

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

ORDINANCE NO. 08-029

**AN ORDINANCE AMENDING THE INDIVIDUAL AND COMMUNITY
WASTE WATER TREATMENT SYSTEMS REGULATIONS AND
ADOPTING THE WASHINGTON COUNTY SUBSURFACE SEWAGE
TREATMENT ORDINANCE BY REFERENCE**

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title V: Public Works; Chapter 51: Individual and Community Waste Water Treatment Systems, Sections 51.001 through 51.007 are amended to read as follows:

**SUBSURFACE SEWAGE TREATMENT SYSTEMS
§ 51.001 INTENT AND PURPOSE.**

(A) This article is adopted for the purpose of protecting the health, safety and welfare of the residents of the City through regulating the location, design, installation, use and maintenance of individual sewage treatment systems so as to prevent contamination of surface waters and groundwaters.

**§ 51.002 . ADOPTION OF COUNTY SUBSURFACE SEWAGE TREATMENT SYSTEM
ORDINANCE**

(A) Chapter 4 of the Washington County Development Code entitled "Subsurface Sewage Treatment Systems Regulations" as amended is hereby adopted by reference in its entirety as if herein printed in full.

§ 51.003 EXCEPTIONS TO COUNTY ORDINANCE

(A) The following provisions are adopted separately from the Ordinance reference in the preceding Section and are more restricting than the Chapter 4 of the Washington County Development Code:

(1) Washington County Development Code Chapter 4; Section 6 – Permits:

(a) Mound systems are not allowed for collector systems in the OP Open Space Preservation District.

(2) Washington County Development Code Chapter 4; Section 22 – Maintenance:.

(b) Sewage tanks shall be pumped or inspected by a licensed septic pumper, or inspected by a state-certified septic inspector every 2 years. A pumping and/or inspection report shall be submitted to the permitting authority by the pumper or inspector.

(B) OP Waste Water Treatment Systems.

(1) Collector systems in the O.P. zone shall be operated and maintained by a business licensed as a Service Provider in accordance with Minnesota Rules 7083. An operation and maintenance plan shall be prepared by the developer prior to final plat approval. The homeowners association shall be responsible for implementing this plan. Included in this plan shall be both ground water monitoring, and visual inspections. Biannual reports shall be prepared by an the Service Provider and submitted to the permitting authority.

(C) Systems Serving Multiple Properties.

(1) Any SSTS system serving two or more properties shall be designed by a registered professional engineer in the State of Minnesota in addition to having all other necessary certifications and licenses required by Minnesota Rules, Chapter 7083, including the collection component of the shared system, or any component of the system that is located within an asset of the City

§ 51.003 GENERALLY.

(A) General requirements- Community Treatment Systems

(1) Lawful connections to community sewage treatment systems. New connections will be allowed, with city permit, according to the following conditions.

(a) Where an existing individual sewage treatment system is failing and where the property in question is near the community sewage treatment system, a new connection may be permitted if capacity is available in all components of the community sewage treatment system.

(b) New connection to a community sewage treatment system will not be permitted for new construction, unless the previous structure on which the new construction occurs was previously connected to the existing community sewage treatment system.

(Am. Ord. 97-105, passed 4-2-2002)

(c) The fee for new connections shall be evaluated on a case by case basis. In general the new user shall pay all costs to connect to the system, plus a charge to pay for previously built drainfield areas.

(d) No person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any community sewage treatment system or appurtenance of the system without first obtaining a written permit from the city.

(1997 Code, § 700.04) Penalty, see § 10.99

§ 51.004 ADMINISTRATION.

(A) Board of Adjustment and Appeals.

(1) (a) An aggrieved party may appeal a decision by the permitting authority regarding the interpretation or application of the provisions of §§ 51.001 et seq.

(b) Appeals shall be reviewed and determined by the city's Board of Adjustment and Appeals.

(2) Request for variances to the provisions of §§ 51.001 et seq. shall be reviewed pursuant to the procedures and standards contained in the zoning code.

(Am. Ord. 97-124, passed 11-18-2003)

SECTION 2. Effective Date

This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

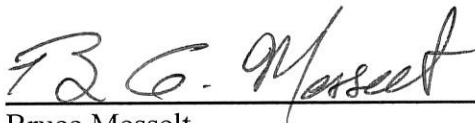
SECTION 3. Adoption Date

This Ordinance No. 08-029 was adopted on this 21st day of September 2010, by a vote of 5 Ayes and 0 Nays.



Mayor Dean Johnston

ATTEST:



Bruce Messelt
City Administrator

This Ordinance No 08-029 was published on the th16 day of November, 2010