

**FOREST TOWNSHIP  
RICE COUNTY, MINNESOTA  
ORDINANCE NO. 2003 - 05**

**ORDINANCE GOVERNING THE "FOX LAKE" ENVIRONMENTAL  
SUBORDINATE SERVICE DISTRICT  
WASTE WATER COLLECTION SYSTEM**

THE TOWN BOARD FOR THE TOWN OF FOREST, RICE COUNTY, MINNESOTA,  
HEREBY ORDAINS:

**SECTION ONE**

**AUTHORITY**

The Forest Township Board of Supervisors, pursuant to authority granted under Minnesota Statutes, Chapter 365A, Chapter 115.50, and Chapter 444 enacts the following rules and Regulations to govern the Fox Lake Environmental Subordinate Service District for the health, safety and welfare of the users and members of Forest Township.

**SECTION TWO**

**INTRODUCTION**

The Fox Lake Environmental Subordinate Service District (DISTRICT) was established under Minnesota Statute, Chapters 365A and 444 on December 27th, 2001. The DISTRICT will operate for the residents in that part of:

*Said area in Section 27, Township 111, Range 21, described below as the*

**Plat of "Gillen's Sub-Division"**

R.06.3036.001	3.10 acres
<b><u>Parcel numbers</u></b>	<b><u>Lot</u></b>
R.06-3051.000	Lot 001 & Lot 002
R.06-3052.000	Lot 003
R.06-3053.000	Lot 004
R.06-3054.000	Lot 005
R.06-3055.000	Lot 006
R.06-3056.000	Lot 007
R.06-3057.000	Lot 008
R.06-3058.000	Lot 009
R.06-3067.000	Lot 004

Plat of Gillen's Second Sub-Division

Parcel numbers

R.06-3070.000  
R.06-3071.000  
R.06-3072.000  
R.06-3073.000  
R.06-3074.000  
R.06-3075.000  
R.06-3076.000  
R.06-3077.000  
R.06-3078.000

Lot

Outlot B  
Lot 007, Block 1  
Lot 006, Block 1  
Lot 005, Block 1  
Lot 004, Block 1  
Lot 003, Block 1  
Lot 002, Block 1  
Lot 001, Block 001  
Lot OOA

Friesen's Survey

Parcel numbers

R.06-3061.000  
R.06-3062.000  
R.06-3063.000  
R.06-3064.000  
R.06-3065.000  
R.06-3066.000  
R.06-3031.000  
R.06-3032.000

Lot

Lot 002  
Lot 003  
Lot 005  
Lot 005  
Lot 005  
Lot 006  
3.3 acres  
1.6 acres

The DISTRICT is under the control and management of the Forest Township Board of Supervisors (BOARD).

**SECTION THREE**

**DEFINITIONS**

The following words and phrases when used in the definitions in this Section and when otherwise used in this document shall have the meanings ascribed to them in this Section, unless the context otherwise clearly indicates.

- 3.1. ADDITIVES – Means products added to the wastewater or to the system with the intent to improve the performance of an individual sewage treatment system.
- 3.2. BOARD - The Forest Township Board of Supervisors.
- 3.3. BASE CONNECTION CHARGE - The Base Connection Charge shall represent the initial capitalization costs of those USERS who connected within the first year into the COMMON PORTION of the DISTRICT SEWER SYSTEM and paid their initial assessment portion.
- 3.4. COMMON PORTION -The common wastewater collection system; that portion which begins at the shut-off valve at each specific property and includes all equipment, pumps, sewer lines and appurtenances, treatment and disposal system portions of the DISTRICT

SEWER SYSTEM which are located in a public easement, or which is located on land owned by Forest Township. This excludes all system components between the dwelling and shut-off valve.

