

Chapter 109

ENVIRONMENTAL AND NATURAL RESOURCE PROTECTION

ARTICLE I. IN GENERAL

**Secs. 109-1—109-18. Reserved.**

ARTICLE II. PRIVATE WELLS AND SEWAGE DISPOSAL SYSTEMS\*

-----  
\*State law reference—Local regulation of wells, Minn. Stats. § 103I.111; individual sewage treatment systems, Minn. Stats. § 115.55.  
-----

**Sec. 109-19. Enforcement.**

In addition to the criminal penalties for violation of this article, any dwelling served by a well or individual sewage system not in conformity with this article shall be considered to be a dangerous building under state statutes and shall be dealt with accordingly. No building not served by a municipal sewer and/or water system shall be occupied shall any certificate of occupancy be issued by the building official unless the provisions of this article shall have been complied with.

(Code 1987, § 305.15)

**Sec. 109-20. Administration.**

This article shall be administered by the city's health authority and the city's building official.

(Code 1987, § 305.20)

**Sec. 109-21. Permits.**

No person shall repair, install, construct, or modify any well or individual septic system unless said person shall have first obtained a permit from the City Clerk or someone he designates to process permits. The permit applicant shall provide written statement, signed by the applicant, that all property taxes, special assessments, municipal utility fees, including, but not limited to, water and sewer bills, and penalties and interest thereon have been paid for the property for which the permit has been submitted. The fee for such permit shall be as established by the city. It is the responsibility of the permittee to obtain the necessary inspections before doing the work.

(Code 1987, § 305.01; Ord. No. 105-2000, 2-5-2000; Ord. No. 01-2001, 2-25-2001)

**Sec. 109-22. Adoption of state regulations.**

(a) All water wells shall be constructed in accordance with all state requirements. Any reference in any such requirements to the term "commissioner" shall be a reference to the health authority.

(b) Existing, noncomplying wells may be utilized when:

- (1) The well water is of satisfactory sanitary quality.
- (2) Well serves an owner-occupied residence, with the exception that the well must be brought into compliance when the residence is sold.

(Code 1987, § 305.05)

**Sec. 109-23. Individual sewage treatment standards adopted.**

The provisions of Minn. Rules ch. 7080 are adopted. Whenever the term "agency" appears in same, it shall be deleted and the term "city" inserted. Whenever the term "executive director" or "director" appears in same, it shall be deleted and the term "health authority" inserted. The following standards will also apply; existing nonconforming systems may be utilized as long as:

- (1) The system serves an existing, single-family dwelling that is owner occupied.

ENVIRONMENTAL AND NATURAL RESOURCE PROTECTION

- (2) The system may be required to be brought into conformity when the finished living space is increased or the house is sold.
- (3) No nuisance, surface discharge, or groundwater contamination occurs as a result of the operation of the system.

(Code 1987, § 305.10)



