

7.17.12 No outside storage shall be permitted.

## 7.18 Kennels, Commercial

7.18.01 Standards. A commercial kennel may be allowed as a conditional use subject to the administrative requirements of *Section 4.8 of this Ordinance* and the following standards:

- A. Information to be submitted with Conditional Use Permit Applications
  - (1) Species and maximum number of animals that will be at the site and for commercial breeding kennels, the number of unsterilized females that will be housed permanently at the facility;
  - (2) A dead animal disposal plan in conformance with Minnesota Rules, Sections 1719.0100 to 1719.4600; *or successor rules*;
  - (3) A site plan identifying the location and size of the lot and of all existing and proposed physical or structural improvements, such as buildings, dog runs and/or outside exercise areas, parking areas, food storage areas, watering facilities, wells, septic systems and other improvements;
  - (4) A waste disposal plan, including how the owner will handle on-site kennel wash water. All applicants shall provide proper drainage for indoor and outdoor facilities. All applicants shall show existing and proposed surface drainage in relation to adjacent land owners and features.
  - (5) The name, address and phone number of the kennel operator and the name, address and phone number of the property owner, if different than the kennel operator.
  - (6) The number of employees and the approximate time periods per week employees will be overseeing kennel operations.
- B. The following standards shall apply to all commercial kennels:
  - (1) The use shall comply with all applicable Federal, State and County rules and regulations.
  - (2) All animals shall be treated humanely always.
  - (3) All dogs over six (6) months of age shall be exercised daily.
  - (4) No animals on the kennel site shall be debarked.
  - (5) The owner/operator of the kennel shall operate the kennel as to not unreasonably disturb the peace and quiet of neighboring residents.
  - (6) Structures used for animal confinement require a minimum one hundred (100) foot setback from any property line and five hundred (500) feet from any residential dwelling, other than the applicants, that exists at the time of application.
  - (7) On-site waste facilities shall be designed to accommodate all waste generated from kennels including hosing and cleanup.
  - (8) Kennel facilities shall be designed to accommodate seasonal extremes including adequate heating, ventilation and lighting;
  - (9) Confinement areas must be maintained at a temperature suitable for the specific breed of animal, but in no case, shall the temperature for indoor housing facilities be allowed to fall below fifty (50) degrees Fahrenheit for animals not acclimated to lower temperatures.

- (10) Different species of animals shall not be housed together unless they are compatible.
- (11) Animals with vicious dispositions shall be housed apart from other animals.
- (12) An indoor confinement area must be ventilated. Drafts, odors and moisture condensation must be minimized.
- (13) Indoor confinement areas must have at least eight (8) hours of illumination (natural or artificial) sufficient to permit routine inspection and cleaning.
- (14) Enclosures must be of sufficient size to allow each animal to turn about fully and to stand, sit and lie in a comfortable, normal position. The enclosure shall be constructed to prevent injury to the animal being confined. Except for traditional sled dog species, chaining or tethering shall not be used for confining animals.
- (15) Adequate storage and refrigeration must be provided to protect food supplies from contamination and deterioration.
- (16) All animals must be fed at least once a day with clean, wholesome food, such as food certified by the Association of American Feed Control Officials, sufficient to meet the normal daily nutritive requirements for the animal's size age and condition.
- (17) Clean, potable water must be made available to all animals at least twice daily for periods of not less than one hour. All feeding and watering receptacles must be kept clean and sanitary.
- (18) Females in estrus must not be confined in the same enclosure with males except for breeding purposes. Animals used for breeding must be of compatible size and only one (1) male and one (1) female may be confined in a primary enclosure for breeding.
- (19) Animals affected with any clinical evidence of infections, contagious or communicable disease must be separated from other animals.
- (20) The owner of the kennel shall establish and maintain an effective program for the control of insects, ecto-parasites, rodents and other pests.
- (21) All kennels shall be subject to periodic inspection by Township staff or their designated agents.
- (22) All outdoor kennel facilities shall provide adequate shelter from the elements including sunlight, wind, rain, snow and cold weather.
- (23) Kennel facilities shall be adequately drained and maintained in a healthful manner to prevent odors, diseases and vermin infestations. Kennel facilities must be cleaned and disinfected as often as necessary to maintain a clean and sanitary condition.
- (24) Signs shall meet the requirements of *Section 7.29 of this Ordinance*.
- (25) Commercial kennels with twenty-five (25) or more animals, including those that are in existence at the date of adoption of this Ordinance, shall be licensed by the State. Owners or operators of existing commercial kennels with twenty-five (25) or more animals shall obtain an Interim Use Permit from the Zoning Department by December 31, 2018.

C. The following standards shall apply to all commercial kennels where breeding of animals is the primary use and animals are not taken in for boarding, or where breeding and boarding both occur:



- (1) No more than forty (40) animals over six (6) months of age may be kept on a breeding kennel property, including no more than ten (10) unsterilized female animals over six (6) months of age.
  - (2) Female animals in estrus must be separated from male animals except for breeding purposes. Animals used for breeding must be of compatible size and only one (1) male and one (1) female may be confined in a primary enclosure for breeding. Animal young shall be separated from adult animals' other than their mothers.
  - (3) Kennels and dealers shall establish and maintain a program of disease control and prevention, euthanasia and adequate veterinary care under the supervision of a doctor of veterinary medicine. Euthanasia shall be performed by a doctor of veterinary medicine.
  - (4) The following conditions make an animal unfit for sale or release, other than to the previous owner:
    - (a) Obvious signs of infectious disease
    - (b) Obvious signs of nutritional deficiencies
    - (c) Obvious signs of severe parasitism
    - (d) Fractures
    - (e) Blindness; and
    - (f) Serious congenital abnormalities
- D. Animals determined to be unfit for sale or release shall be isolated and treated by a licensed veterinarian or euthanized by a doctor of veterinary medicine in a humane manner. If treatment for the conditions described in *Section 6.32 C (4) of this Ordinance* brings about a satisfactory recovery to a normal state of health, the animals are fit for release or sale.
- E. The owner or operator of a kennel shall maintain the records required by *Minnesota Rules, part 1720.1560; or successor rules.*
- F. The following standard shall apply to all commercial kennels where boarding of animals is the primary use and animals are not kept for breeding purposes:
- (1) No more than forty (40) animals of any age may be kept on a boarding kennel property.

