

AN ORDINANCE RELATING TO THE CLEANING OF AND DISPOSAL OF SEPTAGE FROM INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

Section 1 - DEFINITIONS

BOARD shall mean the Crow Wing County Board of Commissioners.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM shall mean a sewage disposal system, other than a public system, which receives either human excreta or liquid waste, or both, from one premise. Included within the scope of this definition are septic tank - soil absorption systems, privies, chemical type toilets, and any other device that is designed to receive and dispose of sewage or human excreta from one system.

PERSON shall mean any individual, partnership, firm, public or private corporation, association, subdivision or agency of the State or any other legal entity.

SEPTAGE shall mean any water-carried waste, exclusive of footing and roof drainage, of any residence or residences, industry or commercial establishment, whether treated or untreated, and includes the liquid wastes produced by bathing, laundry and culinary operation, and from toilets and floor drains.

TRADESMEN: Any person engaged in the business of pumping, cleaning & disposing of septage from individual sewage disposal systems.

Section 2 - BUSINESS LICENSE

A - No person shall engage in or carry on the business of cleaning and removing sewage from on-site sewage disposal systems within the unincorporated areas within Crow Wing County or any municipality under contract with Crow Wing County, unless duly licensed as hereinafter provided.

B - Each person engaged in the business of cleaning and removing sewage from on-site sewage disposal systems shall file an application with the Zoning Administrator. The application shall state the nature of the business, the post office address at or from which the business is to be continued. If the applicant shall operate a branch or other places of business, the application shall so state. The application shall state any additional information as the Zoning Administrator may require, pertaining to the sewage pumping & cleaning business.

C - Application for such license shall be made annually on or before January 2 on a form furnished by the Planning & Zoning Office. The application shall be accompanied by the license fee which shall be an annual fee as set by the County Board. Licenses shall expire each December 31 next following the date of issue.

D - If the Zoning Administrator, after such investigation as he deems necessary, is satisfied that the applicant has the qualifications, experience, reputation and equipment to perform the services in a manner not detrimental to public health or the environment, he shall issue a license for the said business. Such license may be refused or revoked by the Zoning Administrator for cause. Any act by a licensee in violation of the provisions of this Ordinance or the Crow Wing County Zoning Ordinance shall be cause for revocation or of refusal to renew a license. Before any license is revoked or refused, the licensee may request a review of any activity which is assumed to be a violation before a panel of two (2) tradesmen and two (2) staff people from the Office of Planning & Zoning in order to review any pertinent information so as to comment & present same to Crow Wing County Board of Commissioners. The licensee shall be given a hearing before the Crow Wing Board of Commissioners to show cause why such license should not be revoked or refused. Notice of the time, place and purpose of such hearing shall be in writing to the holder of the license under challenge.

#### Section 3 - VEHICLE IDENTIFICATION

All trucks or other vehicles used to transport sewage from on-site sewage disposal systems in Crow Wing County shall have the business name lettered in at least 6" high letters on each truck or other vehicle.

#### Section 4 - OPERATION REQUIREMENTS

A - Any tank vehicle or related apparatus used for removing and transporting sewage from on-site shall be maintained and operated in such a manner so to avoid emission of offensive odors or the spilling or loss of any sewage.

B - Sewage removed from individual sewage disposal systems shall be disposed of in such a manner so as not to create a nuisance or a menace to public

health. Unless otherwise authorized by the Zoning Administrator in writing said sewage shall be disposed of by one of the following methods:

1. Into a municipal sewage disposal system.
2. At a land disposal site that is Zoned Agricultural or Green Space and that is at least:

- 200 feet from any water well
- 100 feet from any public road right-of-way.
- 600 feet from any individual dwelling
- $\frac{1}{4}$  mile from any residential areas
- 25 feet from any property lines

AND FROM SURFACE WATERS THE DISTANCES SHALL BE AT LEAST:

<u>FEET</u>	<u>SLOPE</u>	<u>SOIL TEXTURE</u>	<u>APPLICATION DATE</u>
200	0 - 6%	Course	May - October
400	0 - 6%	Course	Nov.- April
300	0 - 6%	Medium & Fine	May - October
600	0 - 6%	Medium & Fine	Nov.- April

With slope of over 6 %, no disposal without runoff retention terraces or berms at any time of the year.

AND FROM GROUND WATER AND BEDROCK THE DISTANCES SHALL BE AT LEAST:

- 8 feet when soil texture is course
- 4 feet when soil texture is medium & fine

Separation distances from surface waters may be reduced to 150 feet wherever the site is adequately enclosed by diking to retain runoff. Course textured soils include sands & loamy soils; medium textured soils include sandy loams, loams and silt loams; and fine textured soils include clay loams and clays.

Septage should not be applied within a 10 - year flood plain, on soils classified as course sands or gravels, or on peat or muck soils which are not adequately drained.

#### C - Application practices

Septage application should be managed such that ponding and runoff of septage liquid is avoided. Tank Trucks should be equipped with deflector or splash plates or other appropriate equipment to promote a uniform application. Sufficient time should be allowed between successive application to an area to allow thorough drying of previously applied septage.

