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CODE OF ORDINANCES

TOWNSHIP OF ROYALTON

PINE COUNTY, MINNESOTA

Updated: February 23, 2010
Amended: March 31, 2015

ZONING ORDINANCES

THE TOWN BOARD OF THE TOWNSHIP OF ROYALTON ORDAINS: AN ORDINANCE REGULATING THE USE OF LAND, THE LOCATION, SIZE AND USE OF BUILDINGS AND THE ARRANGEMENT OF BUILDINGS ON LOTS IN THE TOWNSHIP OF ROYALTON, PINE COUNTY, MINNESOTA, PURSUANT TO THE AUTHORITY GRANTED BY MINNESOTA STATUTES SECTION 462.357.

SECTION 1. REPEAL OF PREVIOUS ORDINANCE

The Royalton Township Land Use and Zoning Ordinance, as presently enacted, are hereby repealed. The repeal of the Township's previous zoning ordinances does not itself effect the status of any use, structure, or lot that was not in conformance with earlier ordinances.

SECTION 2. TITLE

This Ordinance shall be known as the "Zoning Ordinance of the Township of Royalton Pine County, Minnesota," except as referred to herein, where it shall be known as "this Ordinance."

SECTION 3. INTENT AND PURPOSE

The intent of this Ordinance is to protect the public health, safety and general welfare of the Township and its people through the establishment of minimum regulations governing land development and use. This Ordinance shall divide the Township into use districts and establish regulations in regard to location, erection, construction, placement, reconstruction, alteration and use of structures and land. Such regulations are established to provide convenience of access to property; to prevent congestion in the public right-of-way; to prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards and density of population; to provide for compatibility of different land uses; to provide for administration of this Ordinance; to provide for amendments; to prescribe penalties for violation of such regulations; and to define powers and duties of the Township staff, the Board of Adjustment and Appeals, the Planning Commission, and the Town Board in relation to the Zoning Ordinance.

SECTION 4. APPLICATION

Subd. 1. Standard Requirement. Where the conditions imposed by any provisions of this Ordinance are either more or less restrictive than comparable conditions imposed by other ordinance, rule or regulation of the Township, County, State, or Federal government, the ordinance, rule or regulation which imposes the more restrictive condition standard or requirements shall prevail. In the event of any conflict between this Ordinance with any private restrictions, protections and covenants, the provisions of this Ordinance shall be met.

Subd. 2. Minimum Requirements. In their interpretation and application, the provisions of this Ordinance shall be held to the minimum requirements for the promotion of the public health, safety and welfare.

Subd. 3. Conformity with Provisions. No structure shall be erected, converted, enlarged, reconstructed, placed or altered, and no structure or land shall be used for any purpose nor in any manner which is not in conformity with the provisions of this Ordinance.

Subd. 4. Building Permits. Except as herein provided, no building, structure or premises shall hereafter be used or occupied and no building permit shall be granted that does not conform to the requirements of this ordinance.

Subd. 5. Conditional Uses, Variances, Amendments, Appeals. Nothing within this Ordinance shall be construed so to deny any property owner his/her right to apply for a conditional use permit, variance, amendment, or appeal.

Subd. 6. Uses Not Provided for Within Zoning Districts. Whenever in any zoning district a use is neither specifically permitted nor denied, the use shall be considered prohibited. In such case the Town Board or the Planning Commission, on their own initiative or upon request, may conduct a study to determine if the use is acceptable, what zoning district would be most appropriate, and the determination as to conditions and standards relating to development of the use. The Town Board, Planning Commission or property owner, shall, if appropriate, initiate an amendment to the Zoning Ordinance to provide for the particular use under consideration or shall find that the use is not compatible for development within the Township.

Subd. 7. Separability. It is hereby declared to be the intention of the Township that the several provisions of this Ordinance are separable in accordance with the following:

A. If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provision of this Ordinance not specifically included in said judgment.

B. If any court of competent jurisdiction shall adjudge invalid the application of any provision of the Ordinance to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.

SECTION 5. DEFINITION OF TERMS

The following words and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined.

Subd. 1. Accessory Building (Or Use). A subordinate building, (or use) which is located on the same lot on which the main building (or use) is situated and is reasonable necessary and incidental to the conduct of the primary or principal use of such building or main use.

Subd. 2. Agriculture Uses. Those uses commonly associated with the growing of produce on farms. These include: field crop farming; pasture; hay; fruit growing; tree, plant, shrub or flower nursery without building; truck gardening; roadside stand for sale in season; and livestock raising and feeding.

Subd. 3. Automobile Wrecking or Junk Yard. Any place where five (5) or more vehicles not in running condition and/or not licensed, or parts thereof are stored in the open and are not being restored to operation; or any land, building or structure used for wrecking or storing of such motor vehicles or parts thereof; and including any commercial salvaging and scavenging of any other goods, articles or merchandise.

Subd. 4. Basement. A portion of a building located partially underground but having more than one-half (1/2) its floor to ceiling height below the average land grade.

Subd. 5. Buildable Area. The portion of a lot remaining after required yards have been provided, and is capable of supporting the proposed structure (s).

Subd. 6. Building. Any structure used or intended for supporting or sheltering any use or occupancy.

Subd. 7. Building Line. That line measured across the width of the lot at the point where the main structure is placed in accordance with setback provisions.

Subd. 8. Building Setback. The minimum horizontal distance between the building and the specified lot line as prescribed in this Ordinance.

Subd. 9. Campground. An area accessible by vehicle and containing campsites or camping spurs for tent and trailer camping.

Subd. 10. Church. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

Subd. 11. Commercial Recreation. Privately owned facilities, such as a bowling alley, cart track, golf course, pool hall, vehicle racing, riding stables, dance hall, skating, theatre, firearms range, boat rental, amusement rides, campgrounds, deer park, and similar uses.

Subd. 12. Conditional Use. A use, which because of special problems of control requires reasonable but special, and extra-ordinary limitations peculiar to the use for the protection of the public welfare and the integrity of the Town's comprehensive plan.

Subd. 13. Commercial Uses. Any establishment, occupation, employment, or enterprise where merchandise is exhibited or sold, or where services are offered for compensation.

Subd. 14. Conditional Use Permit. A permit issued by the Town Board in accordance with procedures specified in this Ordinance, as well as its compatibility with the Township's comprehensive plan, as a flexibility device to enable the Town Board to assign dimensions to a proposed use or conditions surrounding it after consideration of adjacent uses and their functions and the special problems which the proposed use presents.

Subd. 15. Commercial Agriculture. The production of crops intended for sale. Commercial agriculture includes livestock production and livestock grazing. Commercial agriculture does not include crops grown for household consumption.

Subd. 16. District. A section or sections of the Township for which the regulations and provisions governing the use of buildings and lands are uniform for each class of use permitted therein.

Subd. 17. Dwelling. A building or portion thereof, designated exclusively for residential occupancy, including one-family, two-family and multiple-family dwellings, seasonal dwellings, manufactured housing, but not including hotels, motels, and boarding houses.

Subd. 18. Dwelling, Multiple (Apartment). A building designed with three (3) or more dwelling units exclusively for occupancy by three (3) or more families living independently of each other but sharing hallways and main entrances and exits.

Subd. 19. Dwelling, Single Family. A detached dwelling unit designed for occupancy of one (1) family.

Subd. 20. Dwelling, Two-family. A dwelling designed exclusively for occupancy by two (2) families living independently of each other.

Subd. 21. Earth Sheltered Buildings. Buildings constructed so that more than fifty (50%) percent of the exterior surface area of the buildings, excluding garages and other accessory buildings, is covered with earth. Partially completed buildings shall not be considered earth sheltered.

Subd. 22. Essential Services. Underground or overhead gas, electrical, steam or water distribution systems; collection, communication, supply or disposal system including poles, wires, mains, drains, sewer, pipes, conduits, cables, fire alarm

boxes, traffic signals, hydrants or other similar equipment and accessories in conjunction therewith; but not including buildings or transmission services.

Subd. 23. Family. An individual or two or more persons related by blood or marriage or a group of not more than five unrelated persons living together on the premises or in a single housekeeping unit.

Subd. 24. Farm. A tract of land ten (10) or more acres which is principally used for commercial agriculture, all of which is owned and operated by a single family, farm corporation, individual or corporation.

Subd. 25. Fence. A barrier forming a boundary to, or enclosing some area.

Subd. 26. Floor Area. The sum of the gross horizontal area of the several floors of the building, measured from the exterior faces of the exterior walls.

Subd. 27. Forestry. The management, including logging, of a forest, woodland, or plantation, and related research, including the construction, alteration or maintenance of wood roads, skid roads, landings, and fences.

Subd. 28. Garage, Private. An accessory building or accessory portion of the principal building which is intended for and used to store the private passenger vehicles of the family or families resident upon the premises, and in which no business service or industry is carried on.

Subd. 29. Hardship – Undue. Undue hardship means more than ordinary inconvenience or difficulty. The property in question cannot be put to reasonable use under the conditions allowed by the zoning ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and granting the variance will not alter the essential character of the locality. Economic considerations alone do not constitute an undue hardship if reasonable use for the property exists under the terms of the zoning ordinance.

Subd. 30. Home Occupation. Any occupation or profession carried on by a member (s) of the family residing on the premises, provided that the use is clearly incidental and secondary to the main use of the premises for dwelling purposes and does not change the character thereof.

Subd. 31. Industrial Use. Any establishment, occupation, employment, or enterprise where the manufacturing, storage, or warehousing of products and materials occur.

Subd. 32. Lot, of Record. A parcel of land, whether subdivided or otherwise, legally described of record as of the effective date of this Ordinance, or approved by the Town as a lot subsequent to such date and which is occupied by or intended for occupancy by one (1) principal building or principal use together with any accessory buildings and such open spaces as required by this Ordinance and having its principal frontage on a street, or a proposed street approved by the Board.

Subd. 33. Lot. Land occupied or to be occupied by one (1) principal building or use and its accessory buildings, together with such open spaces as are required under the provisions of this Zoning Ordinance, having not less than the minimum area required by this Zoning Ordinance for a building site in the district in which such lot is situated and having its principal frontage on a street, or a proposed street approved by the Board.

Subd. 34. Lot area. The area of a horizontal plane within the lot lines.

Subd. 35. Lot, Corner. A lot situated at the junction of and abutting on two (2) or more intersecting roads; or a lot at the point of deflection in alignment of a single street, the interior angle of which is one hundred thirty-five (135) degrees or less.

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Subd. 36. Lot, Frontage. The front of a lot shall be that boundary abutting a public right-of-way.

Subd. 37. Lot, Line. A property boundary line of any lot held in single or separated ownership, except that where any portion of the lot extends into the abutting road, the lot line shall be deemed to be the road right-of-way.

Subd. 38. Lot, Width. The shortest horizontal distance between the side lot lines measured at the right angles at the building line and front lot line.

Subd. 39. Manufacturing. All uses which include the compounding, processing, packaging, treatment, or assembly of products and materials.

Subd. 40. Mining Operation – Commercial. The removal from the land and sale of stone, sand and gravel, coal, salt, iron, copper, nickel, granite, petroleum products or large amounts of top soil, or other material for commercial, industrial, or governmental purposes.

Subd. 41. Nonconforming Structure or Use. Any structure or use which on the effective date of this Ordinance does not, even though lawfully established, conform to the applicable conditions if the structure or use was to be erected under the guidance of this Ordinance.

Subd. 42. Off-Road Loading Space. A space accessible from a public road, in a building or on the lot, for the use of trucks while loading or unloading merchandise or materials. Such space shall be of such size as to accommodate one (1) truck of the type typically used in the particular business.

Subd. 43. Parking Space. An area of not less than nine (9) feet in width and nineteen (19) feet in length, enclosed in the main building, in an accessory building, or unenclosed, sufficient in size to store one (1) automobile which has adequate access to a public road and permitting satisfactory ingress and egress of an automobile.

Subd. 44. Permitted Use. A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and performance standards (if any) of such districts.

Subd. 45. Planning Commission. The planning agency of the Town, designated by the Town Board.

Subd. 46. Principal Use. The primary or main use of land or buildings as distinguished from subordinate, incidental or accessory uses.

Subd. 47. Public Uses. Uses owned or operated by municipal, school district, town, county, state or other governmental units.

Subd. 48. Protected Waters. Any waters of the State which serve a beneficial public purpose, as defined in Minnesota Statutes 1974, Section 105.37, Subdivision 6. A body of water created by a private user where there was no previous shoreland, as defined herein, for a designated private use authorized by the Commissioner of the Minnesota Department of Natural Resources shall be exempt from the provisions of these regulations.

Subd. 49. Setback. The minimum horizontal distance between a structure or sanitary facility and a road or highway right-of-way or property lot line, or between a structure or sanitary facility and the ordinary high water mark.

Subd. 50. Shoreland. Land located within the following distances from public water (i) 1,000 feet from the ordinary high water mark of a lake, pond, or flowage; and (ii) 300 feet from a river or stream; or the landward extent of a flood plain designated by ordinance on such a river or stream, whichever is greater. The practical limits of shorelands may be less than the statutory limits whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner of the Minnesota Department of Natural Resources.

Subd. 51. Slope. The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees.

Subd. 52. Structure. Anything which is built, constructed or erected on the ground or attached to the ground; an edifice or building of any kind; or any piece of work artificially built up and/or composed of parts joined together in some definite manner whether temporary or permanent in character, including decks and signs.

Subd. 53. Substandard Use. Any use existing prior to the date of this Ordinance which is permitted within the applicable zoning district but does not meet the minimum lot area, frontage, setbacks, water frontage length, or other dimensional standards of this Ordinance.

Subd. 54. Use. The purpose or activity for which the land or building thereon is designated, arranged, or intended, or for which it is occupied, utilized or maintained, and shall include the performance of such activity as defined by the performance standards of this Ordinance.

Subd. 55. Variance. The waiving action of the literal provisions of the Zoning Ordinance in instances where their strict enforcement would cause undue hardship because of physical circumstances unique to the individual property under consideration.

Subd. 56. Wetlands. All types and sizes of wetlands which meet the wetland definition as outlined in the January, 1989 "Federal Manual for Identifying and Delineating Jurisdictional Wetlands".

Subd. 57. Yard. An open space on the lot which does not contain structures. A yard extends along a lot line at right angles to such lot line to a depth or width specified in the yard regulations for the zoning district in which such lot is located.

Subd. 58. Yard – Front. A yard extending across the front of the lot between the side lot lines and lying between the front line of the lot and the nearest line of the building.

Subd. 59. Yard – Rear. A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the building.

Subd. 60. Yard – Side. A yard between the side line of the lot and the nearest line of the building and extending from the front line of the lot to the rear yard.

Subd. 61. Zoning Administrator. A person appointed by the Town Board to enforce the Zoning Ordinance.

Subd. 62. Zoning Map. The maps or map incorporated into this Ordinance as part thereof, and as amended, designating the zoning districts.

Subd. 63. Public Road. For the purpose of this Ordinance public roads shall include only those roads which are owned by the township, county, state, or federal government.

SECTION 6. ZONING DISTRICT PROVISIONS

Subd. 1. Establishment of Districts. The following zoning districts are hereby established within the Town of Royalton.

A-R, Agricultural – Residential District
S, Shorelands District

Subd. 2. Map. The location and boundaries of the districts established by this Ordinance are hereby set forth on the zoning map entitled "Zoning Map of the Town of Royalton", hereinafter referred to as the "Zoning Map", a copy of which is on file with the Town Clerk. Said maps and all of the notations, references and other information shown thereon shall have the same force and effect as if fully set forth herein and thereby made a part of this Ordinance by reference.

Subd. 3. Detachment. In the event of changes in the Town boundaries removing territory from the Town, district boundaries shall be construed as moving with Town boundaries.

Subd. 4. Zoning District Boundaries.

A. Boundaries indicated as approximately following the center lines of streets, highways, alleys, or railroad lines shall be construed to follow such center lines.

B. Boundaries indicated as approximately following the lot lines shall be construed as following such lot lines.

C. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in shore line shall be constructed as moving with the actual shore line; boundaries indicated as approximately following the center lines of streams, rivers, lakes, or other bodies of water shall be construed to follow such center lines.

D. Boundaries indicated as approximately following the Town boundaries shall be construed as following such boundaries.

E. Where a district boundary line divides a lot which was in a single ownership at the time of the passage of the Ordinance, the extension of the regulations for either portion of the lot may be interpreted by the Zoning Administrator upon request of the owner.

F. The exact location of all district boundaries shall be interpreted by the Zoning Administrator, subject to appeal as provided in Section 15 of this Ordinance.

Subd. 5. District Regulations. The regulations of this Ordinance within each district shall be minimum regulations, and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

A. No building, structure, or land shall hereafter be used or occupied, except in conformity with all of the regulations herein specified for the district in which it is located.

B. No building or other structure shall hereafter be erected, placed, or altered to exceed the height or bulk, to accommodate or house a use, to occupy a greater percentage of lot area, and to have narrower or smaller yards, other than herein required; or in any other manner contrary to the provision of this Ordinance.

C. No yard or lot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.

SECTION 7. (A-R) AGRICULTURAL – RESIDENTIAL DISTRICT

Subd. 1. Purpose. The (AR) Agricultural-Residential District is intended to accommodate agricultural and residential uses as the predominant uses, in areas well served by the existing road system and where services and facilities can be provided in the most cost-effective manner.

Subd. 2. Permitted Uses. The following uses are permitted upon the issuance of a site permit:

A. Farm buildings which are used for purposes related to the operation of the farm.

B. Farm production which shall include the raising of crops and animals for sale, profit, or pleasure.

C. Greenhouse or nursery.

D. Forestry.

E. Wildlife areas, forest preserves, public parks owned or operated by a government agency or nonprofit organization, and other open space uses.

F. Temporary or seasonal roadside stands for sale of agricultural products.

G. Single family dwellings subject to the following provisions:

1. Dwelling units shall not be permitted in areas classified as wetlands, flood plain, peat and muck areas, areas of poor drainage, and areas where the water table depth is less than four (4) feet.

2. Dwelling units shall be only allowed on lots which front or have an access easement of at least thirty-three (33) feet to a year round maintained public road. See section 7 subd. 5 B. of this ordinance.

H. Essential services.

Subd. 3. Conditional Uses. The following uses may be permitted upon the issuance of a conditional use permit.

A. Commercial uses, including stockpiling and warehousing.

B. Industrial uses.

C. Commercial recreational parks, campgrounds, and facilities.

D. Churches.

E. Organized group camps.

F. Commercial extraction of sand, gravel, minerals, or rock.

G. Logging.

H. Two-family and multi-family residences.

I. A second single family dwelling per homestead.

J. Other uses determined to be similar to those listed as permitted. Other uses determined to be similar to those listed as conditional uses or interim uses. Any other use not explicitly spelled out as permitted use.

Subd. 4. Accessory Uses. The following uses are permitted accessory uses:

A. Any structure or use which is incidental to the permitted principal use including garages, sheds, fencing, and landscaping.

B. Recreational facilities which serve the residents of the principal use.

C. Operation and storage of vehicles, equipment and machinery which is incidental to the permitted principal use.

Subd. 5. Lot Area Requirements.

A. Lot Area. A lot area of not less than ten (10) acres for each dwelling unit is required, of which an area includes enough buildable land to support one well, two septic systems – proven by soil borings to be filed with the Township, building and required setbacks.

B. Lot Width. A lot width of not less than two hundred (200) feet at the building line is required for each dwelling unit. All lots must have a minimum of three hundred-thirty (330) feet of road frontage. See Sec 7 subd. 2. G.2. of this ordinance.

C. On all new subdivisions of land, the property must be surveyed by a registered land surveyor and properly staked with permanent buried markers.

D. All proposed land splits, minor subdivisions, and platting must be approved by the town board.

Subd. 6. Front, Side, and Rear Yard Requirements.

A. Front Yard. A front yard of not less than seventy-five (75) feet off right-of-way is required.

B. Side Yard. Two side yards are required, each having a width of not less than thirty (30) feet.

C. Rear Yard. A rear yard of not less than thirty (30) feet is required.

D. See also Section 10, Subd. 2 of this Zoning Ordinance.

SECTION 8. (S) SHORELAND DISTRICT

Subd. 1. Purpose. The (S) Shoreland District is hereby established to regulate the development of shorelands of public waters, including the Snake River, within the Town pursuant to Minnesota Statutes, chapter 103F.221.

Subd. 2. All requirements of the Pine County ordinance for the management of shoreland areas shall apply to the Shoreland District of Royalton Township and shall be administered by Pine County.

Subd. 3. A portion of Royalton Township is under a flood plain. A map of which is attached as Appendix B. Please also check with Pine County Zoning for the most up to date flood plain map.

SECTION 9. BUILDING REQUIREMENTS

Subd. 1. Purpose. The purpose of this Section is to establish building requirements and standards which apply to all districts within the zoning jurisdiction of the Town to assure compatible land uses; to prevent blight and deterioration; and to enhance the health, safety and general welfare of the Town.

Subd. 2. Building Standards.

A. Dwelling Size. All dwellings shall have a minimum finished living space of at least nine hundred eighty (980) square feet. Additions to manufactured homes shall not be considered in determining area requirements.

B. Frost Free Footings. All dwellings, excluding manufactured homes, must be anchored on frost free footings of no less than five (5) feet in depth, foundations or pillars.

C. Manufactured Homes.

1. Any manufactured home placed on a lot shall be a U.S. Department of Housing and Urban Development certified unit as evidenced by the HUD certification seal affixed to the unit.

2. Building permits are required for the installation of all modular or manufactured homes. All manufactured homes must meet all current building codes before a certificate of occupancy can be awarded by the Township Building Inspector.

3. All manufactured homes must be placed on an engineered foundation or basement.

4. Manufactured homes are to be skirted within 30 days of installation with skirting of a quality no less that of the manufactured home.

5. Manufactured homes and the land they reside on must be under common ownership.

6. Any additions to manufactured homes, including entry ways, must match the manufactured home in aesthetic appearance.

7. Manufactured homes must meet the minimum size requirements as outlined in Royalton Township Zoning and Land Use Ordinance. Additions to the modular home shall not be considered in this size requirement.

8. No manufactured home older than fifteen (15) years of age may be moved

into Royalton Township.

