

10.20 SANITATION STANDARDS (SUBSURFACE SEWAGE TREATMENT SYSTEM ORDINANCE): *(AS AMENDED 6 MAY 2014 & 20 MAY 2019)*

Minnesota Rules Chapter 7080 (Individual Sewage Septic Treatment System) or its most recent version, and the Pope County Sewage and Wastewater Treatment Ordinance as amended from time to time are hereby adopted by reference and made part of this ordinance as set forth herein, and all development proposed in any of the zoning use districts established by this ordinance shall comply with the sanitation standards therein contained.

SUBSURFACE SEWAGE TREATMENT SYSTEM ORDINANCE

SUBDIVISION 1. GENERAL PROVISIONS AND ADMINISTRATION.

- 1.10 PURPOSE.** The purpose of the Sewage and Wastewater Treatment Ordinance shall be to provide minimum standards for and regulation of subsurface sewage treatment systems (SSTS) and septage disposal including the proper location, design, and construction; their necessary modification and reconstruction; their operation, maintenance, and repair to protect surface water and groundwater from contamination by human sewage and waterborne household and commercial wastes; to protect the public's health and safety, and eliminate or prevent the development of public nuisances pursuant to the authority granted under Minnesota Statutes, Chapters 115 and 145A and Minnesota Rules, Chapters 7080-7082 and as amended that may pertain to sewage and wastewater treatment.
- 1.20 OBJECTIVES.** The principal objectives of this ordinance shall include the following:
- 1.21 For the protection of Pope County's lakes, wetlands, rivers, streams, and supplies of groundwater essential to the promotion of public health, safety, and welfare; for the protection of the County's environment and its socioeconomic growth and development of the County in perpetuity.
 - 1.22 Given the extensive resources and numerous supplies of surface water and groundwater and their susceptibility to contamination, regulation of proper SSTS construction, reconstruction, repair, and maintenance and proper septage disposal is essential to prevent the entry and migration of contaminants, thereby ensuring the non-degradation of surface water and groundwater.
 - 1.23 The provision of establishing minimum standards for SSTS placement, design, construction, reconstruction, repair, and maintenance to prevent contamination and, if contamination is discovered, to identify and control its consequences and abate its source and migration.
 - 1.24 The provision of establishing minimum standards for septage removal, transport, treatment, and disposal;
 - 1.25 The regulation of privy vaults and other non-water carried SSTS;
 - 1.26 The prevention and control of waterborne disease, lake degradation, groundwater related hazards, and public nuisance conditions through plan reviews, inspections, SSTS surveys, and complaint investigation, as well as through technical assistance and education.

- 1.30 AUTHORITY.** This ordinance is adopted pursuant to authority granted in Minnesota Statutes, Chapters 115, 145A, 375, 394, or successor statutes and Minnesota Rules, Chapters 7080, 7081, 7082, or successor rules.
- 1.40 SCOPE.** This ordinance shall regulate the siting, design, installation, alteration, operation, maintenance, monitoring, and management of all SSTS in Pope County, including but not necessarily limited to individual SSTS and cluster or community SSTS/Midsized Sewage Treatment Systems (MSTS), privy vaults, and other non-water carried SSTS, repair and/or replacement of failing SSTS, and septage disposal.
- 1.50 JURISDICTION.** The jurisdiction of this ordinance shall be within the legal boundaries of the County of Pope including incorporated and unincorporated areas. Except for parcels within incorporated areas or sanitary sewer districts that are served by municipal sewer or areas that administer an SSTS program by ordinance within their jurisdiction, which is at least as strict as this ordinance. Municipalities utilizing this ordinance shall be responsible for administration and enforcement. The standards and ordinance of the jurisdiction may be administratively and technically more restrictive than this ordinance.
- 1.60 ADMINISTRATION BY STATE AGENCIES.**
- 1.61 Where a single SSTS or group of SSTS under single ownership within one-half mile of each other, have a design flow greater than 10,000 gallons per day, the owner or owners shall make application for and obtain a State Disposal System permit from MPCA. For any SSTS that has a measured daily flow for a consecutive seven-day period which equals or exceeds 10,000 gallons per day, a State Disposal System permit is required.
- 1.62 An SDS permit is required for any SSTS or group of SSTS that the MPCA commissioner determines has the potential or an increased potential to cause adverse public health or environmental impacts if not regulated under a state permit. Conditions for these permits include systems in environmentally sensitive areas, unsubstantiated or unexpected flow volumes, and systems requiring exceptional operation, monitoring, and management.
- 1.63 For dwellings including apartments, townhouses, resort units, rental cabins, and condominiums, the sum of the flows from all existing and proposed sources under single management or ownership will be used to determine the need for a State Disposal System permit.
- 1.64 SSTS serving establishments or facilities licensed or otherwise regulated by the State of Minnesota including, but not limited to, campgrounds, resorts, manufactured home parks, and eating and drinking establishments, shall conform to state and local requirements.
- 1.65 Any SSTS requiring approval by the State of Minnesota shall also comply with all local codes and other relevant aspects of the Pope County Land Use Controls Ordinance.
- 1.66 Plans and specifications must receive appropriate state and local approval before construction is initiated.

- 1.70 ADMINISTRATION BY POPE COUNTY.** The Department shall regulate SSTS and septage disposal in Pope County pursuant to this ordinance. At appropriate times, the county shall review, revise, and update this ordinance as necessary. The county shall employ or retain under contract qualified and appropriately licensed professionals to administer and operate the SSTS program.
- 1.71 The Department shall have the following duties and responsibilities:
- A To review all applications for SSTS.
 - B To review all proposals for the land application of septage.
 - C To issue all permits required by this ordinance.
 - D To inspect work in progress and to perform the necessary tests to determine its conformance with this Ordinance.
 - E To investigate complaints regarding SSTS and septage disposal.
 - F To perform compliance inspections; or make a determination that compliance inspection should be performed by others.
 - G To issue certificates of compliance or notices of noncompliance where appropriate.
 - H To issue Cease and Desist and Notices of Violation, pursuant to this ordinance.
 - I To take complaints to the County Attorney for violations of this ordinance.
 - J To maintain proper records for SSTS and septage disposal including site evaluation records, design records including calculations and summaries for all system component sizings and as-builts.
 - K To submit annual reports to the MPCA to demonstrate enforcement of the local ordinance per Minnesota Rules, Chapters 7080-7082.
- 1.72 Neither the issuance of permits, certificates of compliance, or notices of noncompliance 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 noncompliance with the provisions of these standards and regulations.
- 1.73 Administrative procedures not specified herein shall follow Pope County Land Use Controls Ordinance.
- 1.80 TITLE.** This section shall be known, cited, and referred to as the “Pope County Subsurface Sewage Treatment System Ordinance.” When referred to herein, it shall be known as “this ordinance.”
- 1.90 REPEAL.** Pope County Ordinance No. 6 Sewage and Wastewater Treatment Ordinance (adopted December 1997) and Land Use Controls Ordinance Section 10.20 Sanitation Standards (adopted February 2000) is hereby repealed and replaced. Such repeal becomes effective upon adoption of this ordinance.

