

ORDINANCE
COUNTY OF BROWN ORDINANCE NO. 1997-01
ORDINANCE AUTHORIZING THE BROWN COUNTY BOARD TO ABATE
PROHIBITED AND NON-CONFORMING INDIVIDUAL SEWAGE TREATMENT
SYSTEMS AND ESTABLISH A LOAN FUND FOR SAID ABATEMENT

SECTION 1. AUTHORITY AND SCOPE. This ordinance is adopted to provide for the creation of a public loan program that assists property owners to finance the site evaluation, design, installation, repair, and replacement of individual sewage treatment systems on privately owned property pursuant to the authority granted under MN Statutes Chapters 115 and 145A and Minnesota Rules Chapter 7080 and as amended that may pertain to sewage and wastewater treatment and enforcement of standards for individual on-site sewage treatment systems as defined in the Brown County Zoning Ordinance.

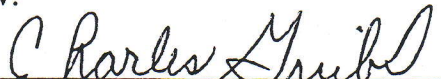
SECTION 2. DEFINITIONS. Unless specifically stated in this Ordinance, definitions shall be adopted by reference from Minnesota Pollution Control Agency Rules 7080 and as amended as previously adopted by Brown County.

SECTION 3. GENERAL PROVISIONS

- 3.1 The Brown County Board shall establish a fund to assist property owners to replace failing residential on-site septic systems in Brown County. At its discretion, the Board shall make an annual contribution to the fund.
- 3.2 Septic system replacement shall be constructed in accordance with the terms of the Brown County Zoning Ordinance including but not limited to the following provisions:
 - 3.2a. Any use of these funds for work performed on an individual sewage treatment system must be done by a person holding a valid license from the Minnesota Pollution Control Agency, and must be done under a septic system construction permit from the Brown County Planning and Zoning Office.
- 3.3 Access to the fund is voluntary and shall result in a lien on the benefitting property according to the terms set forth in the Administrative Plan. The Plan may be amended by the Brown County Board.
- 3.4 Implementation of the Plan shall be the responsibility of the Brown County Planning and Zoning Administrator. The County Auditor shall be responsible for assessment of the lien against the benefitting property.

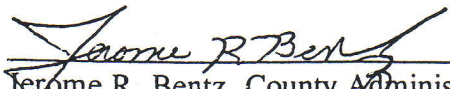
SECTION 4. SEPARABILITY. If any part of this Ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision or part thereof.

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after the date of its passage and publication according to law.



Charles Griebel, Chairman
Brown County Board of Commissioners

ATTEST:



Jerome R. Bentz, County Administrator