

**5.0                   COMPLIANCE****5.1                   Generally**

5.1.1 Applications for permits, variances, rezonings, orders or approval required by this Ordinance shall be made to the Department of Development Director.

5.1.2 Applications for conditional use permits, interim use permits, variances and rezonings will not be accepted from anyone who is not an owner of land for which the application is made.

5.1.3 No building, structure or land shall be used for any purpose, nor in any manner, which is not in conformity with the provisions of this Ordinance.

5.1.4 No landowner shall erect, construct, structurally alter, extend, convert, move or use--nor allow or permit another person, including a lessee, tenant, agent, employee or contractor, to erect, construct, structurally alter, extend, convert, move or use on the landowner's land--any building or structure in any zoning district without first obtaining a land use permit therefore. In the event that a building or structure is erected or altered without the required permit the current owner shall obtain the required permits within 90 days of discovery by the County. If the current owner allowed the erection or alteration of the structure they shall be subject to after the fact fees as set-up by the County Board. If a previous owner allowed the erection or construction of the structure without the knowledge of the current landowner the current landowner shall not be subject to the after the fact fees.

(Ord. #440, adopted 10/20/09)

5.1.5 Any use not specifically listed as a permitted, accessory, interim or conditional use in a zoning district shall be prohibited within that district. Amendments to the code may be proposed and initiated pursuant to Section 11.9.

(Ord. #249, adopted 03/21/95)

**5.2                   Sewer and Water System**

5.2.1 In areas not served by public sewer, all on-site sewage disposal facilities shall be required to comply with Section 9.22 regulating sewage disposal systems and requiring permits therefor.

5.2.2 Private wells shall be so located and constructed that they will not be contaminated by any existing or future sewage disposal systems. They shall also be constructed to minimize the possible contamination from all possible external sources within the geological strata surrounding the well. Private wells shall be located in a manner to be free from flooding and the top shall be so constructed and located as to be above all possible sources of pollution. Wells already existing in areas subject to flooding shall be floodproofed.

### **5.3 Preservation of Locational Markers**

5.3.1 All international, Federal, state, county and other official monuments, benchmarks, triangulation points, and stations shall be preserved in their precise locations; and it shall be the responsibility of the applicant to insure that these markers are maintained in good condition during and following construction and development. All section, 1/4 section and 1/16 section corners shall be duly described and tied.

### **5.4 Stormwater and Erosion Control Standards**

(Ord. #438, adopted 06/16/09)

5.4.1 No person or entity shall cause or permit illicit discharge into a Municipal Separate Storm Sewer System.

5.4.2 No person or entity shall engage in construction activity, or allow such activity to take place on property owned by said person or entity, without first: (1)obtaining a National Pollutant Discharge Elimination System (NPDES) Storm water Discharge Permit, and providing a copy of said permit to the Benton County Department, or (2) providing written proof from the Minnesota Pollution Control Agency or the Environmental Protection Agency to the Department of Development of exemption or waiver of the requirement for such a permit.

5.4.3 No person or entity shall create new development or redevelopment that disturbs areas equal to or greater than 1 acre in size, or permit such activity to take place on property owned by said person or entity, without first (1) obtaining a National Pollutant Discharge Elimination System permit containing or implementing a Post-Construction Runoff Control Plan or (2) providing written proof from the Minnesota Pollution Control Agency or the Environmental Protection Agency to the Department of Development of exemption or waiver of the requirement for such a permit.