

The Pope County, Minnesota, Board of County Commissioners ordains:

SECTION 1. GENERAL PROVISIONS

1.1 TITLE:

This Ordinance, from the date of its passage, shall be known as the LAND USE CONTROLS ORDINANCE, Pope County, Minnesota.

1.2 PURPOSE:

The purpose of this ordinance is to regulate the use and development of the unincorporated areas of Pope County, and in furtherance of the following described policy: The unplanned and unguided use and development of the unincorporated areas of Pope County and the uncontrolled use of shorelands of Pope County, Minnesota, each affect the public health, safety and general welfare by fostering conflicts resulting from incompatible uses, by contributing to pollution of public waters, and by impairing the local tax base. Therefore, it is in the best interests of the public health, safety, and welfare to provide for the wise use and development of all land situated in the unincorporated areas of the county including all shorelands of public waters. The Legislature of Minnesota has delegated responsibility to the counties of the state to regulate the subdivision, use and development of the shorelands of public waters located in unincorporated areas and thus preserve and enhance the quality of surface waters, preserve the economic and natural environmental values of shorelands, and provide for the wise utilization of waters and related land resources. The Legislature has also authorized the county to engage in land use planning activities and to adopt official controls over the use of her lands as needed to promote the general health, safety and welfare of her citizens. These responsibilities are hereby recognized by Pope County, Minnesota.

1.3 LEGAL AUTHORITY:

This land use controls ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 105, Minnesota Rules, Parts 6120.2500-6120.3900, Minnesota Rules Chapter 7020, Minnesota Statutes (1997) Section 116.07 Subdivision 7, the public health nuisance abatement authority found in Minnesota Statutes (1998) Section 145A.05, and the planning and zoning enabling legislation in Minnesota Statutes (1998), Chapter 394.

1.4 COMPLIANCE:

The use of all land situated within the unincorporated areas of this county; the size and shape of lots; the use, size, type and location of structures on lots; the installation and maintenance of waste treatment systems, the grading and filling of any shoreland area; the cutting of shoreland vegetation; the subdivision of land; and all other uses of land regulated by this ordinance shall be in full compliance with the terms of this ordinance, any permit issued pursuant to this ordinance, and other applicable regulations. It shall be equally the duty of the landowner and the contractor to make certain that proper permits as required by this ordinance are obtained and that construction and related activity takes place in compliance with the permit as issued.

1.5 JURISDICTION:

The jurisdiction of this Ordinance shall apply to all land in Pope County, except land located within any city, including a city operating under a home rule charter. The jurisdiction of this Ordinance, or parts thereof, may extend into the boundaries of any city or city operating under a home rule charter if the city or city operating under a home rule charter chooses to come under the jurisdiction of this Ordinance.