#### **7.19 Manufactured Home Parks**

In addition to meeting all State and Federal regulations, the following uses are permitted within a manufactured housing park:

- 7.19.01 All Manufactured Housing Parks must meet any required federal and state regulations.
- 7.19.02 One [1] house per park site for single-family occupancy.
- 7.19.03 Accessory structures with a combined square footage not exceeding five hundred seventy-six square feet [576 square feet] per park site.
- 7.19.04 Public or private parks and their incidental structures.
- 7.19.05 Manufactured housing park community building (which may include caretaker's office,

recreation area, storm shelter, laundry facilities, and similar features for the use and convenience of park residents).

- 7.19.06 Garage or storage structure for manufactured housing park residents.
- 7.19.07 Home occupations under an Interim Use Permit.
- 7.19.08 Semi-trailers, cargo containers, railroad cars, playhouses, may not be used as an accessory structure for storage.

## **7.20 Mining**

All Extractive Uses and or Mining operations, whether they are in operation at the time of the ordinance adoption or are proposed, including regularly established non-conforming pits, shall follow the minimum standards set forth in this Section for Todd Township. Mining operations shall include the extraction of sand, gravel, rock, soil, other materials from the land, pit area, stockpiles, haul roads, entrance roads, scales, crusher, and all related facilities.

### **7.20.01 Required Permits**

- A. When permitted as an interim use in any applicable zoning district, mining operation may be allowed as an interim use subject to the procedures set forth in *Section 3.16 of this ordinance*, unless otherwise provided for in *Section 7.20.1 B of this ordinance*.
- B. In lieu of an interim use permit, property owners outside of any shoreland or floodplain overlay district may secure an administrative mining permit from the zoning administrator with approval of the Town Board, provided all the following conditions are met:
  - (1) A maximum of ten thousand (10,000) cubic yards of material shall be removed from the mining operation;
  - (2) The mining operation will be commenced, completed and rehabilitated within a six (6) month period.
  - (3) Only one (1) administrative mining permit may be issued in any quarter-quarter Section of land.
  - (4) The Todd Township Zoning Administrator may impose conditions for the issuance of the administrative mining permit.

### **7.20.02 Operations Regulated**

Operations regulated by this Section shall be the mining of granite and the mining, crushing, washing, refining or processing of sand, gravel, rock, black dirt, peat, soil and other minerals, and the removal thereof from the site. Operations not regulated by this Section shall include the following:

- A. The removal of materials associated with the construction of a building or subsurface sewage treatment system permitted by the zoning office;
- B. The removal of materials in accordance with the development of approved plats, and the site preparation for utilities or highway construction;



- C. The construction, modification or expansion of animal feedlots and manure storage areas, structures or facilities authorized by the Minnesota Pollution Control Agency or the zoning office;
- D. Sod harvesting or removal;
- E. Wildlife ponds constructed in accordance with *Minnesota Rules, chapter 8420; or successor rules.*

#### 7.20.03 Application requirements

The following information shall be provided by the person requesting an interim use permit for a mining operation(s):

##### Part One: General Information

- A. The name and address of the applicant.
- B. The name and address of the owner of the land.
- C. The address and legal description of the land involved in the application
- D. The total area, in acres, of the land to be affected by the project. Include areas for future expansions, stockpiling, processing, haul roads, settling basins, berms, topsoil storage areas and parking areas
- E. List other permits necessary for this project, indicate their status and provide a copy for the zoning office.
- F. The owner shall not, at any time, have any delinquent taxes, owed on the pit area.

##### Part Two: Pre-mining Conditions

- A. Describe current land uses within one-half mile of the project area.
- B. Indicate if the project area is located within one thousand (1,000) feet of the shoreline of a lake or within five hundred (500) feet from the bank of a watercourse.
- C. Indicate the observed or estimated groundwater elevation in the project area and reference that depth to a permanent benchmark. An elevation benchmark shall be established in an area not to be disturbed by the mining operation.
- D. The following maps of features within one hundred (100) feet of the site, drawn at a scale of one (1) inch to one hundred (100) feet and one reproducible 11"x17" copy, unless otherwise provided in this Section:

##### **Map A – Existing Conditions**

- (1) Contour map with two (2) foot intervals.
- (2) Existing vegetation.
- (3) Wetlands and existing surface water drainage patterns.
- (4) Existing structures and their present uses.
- (5) Existing wells on subject property and neighboring properties.

##### **Map B – Proposed Operation**

- (1) Future structures.
- (2) Location of sites to be mined, including depth of proposed excavation.
- (3) Location of machinery to be used in the mining operation.

- (4) Location of storage of mined materials, showing maximum height of storage deposits.
- (5) Location of vehicle parking, access roads and local routes to truck routes.
- (6) Location of storage areas for explosives.
- (7) Erosion and sediment control structures.
- (8) Cross-Section sketch of the proposed mining operation.
- (9) Location of the leak containment structure(s) for servicing trucks and machines in the event of a petrochemical leak or spill.

#### **Map C – End Use Plan**

- (1) Final grade of proposed site showing elevations and contour lines at two (2) foot intervals.
  - (2) Location and species of vegetation to be replanted.
  - (3) Reclamation staging plan.
- E. A soil erosion and sediment control plan.
- F. A plan for dust and noise control.
- G. A complete description of all phases of the proposed operation to include an estimate of duration of the mining operation, location and approximate acreage of each stage and time schedule for reclamation.
- H. The highway, street or streets or other public ways in the county and Todd Township upon, and along which, any material is to be hauled or carried along with a signed written agreement for repair of road annually if use damages said haul roads.
- I. A security statement by the applicant demonstrating the proposed activity will in no way jeopardize the public health, safety and welfare or is appropriately fenced to provide adequate protection.
- J. A statement by the applicant for compliance with all conditions of the interim use permit.
- K. A written right-of-entry given to the zoning office to enter the land to determining compliance, at any time, with all applicable conditions imposed on the operation.

#### **Part Three: Mitigating Impacts**

- A. List the air, land and water resources that may be impacted by this project, identify impacts and describe measures that will be taken to mitigate those impacts, including, but not limited to noise, volatile organic compounds (VOC), dust and particulate matter.
- B. Describe measures that will be taken to screen the operation from view of surrounding land uses or an explanation of why such measures are not needed.
- C. Describe erosion and sediment control practices that will be used during mining. If no measures will be used, explain why none are needed.
- D. If required by the zoning office, provide copies of any air, water or soil monitoring conducted for any other local, state or federal agency.