- 3.5. CONNECTING CHARGE – Reasonable charges for those properties that have paid the initial BASE CONNECTION FEE which were exempted from connecting originally within that first year. Example of said charges would be the administration and permit fees as well as construction oversight for connection to the DISTRICT SEWER SYSTEM.
- 3.6. CONTRACTOR - Independent person(s), entity (entities), party (parties) contracted, by the BOARD, to manage, operate or maintain the DISTRICT SEWER SYSTEM.
- 3.7. DWELLING – Consists of one or more rooms which are arranged, designed or used for human habitation. The term “residence” shall mean the same as defined herein.
- 3.8. EFFLUENT BIO-FILTER – Filtering system, which is placed within a pump and filters particles from the effluent within a wastewater line, pump station, and/or septic tank.
- 3.9. DISTRICT -The Fox Lake Environmental Subordinate Service District.
- 3.10. MPCA 7080 STANDARDS - The minimum standards promulgated by the following agencies: Minnesota Pollution Control Agency and contained in Minnesota Rules, Chapter 7080, the Rice County Sewage and Wastewater Treatment Ordinance, Rice County Shoreland Management Ordinance, and this ORDINANCE, as amended from time to time.
- 3.11. PRIVATE SYSTEM PORTION OF SYSTEM - That portion of the wastewater collection system that resides within the individual parcel and lot boundaries of the USERS in the DISTRICT SEWER SYSTEM which begins with the septic and pump tanks and which ends at a point called the shut-off valve leaving their property.  
  
This PRIVATE PORTION connects to that part called the “COMMON PORTION” portion of the DISTRICT SEWER SYSTEM and contributes effluent to the DISTRICT SEWER SYSTEM.
- 3.12. SAC CHARGE - Sewer Availability Charge. A hook-up connection charge applied to those USERS, which connect after the first year into the DISTRICT SEWER SYSTEM and have not paid the initial capitalization charges.
- 3.13. SEPTAGE – Means solids and liquids removed during periodic maintenance of an individual wastewater treatment system, or solids and liquids that are removed from toilet waste treatment devices.
- 3.14. SEPTIC TANK – Means any watertight, covered receptacle designed and constructed to receive the discharge of sewage from a building sewer, separate solids from liquid, digest

organic matter, store liquids through a period of detention, and allow the effluent to discharge to a treatment system.

- 3.15. SEWER - Means a system that carries wastewater.
- 3.16. "DISTRICT" SEWER SYSTEM – The "COMMON PORTION" of the DISTRICT SEWER SYSTEM which includes all equipment, pumps, sewer lines, treatment and disposal system portions, and any and all appurtenances of the SEWER SYSTEM which is located in a public easement or which is located on land owned by Forest Township as well as the "PRIVATE SYSTEM" portion of the DISTRICT SEWER SYSTEM to the extent that it is managed and maintained by the DISTRICT.
- 3.17. ORDINANCE - Means the rules and regulations imposed and enforced by Forest Township.
- 3.18. USER - Means a resident, inhabitant, owner of land or dwelling that is causing or permitting the discharge of wastewater to the DISTRICT SEWER SYSTEM.

#### **SECTION FOUR**

#### **GENERAL PROVISIONS AND CONDITIONS**

- 4.1. The DISTRICT is created as a management tool to operate and administrate a common wastewater treatment collection system on behalf and for the landowners encompassed by this DISTRICT pursuant to Minnesota Statutes Chapter 365A, Chapter 115.50, and Minnesota Statute Chapter 444, authorizing the powers herein.
- 4.2. The BOARD is responsible for the management of the DISTRICT, construction oversight, operations and maintenance of the wastewater collection system (DISTRICT SEWER SYSTEM) in the DISTRICT pursuant to the rules and standards imposed by the Minnesota Pollution Control Agency, Minnesota Rules Chapter 7080, the Rice County Sewage and Wastewater Treatment Ordinance, the Rice County Shoreland Management Ordinance, and this ORDINANCE, as amended from time to time.
- 4.3. The DISTRICT SEWER SYSTEM, as defined in Section 3, are any and all appurtenances, presently existing or hereinafter acquired, as are found necessary for completion of such SEWER SYSTEM in operating condition adequate to collect and transmit all wastewater effluent into the system, and for the proper treatment and disposal of such wastewater.
- 4.3. PERMANENT ACCESS EASEMENT. The BOARD, its agents or CONTRACTOR(S) have the right, through a permanent access maintenance easement, to enter in and upon private property at all times reasonable under the circumstances for the purpose of monitoring, inspecting, pumping, repair, and replacement required on the DISTRICT SEWER SYSTEM, or any part thereof. This right of entry is in relationship to

performing these tasks in the PRIVATE SYSTEM-PORZION area when reasonable and necessary to ensure the proper functioning and maintenance care of the SEWER SYSTEM. Such examples of maintenance would include the annual cleaning, repairs and/or emergency replacement of the tank filter and pump, control panel inspections, checking the septic tank for sludge and scum, and needed septic tank septage maintenance and removal.