SUBDIVISION 2. DEFINITIONS

For the purpose of this ordinance, certain terms and words are herein defined as follows; the word 'shall' and 'must' are mandatory, not permissive. All distances, unless otherwise specified, shall be measured horizontally. Words used in the present tense shall include the future; and words used in the singular number shall include the plural number and the plural the singular.

- (1) **As-built:** Drawings and documentation specifying the final in-place location, elevation, size, and type of all system components.
- (2) **Bedroom:** Bedroom means:
 - A. a room designed or used for sleeping; or
 - B. a room or area of a dwelling that has a minimum floor area of 70 square feet with access gained from the living area or living area hallway. Architectural features that affect the use as a bedroom under this item may be considered in making the bedroom determination.
- (3) **Certificate of Compliance:** A document, written after a compliance inspection certifying that a system is in compliance with applicable requirements at the time of the inspection.
- (4) **Certified Statement:** A statement signed by a certified individual, apprentice, or qualified employee under Minnesota Rules, Chapter 7083 certifying that the licensed business or qualified employee completed work in accordance with applicable requirements.
- (5) **Class V Injection Well:** A shallow well used to place a variety of fluids directly below the land surface. This includes SSTS that are designed to receive sewage or non-sewage from a two-family dwelling or greater or receive sewage or non-sewage from another establishment that serves more than 20 persons per day. The US Environmental Protection Agency (EPA) and delegated state groundwater programs permit these wells to inject wastes below the ground surface provided they meet certain requirements and do not endanger underground sources of drinking water. Class V motor vehicle waste disposal wells and large capacity cesspools are specifically prohibited (see 40 CFR Parts 144 & 146).
- (6) **Cluster SSTS:** A subsurface sewage treatment system under some form of common ownership that collects wastewater from two or more dwellings or buildings and conveys it to a treatment and dispersal system located on an acceptable site near the dwellings or buildings.
- (7) **Commercial Establishment:** A business with a private SSTS serving food, beverage, and lodging establishments that are required to obtain a license under Minnesota Statutes, Section 157.16, subdivision 1; or successor statutes, including manufactured home parks and recreational camping areas licensed according to Minnesota Statutes, Chapter 327; or successor statutes.
- (8) **Compliance Inspection:** An evaluation, investigation, inspection, or other such process for the purpose of issuing a certificate of compliance or notice of noncompliance.
- (9) **Department:** The Pope County Land & Resource Management Office.
- (10) **Design Flow:** The daily volume of wastewater for which an SSTS is designed to treat and discharge.
- (11) **Dwelling:** Any building or place used or intended to be used by human occupants as a single-family or multifamily residence with no more than nine bedrooms and producing sewage. Dwelling does not include a single-family or multifamily residence that serves as both a domicile and a place of business if the business increases the volume of sewage above what is normal for a dwelling or if liquid waste generated no longer qualifies as sewage.

- (12) **Existing Systems:** Systems that have been previously inspected and approved by the local unit of government during installation. In addition, all operating systems installed before the adoption of a local permitting and inspection program are considered existing systems.
- (13) **Failure to Protect Groundwater:** At a minimum, an SSTS that does not protect groundwater is considered to be a seepage pit, cesspool, drywell, leaching pit, or other pit; an SSTS with less than the required vertical separation distance, described in Minnesota Rules, Chapter 7080.1500 Subpart 4 D and E; and a system not abandoned in accordance with part 7080.2500.
- (14) **Groundwater:** Water contained below the surface of the earth in the saturated zone including, without limitation, all waters whether under confined, unconfined, or perched conditions, in near-surface unconsolidated sediment or regolith, or in rock formations deeper underground.
- (15) **Holding Tank:** A tank for storage of sewage until it can be transported to a point of treatment and dispersal. Holding tanks are considered a septic system tank under Minnesota Statutes, Section 115.55.
- (16) **Imminent Threat to Public Health and Safety (ITPHS):** At a minimum, an SSTS with a discharge of sewage or sewage effluent to the ground surface, drainage systems, ditches, or storm water drains or directly to surface water; SSTS that cause a reoccurring sewage backup into a dwelling or other establishment; SSTS with electrical hazards; or sewage tanks with unsecured, damaged, or weak maintenance access covers.
- (17) **Incorporation:** The mixing of septage with the topsoil, concurrent with the application or immediately thereafter, by means such as discing, plowing, rototilling, injection, or other mechanical means.
- (18) **Land Spreading:** The placement of septage or human waste from septic or holding tanks on or into the soil surface.
- (19) **Land Use Permit Application:** The term includes, but is not limited to, applications for the following: construction permits, or other types of zoning permits, conditional use permits, amendments to this Ordinance, variances from the provisions of Ordinance, and the subdivision of real estate. The application is not considered complete and will not be accepted by the Department unless all fees are paid, preliminary reviews and approvals completed and submitted with associated supporting information and documents, and such other information as required by the Department.
- (20) **Limiting Layer:** Layer in the soil treatment system area as shown by redoximorphic features, altered structure, bedrock, or a geologic aquifer formation where treatment ceases.
- (21) **Management Plan:** A plan that requires the periodic examination, adjustment, testing, and other operational requirements to meet system performance expectations and potentially lower risk to human and environmental health, including a planned course of action in the event a system does not meet performance expectations.
- (22) **Minor Repair:** The repair or replacement of an existing damaged or faulty component/part of an SSTS that will return the SSTS to its operable condition. The repair shall not alter the original area, dimensions, design, specifications, or concept of the SSTS.
- (23) **MPCA:** The Minnesota Pollution Control Agency.
- (24) **MSTS:** A mid-sized subsurface sewage treatment system under single ownership that receives sewage from dwellings or other establishments having a design flow of greater than 5,000 gallons per day to 10,000 gallons per day.
- (25) **Municipality:** Any incorporated city or township within the boundaries of Pope County.
- (26) **Notice of Noncompliance:** A document written and signed by a qualified employee or licensee after a compliance inspection that gives notice that an individual sewage treatment system is not in compliance.