#### Part Four: Description of Mining Activities

##### Proposed Mining Methods

- A. Describe the sand and gravel products that will be mined from the project area.
- B. Describe how the sand and gravel will be mined and what equipment will be used.
- C. Describe how the material will be transported from the site, the proposed route of transport and the ultimate destination.
- D. Describe the methods that will be used to retain topsoil.
- E. Estimate the volume of material in cubic yards to be mined in the period covered by this permit.
- F. List the months, days and hours in which mining activities are expected to occur.
- G. Describe the methods used to control dust on haul roads.
- H. Describe the plans for mitigating dust and noise control on site.
- I. Identify the number of employees expected to work at the site and the facilities that will be provided.
- J. Describe dewatering activities and estimate the volume of water to be discharged from the site.

##### Proposed Processing Methods:

- A. Describe the processing methods that will be used at the site.
- B. List the proposed hours of operation for the processing facilities.
- C. Describe the volume of water needed for gravel washing activities and the source of the water.
- D. Describe how chemical substances will be stored on the site.

#### Part Five: Staging of Operations

- A. Describe the projected life of the operation, including beginning and ending of operations and any phases or stages.
- B. Describe the progressive reclamation activities that will occur over the life of the operation.
- C. Describe the methods that will be used at the cessation of seasonal operations to stabilize slopes from erosion.
- D. Describe the interim reclamation methods that will be used if the site will become inactive at the close of current operations for unspecified periods of time.

#### Part Six: Proposed Reclamation

- A. Describe the proposed reclamation, including final slopes, high wall reduction, benching, terracing and other structural slope stabilization measures.
- B. Describe anticipated topography, water impoundments, artificial lakes and future land use of the site.
- C. Describe plans for the disposal of surface structures, roads and related facilities after completion of mining.
- D. Describe the methods proposed for the disposal or reclamation of oversize and undersize materials.

- E. Describe or attach a copy of a seeding plan that includes methods of seedbed preparation, seed mixtures, seeding rates, mulching and other techniques needed to accomplish site stabilization.
- F. Describe long-term maintenance needed to support reclamation.
- G. Provide an estimate of the reclamation cost of each phase of the project or the entire site if phasing is not planned.

7.20.04

**Performance Standards**

The following performance standards shall apply to all mining operation approved after the effective date of this ordinance:

- A. General Provisions: All equipment used for mining operation shall be constructed, maintained and operated in a manner as to minimize, as far as practical, noise, dust and vibrations adversely affecting the surrounding property. Additionally, the excavation shall be properly gated and fenced where applicable.
- B. Water Resources: The mining operation shall be conducted in such a manner as to minimize interference with the surface water drainage outside the boundaries of the mining operation.
- C. Safety Fencing: Safety fencing may be required around all or portions of the mining operation at the discretion of the Town Board. However, any mining operation(s) adjacent to a residential zone, or within three hundred (300) feet of four (4) or more residential structures, shall adhere to the following standards:
  - 1. Where collections of water occur that are one and one-half (1 ½) feet or more in depth exist for any period of greater than seven (7) consecutive days and occupy an area of seven hundred (700) square feet or more, all access to such collections of water shall be barred by a fence or similarly effective barrier of at least four (4) feet in height with support posts spaced no farther apart than ten (10) feet. In locations where slopes occur that are steeper than one (1) foot vertical to three (3) feet horizontal existing for a period of seven (7) days or more, access to such slopes shall be barred by a fence or some similarly effective barrier of at least four (4) feet in height with support posts spaced no farther apart than ten (10) feet.
  - 2. As an alternative to the fencing requirements of *Section 6.11 of this Ordinance*, the entire perimeter of the property on which a mining operation is located may be fenced or protected by some other similarly effective barrier of at least four (4) feet in height with support posts spaced no farther apart than ten (10) feet.
- D. Mining Access Roads: The location of the intersection of mining access road access any public roads shall be selected such that traffic on the access roads will have a sufficient distance of public road in view so that any turns onto the public road can be completed within a margin of safety as determined by the applicable road authority. Access roads connecting to public roads shall be



sufficiently wide to accommodate two-way hauling traffic. A truck staging area shall be provided on the applicant's property. Trucks shall not queue on public roads while waiting to load or unload. Ingress and egress points from or onto any public road or highway shall be clearly signed "TRUCKS HAULING" advising traffic in both directions of this activity. Intersections of public roads with access roads shall be maintained by the mine operator, and shall be kept clean and free from excessive mud, debris or asphalt tracked out from the mining site. Intersections of public roads with access roads shall be repaired by the mine operator if the public road surfaces or shoulders in the mining area have broken down due to repeated traffic by mining trucks or equipment. Turn lanes shall be constructed on public roads at the entrance to the mining site if determined necessary by the appropriate road authority. The need for road improvements, maintenance or repair will be determined by the Minnesota Planning & Zoning office of Transportation in the case of state highways; by the Hubbard County Public Works Director in the case of county roads; and by the Todd Township Board of Supervisors, their road authority or their designated representative in the case of township roads.

- E. Screening Barrier: To minimize problems of dust and noise and to shield mining operation from public view, a screening barrier may be required between the mining site and adjacent properties or public roads. If a screening barrier is required by the Town Board, the barrier shall be maintained between the mining site and any public road within five hundred (500) feet of any mining or processing operations. The screening barrier shall be planted with a type of fast growing trees agreed upon between the applicant and the zoning office. In all cases, existing trees and ground cover along a public road and property line shall be preserved and maintained for the depth of the setback, except where traffic safety requires cutting and trimming or except where alteration or destruction of the trees and/or ground cover is necessary for an approved reclamation plan.
- F. Setbacks: The following setback requirements shall apply to mining operation:
1. The processing of mined materials shall not be conducted closer than on hundred (100) feet to the property line, nor closer than five hundred (500) feet to any residential dwelling unit.
  2. Unless approved in writing between the affected property owner and the mining operator, mining of any materials shall not be conducted closer than two hundred (200) feet of any residential dwelling unit or residential zoning district boundary.
  3. Unless approved by the Town Board, mining of any materials shall not be conducted closer than fifty (50) feet to any property line.
  4. Unless approved in writing by the applicable road authority, mining of any materials shall not be conducted within fifty (50) feet of any public road right of way. All new mining operation, *subject to Section 3.16 of this Ordinance*, shall be setback fifty (50) feet from any public road right of way.
  5. Mining operations are not allowed in shoreland districts.
- G. Hours of Operation: All hours of operation shall be set in the Interim Use Permit as approved by the Todd Township Board.

