

1300. SANITARY SYSTEM AND WATER WELL STANDARDS

1301. Sanitary System Standards.

- 1301.1 All private individual sewage treatment systems must meet or exceed the Minnesota Pollution Control Agency's standards for individual sewage treatment systems contained in "Minnesota Rules, Chapter 7080", a copy of which is hereby adopted in its entirety by reference and declared to be a part of this ordinance.
- 1301.2 The standards and applicable code for sewage treatment systems standards covered under this ordinance shall be Minnesota Pollution Control Agency Rules Chapter 7080, and other standards complying with the intent of the same, as recommended by Minnesota Pollution Control Agency's Individual Sewage Treatment Systems Advisory Committee. Additional requirements recognized by Morrison County and approved by the Minnesota Pollution Control Agency are also included as more restrictive than the Chapter 7080 requirements.
- 1301.3 These standards apply to all areas of Morrison County including cities and towns, unless the city or town has an ordinance that complies with the law and is as restrictive as this ordinance.
- 1301.4 Any premises used for human occupancy or for commercial purposes that would be generating sewage must be provided with an adequate method of sewage treatment as follows:
- a. Publicly owned sewer systems must be used where available.
 - b. On site sewage treatment systems must be set back from the Ordinary High Water Level in accordance with the setbacks contained in this Ordinance.
 - c. All proposed sites for individual sewage treatment systems shall be evaluated in accordance with the criteria in sub-items 1-4. If the determination of a site's suitability cannot be made with the publicly available, existing information, it shall then be the responsibility of the applicant to provide sufficient soil borings and percolation tests from on-site field investigations. The evaluation criteria are:
 1. If the determination of a site's suitability cannot be made with publicly available, existing information, it shall then be the responsibility of the applicant to provide the County with the results of two (2) soil borings from on site field investigations;
 2. Depth to the highest known or calculated ground water table or bedrock;
 3. Soil conditions, properties and permeability;
 4. Slope;
 5. The existence of lowlands, local surface depressions and rock outcrops.
 - d. Morrison County is more restrictive than Minnesota Rules Chapter 7080 in the following areas:
 1. Two (2) soil boring tests or a soil pit are required on all designs submitted to Morrison County as part of the on site septic permit application.
 2. All Certificates of Compliance issued for a new septic system are good for five (5) years.

3. All Certificates of Compliance issued for a modification/alteration to an existing septic system are good for three (3) years.
 4. All Individual Sewage Treatment System must be upgraded, if needed, as a condition of any permit or variance granted for any improvements on the dwelling unit in all zoning districts.
- e. Holding Tanks. Holding tanks may be used in accordance with 7080 rules only when other sewage treatment system designs or options are not feasible.
- f. Nonconforming on-site sewage treatment systems.
1. A sewage treatment system not meeting Minnesota State Rules Chapter 7080 must be upgraded as a condition of any permit or variance granted for any improvement on the dwelling unit(s) located on the property. In addition, sewage systems installed according to all applicable standards in effect at the time of installation may be considered as a conforming system unless they are determined to be failing. Systems constructed using cesspools, leaching pits or other deep disposal methods, or systems with less soil treatment area separation above ground water as required by Chapter 7080, shall be considered a failed system.
 2. Morrison County will require a continuous septic system program for the purposes of identifying nonconforming sewage treatment systems. Thus, any nonconforming sewage system shall be upgraded upon sale or transfer of title of the property by conveyance or contract for conveyance, including any dwelling, hotel, motel, boarding or rooming house, restaurant or commercial property or other property containing said nonconforming on site sewage disposal system located within the county. Any person who transfers real property under circumstances which require the filing of a Certificate of Real Estate Value shall file with the Morrison County Recorder a sworn statement verifying:
 - f. No septic system exists on the property, or
 - ii. The existing septic system conforms to the requirements of Minnesota Rules 7080, or
 - iii. A permit has been issued by the Morrison County Planning and Zoning Office for work necessary to bring the septic system into conformance with Minnesota Rules 7080 and that sufficient money has been escrowed to pay for the improvement. The land use permit shall specify the allowable time for completion of the required work, not to exceed one (1) year, and shall be binding on the seller of the property. The seller shall be responsible for any fees required by the county.
 3. If the system does not meet the requirements of 7080 at the time of transfer, the new owner(s) must install a system that meets all code requirements within ten (10) months after transfer.
- g. Failing Septic Systems. A notice of Noncompliance shall be issued to property owners within 30 days of the inspection with the following conditions:
1. The septic system shall be upgraded, replaced, or its use discontinued within one (1) year. Consideration will be given to weather conditions as it establishes compliance dates.

2. A septic system posing an imminent threat to public health or safety shall be upgraded, replaced or repaired, or its use discontinued, within an appropriate time, which shall be no greater than ten (10) months.

1301.5 Sanitary Installer License Requirements

- a. Every person, firm or corporation who installs, modifies or alters any portion of an Individual Sewage Treatment System, including earth moving involving the system, without having a valid Minnesota Pollution Control Agency Installer's License, shall be subject to enforcement action of Section 7080.0900 of Minnesota Rules Chapter 7080.
- b. Every person, firm or corporation who installs, alters or remodels any portion of an Individual Sewage Treatment System including earth moving for the system prior to a permit being issued to the property owner for such work, shall be subject to a late application fee as specified in Section 509.11 of this ordinance and subject to enforcement action as specified in Section 509 of this ordinance.
- c. Any installation, construction, alteration or repair of an Individual Sewage Treatment System by a licensed installer in violation of this ordinance and Minnesota Chapter 7080 Rules or to correct any defective work shall be cause for Morrison County to file a written complaint to the Commissioner of the Minnesota Pollution Control Agency.

1301.6 Installation & Design Requirements

- a. All parts of an Individual Sewage Treatment System must be inspected by Morrison County prior to covering.
- b. All design changes must be approved by the Designer and Morrison County prior to the installation of the system.
- c. All compliance inspections must be completed in compliance with Minnesota Rules Chapter 7080.0315 sub pt 2, or as amended.
- d. A Designated Registered Professional (DRP) must be on site at the time of inspection.

1301.7 Certificate of Compliance

- a. Certificate of compliance means a document written after a compliance inspection, certifying that a system is in compliance as specified under Minnesota Rules Chapter 7080.0060 and signed by a qualified employee or licensee.
- b. Certificates of Compliance will be recognized for three (3) years from the date of issue for all Individual Sewage Treatment Systems.
- c. Additions to Dwellings in Ag,UF, R, RR Zoning Districts. The owner must submit a valid Certificate of Compliance and/or obtain a valid SSTS Septic Permit prior to the application of a land-use permit for an addition to a dwelling unit that increases the livable area of the dwelling, replacement of a dwelling unit, and attached garages, this excludes open-aired unroofed decks, open-aired unroofed porches, or detached accessory structures.

- d. Addition to Dwellings, Accessory Structures and Decks in Shoreland Zoning Districts. The owner must submit a valid Certificate of Compliance and/or obtain a valid SSTS Septic Permit prior to the application of any land-use permit for an addition to a dwelling unit, replacement of a dwelling unit, new accessory structure, addition to an existing accessory structure, replacement of an accessory structure or decks.

1302. Water Well Standards

Any public or private supply of water for domestic purposes must meet or exceed standards for water quality of the Minnesota Department of Health (Mn Rules, Chapters 4720 and 4725).