- (27) **Other Establishments:** Any public or private structure other than a dwelling or a portion of a dwelling used for any business purpose that generates sewage that discharge to an SSTS.
- (28) **Privy Vault:** An aboveground structure with an underground cavity meeting the requirements of Minnesota Rules, Chapter 7080.2280 that is used for the storage or treatment and dispersal of toilet wastes; excluding water for flushing and gray water. A privy also means a non-dwelling structure containing a toilet waste treatment device.
- (29) **Pump Tank:** A tank, or separate compartment following the sewage tank, that serves as a reservoir for a pump. A separate tank used as a pump tank is considered a septic system tank under Minnesota Statutes, Section 115.55, Subdivision 1, Paragraph (p).
- (30) **Qualified Contract Inspector:** An inspector, licensed by the State of Minnesota to perform the duties related to onsite sewage treatment, who may be hired by the Department to conduct inspections and soil verification of any new or existing SSTS. A contract inspector shall not perform any SSTS design or installation work within Pope County while working for the County as a contract inspector.
- (31) **Qualified Employee:** An employee of the state or a local unit of government, who performs site evaluations or designs, installs, maintains, pumps, or inspects SSTS as part of the individual's employment duties and is registered on the SSTS professional register verifying specialty area endorsements applicable to the work being conducted.
- (32) **Soil Pit:** An excavation into the soil of sufficient depth to allow for assessment of variability in the soil physical properties. The pit should have at least one face that extends through the entire profile cross section, may range from three (3) to over seven (7) feet in depth, and is large enough for two people to examine the soil profile.
- (33) **Seasonal Saturation:** The highest elevation in the soil that is in a reduced chemical state due to soil pores filled or nearly filled with water causing anaerobic conditions. Periodically saturated soil is determined by the presence of redoximorphic features in conjunction with other established indicators as specified in part Minnesota Rules, Chapter 7080.1720, subpart 5, items E and F, or determined by other scientifically established technical methods or empirical field measurements acceptable to the permitting authority in consultation with the commissioner of MPCA.
- (34) **Septage:** Solids and liquids removed from an SSTS, including solids and liquids from cesspools, seepage pits, other pits, or similar systems or devices that receive sewage. Septage also includes solids and liquids that are removed from portable, incinerating, composting, holding, or other toilets.
- (35) **Septic/Sewage Tank:** Any watertight, covered receptacle that is designed and constructed to receive the discharge of sewage from a building sewer or preceding tank, stores liquids for a detention period that provides separation of solids from liquid and digestion of organic matter, and allows the effluent to discharge to a succeeding tank, treatment device, or soil dispersal system.
- (36) **Sewage/Wastewater:** Waste from toilets, bathing, laundry, or culinary activities or operations or floor drains associated with these sources, including household cleaners and other constituents in amounts normally used for domestic purposes.
- (37) **SSTS:** Subsurface sewage treatment system including an ISTS and MSTs as defined in Minnesota Rules, Chapter 7080.1100, subp. 82.
- (38) **SSTS Construction:** Any excavation or preparation of soil for the purpose of placing a sewage tank(s), soil dispersal system, and/or any related piping within or upon said excavation or soil preparation.
- (39) **Structure:** Anything constructed or erected, the use of which requires location on the ground.

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- (40) **Transfer of Property:** The act of a party by which the title of property is conveyed from one person to another. The sale and every other method, direct or indirect, of disposing or parting with property, or with an interest therein, or with the possession thereof, absolutely or conditionally, voluntarily, by or without judicial proceeding as a conveyance, sale, gift, or otherwise.
- (41) **Type I System:** An SSTS that follows a standard trench, bed, at-grade, mound, or graywater system design in accordance with Minnesota Rules, Chapter 7080.2200 through 7080.2240.
- (42) **Type II System:** An SSTS with acceptable modifications or sewage containment system that may be permitted for use on a site not meeting the conditions acceptable for a standard Type I system. These include systems on lots in floodplains and privies or holding tanks.
- (43) **Type III System:** An SSTS system designed according to Minnesota Rules, Chapter 7080.2300.
- (44) **Type IV System:** An SSTS designed according to Minnesota Rules, Chapter 7080.2350.
- (45) **Type V System:** An SSTS, which is a custom engineered design to accommodate the site taking into account pretreatment effluent quality, loading rates, loading methods, groundwater mounding, and other soil and other relevant soil, site, and wastewater characteristics such that groundwater contamination by viable fecal coli-form is prevented.
- (46) **Vertical Separation:** The vertical measurement of unsaturated soil or sand between the bottom of the distribution medium and the periodically saturated soil level or bedrock.
- (47) **Winter Agreement:** A binding agreement between a grantor and grantee or the Department and an applicant when frozen conditions prevent a field evaluation, compliance inspection, or installation of a SSTS between the months of November and April.

SUBDIVISION 3. SSTS STANDARDS AND REQUIREMENTS

- 3.10 STANDARDS ADOPTED BY REFERENCE.** The County hereby adopts and incorporates by reference Minnesota Rules, Chapters 7080 - 7082 in their entirety as now constituted and from time to time amended. This adoption does not supersede the County's right or ability to adopt local standards that are in compliance with Minnesota Statute, Section 115.55.
- 3.20 PROHIBITIONS.**
- 3.21 Septic System Disclosure & Transfer Agreement** – The Pope County Septic System Disclosure & Transfer Agreement form must be completed and submitted to the Department for approval, prior to recording with the Pope County Recorder, of any sale or transfer of land. *(AS AMENDED 20 May 2019)*
- 3.22 Occupancy or Use of a Building without a Compliant SSTS** - It is unlawful for any person to maintain, occupy, or use any building intended for habitation that is not provided with a wastewater treatment system that disposes of wastewater in a manner that complies with the provisions of the state rules/statutes and this Ordinance. All wastewater generated in the county must be treated in either a state agency permitted facility or via the standards outlines in this Ordinance for SSTS.
- 3.23 Sewage Discharge to Ground Surface or Surface Water** - It is unlawful for any person to construct, maintain, or use any SSTS 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 under the National Pollutant Discharge Elimination System program by the MPCA.
- 3.24 Sewage Discharge to a Well or Boring** - It is unlawful for any person to discharge raw or treated wastewater into any well or boring as described in Minnesota Rules, Chapter 4725.2050, or any other excavation in the ground that is not in compliance with this Ordinance.
- 3.25 Discharge of Hazardous or Deleterious Materials** - It is unlawful for any person to discharge into any treatment system regulated under this Ordinance any hazardous or deleterious material that adversely affects the treatment or dispersal performance of the system or groundwater quality.
- 3.26 Abandonment** - Any SSTS, or any component thereof, which is no longer intended to be used, must be abandoned in accordance with Minnesota Rules, Chapter 7080.2500.