- 4.5. USERS will be billed individually for any repairs and/or replacement of portions of their PRIVATE SYSTEM when found to be failing through maintenance operations. Such parts shall include, but are not limited to the following: the sewer line, pump tank, pump, bio-filter, control panel which includes the event counter, run time meter and electronic components, and all necessary parts required to maintain said system in operating compliance.
- 4.6. Ownership, of all common pumps, lines, mains, extensions and appurtenances thereto of the DISTRICT SEWER SYSTEM shall remain with the BOARD. Those parts referred to as PRIVATE SYSTEM PORTION of the DISTRICT SEWER SYSTEM are located on private property, belong to, and are under the ownership of the individual USER, but will be under the operations and management of the BOARD.
- 4.7. It is hereby declared that no one is to use or to drive on property used by the BOARD for treatment and disposal of wastewater from the DISTRICT SEWER SYSTEM unless it is for the stated repair and/or maintenance of the wastewater treatment system or for the purposes of required inspections by County and public officials or viewing as authorized by the BOARD.
- 4.8. The BOARD, along with the invitation of the Rice County Environmental Health Department, and Service Management Contractor, will annually inspect the physical portion of the DISTRICT SEWER SYSTEM, review maintenance and operation logs, and receive a yearly status report; the report will become public record for all to examine.
- 4.9. No person shall engage in an act intentionally or carelessly which results in breaking, damaging, destroying, uncovering, defacing, or tampering with any structure, appurtenances or equipment that is part of the DISTRICT SEWER SYSTEM. Closure of the shut-off valve at a USERS site may be initiated to protect the integrity and safety as well as public health of the USERS in the DISTRICT SEWER SYSTEM.

## SECTION FIVE

### **RATES, CHARGES AND CONNECTION TO THE DISTRICT SEWER SYSTEM**

- 5.1. The BOARD may set such rates, fees and charges, as it deems appropriate. No such resolution setting such fees shall be adopted before a public hearing has been held thereon.

- 5.1.1. Notice will be sent in good faith, to all landowners listed on the County tax rolls within said DISTRICT. Failure of any landowner to receive said notice shall not invalidate any ORDINANCE amendment. Said notice shall include the date, time and place of said hearing. Any Township member or USER may be heard at the hearing or through written comment addressed to the Forest Township Board Clerk.
- 5.1.2. Notice of such public hearing containing the effective date thereof shall be kept on file and open to inspection in the office of the Forest Township Clerk and shall be uniformly enforced.
- 5.2. All funds collected from such rates, fees and charges will remain with the DISTRICT'S funds and will be used to reduce any costs allocated to the usage, repair and replacement of the DISTRICT SEWER SYSTEM.
- 5.3. INDIVIDUAL SEWAGE TREATMENT SYSTEMS MUST CONNECT TO THE DISTRICT SEWER SYSTEM. All landowners within the DISTRICT with non-compliant systems will be required to connect to the DISTRICT SEWER SYSTEM upon completion of the COMMON PORTION within a period of one year.

Those landowners that are exempted due to an empty parcel, present complying on-site system, or can adequately build a system on the present parcel will be required to connect into DISTRICT SEWER SYSTEM when said exemptions are no longer valid.

- 5.4. INDIVIDUAL SEWAGE TREATMENT SYSTEMS INSIDE THE DISTRICT THAT CONNECT LATER. The property owner will comply with the following steps:
  - 5.4.1. LETTER OF REQUEST. Landowner submits a letter of request to the Forest Town Board of Supervisors requesting service hook-up to the common wastewater collection system.
  - 5.4.2. DESIGN FLOW CONSIDERATIONS / APPROVAL. Before approval, the BOARD and/or an Engineer will review and contact the Rice County Environmental Health Department for consideration of design flow and hook-up to the collection system. If system design is adequate, approval to go forward will be given.
  - 5.4.3. SUBMITTAL. Upon approval and the necessary permits acquired from Rice County, the property owner will submit the following to the BOARD to be placed on file with Rice County and Forest Township BOARD:
    - 5.4.3.1. A copy of any required permits, inclusive of building, accessory, and wastewater permit for hook-up, etc.
    - 5.4.3.2. When a USER wishes to expand or add a bedroom to present home, said USER will complete a building permit, as required by the Rice County Sewage and Wastewater Treatment Ordinance, the Rice County Shoreland

Ordinance, and a determination as to the effect of said permit on the DISTRICT'S SEWER SYSTEM will be completed before approval of said permit.

