

ORDINANCE NO. 23-02
AN ORDINANCE AMENDING THE LAND USE ORDINANCE
AS IT RELATES TO THE SANITARY AND SUBSURFACE SEWAGE
TREATMENT SYSTEMS – TECHNICAL STANDARDS AND CRITERIA
CITY OF EMILY
COUNTY OF CROW WING, STATE OF MINNESOTA

The City Council of the City of Emily does ordain as follows:

Section 1. Purpose and Intent. The purpose and intent of this Ordinance is to amend the Emily Land Use Ordinance by modifying Section 152.075 “Sanitary and Subsurface Sewage Treatment Systems – Technical Standards and Criteria” to modify inspection requirements to meet state standards.

Section 2. Amendments. 152.075 “Sanitary and Subsurface Sewage Treatment Systems – Technical Standards and Criteria” shall be amended to include the following highlighted language and remove the following strikethrough language:

§ 152.075 SANITARY AND SUBSURFACE SEWAGE TREATMENT SYSTEMS - TECHNICAL STANDARDS AND CRITERIA.

(X) *Compliance inspection program.*

(1) Compliance inspections shall be required when any of the following conditions occur:

- (a) When applying for a land use permit, shoreline alteration permit, minor subdivision, plat, land use map amendment, conditional use permit or variance and the certificate of installation is more than five years old or the certificate of compliance is more than three years old.
- (b) Within 90 days of conveyance of any real property and the certificate of installation is more than five years old or the certificate of compliance is more than three years old.
- (c) Any time there is a change in use of the property being served by an existing SSTS, which may impact the performance of the system.
- (d) At any time as required by this section or the Zoning Administrator deems appropriate, such as, upon receipt of a complaint or other notice of a system malfunction.
- (e) All owners of sewage treatment systems shall have the system inspected, consistent with state guidelines, once each ~~five~~ **three** years by a certified sewage system inspector.

- 1. The person inspecting the system shall determine if the system meets the compliance criteria contained in Minn. Rules, Part 7080.1500.
- 2. The person inspecting the system shall provide the city with a statement that the system is in good working order, or specifying any defects discovered

and the date such defects were/will be corrected. The form shall also indicate if and when the septic tank was pumped.

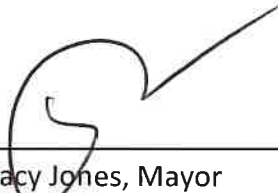
~~3. The Zoning Administrator shall maintain a file by legal description and shall notify any delinquent property owner when six months have elapsed beyond the required five-year period.~~

4.3. The Zoning Administrator, or assistant, shall have the authority to verify the inspections and/or conduct inspections on behalf of the city.

Section 19. Repeal. This ordinance shall supersede and repeal all ordinances or policies inconsistent herewith.

Section 20. Effective Date. This ordinance shall become effective upon its passage and publication as provided by law.

Passed by the City of Emily Council this 14th day of February, 2023, by a 5/5ths vote.



Tracy Jones, Mayor

Attest: 

Cari Johnson, City Clerk/Treasurer