

ORDINANCE NO. 201

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:

AN ORDINANCE REGULATING INDIVIDUAL SEWAGE TREATMENT SYSTEMS WITHIN THE CITY OF ARLINGTON AND PROVIDING FOR ADMINISTRATION AND ENFORCEMENT OF SUCH REGULATIONS.

1.01 PURPOSE AND INTENT. The purpose of this ordinance is to provide minimum standards for and regulation of sewage disposal by means of an individual sewage treatment system (ISTS), including the proper location, design, construction, operation, maintenance and repair to protect surface water and ground water from contamination by human sewage and waterborne household and commercial waste; to protect the public's health and safety; and to eliminate or prevent the development of public nuisances, all pursuant to the authority granted under Minnesota Statutes Chapters 115 and 145A and Minnesota Rules Chapter 7080, as amended. The intent of this ordinance is to provide administration, regulation and enforcement for properties in the city that are not accessible to a public sewage treatment system.

1.02 GENERAL PROVISIONS. The City hereby adopts by reference Minnesota Rules Chapter 7080 including sections 7080.0020, 7080.0060, 7080.0065, 7080.0110, 7080.0115, 7080.0120, 7080.0125, 7080.0130, 7080.0150, 7080.0160, 7080.0170, 7080.0172, 7080.0175, 7080.0176, 7080.0178, 7080.0179, being the sections containing the technical standards and criteria contained in the "Individual Sewage Treatment Systems Program," and any future amendments. Minnesota Rules, Table Va, is incorporated by reference in this Ordinance.

The City also hereby adopts the Sibley County Individual Sewage Treatment System Ordinance and any future amendments by reference, (Exhibit A), but with the following modifications:

The City hereby amends the Sibley County Individual Sewage Treatment System Ordinance by deleting all references to "Sibley County" and inserting in its place "City of Arlington", deleting all references to "County Board" and inserting in its place "City Council", deleting all references to "Environmental Services Department" and inserting in its place "Arlington Planning and Zoning Department", and deleting all references to "County Attorney" and inserting in its place "City Attorney".

1.03 PENALTIES. Any person violating any provision of this ordinance is guilty of a misdemeanor and upon conviction shall be subject to the misdemeanor penalties set forth in Minnesota Statute Section 609.02, Subdivision 3 or any laws amending or repealing such law.

1.04 SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the ordinance as a whole, or of any part thereof, other than the part held to be invalid.

This Ordinance shall become effective immediately upon publication.

For City of Arlington

/s/ David Czech

By David Czech
It's Mayor

First Reading: August 7, 2006
Second Reading: August 21, 2006
Adopted: August 21, 2006
Published: August 31, 2006

/s/ David L. Krueger

By David L. Krueger
It's City Administrator