5.4.3.3. A permanent access easement allowing construction access, management & perpetual maintenance of any and all portions of the PRIVATE SYSTEM PORTION of the DISTRICT SEWER SYSTEM which are deemed necessary to adequately serve the proposed USER with the DISTRICT'S SEWER SYSTEM.

5.5. USER CONNECTION TO DISTRICT SEWER SYSTEM. Once approved by the BOARD, and the Rice County Environmental Health Department, the proposed USER will connect to the system under the following conditions:

5.5.1. On-going supervision will be done to insure that the hook-up to the DISTRICT'S SEWER SYSTEM is secure, and will not jeopardize any portion of the present system. Certificate of Compliance to be issued and a copy provided to the Forest Town Board of Supervisors upon completion of the hook-up. A copy of the as-built drawings as well as any and all necessary pictures to identify the treatment components and location will be submitted to all the necessary parties (County, Town BOARD) by the MPCA licensed professional showing the location and construction details for the hook-up.

5.5.2. New USERS will be required to pay for all construction costs encountered for and on their PRIVATE SYSTEM PORTION, [i.e. septic tank, building sewer lines, lift pump, lift stations, easement condemnations, etc., when and where necessary] as well as any additional costs that might be required in order to connect into the DISTRICT'S SEWER SYSTEM.

5.6. CONNECTION COSTS. All costs of connection shall be borne by the new USER(S) connecting to the DISTRICT SEWER SYSTEM. The USER will reimburse the BOARD for all costs incurred in connecting USER to the DISTRICT SEWER SYSTEM. Said costs will be reimbursed to the BOARD within thirty days (30 days) of billing, unless alternate arrangements are made in writing and approved by the BOARD.

5.7. SEWER AVAILABILITY CHARGES. The following formulas will be used as the sewer availability charges for any DISTRICT property that is later connected to the DISTRICT SEWER SYSTEM. Said charges are to be paid to the BOARD by the USER prior to connection to the DISTRICT SEWER SYSTEM unless other arrangements are made, and will consist of the following:

5.7.1 BASE CONNECTION CHARGE. The "Base Connection Charge" shall represent the initial capitalization costs of those USERS who connected within the first year into the COMMON PORTION of the DISTRICT SEWER SYSTEM and paid their initial assessment portion. Interest on the Base Connection Charge will be

calculated at 6.25 % per annum from the date the DISTRICT SEWER SYSTEM began operating to the date of connection by the requesting landowner(s). This charge must be paid unless the assessment was paid or is currently being paid. Said costs will be reimbursed within thirty days (30 days) of billing by the BOARD, unless other arrangements are made in writing and approved by the BOARD.

- 5.7.2. **CONNECTING CHARGE.** Reasonable charges for those landowners that have paid the initial BASE CONNECTION FEE and were exempted from connecting originally within that first year. Example of said charges would be the administration and permit fees as well as construction oversight for connection to the DISTRICT SEWER SYSTEM.
- 5.7.3. **SAC CHARGE.** An additional \$ 500. - sewer availability charge which is placed on those USERS that are new and come into the DISTRICT SEWER SYSTEM and did not pay the original BASE CONNECTION CHARGE. This charge may be changed from time to time by BOARD resolution.
- 5.8. All present and future property owners within the DISTRICT SEWER SYSTEM will be subject to the applicable rules and regulations inclusive of the DISTRICT'S ORDINANCE, as amended, the MPCA Chapter 7080 rules, as amended, and Rice County's regulations for individual sewage treatment systems, as amended from time to time.
- 5.9 The BOARD may, under Minnesota Statutes 366.012 and 429.101, certify each year to the Rice County Auditor, any unpaid service charges, costs, and fees, which shall then be collected together with property taxes levied against the property. The BOARD must serve written notice to the USER of its intention to certify the charge to the Rice County Auditor. Any unpaid charges will be subject to the same penalties, interest, and other conditions provided for in the collection of regular property taxes.

