supporting a standard individual sewage treatment system.
- 9.6.7 Deed restricted parcels are exempt from demonstrating standard sewerability requirements.
- 9.6.9 Requires owners/operators of food, beverage and lodging facilities and all central sewer systems to obtain an ISTS Operating Permit from the Department.
- 9.6.11 Establishes ISTS designer's responsibilities related to variance procedures.
- 9.6.13 Incomplete application information shall be returned to the designer and applicant.
- 9.6.14 Establishes second review fees.
- 9.6.19- 9.6.22 Addresses additional ISTS design, construction and winter requirements as well as incomplete installations due to weather conditions.
- 9.6.26 Additional compliance inspection requirement stating that the entire system is to be evaluated for its compliance status.
- 9.6.27 - 9.6.28 Requirements for mandatory certificate of compliance in Shoreland Districts and for increased flows and the installation of water meters.
- 9.6.29 Requires compliance inspections for existing ISTS in specified situations.

- 9.6.31 For point of sale certifications the date for winter months has changed from December to November.
- 9.6.34 Notice of noncompliance will be issued to an owner/operator of operating permit or monitoring plan that is out of compliance.
- 9.6.39 Clean sand test results must be submitted to the Department before May 15th.
- 9.6.40 Establishes holding tank requirements for alternative systems.
- 9.6.41 A holding tank pumping agreement and annually submitted pumping records are required for holding tanks that manage prohibited discharges of non-domestic sewage.
- 9.6.42 Annual pumping records submitted for car wash operations.
- 9.6.43 Installation of water flow measuring device with a monitoring and mitigation plan is required for other systems/other establishments.

This ordinance shall be effective upon publication.

The ordinance adopted is too lengthy to be published in its entirety. The full text of the ordinance is available for public inspection at the Benton County Department of Development and the office of the Benton County Auditor/Treasurer.

Approved and adopted by the Benton County Board of Commissioners this 6th day of May in the year of 2003.

Richard J. Soyka
Richard J. Soyka, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Montgomery Headley
Benton County Administrator

MARILYN J. NOVAK
COUNTY RECORDER
BY ck DEPUTY, XS

OFFICE OF
BENTON COUNTY RECORDER
BENTON COUNTY, MN
CERTIFIED TO BE FILED
AND/OR RECORDED ON

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