3.30 MINIMUM SETBACK DISTANCES. The County adopts the following setback distances (in feet).

Feature	Sewage Tank	Soil Treatment or Absorption Area
Deep water supply wells (50 feet of continuous casing or encountering 10 feet of continuous impervious material)	50	50
Shallow water supply wells (Less than 50 feet of continuous casing)	50	100
Buried pipe distributing water under pressure	10	10
Buried water suction pipe	50	50
Occupied Building*	10	20
Property lines	10	10
State, County, and Township Road Rights-of-Way	10	10
The Ordinary High Water Level of the following types of water bodies:		
General Development Lakes	50	50
Recreational Development Lakes	75	75
Natural Environment Lakes	150	150
Rivers and Streams	100	100
Wetlands	50	50

*For structures other than buildings, these setbacks are allowed to be reduced if necessary due to site conditions (as determined by the Department), but in no case shall any part of a SSTS be located under or within the structure or other impermeable surface.

3.40 HOLDING TANKS. Holding tanks may be allowed for situations involving low water use, impacted soils, or other factors as deemed appropriate by the Department. Holding tanks are considered a secondary option. Certification is required by a licensed SSTS professional that holding tank(s) are the best option for a specific property. Person(s) applying for a permit must supply a pumping agreement or contract with a licensed maintainer.

3.50 SSTS IN FLOODPLAINS. SSTS shall not be located in a floodway and wherever possible, location within any part of a floodplain should be avoided. If no option exists to locate an SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements in Minnesota Rules, Chapter 7080.2270 and all relevant local requirements are met.

3.60 DISPUTE RESOLUTION. When a documented discrepancy arises on the depth of the periodically saturated soil or other technical issues, the procedure outlined in Minnesota Rules, Chapter 7082.0700 Subp. 5 shall be followed.

- 3.70 CLASS V INJECTION WELLS.** All owners of new or replacement SSTS that are considered to be Class V injection wells, as defined in the Code of Federal Regulations, title 40, part 144, are required by the Federal Government to submit SSTS inventory information to the United States Environmental Protection Agency and the MPCA. Further, owners are required to identify all Class V injection wells in property transfer disclosures. Class V motor vehicle waste disposal wells and large capacity cesspools are specifically prohibited.
- 3.80 CLUSTER SSTS.** Clusters of SSTS may be allowed at the discretion of the Department and shall require a water meter, pumping event counter, or equivalent means to measure water use.
- 3.90 DETERMINATION OF HYDRAULIC LOADING RATE AND SSTS SIZING.** Table IX entitled “Loading Rates for Determining Bottom Absorption Area for Trenches and Seepage Beds for Effluent Treatment Level C and Absorption Ratios for Determining Mound Absorption Areas Using Detail Soil Descriptions” and Table IXa entitled “Loading Rates for Determining Bottom Absorption Area for Trenches and Seepage Beds for Effluent Treatment Level C and Absorption Ratios for Determining Mound Absorption Areas Using Percolation Tests” from Minnesota Rules, Chapter 7080.2150, subp. 3(E) and herein adopted by reference shall both be used to size SSTS infiltration areas at the discretion of the licensed designer, except that the Department shall have the authority to require sizing under Table IXa when deemed necessary.

SUBDIVISION 4. PERMITTING

- 4.10 ACTIVITIES REQUIRING A CONSTRUCTION PERMIT.** A permit shall be obtained whenever any SSTS in Pope County is installed, replaced, altered, repaired, or extended. Installation, replacement, alteration, repair, or extension of a SSTS shall not begin without first making an application for a permit and obtaining said permit from the Department for each specific installation, replacement, alteration, repair, or extension pursuant to this ordinance. SSTS construction permits are not transferable as to person or place. Such permits shall expire 12 months after date of issuance.
- 4.20 ACTIVITIES NOT REQUIRING A CONSTRUCTION PERMIT.** A permit is not required for the repair or replacement of pumps, floats, or other electrical devices of the pump or baffles in a septic tank. A permit is not required for minor repairs or replacements of system components that do not alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout, or function.
- 4.30 LICENSING REQUIREMENTS FOR SITE EVALUATORS, DESIGNERS, INSTALLERS, AND MAINTAINERS.** No person shall engage in the evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance, or pumping of SSTS in Pope County without first obtaining a license to perform such tasks from the Minnesota Pollution Control Agency. Any party conducting compliance inspections or for other legal purposes shall be licensed by the Minnesota Pollution Control Agency.
- 4.40 PROPERTY OWNERS DOING OWN WORK.** Property owners are allowed to construct or repair SSTS on their own properties and are exempted from providing proof of State license. Exception to the above is that mounds, pressurized systems, Type III, Type IV, Type V, or MSTs cannot be constructed by anyone other than a licensed installer. A property owner shall have a design completed by a licensed Minnesota Pollution Control Agency designer or have a current designer license issued by the Minnesota Pollution Control Agency if they wish to perform the site evaluation or design their own SSTS.
- Property owners doing their own work must comply with all applicable provisions of this ordinance. The system must be inspected before being covered in accordance with SSTS inspection requirements of this ordinance.
- The permittee shall provide a signed agreement to the Department which indemnifies and holds the County harmless from all losses, damages, costs, and charges that may be incurred by the County due to the failure of the permittee to conform to and comply with the provisions of this Ordinance.
- 4.50 PERMIT APPLICATION REQUIREMENTS.** SSTS Permit applications and designs shall be made using forms deemed acceptable by the Department signed by the applicant or applicants' agent and must include the following information and documentation:
- A Name, mailing address, and telephone number of the property owner;
 - B Property identification number, property address, and legal description of property location;
 - C Site evaluation report as described in Minnesota Rules, Chapter 7080.1730, or successor rules;

- D Design forms as described in Minnesota Rules, Chapter 7080.2430, or successor rules;
- E Management plan and operating permit as described in Minnesota Rules, Chapter 7082.0600, or successor rules;
- F Soil Observation Log Sheet;
- G If applicable, a copy of a recorded easement agreement allowing installation of a SSTS on property held in ownership separate than that of the systems owner.