- H. Barriers: A pit shall have a barrier controlling access and such barriers shall be clearly visible to prevent safety hazards to members of the public. The use of cable, chain or similar barrier is prohibited. The control barrier shall deny access when the pit is not in operation.
- I. Waste: No waste classified as hazardous by the Minnesota Pollution Control Agency shall be disposed of on the site.
- J. Access Roads: All access roads from mining operation to public highways, roads or streets or to adjoining property shall be paved or otherwise maintained to control dust. Ingress and egress access points from or onto any road or highway shall be clearly signed and those signed access points shall be utilized. Precautions must be taken to minimize the deposit of materials from trucks onto public roads. All road weight limits and other road restrictions placed in effect by the local road authority shall be observed.
- K. Utility Easements: All utility line easements shall be observed and any encroachment in to the utility right-of-ways shall only be permitted with the written approval of the utility.
- L. Vertical Faces: Vertical faces shall be kept to a minimum except during actual mining.
- M. Weeds: Weeds and any other unsightly or noxious vegetation shall be cut or trimmed as necessary to preserve a reasonably neat appearance, to prevent seeding on adjoining property and to comply with the requirements of *Minnesota Statutes, Section §18.191; or successor statutes*.
- N. Complaints: Complaints regarding mining operations shall be forwarded to the Township Zoning Office for processing. The zoning administrator shall make timely investigation of complaints and shall endeavor to resolve complaints utilizing such dispute resolution process as may be developed by the township.
- O. Signage: An informational sign shall be erected at the intersection of the primary access road and the public road servicing the site, identifying the corporate or personal name(s) of the property owner(s) and telephone number(s) of the property owner, the site operator and the hauling contractor. Signs required by this Section shall be clearly visible from the public road and shall conform to the signage requirements of *Section 9 of this Ordinance*.

#### 7.20.05 Land Reclamation

All mining sites shall be reclaimed immediately after mining operations cease. Reclamation shall be completed within one (1) year. The following standards shall apply:

- A. Within a period of three (3) months after final termination of a mining operation, or within three (3) months after abandonment of such operation for a period of six (6) months, or within three (3) months after expiration of an interim use permit for a mining operation, all buildings, structures and



plants incidental to such operation shall be dismantled and removed by, and at the expense of, the mining operator last operating such buildings, structures and plants.

- B. The peaks and depressions of the mined area shall be graded and back-filled to a surface which will result in a gently rolling topography in substantial conformity to the land area immediately surrounding. Finished slopes shall be stabilized to minimize erosion due to rainfall.
- C. All trees, brush, stumps and any other debris removed for the sole purpose of operations shall be disposed of in a manner acceptable to the county local solid waste authority. In no case, shall vegetation from over a ten (10) acre area be kept on the property unless it is burned or buried.
- D. The finished grade shall be such that it will not adversely affect the surrounding land or future development of the site. The finished plan shall restore the mining site to a condition whereby it can be utilized for the type of land use proposed to occupy the site after mining operation cease.
- E. All haul roads must be restored to the road standards of the township.
- F. A pit shall be considered inactive and requiring reclamation when less than one-hundred (100) cubic yards of borrow material is excavated and removed per year for a two-year (2 year) period. The township or county may require the pit owner to supply evidence of pit usage.
- G. A performance surety, payable to Todd Township, shall be provided. The permit shall specify the amount and type of surety required. The surety shall be used to reimburse the township for any monies, labor and/or material expended to bring the operation into compliance with the conditions of the permit. The surety may be used after expiration of the permit and failure to execute a phase of a restoration plan specifically scheduled in the permit or ordinance. This option may be executed one hundred eighty (180) days after written notice of non-compliance to the applicant.

## **7.21 Motor Vehicle Repair**

A motor vehicle repair facility may be allowed as a conditional use subject to the administrative provisions of *Section 3.13 of this Ordinance*, and the following standards:

- 7.21.01 The use shall comply with all applicable local, state, and federal, laws, rules, regulations and ordinances.
- 7.21.02 Buildings and vehicle storage areas shall meet the setback requirements of this ordinance.
- 7.21.03 There shall be no hazardous waste runoff. Storage of hazardous waste shall comply with all applicable local, state and federal laws, rules, regulations and ordinances.

- 7.21.04 Only vehicles owned by employees or customers awaiting service are allowed to be parked on site. Parking shall meet the requirements of Section 6.21 of *this Ordinance*.
- 7.21.05 The storage of salvage vehicles is only permitted when the salvage vehicles are stored in an area screened in accordance with the requirements of Sections 6.26 of *this Ordinance*. All areas used for storage or trash disposal shall be fully screened from adjacent land uses and public roadways in accordance with Section 6.26 of *this Ordinance*.
- 7.21.06 Any outdoor lighting system shall comply with the requirements of Sections 6.12 and 6.15 of *this ordinance*.
- 7.21.07 The outdoor storage of hazardous materials shall be prohibited.
- 7.21.08 The grounds and all structures shall be maintained in a clean and safe manner.
- 7.21.09 An environmental management plan, including a water and sewer management plan to address the use of water and the treatment of waste site and a storm water and drainage plan shall be submitted to address the impact of the facility on the environment.
- 7.21.10 Signs shall meet the requirements of Section 9 of *this ordinance*.
- 7.21.11 The owner or operator may be required to submit a financial guarantee to the Township to ensure compliance with the conditional use permit and the closure requirements.
- 7.21.12 The outdoor storage of motor vehicle parts is prohibited, unless the vehicle parts are stored in an area screened in accordance with the requirements of Sections 6.6.26 of *this ordinance*. Vehicle parts shall not be stored for a period longer than ninety (90) days in an area screened in accordance with the requirements of this section.

**7.22 Outdoor Storage**

- 7.22.01 Standards. An outdoor storage use shall comply with the following standards:
- A. The outdoor storage use shall be accessory to a limited rural business, an agriculturally oriented business, a contractor's yard, a commercial use or an industrial use.
  - B. Outdoor storage areas shall meet all setback requirements of the underlying zoning district.
  - C. Outdoor storage areas shall be limited to the rear or side yard locations and at no time, shall storage material extend beyond the front building line of the principal structure
  - D. The grounds and any structures shall be maintained in a clean, orderly and safe manner.
  - E. Hazardous materials cannot be stored in an open and outdoor storage area.