D. Maximum Building Height. No building shall exceed two and one-half (2 ½) stories or thirty-five (35) feet in height, except such height requirements shall not apply to agricultural buildings and structures, belfries, cupolas, domes, spires, monuments, airway beacons, radio or television towers, flag poles, chimneys, or flues, nor to elevators, watertanks, poles, towers and other structures for essential services; nor to similar structures extending above the roof of any building and not occupying more than twenty-five (25%) percent of the area of such roof.

E. Design Standards. The architectural appearance and function of any building and site shall not be so dissimilar to the existing buildings or area as to constitute a blighting influence. Earth sheltered buildings are allowed if in compliance with all other zoning provisions promulgated pursuant to M.S. 462.357.

F. No garage, tent or accessory building shall at any time be used as an independent residence or dwelling unit, temporarily or permanently.

G. All buildings shall be so placed so that they will not obstruct future roads which may be constructed by the Town in conformity with existing roads and according to the system and standards employed by the Town.

H. Not more than one (1) principal building shall be located on a lot, except in cases described herein. In case of doubt or on any question or interpretation, the decision of the Zoning Administrator shall be final, subject to the right of appeal to the Board of Adjustment and Appeals.

1. Accessory Residences. A conditional use permit or temporary residence permit may be issued for an accessory residence to be placed or constructed on the same lot as an existing principal in the following cases:

a. Temporary Accessory Residence During Construction of Permanent Dwelling. In all districts, a twelve (12) month permit, renewable for one additional twelve (12) month period, may be issued to allow a manufactured home to be placed and occupied on the same site as the permanent dwelling is being constructed, provided:

(1) The building permit for the permanent dwelling has been issued.

(2) An approved sewer system has been installed on the site to serve the temporary manufactured home.

b. Temporary Accessory Residence for Health Care Reasons. A twelve (12) month, renewable permit may be issued to allow a manufactured

home be placed and occupied on the same lot as the principal residence when the person (s) occupying the accessory residence or principal residence requires close supervision due to health reasons, yet are capable of independent living, provided:

(1) A doctor's report is submitted indicating the need for a closely supervised independent living arrangement.

(2) Adequate sewage facilities exist on the site to accommodate the additional structure.

c. Accessory Residence for Farm Employees. A conditional use permit may be issued to allow an accessory residence to be placed or constructed and occupied on a farm to provide housing for a person(s) or family which is actively engaged in the operation of the farm, provided:

(1) The major portion of the livelihood of the person(s) or family residing is derived from the farm.

(2) Adequate sewage facilities exist on the site to accommodate the additional structure.

(3) The accessory residence shall not be subsequently divided from the farm unless all lot and setback provisions of this Ordinance are met.

2. When issuing or renewing a temporary accessory dwelling permit or issuing a conditional use permit for an accessory residence, the Town Board may place additional, reasonable conditions on the permit to further the purpose and intent of this Ordinance. The failure to comply with these conditions may result in the revocation of said permit.

3. When conditions change, whereby the purpose and conditions of this section are no longer met, the temporary accessory residence may remain and be occupied through the term of the permit, however, the accessory residences shall be removed from the lot within ninety (90) days of the expiration date of the permit.

I. Temporary Dwellings. Temporary dwellings including travel trailers, campers, tents, recreational vehicles, and other vehicles or structures which are adaptable for living and may be reasonably transported, may be used for dwelling purposes for a period not be exceed sixty (60) consecutive days. Only one temporary dwelling may be placed on a parcel or lot, except for short term periods such as family reunions, and visits which do not exceed a period of seven (7) days.

SECTION 10. YARD AND LOT AREA REQUIREMENTS

Subd. 1. Purpose. The purpose of this section is to determine minimum yard and lot area requirements to be applied to all zoning districts under the jurisdiction of the Town.

Subd. 2. Yard Requirements. The minimum yard setback distances from the appropriate lot line are set forth within the district provisions of this Ordinance.

A. Corner Lots. Where a lot is located at the intersection of two (2) or more roads, the width of the yard along the side road shall not be less than seventy-five (75) feet from the road right-of-way.

B. Through Lots. On a lot fronting on two (2) parallel roads, both road lines shall be front lot lines for applying the yard regulations of this Ordinance.

C. Earth Sheltered Buildings. Computations for yard requirements shall be the same as traditional above ground buildings.

D. Exceptions. The following shall not be considered as encroachment into yard setback requirements.

1. Architectural projects including chimneys, flues, leaders, sills, pilasters, lintels, ornamental features, mechanical devices, cornices, eaves, gutters, and the like, provided they do not extend more than three (3) feet.

2. Yard lights provided they are located thirty (30) feet or more from all lot lines. Lights for illuminated parking or loading areas or yards for safety and security purposes may be installed where necessary provided that glare is not visible from public right of way or adjacent residential property.

3. Off-street parking spaces except as hereinafter regulated.

4. Fencing not exceeding eight (8) feet, or screening materials as hereinafter regulated.

5. In rear yards: Permanent recreational and laundry drying equipment, picnic tables, open arbors and trellises, balconies, breezeways, porches, detached outdoor living rooms and decks, and outdoor eating facilities, are allowed, provided these are not less than thirty (30) feet from any lot line.

Subd. 3. Lot Area Requirements. The minimum lot area requirements are set forth within the district provisions of this Ordinance (Section 6. Subd. 5).

A. Lot Area Exception. A lot of record existing upon the effective date of this Ordinance which does not meet the area or width requirements of this Ordinance may be utilized provided that the following conditions are met:

1. The combining of adjacent lots to meet the requirements of this Ordinance is not possible.

2. All septic systems meet requirements of all current Minnesota septic Statutes.

SECTION 11. GENERAL PROVISIONS

Subd. 1. Purpose. The purpose of this section is to establish general development and performance standards to assure compatible developments, land uses, to prevent blight and deterioration, and to enhance the health, safety and general welfare of the Town.

Subd. 2. Vision Clearance at Corners, Crossings, and Access Points. Notwithstanding any part of this Ordinance or any permit or variance granted, no structure, vehicle, vegetation, fence, sign, building, or any obstacle, or any portion thereof shall be placed or retained in such a manner to constitute a traffic hazard or obstruct the vision clearance of corners, crossings, or access points.

Subd. 3. Protected Water Alteration. Any alteration which will change or diminish the course, current or cross section of a public water shall be approved by the Commissioner of the Minnesota Department of Natural Resources, in accordance with the procedures of Minnesota Statutes, Section 103G.245 as amended. This alteration includes construction of channels and ditches; lagooning; dredging of lake or stream bottoms for removal of muck, silt or weeds; and filling the lake or stream bed.

Subd. 4. Off-Road Parking and Loading. All applications for building permit shall include off-road parking and loading areas adequate to serve the proposed development.

Subd. 5. Exterior Storage. All materials and equipment shall be stored within a building or be fully screened by buildings or natural vegetation as to not be visible from a public road or adjacent residence. Exceptions to those requirements are as follows:

A. Agricultural equipment and materials intended to be used on the premises.

B. Construction materials and equipment currently being used on premises.

C. Off street parking of passenger vehicles.

D. Recreational equipment for use of residents of principal structure.

E. Laundry drying equipment.

F. Merchandise being displayed for sale.

Subd. 6. Storage and Disposal of Items, Materials, and Waste. The following standards shall apply to storing, handling and disposal of any items, materials or wastes:

A. No use shall be so operated that the storage and or disposal of materials or wastes results in any discharges of matter across the boundaries of the lot wherein such use is located or into the atmosphere or subsoil in such concentration as to endanger the public health, safety, comfort, or welfare, or cause injury or damage to property or business.

B. The pollution of any well, stream, lake, or body of water by sewage, industrial waste, or other substances is prohibited.

C. All carcasses of animals shall be buried or destroyed or otherwise disposed of within forty-eight (48) hours after death.

D. The ownership, possession or control of any unused appliances or other containers with doors which fasten automatically when closed and of sufficient size to retain any person, that are exposed and accessible to the public without the removal of the doors, lids, hinges or latches or the locking thereof to prevent access by the public, is prohibited.

E. No person in charge or control of any property shall allow any, unlicensed, partially dismantled, inoperative, wrecked or junked vehicle to remain on the property longer than thirty (30) days where said vehicle is visible from a public road or adjacent residence. Up to five (5) such vehicles may be kept on the property, unenclosed, provided that said vehicles are not visible from a public road or adjacent residences. Vehicles shall be screened by building or natural vegetation.

F. All structures, landscaping and fencing shall be reasonably maintained so as to avoid health or safety hazards and prevent a degradation in the value of adjacent property.

Subd. 7. Nuisances. Any visual appearance, noises, odors, heat, dust, vibration, smoke, air pollution, glare, electrical interferences, or other such objectionable influences, or the storage of refuse or disposal of wastes that construed by the Town Board to be a menace or nuisance to the public health, safety, or general welfare of the Town,

or to have a depressing influence upon the property values in the area shall be prohibited.

Subd. 8. Administrative Standards. Whenever in the course of administration and enforcement of this Ordinance it is necessary or desirable to make any administrative decision, unless other standards are provided within this Ordinance, the decisions shall be made so that the result will be consistent with the intent and purpose of the Ordinance as described in Section 3 of this Ordinance.

Subd. 9. Sanitary Provisions.

A. Water Supply – Any public or private supply of water for domestic purposes must meet or exceed standards for water quality of the MN Dept. of Health and the MN Pollution Control Agency. Private wells must be located, constructed, maintained, and sealed in accordance with or in a more thorough manner than the Water Well Construction Code of the MN Dept. of Health.

B. Sewage Treatment – Any premises used for human occupancy must be provided with an adequate method of sewage treatment.

1. Publicly–owned sewer systems must be used where available.

2. All private sewage treatment systems must meet or exceed the most current applicable rules of the MN Dept. of Health and the MN Pollution Control Agency.

3. Sewage and Water Systems: Licenses and Permits – all installations of on-site sewage disposal systems shall be made by an installer who has been licensed in accordance with the requirements of the MN Pollution Control Agency.

Subd. 10. Fire Protection Standards. All places of residence must display a registered 911 address number in unobstructed view of the nearest road.

Subd. 11. Notification of Zoning Ordinance. In all cases where land is sold, the seller must inform the buyer that Royalton Township has adopted a zoning ordinance.

SECTION 12. NONCONFORMING BUILDINGS, STRUCTURES AND USES

Subd. 1. Purpose. It is the purpose of the Section to provide for the regulation of nonconforming buildings, structures, and uses and to specify those requirements, circumstances, and conditions under which nonconforming buildings, structures, and uses will be operated and maintained. The Zoning Ordinance establishes separate districts, each of which is an appropriate area for the location of uses which are permitted in that district. It is necessary and consistent with the

establishment of these districts that nonconforming buildings, structures, and uses not be permitted to continue without restriction. Furthermore, it is the intent of this Section that all nonconforming uses shall be eventually brought into conformity.

Subd. 2. Any structure or use lawfully existing upon the effective date of this Ordinance shall not be enlarged, but may be continued at the size and in the manner of operation existing upon such date except as hereinafter specified or, subsequently amended.

Subd. 3. No nonconforming building, structure or use shall be moved to another lot or to any other part of the parcel, or lot upon which the same was constructed or was conducted at the time of this Ordinance adoption, unless such movement shall bring the nonconformance into compliance with the requirements of this Ordinance.

Subd. 4. When any lawful nonconforming use of any structure or land in any district has been changed to a conforming use, it shall not thereafter be changed to any nonconforming use.

Subd. 5. A lawful nonconforming use of a structure or parcel of land may be changed to lessen the nonconformity of use. Once a nonconforming structure or parcel of land has been changed, it shall not thereafter be so altered to increase the nonconformity.

Subd. 6. If at any time a nonconforming building, structure, or use shall be destroyed to the extent of more than fifty (50) percent of its fair market value, said value to be determined by the County Assessor, then without further action by the Board, the building and the land on which such building was located or maintained shall, from and after the date of said destruction, be subject to all the regulations specified by these zoning regulations for the district in which such land and building are located. Any building which is damaged to an extent of less than fifty (50) percent of its value may be restored to its former extent. Estimate of the extent of damage or destruction shall be made by the Zoning Administrator.

Subd. 7. Whenever a lawful nonconforming use of a structure or land is discontinued for a period of twelve (12) months, following written notice from an authorized agent of the Town, any future use of said structure or land shall be made to conform with the provisions of this Ordinance.

Subd. 8. Normal maintenance of a building or other lawful nonconforming use is permitted, including necessary non-structural repairs and incidental alterations which do not physically extend or intensify the nonconforming use.

Subd. 9. Alterations may be made to a building or other lawful nonconforming residential units when they will improve the livability thereof, provided they will not increase the number of dwelling units or size or volume of the building.

Subd. 10. Any proposed structure which will, under this Ordinance, become nonconforming but for which a building permit has been lawfully granted prior to the effective date of this Ordinance, may be completed in accordance with the approved plans; provided construction is started within sixty (60) days of the effective date of this Ordinance. Such structure and use shall thereafter be a legally nonconforming structure and use.

SECTION 13. ADMINISTRATION AND ENFORCEMENT

Subd. 1. Administrating Officer. This Ordinance shall be administered and enforced by the Zoning Administrator who shall be appointed by the Town Board.

Subd. 2. Duties of the Zoning Administrator. The Zoning Administrator shall enforce the provisions of this Ordinance and shall perform the following duties:

A. Determine that all building permits comply with the terms of this Ordinance.

B. Maintain permanent and current records of this Ordinance, including but not limited to, all maps, amendments, conditional uses, variances, appeals, and applications thereof.

C. Receive, file and forward all applications for appeal, variances, conditional uses, amendments, and other matters to the designated official bodies.

D. Institute in the name of the Town, any appropriate actions or proceedings against a violator as provided by law.

Subd. 3. Building Permit Required.

A. Scope. From and after the effective date of this Ordinance, it shall be unlawful to proceed with the construction, placement, or enlargement of the exterior dimension, or changes of any building or structure without first obtaining a building permit.

B. Application. Request for a building permit shall be filed with the Zoning Administrator on an official application form. Each application for a permit shall be accompanied by a site and floor plan drawn showing the dimensions of the lot to be built upon, the size and location of all principal and accessory buildings and parking areas, and such additional information deemed necessary for the proper review and enforcement of this Ordinance and any other applicable building codes.

All building permits are issued for a twelve (12) month period. Building permits can be extended for an additional twelve (12) month period for a fee equal to one half (1/2) the original permit fee if applied for within thirteen (13) months of the issuance of the original permit. If application for renewal is made after thirteen (13) months from the original permit is awarded, the fee shall be equal to the amount for a new permit as set by the Township Board of Supervisors at their annual reorganizational meeting.

C. Issuance of Permit. The Zoning Administrator shall issue the building permit only when the plans comply with this Ordinance and other applicable Town ordinances.

D. Structures constructed without a building permit if the structure would otherwise qualify for a permit under this ordinance shall be assessed a fine against them equal to two times (x2) the building permit fee at the time enforcement is taken.

Subd. 4. Fees.

A. To defray administrative costs of processing requests for building permits, conditional uses, amendments, variances, or appeals, a base fee per application shall be paid by all applicants, in accordance with a fee schedule set by the Township Board of Supervisors at the annual reorganizational meeting.

B. In order to defray any additional cost of processing applications (building permit, amendment, conditional use, variance, appeal) for developments, all applicants shall pay the total cost of staff and/or consulting time spent exclusively in producing materials for the applicant's request, and related expenses including but not limited to mileage, telephone calls, postage, copies, and other materials, etc., for said request.

1. "Materials" shall include, but not be limited to maps, graphs, charts, drawings, etc., and all printing or reproduction of same in any medium.

2. "Staff and/or consulting time" shall include any time spent in either researching for or actual production of materials, travel time and meetings with consultants, legal counsel, or township officials, etc.

3. The hourly rate for "staff and/or consulting time" shall be set by the Township Board of Supervisors at the annual reorganizational meeting and made available to the applicant by the Zoning Administrator prior to production of any materials and the applicant shall be given a reasonable estimate of project time and/or materials costs.

C. Fees shall be payable at the time applications are filed with the Zoning Administrator and are not refundable. A deposit to cover staff or consulting

time and special materials will be established and required by the Zoning Administrator at the time the base fee is paid.

Subd. 5. Pine County shall be responsible for the administration of all applicable County ordinances and regulations, including those addressing shorelands and onsite sewage treatment systems.

SECTION 14. MINING

It is the purpose of this ordinance to regulate the responsible mining of natural resources within the township.

Subd. 1. Commercial Mining. The extraction of sand, gravel, or other material from the land in the total amount of four hundred (400) cubic yards or more for sale and removal thereof from the site shall be defined as commercial mining. In all districts the conduct of commercial mining shall be permitted only upon issuance of a conditional use or interim use permit. As of April 15, 1988 all existing commercial mining activities shall require a conditional use or interim use permit. The following requirements shall apply to commercial mining operations:

A. The following information shall accompany the conditional use or interim use permit application in writing with necessary maps.

1. Site Plan

a. Area of site

b. Proximity of site to lot lines, adjacent structures

c. Existing drainage and permanent or temporary ponding areas

B. Operational Plan

1. Placement of structures and equipment

2. Location and amount of materials to be removed

3. Location and height of materials to be stock piled

4. Altered drainage and ponding areas

5. Erosion and sediment controls to be used

6. Dust, noise, and smoke control

7. Duration of mining operation

8. Other activities occurring related to mining activity

C. End Use Plan

1. Final grade of site

2. Vegetative cover

3. Use of site

D. Other information as may be requested by the Planning Commission or Town Board.

Subd. 2. Operating Plans. The Planning Commission and Town Board may require updated operational plans on an annual basis. The approval of the operational plan shall be a condition of the conditional use permit. There will be no fee charge for a renewal of the operational plan, provided that there are no changes in the plan.

Subd. 3. Extended Uses. Any use beyond the extraction and stockpiling of materials such as crushing, washing, or processing of materials; the production of architectural or structural stone; or the manufacture of asphalt, concrete or concrete building blocks shall be considered a separate use and may be allowed by issuance of a conditional use or interim use permit.

Subd. 4. Deposited Materials. No materials shall be deposited, temporarily or permanently, without the issuance of a conditional use or interim use permit allowing such deposition.

Subd. 5. Conditions. The Planning Commission or Town Board may place conditions upon the issuance of the permit in addition to those described in Section 2. These conditions may include:

A. Maintenance standards of site - including weed control, storage and parking of vehicles and equipment.

B. Drainage and sediment control.

C. Fencing and screening.

D. Location and maintenance of access roads and hauling routes.

E. Dust, noise, and smoke control.

F. Setbacks from property lines.

G. Hours of operation. Crushing hours 7 AM to 7 PM

H. Rehabilitation of land and vegetation.

I. Posting of performance bond to reimburse the Town for any costs which may be incurred for the following:

1. Costs of bringing the operation into compliance with the conditional use or interim use permit requirements.

2. Costs of reclamation should the permitee fail to execute any part of a reclamation plan as required within this ordinance or as a condition of the permit.

3. Extraordinary costs of repairing roads due to the special burden resulting from the hauling of materials and traffic associated with the operation. The amount of such cost shall be determined by the County Engineer.

Subd. 6. Land Reclamation. Under this Ordinance land reclamation is the reclaiming of land by the deposit of materials so as to elevate the grade. All land reclamation shall be controlled under the provisions of the Zoning Ordinance and shall meet the following minimum standards:

A. The smallest amount of bare ground is exposed for as short a time as feasible.

B. Temporary ground cover is used and permanent ground cover, such as sod, is planted.

C. Methods to prevent erosion and trap sediment are employed.

D. Fill is stabilized to accepted engineering standards.

E. Final Slopes for cut slopes should be a maximum of 1:1, or 100%; fill slope 3:1, or 30%, and grade or construction slope 5:1, or 20%.

F. Within 300 feet of shoreline – MN Dept. of Natural Resources shoreline requirements apply.

SECTION 15. HOME OCCUPATIONS

It is the purpose of this ordinance is to provide for the use of the home as a place for the operation of a business or profession either as a conditional or interim use or permitted accessory use.

Subd. 1. Permitted Home Occupations

Home occupations which do not generate a noticeable increase in traffic shall be permitted. Such home occupations as architects, artists, clergymen, clothing alterations, barbershops, beauty salons, repair shops, daycare, general contractors, sub contractors, truckers, welding shops, domestic crafts making and similar uses are permitted.

A. Business owner must reside on property to be considered a home occupation.

B. Home Occupations operations involving 2 or less employees not residing in the home but working out of this location.

C. Accessory buildings and or outside storage must be less than 4,000 square feet.

D. Licensed business related vehicles and trailers are limited to 3 units.

Subd. 2. Home Occupations Requiring a Conditional or Interim Use Permit.

Home occupations which have the potential for generating a noticeable increase in traffic, require additional parking, involve three (3) or more employees not residing in the home shall require a Conditional or Interim Use Permit. Such home occupations, such as barber shops, beauty salons, repair shops, clothing shops, bed-and-breakfast inns, museums, retreat center, general contractors, sub contractors, truckers, welding shops, animal hospitals and kennels, schools, and similar uses shall require a Conditional or Interim Use Permit.

A. Such home based businesses must be located on not less than 5 acres.

B. Business owner must reside on property to be considered a home occupation.

C. Home Occupations operations involving 3 or more employees not residing in the home but working out of this location.

D. Accessory buildings and or outside storage must be less than 4,000 square feet.

Subd. 3. Performance Standards

All home occupations shall conform to the following standards:

A. Conduct of the home occupation does not require alterations to the exterior of the residence which substantially alters the appearance of the dwelling as a residence.

B. The home occupation shall not generate sewage of a nature or type that cannot be treated by a standard on-site sewage system, or hazardous wastes without an approved plan for off-site disposal.

C. The activities, equipment, and materials involved in the home occupation shall be conducted and contained within the home or accessory structure to the principal use; except in those cases when such activities, equipment and materials are not visible from a public road or adjacent residences. Such activities and items shall be screened by buildings or natural vegetation.

Subd. 4. Review By Planning Commission

When deemed appropriate, the Zoning Administrator may bring a proposal or existing home occupation to the attention of the Planning Commission at which time the Planning Commission may permit the use or hold such public hearings, request such information, or require such conditions as deemed necessary to ensure compliance with the performance standards and intent of this Ordinance.