4.60 APPLICATION REVIEW AND APPROVAL. For any property on which a SSTS construction permit is required, approval, and issuance of a valid SSTS construction permit must be obtained before a land use permit may be issued by the Department.

The Department shall review a permit application and supporting documents. Upon satisfaction that the proposed work will conform to the provisions of this Ordinance, the Department shall authorize construction of the SSTS as designed. In the event the applicant makes a significant change to the approved application, the applicant must file an amended application detailing the changed conditions for approval prior to initiating or continuing construction, modification, or operation for approval or denial. The Department shall complete the review of the amended application within fifteen (15) working days of receipt of the amended application.

If the permit application is incomplete or does not meet the requirements of this Ordinance the Department shall deny the application. A notice of denial shall be provided to the applicant, which must state the reason for the denial.

If after consideration of the application for a permit, the Department finds that the work contemplated will not conform to or comply with the provisions of this ordinance, the Department shall deny the application for a permit. Notice of such denial shall be served on the applicant or permittee. The notice shall state the reason for denial. The permit application may be revised or corrected and resubmitted to the Department at any reasonable time for reconsideration.

4.70 FEES. Fees for permits, operating permits, inspections, or other services rendered under this Ordinance shall be established by the Pope County Board of Commissioners.

4.80 POSTING OF PERMITS. The permit placard shall be prominently displayed at the site of construction. A copy of the permit shall be at the construction site.

SUBDIVISION 5. INSPECTIONS

5.20 GENERAL REQUIREMENTS.

- A It is the responsibility of the Department, or its agent, to perform installation inspections of new SSTS or upgrades of SSTS to assure that the requirements of this Ordinance are met. All inspections must be performed and signed by licensed inspection businesses or qualified employees certified as inspectors.
- B Licensed SSTS inspectors shall not inspect their own work on new systems for compliance.
- C The Department shall be given access to enter a property at any reasonable time to inspect and/or monitor the SSTS system. "Property" does not include a residence or private building.
- D No person shall hinder or otherwise interfere with the Department's employees in the performance of their duties and responsibilities pursuant to this Ordinance.

5.30 NEW CONSTRUCTION OR REPLACEMENT.

- A Inspections must be performed on new SSTS installations or repair and replacement of SSTS to determine compliance with Minnesota Rules Chapters 7080 or 7081. The installation and construction of the SSTS shall be in accordance with the permit requirements and application design. If any SSTS component is covered before being inspected and approved by the Department, it shall be uncovered upon the direction of the Department. Proposals to alter the permitted construction shall be reviewed and the proposed changes accepted by the Department prior to construction. SSTS found to be noncompliant with other applicable requirements must be repaired or replaced according to the Department's requirements.
- B It is the responsibility of the SSTS owner or the owner's agent to notify the Department twenty-four (24) hours prior the installation inspection, excluding weekends and holidays.
- C If the SSTS owner or owner's agent provides proper notice and the department does not provide an inspection within two (2) hours after an inspection time was set, the installer may complete the construction per the following: The installer shall submit photographs of the entire uncovered system and an as-built drawing within five (5) working days of the installation.
- D A Certificate of Compliance for new SSTS construction or replacement, which shall be valid for five (5) years, shall be issued by the Department within fifteen (15) days of inspection if the Department determines that the system was built in accordance with the applicable requirements as specified in the zoning ordinance and the SSTS construction permit.
- E The Certificate of Compliance must include a certified statement by the certified inspector or qualified employee who conducted the inspection that the SSTS is in compliance with the ordinance requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a Notice of Noncompliance must be issued to the owner which includes a statement specifying those ordinance provisions with which the SSTS does not comply.
- F No SSTS shall be placed into operation until a valid Certificate of Compliance

has been issued by the Department.

5.40 COMPLIANCE INSPECTION REQUIREMENTS FOR EXISTING SYSTEMS.

Only a qualified employee or authorized licensed inspector independent of the owner shall conduct an inspection when a compliance inspection is required for an existing SSTS. A copy of the Certificate of Compliance or Notice of Noncompliance resulting from a compliance inspection shall be provided to the property owner and the County within fifteen (15) days of the inspection.

5.41 MANDATORY COMPLIANCE INSPECTIONS OF EXISTING SYSTEMS.

- A No owner of a tract of land on which a dwelling is located, or a tract of land with a structure, which is required to have a subsurface sewage treatment system, is located, shall sell or transfer to another party said tract of land unless a compliance inspection has been completed. Results of the compliance inspection shall be provided to the seller, buyer, and the Department. Transfer or sale of properties, which have a valid Certificate of Compliance for newly constructed systems less than five (5) years old do not have to meet the requirements of this section unless the Department finds evidence of noncompliance.
- B A compliance inspection on an SSTS is required at any time the Department deems appropriate such as upon receiving a complaint or other information of system failure.
- C A compliance inspection on an SSTS is required when there is a proposed addition of a bedroom on the property, or when a conditional use permit or variance is applied for.
- D When frozen conditions prevent a field evaluation, compliance inspection, or installation of an SSTS a winter agreement may be executed between the months of November to April. A winter agreement may be made between a buyer and seller for property transfers or between the Department and an applicant for the request of an additional bedroom, conditional use permit, variance, or as part of a plan to address a Notice of Noncompliance.
- E. A Certificate of Compliance for existing SSTS compliance inspections, which shall be valid for three (3) years. *(AS AMENDED 20 May 2019)*
- F. Tanks must be pumped empty before a compliance inspection can be officially completed, to determine tank integrity, except for when the tank is known to be failing and will not pass inspection or when a tank integrity inspection report was previously completed within the past three years of the Compliance Inspection. *(AS AMENDED 20 May 2019)*

5.42 NONCOMPLIANT SEPTIC SYSTEMS.

- A The SSTS must be protective of public health and safety. A system that is not protective is considered an imminent threat to public health or safety (ITPHS). At a minimum, a system that is an imminent threat to public health or safety is a system with a discharge of sewage or sewage effluent

to the ground surface, drainage systems, ditches, or storm water drains, or directly to surface water; systems that cause a reoccurring sewage backup into a dwelling or other establishment; systems with electrical hazards; or sewage tanks with unsecured, damaged, or weak maintenance hole covers. A determination of protectiveness for other conditions must be made by a qualified employee or licensed inspection business. An SSTS that is determined to be an imminent threat to public health or safety shall be upgraded, repaired, replaced, or abandoned by the owner in accordance with the provisions of this Ordinance within ten (10) months of the issuance date of a Notice of Noncompliance. The Department will give consideration to weather conditions as compliance dates are established.