- F. Outdoor storage cannot be used for human habitation. This is inclusive of cargo containers or items of a similar nature determined to be used for storage.
- G. The storage area shall be fenced and adequately screened from adjacent land uses and public roadways in accordance with *Section 6.26 of this Ordinance*.
- H. Temporary outdoor storage used for removal of home furnishings, etc. are allowed if removed within a four-week period.

## **7.23 Residential Standards**

- 7.23.01 All dwellings must have a minimum square footage of eight-hundred (800) square feet floor space.
- 7.23.02 Manufactured homes must be placed on a permanent foundation and meet all State standards and regulations.
- 7.23.03 Multi-Family Attached Housing Units are allowed if the following standards are met:
  - A. The use is specifically allowed in the land use district
  - B. The required side and rear yard setbacks for the dimensional area are doubled in that district.
  - C. There is enough buildable area after the sensitive resources are removed from the total land area within the parcel.
  - D. All on-site wastewater treatment regulations are observed.
  - E. All Minnesota Department of Health well rules and regulations are observed.
  - F. Off road parking is met per unit.

## **7.24. Salvage Yards**

Salvage yards shall be a Conditional Use Permit in Todd Township. All salvage yards shall comply with applicable federal US-EPA standards and Minnesota rules and statutes including but not limited to Chapter 7045 regarding the management of hazardous waste.

All salvage yards within Todd Township shall meet the following minimum standards:

- 7.24.01 No materials shall be disposed of or placed in a wetland.
- 7.24.02 All uses shall have a minimum rear, side and road setback of one hundred feet [100 feet]. No activity except fencing, berms or other screening may take place in the setback area.
- 7.24.03 All such uses shall comply with the Hubbard County Solid Waste Ordinance as well as obtain all applicable state, federal, county and township permits.
- 7.24.04 All waste including batteries, tires and hazardous waste shall be kept on the property in a manner consistent with applicable MPCA and US- Environmental Protection Agency (EPA) regulations or disposed of in a manner acceptable to pertinent county, state or federal regulations.

- 7.24.05 Fencing, berms, and use of natural topography and/or vegetation pursuant to *Sections 6.10 and 6.26*, shall be provided to shield the view of any salvage materials from any surface waters, public recreational facilities, public roads, private residences, and any other structures.
- 7.24.06 Fire breaks and ingress and egress roads shall be reviewed by the appropriate Fire Department.
- 7.24.07 The salvage yard shall conform to all on-site wastewater treatment regulations as promulgated by the Hubbard County Sanitary Code and MN Pollution Control rules and regulations.
- 7.24.08 The salvage yard shall conform to all rules and regulations by the State Health Department regarding wells, including the sealing and abandonment of old and unused wells.
- 7.24.09 All access roads and bridges shall be able to handle traffic generated by the salvage yard as determined by the township or county engineer.
- 7.24.10 Salvage yards must comply with the sign standards stated in *Section 9* within this ordinance.
- 7.24.11 Off-road parking for the business will meet per township standards in *Section 7.15*.

**7.25 Storage Facilities**

- 7.25.01 **Standards for a Storage Facility in an Accessory Agricultural Building**  
A commercial storage use in an accessory agricultural building shall comply with the performance standards in *Section 7.02.05 of this Ordinance* (Accessory Buildings– Agricultural), and the following additional standards.

- A. All materials shall be stored within the storage structure.
- B. The structure shall not be subdivided into storage units separated by walls or with separate entrances. Individual, separately locked units shall not be allowed.
- C. The storage structure and surrounding grounds shall be maintained in a clean, orderly and safe manner.
- D. Hazardous materials shall not be stored.
- E. Signs shall meet the requirements of *Section 9 of this Ordinance*.
- F. The site shall be served by a minor collector or higher functional classification of roadway, except that the proposed use may be served by a lesser functional class roadway if the responsible road authority grants written permission for such use at the proposed location.
- G. The use shall comply with all applicable Federal, State and County rules and regulations.



7.25.02

**Standards for a Storage Facility in a Commercial District.**

A commercial storage use in a Commercial or Industrial zoning district shall comply with the following standards.

- A. All materials shall be stored within the storage structure.
- B. The structure may be subdivided into storage units separated by walls or with separate entrances. Individual, separately locked units are allowed.
- C. The storage structure and surrounding grounds shall be maintained in a clean, orderly and safe manner.
- D. Hazardous materials shall not be stored.
- E. Signs shall meet the requirements of *Section 9 of this Ordinance*.
- F. The site shall be served by a minor collector or higher functional classification of roadway, except that the proposed use may be served by a lesser functional class roadway if the responsible road authority grants written permission for such use at the proposed location.
- G. The use shall comply with all applicable Federal, State and County rules and regulations.
- H. A transportation management plan shall be submitted to address off-street parking, loading and unloading, traffic control and the impact of the facility on surrounding roadways.
- I. An environmental management plan, including a water and sewer management plan to address the use of water and the treatment of waste onsite and a storm water and drainage plan shall be submitted to address the impact of the facility on the environment.
- J. Parking shall meet the requirements of *Section 6.21 of this Ordinance*.
- K. All parking areas, loading areas and access drives to parking and loading areas shall be paved.
- L. Any exterior lighting shall comply with *Section 6.11 of this Ordinance*.
- M. The hours of operation shall not have an adverse impact on adjacent property owners.

7.26

**Warehousing, Storage, Distribution and Wholesale Facilities**

7.26.01

**Standards.**

- A. The site shall be served by a minor arterial or higher functional class of roadway, except that the proposed use may be served by a lesser functional class of roadway if the responsible road authority grants written permission for such use at the proposed location.
- B. Application must be submitted by the Owner of said parcel.
- C. The use shall comply with all applicable local, state and federal laws, rules, regulations and ordinances.
- D. Buildings shall meet the setback requirements of the applicable zoning district.
- E. All loading and unloading facilities shall be located on the rear or side of the structure and be screened from view from residential uses.
- F. Outdoor storage areas may be allowed as an accessory use provided they are located to the rear or side of the structure, fenced and adequately screened from adjacent land uses and public roadways in accordance with *Sections*

- 6.26 of this Ordinance.*
- G. A retail sales area may be allowed as an accessory use if sales are limited to the sale of goods produced on-site and the retail sales area does not occupy more than twenty (20) percent of the principal structure.
  - H. A transportation management plan shall be submitted to address off-street parking, loading and unloading, traffic control and the impact of the facility on surrounding roadways.
  - I. An environmental management plan, including a water and sewer management plan to address the use of water and the treatment of waste onsite and a storm water and drainage plan shall be submitted to address the impact of the facility on the environment.
  - J. Parking shall meet the requirements of *Section 6.21 of this Ordinance.*
  - K. All parking areas, loading areas and access drives to parking and loading areas shall be paved.
  - L. Any exterior lighting shall comply with *Section 6.11 of this Ordinance.*
  - M. The hours of operation shall not have an adverse impact on adjacent property owners.
  - N. Signs shall meet the requirements of *Section 9 of this Ordinance.*

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## 8.0

## NON-CONFORMITIES

### 8.01. Nonconforming Uses, Structures and Lots

All legally established non-conformities as of the date of this Ordinance may continue, but they will be managed according to applicable state statutes, this Ordinance and other regulations of the Township for the subjects of alterations and additions, repair after damage, discontinuance of use, and intensification of use. Furthermore, it is the intent of this Section that all nonconforming uses shall be eventually brought into conformity.

