

SEWAGE DISPOSAL SYSTEMS CLEANERS ORDINANCE

I. Title

This Ordinance from date of its passage shall be known as Sewage Disposal Systems Cleaners Ordinance, Otter Tail County, Minnesota.

II. Purpose

The purpose of this ordinance is to regulate the collection and disposal of solid and liquid contents of septic tank, cesspools, seepage pits, holding tanks, privies or other disposal facilities but not including agricultural livestock wastes; to protect the health, welfare and general safety of the public and the environment as well as the consumer.

III Definitions

Disposal Area: Any parcel of land used for the discharge of the contents from sewage disposal systems.

Permittee: A person, firm or corporation holding a current Otter Tail County issued operating permit for the servicing of sewage disposal systems.

Sewage Disposal System: Any receptacle for the collective treatment and storage of human sanitary sewage, either liquid or solid or both, such as septic tanks, cesspools, seepage pits, holding tanks or any other disposal facilities but not including agricultural livestock wastes.

IV. District Boundaries

The boundaries of this ordinance are hereby established as the entire area within the geographic boundaries of Otter Tail County, Minnesota.

V. General Requirements

A. Operating Permits

1. No person, firm, or corporation shall engage in the business of servicing sewage disposal systems either free of charge or for revenue purposes without first obtaining an operating permit to carry on such occupation from the County Commissioners and procuring and filing with the County Executive Assistant a bond in the amount of \$1,000.00 in the favor of the County and the public conditioned upon the faithful performance of the contracts and compliance with the Ordinance. No permit is required for an individual to clean and service his own sewage disposal system provided all other conditions and requirements of this ordinance are met except requirements of section V B, owner shall submit a letter to Otter Tail County Shoreland Administrator, said letter shall include all information required in Section V C and said letter shall be signed and dated by the owner. Only permittees are allowed to service, clean and pump sewage disposal systems in the Shoreland Use Area.

2. The annual operating permit fee shall be \$10.00. Each operating permit entitles a permittee one vehicle permit number and each additional vehicle owned or under lease by the permit applicant shall be one dollar (1.00) per vehicle. Application for such operating permits shall be made on a form furnished by the County. Operating per permits are issued on a calendar year basis.

3. Before any operating permit issued under the provisions of this section may be revoked or its renewal refused; the permittee shall be given a hearing to show cause why such operating permit should not be revoked or refused. Written notice of the time, place and purpose of such a hearing shall be mailed to the permittee.

B. Permittee Required Minimum Equipment.

1. Vehicles used for the transportation of materials collected from sewage disposal systems shall be equipped with a water tight tank or body and shall be maintained in a clean and sanitary condition.

2. All pumps and hose lines shall be maintained so as to prevent leakage.

3. All pumping units shall have a suction hose of two (2) inches or greater inside diameter.

4. Vehicles used in the business of collecting, transporting, and disposal of contents of sewage disposal systems shall legibly display on both sides of each vehicle the Otter Tail County Permit Number. ReflectORIZED lettering shall be at least three (3) inches high and one-half ($\frac{1}{2}$) inch stroke, and shall be of a color contrasting with surface area color. Preceding the permit number shall be printed "O. T. C. Permit No." In addition each vehicle shall contain a cab card issued by the Administrative Assistant.

5. The minimum size tank shall be 500 gallon capacity.

C. Required Reports

1. A record of the sewage disposal systems serviced shall be maintained by the permittee showing date, name and address of customer, sewage disposal system location within the County, approximate gallons removed, and disposal area where the waste was discharged. This shall be done on forms available from the County at \$1.00 per pad of 100. These reports shall be furnished to the Administrative Assistant monthly, even though no systems were serviced.

D. Disposal Area

1. Sewage disposal system contents shall not be discharged into ditches, watercourses, lakes, ponds, streams or within Otter Tail County shoreland Use areas. It shall not be discharged within 300 feet of a road used by the public. Discharge shall not be allowed in areas where disposal is within four (4) feet from ground water table or faultless rock or bedrock formation exists. No discharge shall be made within 300 feet of wells or 1,000 feet of a building used for human occupancy. The preceding linear footage requirements are not applicable if discharge is made into a municipal sanitary sewage treatment system, provided written permission is granted to permittee by municipality involved.

