

REDWOOD COUNTY ZONING ORDINANCE  
ADMINISTRATION OF MPCA FUNDS

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## **Redwood County Ordinance Pursuant to Minn. Stat. 115.55**

An Ordinance relating to the administration and management of funds received through MPCA for the upgrading of non-compliant or failed individual septic treatment systems (ISTS) in the watersheds of Redwood County, Minnesota.

The Redwood County Board of Commissioners Ordains:

### **SUBDIVISION 1. PURPOSE**

1. Because the County of Redwood recognizes that many property owners are in possession of individual septic treatment systems, which are non-compliant or have failed. That the upgrading of non-compliant or failed individual septic systems will promote the health and welfare of the residents of Redwood County, Minnesota. That Redwood County has passed a Resolution to enter into the Individual Sewage Treatment System or Water Well Loan Program of Minn. Stat. 115.57. That pursuant to Minn. Stat. 115.55, Redwood County must provide for effective administration and management of funds received from the Minnesota Pollution Control Agency, for the Individual Sewage Treatment System or Water Well Loan Program.

### **SUBDIVISION 2. DEFINITIONS AND INTERPRETATIONS**

1. Application. A request or petition for an ISTS loan.
2. Assessments. A tax levied upon real property according to benefits conferred on the property.
3. Certificate of Compliance. Document which states that the newly installed ISTS meets Minnesota Chapter 7080 Rules and the Redwood County Ordinance.
4. Cottonwood River Restoration Project. A plan to promote clean water in the Cottonwood River through the upgrading of septic systems.
5. Funds. Money available to qualifying property owners within the specified watersheds of Redwood County.
6. Individual Sewage Treatment System (ISTS). A sewage treatment system, or part thereof, serving a dwelling, or other establishment, or group thereof, and using sewage tanks followed by soil treatment and disposal or using advanced treatment devices that discharge below final grade.
7. Individual Sewage Treatment System Design. A drawing or plan of an individual sewage treatment system.
8. Interest Rate. Percentage of interest due on the loan principal.

9. Legal Description. A statement representing the property lines of a specified parcel.
10. Lien Document. Recordable instrument to file a claim on the property.
11. Liens. Any claim or encumbrance secured by a recorded lien against a piece of real property.
12. Loan Principal. Amount borrowed to replace failing or non-compliant septic system.
13. MPCA. Minnesota Pollution Control Agency.
14. Property Owner. Person, place, or thing that possess the specified parcels.
15. Redwood-Cottonwood Rivers Control Area (RCRCA). Organization responsible for the administration of the Cottonwood River Restoration Project and the Redwood River Clean Water Project.
16. Redwood River Clean Water Project. A plan to promote clean water in the Redwood River through the upgrading of septic systems.
17. Specified Parcels. Property on which the ISTS will be constructed.
18. Term. Number of years to repay the loan.
19. Title. Proof of ownership of a piece of real property.

**SUBDIVISION 3. PROCEDURES AND ADMINISTRATION AND MANAGEMENT**

1. All applications shall be filed with the Office of the Redwood County Environmental Officer.
2. All applications shall include a septic system permit fee.
3. All applications shall include a septic system treatment design.
4. Septic system treatment system designs shall meet the specifications of applicable Redwood County Ordinance.
5. Applications shall be reviewed by a panel consisting of one member of the Office of the Redwood County Environmental Office and one member of the Office of the Redwood County Auditor-Treasurer.
6. The panel shall accept or deny all submitted applications within 30 days.

7. In the event that an application is not accepted or denied within 30 days, the Redwood County Board of Commissioners shall review the petition and issue a decision within 30 days.
8. The Office of the Redwood County Auditor-Treasurer shall verify the tax status, title, liens, and assessments on all specified parcels.
9. A pre-site inspection and design approval shall be completed by the Office of the Redwood County Environmental Officer. Upon a determination that all listed requirements have been met, the property owner shall receive a certificate of compliance.
10. Upon issuance of the Certificate of Compliance the Redwood County Auditor-Treasurer shall be provided with the amount of funds to be borrowed. This amount shall be provided by the RCRCRA or the Office of the Redwood County Environmental Officer. The Redwood County Auditor-Treasurer shall then provide a lien document to the property owner specifying the loan principal, interest rate, term, and legal description of that real property subject to the lien.
11. The lien document shall be signed by each party having an interest in the real property and shall be notarized.
12. The Redwood County Auditor-Treasurer shall file the signed original copy of the lien document with the Office of the Redwood County Recorder.
13. Upon filing of the lien document, the Redwood County Auditor-Treasurer shall request the amount of funds specified for the septic treatment system project from MPCA. Upon receipt, the Redwood County Auditor-Treasurer shall forward the funds to the landowner within 20 days.
14. The Redwood County Auditor-Treasurer shall submit an annual report by January 15, of each year, specifying all recorded liens and applicable interests received from all funds.
15. The property owner shall provide for payment of the funds semi-annually, to be included in the property taxes of said piece of real property.
16. The Redwood County Auditor-Treasurer shall make semi-annual payments to the MPCA, according to the payment schedule adopted by resolution of July 31, 2001.
17. Upon final payment by the landowner to the Redwood County Auditor-Treasurer for all funds issued for the septic treatment system, the Redwood County Auditor-Treasurer shall provide documentation stating the satisfaction of the lien to the property owner. The Redwood County Auditor-Treasurer shall not be responsible

for the recording of the satisfaction with the Office of the Redwood County Recorder.