## SECTION SIX

### **DAMAGE TO DISTRICT SYSTEM PROHIBITED**

- 6.1. It shall be unlawful for any USER to discharge upon, in or under the ground or to any natural outlet within the DISTRICT any wastewater other than to the common wastewater collection treatment system.
- 6.2 It shall be unlawful for any USER to discharge or cause to be discharged any unpolluted waters such as storm-water, groundwater, roof runoff, subsurface drainage, drain tile lines, swimming pools, into the DISTRICT'S SEWER SYSTEM by means of a sump pump, or otherwise.
- 6.3. All USERS must comply with the provisions of 7080.0065, subp. 3., Chapter 7080, Minnesota Pollution Control Agency's rules, which are incorporated herein. Products



containing hazardous waste and hazardous substances must not be discharged to a system other than in normal amounts of household products and cleaners designed for household use. Substances not intended for use in household cleaning, including solvents, pesticides, flammables, photo finishing chemicals, dry cleaning chemicals, and hair salon chemicals must not be discharged to the system.

6.4. It shall be unlawful for any USER to discharge liquids or solids into the wastewater of the SEWER SYSTEM that has concentrations or quantities that will harm the collection and treatment portions of the SEWER SYSTEM, endanger lives, or constitute a public health risk or nuisance, or to create any hazard in the receiving waters of the system. Examples of such materials that are harmful include, but are not limited to the following:

6.4.1. Any gasoline, antifreeze, fuel oil, latex paint, oil and/or chemical solvents, other hazardous oils, or other flammable or explosive liquids, solids or gas. Any waters containing toxic or poisonous solids or liquids, which alone or by interaction with other wastes could release noxious gases, form suspended solids, which interfere with the DISTRICT'S SEWER SYSTEM, or create a condition deleterious to structures, appurtenances, and treatment processes.

6.4.2. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow or proper operation of the wastewater collection system such as, but not limited to, ashes, asphalt, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, and other similar items, tar, plastics, disposable diapers, wood, ground or un-ground garbage, whole blood, paper dishes, napkins, cups, milk containers, sanitary napkins and tampons and other similar items as well as the containers for such items.

6.5. No USER will connect a garbage disposal to the DISTRICTS SEWER SYSTEM.

6.6. BEST MANAGEMENT PRACTICES. The following practices are strongly encouraged and recommended for conservation practices within the DISTRICT to protect the integrity of the DISTRICT SEWER SYSTEM;

6.6.1. Within the DISTRICT, USERS are strongly encouraged to use non-phosphorus products and liquid rather than powder detergents.

6.6.2. USERS will be strongly encouraged to shut off their main water supply when their home is not occupied for a period exceeding four (4) consecutive days. Upon written request from a USER, the Forest Township Clerk may grant an exception for a necessity [i.e. when a heat pump cannot be shut off].

6.6.3. USERS will be strongly encouraged to use low-flow toilets, low-flow showerheads, and any such appliances to promote and sustain water conservation practices to protect the integrity and long-term effectiveness of the DISTRICT'S SEWER SYSTEM.

- 6.6.4. Wherever possible, water softeners should be disconnected from SEWER SYSTEM and re-directed into a separate trench in order to protect and sustain the integrity of the DISTRICT SEWER SYSTEM.
- 6.7. All USERS must further comply with the provisions of Minnesota Rules, Chapter 7080.0175, subp.5, which are referenced and incorporated herein. Individual wastewater treatment system additives that contain hazardous substances must not be used in their septic tanks.

## **SECTION SEVEN**

### **VIOLATION IS A MISDEMEANOR**

- 7.1. Any person who willfully or negligently violates any provisions of the Minnesota Pollution Control Agency, Chapter 7080 Rules, the Rice County Sewage and Wastewater Treatment Ordinance, and/or the provisions of the ORDINANCE contained herein will be subject to notification of violation.
- 7.2. Enforcement. This ORDINANCE shall be administered and enforced by the BOARD, or its authorized representative. The duly authorized representative may institute appropriate action for any violations of this ORDINANCE at the direction of the BOARD and through the Township Attorney as deemed necessary.
- 7.3. Any USER or person who violates a Section, Subdivision, paragraph, or provision of this ORDINANCE when he or she performs an act or becomes a public nuisance which is hereby prohibited, or declared unlawful or fails to do an act required, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be subject to a fine not to exceed \$1000 and imprisonment not to exceed 90 days plus the costs of prosecution. Each day of non-compliance with any of the terms of this ORDINANCE shall be considered a separate violation and a separate criminal act.
- 7.4. ENFORCEMENT OF ORDINANCE PROCEDURES.
- 7.4.1. EMERGENCY AND/OR HAZARDOUS WASTE VIOLATIONS.  
In the case a USER knowingly violates the DISTRICT SEWER SYSTEM by discharging waste deleterious or harmful to said DISTRICT SEWER SYSTEM and causes emergency conditions to exist, the BOARD and its duly authorized representatives shall exercise their authorities to close the shut-off valve at the end of the COMMON PORTION and deny further use to offending USER of the DISTRICT SEWER SYSTEM until said violation has been resolved, fines paid and repair of DISTRICT SEWER SYSTEM is completed
- 7.4.2. WRITTEN NOTICE.  
Upon a violation of this ORDINANCE or an emergency closure of shut-off valve to a USER, said USER will receive a written Notice notifying them of the facts.

