

CHAPTER 4 BUILDING REGULATIONS**Article I: Building Code.**²Section 4-1. Adoption of State Building Code.

The Town Board of Athens hereby adopts the Minnesota Building Code (M. S. A. § 16B.50 to 16B.75).

Section 4-2. Administration.

The Town will retain the services of a certified building official to enforce the provisions of the state building code.

Section 4-3. Permits, Inspections, Fees and Time Limits.

- (a) Issuance of Permits. The issuance of permits, conduction of inspections, and collection of fees shall be as established by the Town Board. The Town will establish a fee schedule by ordinance that may be revised from time to time. Such fees are due and payable to Athens Township at or before commencement of work.
- (b) Expiration. Notwithstanding continuing or on-going work, any building permit issued by the Township shall expire and be null and void if a certificate of occupancy and final inspection has not been issued within the following applicable period of time after the date of permit issuance:
- (1) Single-family residential dwellings, including new construction, remodeling or additions shall be completed within twelve (12) months.
 - (2) Accessory buildings on single-family residential properties shall be completed within twelve (12) months.
 - (3) All multi-family and non-residential construction shall be completed within eighteen (18) months.
 - (4) An expired building permit may be reissued once, for a term of one-half of its original duration, upon payment of an amount equal to one-half (1/2) the original permit fee. Thereafter, if the permitted work is not completed within the applicable time period, a new permit must be issued only upon such conditions as the Town Board by resolution may prescribe, including financial guarantees of completion by a specified date.

Section 4-4. Time Limitations for Exterior Work.

Notwithstanding continuing or on-going work or the validity of any permit, all exterior work shall be completed as follows:

² Adopted under Ordinance #97-01, March 3, 1997.

- (1) No land shall remain disturbed and exposed without established grass or other ground cover for a period exceeding twelve (12) months or any lesser period as may be specified in the permit.
- (2) All exterior construction including siding, roofing, doors, windows and finish shall be completed and present a finished appearance with twelve (12) months of the start of construction.
- (3) Effect of Outstanding Permits. Any permit outstanding at the time of adoption of these provisions shall be limited as herein set forth and shall meet the current building code regulations.

Section 4-4 thru 4-20.

Reserved.

Article II: Subsurface Sewage Treatment Systems (SSTS)Section 4-21. Purpose, Intent, Authority and Effective Date.

- (a) Purpose. The purpose of this Article is to establish minimum requirements for regulation of individual (and mid-size) subsurface sewage treatment systems (SSTS) for the treatment and dispersal of sewage within the applicable jurisdiction of the Township to protect public health and safety, groundwater quality, and prevent or eliminate development of public nuisances. This Article is intended to serve the best interests of the Township's citizens by protecting their health, safety, general welfare and natural resources.
- (b) Intent. The intent of this Article is:
1. To protect the lakes, rivers, streams, wetlands and groundwater in Athens Township which are essential to the promotion of public health, safety, welfare, socioeconomic growth, and development in the Township in perpetuity.
 2. To properly regulate SSTS construction, reconstruction, repair and maintenance to prevent the entry and migration of contaminants, thereby protecting the degradation of surface water and groundwater quality.
 3. To establish minimum standards for SSTS placement, design, construction, reconstruction, repair and maintenance to prevent contamination and, if contamination is discovered, the identification and control of its consequences and the abatement of its source and migration.
 4. To assure appropriate utilization of privy vaults and other non- water carried sewage collection and storage facilities.
- (c) Authority. This Article is adopted by ordinance pursuant to Minnesota Statutes, Section 115.55; Minnesota Statutes 145A.01 through 145A.08; Minnesota Statutes (M.S) , Section 375.51; or successor statutes; and Minnesota Rules (M.R.), Chapter 7080, Chapter 7081, Chapter 7082, or successor rules as amended from time to time.
- (d) Effective Date. This Article was adopted by Ordinance No. 2014 - 14, Subsurface Sewage Treatment Systems (SSTS). The ordinance was adopted on December 8, 2014.