SECTION 16. AMENDMENTS AND CONDITIONAL USE PERMITS

Subd. 1. Procedure.

A. Request for amendments or conditional use permits, as provided within this Ordinance, shall be filed with the Zoning Administrator on an official application form. Such application shall also be accompanied by complementary copies of detailed written and graphic materials fully explaining the proposed change, development, or use. The Zoning Administrator shall refer said application, along with all related information, to the Town Planning Commission for consideration and a report at least fifteen (15) days before the next regular meeting.

B. The Zoning Administrator on behalf of the Planning Commission, shall set a date for a public hearing. A notice of the time, place, and purpose of the hearing shall be published in the official newspaper of the Town at least ten (10) days prior to the date of the hearing. A similar notice shall also be mailed not less than ten (10) days prior to the date of the hearing to all property owners of record according to the county assessment records, within one (1) mile or the ten (10) properties nearest property to which the request relates, whichever would provide notice to the greatest number of owners. A copy of the notice and a list of the property owners and addresses to which the notices was sent shall be attested to by the Zoning Administrator or Town Clerk and made part of official record. The failure to give mailed notice to individual property owners, or defects in the notice shall not invalidate the proceedings, provided bona fide attempt to comply with this subdivision has been made.

C. The Planning Commission shall consider the request and hold a public hearing at its next regular meeting unless the filing date falls within fifteen (15) days of said meeting, in which case the request would be placed on the agenda and

considered at the regular meeting following the next regular meeting. The Zoning Administrator shall refer said application, along with all related information, to the Town Planning Commission for consideration. The applicant or a representative thereof shall appear before the Planning Commission in order to answer questions concerning the proposed amendment or conditional use.

D. The Planning Commission and Town staff shall have the authority to request additional information from the applicant concerning planned use of the property, operational factors or to retain expert testimony with the consent and at the expense of the applicant concerning operational factors, if information is declared necessary to establish performance conditions in relation to all pertinent sections of this Ordinance.

E. Within sixty (60) days from the date of the public hearing, the Planning Commission shall make a finding of fact and recommend such actions or conditions relating to the request of the Town Board.

1. The Planning Commission shall consider possible adverse affects of the proposed amendment or conditional use. Its judgment shall be based upon (but not limited to) the following general factors:

a. Relationship to the Town's Comprehensive Plan and Policies.

b. The use will not create an excessive demand on public services and facilities.

(1) The use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development will not be depreciated in value and there will be no deterrence to development of vacant land.

(2) The structure and site shall have an appearance that will not have an adverse effect upon adjacent properties.

(3) The use in the opinion of the Town is reasonably related to the overall needs of the Town and to the existing land use.

(4) The use is consistent with the purposes of the zoning ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.

(5) The use will not cause traffic hazard or congestion.

2. In considering conditional use requests, the Planning Commission shall evaluate the use, utilizing from the requirements “a” through “l” below, those which are specific to the designated uses as indicated in “3” below.

    a. The land area and setback requirements of the property containing such a use or activity shall be the minimum established for the district.

    b. When abutting a residential use in a district permitting residences, the property shall be appropriately screened and landscaped.

    c. Where applicable, all town, county, state and federal laws, regulations and ordinances shall be complied with and all necessary permits secured.

    d. All signs shall not adversely impact adjoining or surrounding residential uses.

    e. Adequate off-road parking and loading shall be provided. Such parking and loading shall be screened and landscaped from abutting residential uses.

    f. The road serving the use or activity is of sufficient design to accommodate the proposed use or activity, and such use or activity shall not generate such traffic to create a nuisance or hazard to existing traffic or to surrounding land uses; or result in the need for excessive road improvements or maintenance.

    g. All access roads, driveways, parking areas, and outside storage, service, or sales areas shall be surfaced to control dust.

    h. All open and outdoor storage, sales and services areas shall be screened from view from abutting residential uses or districts.

    i. All lighting shall be designed as to have no direct source of light visible from adjacent residential areas or from the public streets.

    j. The use or activity shall be properly drained to control surface water runoff and prevent erosion.

    k. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence.

l. Where structures combine residential and nonresidential uses, such uses shall be separated and provided with individual outside access, and the uses shall not conflict in any manner.

3. The conditional use application shall comply with the minimum specific requirements pertaining to each designated conditional use as stated below.

Conditional Use	Requirements
Commercial uses	a,b,c,d,e,f, g,h,i,j,k,l
Industrial uses	a,b,c,d,e,f, g,h,i,j,k,l
Commercial recreational parks, campgrounds, facilities	a,b,c,d,e,f, g,h,i,j,k,l
Churches	a,c,e,f,g,k,l
Organized group camps	a,b,c,d,e,f, g,k,l
Extraction of sand, large amounts of top soil, gravel, minerals, or rock	a,b,c,d,e,f, g,j
Two-family, multi-family residences	a,c,e,f,g,j,k

4. The Township may impose such additional restrictions or conditions as deemed necessary to protect the public interest. When appropriate, restrictive covenants may be entered into regarding such matters. These conditions, in addition to those specific requirements set forth in paragraph E, 2 and 3 of Subdivision 1 of this Section, may include, but are not limited to the following:

a. Matters relating to the architecture or appearance.

b. Establishing hours of operation.

c. Increasing the required lot size or yard dimension.

d. Limiting the height, size or location of buildings.

e. Controlling the location and number of vehicle access points.

f. Increasing the street width.

g. Increasing the number of required off-street parking spaces.

h. Limiting the number, size, location or lighting of signs.

i. Requiring diking, fencing, screening, landscaping or other facilities of protect adjacent or nearby property.

j. Designating sites for open spaces. All conditions pertaining to a specific site are subject to change when the Planning Commission or Town Board, upon investigation, finds that the community safety, health, welfare and public betterment can be served as well or better by modifying the conditions.

F. Upon receiving the report and recommendation of the Planning Commission, or until sixty (60) days after the first Planning Commission meeting, at which the request was considered, the Town Board shall place the report and recommendation on the agenda for the next regular meeting. Such reports and recommendations shall be entered in and made part of the permanent written record of the Town Board meeting.

G. Upon receiving the report and recommendation of the Planning Commission, the Town Board shall either:

1. Approve or disapprove the request as recommended by the Planning Commission, based upon whether the application meets the requirements stated in the Ordinance.

2. Approve or disapprove the recommendation of the Planning Commission with modifications, alterations, or differing conditions, Such modifications, alterations or differing conditions shall be in writing and made part of the Board's records, or

3. Refer the recommendation back to the Planning Commission for future consideration. This procedure shall be followed only one time on a singular action.

4. Approval of a request shall require passage by two-thirds (2/3) vote of the full Town Board. The Zoning Administrator or Town Clerk shall notify the applicant of the Board's action.

H. The recommendation of the Planning Commission shall be advisory to the Town Board. The decision of the Town Board shall be final subject to judicial review.

Subd. 2. Amendments – Initiation. The Town Board or Planning Commission may, upon their own motion, initiate a request to amend the text or the district boundaries of this Ordinance. Any person owning real estate within the Town may initiate a request to amend the district boundaries or text of this Ordinance so as to affect the said real estate. All amendment requests must first be reviewed by the Planning Commission.

Subd. 3. Lapse of Conditional Use Permit by Non-Use. Whenever within one (1) year after granting a conditional use permit, the work as permitted by the permit shall not have been completed, then such permit shall become null and void unless a petition for extension of time in which to complete the work has been granted by the Town Board. Such extension shall be requested in writing and filed with the Zoning Administrator or Town Clerk at least thirty (30) days before the expiration of the original conditional use permit. There shall be no charge for the filing of such petition. The request for extension shall state facts showing a good faith attempt to complete the work permitted in the conditional use permit. Such petition shall be presented to the Planning Commission for a recommendation and to the Town Board for a decision and shall be requested on a singular action.

Subd. 4. Performance Bond. The Planning Commission and Town Board shall have the authority to require a performance bond or other security when it is deemed necessary and appropriate.

A. Except in the case of non-income producing residential property, upon approval of a conditional use permit the Town may be provided with a surety bond, cash escrow, certificate of deposit, securities, or cash deposit prior to the issuing of building permits or initiation of work on the proposed improvements or development. Said security shall guarantee conformance and compliance with the conditions of the conditional use permit and the ordinances of the Town.

B. The security may be in the amount of the Town Board's estimated cost of labor and materials for the proposed improvements or development. Said project can be handled in stages upon the discretion of the Town Board.

C. The Town may hold the security until completion of the proposed improvements or development and a certificate of occupancy indicating compliance with the variance or appeal and ordinances of the Town has been issued by the Town Zoning Administrator.

D. Failure to comply with the conditions of the conditional use permit and/or ordinances of the Town may result in forfeiture of the security.

SECTION 16.1. INTERIM USE PERMITS

Subd. 1: Definition.

An "interim use" is a temporary use of property until a specific date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

Subd. 2: Purpose.

A. The purpose and intent of allowing interim uses is:

1. To allow a use for a limited period of time that reasonably utilizes the property in a manner not permitted in the applicable zoning district.
2. To allow a use that is presently acceptable, but not permitted within the zoning district and, with anticipated development, may not be acceptable in the future.

Subd. 3: Procedure.

The application, public notice, public hearing, and procedure requirements for interim use permits shall be the same as those for Conditional Use Permits as provided in Section 16 of this Ordinance, referencing and in accordance with M.S. 394.26.

Subd. 4: Standards.

A. The Planning Commission shall recommend an interim use permit and the Board shall issue such interim use permits only if it finds that such use at the proposed location:

1. Meets the standards of a conditional use permit set forth in Section 7 of this Ordinance.
2. Conforms to the zoning regulations, performance standards and other requirements of this ordinance.
3. Will terminate upon a specific date or event specified in the resolution approving said interim use permit, and the interim use permit itself.
4. Will not impose, by agreement, additional costs on the public if it is necessary for the public to remediate or restore the property back to compliance in the future.
5. Will be subjected to any conditions that the Town Board has deemed appropriate for permission of the use which may include a condition that the owner will provide an appropriate financial surety to cover the cost to remediate or restore the property back to compliance in the future.

Subd. 5: Termination.

A. An interim use permit shall terminate upon the occurrence of any of the following events; whichever first occurs:

1. The date specified in the permit;
2. A violation of the conditions under which the permit was issued;
3. A change in the Town's zoning regulations;
4. Upon the written request of the permitee.

B. No more than three interim use permits shall be granted to a single property at any one time.

Section 16.1 ADOPTION

The Royalton Township Interim Use Permits is hereby adopted by the Royalton Township Board of Supervisors on this 31st day of March, 2015.

_____

Marshall Pearson
Chair, Royalton Township Board of Supervisors

_____

Leslie Orvis
Supervisor

_____

Wayne Olson
Supervisor

Attest:

_____

Roberta Folkestad
Clerk, Town of Royalton

Notice of Public Hearing Published: February 26, 2015
Public Hearing: Tuesday, March 3, 2015
Adopted by Town Board: Tuesday, March 31, 2015
Publication of Ordinance: February 26, 2015
Filed with County Recorder: April 6, 2015
Effective Date: March 31, 2015

Royalton Township Interim Use Permits section 16.1
Drafted by Royalton Township Planning Commission,
December 16, 2014
6052 Royalton Road,
Braham, MN 55006-2734

SECTION 17. VARIANCES AND APPEALS

Subd. 1. Board of Adjustment and Appeals. The Town Board shall act as the Board of Adjustment and Appeals and shall have the following powers:

A. To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by the administrative official in the enforcement of the Zoning Ordinance.

B. To hear requests for variances from the literal provisions of this Ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

Subd. 2. Procedures.

A. Requests for variances or appeals shall be filed with the Zoning Administrator on an official application form. Such application shall also be accompanied by complementary copies of detailed written or graphic materials fully explaining the proposed request. The Zoning Administrator shall refer said application, along with all related information to the Board of Appeals, for consideration.

B. The Board of Adjustment and Appeals, shall consider the request at its next regular meeting unless the filing date falls within fifteen (15) days of said meeting, in which cases the request would be placed on the agenda and considered at the regular meeting following the next regular meeting. The applicant or a representative thereof shall appear before the Planning Commission in order to answer questions concerning the variance request.

C. The Board of Adjustment and Appeals (Town Board) and Town staff shall have the authority to request additional information from the applicant or to retain expert testimony with the consent and at the expense of the applicant when said information is declared necessary.

D. The Board of Adjustment and Appeals (Town Board) may require a public hearing to be held in cases where it is determined that there will be an impact on adjacent properties. Written notice of said hearing shall be sent to all adjacent property owners or property owners within five hundred (500) feet of the proposed action, whichever is greater.

E. Within sixty (60) days from the date of the first meeting at which the request was considered, the Board of Adjustment and Appeals shall make a finding of fact. Such findings shall be entered in and made a part of the written record of the Board of Adjustment and Appeals' meeting.

1. In considering requests for variances, the Board of Adjustment shall make a finding of fact as to whether the request meets all of the following cases.

    a. The proposed action will be in keeping with the spirit and intent of the comprehensive plan and ordinance.

    b. The property in question cannot be put to a reasonable use if used under conditions allowed by this Ordinance.

    c. The plight of the landowner is due to circumstances unique to his property and not created by the landowner.

    d. The variance, if granted, will not alter the essential character of the locality or adversely impact the environment.

    e. The variance requested is the minimum variance which would alleviate the hardship.

    If the variance request meets all of the conditions of items (a) through (e) above, the variance may be granted. Economic considerations alone shall not constitute an undue hardship if reasonable use of the property exists under the terms of the Ordinance. Access to direct sunlight in cases of solar energy systems shall constitute grounds for granting a variance. The Board of Adjustment and Appeals (Town Board) may not permit as a variance any use which is not permitted within the zone that the property is located.

F. Approval of variances or appeals shall require passage by two-thirds (2/3) vote of the Board of Adjustment and Appeals (Town Board). The Zoning Administrator or Town Clerk shall notify the applicant of the action. The decisions of the Board of Adjustment and Appeals shall be final subject to judicial review.

G. A certified copy of every variance shall be filed with the County Recorder.

Subd. 3. Lapse of Variance or Appeal. Whenever within one (1) year after granting a variance or appeal the work as permitted by the variance or appeal shall not have been completed, then such variance or appeal shall become null and void unless a petition for extension of time in which to complete the work has been granted by the Board of Adjustment and Appeals. Such extension shall be requested in writing and filed with the Zoning Administrator at least thirty (30) days before the expiration of the original variance or appeal. There shall be no charge for the filing of such petition. The request for extension shall state facts showing a good faith attempt to complete the work permitted in the variance or appeal. Such petition shall be presented to the Board of Adjustment and Appeals for a decision, and shall be requested on a singular action.

Subd. 4. Performance Bond. The Planning Commission shall have the authority to require a performance bond or other securities when it is deemed necessary and appropriate.

A. Except in the case of non-income producing residential property, upon approval of a variance or appeal the Town may be provided with a surety bond, cash escrow certificate of deposit, securities or cash deposit prior to the issuing of building permits or initiation of work on the proposed improvements or development. Said security shall guarantee conformance and compliance with the conditions of the variance or appeal and the ordinances of the Town.

B. The security may be in the amount of the Town Board's estimated costs of labor and materials for the proposed improvements or development.

C. The Town may hold the security until completion of the proposed improvements or development and a certificate of occupancy indicating compliance with the variance or appeal and ordinances of the Town has been issued by the Town Zoning Administrator.

D. Failure to comply with the conditions of the variance or appeal and/or ordinances of the Town may result in forfeiture of the security.

SECTION 18. ENVIRONMENTAL REVIEW PROGRAM

Subd. 1. Purpose. The purpose of the Environmental Review Program Section is to provide for the preparation and review of Environmental Assessment Worksheets (EAW), Environmental Impact Statements (EIS), and other environmental documents required under Minnesota Rules, Parts 4410.0200 – 4410.7800 as amended, to implement the Environmental Review Program.

SECTION 19. PLANNING COMMISSION

Subd. 1. Creation. The Town Board hereby creates a Planning Commission pursuant to Minnesota Statutes 394.30 and all acts amendatory thereof.

Subd. 2. Membership. The Planning Commission shall consist of five members. Each member must be a resident of Royalton Township. A minimum of one member must be a member of the Town Board. All other members will be appointed by the Town Board.

Subd. 3. Term. Each member will serve a term to be determined by the Town Board.

SECTION 20. PENALTIES AND VIOLATIONS

Subd. 1. Any person who violates any provision of this Ordinance shall, upon conviction thereof, be guilty of a misdemeanor. Each day that the violation is permitted to exist constitutes a separate offense.

Subd. 2. Any person who violates any provision of any Royalton Township Ordinance shall, upon conviction thereof, be fined according to current State of Minnesota laws, or imprisoned for not more than ninety (90) days, or both. Each day that the violation is permitted to exist constitutes a separate offense.

Subd. 3. If the Township Zoning Administrator finds that any landowner is in violation of the provisions of any Township Ordinance the landowner and any occupant shall be notified of the violation in writing. If the landowner and/or occupant fails to comply with the ordinance within twenty (20) days after notification, the Township Zoning Administrator shall advise the Township Board and if the Board agrees the landowner is in violation it shall order its mitigation. In the alternative, if in the opinion of the Town Supervisors or the Clerk or the Zoning Administrator, after consultation with the Supervisors, determines the violation to constitute an imminent threat or danger to the public health, safety welfare or to cause economic loss then the township shall take such immediate action as shall be required. The matter shall be referred to legal counsel who shall initiate a District Court proceeding setting forth the violation, a demand for remediation, correction, abatement or such other and further relief as will end the violation and for legal fees, costs and expenses and such costs as will be incurred by the Township in undertaking the corrective work, remediation, or abatement.

A. Recovery of Costs. The owner of the land shall be personally liable for the costs to the township for remediation, correction, abatement or other action necessitated by the violation including legal and administrative costs. As soon as the work has been completed and the costs determined, the township shall prepare a bill for the cost and mail it to the owner. The amount shall be immediately due and payable at the town hall.

B. Assessment. If the township is not fully reimbursed for all its reasonable costs incurred, it may be assessed in the manner of a special assessment under Minnesota Statutes Chapter 429 against the lot or property to which the costs, charges, and fees are attributed. The Town Board shall certify the assessment to the County Auditor for collection along with the real estate taxes for the following year or in annual installments, not exceeding three (3) years, as the Town Board may determine in each case.

SECTION 21. DATE OF EFFECT

Subd. 1. Date of Effect

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed, Ordained and Approved this 23rd day of February, 2010 by the Town Board of Royalton Township:

_____, Chairman Leslie Orvis, Township Board of Supervisors

_____, Township Supervisor Terry Lind

_____, Township Supervisor John Kemen

Attest: _____, Town Clerk Roberta Folkestad

Introduced: February 16, 2010: Adopted: February 23, 2010: Posted February 4, 2010:
Drafted by:
Royalton Township Planning Commission; 6052 Royalton Road; Braham, MN 55006, assisted by the East Central Regional Development Commission, 100 Park Street South, Mora, MN 55051.

ORDINANCE NO. 001 – 2010
ROYALTON TOWNSHIP
PINE COUNTY MINNESOTA

AN ORDINANCE REGULATING NOISE & NUISANCES IN THE TOWNSHIP OF ROYALTON, COUNTY OF PINE, STATE OF MINNESOTA:
THE ROYALTON TOWNSHIP BOARD OF SUPERVISORS ORDAINS:

SECTION 1. PURPOSE

It is the purpose of this ordinance to regulate and establish a noise and nuisance ordinance in the Township of Royalton. Royalton Township wishes to assure that agricultural uses remain the dominant use whenever new residential uses are introduced into agricultural areas – a right to farm is presumed.

SECTION 2. DEFINITIONS

Unless the context clearly indicates otherwise, the following words, combinations of words, terms, and phrases uses in this Ordinance have the meanings set forth below:

A. "Circulating Mobile Source" means noise which emanates from a Mobile Source which remains in a close proximity to a single location.

B. "Daytime" means those hours from 7:00 AM to 10:00 PM.

C. "Hours of Acceptable Use of Mobile Source" means, Sundays by permit only, and full week-ends (6:00 PM Friday through 6:00 AM Monday – Daytime Hours only) by permit only.

D. "Lot Maintenance" means noise generating activities which are necessary to the use of Residential Property, including, without limitation, lawn mowing, snow removal, non-commercial lot clearing, house maintenance activities, farming, gardening, residential construction (including landscaping, repair, and remodeling), vegetation trimming or removal, and sidewalk, patio, or driveway construction.

E. "Mobile Source" means noise which emanates from a source that is either in motion or capable of being in motion.

F. "Nighttime" means those hours from 10:00 PM to 7:00 AM.

G. "Personal Recreational Vehicle" means a motorized vehicle designed for use by one person, sometimes including a passenger, including, without limitation, vehicles commonly known as off-highway motorcycles, off-road vehicles, snowmobiles, all-terrain vehicles, jet-skis, personal watercraft, motor-cross bikes, motorized dirt bikes, motorbikes, motorcycles, go-carts, motorized gliders, three-wheelers, and four-wheelers.

H. "Residential Property" means real property used for residential purposes, including all parcels of real property located within Royalton Township, County of Pine, State of Minnesota.

I. "Stationary Source" means noise which emanates from a source that remains stationary.

SECTION 3. <u>NUISANCES</u>

Any visual appearance, noise, odors, heat, dust, vibration, smoke, air pollution, glare, electrical interferences, or other such objectionable influences, or the storage of refuse or disposal of wastes that are construed by the Town Board to be a menace or nuisance to the public health, safety, or general welfare of the Town, or to have a depressing influence upon property values in the area shall be prohibited.

SECTION 4. INCORPORATION OF MINNESOTA NOISE CONTROL RULES AND STANDARDS BY REFERENCE

Minnesota Rules, Chapter 7030, are hereby adopted and incorporated herein by reference. The definitions in Section 2 of this Ordinance are in addition to those set forth in Minnesota Rules, Chapter 7030. A violation of the noise standards established in Minnesota Rules, Chapter 7030, shall constitute a violation of this Ordinance; exceeding either the L10 or the L50 standard for a noise area will constitute a violation.

