

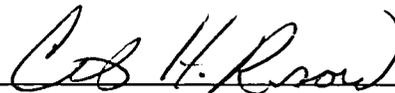
ORDINANCE 2016-02
AMENDING THE
PINE COUNTY, MN FLOODPLAIN MANAGEMENT ORDINANCE

The County Board of Pine County, Minnesota ordains that the Pine County, MN Floodplain Management Ordinance shall be amended as follows:

5.3 Provisional Uses: Any structure that is not elevated on fill or flood proofed in accordance with Section 5.21 - 5.22 and or any use of land that does not comply with the standards in Sections 5.23 - 5.24 shall only be allowable as a provisional use. An application for a provisional use shall be submitted to the Zoning Administrator to consider possible adverse effects of the proposed provisional use and subject to the standards and criteria and evaluation procedures specified in Sections 5.4 - 5.55 of this Ordinance. The Zoning Administrator must submit by mail or electronically to the Commissioner of Department of Natural Resources, or designee, a copy of the application for proposed provisional use sufficiently in advance so that the DNR will receive at least ten (10) days notice before it is issued. A copy of the permit shall be submitted to the DNR within ten (10) days of being issued, otherwise all other permitting procedures and requirements shall follow Section 10.2 of this Ordinance.

5.4 Standards for Flood Fringe Provisional Uses:

Passed and approved this 16th Day of February, 2016 by the Pine County Board of Commissioners.



Curtis H. Rossow, Chairman
Pine County Board of Commissioners

ATTEST:



David J. Minke
Pine County Administrator

Notice of Public Hearing Published: January 28, 2016
Public Hearing: February 16, 2016
Adopted by County Board: February 16, 2016
Publication of Ordinance: February 25, 2016
Filed with County Recorder: February 26, 2016
Effective Date: April 1, 2016

Drafted By:
Pine County Land Services
635 Northridge Dr NW, Suite 250
Pine City, MN 55063

Public Notice

NOTICE OF PUBLIC HEARING

The Pine County Board of Commissioners will conduct a public

hearing at 10:00 A.M., Tuesday, February 16, 2016, at the Pine County Courthouse, 635 Northridge Dr NW, Pine City, Minnesota, 55063.

The purpose of the public hearing is to solicit testimony on the following:

1.) Correcting and clarifying language in the Pine County Shoreland Management Ordinance as further described on the county website www.co.pine.mn.us or in person at the Pine County Planning and Zoning Office, 635 Northridge Dr NW, Suite 250, Pine City, MN 55063. Codification of all new and previous amendments into a single ordinance.

2.) Modifying Section 4.06.01 of the Pine County Subsurface Sewage Treatment Systems Ordinance to read "It is unlawful for any person to maintain, occupy, or use any building intended for habitation that has a powered well directly connected to the building unless it has a SSTS that disposes of sewage in a manner that complies with the provisions of this ordinance. If such building does not have a powered well directly connect to it, it must at minimum have a composting toilet or a privy that complies with the provisions of this Ordinance."

3.) Amend Sections 5.3 and 5.4 of the Pine County, Minnesota Floodplain Management Ordinance to use the term "Provisional Use(s)" in place of "Conditional Use(s)."

a.) The last sentence of Section 5.3 shall read: "An application for a provisional use shall be submitted to the Zoning Administrator to consider possible adverse effects of the proposed provisional use and subject to the stands and criteria and evaluation procedures specified in Sections 5.4-5.5 of the Ordinance."

4.) Setting the fee for a Provisional Use Permit and road, driveway, and parking area permit at \$50.

The proposed changes would be effective April 1, 2016.

The hearing is open to the public, at which time you may appear and offer testimony regarding the draft ordinance. Written comments may be entered into the record at the discretion of the Chair of the Pine County Board of Commissioners, and may be sent to Kelly Schroeder, Land Services Director, 635 Northridge Dr NW, Suite 250, Pine City, MN, 55063.

Kelly Schroeder
Land Service Director

(Published in the Pine County Courier on February 4, 2016)

EXHIBIT A

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

) SS.