The notice shall be served in person or by certified or registered mail.

If the property is not occupied and ownership of the property cannot be ascertained, or in the event that personal service cannot be made, or re-certified or registered mail is returned, notice is deemed served when posted on the property or deposited in the U.S. Mail. A written notice shall specify the steps to be taken to correct the violation, and the time, not to exceed thirty days ( 30 days ), within which the violation must be corrected. If the violation is not corrected within the time specified within the notice, then the BOARD may abate the violation itself after conducting a hearing.

7.4.3. HEARING.

A hearing notice shall be served in the same manner as described above and shall be given at least ten days ( 10 days ) prior to the date of the hearing before the BOARD. In order to expedite matters the BOARD may in its discretion, include notice of the aforementioned hearing in the original notice of violation.

7.4.3.1. If after conducting a hearing on the matter the BOARD determines that the correction of the violation is necessary to protect the public health, safety and welfare of the DISTRICT USERS, then the BOARD may correct the violation, or cause the same to occur, in any manner and using any method that it finds appropriate.

7.5. COSTS TO CORRECT VIOLATIONS.

The cost of violations and correction of the violation shall be borne by the offending USER(s). If the BOARD undertakes to correct the violation, it shall bill the landowner for all cost and disbursements associated, including disposal fees, service fees and attorneys' fees. If the USER does not pay such bill, then the BOARD shall certify such unpaid amounts to Rice County to be assessed against the property and to be collected with property taxes, pursuant to 366.021 and/or 429.101.

7.6. BOARD RIGHT TO SEEK ALL AVENUES OF RELIEF.

The BOARD reserves the right to prosecute in criminal court and/or civil court for any remedies, including injunctive relief and reimbursement of all costs and disbursements, including Attorney's fees expended by the Township in enforcing of this ORDINANCE. Each right or remedy accruing to the Township under this ORDINANCE or at law is separate and distinct and may, in the Township's discretion, be exercised independently or simultaneously with any other right or remedy.

## **SECTION EIGHT**

### **AMENDMENTS OR CHANGES**

- 8.1. The BOARD may from time to time amend this ordinance.
- 8.2. Thirty ( 30 ) calendar days written notice shall be provided to all property owners located in the DISTRCT before any amendments or changes to this ORDINANCE are adopted by the BOARD. Notice will be sent in good faith, to all landowners listed on the County tax rolls and within said DISTRICT. Failure of any landowner to receive said notice shall not invalidate any ORDINANCE amendment. Said notice shall include the date, time and place of said hearing. Any Township member or USER may be heard at the hearing or through written comment addressed to the Forest Township Board Clerk.

## **SECTION NINE**

### **VALIDITY AND SEVERABILITY**

The invalidity of any Section, clause, sentence or provision of this ORDINANCE shall not affect the validity of any other part of this ORDINANCE, which can be given effect without such invalid part or parts.

## **SECTION TEN**

### **EFFECTIVE DATE**

This ORDINANCE, its rules and regulations for the Fox Lake Environmental Subordinate Service District shall take effect and be in full force immediately following its adoption and publication by the Forest Town Board of Supervisors.

---

**Date:** August 6<sup>th</sup>, 2003

Motion by Supervisor \_\_\_\_\_, second by Supervisor \_\_\_\_\_ to adopt Ordinance 2003-05, Ordinance Governing the Fox Lake Subordinate Service District wastewater collection system.

Ayes: 3            Nays: 0  
Abstain: 0        Absent: 0

Motion was passed and the above Ordinance was declared adopted.

ATTEST:

/s/ Stan Burmeister  
Clerk, Forest Township

/s/ Ron Gernandt  
Chairman, Forest Township

## PUBLIC HEARING NOTICE

The Forest Township Board of Supervisors will hold a **Public Hearing on July 2nd, 2003, at 7:00 p.m. at the Forest Town Hall**, located at 3000 Millersburg Boulevard, Faribault, MN, 55021.