SECTION 5. PENALTY

Subd. 1. Any person who violates any provision of this Ordinance shall, upon conviction thereof, be fined according to current State of Minnesota laws, or imprisoned for not more than ninety (90) days, or both. Each day that the violation is permitted to exist constitutes a separate offense.

Subd. 2. If the Township Zoning Administrator finds that any landowner is in violation of the provisions of this Ordinance the landowner and any occupant shall be notified of the violation in writing. If the landowner and/or occupant fails to comply with this ordinance within twenty (20) days after notification, the Township Zoning Administrator shall advise the Township Board and if the Board agrees the landowner is in violation it shall order its removal. In the alternative, if in the opinion of the Town Supervisors or the Clerk or the Zoning Administrator, after consultation with the Supervisors, determines the violation to constitute an imminent threat or danger to the public health, safety welfare or to cause economic loss then the township shall take such immediate action as shall be required. The matter shall be referred to legal counsel who shall initiate a District Court proceeding setting forth the violation, a demand for remediation, correction, abatement or such other and further relief as will end the violation and for legal fees, costs and expenses and such costs as will be incurred by the Township in undertaking the corrective work, remediation, or abatement.

A. Recovery of Costs. The owner of the land shall be personally liable for the costs to the township for remediation, correction, abatement or other action necessitated by the violation including legal and administrative costs. As soon as the work has been completed and the costs determined, the township shall prepare a bill for the cost and mail it to the owner. The amount shall be immediately due and payable at the town hall.

B. Assessment. If the township is not fully reimbursed for all its reasonable costs incurred, it may be assessed in the manner of a special assessment under Minnesota Statutes Chapter 429 against the lot or property to which the costs, charges, and fees are attributed. The Town Board shall certify the assessment to the County Auditor for collection along with the real estate taxes for the following year or in annual installments, not exceeding three (3) years, as the Town Board may determine in each case.

SECTION 6. EFFECTIVE DATE

This Amendment to the Ordinance will be in full force and effect from and after its passage and publication according to law.

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed, Ordained and Approved this 23rd day of February, 2010 by the Town Board of Royalton Township:

_____, Chairman Leslie Orvis, Township Board of Supervisors

_____, Township Supervisor Terry Lind

_____, Township Supervisor John Kemen

Attest: _____, Town Clerk Roberta Folkestad

Introduced: February 16, 2010: Adopted: February 23, 2010: Posted February 4, 2010:
Drafted by:
Royalton Township Planning Commission; 6052 Royalton Road; Braham, MN 55006, assisted by the East Central Regional Development Commission, 100 Park Street South, Mora, MN 55051.

ORDINANCE NO. 002 – 2006
ROYALTON TOWNSHIP
PINE COUNTY MINNESOTA

AN ORDINANCE REGULATING THE BUILDING AND MAINTENANCE OF ROADS AND DRIVEWAYS IN THE TOWNSHIP OF ROYALTON, COUNTY OF PINE, STATE OF MINNESOTA;
THE ROYALTON TOWNSHIP BOARD OF SUPERVISORS ORDAINS:

SECTION 1. PURPOSE

The Board finds that the unrestricted and unregulated use and maintenance of existing roads, and the development of new town roads, results in a lack of planning, coordination, inappropriate allocation of costs, and frustrates the budgeting process of the town. It is therefore necessary, and in the best interests of the town and its residents, to regulate such use, maintenance and development.

SECTION 2. DEFINITIONS

Unless the context clearly indicates otherwise, the following words, combinations of words, terms, and phrases used in this Ordinance have meanings set forth below:

A. Cartway. A cartway established under M.S. 164.08(2). For or upon which no road or bridge funds are expended, as provided.

B. Board. The Town Board.

C. Emergency Motor Vehicle. A motor vehicle operated by a fire department, a police department, an ambulance or rescue service, or by a public utility under circumstances that are necessary to the preservation of life or property or to the execution of emergency governmental functions.

D. Motor Vehicle. Every device in, upon, or by which any person or property is or may be transported or drawn upon a road or highway, excepting (1) devices moved solely by human power, and (2) devices used exclusively upon stationary rails or tracks.

E. Person. Every natural person, firm, co-partnership, association, corporation, or other legally recognized entity.

F. Right-of-Way. That area lying within the boundaries of a Town Road. For those Town Roads having no recorded width, the boundaries shall be the edge of those areas utilized for maintenance, including the area over which snow is cast while snowplowing.

G. School Bus. A motor vehicle used to transport pupils to or from a school, or to or from school-related activities by the school or a school district, or by someone under an agreement with the school or school district.

H. Service Vehicle. A motor vehicle used for the towing or hauling of other motor vehicles, or which provide a specific, on-site service to a residence or businesses whose access is by way of the town road being used, such as sanitation, delivery, construction, or excavation vehicles.

I. Town Roads. All roads within the town which are under the jurisdiction of the Town Board, excepting cartways established under M.S. 164.08 (2).

SECTION 3. APPLICATION

This ordinance shall apply to all town roads located within, or lying upon, the boundaries of the town.

SECTION 4. LOCATION OF TOWN ROADS

A. General Conditions. The Town Board shall oversee and coordinate the establishment of all town roads hereafter created. For each new town road, the Town Board shall consider the proposed location, the parcels to be served, the likelihood of extending the proposed road in the future, the relationship of the proposed road to existing town or other public roads, topography and soil types, and existing and projected traffic patterns.

B. Non-Platted Roads. In addition to the above considerations, the Town Board may require such evidence of ownership, and the preparation or delivery of such documents as will assure a proper and legal conveyance to the town.

Additionally, the Town Board may require such topographic maps, soil borings, surveys, and proof of ownership of all parcels adjoining or otherwise served by the proposed road, as are necessary or incidental to assure a valid and sound right-of-way.

C. Platted Roads. This is not to be confused with Platting of Land Developments. At the time of the initial application for the approval of a preliminary plat, whether the application is first submitted to the county or the town, the applicant shall provide the Town Board with the following:

1. Four copies of the proposed preliminary plat.

2. The legal description of all contiguous land owned by the applicant and, if the area platted is less than all of the land owned, legal descriptions for the preliminary plat and the residue parcel.

3. The name, address, and state licensure of the surveyor. The surveyor must be licensable in the State of Minnesota.

4. The existing, applicable zoning and district(s) of the land being platted.

5. Each lot and the proposed location of the driveway access to each lot, complying with Section 9 (2).

6. The location, right-of-way width and names of existing streets and other public property within 1,320 feet of the perimeter boundaries of the preliminary plat, and a drawing to scale showing all buildings and structures, easements, protected waters, wetlands, flood plains, drainage ditches, critical areas, and lakes and streams within 250 feet of the perimeter boundaries of the proposed preliminary plat.

7. Drawn to scale, the boundary lines of adjoining subdivided or unsubdivided land, within 200 feet of the perimeter of the proposed plat, identifying by name and ownership each such parcel, including any land owned by the applicant.

8. A topographic map, showing contours at vertical intervals of not more than two feet, except where the horizontal contour interval is 100 feet or more. A one-foot vertical interval shall be shown. This map shall locate and designate all water courses, marshes, wooded areas, rock outcrops, utility lines, and any other significant feature included within the proposed preliminary plat.

9. Soil tests, as required under Section 6.

10. If not shown on the preliminary plan, the layout, location and width of all proposed streets and other rights-of-way, including the proposed name for each.

11. A grading and drainage plan for the entire subdivision, including all excavations (excluding basements and other structural related excavations), and all filling proposed as part of the plan, stating the estimated cubic yardages of each.

12. The estimated cost of the complete development of all streets and/or alleys included in the proposed preliminary plat.

13. Designating specifically any outlots and their use.

    Depending upon the location, nature, and scope of the proposed preliminary plat, the Town Board may require such other information as is necessary to evaluate all public roads and other public lands included in the proposed preliminary plat.

    Where the applicant is platting less than all lands owned, the applicant may be required to submit a proposed preliminary plat for the remainder of lands owned.

    For the purpose of his section, and given the provisions of M.S. 15.99, specifically, the ten-day provision therein, to notify the applicant about what information is missing, that ten-day period shall commence following the public hearing held on the proposed preliminary plat.

D. <u>Developer's Agreement for the Construction and Maintenance of Roads and Other Rights-of-Way</u>. For streets and rights-of-way included in a proposed preliminary plat, or to be established other than under the provisions of M.S. 164.07, the applicant/dedicator shall, at the time of submission of the proposed preliminary plat or other document initiating the establishment of a town road, deliver to the Town Board a proposed Developer's Agreement, Ex. 5 attached hereto, (Royalton Township's New Road Proposal), setting forth the terms and conditions, and time frame, within which the applicant/dedicator shall construct all said roads and rights-of-way, the terms and conditions of all

payments for the same, and, if not completed upon the recording of the document establishing said roads and rights-of-way, the means of security (i.e. performance bond or cash deposit) afforded to the town, to assure said completion.

The Town Board may redraft, amend, revise, or modify the proposed Developer's Agreement, to assure compliance with all conditions of this section. Should the applicant/dedicator fail or refuse to execute the Developer's Agreement, and if said agreement is not unreasonable in its terms, the town shall have no obligation to approve or accept the proposal of the applicant/ dedicator.

E. City Streets Connecting to Town Roads.
If an existing or proposed City street serving city residents connects to a town road providing the only public access to said city residents, the City shall enter into a written agreement with the Town, setting forth the conditions for the connection, and allocate the cost of maintenance for the town road so used between the City and the Town. In the absence of such an agreement, the Town shall have no obligation to continue or permit the connection.

SECTION 5. CARTWAYS: M.S. 164.08 SUBS. 2

A. Under the provisions of the cited statute, the Board may take into consideration the provisions of this ordinance in determining whether an alternative route is appropriate and in the public's best interest.

B. The Board will not take action on any Petition submitted under this statute until the petitioner has filed with the Board a cash deposit or letter of credit for the total estimated damages and expenses set by a resolution of the Board.

SECTION 6. DESIGN: TOWN ROADS

A. Design. All roads shall be designed to comply with the requirements of Ex. 1 attached hereto, which are minimum standards and which may be increased to accommodate traffic and usage.

B. Subgrade. The owner/developer shall submit soil tests not less than 5 feet in depth, as required by Ex. 2 attached hereto. The soils tests must be approved by a Soils Engineer.

C. Road Surface and Base. The road surface and base shall be constructed in compliance with Ex. 3 attached hereto.

D. Final Inspection. Upon completion of the road, written notice shall be given to the Town; the Town shall inspect it: If approved, or if defects exist, the Town shall give written notice of same.

E. Acceptance of road. Whether by a Developer's Agreement or otherwise, the owner/developer shall be solely responsible and liable for all repairs of the road for a period of two years following the final inspection of the road by the Town.

F. Reimbursement for expenses. The owner/developer shall reimburse the Town for any and all expenses incurred by the Town in reviewing plans and inspecting a road. The expenses shall be paid in full prior to final acceptance of the road.

SECTION 7. PARKING

A. Parking restricted. The Board by resolution may restrict parking on certain town roads, or portions thereof. The resolution shall describe the road, or portion thereof, and state the restrictions that apply.

B. Parking prohibited. The Town Board may by resolution designate certain town roads, or portions thereof, within which parking shall be prohibited.

C. Signing. Any town road upon which parking is regulated or prohibited shall be posted in accordance with the requirements of the Minnesota Dept. of Transportation.

SECTION 8. WEIGHT RESTRICTIONS

A. Resolution. In accordance with M.S. 169.87, the Town Board, by resolution, may designate certain town roads, or portions of such roads, with limited weight restrictions. Any such resolution shall describe the road, or portion thereof, and shall specify the restrictions or conditions for the designated area. Each such road shall be designated and posted as a 5-, 7-, or 9-ton road. The gross weight on any single wheel shall not exceed the amount of the designated weight restriction. For the purpose of this ordinance, a single wheel includes two or more wheels, the centers of which are less than 48 inches apart on an axle.

B Signing. Any town road subject to weight restrictions shall be posted in accordance with the requirements of MNDOT.

C. Exceptions. The weight limitations contained herein shall not apply to school buses, authorized emergency vehicles, tow trucks when responding to a request for assistance, and to those vehicles making single-trip deliveries.

A single-trip delivery means those vehicles making not more than two delivery trips in any calendar week to a single destination located in the Town.

D. Special Permits. Any person or entity proposing to use the road restricted herein who or which would be in violation of these restrictions may apply to the town, to the Zoning Administrator, for a special permit to utilize said road. An application for a permit shall designate the vehicles(s) to be used, including the description and the license number of each; the loaded gross weight of each vehicle; the type of materials being transported; the calendar period over which such transportation will occur; the number of trips per day; and the place of origin and destination of each such trip. The Town Board may, at its discretion, issue a special permit, taking into consideration the need and necessity for the use of the restricted road and impose any conditions upon such use through such permits as are reasonable to protect and preserve said road and maintain the quiet enjoyment of adjoining property owners. The Town Board may require such security as it deems appropriate to assure compliance with the conditions of the permit and to restore and/or maintain said road. The cost of a permit shall be according to the fee schedule set by the Town Board each year and shall accompany any application.

SECTION 9. DRIVEWAY PERMITS

A. Permit Required. No person shall install, construct or create a driveway accessing an existing Town Road without first obtaining a driveway permit from the Zoning Administrator.

Application for a driveway permit shall be made to the Zoning Administrator; stating the address or the legal description of the parcel, together with a drawing, to-scale, showing the parcel, the town road, and the location and design of the driveway. The cost of the permit shall be included with the application per the fee schedule set by the Town Board each year.

B. Driveway conditions. Each driveway shall:

1. To the maximum extent possible, comply with the MNDOT sight line requirements; provided that driveways on the same side of the road shall be not less than 300 feet apart; driveways accessing opposite sides of the road shall be across from one another; and the Board may require joint driveways servicing more than one parcel to meet the requirements herein.

2. Contain, a culvert with flared aprons; complying with Royalton Township Guidelines for minimum diameter and design, per Royalton Township Driveway/Culvert Policy.

3. Within 40 feet of the centerline of the Town Road, to the maximum extent possible, shall be level with the traveled portion of the same.

4. If the Town Road is blacktopped, contain a blacktop apron not less than 3

feet in width, and 20 feet in length abutting the blacktopped road, and a separate apron of the same size for a mailbox.

5. Where ditches are required, to the maximum extent possible, contain slopes at a 4:1 ratio.

C. Allocation of costs.

1. If accessing an existing town road, all costs, including a culvert, shall be the owner's responsibility.

2. For a new or relocated town road, the costs shall be the responsibility of the Township; to include one approach per each parcel served. Additional approaches, by permit only, shall be the responsibility of the owner.

SECTION 10. USES OF RIGHT-OF-WAY BY PUBLIC AND PRIVATE UTILITIES

Any public or private utility intending to make use of any town road right-of-way shall first submit a drawing, showing each road to be so utilized, and showing the nature, design and the location, within the right-of-way, of the proposed installation. A permit is required for such use and the cost shall be according to the fee schedule set by the Board each year.

SECTION 11. PRIVATE USES OF TOWN ROAD RIGHTS-OF-WAY

No person shall make, cause, or permit any private use of a town road right-of-way without first applying for and obtaining a permit from the Board. The application shall be to scale, identify the road to be used, and describe and show in detail the use to be made, including the size and location of any structures or man-made objects used in conjunction therewith. In the event the proposed use increases or adversely impacts the liability of the Town, the permit may be denied. Uses requiring a permit include but are not limited to: permanent mailbox structures, permanent fences, items for sale, gardens, farm machinery, and motor vehicles.

SECTION 12. MAINTENANCE AND RESTORATION OF TOWN ROADS BY SPECIFIC USERS

In any instance where any person will be making continuous use of a town road, or roads, for hauling heavy loads, the Board may require that the user enter into a contract with the Town, to contain such conditions as are deemed necessary and/or appropriate, including a bond, to provide maintenance, dust control, and the restoration of any deterioration thereof, resulting from such use. Uses covered by this section shall include but not be limited to: mining operations, summer hauling, or excavating operations.

For the purpose of this section, "continuous use" means more than 5 round trips per day, or 20

round trips per week; "heavy loads" means any vehicle having a gross vehicle weight of the lesser of 9 ton per axle or the legal MNDOT specifications.

SECTION 13. PENALTIES FOR VIOLATION

Any person who violates any provision of this Ordinance shall, upon conviction thereof, be fined according to current State of Minnesota laws, or imprisoned for not more than ninety (90) days, or both. Each day that the violation is permitted to exist constitutes a separate offense.

SECTION 14. EFFECTIVE DATE

This Ordinance will be in full force and effect from and after its passage and publication, according to law.

Adopted this 26TH day of February, 2008, by the Town Board of Royalton Township.

Gordon Nordby, Chairman_____

Leslie Orvis, Supervisor_____

John Kemen, Supervisor_____

ATTEST:

_____
Roberta Folkestad, Clerk

Introduced: November 28, 2006

Adopted: February 26, 2008

Posted: November 28, 2006

Drafted by: Royalton Township Planning Commission:
6052 Royalton Road
Braham, MN. 55006

ORDINANCE NO. 002 – 2010
ROYALTON TOWNSHIP
PINE COUNTY MINNESOTA

AN ORDINANCE TO PROVIDE FOR THE HEALTH AND SAFETY OF THE PEOPLE OF THIS TOWNSHIP AND TO PROVIDE FOR THE REGULATION AND PROTECTION OF ANIMALS:
THE ROYALTON TOWNSHIP BOARD OF SUPERVISORS ORDAINS:

SECTION 1. PURPOSE

The Board finds that the unrestricted and unregulated keeping of animals within the Township presents a health and safety risk to the residents of the Township as well as the health and welfare of the animals. It is necessary, therefore, and in the best interests of the Town to regulate the keeping of animals.

SECTION 2. DEFINITIONS

Unless the context clearly indicates otherwise, the words, combination of words, terms, and phrases as used in Section 2 et seq. shall have meanings as set forth in the following paragraphs:

A. Persons. Persons shall mean any individual, firm, partnership or corporation.

B. Animal Warden. Animal Warden shall mean Township Supervisor, County Sheriff, or any County deputies.

C. Commercial Kennel. Commercial Kennel shall mean a place where more than three (3) dogs of over six (6) months of age are kept for the purpose of breeding, sale, boarding, hunting, show training and/or exhibition.

D. Citation. Citation shall mean a notice or complaint issued by the Animal Warden to the owner of any animal apprising said owner of one or more violations of this ordinance.

E. At Large. Any dog or animal is at large when it is off the property of the person owning, harboring, or keeping said animal, and is not under restraint.

F. Veterinary Hospital. Veterinary hospital shall mean a place for the treatment, hospitalization, surgery, care and boarding of animals or birds, which place is owned and operated by a licensed veterinarian.

G. Under Restraint. Under restraint shall mean any dog or animal is under restraint if it is on the premises of the person harboring or keeping the animal or dog; if it is at heel beside a person having custody of it or obedient to that person's command; if it is within a private motor vehicle of a person owning, harboring, or keeping the animal or dog, or if it is controlled by a leash.

H. Dog Kennel. Dog kennel shall mean any place, building, tract of land, boat, or vehicle wherein or whereupon dogs are kept, congregated or confined; such dogs or animals having been obtained from municipalities, dog pounds, dog auction, or by advertising for unwanted animals, or animals abandoned or stolen.

I. Owner. Owner shall mean any person owning, keeping, harboring or acting as custodian of any animal.

J. Premises. Premises shall mean any building, structure, shelter, or land whereon dogs or other animals are kept or confined.

K. Public Nuisance Animal or Animals. Public nuisance animal or animals shall mean any animal or animals which:

1. If the dog/dogs or animal/animals is/are repeatedly found at large;

2. Damages the property, or garden of anyone other than its owner;

3. Is/are vicious animal/animals;

4. Causes unsanitary conditions of enclosures or surroundings;

5. By virtue of number of types of animals maintained are offensive or dangerous to the public health, safety, or welfare;

6. Makes disturbing noises;

7. Molests passers by or passing vehicles;

8. Attack other domestic animals;

9. Has been designated by the Animal Warden to be a public nuisance animal or animals by virtue of being a menace to the public health, welfare and safety.

L. Vicious Animal or Animals. Vicious animal/animals shall mean any animal or animals which constitute a physical threat to human beings or other animals by virtue of one or more attacks, injury, or places an individual in reasonable apprehension of bodily harm.

M. Agricultural Uses. Agricultural uses shall mean the use of land for keeping or producing of livestock and livestock products and poultry. The term shall not include feedlots and wild game farm operations.

N. Domestic Animals. Domestic animals shall include domestic animals defined as traditional house pets such as dogs, cats and birds which can be contained within a principal structure, throughout the entire year, provided that

containment can be accomplished without special modification to the structure requiring a building permit from the Township. Domestic animals also include birds and rabbits normally sheltered outside the home.

O. Agricultural Animals. Agricultural animals shall include animals which are used for the production of food or other products. Agricultural animals shall include cattle, hogs, sheep, goats, chickens, turkeys, horses, llamas, bison and other animals commonly accepted as farm animals in the State of Minnesota.

P. Dangerous Animals. Dangerous animals shall include mammals, birds, or large/poisonous reptiles with a propensity to be dangerous to the safety and welfare of any person, property or other domestic animal. Examples of such dangerous animals include but are not limited to, bears, lions, wolves, coyotes, cougars, tigers, panthers, apes, alligators, crocodiles, large snakes (greater than six [6] feet) and poisonous snakes, badgers, and ocelots. Dangerous animals shall also include any animal that has attacked or bitten any person when said attack or bite was unprovoked. Animals cross-bred with dangerous animals shall also be considered dangerous animals, such as dogs and coyotes and dogs and wolves.

Q. Nontraditional or Exotic Animals. Nontraditional or exotic animals shall include animals that are not normally considered to be domesticated but are not dangerous animals as defined herein.

R. Animal Unit. Animal unit shall be a unit of measure to compare differences in production of animal wastes which has a standard the amount of waste produced on a regular basis by a one thousand (1000) pound animal.

S. Feedlot. Feedlot shall be a confined area used for housing or feeding poultry or livestock where substantial amounts of animal waste will be generated, but not including barns or pens which are accessory uses incidental to a farming operation. For the purpose of this ordinance, feedlots shall include only those operations with more than ten (10) animal units.

SECTION 3. ENFORCEMENT

The provisions of this ordinance shall be enforced by the Animal Warden pursuant to policies established by the Town Board of Supervisors.

