

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

RESOLUTION NO. 2016-104

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-159 BY TITLE
AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-159, an ordinance to amend Title V: Chapter 51 of the Lake Elmo City Code of Ordinances Regarding Subsurface Sewage Treatment Systems.

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-159 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-159, which amends Title V: Chapter 51 of the Lake Elmo City Code of Ordinances regarding Subsurface Sewage Treatment Systems, adopting Washington County's bringing it in to compliance with County and State rules by amending the following:

- Specifies that mound systems are not allowed for new collector systems in the OP Open Space Preservation District except to replace existing non-compliant systems.
- Removes language that requires sewage tanks be pumped or inspected by a licensed septic pumper, or inspected by a state-certified septic inspector every 2 years and that a report be submitted to the permitting authority by the pumper or inspector, as this is preempted by State Statute 115.55 Subp. 5 (c).
- Removes language regulating operation and maintenance of OP Wastewater Treatment Systems, as this is redundant with a provision in the County Ordinance.
- Removes language requiring subsurface sewage treatment systems serving two or more properties be designed by a registered professional engineer in the State of Minnesota, as this is prohibited by MN Rules 7082.00100 Subp. 3 Item A.
- Further clarifies variance procedures.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: December 6, 2016

Mayor Mike Pearson

ATTEST:

Julie Johnson, City Clerk

(SEAL)