The following standards will also apply in all areas of the Township.

### 8.02. Nonconforming Uses in all Land Use Districts

Any use existing on the effective date of this ordinance which is not in conformity with the standards contained in this ordinance shall only be allowed to continue subject to the following conditions:

- 8.02.01 No such use shall be expanded, enlarged or altered, including any increase in volume, intensity or frequency of use of the property where a nonconforming use exists.
- 8.02.02 A change from one nonconforming use to another nonconforming use is prohibited.
- 8.02.03 A nonconforming use of a parcel of land may not be extended to cover more land than was occupied by that use when it became nonconforming.
- 8.02.04 A nonconforming use that has been discontinued for a period of twelve (12) consecutive months shall not be re-established, and any further use shall be in conformity with this ordinance.
- 8.02.05 If a structure used for a nonconforming use is destroyed by fire or other peril to the extent of fifty (50) percent of its market value as indicated in the records of the county assessor at the time of damage, any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy.

### 8.03. Nonconforming Structures

Any structures existing on the effective date of this ordinance which is not in conformity with the standards contained in this ordinance shall only be allowed to continue subject to the following conditions:

- 8.03.01 No such structural alterations, expansions and additions to a structure devoted in whole or part to a nonconforming use are prohibited.
- 8.03.02 The continuation of a nonconforming structure is allowed through repair, replacement, restoration, maintenance or improvement, but not expansion, of the nonconforming structure. Expansion of a nonconforming structure in any manner, including but not limited



to expansion of height, width, footprint, size or bulk is allowed only in accordance with this ordinance and are specifically limited by Sections 8.04, A below.

8.03.03

Non-conforming structures. For all nonconforming structures, if the nonconformity or occupancy of a nonconforming structure is discontinued for more than one year, or the structure is damaged by fire or other peril to the extent of fifty (50) percent or more of its market value as indicated in the records of the county assessor at the time of damage and no building permit has been applied for within 180 days of when the structure was damaged, it shall be removed, and any construction thereafter shall follow the provisions of this ordinance. If a building permit has been applied for within 180 days of when the structure was damaged, reasonable conditions may be placed upon the zoning or building permit to mitigate any newly created impacts on adjacent properties or water bodies.

Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy. The Town Board may, by ordinance, permit an expansion or impose upon nonconformities reasonable regulations to prevent and abate nuisances and to protect the public health, welfare, or safety.

#### 8.04 Nonconforming Lots

8.04.01

Parcel of Record. All lots or tracts, the plat or deed or Torrens, to which has been recorded in the office of the county recorder on or before the date of **May 12<sup>th</sup>, 2001** shall be considered a parcel of record. A parcel of record shall be a legally buildable parcel even though such parcel may not conform to the lot area, lot width provided all the following are met:

- A. The use is permitted in the applicable zoning district;
- B. The lot was created compliant with the official controls in effect at the time;
- C. The applicable setback requirements of this ordinance are met; and
- D. The wastewater treatment system standards (2 wastewater sites) contained in the Hubbard County Sanitary Code and MPCA rules are met as amended; and
- E. The parcel or lot of record can meet proper placement and meeting of setbacks for a drilled well per Minnesota Department of Health rules and regulations, as amended; and
- F. The parcel or lot of record has no unusual topography which will create storm water problems.

8.04.02

Residual Parcels. A parcel of record, as defined in A above, that is subsequently reduced to a residual parcel because of a taking or dedication for a public purpose or public right of way shall continue to be considered a parcel of record and shall be considered a legally buildable parcel, provided the applicable setback requirements of this ordinance and the regulatory well and wastewater treatment standards are met.

8.05. **Moving a Non-Conforming Use or Structure**

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

8.06. **Lessening a Non-Conforming Use(s) or Structure(s)**

A lawful nonconforming use of a building or lot may be changed to lessen the nonconformity. Once a nonconforming building or lot has been changed, it shall not thereafter be so altered to increase the non-conformity.

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## **9.0 SIGN STANDARDS**

### **9.01 Purpose and Intent.**

- 9.01.01 The intent of the establishment of use standards for signs is to protect and promote the health, safety, and general welfare for the inhabitants of Todd Township through the creation of impartial standards, regulations and procedures which govern the erection, use and/or display of devices, signs, or symbols serving as a means of visual communication to persons situated within, upon or adjacent to public rights-of-way of properties.
- 9.01.02 It is not the purpose or intent of these standards to regulate the message displayed on any sign; nor is it the purpose or intent of these standards to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building.
- 9.01.03 The intent of these sections is to:
- A. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the township to promote the public health, safety and welfare;
  - B. Maintain, enhance and improve the aesthetic environment of the township by preventing visual clutter that is harmful to the appearance of the community;
  - C. 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;
  - D. And provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the township.
- 9.01.04 The requirements of this ordinance shall be subordinate to any state or federal regulations regulating signs, including scenic byway regulation.

### **9.02 Effect**

A sign may be erected, mounted, displayed or maintained in the Township if it is in conformance with the provisions of these regulations. The effect of this section, as more specifically set forth herein, is to:

- 9.02.01 Allow a wide variety of sign types in commercial zones, and a more limited variety of signs in other zones, subject to the standards set forth in these sections;
- 9.02.02 Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of these sign sections;
- 9.02.03 Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare;
- 9.02.04 Provide for the enforcement of the provisions of this sign section.