COUNTY OF PINE)

TIM FRANKLIN, being duly sworn, on oath states as follows:

1. I am the publisher of the newspaper known as the **Pine County Courier**. I have personal knowledge of the facts in this Affidavit, which is made pursuant to Minnesota Statutes 331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

3. The printed NOTICE which is attached, was cut from the columns of said newspaper and was printed and published once; it was **published on Thursday, the 4th day of February 2016**; and printed below is a copy of the lowercase alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxy

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to Minnesota Statute 331A.06, is \$7.52/column inch.

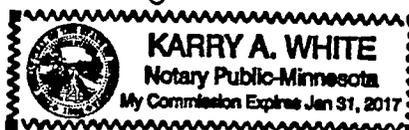
5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes 580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Pine County. The newspaper complies with the conditions described in 580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT

Publisher

Subscribed and sworn to before me on this 4th day of February 2016.

Notary Public



Public Notice

PINE COUNTY ORDINANCE 2016-1 & 2016-2 SUMMARY

Ordinance 2016-1 amends section 4.06.01 of the Pine County Subsurface Sewage Treatment Systems Ordinance to specify that it is unlawful for any person to maintain, occupy, or use any building intended for habitation that has a powered well directly connected to the building unless it has a SSTS that disposes of wastewater in a manner that complies with the provisions of this Ordinance. If such building does not have a powered well directly connected to it, it must at minimum have a composting toilet or privy that complies with the provisions of this Ordinance.

Ordinance 2016-2 amends section 5.3 and 5.4 of the Pine County, MN Floodplain Management Ordinance by replacing the word "Conditional" with "Provisional" in both sections and adding the additional language to Section 5.3 as follows: "The Zoning Administrator must submit by mail or electronically to the Commissioner of Department of Natural Resources, or designee, a copy of the application for proposed provisional use sufficiently in advance so that the DNR will receive at least ten (10) days notice before it is issued. A copy of the permit shall be submitted to the DNR within ten (10) days of being issued, otherwise all other permitting procedures and requirements shall follow Section 10.2 of this Ordinance."

Passed and approved this 16th day of February, 2016, by the Pine County Board of Commissioners.

Curtis H. Rossow, Chair, Board of Commissioners

David J. Minke, Administrator,

Clerk to the County Board

(Published in the Pine County Courier on February 25, 2016)

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) SS.
COUNTY OF PINE)

TIM FRANKLIN, being duly sworn, on oath states as follows:

1. I am the publisher of the newspaper known as the **Pine County Courier**. I have personal knowledge of the facts in this Affidavit, which is made pursuant to Minnesota Statutes 331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

3. The printed NOTICE which is attached, was cut from the columns of said newspaper and was printed and published once; it was **published on Thursday, the 25th day of February 2016**; and printed below is a copy of the lowercase alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxy

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to Minnesota Statute 331A.06, is \$7.52/column inch.

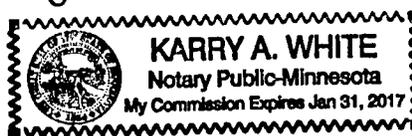
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FURTHER YOUR AFFIANT SAITH NOT.

 Publisher

Subscribed and sworn to before me on this 25th day of February 2016.

 Notary Public





525574

A- 525574

OFFICE OF COUNTY RECORDER
PINE COUNTY, MINNESOTA

Fee Total \$0

Certified, Filed and/or Recorded on:
March 11, 2016 9:51 AM

Pages: 4

Tamara Tricas, County Recorder

Received from: PINE COUNTY ZONING OFFICE
Returned To: PINE COUNTY ZONING OFFICE
PINE COUNTY COURTHOUSE
ATTN: KELLY
PINE CITY, MN 55063



18965

T- 18965

OFFICE OF REGISTRAR OF TITLES
PINE COUNTY, MINNESOTA

Fee Total \$0

Certified, Filed and/or Recorded on:
March 11, 2016 9:51 AM

Pages: 4

1M

Tamara Tricas, Registrar of Titles

Received from: PINE COUNTY ZONING OFFICE
Returned To: PINE COUNTY ZONING OFFICE
PINE COUNTY COURTHOUSE
ATTN: KELLY
PINE CITY MN 55063