SECTION 4. RIGHT OF ENTRY

The Animal Warden shall have the right to enter upon any premises at all reasonable times for the purpose of discharging the duties imposed by this ordinance where there is a reasonable belief that a violation of this ordinance has been committed.

SECTION 5. RECORDS

It shall be the duty of the Animal Warden to keep the following records, subject to inspection by the Town Board of Supervisors or their designated agents as set forth in the following paragraphs:

A. Accurate and detailed records of all reported bite cases and investigations for a period of three (3) years.

B. Accurate records of all citations issued for violations of this ordinance.

SECTION 6. RUNNING AT LARGE PROHIBITED

No dog shall be allowed by its owner to run at large and every owner of a dog shall cause the same to be:

A. Confined to the owner's property by training, fencing or leashing and females in heat shall be confined in an enclosure and so kept and confined therein during such entire period and until such dogs shall NOT attract other dogs on account thereof.

B. While in any public place such as school, playground, public roadway, or park, on a leash, chain, or cord of not more than six (6) feet in length and in custody of a person of sufficient age to adequately control the dog all times. The owner will be responsible for proper removal and disposal of all waste material generated by their dogs.

SECTION 7. CONFINEMENT OF ANIMALS/DOGS WITH A HISTORY OF BITING

Every fierce, dangerous or vicious animal/dog that has a history of biting a human or any domestic animal, shall be confined by the owner within a building or secure covered enclosure unless muzzled and on a leash.

SECTION 8. DOG/ANIMAL ON A LEASH

The restriction imposed by Section 6 shall not prohibit the appearance of a dog/animal upon the public road or other public place when such dog/animal is on a leash or under restraint, except a female dog in season.

SECTION 9. ABANDONMENT OF ANIMALS

It shall be unlawful to abandon any dog or other animal within this Township.

SECTION 10. DISPOSITION OF CERTAIN DISEASED OR DANGEROUS DOGS OR OTHER ANIMALS

A. Any dog or other animal displaying symptoms of being rabid must be seized and secured by the owner on his/her premises until found free of rabies.

B. If any dog or other animal appears to be diseased, vicious, dangerous, rabid, or has been exposed to rabies, and such dog or other animal cannot be taken up and impounded without serious risk, such dog or other animal may be killed if reasonably necessary for the safety of any person or persons.

C. When any dog or other animal has bitten any person, wherein the skin has been punctured or the services of a doctor are required, a report of the incident shall be made to the Township by the owner or custodian of the biting dog or animal, and the person bitten or his / her parent or guardian within twenty-four (24) hours of the bite.

SECTION 11. POSSESSION OF NUISANCE ANIMALS

No person shall keep, own, harbor or otherwise possess within the Township an animal which is a public nuisance animal or vicious animal as defined in Section 2.

SECTION 12. ANIMALS DISTURBING THE PEACE

It shall be unlawful for any person to own, keep, have in possession, or harbor any animal which is a frequent habitual howler, yelper, barker, or otherwise shall cause serious annoyance or disturbance to persons or to the neighborhood, provided however that the provisions of this ordinance shall not apply to duly authorized hospitals or clinics established for the treatment of animals. No person shall be convicted under the provisions of this ordinance until a written notice has been mailed or delivered to the occupant of the premises where such animal is kept or harbored advising that a complaint has been made about the animal and calling attention to the provision of this ordinance.

SECTION 13. REGULATIONS

A. Agricultural Animals. The keeping of agricultural animals in the agricultural / residential zoned district is a permitted use and animal density is spelled out below.

1. On unplatted parcels ten (10) acres or less, the number of animals permitted shall be limited to one half of one (0.5) animal unit per acre of pasture land as outlined in the following table:

ANIMAL	ANIMAL UNIT VALUE
Slaughter steer, heifer or horse	1.0 Animal unit
Mature dairy cow	1.4
Swine under 55 pounds	.05
Swine over 55 pounds	.4
Sheep	.1
Duck	.2
Turkey	.018
Chicken or Game bird	.01

For animals not listed in this table, the number of animal units shall be defined as the average weight of the animal divided by 1,000 pounds.

B. For parcels over ten (10) acres, refer to MN state guidelines for animal density on land. (state statutes)

C. For all parcels:

1. Stables and Barns. All agricultural animals shall be provided a shelter under roof appropriately sized to accommodate the specific animal in a humane manner. No stable or barn in which agricultural animals are kept or maintained shall be located within 300 feet of a neighboring dwelling or platted area. In addition, stables, barns or beehives shall meet normal structure setbacks from property lines.

2. Fences. Agricultural animals shall be enclosed in a pasture, pen or corral. Fences for pasture, pens, corrals, or similar enclosures must be of sufficient height and strength to retain such animals.

3. Sanitation and Health. Manure management shall be regulated by the State of Minnesota.

SECTION 14. KENNELS

A. No person shall operate a commercial dog kennel in the Township without first obtaining a conditional use permit. Applications for such permit shall be made to the Town Board and shall be accompanied by the permit fee.

B. Commercial kennel permits shall be issued on an annual basis, expiring December 31st. The commercial kennel permit fee shall be set by the Town Board.

C. Commercial kennels shall be kept in a clean and healthful condition at all times and shall be open for inspection by duly authorized Township authorities at any reasonable time. A commercial kennel permit may be

revoked by the Town Board for reason of the violation of this ordinance or any health or nuisance order, law or regulations.

D. No person shall own, harbor or keep upon his/her premises more than three (3) dogs over the age of six (6) months unless in a commercial kennel duly licensed under this section.

E. Suggested Facility Standards are on file with Township Clerk's Office.

SECTION 15. KEEPING OF CERTAIN ANIMALS ABSOLUTELY PROHIBITED

A. Any animal species prohibited by Federal or Minnesota law.

B. Any exotic animal or species when kept in such numbers or in such a manner as to cause harm to the animals themselves, to human beings or to the property of human beings, or which constitutes a public or private nuisance.

C. Any skunk, whether captured in the wild, domestically raised, descented or not descented, vaccinated against rabies or not vaccinated against rabies.

D. Any large cat or members of the family Felidae, such as lions, tigers, jaguars, leopards, cougars, and ocelots, except commonly accepted domesticated cats.

E. Any member of the family Canidae, such as wolves, dingos, coyotes and jackals, except domesticated dogs.

F. Any crossbred such as the cross breeding between dogs and coyotes or dogs and wolves.

G. Any raccoon.

H. Any person keeping any prohibited animal identified above may have it seized immediately by animal control.

SECTION 16. VIOLATIONS

Any person violating this ordinance shall be guilty of a misdemeanor and in addition to any penalty imposed by the Court shall bear the appropriate costs of prosecution as may be determined by the court per M.S 366.01 subd. 10.

SECTION 17. MINNESOTA STATE STATUTES

This ordinance adopts by reference Minnesota State statutes:

#347.51 Dangerous dogs; Registration.
#347.52 Dangerous dogs; Requirements.
#347.53 Potentially dangerous dogs.
#609.226 Harm caused by a dog.

SECTION 18. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed, Ordained and Approved this 23rd day of February, 2010 by the Town Board of Royalton Township:

_____, Chairman Leslie Orvis, Township Board of Supervisors

_____, Township Supervisor Terry Lind

_____, Township Supervisor John Kemen

Attest: _____, Town Clerk Roberta Folkestad

Introduced: February 16, 2010: Adopted: February 23, 2010: Posted February 4, 2010:
Drafted by:
Royalton Township Planning Commission; 6052 Royalton Road; Braham, MN 55006, assisted by the East Central Regional Development Commission, 100 Park Street South, Mora, MN 55051.

ORDINANCE NO. 005-2010
ANTENNAS, TOWERS, & WIND TOWERS ORDINANCE
ROYALTON TOWNSHIP
PINE COUNTY MINNESOTA

SECTION 1. PURPOSE

The purpose of this Section is to establish predictable, balanced regulations for the siting and screening of wireless communications equipment and wind towers in order to accommodate the growth of wireless communicating systems and wind energy within the Township of Royalton while protecting the public against any adverse impacts on the Township's aesthetic resources and the public welfare. The provisions of this Section are intended to maximize the use of existing

towers, structures, and buildings to accommodate new wireless telecommunication antennas and wind towers in order to minimize the number of towers needed to serve the community or area.

SECTION 2. GENERAL STANDARDS

The following standards shall apply to all personal wireless service, public utility, microwave, radio and television broadcast transmitting, radio and television receiving, satellite dish, short-wave radio transmitting and receiving antennas and wind towers, all hereafter known as Towers.

Subd. 1. Towers shall not be artificially illuminated unless required by law or by a governmental agency to protect the public's health and safety. All towers shall use only red incandescent lights. No strobe lights, red or white, will be allowed.

Subd. 2. Tower support structures under two hundred (200) feet in height shall be painted a non-contrasting color consistent with the surrounding area, such as blue, gray, or brown to reduce visual impact.

Subd. 3. Towers shall be certified by a qualified and licensed professional engineer to conform to applicable state and national structural building standards.

Subd. 4. Towers shall be monopoles, self-supporting or guyed towers.

Subd. 5. Tower Painting - Towers shall comply with FAA requirements.

Subd. 6. All obsolete and unused antenna shall be removed within twelve (12) months of cessation of operation at the site, unless an exemption in granted by the Zoning Administrator.

SECTION 3. LAND USE

Subd. 1. All towers must meet the setback distance requirements of the underlying zoning district.

Subd. 2. Towers shall be permitted in all zoning districts.

Subd. 3. All towers for commercial use require a conditional use permit.

Subd. 4. All towers for personal use over seventy five (75) feet in height require a conditional use permit.

Subd. 5. All towers for personal use, regardless of use, seventy five (75) feet in height or less require a permit from Royalton Township.

SECTION 4. TOWER SETBACKS

Towers and all accessory structures or buildings shall conform to the following minimum setback requirements:

A. Towers shall be setback from all property lines an amount equal to the height of the structure;

B. Guy wires for towers shall meet the structure setback of the underlying zoning district.

C. In addition, towers shall have the following visual setbacks. Towers shall not be located within a distance of 1.5 times the tower height to any adjacent residential structure if residential structure and tower site are not under the same ownership.

SECTION 5. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed, Ordained and Approved this 23rd day of February, 2010 by the Town Board of Royalton Township:

_____, Chairman Leslie Orvis, Township Board of Supervisors

_____, Township Supervisor Terry Lind

_____, Township Supervisor John Kemen

Attest: _____, Town Clerk Roberta Folkestad

Introduced: February 16, 2010: Adopted: February 23, 2010: Posted February 4, 2010:
Drafted by:
Royalton Township Planning Commission; 6052 Royalton Road; Braham, MN 55006, assisted by the East Central Regional Development Commission, 100 Park Street South, Mora, MN 55051.

ORDINANCE NO. 008-2010
BUILDING CODE ORDINANCE
ROYALTON TOWNSHIP
PINE COUNTY MINNESOTA

AN ORDINANCE ADOPTING THE MINNESOTA STATE BUILDING CODE. THIS ORDINANCE: PROVIDES FOR THE APPLICATION, ADMINISTRATION, AND ENFORCEMENT OF THE MINNESOTA STATE BUILDING CODE BY REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN AREAS UNDER THE JURISDICTION OF PINE COUNTY; PROVIDES FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; PROVIDES PENALTIES FOR VIOLATION THEREOF; REPEALS ALL ORDINANCES AND PARTS OF ORDINANCES THAT CONFLICT THEREWITH. THIS ORDINANCE SHALL PERPETUALLY INCLUDE THE MOST CURRENT EDITION OF THE MINNESOTA STATE BUILDING CODE WITH THE EXCEPTION OF THE OPTIONAL APPENDIX CHAPTERS. OPTIONAL CHAPTERS SHALL NOT APPLY UNLESS SPECIFICALLY ADOPTED.

SECTION 1. CODES ADOPTED BY REFERENCE

The Minnesota State Building Code, as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes Chapter 16B.59 to 16B.75, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Labor and Industry, through the Building Codes and Standards Unit, is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this ordinance. The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein.

SECTION 2. APPLICATION, ADMINISTRATION AND ENFORCEMENT

The application, administration and enforcement of the code shall be in accordance with the Minnesota State Building Code. The code shall be enforced when so established by this ordinance.

This ordinance shall be enforced within the Township of Royalton by its appointed building inspector.

This code shall be enforced by the Minnesota Certified Building Official designated by Royalton Township to administer the code (Minnesota Statute 16B.65) subdivision 1.

SECTION 3. PERMITS AND FEES

The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes 16B.62, subdivision 1, as authorized and set forth in Minnesota Rule 1300.0160, subpart 2. Permit fees shall be assessed for work governed by this code in accordance with the Fee Schedule set forth in Table 1A of the 1997 Uniform Building Code. In addition, a state surcharge fee shall be collected on all permits for work governed by this code in accordance with Minnesota Statute 16B.70.

SECTION 4. VIOLATIONS AND PENALTIES

A violation of the code is a misdemeanor (Minnesota Statute 16B.69) and Minnesota Rules, Chapter 1300. The Township may also institute actions concerning issues of this section.

SECTION 5. BUILDING CODE

The Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 to 16B.75 is hereby adopted as the building code for Royalton Township. The code is hereby incorporated in this ordinance as if fully set out herein.

A. The Minnesota State Building Code includes the following chapters of Minnesota Rules:

1. 1300, Administration of the Minnesota State Building Code;
2. 1301, Building Official Certification;
3. 1302, State Building Code Construction Approvals;
4. 1303, Minnesota Provisions;
5. 1305, Adoption of the 2000 International Building Code;
6. 1306, Special Fire Protection Systems;
7. 1307, Elevators and Related Devices;
8. 1309, Adoption of the 2000 International Residential Code;
9. 1311, Adoption of the 2000 Guidelines for the Rehabilitation of Existing Buildings;
10. 1315, Adoption of the 2002 National Electrical Code;
11. 1325, Solar Energy Systems;
12. 1330, Fallout Shelters;
13. 1335, Floodproofing Regulations;
14. 1341, Minnesota Accessibility Code;
15. 1346, Adoption of the Minnesota State Mechanical Code;
16. 1350, Manufactured Homes;
17. 1360, Prefabricated Structures;
18. 1361, Industrialized/Modular Buildings;
19. 1370, Storm Shelters (Manufactured Home Parks);
20. 4715, Minnesota Plumbing Code;
21. 7670, 7672, 7674, 7676 and 7678, Minnesota Energy Code.

Other Inspections and Fees:

1. Re-inspection fees.....$TBD at Annual Township Reorganization Meeting. (minimum one hour)

2. Inspections for which no fee is specifically indicated.....$TBD at Annual Township Reorganization Meeting. (minimum charge – one hour)

3. Additional plan review required by changes, additions or revisions to plans: .....$TBD at Annual Township Reorganization Meeting. (minimum charge – one hour)

4. For use of outside consultants for plan checking and inspections, or both: .....Actual Costs + ...Admin & Overhead

5. Temporary Certificates of Occupancy (CO's) issued for valid reason only: .....$ TBD at Annual Township Reorganization Meeting.

SECTION 6. <u>EFFECTIVE DATE</u>

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed, Ordained and Approved this 23rd day of February, 2010 by the Town Board of Royalton Township:

_____, Chairman Leslie Orvis, Township Board of Supervisors

_____, Township Supervisor Terry Lind

_____, Township Supervisor John Kemen

Attest: _____, Town Clerk Roberta Folkestad

Introduced: February 16, 2010: Adopted: February 23, 2010: Posted February 4, 2010:
Drafted by:
Royalton Township Planning Commission; 6052 Royalton Road; Braham, MN 55006, assisted by the East Central Regional Development Commission, 100 Park Street South, Mora, MN 55051.

ORDINANCE NO. 009 - 2010
PLANNED UNIT DEVELOPMENT ORDINANCE
ROYALTON TOWNSHIP
PINE COUNTY MINNESOTA

SECTION 1. PURPOSE AND LOCATION

The primary purpose of the Planned Unit Development (PUD) provisions is to allow flexibility and variation from conventional ordinance standards in exchange for higher standards of development design and creativity, architectural control, natural resource protection, landscaping, public parks, public and private open space protection, pedestrian access and multi-use corridor opportunities. The PUD provisions are also intended to promote the efficient use of land and promote cost-effective public and private infrastructure systems.

Public benefit: The public benefits to the surrounding neighborhood and the Township as a whole that are intended to be derived from the approval of a Planned Unit Development include, but are not limited to:

A. Preservation and enhancement of desirable site characteristics and open space
B. A pattern of development which preserves natural vegetation, topographic and geologic features
C. Preservation and enhancement of historic and natural resources that significantly contribute to the character of the Township
D. Use of design, landscape or architectural features to create a pleasing environment or other special development features
E. Provision of a variety of housing types in accordance with the Township's housing goals
F. Elimination of blighted structures or incompatible land uses through redevelopment or rehabilitation
G. Business and commercial development to enhance the local economy and strengthen the tax base
H. To assure that the development of a complex unit of associated uses is planned as a single entity and to effectuate the policies and standards of the Comprehensive Plan

SECTION 2. RULES AND STANDARDS

A. A PUD may be excluded from certain requirements when specifically approved as part of PUD. Such exclusions shall only be granted for the purpose of creating a better overall design and an improved living environment and not solely for the economic advantage of the applicant

B. The granting of a PUD does not alter in any matter the underlying zoning district uses. Building permits shall not be issued which are not in conformity with the approved PUD

C. A PUD may be applied for in all districts within this Township, although development standards may differ among the zones.

SECTION 3. DEVELOPMENT STANDARDS

The development standards for a PUD shall be guided by the underlying zoning district and established with PUD approval with the exception of the following standards:

A. Minimum Area for a PUD in the Agricultural-/ Residential District: shall be two and one-half (2 ½) acres of continuous upland (excluding wetlands). Tracts of land less than two and one-half acres may qualify only if the applicant can show that it is in the public interest and if one or both of the following conditions exist:

1. Unusual physical features of the property itself or of the surrounding neighborhood are such that development under the standard provisions of the normal district would not be appropriate in order to conserve a physical or terrain feature of importance to the neighborhood or community

2. The property has been adjacent to or across the street from property that has been developed under the provisions of this section and will contribute to the amenities of the neighborhood

3. PUDs in the Shoreland District are per the Shoreland Ordinance.

B. Open Space. A primary function for a PUD is to encourage development that preserves and enhances the natural characteristics and valuable natural resources of a site and not force intense developments that use all portions of a given site to arrive at the maximum intensity or density allowed. In evaluating each individual proposal, the recognition of this objective will be a basic consideration in granting approval or denial. All open space shall be labeled as such as to its intent or designed functions.

Clustered single-family detached dwellings shall have a least seventy-five (75) percent of the gross development parcel in common open space.

C. Sketch Plan Review. The applicant for a PUD shall first submit a sketch plan. Staff, the Planning Commission and Board of Supervisors shall review the sketch plan and give feedback to the applicant prior to the submission of a Preliminary Plan. The sketch plan shall include the following at a minimum:

1. Rough property boundary lines and any known significant topographical or physical features of the site;

2. Rough locations of all driveways, entrances, curb cuts, parking stalls, loading spaces, access aisles and all other circulation elements including bike and pedestrian;

3. Rough location, designation and total area of all common private open space and facilities;

4. Rough location, designation and area proposed to be conveyed or dedicated for public open space including parks, playgrounds, school sites and recreational facilities;

5. Rough location, use and size of structures and other land uses on subject and adjacent properties;

6. Where applicable, estimated number of residential dwelling units, expected population and estimated square footage, if any, of commercial and industrial floor space by type of activity;

7. Any other information that may have been required by the Township staff.

The time frame for the Township action begins at the point of application for the preliminary plan review.

D. Preliminary Plan Review. The applicant for a PUD shall apply for a preliminary plan review. The Planning Commission shall make a recommendation to the Township Board of Supervisors to approve or deny the preliminary plan and the Board of Supervisors shall take final action on the application. Township Board of Supervisors approval of the Preliminary Plan indicates that the applicant can proceed to final plan review. The application for preliminary plan review shall be accompanied by supporting information as listed below or as deemed necessary by the Township to fully explain the property, the applicant and the proposed development. The application may include further information, as the applicant deems appropriate for the preliminary plan review for the proposed PUD. The Township may require additional information depending on the complexity of the proposal. The supporting information and an application form shall be submitted in a format as directed by the Township and, at a minimum, shall contain the following:

1. A written statement describing the proposed PUD and the market which it is intended to serve. The statement shall also demonstrate the proposed PUD relationship with the Township's comprehensive plan and how the proposed PUD is to be designed, arranged and operated to permit the development and use of property in accordance with the applicable provisions of the Township. The statement shall also include the public decisions necessary for implementing the proposed plan including the present and possible new zoning classifications required for development.

2. A legal description of the entire review area within the PUD for which final plan review is sought.

3. A preliminary plat prepared in accordance with the cities subdivision regulations.

4. A preliminary plan drawing to scale of not less than one inch equals fifty feet (1" = 50') (or scale as requested by the Township) containing at minimum the following information:

    a. Proposed name of the development;

    b. Property boundary lines and dimensions of the property and any significant topographical or physical features of the site;

    c. The location, size, use and arrangement, including height in stories and feet and total square feet of ground area coverage and floor area of proposed buildings including model homes and existing buildings that will remain, if any. Also, all required setback lines shall be depicted

    d. Location, dimensions of all driveways, entrances, curb cuts, parking stalls, loading spaces and access aisles, and all other circulation elements including bike and pedestrian, and the total site coverage of all circulation elements; Location,

    e. Dimensions of all driveways, entrances, curb cuts, parking stalls, loading spaces, access aisles and all other circulation elements including bike and pedestrian, and the total site coverage of all circulation elements;

    f. Location, designation and total area of all common private open space and facilities;

    g. Location, designation and total area of proposed to be conveyed or dedicated for public open space including, but not limited to, parks, playgrounds, school sites and recreational facilities;

    h. The location, use and size of structures and other land uses on adjacent properties;

    i. Where applicable, tabulation that indicates the number of residential dwelling units and expected population, and tabulation indicating the gross square footage, if any, of commercial and industrial floor space by type of activity.

