

**6105.0390 SANITARY STANDARDS AND CRITERIA.**

Subpart 1. **Purpose.** In order to ensure safe and healthful conditions, to prevent pollution and contamination of surface and ground waters, and to guide development compatible with the natural characteristics of blufflands, shorelands, and related water resources, Saint Croix Riverway ordinances shall control individual water supply and waste disposal systems with respect to location, construction, repair, use, and maintenance; and shall control commercial, agricultural, industrial and public waste disposal, and solid waste disposal sites.

Subp. 2. **Water supply.** Any public or private supply of water for domestic purposes shall conform to Minnesota Department of Health standards for water quality. Private wells shall be placed in areas not subject to flooding and upslope from any source of contamination.

Subp. 3. **Sewage and waste disposal.** Any premises used for human occupancy shall be provided with an adequate method of sewage disposal to be maintained in accordance with acceptable practices.

A. Public or municipal collection and treatment facilities shall be used where available or feasible.

B. All private sewage and other sanitary waste disposal systems shall conform to applicable standards, criteria, and rules of the Minnesota Department of Health and the Minnesota Pollution Control Agency, and any applicable local government regulations in terms of size, construction, use, and maintenance.

C. Location and installation of a septic tank and soil absorption system shall be such that, with reasonable maintenance, it will function in a sanitary manner and will not create a nuisance, endanger the quality of any domestic water supply, nor pollute or contaminate any waters of the state. In determining a suitable location for the system, consideration shall be given to the size and shape of the lot, slope of natural and finished grade, soil permeability, high groundwater elevation, geology, proximity to existing or future water supplies, accessibility for maintenance, and possible expansion of the system.

D. Septic tank and soil absorption systems shall be set back the following distances:

(1) in rural districts, not less than 200 feet from the ordinary high water mark and not less than 40 feet from a bluffline; and

(2) in urban districts, not less than 100 feet from the ordinary high water mark and not less than 40 feet from a bluffline.

E. Soil absorption systems shall not be allowed in the following areas for disposal of domestic sewage:

(1) low, swampy areas, areas subject to recurrent flooding, or natural spring areas;

(2) areas where the highest known groundwater table, bedrock, or impervious soil conditions are within four feet of the bottom of the system; and

(3) areas of ground slope which create a danger of seepage of the effluent onto the surface of the ground.

F. Saint Croix Riverway ordinances may require or allow alternative methods of sewage disposal, such as holding tanks, privies, electric or gas incinerators, biological and/or tertiary waste treatment plants, or land disposal systems, provided such facilities meet the standards, criteria, and rules of the Minnesota Department of Health and the Minnesota Pollution Control Agency.

G. Public sewage disposal and commercial, agricultural, and solid waste disposal shall be subject to the standards, criteria, and rules of the Minnesota Pollution Control Agency.

**Statutory Authority:** *MS s 104.25*

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