This hearing is for the purpose of taking comment on the "Draft" Ordinance 2003-05, Ordinance Governing the Fox Lake Environmental Subordinate Service District wastewater collection system. Written comment can be sent by contacting the Forest Township Clerk at 1-507-334-3934, during the business hours of 9 to 4 p.m., and will be received up to the date of the Hearing.

Due to the lengthy content of the Ordinance, a brief synopsis follows:

- Section One: Authority – Identifies the authorities used in preparation of said Ordinance
- Section Two: Introduction – Identifies the boundaries and establishment of the Fox Lake Environmental Subordinate Service District in Forest Township
- Section Three: Definitions – Clarifies language used in the Ordinance
- Section Four: General Provisions and Conditions – Identifies and clarifies the Ownership and Management of the District Sewer System
- Section Five: Rates, Charges and Connections to the District's System – Such fees necessary to operate and manage the District Sewer System and Landowners responsibilities for connection to the system.
- Section Six: Damage to District System Prohibited – Identifies what is not allowed and could harm the District system
- Section Seven: Violation is a Misdemeanor – Consequences for violations of this Ordinance and District Sewer System
- Section Eight: Amendments or Changes – Process for amendments or changes to District Ordinance
- Section Nine: Validity and Severability – Validity of the Ordinance should a provision be declared invalid.
- Section Ten: Effective Date – Effective date of Ordinance

A copy of the "Draft", of Ordinance 2003-05, Ordinance Governing the Fox Lake Environmental Subordinate Service District wastewater collection system can be viewed at the office of the Forest Township Clerk, during regular business hours by contacting the Clerk at 1-507-334-3934. In addition, a "Draft" copy of the Ordinance will be available to review at the Buckingham Memorial Public Library, located in 11 Division Street East, Faribault, MN, 55021.

Stan Burmeister, Clerk  
Forest Township

**PUBLIC NOTICE**

Adoption of Ordinance 2003- 05

**Governing the Fox Lake Environmental Subordinate Service District  
Wastewater Collection System.**

The Board of Supervisors for the Town of Forest, Rice County, Minnesota, now hereby ordains that on July 2<sup>nd</sup>, and then re-convened on August 5<sup>th</sup>, 2003, the Board of Supervisors conducted a hearing on the "Draft" Ordinance 2003-05, Ordinance Governing the Fox Lake Environmental Subordinate Service District wastewater collection system. On August 6<sup>th</sup>, 2003, the Forest Township Board of Supervisors adopted the above Ordinance.

Due to the lengthy content of the revisions, a brief Summary follows:

- Section One: Authority – Identifies the authorities used in preparation of said Ordinance
- Section Two: Introduction – Identifies the boundaries and establishment of the Fox Lake Environmental Subordinate Service District in Forest Township
- Section Three: Definitions – Clarifies language used in the Ordinance
- Section Four: General Provisions and Conditions – Identifies and clarifies the Ownership and Management of the District Sewer System
- Section Five: Rates, Charges and Connections to the District's System – Such fees necessary to operate and manage the District Sewer System and Landowners responsibilities for connection to the system.
- Section Six: Damage to District System Prohibited – Identifies what is not allowed and could harm the District system
- Section Seven: Violation is a Misdemeanor – Consequences for violations of this Ordinance and District Sewer System
- Section Eight: Amendments or Changes – Process for amendments or changes to District Ordinance
- Section Nine: Validity and Severability – Validity of the Ordinance should a provision be declared invalid
- Section Ten: Effective Date – Effective date of Ordinance

The, Ordinance 2003-05, Ordinance Governing the Fox Lake Environmental Subordinate Service District wastewater collection system shall take effect and be in full force immediately following its adoption and upon publication. A copy of the Ordinance can be viewed during office business hours by calling the Forest Township Clerk at 1-507-334-3934. An additional copy of the Ordinance will also be on file at the Buckingham Memorial Public Library, located at 11 Division Street, Faribault, Minnesota, 55021.

/s/ Ron Gernandt, Chairman  
Forest Township

ATTEST:

/s/ Stan Burmeister  
Clerk, Forest Township

Published in the \_\_\_\_\_, \_\_\_\_\_, Rice County, MN on the \_\_\_\_\_ day of \_\_\_\_\_, 2003