5. A preliminary landscape plan showing groundcover materials and the areas to be landscaped with location, size and species of all trees, shrubbery and groundcover

6. A preliminary grading, drainage and site alteration plan for the development illustrating changes to existing topography and natural site vegetation and all appropriate protection measures taken during construction

7. A preliminary lighting plan illustrating the location, types of devices, and photometric data

8. A preliminary signage plan illustrating the sizes, location and overall program

9. A traffic flow plan and analysis

10. Solid waste disposal procedures and provisions

11. Wetland delineation approved by the Pine County Soil and Water Conservation District office

12. The applicant shall have a property interest in the site which shall consist of a fee simple title, or an option to acquire a fee simple title within a specified time period, or leasehold interest in excess of thirty (30) years, or substantial interest in a joint venture agreement, real estate investment trust, or other real estate syndication that can obtain a fee simple title or marketable title subject to certain restraint which will not substantially restrict its development within a reasonable time. All mortgages including purchase money mortgages, easements restricting land use, and liens and judgments that may affect the site shall be documented. The applicant shall supply proof of existing ownership consisting of an abstract title, certified currently, a current Certificate of Title, or an attorney's title opinion based thereon, together with any unrecorded documents whereby the applicant acquired a legal or equitable property interest.

13. Other materials or information that Township Staff, Township Board of Supervisors or Planning Commission deems useful in conjunction with the approval of Preliminary Plan review (This may include, but is not limited to, management plans for open spaces areas, topographical or aerial information, or information presented in a format that can build Township's geographic information system).

E. Final Plan Review.

The applicant shall have secured final plan review approval by the Township Board of Supervisors within one (1) year following the date of approval of the preliminary plan review. If application for final plan review is not received within one (1) year, the preliminary plan review will be considered abandoned and a new application for preliminary plan review must be submitted. The Township Board of Supervisors shall make a final determination on approval of the final plan review.

The application for final plan review shall be accompanied by development plans of the proposed PUD and supporting information as listed below or as deemed necessary by the Township. All material shall be submitted together in a format as directed by the Township.

1. A final site plan, grading plan, utility plan, landscaping plan, lighting plan, building elevations, sign plan and all applicable data as aforementioned in this section as deemed necessary depending upon the complexity of the proposal. One (1) transparent Mylar copy of the final development plans, should they be approved, shall be filed with the Township within sixty (60) days of such approval.

2. A final plat in accordance with the requirements of the Township's subdivision ordinance.

3. A legal submission component including any deed restrictions, covenants, agreements, by-laws, or proposed homeowner's association or other documents or contracts controlling the use or maintenance of property. In situations where the above submission components do not apply, the Township Board of Supervisors may require a bond or similar guarantee (such as a cash escrow) to insure that areas held common by persons residing in the development will be developed and maintained.

4. A final construction staging plan indicated the geographical sequence and timing of the development for the plan or portions thereof, including the date of beginning and completion of each stage.

5. Any other information necessary to fully represent the intentions of the final plan.

F. Fees. The required application fee shall accompany applications for sketch plan, preliminary plan and final plan. The applicant shall pay fees as set forth by the Township Board of Supervisors.

G. Public Hearing Notices. All applications for review of a PUD proposal, except sketch plan review, require a public hearing and shall be noticed and processed according to the standards and procedures of this Township.

H. Developer's Agreements. A developer's agreement shall be executed reflecting all terms and conditions of the approved PUD plans and financial requirements.

SECTION 4. <u>CRITERIA FOR GRANTING PUD</u>

The Planning Commission may recommend, and the Township Board of Supervisors may act to approve or deny, a preliminary or final plan for a PUD in any district that allows a PUD as a

conditional use. The Planning Commission, in making a recommendation, and the Township Board of Supervisors, in acting upon a plan, shall consider the following factors; however, nothing herein shall be meant to guarantee approval of a PUD:

A. The consistency of the proposed PUD with the Township's comprehensive plan;

B. The proposed use's compliance with the standards and criteria of the zoning ordinance and subdivision regulations;

C. The extent to which the proposed PUD is designed to form a desirable and unified environment within its own boundaries in terms of relationship of structures, patterns of circulation, visual clutter and sufficiency of drainage utilities;

D. The extent to which the proposed use will be compatible with present and planned uses in the surrounding area;

E. The impact of the proposed uses on the health, safety and general welfare of the occupants of the surrounding area;

F. The burden or impact created by the PUD on parks, schools, streets and other public facilities and utilities;

G. The sufficiency of each phase of the PUD to ensure its construction and operation is feasible without dependence upon any subsequent phase;

H. The impact of the PUD on environmental quality, property values, scenic views and reasonable enjoyment of the surrounding area; and

I. That any exceptions to the Township Ordinance, Policy or Regulations are justified by the design or development of the proposed use.

SECTION 5. FINAL PLAN REVISIONS

A. Minor changes in location, placement and heights of buildings or structures may be authorized by the Township if required by engineering or other circumstances not foreseen at the time the final plan review was approved.

B. Approval by the Township Board of Supervisors shall be required for changes such as rearrangement of lots, blocks and building tracks or any other significant changes as determined by the Township. These changes shall be consistent with the purpose and intent of the approved final plan review.

SECTION 6. METHOD OF AMENDING A PUD

Any desired change involving density, use, building type, enlargement or intensification of the use not specifically allowed by a particular PUD, or any request for the Variance from the specific terms of the previously passed PUD, shall require that an application be filed for an amendment and all procedures shall then apply as if a new plan was applied for.

SECTION 7. PUD CANCELLATION

Any existing approved PUD shall be deemed to be canceled if the owner of the land involved in the permit applies for and receives a rezoning with the respect to said property prior to the time that there is any physical implementation of the matters covered by the previously approved PUD. In addition, an existing PUD shall be deemed to be automatically canceled in the event that a final plat, if the same is required in connection with the application, is not filed with Pine County as required by and in accordance with the terms of the Township subdivision regulations within one hundred twenty (120) days following final approval of the PUD by the Township Board of Supervisors. The PUD shall expire and be considered null and void one (1) year after it has been issued if no construction has begun or if use has not been established. In all other situations, an existing PUD shall be canceled and revoked, short of expiring according to its own terms, only upon the event of the Township acting in accordance with the law and due process, taking some rezoning action that supersedes the PUD.

SECTION 8. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed, Ordained and Approved this 23rd day of February, 2010 by the Town Board of Royalton Township:

_____, Chairman Leslie Orvis, Township Board of Supervisors

_____, Township Supervisor Terry Lind

_____, Township Supervisor John Kemen

Attest: _____, Town Clerk Roberta Folkestad

Introduced: February 16, 2010: Adopted: February 23, 2010: Posted February 4, 2010:
Drafted by:
Royalton Township Planning Commission; 6052 Royalton Road; Braham, MN 55006, assisted by the East Central Regional Development Commission, 100 Park Street South, Mora, MN 55051.

ORDINANCE NO. 010-2010
OUTDOOR ADVERTISING ORDINANCE
ROYALTON TOWNSHIP
PINE COUNTY MINNESOTA

AN ORDINANCE REGULATING OUTDOOR ADVERTISING IN THE TOWNSHIP OF ROYALTON, COUNTY OF PINE, STATE OF MINNESOTA: THE ROYALTON TOWNSHIP BOARD OF SUPERVISORS ORDAINS:

SECTION 1. <u>FINDINGS</u>

A. Royalton Township hereby finds as follows:

1. Exterior signs have a substantial impact on the character and quality of the environment.

2. Signs provide an important medium through which individuals may convey a variety of messages.

3. Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.

4. The Township Ordinance has included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the Township and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of physical characteristics of signs within the Township has had a positive impact on traffic safety and the overall appearance of the community.

SECTION 2. <u>PURPOSE AND INTENT</u>

A. It is not the purpose or intent of this sign ordinance to regulate the message displayed on any sign; nor is it the purpose or intent of this article to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this article is to:

1. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the Township in order to promote the public health, safety and welfare.

2. Maintain, enhance and improve the aesthetic environment of the Township by preventing visual clutter that is harmful to the appearance of the community.

3. Improve the visual appearance of the Township, while providing for effective means of communication, consistent with constitutional guarantees and the Township's goals of public safety and aesthetics.

4. Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the Township.

SECTION 3. PROHIBITED SIGNS

A. The following signs are prohibited:

1. Off-premises signs.

2. Motion signs except as allowed by Minnesota Statutes Section 173.16, Subd. 3.

3. No private sign shall be erected that resembles any official marker or sign erected of a governmental agency or shall display such words as "stop" or "danger" unless so specified by this Chapter or the Township Ordinance.

4. Projecting Signs.

5. Roof Signs.

6. Signs on or attached to equipment such as vehicles, semi-truck trailers or other portable trailers where signing is a principal use of the equipment on either a temporary or permanent basis.

7. Lighted signs shall be lighted only to the extent that the message on the sign is illuminated, and shall not cast glare onto public streets or adjacent property.

SECTION 4. PERMITS

A. The owner or occupant of any premises on which there is displayed an outdoor advertising sign having an area of six square feet or more, or the owner of the sign shall file an application with Township Hall before any such sign is displayed.

B. At the time of the filing of an application with Township Hall for permission to display the sign, the applicant shall accompany the application with a description thereof and a sketch showing the size, location, manner of construction, manner of attachment to any other structure and other information as shall be necessary fully and completely to advise the Township Planning Commission of the kind, size, construction and location of the same.

C. No sign having an area of six square feet or more shall be displayed at any time unless a permit therefore, which shall specify the location of the sign shall have been granted by the Planning Commission, and the applicant shall have complied with the terms of this section and paid the application fee provided for herein.

D. The Township Planning Commission reserves the right to deny the permit applied for if in the opinion of the Planning Commission the erection of the sign for which a permit is requested would tend to create or increase a traffic hazard or a situation dangerous or likely to become dangerous to the public.

E. If any permit is denied an explanation shall be provided in the motion of the Planning Commission authorizing the denial of the permit.

F. The application for permit for any outdoor advertising sign for which a permit is required by this section shall be accompanied by the fee as required by resolution, paid to Township Hall.

G. The application for such a permit shall be presented by the Township Administrator to the Township Planning Commission at its next regular meeting. Nothing in this section shall be interpreted as authorizing the erection or construction of any sign not now permissible under the zoning or building ordinances of the Township.

SECTION 5. <u>REMOVAL OF SIGNS</u>

A. All outdoor advertising signs shall be constructed in such a manner and of such material that they shall be safe and substantial according to plans and specifications to be approved by the Planning Commission.

B. Every outdoor advertising sign, which may be or become out of order or unsafe and every sign which may be erected contrary to the provisions of this section or without first obtaining a permit therefore, shall be removed in accordance with the terms of this section.

C. The Township Planning Commission shall, by motion duly adopted, direct the Township Administrator to give notice to the owner of any such sign or to the owner of the ground on which the sign shall stand to remove such within a time to be specified in the notice.

D. In the event of the failure of the owner of any such sign or the owner of the ground on which the sign is located to remove the sign within the time stated in any notice issued by the Township Administrator, the same may be removed by the Township at the expense of the owner of the sign or the owner of the ground upon which the sign stands, and the amount of the expense may

be collected by the Township by action brought in any court of competent jurisdiction.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed, Ordained and Approved this 23rd day of February, 2010 by the Town Board of Royalton Township:

_____, Chairman Leslie Orvis, Township Board of Supervisors

_____, Township Supervisor Terry Lind

_____, Township Supervisor John Kemen

Attest: _____, Town Clerk Roberta Folkestad

Introduced: February 16, 2010: Adopted: February 23, 2010: Posted February 4, 2010:
Drafted by:
Royalton Township Planning Commission; 6052 Royalton Road; Braham, MN 55006, assisted by the East Central Regional Development Commission, 100 Park Street South, Mora, MN 55051.

TOWN OF ROYALTON
SUBSURFACE SEWAGE TREATMENT SYSTEMS

The Board of Supervisors of Royalton Township, Pine County, Minnesota does ordain:

This is an ordinance authorizing and providing for sewage treatment and soil dispersal in unsewered areas of the Township. It establishes:

1. Minimum standards for and regulation of individual sewage treatment systems (ISTS) and mid-sized Subsurface Sewage Treatment Systems (MSTS) (collectively referred to as SSTS) in the Town of Royalton, incorporating by reference minimum standards established by Minnesota statutes and administrative rules of the Minnesota Pollution Control Agency;
2. Requirements for issuing permits for installation, alteration, repair or expansion of SSTS;

3. Requirements for all SSTS permitted under the revised Minnesota Rules, Chapters 7080 and 7081 to be operated under an approved management plan;
4. Standards for upgrade, repair, replacement, or abandonment of SSTS;
5. Penalties for failure to comply with these provisions;
6. Provisions for enforcement of these requirements; and
7. Standards which promote the health, safety and welfare of the public as reflected in Minnesota Statutes §103F, §103G, and §115.55, along with the applicable Minnesota Rules, Pine County Comprehensive Plan, Pine County Shoreland Management Ordinance, Pine County Flood Plain Ordinance, Kettle River Wild and Scenic River Ordinance, and the Pine County Subdivision and Platting Ordinance, and the Royalton Township Code of Ordinances.

ARTICLE 1. PURPOSE AND INTENT

1.01 Purpose

The purpose of this Ordinance is to establish minimum requirements for regulation of ISTS and MSTS for the treatment and dispersal of sewage within the applicable jurisdiction of the Township, to protect public health and safety, groundwater quality, and prevent or eliminate the development of public nuisances. It is intended to serve the best interests of the Township's citizens by protecting its health, safety, general welfare, and natural resources.

1.02 Intent

It is intended by the Town of Royalton that this Ordinance will promote the following:

A. The protection of lakes, rivers, streams, wetlands, and groundwater in Royalton Township essential to the promotion of public health, safety, welfare, socioeconomic growth and development of the town.
B. The regulation of proper SSTS construction, reconstruction, repair and maintenance to prevent the entry and migration of contaminants, thereby protecting the degradation of surface water and groundwater quality.
C. The establishment of minimum standards for SSTS placement, design, construction, reconstruction, repair and maintenance to prevent contamination and, if contamination is discovered, the identification and control of its consequences and the abatement of its source and migration.
D. The appropriate utilization of privy vaults and other non-water carried sewage collection and storage facilities.
E. The provision of technical assistance and education, plan review, inspections, SSTS surveys and complaint investigations to prevent and control water-borne diseases, lake degradation, groundwater related hazards, and public nuisance conditions.

1.03 Authority

This Ordinance is adopted pursuant to Minnesota Statutes §115.55, or successor statutes, and Minnesota Rules, Chapter 7080, Chapter 7081, Chapter 7082, or successor rules.

1.04 Effective Date

The provisions set forth in this Ordinance shall become effective on March 31, 2015.

ARTICLE 2. DEFINITIONS

The following words and phrases shall have the meanings ascribed to them in this subdivision. If not specifically defined in this subdivision, terms used in this Ordinance shall have the same meaning as provided in the standards adopted by reference. Words or phrases that are not defined here or in the standards adopted by reference shall have common usage meaning. For purposes of this Ordinance, the words "must" and "shall" are mandatory and the words "may" and "should" are permissive.

Authorized Representative: An employee or agent of the Town of Royalton, including authorized contracted septic inspectors

Bedroom: A room that is designed or used for sleeping or a room or area of a dwelling that has a minimum floor area of 70 square feet with access gained from the living area or living area hallway.

Board of Supervisors: Royalton Township's Board of Supervisors. They have the authority to order the issuance of variances, hear and decide appeals from a member of the affected public and review any order, requirement, decision, or determination made by Royalton Township's authorized septic inspector, who is charged with septic inspections and permit issuing. Our authorized septic inspector shall order the issuance of permits for buildings in areas designated for future public use on an official map and perform such other duties as required by the official controls.

Class V Injection Well: A shallow well used to place a variety of fluids directly below the land surface, which includes a domestic SSTS serving more than 20 people. The US Environmental Protection Agency and delegated state groundwater programs permit these wells to inject wastes below the ground surface provided they meet certain requirements and do not endanger underground sources of drinking water. Class V motor vehicle waste disposal wells and large-capacity cesspools are specifically prohibited (see 40 CFR Parts 144 and 146).

Cluster System: A SSTS under some form of common ownership that collects wastewater from two or more dwellings or buildings and conveys it to a treatment and dispersal system located on an acceptable site near the dwellings or buildings.

County: Pine County, Minnesota.

Design Flow: The daily volume of wastewater for which an SSTS is designed to treat and discharge.

Existing Systems: Systems that have been previously inspected and approved by the local unit of government during installation. In addition, all operating systems installed before the adoption of a local permitting and inspection program are considered existing systems.

Failure to Protect Groundwater: At a minimum, a SSTS that does not protect groundwater is considered to be a seepage pit, cesspool, drywell, leaching pit, or other pit; a SSTS with less than the required vertical separation distance, described in Minnesota Rules Chapter 7080.1500 Subp. 4D and E; and a system not abandoned in accordance with part 7080.2500. The determination of the threat to groundwater for other conditions must be made by an individual licensed pursuant to Section 4.05 of this Ordinance.

Imminent Threat to Public Health and Safety: At a minimum a SSTS with a discharge of sewage or sewage effluent to the ground surface, drainage systems, ditches, or storm water drains or directly to surface water; SSTS that cause a reoccurring sewage backup into a dwelling or other establishment; SSTS with electrical hazards; or sewage tanks with unsecured, damaged, or weak maintenance access covers. The determination of protectiveness for other conditions must be made by a Qualified Employee or a SSTS inspection business licensed pursuant to Section 4.05 of this Ordinance.

ISTS: An individual sewage treatment system having a design flow of no more than 5,000 gallons per day.

Lot: A parcel of land in a plat recorded in the office of the county recorder or registrar of title or a parcel of land created and conveyed, using a specific legal description, for a building site to be served by an ISTS.

Malfunction: The partial or complete loss of function of a SSTS component, which requires a corrective action to restore its intended function.

Management Plan: A plan that describes necessary and recommended routine operational and maintenance requirements, periodic examination, adjustment and testing, and the frequency of each to ensure system performance meets the treatment expectations, including a planned course of action to prevent an illegal discharge.

Minor Repair: The repair or replacement of an existing damaged or faulty component/part of an SSTS that will return the SSTS to its operable condition. The repair shall not alter the original area, dimensions, design, specifications or concept of the SSTS.

MSTS: A "midsized subsurface sewage treatment system" under single ownership that receives sewage from dwellings or other establishments having a design flow of more than 5,000 gallons per day to a maximum of 10,000 gallons per day.

New Construction: Installing or constructing a new ISTS or altering, extending, or adding capacity to a system that has been issued an initial certificate of compliance.

Notice of Noncompliance: A written document issued by the Board of Supervisors or certified inspection business notifying a system owner that the owner's

onsite/cluster treatment system has been observed to be non-compliant with the requirements of this Ordinance.

MPCA: Minnesota Pollution Control Agency.

Qualified Contractor: A contractor of the township who performs site evaluations or designs, installs, maintains, pumps, or inspects SSTS as part of their duties and is registered on the SSTS professional register verifying specialty area endorsements applicable to the work being conducted as defined in Minnesota Rule 7083.1010.

Periodically saturated soil: The highest elevation in the soil that is in a reduced chemical state due to soil pores filled or nearly filled with water causing anaerobic conditions. Periodically saturated soil is determined by the presence of redoximorphic features in conjunction with other established indicators as specified in part 7080.1720, subpart 5, items E and F, or as determined by other scientifically established technical methods or empirical field measurements acceptable to the permitting authority in consultation with the board.

Privy: An above ground structure with an underground cavity meeting the requirements of part 7080.2280 that is used for the storage or treatment and dispersal of toilet wastes, excluding water for flushing or graywater.

Record Drawings: A set of drawings, which to the fullest extent possible, document the final in-place location, size and type of all SSTS components, including the results of any materials testing performed and a description of conditions during construction of the system.

Redoximorphic features: A color pattern in soil, formed by oxidation and reduction of iron or manganese in saturated soil couple with their removal, translocation or accrual, which results in the loss (depletion) or gain (concentration) of mineral compounds compared to the matrix color or a soil matrix color controlled by the presence of ferrous iron. Also described in part 7080.1720 subpart 5 item E.

Sewage: Waste from toilets, bathing, laundry or culinary activities or operations or floor drains associated with these sources, including household cleaners and other constituents in amounts normally used for domestic purposes.

SSTS: Subsurface sewage treatment system including an ISTS, MSTS or LSTS

State: The State of Minnesota.

Subdivision: The division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership.

Treatment Level: Treatment system performance levels defined in Minnesota Rules, Chapter 7083.4030, Table III for testing of proprietary treatment products, which include the following:

Level A: $cBOD_5 \leq 15$ mg/L; TSS≤15 mg/L; fecal coliforms≤1,000/100 mL.
Level A-2: $cBOD_5 \leq 15$ mg/L; TSS≤15 mg/L; fecal coliforms N/A.
Level B: $cBOD_5 \leq 25$ mg/L; TSS≤30 mg/L; fecal coliforms≤10,000/100 mL.
Level B-2: $cBOD_5 \leq 25$ mg/L; TSS≤130mg/L; fecal coliforms N/A.
Level C: $cBOD_5 \leq 125$ mg/L; TSS≤60 mg/L; fecal coliforms N/A.

Type I System: An ISTS that follows a standard trench, bed, at-grade, mound, or graywater system design in accordance with MPCA rules, Minnesota Rules, Chapter 7080.2200 through 7080.2240.

Type II System: An ISTS with acceptable modifications or sewage containing containment system that may be permitted for use on a site not meeting the conditions acceptable for a standard Type I system. These include systems on lots with rapidly permeable soils or lots in floodplains and privies or holding tanks.

Type III System: A custom designed ISTS having acceptable flow restriction devices to allow its use on a lot that cannot accommodate a standard Type I soil treatment and dispersal system.

Type IV System: An ISTS, having an approved pretreatment device and incorporating pressure distribution and dosing, that is capable of providing suitable treatment for use where the separation distance to a shallow saturated zone is less than the minimum allowed.

Type V System: An ISTS, which is a custom engineered design to accommodate the site taking into account pretreatment effluent quality, loading rates, loading methods, groundwater mounding, and other soil and other relevant soil, site and wastewater characteristics such that groundwater contamination by viable fecal coliforms is prevented.

