



Public Works / Environmental Services  
1105 8th Avenue NE  
Austin, Minnesota 55912  
Phone: 507-437-7718 Fax: 507-437-7609

## NOTICE OF PUBLIC HEARING

Notice is hereby given that the Mower County Planning Commission will assemble on Tuesday, 4/2/2024, at 5:30 p.m. in the County Commissioner's Room, located in the lower level of the Mower County Government Center, (201 1st Street NE, Austin MN 55912 – please enter through the Law Enforcement Center doors), to consider the following Ordinance modifications in accordance with Mower County Zoning Ordinance:

Notice is hereby further given that the Mower County Planning Commission will take public comment on the Ordinance modifications both in-person and via teleconference from the County Commissioner's Room. To participate in the meeting via teleconference, please use one of the following:

Mower County Planning Commission  
Tue, April 2, 2024 5:30 PM - 8:30 PM (CDT)

### Join Zoom Meeting

<https://us06web.zoom.us/j/88568188452?pwd=bbayqNRmlx2s963tzZeo6Soxv7inCe.1>

**Meeting ID:** 885 6818 8452

**Passcode:** 611422

**Dial In:** [+1 \(872\) 240-3311](tel:+18722403311)

**Access Code:** 400-928-901

### ORDINANCE:

Summary of proposed Mower County Subsurface Sewage Treatment (SSTS) Ordinance changes shown with the goal of removing the zoning permit requirement for systems over 20 years and instead putting in place "Priority Areas" criteria for compliance inspections including abatement. Also included are changes/clarifications to the use of Type III systems on new construction. Additions, deletions, or modifications to the SSTS Ordinance are as follows;

Section 1.16 Priority Areas: a **new section** to describe how and when priority areas will be determined.

Re-numbering of Definitions to 1.17

Definitions, **new:** Priority Areas defined

Definitions, **new:** New Construction defined

Definitions, *modification* to Type III System: clarification of language to allow the use of these systems on new construction when the existing lot cannot accommodate a Type I system

4.02 (Compliance Inspections Required), Item 4b, **REMOVED**. Inspection no longer required for zoning permit, CUP and Var on systems over 20 yrs. Shoreland and Nonconforming lot inspection requirements remain in place.

Section 4.02 (Compliance Inspections Required), item 5 (**new**): Compliance Inspections required in Priority Areas

Section 4.07, item 3C: *modification* from July 1<sup>st</sup> to June 1<sup>st</sup> for inspection date

4.09 (Compliance Inspections & COC for Land Use Permit): **REMOVED** references to zoning permit, CUP or Variance requirements for inspections on systems over 20 yrs. old

Section 4.09, *modifications* to clarify when inspections are required per Section 4.02

Section 4.12 (Notice of Noncompliance), **new** paragraph 4, a septic system with an unknown constructions date is presumed to be an Imminent Public Health Threat and may be abated.

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Section 4.13 (Timelines for Notice of Noncompliance), item C. **new**, a system with an unknown construction date will be considered an imminent public health threat under Straight Pipe Act of 2006.

Section 5.03 (additional soil treatment areas); *modification* clarify the prohibition of Type III's for newly created (subdivided) lots **or parcels**. Type III systems are not allowed on lots or parcels when a Type I system can be accommodated.

Section 8.10 Abatement **new**: new section which details the process for abatement of an imminent public health threat, if necessary.

**ORDINANCE:** Request to modify the Zoning Ordinance: **Division 2, Section 14-7 Definitions**, Feedlot: clarify new and existing; and **Division 5 Board of Adjustment, Section 14-24 Application, Appeal**

Notice is hereby further given that the Mower County Board of Commissioners may hear the aforementioned Ordinance modifications on Tuesday, April 9, 2024 at approximately 10:00 am in the County Commissioner's Room, if the Ordinance is forwarded by the Planning Commission.

The application(s) and accompanying documents are available for review during normal business hours prior to the meeting at the Public Works Office: 1105 8<sup>th</sup> Ave. NE, Austin, MN or by emailing a request to [zoning@co.mower.mn.us](mailto:zoning@co.mower.mn.us)

Dated: Tuesday, March 19, 2024

BY ORDER OF THE  
MOWER COUNTY PLANNING COMMISSION

*Angela Lipelt*

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Mower County Environmental Services Supervisor

Instructions: Please print in standard font and size, single space, according to the contract held with Mower County. Please send notice of confirmation to [aprilg@co.mower.mn.us](mailto:aprilg@co.mower.mn.us)

**Please print in the Legal Notices Section**

**2024 Legal Publication**

*Austin Daily Herald*

E-Mail Word file to: [public.notices@austindailyherald.com](mailto:public.notices@austindailyherald.com)

Date to be published: **March 20, 2024**

Date Faxed/Emailed to publisher: Tuesday, March 19, 2024, by April Grabau (507) 437-7718

	Deadlines	
	Wednesday Paper	Saturday Paper
<b><u>Austin Daily Herald</u></b>	Thursday @ 4 pm	Tuesday @ 2 pm

**2024 Secondary Legal Publication**

*Mower County Independent*

E-Mail Word File to: [evansppc@mediacombb.net](mailto:evansppc@mediacombb.net)

Contact: Sarah Mensink (507) 324-5325

Date to be published: **March 21, 2024**

Date Faxed/Emailed to publisher: Tuesday, March 19, 2024, by April Grabau (507) 437-7718

	Deadline for Submission	Publication Date
<b>Mower County Independent</b>	Friday	Following Thursday