- B The SSTS must be protective of groundwater. A system that is not protective is considered a system failing to protect groundwater. At a minimum, a system that is failing to protect groundwater is a system that is a seepage pit, cesspool, drywell, leaching pit, or other pit; a system with less than the required vertical separation distance; and a system not abandoned in accordance with Minnesota Rules, Chapter 7080.2500. A determination of the threat to groundwater quality for other conditions must be made by a qualified employee or licensed inspection business. An SSTS that is determined not to be protective of groundwater shall be upgraded, repaired, replaced, or abandoned by the owner in accordance with the provisions of this Ordinance within one (1) year of the issuance date of a Notice of Noncompliance. The Department will give consideration to weather conditions as compliance dates are established.
- C The owner(s) shall submit to the Department an acceptable replacement plan and apply for sewage permit within twenty (20) days after notification by the Department. The replacement plan shall identify the location and design of the SSTS and a schedule for its replacement. Failure to submit and execute an acceptable replacement plan is a violation of this ordinance.

5.50 EXISTING SSTS. SSTS built before April 1, 1996 outside of areas designated as shoreland or wellhead protection areas, or SSTS providing sewage treatment for food, beverage, or lodging establishments must have at least two (2) feet of vertical separation between the bottom of the dispersal system and seasonal saturation or bedrock.

SSTS built after March 31, 1996 or SSTS located in shoreland or wellhead protection areas, or SSTS providing sewage treatment for food, beverage, or lodging establishments as defined under Minnesota Rules, Chapter 7088.1100, subp. 84 shall have a three (3) foot vertical separation between the bottom soil infiltrative surface and the periodically saturated soil and/or bedrock. Existing systems that have no more than a fifteen (15) percent reduction in this separation distance (a separation distance no less than 30.6 inches) to account for settling of sand or soil, normal variation of separation distance measurements, and interpretation of limiting layer characteristics shall be considered compliant under this Ordinance. The vertical separation measurement shall be made outside the area of system influence but in an area of similar soil.

SUBDIVISION 6. MANAGEMENT PLANS

- 6.10 SSTS REQUIRING MANAGEMENT PLANS.** The purpose of management plans is to describe how a particular SSTS is intended to be operated and maintained to sustain the required performance. Management plans are required for all new or replacement SSTS. The plan is to be provided by a certified designer to the system owner when the SSTS has been designed and submitted to the Department for a SSTS Construction Permit. The management plan shall be submitted to the Department with the construction permit application for review and approval. The Department shall be notified of any system modifications made during construction and the management plan revised and resubmitted at the time of final construction certification.
- 6.20 REQUIRED CONTENTS OF MANAGEMENT PLAN.** Management plans shall include:
- A Operating requirements describing the tasks that the owner can perform and tasks that a licensed service provider or maintainer must perform;
 - B Monitoring requirements;
 - C Maintenance requirements including maintenance procedures and a schedule for routine maintenance;
 - D Statement that the owner is required to notify the Department when management plan requirements are not being met;
 - E Disclosure of the location and condition of the additional soil treatment and dispersal area on the owner's property or a property serving the owner's residence;
 - F Other requirements as determined by the Department.
- 6.30 MAINTENANCE.** SSTS that are not operated under a management plan or operating permit must have treatment tanks inspected and provide for the removal of solids if needed every three (3) years. Solids must be removed when their accumulation meet the limit described in Minnesota Rules, Chapter 7080.2450.

SUBDIVISION 7. OPERATING PERMITS

- 7.10 SSTS REQUIRING AN OPERATING PERMIT.** An Operating Permit shall be required of all owners of new Type IV and Type V SSTS, MSTs, or any other system deemed by the Department to require operational oversight. Sewage shall not be discharged to these systems until the Department certifies that the SSTS was installed in substantial conformance with the approved plans, receives the final record drawings of the system, and a valid Operating Permit has been issued to the owner. *(AS AMENDED 20 May 2019)*
- 7.20 PERMIT APPLICATION REQUIREMENTS.**
- A Application for an Operating Permit shall be made on a form provided by the Department and shall include the following information:
- 1 Property owner name, mailing address, and telephone number;
 - 2 SSTS Construction Permit reference number and date of issue;
 - 3 Final as-built drawing of the SSTS;
 - 5 Payment of application fee.
- B Owners of holding tanks shall provide to the Department a copy of a pumping agreement or contract with a licensed maintainer, which guarantees the removal of the holding tank contents in a timely manner that prevents an illegal discharge in accordance with Minnesota Rules, Chapter 7082.0100, Subp. 3G. This requirement is waived if the owner is a farmer who is exempt from licensing under Minnesota Statutes, Section 115.56, Subdivision 2, paragraph (b), clause (3).
- 7.30 DEPARTMENT RESPONSE.** The department shall review the record drawings, operation and maintenance manual, management plan, maintenance service contract, and any other pertinent documents as appropriate for accuracy and completeness. If any deficiencies are identified, the operating permit shall be denied until the deficiencies are corrected to the satisfaction of the Department. If the submitted documents fulfill the requirements, the Department shall issue an operating permit.
- 7.40 TERMS AND CONDITIONS.** The Operating Permit may not be transferred. The permit shall include the following system performance requirements.
- A System operating requirements;
- B Monitoring locations, procedures, and recording requirements;
- C Maintenance requirements and schedules;
- D Compliance limits and boundaries;
- E Reporting requirements;
- F Department notification requirements for non-compliant conditions;
- G Disclosure, location, and condition of acceptable soil treatment and dispersal system site;
- H Descriptions of acceptable and prohibited discharges.
- 7.50 PERMIT EXPIRATION AND RENEWAL.**
- A Operating Permits shall be valid for the specific term stated on the permit as determined by the Department;
- B An Operating Permit must be renewed prior to expiration. If not renewed, the

Department may require the system to be removed from service or operated as a holding tank until the permit is renewed. If not renewed within ninety (90) calendar days of the expiration date, the Department may require that the system be abandoned in accordance with Minnesota Rules, Chapter 7080.2500;

- C The Department shall notify the holder of an operating permit at least ninety (90) calendar days prior to expiration of the permit. The owner must apply for renewal at least thirty (30) calendar days before the expiration date.
- D Application for renewal shall be made on a form provided by the Department including:
 - 1 Applicant name, mailing address, and phone number;
 - 2 Reference number of previous owner's operating permit;
 - 3 Any and all outstanding compliance monitoring reports as required by the Operating Permit;
 - 4 Certified treatment system inspection signed by a certified designer, maintenance contractor, or operator at the discretion of the Department;
 - 5 Any revision made to the operation and maintenance manual;
 - 6 Payment of application fee as determined by the Department.