### 9.03 **Administration and Enforcement**

Except as provided in Section 9.04, no sign shall be erected, altered, reconstructed, maintained or moved in the township without first securing a permit from the township. The content of the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit. Application for a permit shall be in writing addressed to the issuing authority and shall contain the following information:

- 9.03.01 Names and addresses of the owners of the display structure and property
- 9.03.02 The address at which any signs are to be erected
- 9.03.03 The legal description of the property
- 9.03.04 A complete set of plans showing the necessary elevations, distances, size and details to fully and clearly represent the construction and place of the signs
- 9.03.05 The cost of the sign
- 9.03.06 Type of sign (i.e. wall sign, monument sign, etc.)
- 9.03.07 Certification by applicant indicating the application complies with all requirements of the sign regulations; and
- 9.03.08 If the proposed sign is along state scenic trunk highway or interstate highway or a county road, the application shall be accompanied by proof that the applicant has obtained a permit from the state and/or county for the sign.
- 9.03.09 The application shall be approved or denied within thirty (30) calendar days from the township's receipt of the application. If the permit is denied, the issuing authority shall prepare a written notice of within ten calendar (10) days its decision, describing the applicant's appeal rights under this ordinance, and sent by US Mail to the applicant.

### 9.04. **Exemptions**

The following signs shall not require a permit. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this ordinance or any other law or ordinance regulating the same.

- 9.04.01 The changing of the display surface on a painted or printed sign only. This exemption, however, shall apply only to poster replacement and/or on-site changes involving sign painting elsewhere than directly on a building.
- 9.04.02 Signs six (6) square feet or less in size.



9.05. **Fees**

Sign permit fees are set by the Todd Township Fee Ordinance, as amended from time to time.

9.06. **Repairs**

Any sign located in the township which may now be or hereafter become out of order, rotten or unsafe, and every sign which shall hereafter be erected, altered, resurfaced, reconstructed or moved contrary to the provisions of this section, shall be removed or otherwise properly secured in accordance with the terms of this section by the owners thereof or by the owners of the grounds on which said sign shall stand upon receipt of proper notice given the by issuing authority. No rotten or other unsafe sign shall be repaired or rebuilt except in accordance with the provisions of this section and upon a permit issued by the issuing authority.

9.07. **Removal**

In the event of the failure of the owner or person, company or corporation having control of any sign, or the owner of the ground on which the sign is located, to remove or repair said sign within sixty (60) days after the use is terminated as provided in Section 9.06, a notice shall be given pursuant to this ordinance and the sign may be removed by the township at the expense of the owner or manager of the sign, or the owner of the ground upon which the sign stands. Thereafter, in the event of a violation of Section 9.06 of this ordinance, the Town Board may institute appropriate actions or proceedings, including requesting injunctive relief to prevent, restrain, correct or abate such violations. Should the Township determine to correct or abate such violations, the property owner shall be invoiced for all of the Township's costs which shall be paid within 30 days of the date of the invoice, should the property owner not reimburse the Township within said time, the Township shall be authorized to certify said unreimbursed costs to the County Auditor for payment with the owner's property taxes pursuant to Minn. Stat. § 366.012 or other relevant statute.

9.08. **General Provisions**

9.08.01 **Regulations.**

- A. **General.** Except as hereinafter provided, no signs shall be erected or maintained at any angle to a building or structure which sign extends or projects over the sidewalk, street, or frontage road. No sign which is erected or maintained flat against any building or structure shall extend or project more than fifteen (15) inches over the sidewalk, street or highway.
- B. **Electrical Signs.** Electrical signs must be installed in accordance with the current electrical code.
- C. **Unauthorized Signs.** The following signs are unauthorized signs;

1. Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signal, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

2. All off-premise signs.

3. Signs painted, attached or in any other manner affixed to trees, rocks, or similar natural surfaces, or attached to public utility poles, bridges, towers, or similar public structures.

4. Portable signs.

5. Changeable copy signs

9.09. **Setbacks**

Signs shall conform to property line setback regulations for the zoning district in which the signs are located.

9.10. **Area**

The area within the frame shall be used to calculate the square footage except that the width of a frame exceeding twelve (12) inches shall constitute sign face, and if such letters or graphics be mounted directly on a wall or fascia or in such way as to be without a frame the dimensions for calculating the square footage shall be the area extending six (6) inches beyond the periphery formed around such letters or graphics in a plane figure bounded by straight lines connecting the outermost points thereof. Each surface utilized to display a message or to attract attention shall be measured as a separate sign and shall be calculated in the overall square footage. Symbols, flags, pictures, wording, figures or other forms of graphics painted on or attached to windows, walls, awnings, free-standing structures, suspended by balloons, or kites or on persons, animals, or vehicles are considered a sign and included in calculating the overall square footage.

9.11. **Awnings**

Canopies and fixed awnings are an integral part of the structure to which they are attached. They are allowed in the commercial district if they meet following requirements and the applicable square footage requirements.

9.11.01      An awning or canopy may not project into the public right-of-way nearer than thirty (30) inches to the curb line

9.11.02      Awnings or canopies may have no part of the structure other than supports nearer the ground surface than seven (7) feet

9.11.03      The architectural style of the awning or canopy shall be consistent with the building being served.



9.11.04 Awnings or canopies projecting into the required yards may not be enclosed except with a transparent material permitting through vision

9.11.05 Awnings or canopies built over the public right-of-way must be included in a liability insurance policy holding the township free of all responsibility.

9.12. **Illumination**

External illumination for signs shall be so constructed and maintained that the source of light is not visible from the public right-of-way or residential property.

9.13. **Height**

The top of a sign, including its superstructure, if any, shall be no higher than the roof of the building to which such sign may be attached or thirty-five (35) feet above ground level, whichever is less; except that the height of any changeable sign which is attached to or an integral part of a functional structure, such as a water tower, smoke stack, radio or TV transmitting tower, beacon or similar structure shall be no higher than such structure. Signs, including any superstructure standing or erected free of any building or other structure, shall not exceed an overall height of twenty (20) feet from ground level and shall be located on land in an area which is landscaped or if such land is part of an approved parking area, it shall be surfaced or paved as required in the Ordinance. Scenic byway rules and regulations will apply to any signs located on State Highway 34.

9.14. **Non-commercial speech**

Notwithstanding any other provisions of these sign regulations, all signs of any size containing non-commercial speech may be posted from August 1 in any general election year until ten (10) days following the general election and thirteen (13) weeks prior to any special election until ten (10) days following the special election

9.15. **Permitted Signs by Land Use District**

9.15.01 **Residential District**

Within the Rural Residential District, signs are permitted as follows;

- A. Maximum sign area of a single sign is eight (8) square feet/surface with total area of all signs as sixteen (16) square feet
- B. The following types of signs are not permitted in the Rural Residential District:
  - 1. Awning signs
  - 2. Balloon signs
  - 3. Canopy signs
  - 4. Flashing signs

5. Pole signs
6. Pylon signs
7. Shimmering signs

9.15.02

Commercial District.