ARTICLE 3. GENERAL PROVISIONS

3.01 Scope

This Ordinance regulates the siting, design, installation, alterations, operation, maintenance, monitoring, and management of all SSTS within the Township's applicable jurisdiction including, but not necessarily limited to individual SSTS and cluster or community SSTS, privy vaults, and other non-water carried SSTS. All sewage generated in unsewered areas of the Township shall be treated and dispersed by an approved SSTS that is sited, designed, installed, operated and maintained in accordance with the provisions of this Ordinance or by a system that has been permitted by the MPCA.

3.02 Jurisdiction

The jurisdiction of this Ordinance shall include all lands, except lands lying within the Shorelands District, of the Township. The Pine County Land Services Department shall keep a current list of local jurisdictions within the County, including Royalton Township, who are administering a SSTS program.

3.03 Administration

3.03.01 **Township Administration.** The Royalton Township Board of Supervisors shall administer the SSTS program and all provisions of this Ordinance. At appropriate times, the Town Board shall review this and revise and update this Ordinance as necessary. The Township shall retain under contract qualified and appropriately licensed professionals to administer and operate the SSTS program.

3.03.02 **State of Minnesota.** Where a single SSTS or group of SSTS under single ownership within one-half mile of each other, have a design flow greater than 10,000 gallons per day, the owner or owners shall make application for and obtain a State Disposal System permit from MPCA. For any SSTS that has measured daily flow for a consecutive seven-day period which equals or exceeds 10,000 gallons per day, a State Disposal System permit is required. SSTS serving establishments or facilities licensed or otherwise regulated by the State shall conform to the requirements of this Ordinance.

3.03.03 **County Shoreland Ordinance Jurisdiction:** The County will administer the SSTS program within shoreland areas of Royalton Township, under the County's Shoreland Ordinance approved by the Commissioners of Minnesota Natural Resources.

3.04 Validity

The validity of any part of this Ordinance shall not be affected by the invalidity of any other parts of this Ordinance where the part can be given effect irrespective of any invalid part or parts.

3.05 Liability

No liability or responsibility shall be imposed upon the Township or agency or any of its officials, employees, or other contract agent, its employees, agents or servants thereof for damage resulting from the construction, operation, or abandonment of any SSTS regulated under this rule by reason of standards, requirements or inspections authorized hereunder.

ARTICLE 4. GENERAL REQUIREMENTS

4.01 Retroactivity

4.01.01 All SSTS

Except as explicitly set forth in Subdivision 4.01.02, all provisions of this Ordinance shall apply to any SSTS regardless of the date it was originally installed.

4.01.02 Existing Permits

Unexpired permits which were issued prior to the effective date shall remain valid under the terms and conditions of the original permit until the original expiration date.

4.01.03 SSTS on Lots Created After January 23, 1996

All lots created after January 23, 1996 must have a minimum of two soil treatment and dispersal areas that can support trenches, seepage beds, mounds, and at-grade systems as described in Minnesota Rules, Chapters 7080.2200 through 7080.2230 or site conditions described in 7081.0270, Subp.3 through 7 at the time the plat or subdivision is approved.

A cluster SSTS that have a common interest lot where a central system is located shall meet this requirement by having the minimum of two soil treatment and dispersal areas on the designated lot.

4.02 Upgrade, Repair, and Replacement

4.02.01 SSTS Capacity Expansions

Expansion of an existing SSTS must include any system upgrades that are necessary to bring the entire system into compliance with the prevailing provisions of this Ordinance at the time of the expansion.

4.02.02 Shorelands

An SSTS not meeting or exceeding the requirements Minnesota Rules Chapters 7080 and 7081 as adopted by reference in Section 5.01 of this Ordinance must be upgraded, at a minimum, prior to recording any property title transfers or contracts for deed beginning January 1, 1994 or at any time a permit or variance of any type is required for any improvement on, or use of, the property within the shoreland areas of the county.

4.02.03 Failure to Protect Groundwater

An SSTS that is determined not to be protective of groundwater in accordance with Minnesota Rules, Chapter 7080.1500, Subp. 4.B shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this Ordinance within 18 months of receipt of a Notice of Noncompliance.

4.02.04 Imminent Threat to Public Health or Safety

An SSTS that is determined to be an imminent threat to public health or safety in accordance with Minnesota Rules, Chapter 7080.1500, Subp. 4A shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this Ordinance within 10 months of receipt of a Notice of Noncompliance.

4.03 SSTS In Floodplains

SSTS shall not be located in a floodway and wherever possible, location within any part of a floodplain shall be avoided. If no option exists to locate a SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements in Minnesota Rules, Chapter 7080.2270 and all local requirements are met.

4.04 Class V Injection Wells

All owners of new or replacement SSTS that are considered to be Class V injection wells, as defined in the Code of Federal Regulations, title 40, part 144, are required by the Federal Government to submit SSTS inventory information to the Environmental Protection Agency as described in CFR40 part 144. Further, owners are required to identify all Class V injection wells in property transfer disclosures.

4.05 SSTS Practitioner Licensing

No person shall engage in site evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance or pumping of SSTS without an appropriate and valid license issued by MPCA in accordance with Minnesota Rules, Chapter 7083 except as exempted in 7083.0700 Subp. A-I.

4.06 Prohibitions

4.06.01 Occupancy or Use of a Building Without a Compliant SSTS

It is unlawful for any person to maintain, occupy, or use any building with indoor plumbing intended for habitation unless it has a wastewater treatment system that disposes of wastewater in a manner that complies with the provisions of this Ordinance.

4.06.02 Sewage Discharge to Ground Surface or Surface Water

It is unlawful for any person to construct, maintain, or use any SSTS system regulated under this Ordinance that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted under the National Pollutant Discharge Elimination System program by the MPCA.

4.06.03 Sewage Discharge to a Well or Boring

It is unlawful for any person to discharge raw or treated wastewater into any well or boring as described in Minnesota Rules, Chapter 4725.2050, or any other excavation in the ground that is not in compliance with this Ordinance.

4.06.04 Discharge of Hazardous or Deleterious Materials

It is unlawful for any person to discharge into any treatment system regulated under this Ordinance any hazardous or deleterious material that adversely affects the treatment or dispersal performance of the system or groundwater quality.

ARTICLE 5. SSTS STANDARDS

5.01 Standards Adopted by Reference

The Township hereby adopts by reference the 2011 Minnesota Rules, Chapters 7080 through 7083 in their entirety as now constituted and from time to time amended. This adoption does not supersede the Township's right or ability to adopt local

standards that are in compliance with Minnesota Statute §115.55 and applicable Minnesota rules within the Department of Natural Resources Chapter 6120. This Ordinance shall also include standards described in the Pine County Shoreland Management Ordinance, Pine County Flood Plain Ordinance, Kettle River Wild and Scenic River Ordinance, and Pine County Subdivision and Platting Ordinance, and Royalton Township Code of Ordinances or in the rules in applicable Chapters are also adopted by reference.

5.02 Amendments to the Adopted Standards

5.02.01 List of Adopted Standards

a. Design flow determination for dwellings will be designed for class 1 buildings
only. The design flow for bedrooms is determined by multiplying 150 gallons by the number of bedrooms.

5.02.02 Determination of Hydraulic Loading Rate and SSTS Sizing

Table IX "Loading Rates for Determining Bottom Absorption area for Trenches and Seepage Beds for Effluent Treatment Level C and Absorption Ratios for Determining Mound Absorption Areas Using Detail Soil Descriptions" and Table IXa entitled "Loading Rates for Determining Bottom Absorption Area for Trenches and Seepage Beds for Effluent Treatment Level C and Absorption Ratios for Determining Mound Absorption Areas Using Percolation Tests" from Minnesota Rules, Chapter 7080.2150, Subp. 3(E) are herein adopted by reference and either shall be used to size SSTS infiltration areas for SSTS design.

5.02.03 Compliance Criteria for Existing SSTS

SSTS built before April 1, 1996 that is not located in Shoreland area, wellhead protection area, or is not a commercial establishment where food, beverage, or lodging are served or provided, must have at least two feet of vertical separation between the bottom of the dispersal system and seasonal saturation or bedrock.

SSTS built after March 31, 1996 or SSTS located in a Shoreland area, wellhead Protection area, or serving a food, beverage, or lodging establishment as defined under 7080.1100, Subp. 84 shall have a three-foot vertical separation between the bottom soil infiltrative surface and the periodically saturated soil and/or bedrock. Existing systems that have no more than a 15 percent reduction in this separation distance (a separation distance no less than 30.6 inches) to account for settling of sand or soil, normal variation of separation distance measurements and interpretation of limiting layer characteristics may be considered compliant under this Ordinance. The vertical separation measurement shall be made outside the area of system influence but in an area of similar soil. 7080.1500, Subp. 4.

5.02.04 Holding Tanks

A. Holding tanks may be allowed in any of the following applications:
   i. for legal lots of record where it can be shown conclusively that a Type I SSTS permitted under this Ordinance cannot be feasibly installed;
   ii. where there is limited water use such as seasonal properties, sensitive sites, parks, playgrounds, etc;
   iii. as temporary disposal method to alleviate an imminent threat to public health or during construction, repair, or replacement of new and existing systems.

B. Holding tanks must be used under the following conditions:
   i. The owner shall install a holding tank in accordance with Minnesota Rules Section 7080.2290;
   ii. The owner shall install a water meter to continuously record indoor water use;
   iii. The owner shall maintain a valid contract with a licensed maintainer to pump and dispose of septage according to the applicable standards in Code of Federal Regulations, title 40, part 503; and
   iv. The owner must maintain current and historical records of maintainer pumping; volume of liquid removed; and the water meter reading at the time of pumping; all for Department review upon request. Volumes removed shall coincide with metered water use readings.

5.02.05 Privies

Privies are permitted provided they meet vertical separation and/or vault guidelines depicted in MN State Rules 7080.2150 and 7080.2280.

5.03 Variances

5.03.01 Variances Requests

A property owner may request a variance from the standards as specified in this Ordinance pursuant to Royalton Township policies and procedures.

5.03.02 Affected Agency

Variances that pertain to the standards and requirements of the State of Minnesota must be approved by the affected State Agency pursuant to the requirements of the State Agency.

5.03.03 Board of Adjustment

A. Any property owner requesting relief from the strict application of the provisions in this Ordinance must complete and submit an Application for Variance to the Board. The variance request must include, as applicable:
   i. A statement identifying the specific provision or provisions in the ordinance from which the variance is requested;

ii. A description of the hardship that prevents compliance with the rule;
iii. The alternative measures that will be taken to achieve a comparable degree of compliance with the purposes and intent of the applicable provisions;
iv. The length of time for which the variance is requested;
v. Cost considerations only if a reasonable use of the property does not exist under the term of the ordinance; and
vi. Other relevant information requested by the Board as necessary to properly evaluate the variance requested.

B. The appropriate fee shall be paid at the time of submittal of the application to receive consideration by the Board of Supervisors.
C. Upon receipt of the variance application, the Board shall decide if a site investigation conducted by the Board will be necessary. After the necessary information has been gathered, the Board shall make a written recommendation to approve or deny the variance.
D. The Board shall make the final decision after conducting a public hearing. The variance may be granted provided that:
   i. The condition causing the demonstrated hardship is unique to the property and was not caused by the actions of applicant;
   ii. The granting of the variance will not be contrary to the public interest or damaging to the rights of other persons or to property values in the vicinity;
   iii. The property owner would have no reasonable use of the land without the variance;
   iv. The granting of the variance would not allow a prohibited use; and
   v. The granting of the variance would be in accordance with Minnesota Rules, Chapters 7080, 7081, and 7082.
E. In granting a request for a variance, the Board may attach such conditions as it deems necessary to conform to the purpose and intent of this Ordinance.
F. Any violation of the terms and conditions of a variance issued pursuant to this Ordinance, or any violation of any provision of this Ordinance relating to the specific issue of the variance, shall result in immediate revocation of the variance.
G. Any variance granted shall automatically expire if the system is not installed within one year of the grant of the variance.
H. Any appeal from any order, requirement, decision, or determination of the Board in accordance with its policies and procedures.

ARTICLE 6. SSTS PERMITTING

6.01 Permit Required

It is unlawful for any person to construct, install, modify or replace a SSTS without the appropriate permit from the authorized inspector of Royalton Township. The issuing of any permit, variance, or conditional use under the provisions of this

Ordinance shall not absolve the applicant of responsibility to obtain any other required permit.

6.02 Construction Permit

A construction permit must be obtained by the property owner or an agent of the property owner from the authorized septic inspector prior to the installation, construction, replacement, modification, alteration, repair, or capacity expansion of a SSTS. The purpose of this permit is to ensure that the proposed construction activity is sited, designed, and constructed in accordance with the provisions of this Ordinance by appropriately certified and/or licensed practitioner(s).

6.02.01 Activities Requiring a Construction Permit

A construction permit from the authorized Township septic inspector is required for installation of a new SSTS, for replacement of an existing SSTS, or for any repair or replacement of components that will alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout, or function.

6.02.02 Activities Not Requiring a Permit

A construction permit is not required for minor repairs or replacements of system components that do not alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout or function.

6.02.04 Permit Application Requirements

Construction permit applications shall be made on forms provided by the Royalton Township septic inspector and signed by the applicant and an appropriately certified practitioner including the practitioner's certification number and date of expiration. The applications shall include the documents listed in items A through E below.

A. Name, mailing address, telephone number and email address.
B. Property identification number and address or other description of property location.
C. Site evaluation report as described in Minnesota Rules, Chapter 7080.1730.
D. Design report as described in Minnesota Rules, Chapter 7080.2430.
E. Management plan as described in Minnesota Rules, Chapter 7082.0600.

6.02.05 Application review and Response

The Board's authorized inspector shall review a permit application and supporting documents. Upon satisfaction that the proposed work will conform to the provisions of this Ordinance, the inspector shall issue a written permit authorizing construction of the SSTS as designed. In the event the applicant makes a significant change to the approved

application, the applicant must file an amended application detailing the changed conditions for approval prior to initiating or continuing construction, modification, or operation for approval or denial. The inspector shall complete the review of the amended application within 15 working days of receipt of the amended application. If the permit application is incomplete or does not meet the requirements of this Ordinance, the Board's inspector shall deny the application. A notice of denial shall be provided to the applicant, which must state the reason for the denial.

6.02.06 Appeal

The applicant may appeal the inspector's decision to deny the construction permit in accordance with the Township's established policies and appeal procedures.

6.02.07 Permit Expiration

The construction permit is valid for a period of no more than one year from its date of issue. Satisfactory completion of construction shall be determined by receipt of final record drawings and a signed certification that the construction or installation of the system was completed in reasonable conformance with the design documents as approved by a licensed inspection business, which is authorized by the Board and independent of the owner and the SSTS installer.

6.02.08 Extensions and Renewals

The Board's authorized septic inspector may grant an extension of the Construction Permit if the construction has commenced prior to the original expiration date of the permit. The permit may be extended for a period of no more than 12 months.

6.02.09 Transferability

A construction permit may be transferred to a new owner provided the new owner follows the design and permit as it has been issued and the site and soil conditions have not been altered or otherwise damaged.

6.02.10 Suspension or Revocation

The Board and its authorized septic inspector may suspend or revoke a construction permit issued under this section for any false statements, misrepresentations of facts on which the construction permit was issued, or unauthorized changes to the system design that alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout or function. A notice of suspension or revocation and the reasons for the suspension or revocation shall be conveyed in writing to the permit holder. If suspended or revoked, installation or modification of a treatment system may not commence or continue until a valid construction permit is obtained.

6.02.11 Posting

The construction permit shall be posted on the property in such a location and manner so that the permit is visible and available for inspection until construction is completed and certified.

6.03 Operating Permit

6.03.01 SSTS Requiring an Operating Permit

An operating permit shall be required of all owners of Type IV, V, MSTS or any other system deemed by the Board to require operational oversight. Sewage shall not be discharged to a MSTS until the Board certifies that the MSTS was installed in substantial conformance with the approved plans, receives the final record drawings of the MSTS, and a valid operating permit issued to the owner.

6.03.02 Operating Permit Application Requirements

A. Application for an operating permit shall be made on a form provided by the authorized Township septic inspector including:
   i. Owner name, mailing address, telephone and email address;
   ii. Construction permit reference number and date of issue;
   iii. Final record drawings of the treatment system; and
   iv. Owners of holding tanks must submit a copy of a valid executed monitoring and disposal contract with a licensed maintenance business.

B. Monitoring and Disposal Contract
   Owners of holding tanks shall provide to the inspector or the Board a copy of a valid monitoring and disposal contract executed between the owner and a licensed maintenance business, which guarantees the removal of the holding tank contents in a timely manner that prevents an illegal discharge in accordance with Minnesota Rules, Chapter 7082.0100, Subp. 3G. This requirement is waived if the owner is a farmer who is exempt from licensing under Minnesota Statutes §115.56, Subd. 2(b)(3).

6.03.03 Township Response

The Board or its authorized inspector shall review the record drawings, operation and maintenance manual, management plan, maintenance and servicing contract, and any other pertinent documents as appropriate for accuracy and completeness. If any deficiencies are identified, the operating permit shall be denied until the deficiencies are corrected to the satisfaction of the Board or inspector. If the submitted documents fulfill the requirements, the inspector shall issue an operating permit within 10 working days of receipt of the permit application.

6.03.04 Operating Permit Terms and Conditions

The operating permit shall include the following (see Minnesota Rules, Chapter 7082.0600, Subp. 2B):

A. System performance requirements;

B. System operating requirements;
C. Monitoring locations, procedures and recording requirements;
D. Maintenance requirements and schedules;
E. Compliance limits and boundaries;
F. Reporting requirements;
G. Department notification requirements for non-compliant conditions;
H. Valid contract between the owner and a licensed maintenance business;
I. Disclosure, location and condition of acceptable soil treatment and dispersal system site; and
J. Descriptions of acceptable and prohibited discharges.

6.03.05 Operating Permit Expiration and Renewal

A. Operating permits shall be valid for the specific term stated on the permit as determined by the Board.
B. An operating permit must be renewed prior to its expiration. If not renewed, the Board may require the system to be removed from service or operated as a holding tank until the permit is renewed. If not renewed within 90 calendar days of the expiration date, the Township may require that the system be abandoned in accordance with Minnesota Rule 7080.2500.
C. The Board shall notify the holder of an operating permit at least 90 calendar days prior to expiration of the permit. The Owner must apply for renewal at least 30 calendar days before the expiration date.
D. Application shall be made on a form provided by the Board or its authorized septic inspector, including:
   i. Applicant name, mailing address and phone number;
   ii. Reference number of previous owner's operating permit;
   iii. Any and all outstanding Compliance Monitoring Reports as required by the operating permit;
   iv. Certified treatment system inspection signed and/or sealed by a certified designer, maintenance contractor, or operator at the discretion of the Township;
   v. Any revisions made to the operation and maintenance manual; and
   vi. Payment of application review fee as determined by the Township.

6.03.06 Amendments to Existing Permits not Allowed

The Township may not amend an existing permit to reflect changes in this Ordinance until the permit term has expired and is renewed, unless an amendment is necessary to eliminate an imminent threat to public health or safety.

6.03.07 Transfers

The operating permit may be transferred. The new owner shall notify the department of their ownership within 60 days of the sale of a property operated under an operating permit.

6.03.08 Suspension or Revocation

A. The Board or its authorized septic inspector may suspend or revoke any operating permit issued under this section for any false statements or misrepresentations of facts on which the operating permit was issued.
B. Notice of suspension revocation and the reasons for revocation shall be conveyed in writing to the owner.
C. If suspended or revoked, the Board may require that the treatment system be removed from service, operated as a holding tank, or abandoned in accordance with Article 4.
D. At the Board's discretion, the operating permit may be reinstated or renewed upon the owner taking appropriate corrective actions.

6.03.09 Compliance Monitoring

A. Performance monitoring of a SSTS shall be performed by a licensed inspection business or licensed service provider hired by the holder of the operating permit in accordance with the monitoring frequency and parameters stipulated in the permit.
B. A monitoring report shall be prepared and certified by the licensed inspection business or licensed service provider. The report shall be submitted to the Board on a form provided by the Board on or before the compliance reporting date stipulated in the operating permit. The report shall contain a description of all maintenance and serving activities performed since the last compliance monitoring report as described below:
   i. Owner name and address;
   ii. Operating permit number;
   iii. Average daily flow since last compliance monitoring report;
   iv. Description of type of maintenance and date performed;
   v. Description of samples taken (if required), analytical laboratory used, and results of analyses;
   vi. Problems noted with the system and actions proposed or taken to correct them; and
   vii. Name, signature, license and license number of the licensed professional who performed the work.

6.04 Abandonment Certification

6.04.01 Purpose

The purpose of the System Abandonment Certification is to ensure that a treatment system with no future intent for use be abandoned within a reasonable time following decommissioning and in a manner that protects public health, safety and water qualify. It also terminates all permits associated with the system.

6.04.02 Abandonment Requirements

A. Whenever the use of a SSTS or any system component is discontinued with no future intent of use as the result of a system repair,

modification, replacement or decommissioning following connection to a municipal or private sanitary sewer, or condemnation or demolition of a building served by the system, further use of the system or any system component for any purpose under this Ordinance shall be prohibited.

B. An owner of an SSTS must retain a licensed installation business to abandon all components of the treatment system within 60 calendar days of a system. Abandonment shall be completed in accordance with Minnesota Rules, Chapter 7080.2500. No prior notification of the Board of Supervisors of an owner's intent to abandon a system is necessary.

C. A report of abandonment shall be submitted to the Board. The report shall include:
   i. Owner's name and contact information;
   ii. Property address;
   iii. System construction permit and operating permit;
   iv. The reason(s) for abandonment; and
   v. A brief description of the abandonment methods used, description of the system components removed or abandoned in place, and disposition of any materials or residuals.

6.04.03 Abandonment Certificate

Upon receipt of an abandonment report and its determination that the SSTS has been abandoned according to the requirements of this Ordinance, the Board shall issue an abandonment certificate. If the abandonment is not completed according to the requirements of this Ordinance, the Township shall notify the owner of the SSTS of the deficiencies, which shall be corrected within 30 calendar days of the notice.