7.60 AMENDMENTS TO EXISTING PERMITS ALLOWED. The Department may amend existing Operating Permits as deemed necessary for the protection of public health, safety, and welfare, or to reflect operational realities not evident at the time of permit issuance.

7.70 SUSPENSION OR REVOCATION.

- A The Department may suspend or revoke any Operating Permit issued under this section for any false statements or misrepresentations of facts on which the Operating Permit was issued.
- B Notice of suspension or revocation and the reasons for the revocation shall be conveyed in writing to the owner.
- C If suspended or revoked, the Department may require that the treatment system be removed from service, operated as a holding tank, or abandoned in accordance with Minnesota Rules, Chapter 7080.2500.
- D At the Departments discretion, the Operating Permit may be reinstated or renewed upon the owner taking appropriate corrective actions.

7.80 COMPLIANCE MONITORING.

- A Performance monitoring of an SSTS shall be performed by a licensed inspection business or licensed service provider hired by the holder of the Operating Permit in accordance with the monitoring frequency and parameters stipulated in the permit.
- B A monitoring report shall be prepared and certified by a licensed inspection business or service provider. The report shall be submitted to the Department on or before the compliance reporting date stipulated in the Operating Permit. The report shall contain a description of all maintenance and servicing activities performed since the last compliance monitoring report as described below:

- 1 Owner name and address;
- 2 Operating Permit number;
- 3 Average daily flow since last compliance monitoring report;
- 4 Description of maintenance and date performed;
- 5 Description of samples taken (if required), analytical laboratory used, and results of analyses;
- 6 Problems noted with the system and actions proposed to correct them;
- 7 Name, signature, and license number of the licensed professional who performed the work.

SUBDIVISION 8. LAND SPREADING OF SEPTAGE

8.10 SEPTAGE TREATMENT AND DISPOSAL. All septage disposal sites shall be approved by the Department prior to use. The applicant shall submit a map and legal description of the locations of all septage disposal areas or spreading areas in current use or intended for future use. A disposal area used one time within a one year period for disposal of septage generated on the same premises need not be included on this list.

8.20 SEPARATION REQUIREMENTS FOR LAND APPLICATION OF SEPTAGE. Domestic septage disposal and treatment standards shall comply with U.S. EPA rules as found in 40 CFR part 503 entitled “Standard for the Use or Disposal of Sewage Sludge,” *(AS AMENDED 20 May 2019)*

A **Land Spreading Location** - The land spreading site shall be located such that the following minimum separation distances are maintained.

Feature	Minimum Setback
Private Water Well	200 Feet
Municipal Well	1000 Feet
Occupied Residential Structure*	600 Feet
Residential Districts, Commercial Developments, Recreational Areas	600 Feet
Property lines	25 Feet
Public Road Right-of-Ways	50 Feet
Lakes	1000 Feet
Rivers Streams	500

*May be reduced to 200 feet with written approval from occupant.

The following separation distances from sinkholes, wetlands, intermittent streams, tile inlets, and agricultural drainage ditches must be observed.

% Slope	May to October		November to April
	<i>Injected/Incorporated</i>	<i>Surface Applied</i>	<i>Surface Applied</i>
0-2	150	300	600
2-6	300	600	Not Allowed
6-12	300	Not Allowed	Not Allowed

***Surface application of septage on frozen soils is prohibited unless slopes are 2% or less.**

- B Soil Suitability** - It is the responsibility of the licensed maintainer to determine if a site has soils suitable for land application of septage. Soils are considered suitable if the following conditions are met:

Characteristic	Minimum Requirement
Soil Texture	At the zone of septage application (surface horizon or injection depth) the soil texture must be one of the following: fine sand, loamy sand, sandy loam, loam, silt, silt loam, sandy clay loam, clay loam, sandy clay, silty clay loam, silty clay, or clay
Surface horizon permeability	If 0.2 inches/hour or less, this soil is suitable only for surface application with incorporation within 48 hours of injection
Depth to bedrock	3 feet
Depth to seasonally saturated soil	3 feet
Frequency of flooding	Must not be occasional or frequent

- C Pathogen Control and Vector Attraction Reduction** – One of the following options for vector attraction reduction must be met when septage is land applied:
- 1 Injection – Septage must be injected into the soil. No significant amount of septage can be present on the soil surface within one hour after injection has taken place.
 - 2 Immediate Incorporation - Septage must be incorporated by tillage within 6 hours after surface application.
 - 3 Lime Stabilization – The pH of the septage must be raised to 12.0 or higher by alkali addition and without the addition of more alkali must remain at 12.0 or higher for 30 minutes.
- D General Site Management** - The following general site management practices must be followed:
- 1 Application of septage is not allowed on areas of a site ponded with water or septage.
 - 2 Septage cannot be applied by spraying from public roads or across road right of ways without the approval of the local road authority. *(AS AMENDED 20 May 2019)*

- 3 The application area must be clearly identified with flags, stakes, or other easily seen markers at the time of application to identify the site boundaries, separation distances, and unsuitable application areas within the site. Where site boundaries can be identified by field roads, fences, or other natural markers etc., identification is not necessary.
- 4 All septage that is land applied must be uniformly distributed over the area of the site used during application.
- 5 A distribution device (splash plate or spreader) is required on the application vehicle so that even application of septage is possible and application rate limits can be met.
- 6 Measures must be taken to ensure that septage remains where it was applied and does not run off and concentrate in low areas of the field or run off the site.
- 7 The application vehicle must be moving at all times during application.
- 8 Winter applications cannot occur unless measures are taken that allow septage to be applied evenly over the application area. This generally means that fields must be plowed or cleared of snow in some way.

