

CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA

ORDINANCE NUMBER 399
SECOND SERIES

AN ORDINANCE OF THE CITY OF CANNON FALLS, MINNESOTA AMENDING
CITY CODE § 151.112 RELATING TO PRIVATE WELLS
AND INDIVIDUAL SEWER TREATMENT SYSTEMS

THE CITY OF CANNON FALLS ORDAINS:

SECTION 1. AMENDMENT. City Code § 151.112 is hereby amended by adding the underlined language and striking the ~~striketrough~~ language, as follows:

§ 151.112 PUBLIC UTILITIES.

* * *

(B) *Water supply*. New individual wells are not permitted except upon application and as approved by the City based on all of the following criteria:

(1) The applicant agrees in a written document, which document shall be acceptable to the City and recorded against the property, to comply with all of the criteria set forth in this Section and any other criteria or conditions imposed by the City to protect the health, welfare, and safety.

(2) There shall be only one well per lot. Each lot served by a well must be adequately sized to contain both a private well and an individual sewer treatment system as required by applicable law.

(3) A maximum of four (4) lots in a subdivision may receive water from an individual well approved under this Section.

(4) Individual wells authorized by this Section may only be used in residential zoning districts.

(5) The City's Wellhead Protection Plan does not prohibit an individual well on the lot.

(6) Public water will not be available to provide services to the lot for a reasonable period of time.

(7) The cost of extending public water services to the lot alone shall not be a sufficient basis to approve an application submitted under this Section.

(8) The location of the well on the lot will leave adequate space for an individual sewage treatment system approved under Section 151.112(E).

(9) The applicant shall be solely responsible for ensuring that the well complies with all applicable federal and state statutes, rules, regulations, and ordinances.

(10) When the City determines that public sewer or water facilities are available to serve a lot containing an individual well, such lot shall be connected to both the City's sewer and water systems at the applicant or subsequent owner's sole expense and in accordance with all applicable City Code requirements.

* * *

(E) Sanitation. Except as expressly provided in Sections 151.112(B) and 151.112(G), water and sewer lines shall be installed and connected to the public system to serve all lots within the proposed subdivision under the provisions of applicable statutes and ordinances. The City Council shall require the installation of water and sewer mains at the applicant's expense or under the provisions of applicable statutes and ordinances.

* * *

(G) Individual Sewer Treatment System ("ISTS"). New ISTS are not permitted except upon application and as approved by the City based on all of the following criteria:

(1) The applicant agrees in a written document, which document shall be acceptable to the City and recorded against the property, to comply with all of the criteria set forth in this Section and any other criteria or conditions imposed by the City to protect the health, welfare, and safety.

(2) There shall be only one ISTS per lot. Each lot served by an ISTS must be adequately sized to contain both a private well and an individual sewer treatment system as required by applicable law.

(3) A maximum of four (4) lots in a subdivision may receive water from an individual well approved under this Section.

(4) An ISTS authorized by this Section may only be used in residential subdivisions.

(5) The City's Wellhead Protection Plan does not prohibit an ISTS on the lot.

(6) Public sanitary sewer facilities will not be available to provide services to the lot for a reasonable period of time.

(7) The cost of extending public sanitary sewer facilities to the lot alone shall not be a sufficient basis to approve an application submitted under this Section.

(8) The location of the ISTS on the lot will leave adequate space for an individual well approved under Section 151.112(B).

(9) The applicant shall be solely responsible for ensuring that the ISTS complies with all applicable federal and state statutes, rules, regulations, and ordinances.

(10) When the City determines that public sewer or water facilities are available to serve a lot containing an ISTS, such lot shall be connected to both the City's sewer and water systems at the applicant or subsequent owner's sole expense and in accordance with all applicable City Code requirements.

(11) An ISTS approved by this Section may be repaired but not replaced or relocated on the lot or to a different lot unless approved the City Council.

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective upon its passage and publication.

PASSED AND ADOPTED by the City Council of the City of Cannon Falls, Minnesota, this _____ day of _____, 2023.

Matt Montgomery, Mayor

ATTEST:

Neil L. Jensen, City Administrator

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

SUMMARY ORDINANCE NUMBER 399

**AN ORDINANCE OF THE CITY OF CANNON FALLS, MINNESOTA AMENDING
CITY CODE § 151.112 RELATING TO PRIVATE WELLS
AND INDIVIDUAL SEWER TREATMENT SYSTEMS**

The above-referenced Ordinance amends the Cannon Falls City Code § 151.112 Public Utilities by adding criteria relating to private wells and individual sewer treatment systems.

A printed copy of the entire Ordinance is available for inspection and copying during regular business hours at the office of the City Administrator, Cannon Falls City Hall, 918 River Road, Cannon Falls, Minnesota 55009.

PASSED AND ADOPTED by the City Council of the City of Cannon Falls, Minnesota, this 21st day of November, 2023.

Matt Montgomery, Mayor

ATTEST:

Neil L. Jensen, City Administrator