Within the Commercial District, signs are permitted as follows:

- A. Maximum sign area of single sign – sixty-four (64) square feet
- B. Total area of all signs – Two (2) square feet per front foot of building abutting a public right-of-way fifty (50) feet or more in width

9.16. Non-Conforming Signs; Compliance

It is recognized that signs exist within the land use districts which were lawful before these sign regulations which would be prohibited, regulated or restricted under the terms of this ordinance or future amendments. It is the intent of these ordinance regulations that nonconforming signs shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other signs or uses prohibited elsewhere in the same district. It is further the intent of these sign regulations to permit legal nonconforming signs existing on the effective date of these regulations or amendments thereto, to continue as legal nonconforming signs provided such signs are safe, are maintained so they are not unsightly, and have not been abandoned or removed subject to the following provisions:

- 9.16.01 No sign shall be enlarged or altered in a way which increases its nonconformity.
- 9.16.02 Should such sign or sign structure be destroyed by any means to an extent greater than fifty (50) percent of its replacement cost and no building permit has been applied for within one-hundred eighty (180) days of when the property was damaged, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
- 9.16.03 Should such sign or sign structure be moved for any reason, it shall thereafter conform to the regulations for the land use district in which it is located after it is move.
- 9.16.04 No existing sign devoted to a use not permitted by the regulations of this Ordinance in the land use district in which it is located shall be enlarged, extended or moved except in changing the sign to a sign permitted in the land use district in which it is located.
- 9.16.05 When a structure loses its nonconforming status, all signs devoted to the structure shall be removed and all signs painted directly on the structure shall be repainted in a neutral color or a color which will harmonize with the structure.

9.17. Substitution Clause

The owner of any sign which is otherwise allowed by these regulations may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of



copy may be made without any additional approval or permitting. The purpose of this provision is to prevent an inadvertent favoring of commercial speech over non-commercial speech, or favoring of any non-commercial message over any other non-commercial message. This provision prevails over any more specific provision to the contrary.

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## **10.0 ROAD STANDARDS**

### **10.01.01 Parking on Township Roads**

Parking of vehicles is not allowed on Todd Township roads.

### **10.02.02 Load Limit Restrictions**

Load limit restrictions shall be in force on township roads at such time that Hubbard County imposes restrictions on County roads. The load limit during the time such restrictions are in force shall be five (5) tons axle weight. The township may impose other restrictions when deemed necessary.

### **10.03.03 Road Acceptance**

Before final acceptance, all roads dedicated to the public by plat or accepted by the township shall be constructed in accordance with *Todd Township Road and Access Standards First Revision 1A, 2006*, adopted June 12<sup>th</sup>, 2006, and as amended from time to time. The Road and Access Standards are on file in the office of the township clerk and zoning administrator.

### **10.04.04 Utility Work in Road Rights-of-Way**

Any utility work in the Todd Township Road Right of Ways shall conform to the *Todd Township Ordinance 2006-06.01 An Ordinance Regulating Todd Township Road Rights-Of-Way And The Construction, Installation, Operation, Repair, Maintenance, Removal and Relocation Of Facilities And Equipment Used For The Transmission Of Telecommunications Or Related Services In The Public Ground Of The Town And Providing Penalties For The Violations Thereof*, adopted March 13<sup>th</sup>, 2006, and as amended from time to time. This ordinance is on file in the office of the township clerk.

### **10.05.05 Driveway Permits**

Driveway permits are required for all new or re-located driveways, field accesses and subdivision entrances connecting to township roads. Appropriately sized culverts will be required, as necessary.

## **11.0 SHORELAND MANAGEMENT REGULATIONS**

Refer to the Hubbard County's rules and regulations for these provisions and use standards.

## **12.0 SUBDIVISIONS / PLATTING PROVISIONS**

Refer to the Hubbard County's rules and regulations for these provisions and use standards. These rules and regulations will remain under Hubbard County's jurisdiction.



### **13.0 WATER SUPPLY AND WASTEWATER TREATMENT SYSTEMS**

- 13.01.01 Water Supply. Any public or private supply of water for domestic and commercial purposes must meet or exceed standards for water quality through the Minnesota Department of Health's rules and regulations. This will remain under their jurisdiction.
- 13.01.02 Wastewater Treatment Systems. Any wastewater treatment systems, individual or collective, will need to meet the Minnesota, Chapter 7080 Standards, and the Hubbard County Individual Sewage Treatment System Ordinances, as amended. These rules and regulations will remain under Hubbard County's jurisdiction.

### **14.0 AMENDMENTS TO ORDINANCE/OFFICIAL LAND USE MAP**

This Ordinance or the Official Land Use Map may be amended to reflect changes in the goals or conditions of the Township or whenever the public health, safety and general welfare require it.

- 14.01.01 An amendment may be initiated by the Town Board, the Todd Township Planning Commission, or by any property owner in the township.
- 14.01.02 The Zoning Administrator shall:
- A. Review the application for amendment and make a recommendation to the Todd Township Planning Commission.
  - B. Notify by regular mail all property owners within five hundred (500) feet of the premises affected by the proposed amendment, or the nearest ten (10) property owners, whichever is greater.
  - C. Publish a hearing notice for the amendment in the official newspaper, and if impacted by wetlands or shore-land areas, provide notice to the Commissioner of the Department of Natural Resources and other affected entities as least ten (10) days prior to the public hearing.
  - D. The planning commission shall hold the hearing and make a report of its findings and recommendations on the proposed amendment to the Town Board.
  - E. The Town Board shall review the recommendations of the planning commission and decide by a two-thirds vote on the proposed amendment.
  - F. If the amendment is adopted, the zoning administrator shall publish a summary of the text or a description of the boundary change or new official map in the official newspaper and, if the premises affected requires, a copy shall also be mailed to the commissioner of the Department of Natural Resources or affected entities.
  - G. The Zoning Administrator shall make the necessary changes in the official map.

- H. If a property owner initiates an amendment, an application fee shall be paid by the property owner according to the Todd Township Fee Ordinance adopted by the Town Board.

**15.0 EFFECTIVE DATE**

This Ordinance shall take effect and be in force at the time of its publication after a two-thirds adoption by the Todd Township Board.

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