Application site should be tilled as necessary to prevent formation of nuisance conditions or an excessive accumulation of septage solids on the surface.

Septage should not be applied by spray or other methods which produce aerosols wherever such aerosols will migrate from the application site.

D - Annual application rate

The quantity of septage applied to a site each year should not exceed 15,000 gallons per acre unless practices involving greater rates have been reviewed and approved by the Crow Wing County Zoning Office.

E - Use of county tax-forfeited lands for septage disposal shall be with permission of Crow Wing County Board of Commissioners only.

F - Persons duly licensed to service and clean individual sewage disposal systems shall keep an accurate record of the following:

1. Names and address of each person receiving services & type of services rendered.
2. The dates when services were received.
3. The location and method of disposal.

Section 5 - ENFORCEMENT

Whenever the Zoning Administrator has reason to believe that a violation of any provision of this regulation has occurred, he may cause written notice to be served upon the alleged violator or violators. The notice shall either be personally delivered by the Zoning Office or served by mail to the last known address of the violator or violators. The notice shall specify the provision of the regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may order that the necessary corrective action be taken within a reasonable time. Any such notice shall become final unless, no later than ten (10) calendar days after the date such notice is served, the person or persons named therein request in writing a hearing before the Crow Wing County Board of Commissioners.

Section 6 - HEARINGS

Hearings provided for in this Ordinance shall be conducted by the Crow Wing County Board of Commissioners at a time and place designated by it. Based upon the record of such hearing, the Crow Wing County Board shall make a finding and shall sustain, modify, or rescind any official notice or order considered in the hearing.

Section 7 - SEPARABILITY CLAUSE

Should any section, subsection, sentence, clause or phrase of this regulation be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this regulation in its entirety or any part thereof other than that so declared to be invalid.

Section 8 - PENALTY

Any person who shall violate any provision of this regulation shall, upon conviction, be guilty of a misdemeanor. Each day a violation continues to exist shall constitute a separate offense.

Public hearing notice published January 3, 1982

Public hearings held: January 13, 1982, March 10, 1982, April 28, 1982

and June 16, 1982 before the Crow Wing County Planning Commission.

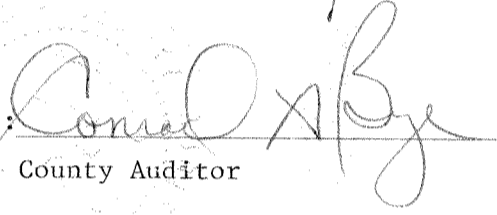
Public hearing held July 20, 1982 before the Crow Wing County Board of

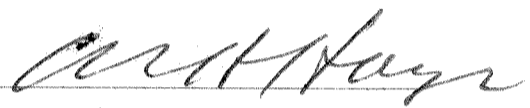
Commissioners.

Adopted by Crow Wing County Board of Commissioners August 17, 1982

Reviewed by Crow Wing County Attorney's Office - Bradley D. Gardner

Assistant County Attorney - August 30, 1982

Attest:   
County Auditor

  
Chairman, Board of County  
Commissioners

Ordinance publication September 1, 1982

Date recorded by Office of Crow Wing County Recorder January 4, 1983

Crow Wing County Recorder \_\_\_\_\_

RESOLUTION

Commissioner Koep offered the following resolution and moved its adoption:

WHEREAS, in accordance with M.S.A. 375.51 a Public Hearing was held regarding the establishing of an Ordinance relating to the Cleaning of and Disposal of Septage from Individual Sewage Disposal Systems, and

WHEREAS, Public Hearings were held January 13, 1982, March 10, 1982, April 28, 1982 and June 16, 1982 and testimony was heard from concerned parties attending the Public Hearings.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners adopts an Ordinance Relating to the Cleaning of and Disposal of Septage from Individual Sewage Disposal Systems (Ordinance No. 1-82) to become effective September 1, 1982.

CROW WING COUNTY ORDINANCE NUMBER 1-82  
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FROM INDIVIDUAL SEWAGE DISPOSAL SYSTEMS

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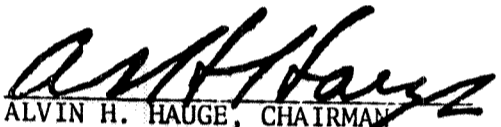
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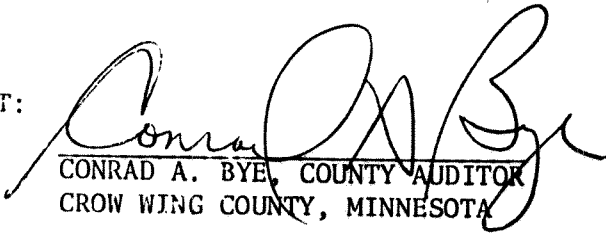
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ALVIN H. HAUGE, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS  
CROW WING COUNTY, MINNESOTA

ATTEST:

  
CONRAD A. BYE, COUNTY AUDITOR  
CROW WING COUNTY, MINNESOTA

Dated at Brainerd, Minnesota, this 17th day of August, 1982.