2. An area of less than five (5) acres where three thousand (3,000) or more gallons per week of sewage disposal system contents is discharged shall be posted with not less than four (4) signs, readable from four outside directions, facing away from disposal area such signs shall be erected on perimeter of area. Signs shall contain "Sewage Disposal Area." Sign lettering shall be not less than two and one-half ($2\frac{1}{2}$) inches and three-eighths ($\frac{3}{8}$) inch stroke. Signs shall be posted not lower than three (3) feet from ground surface or higher than six (6) feet from ground surface. Signs shall be erected on posts used exclusively for the sewage disposal area signs.

E. Other Legal Requirements

This permit shall not release the permittee from any liability or obligation imposed by Minnesota or Federal statutes or local ordinances and above remains in force subject to all conditions and limitations now or hereafter imposed by law. VI. Administration

A. Duties of Administrative Assistant

The Administrative Assistant or legally appointed representatives shall have all necessary authority to implement and carry out the provisions of this ordin-

1. To review and consider all operating permit applications and supporting materials which are referred to him in applications to the County and consult with the County Board therefore.

2. To inspect equipment to insure compliance with this ordinance when necessary.

3. To investigate complaints about violations and to recommend legal proceedings where and when necessary.

4. To conduct studies, investigations and research relating to matters concerning this ordinance.

5. Keep necessary records.

6. Issue operating permits.

7. To approve or disapprove disposal areas.

B. Enforcement and Penalties

1. This ordinance shall be administered and enforced by the Administrative Assistant or legally appointed representative who is hereby designated the enforcing officer.

2. Any person who unlawfully violates any of the terms and provisions of this ordinance shall be charged with a misdemeanor, punishable by a fine of not more than three hundred dollars (\$300.00) and-or by imprisonment not exceeding ninety (90) days. All fines and violations shall be credited to the General Revenue Fund.

3. In the event of a violation or a threatened violation of this ordinance, the County Board and, or the Administrative Assistant, in addition to other remedies may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations, and it shall be the duty of the County Attorney to institute such action. Each twenty-four (24) hour day that a violation continues shall constitute a separate offense.

4. All employees of the Otter Tail County Shoreland Management Staff, and Administrative Assistant or their legally appointed representatives, in the performance of their duties, shall have free access on all land within the geographic boundaries of Otter Tail County, Minnesota at all times.

C. Validity

If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgement shall not affect any other provision of this ordinance not specifically included in void judgment.

Andy Leitch, Chairman
Board of County
Commissioners
Otter Tail County,
Minnesota

Attest: K. W. Hanson, Clerk

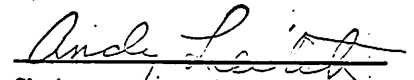
Motion was made by Dick Dillon, Seconded by Hub Nordgren and unanimously carried, the following resolution was adopted:

Resolved by the Board of County Commissioners, Otter Tail County, Minnesota, that

Whereas the Otter Tail County Planning Advisory Commission, appointed by the Board of County Commissioners of Otter Tail County, Minnesota has prepared and recommended for acceptance a Sewage Disposal Systems Cleaners Ordinance.

Now, therefore Be It Resolved that the Board of County Commissioners of Otter Tail County, Minnesota adopt the attached Sewage Disposal Systems Cleaners Ordinance as modified by the Board, effective as of May 1, 1973.

Adopted at Fergus Falls, Minnesota, this 10th day of April, 1973.


Chairman,

ATTEST:


Clerk

SEWAGE DISPOSAL SYSTEMS CLEANERS ORDINANCE, OTTER TAIL COUNTY, MINNESOTA
Board of Commissioners.....

Andy Leitch, Chairman
Hubert Nordgren
Richard Dillon
John Snowberg
George Walter

Planning Advisory Commission.....

Robert Fritz, Chairman
Donald H. Nelson, Vice-Chairman
Wilfred Estes, Secretary
Edward Aho
Frank Alstadt
Charles Beck
Arthur Christianson
Richard Dillon
Charles Malmstrom
George Revering
Oscar Sorlie

Administrator and Administrative Assistant
Malcolm K. Lee
Effective Date: May 1, 1973