

# Mower County Subsurface Sewage Treatment (SSTS) Ordinance

## Compliance Inspection

### Information:

Ordinance adopted: January 5, 2021

Effective Date: April 1, 2021

## When is a compliance inspection required?

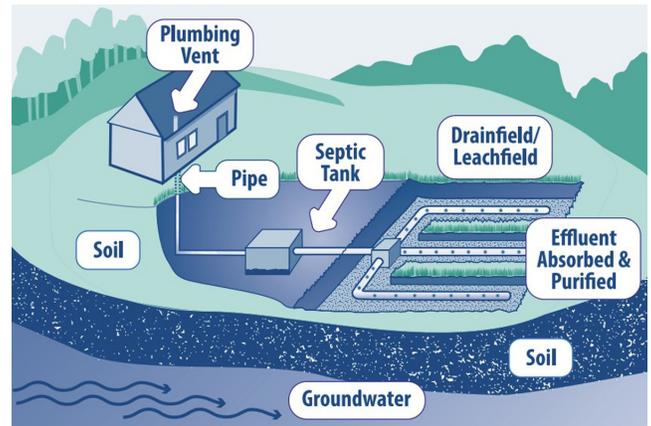
◆ Denotes new requirements as of 2021

A **homeowner** must have a compliance inspection completed by a licensed septic inspector of their choosing, when:

- The property is being transferred from one party to another, (including contract-for-deed transactions when the contract is being entered into) if there is not a current Certificate of Compliance (COC) on file for the property within the Public Works Office.
- In a shoreland overlay district; anytime a zoning permit is required-for any type of permit (I.E. conditional use permit, variance, or zoning permit, but does not apply when requesting a land alteration permit in a shoreland overlay area.
- On a parcel of land which does not meet the minimum lot size standards of the zoning district. A compliance inspection is required before a zoning permit can be issued for placing a building or structure upon the property.
- ◆ Any time a person is requesting a zoning permit, variance or conditional use permit for a property that has a septic system which is 20 or more years old; which does not have a current COC on file within the Public Works Office.
- Anytime there is an increase in the number of bedrooms to a dwelling or an increase in water use that would impact the performance of the existing septic system or exceed its current design capacity.
- ◆ If a parcel is located in a municipally sewerred area; regardless if annexed or not, the landowner must show the septic system is continually in compliance to continue using the existing septic system.
  - \* Once the existing septic system does not pass a compliance inspection, the landowner must then connect to the municipal sewer.
  - \* Exception may be made when the municipality informs the County, in writing, that the municipality cannot provide sewer service to the parcel; then a septic system replacement may be allowed to sustain the property.
- ◆ Other Establishments, as listed in 7081.0130, Table 1 (examples include: commercial/industrial facilities, institutions, entertainment and/or recreational facilities, lodging, eating, dining and drinking establishments) must complete a compliance inspection no less than once every 5 years or function under, and be current in all aspects of, an approved Operating Permit.

The **County** will perform compliance inspections under the following 2 circumstances:

- A new septic system is being installed or an existing septic system modified. The purpose is to determine the septic system was constructed in accordance with the septic permit as issued.
- Anytime the department deems appropriate, for reasons such as, receiving a complaint or other information of system failure.



**DISCLAIMER:** State Laws, Rules and County Ordinances can change at any time. These are the current standards for when a septic system compliance inspection is required in Mower County as of the effective date of the above adopted ordinance until it is amended, repealed and/or replaced.

## CERTAIN TERMS DEFINED:

**Certificate of Compliance (COC):** is a document, written after a compliance inspection; certifying the septic system is in compliance with MN Rules 7080-7083 and/or Mower County SSTS Ordinance, at the time of inspection by a qualified and licensed individual or business.

**Municipally Sewered Area:** means an area in which a municipality has provided pipelines or conduits, pumping stations, and force mains, and all other construction devices, and appliances appurtenant thereto, used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.

**Operating Permit:** means a permit issued to the owner of an SSTS that requires certain periodic maintenance, often times by a septic professional, to maintain operation and compliance of the septic system. Regular reporting is required to the Public Works Office for review and to include in the SSTS file.

**Shoreland Overlay District:** land located within the following distances from public waters

- (1) 1,000 feet from the normal high water mark of a lake, pond or flowage; and
- (2) 300 feet from a river or stream, or the landward extent of a floodplain designated by ordinance on such river or stream, whichever is greater.

**SSTS:** Subsurface Sewage Treatment System; a septic system.

**Transfer of Property:** The sale and every other method, direct or indirect, of disposing or parting with property, or with an interest therein, or with the possession thereof, absolutely or conditionally, voluntarily or involuntarily, by or without judicial proceedings, as a conveyance, sale, mortgage, gift, contract for deed, or otherwise.

### Public Works can provide you with a listing of septic contractors who normally work in Mower County.

You may obtain a listing from the County's website at:

<https://mn-mowercounty.civicplus.com/486/Septic-Systems> ;

or you may email us at: [zoning@co.mower.mn.us](mailto:zoning@co.mower.mn.us)

or you can stop by the office to pick one up M-F 7 a.m. to 4 p.m., excluding holidays.

## Mower County Public Works

Environmental Services Division  
1105 8th Avenue NE  
Austin MN 55912

Phone: 507-437-7718

Fax: 507-437-7609

E-mail: [zoning@co.mower.mn.us](mailto:zoning@co.mower.mn.us)



## Other Noteworthy Information:

### How long is a COC good for?

- A COC for a newly installed septic system is valid for 5 years from the date the COC was issued by the County.
- A COC for an existing system is valid for 3 years from the date the COC was issued from a licensed septic inspector of the landowner's choosing.

The County keeps a database of COCs issued and scans the COC documents for digital retrieval and safekeeping.

### What happens if I receive a Notice of Non-compliance during an inspection?

- A Notice of Non-compliance for reason of an Imminent Public Health Threat requires upgrade within 10 months according to State Statute 115.55.
- ◆ A Notice of Non-compliance for "failing to protect the groundwater" requires upgrade within 18 months. *The previous ordinance required upgrade within 12-months.*

### Is there any funding sources to help me to replace my failing septic system?

- Mower County has a low interest loan program available to help homeowners pay for replacement septic systems. Homeowners can contact the Public Works Office for a loan packet.

### Highlighted Terms of the Loan Include:

- \* The County must have available funds for disbursement.
- \* Any septic loan balance must be paid off at the time of property transfer.
- \* Funds are awarded on a first-come-first-serve-basis until exhausted. The loan is at an interest rate of 3% and the principal and interest must be paid back within 10 years. Payments are due at the time of tax payment.
- \* Qualifying projects include single-family dwellings in need of a replacement septic system, but the loan cannot include funds for expansion to the size of the existing system.
- \* Qualifying landowners may borrow up to 90% of the cost of the qualifying project.
- \* Qualifying landowners must be up-to-date and current on property taxes and cannot have been delinquent on their property taxes for the past 3 years preceding or have filed bankruptcy within the past 5 years.
- \* The loan must be approved prior to installation. Mower County cannot provide loan funds for reimbursement costs of a septic system.
- \* Installation of the septic system must be completed within 6 months of loan approval.
- \* Loan proceeds are released to the septic contractor. The check is made to the contractor and the loan applicant(s).