8.30 SEPTAGE STORAGE AT A CENTRALIZED LOCATION. Licensed maintenance businesses may store septage until weather and soil conditions are more favorable for the land application of septage, providing the following conditions are met:

- A Limit of 50,000 gallons of septage storage.
- B Storage is limited to the Non-Intensive Agriculture (A-1) and Agricultural Protection (A-2) Zones.
- C SSTS construction permit and operating permit are required.
- D Storage conducted by MPCA –licensed SSTS maintenance business.
- E Tanks and facility must meet requirements for holding tanks following MPCA requirements.
- F If a maintenance business seeks storage on more than one site, the MPCA permit threshold will be evaluated based on the provision of Minnesota Rules, Chapter 7081.0040, subp. 1(B).
- G Tanks must have a 100' setback to property lines.

SUBDIVISION 9. VARIANCES

- 9.10 Variance Request.** An affected property owner may request a variance from standards as specified in Minnesota Rules, Chapter 7081. Administrative procedures for processing variances shall be pursuant to Pope County Land Use Controls Ordinance. Variances to well and water supply lines require approval from the Minnesota Department of Health.
- 9.20 Administrative Action.** The Zoning Administrator or Authorized Representative may administratively adjust property line setbacks, building setbacks, and setbacks from the Ordinary High Water Level of public waters for any SSTS component as deemed necessary where it is determined that the adjustment will not harm the surface and groundwaters of the State, injure the public health, safety, and general welfare, or adversely impact the owners of adjacent property.

SUBDIVISION 10. VIOLATIONS AND ENFORCEMENT

- 10.10 Criminal Penalties.** Any person, firm, agent, corporation, or other entity who violates any of the provisions of this Ordinance or who fails, neglects, or refuses to comply with the provisions of this Ordinance including violations of conditions and safeguards, who knowingly makes any material false statement or knowing omission in any document required to be submitted under the provisions hereof, or violates a cease and desist order, shall be guilty of a misdemeanor, punishable by imprisonment or a fine or both as defined by law. Each day that a violation exists may constitute a separate offense.
- 10.20 Civil Judicial Enforcement Actions.** In the event of a violation or threatened violation of this Ordinance, the County may, in addition to other remedies, initiate appropriate civil action or proceedings to prevent, prosecute, restrain, correct, or abate such violations or threatened violations and the County Attorney shall have authority to commence such civil action. The Department and County Attorney may take such actions as may be necessary to enforce the provisions of this ordinance.
- To enforce this Ordinance, the Department or its authorized agent may enter a building, property, or a place where there is reason to suspect that a system is failing to protect groundwater or an imminent threat to public health and safety.
- 10.30 State Notification of Violations.** Any inspection, installation, design, construction, alteration, or repair of an SSTS by a licensed person or any pumping and disposal of septage by a licensed maintainer or hauler done in violation of the provisions of this ordinance shall be cause for notification in the form of a license complaint to the Commissioner of the Minnesota Pollution Control Agency.

10.40 Cease and Desist Orders. Cease and Desist orders may be issued when the Department has probable cause to believe that a condition in violation of any provision of this ordinance exists or an activity regulated by this or any other County Ordinance is being or has been conducted without a permit or in violation of a permit or any provision of this ordinance. The cease and desist order may include, without limitation, an order to stop work. When a cease and desist order is issued such activity or work shall cease immediately and not resume until the reasons for the order have been satisfied, any condition which violates this ordinance has been corrected, any administrative fees paid, and the cease and desist order is vacated by order of the Department.

10.50 Notice of Violation. Unresolved and either separate, recurrent, or continuing violations of this ordinance by an applicant permittee, installer or other person, as determined by inspections, re-inspections, or investigations shall constitute nonconformance or noncompliance with this ordinance.

The Department shall serve, in person or by certified mail, a notice of violation to any person determined to be violating provisions of this Ordinance. The notice of violation shall contain:

- A A statement documenting the findings of fact determined through observations, inspections, or investigations;
- B A list of specific violation(s) of this Ordinance;
- C The specific requirements for correction or removal of the specified violation(s);
- D A mandatory time schedule for correction, removal, and compliance with this ordinance; and
- E Specific enforcement actions that will be taken if corrective action is not completed.

10.60 Property Owner Responsibility. All costs associated with the repair, replacement, or abandonment of a failing/noncompliant SSTS shall be the responsibility of the property owner or as otherwise provided for in a written, notarized agreement between two parties.

10.70 Abatement Costs and Reimbursements. If the County is required to remove or abate an imminent threat to public health or safety, the County may recover all costs incurred in removal or abatement, including legal fees. At the discretion of the County Board, the cost of an enforcement action under this ordinance may be assessed and charged against the real property on which the public health nuisance was located. The County Auditor shall extend the cost as assessed and charged on the tax roll against said real property.

SUBDIVISION 11. VALIDITY

Should a court of competent jurisdiction declare any part of this ordinance to be invalid, such decision shall not affect the validity of the remainder.

SUBDIVISION 12. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its date of adoption or amendment by the Pope County Board of Commissioners and after publication according to law.

NOW THEREFORE, BE IT RESOLVED that a revision to the Pope County Land Use Controls Ordinance as amended is hereby adopted.

IT IS ORDERED, by the Board of County Commissioners that a full, true, and correct copy of this ordinance shall be certified to the County Auditor who shall forthwith file for record such certified copy in the office of the Recorder for Pope County, Minnesota. Such ordinance shall be a public record and available for inspection at reasonable times in the office of the Recorder.

POPE COUNTY BOARD OF COMMISSIONERS:

Cody Rogahn, Chair

[Signature]

[Signature]

[Signature]

[Signature]

ATTEST: [Signature], County Coordinator

CERTIFICATE OF COUNTY AUDITOR

The undersigned duly qualified and acting County Auditor of the County of Pope, Minnesota, does hereby certify that the attached resolution declaring the adoption of a Subsurface Sewage Treatment System Ordinance as amended for Pope County, Minnesota, as regularly adopted at a legally convened meeting of the County Board of Commissioners duly held on the 6th day of May, 2014, and further, that such resolution has been fully recorded in the minutes of the Commissioner's proceedings in my office.

In witness whereof, I have hereunto set my hand and official seal this 6th day of MAY, 2014.

SEAL [Signature], Pope County Auditor