ARTICLE 7. MANAGEMENT PLANS

7.01 SSTS Requiring Management Plans

Management plans are required for all new or replacement SSTS. The management plan shall be submitted to the Board's authorized septic inspector with the construction permit application for review and approval. The Board's authorized septic inspector shall be notified of any system modifications made during construction and the management plan revised and resubmitted at the time of final construction certification.

7.02 Required Contents of a Management Plan

Management plans shall include (Minnesota Rules, Chapter 7082.0600, Subp. 1):

A. Operating requirements describing tasks that the owner can perform and tasks that a licensed service provider or maintainer must perform;

B. Monitoring requirements;

C. Maintenance requirements including maintenance procedures and a schedule for routine maintenance;

D. Statement that the owner is required to notify the Board's authorized septic inspector when the management plan requirements are not being met;
E. Disclosure of the location and condition of the additional soil treatment and dispersal area on the owner's property or a property serving the owner's residence; and
F. Other requirements as determined by the Board.

7.03 Requirements for Systems not Operated under a Management Plan

Minnesota Rules Chapter 7082.0100, Subp. 3(L) requires SSTS that are not operated under a management plan or operating permit should have treatment tanks inspected and provide for the removal of solids if needed every three years. Solids must be removed when their accumulation meets the limit described in Minnesota Rules, Chapter 7080.2450.

ARTICLE 8. COMPLIANCE MANAGEMENT

8.01 Compliance Inspection Program

8.01.01 Board of Supervisors' Responsibility

It is the responsibility of the Board, through its authorized agent, to perform various SSTS compliance inspections as necessary or required.

A. SSTS compliance inspections must be performed:
   i. To ensure compliance with applicable requirements.
   ii. Whenever a permit or variance of any type is required for an improvement on, or use of, the property in shoreland areas of the township as defined in the Pine County Shoreland Management Ordinance. Pine County will have authority and jurisdiction of shorelands under the County Shoreland Ordinance, within 300' of creeks/rivers; 1,000 feet from lakes.
   iii. For all new SSTS construction or replacement.
   iv. Prior to the sale of a property which is required to be serviced by a SSTS.
   v. For an evaluation, inspection, recommendation, or other process used to prepare a disclosure statement if conducted by a party who is not the SSTS owner. Such an inspection constitutes a compliance inspection and shall be conducted in accordance with Minnesota Rules, Chapter 7082.0700 using the SSTS inspection report forms provided by MPCA.
B. All compliance inspections must be performed and signed by licensed inspection businesses or qualified employees certified as inspectors.

8.01.02 New Construction or Replacement

A. Compliance inspections must be performed on new or replacement SSTS to determine compliance with Minnesota Rules, Chapters 7080 or 7081.
B. It is the responsibility of the SSTS owner or the owner's agent to notify the Board or its authorized septic inspector two calendar days prior to any permitted work on the SSTS.

C. A certificate of compliance for new SSTS construction or replacement, which shall be valid for five years, shall be issued by the Board or its authorized septic inspector if they have reasonable assurance that the system was built in accordance with the applicable requirements as specified in the construction permit.
D. The certificate of compliance must include a certified statement by the certified inspector who conducted the inspection that the SSTS is or is not in compliance with the ordinance requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a notice of noncompliance must be issued to the owner which includes a statement specifying those ordinance provisions with which the SSTS does not comply.
E. The certificate of compliance or notice of noncompliance must be submitted to the Board through its authorized septic inspector no later than 15 calendar days after the date the inspection was performed. The Board or its authorized septic inspector shall deliver the certificate of compliance or notice of noncompliance to the owner or the owner's agent within 15 calendar days of receipt from the certified inspector. No SSTS shall be placed into operation until a valid certificate of compliance has been issued.
F. Certificates of compliance for new construction or replacement shall remain valid for five years from the date of issue unless the Board finds evidence of noncompliance.
G. SSTS that are managed by an operating permit must be maintained, monitored or otherwise managed according to the operating permit. SSTS found to be noncompliant with other applicable requirements must be repaired or replaced according to the Board's requirements.

8.01.03 Existing Systems

A. Compliance inspections shall be required when any of the following conditions occur:
   i. When a construction permit is required to repair, modify, or upgrade an existing system.
   ii. Any time there is a change in use of the property being served by an existing SSTS which may impact the performance of the system.
   iii. At the time of property sale or transfer (see 8.01.04).
   iv. At any time an increase in the number of bedrooms of a dwelling which requires a permit from the city or township.
   v. Any permit or variance application within the shoreland area.
   vi. When an operating permit is to be renewed.
   vii. At any time as required by this Ordinance or the Board deems appropriate such as upon receipt of a complaint or other notice of a system malfunction.
B. Compliance inspections of existing SSTS shall be reported on the inspection report forms provided by MPCA. The following conditions must be assessed or verified:

i. Watertightness assessment of all treatment tanks including a leakage report;
ii. Vertical separation distance between the bottom of the soil treatment and dispersal system and the periodically saturated soil or bedrock including a vertical separation verification report; and
iii. Sewage backup, surface seepage, or surface discharge.

C. The certificate of compliance must include a certified statement by a licensed inspection business, indicating whether the SSTS is in compliance with the ordinance requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a notice of noncompliance must include a statement specifying those ordinance provisions with which the SSTS does not comply. A construction permit application must be submitted to the inspector or the Board if the required corrective action is not a minor repair.

D. The certificate of compliance or notice of noncompliance must be submitted to the inspector or the board no later than 15 calendar days after the date the inspection was performed. The board or inspector shall deliver the certificate of compliance or notice of noncompliance to the owner or the other's agent within 15 calendar days of receipt from the licensed inspection business.

E. Certificates of compliance for existing SSTS shall remain valid for three years from the date of issue unless the board finds evidence of noncompliance.

8.01.04 Transfer of Properties

A. Whenever a conveyance of land upon which a dwelling is located, or a tract of land upon which a dwelling is located, or a tract of land upon which a structure that is required to have an SSTS occurs, the following requirements shall be met:
i. A compliance inspection has been performed and a certificate of compliance has been issued and on file with the Board within three years for SSTS older than five years or within five years if the system is less than five years old prior to the intended sale or transfer of the property, unless evidence is found identifying an imminent threat to public health or safety;
ii. The compliance inspection must have been performed by a licensed inspection business following procedures described in Section 8.01.03 of this Ordinance;
iii. The seller of the property must disclose in writing information about the status and location of all known ISTS on the property to the buyer on a form acceptable to the inspector or the Board.
iv. If the seller fails to provide a certificate of compliance, sufficient security in the form of an escrow agreement to assure the installation of a complying ISTS shall be established. The security shall be placed in an escrow with a licensed real estate closer, licensed attorney-at-law, or federal or state chartered financial institution. The amount escrowed shall be equal to 150% of a

written estimate to install a complying ISTS provided by a licensed and certified installer, or the amount escrowed shall be equal to 110% of the written contract price for the installation of a complying ISTS provided by a licensed and certified installer. After a complying SSTS has been installed and a certificate of compliance issued, the Board shall provide the escrow agent a copy of the certificate of compliance.

v. In absence of the escrow account according to Section 8.01.04, Subp. A(iv) above, the buyer shall be responsible for the necessary inspection and upgrading of said SSTS.

B. The compliance portion of the certificate of compliance need not be completed if the sale or transfer involves the following circumstances:
   i. The affected tract of land is without buildings or contains no dwellings or other buildings with indoor plumbing fixtures.
   ii. The transfer does not require the filing of a Certificate of Real Estate Value as described in Minnesota Statutes §272.115, Subd. 1.
   iii. The transfer is a tax forfeiture.
   iv. The sale or transfer completes a contract for deed or purchase agreement entered into prior to the effective date of this Ordinance. This subsection applies only to the original vendor and vendee on such a contract.

C. All property conveyances subject to this Ordinance occurring during the period between November 15th and April 15th, when SSTS compliance cannot be determined due to frozen soil conditions, shall require a winter agreement, which includes an application for an SSTS permit and an agreement to complete a compliance inspection by the following June 1st by a licensed inspection business. If upon inspection the SSTS is found to be in compliance, the permit fee will be refunded. If upon inspection the system is found to be non-compliant, an escrow agreement must be established in accordance with Section 8.01.04A(iv) above, and the system upgraded.

D. The responsibility for filing the completed compliance portion of the certificate of compliance under 8.01.04A, above, or for upgrading a system found to be non-compliant shall be determined by the buyer and seller.

   Buyer and seller shall provide the Board or inspector with a signed statement indicating responsibility for completing the compliance portion of the Certification and for upgrading a system found to be non-conforming.

E. Neither the issuance of permits, certificates of compliance, nor notices of noncompliance as requested or issued shall be construed to represent a guarantee or warranty of the system's operation or effectiveness. Such certificates signify that the system in question is or has been designed and installed in compliance or non-compliance with the provisions of these standards and regulations.

ARTICLE 9 ENFORCEMENT

9.01 Violations

9.01.01 Cause to Issue a Notice of Violation

Any person, firm, agent, or corporation who violates any of the provisions of this Ordinance, or who fails, neglects, or refuses to comply with the provisions of this Ordinance, including violations of conditions and safeguards, or who knowingly makes any material false statement or knowing omission in any document required to be submitted under the provision hereof, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable as defined by Minnesota State Statutes. Each day that a violation exists shall constitute a separate offense.

9.01.02 Notice of Violation

The Board or its authorized septic inspector shall serve, in person or by mail, a notice of violation to any person determined to be violating provisions of this Ordinance. The notice of violation shall contain:

A. A statement documenting the findings of fact determined through observations, inspections, or investigations;
B. A list of specific violation(s) of this Ordinance;
C. Specific requirements for correction or removal of the specified violation(s); and
D. A mandatory time schedule for correction, removal and compliance with this Ordinance.

9.01.03 Cease and Desist Orders

Cease and desist orders may be issued when the Board has probable cause that an activity regulated by this or any other town ordinance is being or has been conducted without a permit or in violation of a permit. When work has been stopped by a cease and desist order, the work shall not resume until the reason for the work stoppage has been completely satisfied, any administrative fees paid, and the cease and desist order lifted.

9.02 Prosecution

In the event of a violation or threatened violation of this Ordinance, the Township may, in addition to other remedies, initiate appropriate civil action or proceedings to prevent, prosecute, restrain, correct or abate such violations or threatened violations and the Township Attorney shall have authority to commence such civil action. The Board and the Township Attorney may take such actions as may be necessary to enforce the provisions of this Ordinance.

9.03 Cost and Reimbursements

If the Board is required to remove or abate an imminent threat to public health or safety, the Board may recover all costs incurred in removal or abatement in a civil action, including legal fees; at the discretion of the Town Board, the cost of an enforcement action under this Ordinance may be assessed and charged against the real property on which the public health nuisance was located. The County Auditor shall extend the cost of as assessed and charged on the tax roll against said real property.

9.04 State Notification of Violation

In accordance with state law, the Board or its authorized septic inspector shall notify the MPCA of any inspection, installation, design, construction, alteration or repair of an SSTS by a licensed/certified person or any septage removal by a licensed pumper that is performed in violation of the provisions of this Ordinance.

ARTICLE 10 RECORD KEEPING

The Township and its licensed inspector shall maintain a current record of all permitted systems, and copies shall be provided to Pine County. The record shall contain all permit applications, issued permits, fees assessed, variance requests, certificates of compliance, notices of noncompliance, enforcement proceedings, site evaluation reports, design reports, record drawings, management plans, maintenance reports, an annual list of all sewage tanks installed in the township sorted by licensed installation businesses, and other records relevant to each system.

ARTICLE 11 DISPUTE RESOLUTION PROCEDURES

A. In the event of a dispute between two designers on whether the soil or design meets the minimum requirements of the ordinance the Township's licensed inspector shall review the site, upon request, and make the final determination.

B. In the event that a designer and the Township inspector have a dispute related to the design or soils meeting the minimum requirements of the ordinance the Board or its licensed inspector shall meet with the designer on-site to review the soils and design. If the dispute is unresolved the Township inspector and the designer shall request a mutually agreeable soil scientist to review the site. The applicant shall provide a deposit in an amount to be determined by the Township to cover the cost of the soil scientist and Township review. Both parties shall agree in writing that the soil scientist findings shall be final. If the scientist determines the Township inspector correctly interpreted the soils, the deposit will be retained and used to pay the scientist and Township, with any extra money refunded to the applicant. If the soil scientist determines the designer was correct, the deposit shall be refunded and the Township will pay for the cost of the soil scientist review. If soils are reviewed with the soil scientist that was not previously reviewed by the Township the Township shall retain the deposit. All reviews with the soil scientist shall be conducted in a pit that is a minimum of 4 feet by 4 feet with

a depth of at least 3 feet below the bottom of the proposed system or until bedrock or the water table, whichever is less.

ARTICLE 12 ANNUAL REPORT

The township shall provide an annual report of SSTS permitting activities to MPCA no later than February 1 for the previous calendar year.

ARTICLE 13 FEES

From time to time, the Town Board shall establish fees for activities undertaken by the Board pursuant to this Ordinance. Fees shall be due and payable at a time and in a manner to be determined by the Board.

ARTICLE 14 INTERPRETATION

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Township and shall not be deemed a limitation or repeal of any other powers granted by Minnesota Statutes.

ARTICLE 15 SEVERABILITY

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this Ordinance shall not be affected and shall remain in full force.

ARTICLE 16 ABROGATION AND GREATER RESTRICTIONS

It is not intended by this Ordinance to repeal, abrogate, or impair any other existing township ordinances, easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

ARTICLE 17 ORDINANCE REPEALED

This Ordinance repeals any provisions in Royalton's current Code of Ordinances, adopted February 23, 2010, that are inconsistent with this Subsurface Sewage Treatment Systems Ordinance.

ARTICLE 18 ADOPTION

The Town of Royalton Subsurface Sewage Treatment Systems Ordinance is hereby adopted by the Royalton Township Board of Supervisors on this 31st day of March, 2015.

_____

Marshall Pearson
Chair, Royalton Township Board of Supervisors

_____

Leslie Orvis
Supervisor

_____

Wayne Olson
Supervisor

Attest:

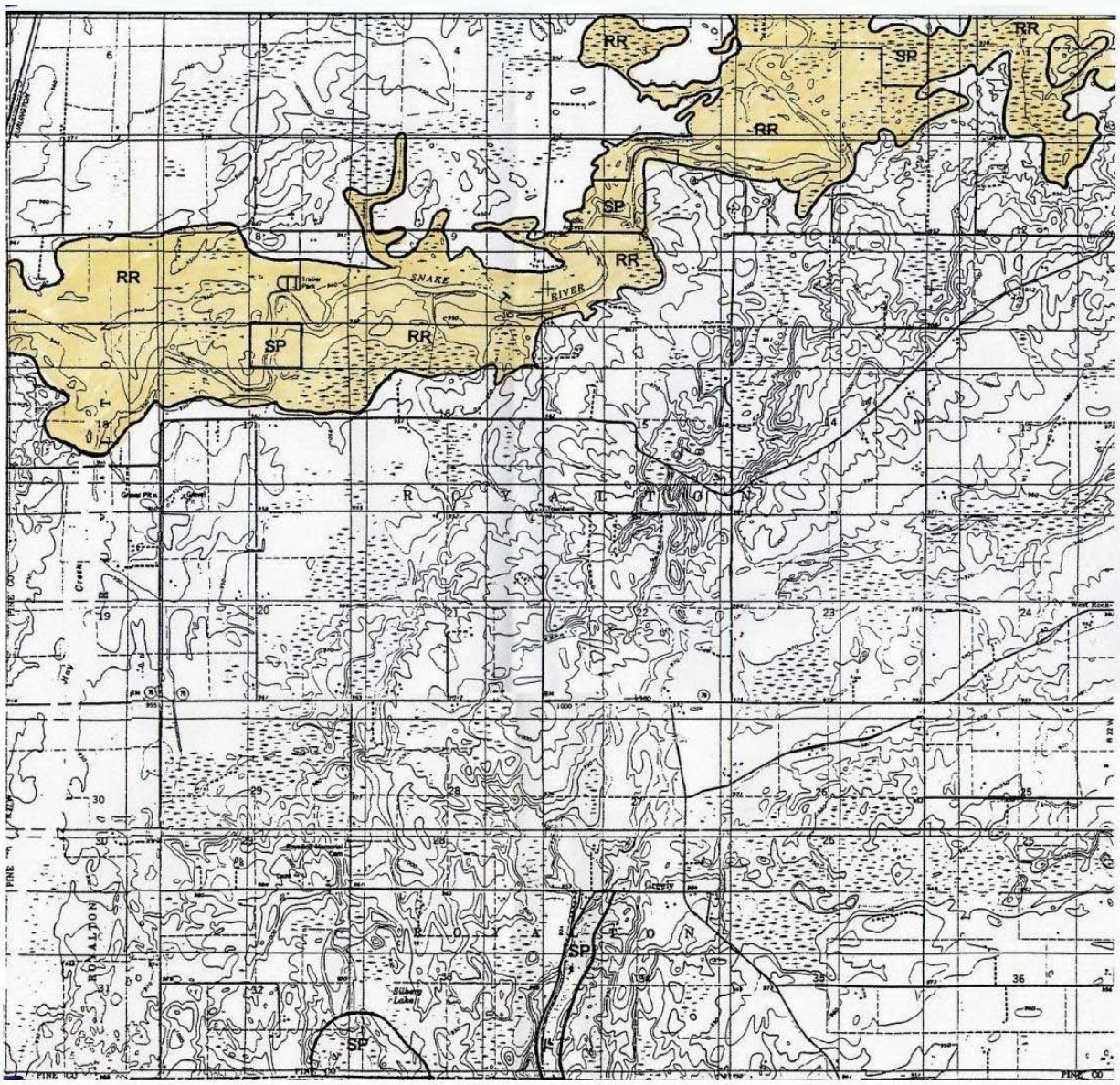
_____

Roberta Folkestad
Clerk, Town of Royalton

Notice of Public Hearing Published: February 26, 2015
Public Hearing: Tuesday, March 3, 2015
Adopted by Town Board: Tuesday, March 31, 2015
Publication of Ordinance: February 26, 2015
Filed with County Recorder: April 6, 2015
Effective Date: March 31, 2015

Town of Royalton Subsurface Sewage Treatment Systems Ordinance adapted from
Pine County Subsurface Sewage Treatment System (SSTS) Ordinance
Drafted by Royalton Township Planning Commission,
6052 Royalton Road,
Braham, MN 55006-2734

Appendix A



Agricultural / Residential

Shorelands

ZONING MAP
Royalton Township
Pine County, MN

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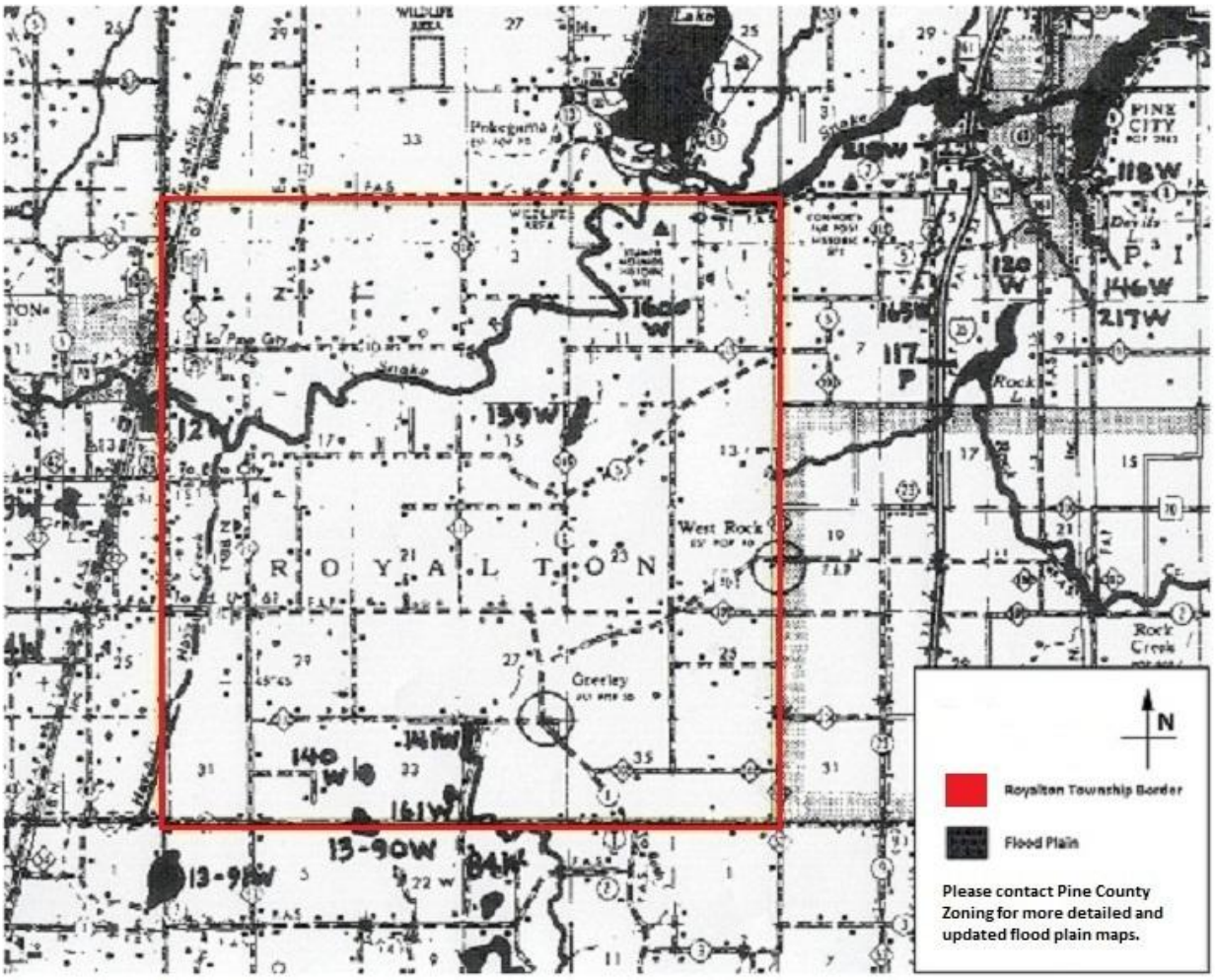
Appendix B. Royalton Township Flood Plain Map