



# Request for Council Action

Originator Community Development	Item <b>City Code amendments for transferring septic enforcement authority</b>
Agenda Section HEARING/PUBLIC INPUT Ordinances	Date 10/13/2014
Description	

## GENERAL INFORMATION

Applicant: City of Bloomington

Request: City Code amendments removing regulations for Subsurface Sewage Treatment Systems (“SSTS” also called individual sewage treatment and septic systems) as part of the transfer of enforcement authority to Hennepin County, with miscellaneous amendments for public nuisances and wells, thereby amending Chapters 1, 12, 15 and the Schedule of Civil Fines for administrative offenses of the City Code effective January 1, 2015.

## CHRONOLOGY

Publication: 10/02/14 - *Bloomington Sun-Current*. Notice enclosed.

City Council Regular Meeting: 10/13/14 – Public Hearing scheduled

## APPLICABLE REGULATIONS

Chapter 1 – Interpretation and Enforcement of the City Code  
 Chapter 12 - Public Peace and Safety  
 Chapter 15 – Buildings and Structures  
 Schedule of Civil Fines

## ANALYSIS

### Proposed Changes to Chapter 1

Section 1.11 (35) is deleted and reserved removing SSTS violations from the list of administrative offences.

### Proposed Changes to Chapter 12

Section 12.03 (20) is amended to delete the reference to sewage treatment systems as public nuisances. Section 12.04 (f) is a miscellaneous amendment to correct an error in citing Minn. Stat. §145A.08 as §145A.008.

### Proposed Changes to Chapter 15 Article VIII. Plumbing Division C. Individual Sewage Treatment Systems

Sections 15.146 through 15.158.08 are deleted and reserved removing current City SSTS regulations.

**Proposed Changes to Chapter 15 Article VIII. Plumbing Division D. Wells**

Section 15.160 is amended to delete a reference to Minnesota Statutes, Section 103I.112 which was repealed in 2009. Section 15.160.01 is newly added to move part of Section 15.171 regarding the scheduling of well inspections, which is proposed to be deleted with SSTS requirements. The outdated Section 15.164 on well violations is updated to be consistent with current City Code format on penalties and severability.

**Proposed Changes to Chapter 15 Article VIII. Plumbing Division E. Septic or Sewage Tank Maintenance Pumping and Transport**

Sections 15.169, 15.170, 15.171, 15.175, 15.176, 15.177 and 15.178 are partly or fully deleted and reserved where they discuss the requirements of septic tank pumping and/or maintenance. Tank maintenance would transfer to Hennepin County with the rest of the SSTS enforcement program.

**Proposed Changes to Chapter 15 Article IX. Licenses and Permits Division B. General**

Section 15.191 permit fees for SSTS are deleted and reserved.

**Proposed Changes to the Administrative Fine Schedule**

The fine for SSTS violations to City Code is deleted.

**OUTREACH****Public Hearing Notice & Comments**

The required notice of public hearing was published in the October 2, 2014 Bloomington *SunCurrent* referencing where the proposed code amendments are located on the City's website, keyword search "septic code" and how to contact City staff to make comments or attend the October 13, 2014 City Council public hearing. See the enclosed publication. Since the hearing publication, staff has not received any comments.

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**Requested Action**

Hold a public hearing and approve the City Code amendments to remove SSTS regulations and make miscellaneous changes to public nuisance and well sections as part of the transfer of the enforcement program to Hennepin County effective on January 1, 2015.

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**Attachments:**

City Code amendments removing septic enforcement authority  
Public Hearing announcement in 10/02/14 Bloomington *SunCurrent*