

STATE OF MINNESOTA  
COUNTY OF WASHINGTON  
CITY OF LAKE ELMO

ORDINANCE NO. 8151

AN ORDINANCE RELATING TO INDIVIDUAL  
AND COMMUNITY SEWER SYSTEMS.

The Lake Elmo City Council ordains that Sections 700.01, 700.02, 700.02 Subdivisions 1 through 4, 700.03, 700.03 Subdivision 1., 700.03 Subdivision 1(F) and 700.05 Subdivision 1(C) of the Lake Elmo City Code are hereby amended; and Section 700.04 Subdivision 2(C) and its subdivisions are hereby added to the Lake Elmo City Code to read as follows:

700.01. Title. This Chapter 700 shall be known, cited and referred to as the Lake Elmo Sewage Treatment System Regulation.

700.02. Intent and Purpose. The purpose of the Lake Elmo Sewage Treatment System Regulations are as follows:

1. to protect the health, safety and welfare of the residents of the City;
2. to regulate the location, design, installation, use and maintenance of individual and community sewage treatment systems so as to prevent contamination of the surface and ground water within the City;
3. to protect the individual water supply wells of the City from contamination by inadequate, improperly designed, located, installed or maintained individual and community sewage treatment systems; and
4. to provide for the orderly development of the rural areas of the City which are not served or planned to be served by central public waste treatment facilities so as to preclude the installation of a central public system.

700.03. Minnesota Rules Adopted. Except as hereinafter provided, Chapter 7080 Minnesota Rules 1996 (MR 7080), as amended from time to time, are hereby adopted and shall apply to individual and community sewage treatment systems within the City of Lake Elmo; and, where appropriate to the context, the term "agency" as used in MR 7080 shall mean "City Council".

1. Exceptions. The following regulations shall supersede the provisions of MR 7080 as applied within the City of Lake Elmo:
  - A. Sewage Tank Size. All sewage tanks shall be designed assuming that the home or building has a garbage disposal.
  - B. Sewage Tank Access. Maintenance holes shall be left at finished grade. Lids shall be secured to prevent unauthorized access. A 75 pound lid shall be considered secure.
  - C. Mound Systems. Mound systems are not allowed as the first disposal system on any lot. Mound systems may be used as a replacement to a failed system. Mound systems are not allowed for collector systems in the OP Zone.
  - D. Collector Systems. Collector systems in the OP Zone with design flows greater than 1500 gallons per day shall be evaluated, designed, constructed, and maintained in accordance with the High Rate Soil Absorption System Task Force Final Report, dated November 1, 1984, by the Minnesota Pollution Control Agency, or its latest edition thereto.
  - E. Maintenance. Sewage tanks shall be pumped at a minimum every two years. A pumping report shall be submitted to the City by the pumper. The City will furnish report forms.
  - F. General. Collector systems in the OP Zone shall be operated and maintained by the homeowners association. An operation and maintenance plan (OMP) shall be prepared by the developer prior to final plat approval. The homeowners association shall be responsible for implementing the OMP. Included in the OMP shall be both ground water monitoring and visual inspections. Biannual reports shall be prepared by an ISTS Professional or Engineer and submitted to the City.

700.04 Subd. 2(C). Maintenance of Septic Tanks. Each septic tank installed under these regulations as well as all existing septic tanks shall be maintained in proper operating condition at all times.

1. The owner of each septic tank shall be responsible for an annual maintenance inspection of the tank.

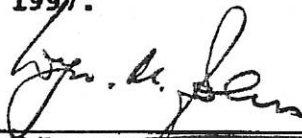
2. Accumulated septage shall be removed from each tank prior to the time when the sludge layer reaches a point 12 inches below the bottom of the outlet baffle or when the bottom of the scum layer reaches a point 3 inches above the bottom of the outlet baffle.
3. Pumping or removal of septage from septic tanks shall be performed only by persons licensed by the City. Septic tanks which are equipped with a manhole shall be pumped through the manhole access by removing the manhole cover and shall not be pumped through an inspection pipe.
4. Disposal of septage shall be only at approved disposal sites or facilities. Dumping or spreading of septage on the surface of the ground is prohibited except where surface disposal sites have been specifically approved.
5. The Zoning Administrator shall maintain appropriate records of septage pumping and disposal activities and may require reporting by licensees as is reasonable and necessary to insure that adequate maintenance and disposal is being accomplished.
6. In any instance where it is determined that maintenance practices or procedures are inadequate or improper, the Zoning Administrator shall require the owner to comply with the provisions of this section within thirty (30) days of notice served upon the owner.

700.05 Subdivision 1(C). Appeals/Variance Procedure. The Lake Elmo City Council shall hear appeals from orders, decisions or determinations made by the Zoning Administrator regarding the enforcement of the Lake Elmo Sewage Treatment Regulations; and requests for variances to the provisions of the Lake Elmo Sewage Treatment Regulations. The City Council may not grant a variance to the provisions of the Lake Elmo Sewage Treatment Regulations unless the applicant satisfies the variance standards contained in MR 7080.

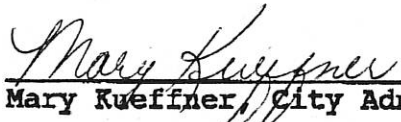
The Lake Elmo City Council hereby repeals Section 700.05, Subd. 1(C) 1 through 3.

Effective Date. This ordinance shall be effective the day following its publication.

Adoption Date. Passed by the City Council of the City of Lake Elmo  
the 21st day of January, 1997.

  
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Wyn John, Mayor

ATTEST:

  
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Mary Rueffner, City Administrator

Publication Date. This Ordinance or an approved Summary thereof  
was published on the 24th of January, 1997.

b/ord/LEORD25