Section 4-22. General Provisions.

- (a) Scope. This Article regulates the siting, design, installation, alterations, operations, maintenance, monitoring, and management of all SSTS within the Township's applicable jurisdiction including, but not necessarily, limited to individual SSTS and cluster or community SSTS, privy vaults, and other non-water carried SSTS. All sewage generated in unsewered areas of Athens Township shall be treated and dispersed by an approved SSTS that is sited, designed, operated, and maintained in accordance with the provisions of this Article or by a system that has been permitted by the Minnesota Pollution Control Authority (MPCA).
- (b) Jurisdiction. The jurisdiction of this Article shall include all lands of Athens Township.

Section 4-23. Administration and Liability.

- (a) Township Administration.
 - 1. The Athens Township Zoning Department shall administer the SSTS program and all of provisions of this Article.
 - 2. At appropriate times, the Township shall review, revise and update this Article, as necessary.
 - 3. The Township shall employ or retain under contract qualified and appropriately licensed professionals to administer and operate the SSTS program.
 - 4. This Article must, by law, be consistent with the Isanti County SSTS regulations but may be more restrictive both administratively and technically.
- (b) State of Minnesota Administration.
 - 1. Where a single SSTS or group of SSTS under single ownership within one-half (1/2) mile of each other have a design flow greater than 10,000 gallons per day, the owner or owners shall make application for and obtain a State Disposal System (SDS) permit from MPCA.
 - 2. For any SSTS that has a measured daily flow for a consecutive seven-day period which equals or exceeds 10,000 gallons per day, a SDS permit is required.
 - 3. SSTS serving establishments or facilities licensed or otherwise regulated by the State of Minnesota must comply with the standards and requirements of this Article. CHAPTER 4

(c) Liability.

Any liability or responsibility shall not be imposed upon the Township or any of its officials, employees, or other contract employees, or agents thereof, for damage resulting from the defective construction, operation, or abandonment of any onsite or cluster treatment system regulated under this Article, by reason of standards, requirements, or inspections authorized hereunder.

Section 4-24. General Requirements.(a) Retroactivity.

1. Except as explicitly set forth in this Article, all provisions of this Article shall apply to any SSTS regardless of the date it was originally permitted.

2. Existing Permits.

Unexpired permits which were issued prior to the effective date of this Article shall remain valid under the terms and conditions of the original permit until the original expiration date or until a change in system ownership.

3. SSTS on Lots Created after January 23, 1996.

All lots created after January 23, 1996, must have a minimum of two soil treatment and dispersal areas that can support trenches, seepage beds, mounds, and at-grade systems as described in M.R. Chapters 7080.2200 through 7080.2230 and 7080.2260 or site conditions described in 7081.0270, subp. 3 through 7.

(b) Upgrade, Repair, Replacement and Abandonment.

1. SSTS Capacity Expansions. Expansion of an existing SSTS also must include any system upgrades that are necessary to bring the entire system into compliance with the prevailing provisions of this Article at the time of the expansion.

2. Failure to Protect Groundwater. An SSTS that is determined not to be protective of groundwater in accordance with Minnesota Rules, Chapter 7080.1500, subp. 4A, shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of the Article within ten (10) months of receipt of a Notice of Noncompliance.

3. Imminent Threat to Public Health or Safety. An SSTS that is determined to be an imminent threat to public health or safety in accordance with M. R., Chapter 7080.1500, subp. 4A, shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this Article within thirty (30) days of receipt of a Notice of Noncompliance. If the imminent threat to public health can be mitigated by monitoring and pumping the septic tank according a plan approved by the Township, then the owner can have up to ten (10) months to upgrade the system.

4. Abandonment.

Any SSTS, or any component thereof, which is no longer intended to be used, must be abandoned in accordance with M. R., Chapter 7080.2500.

(c) SSTS in Floodplains.

SSTS shall not be located in a floodway and wherever possible, location within any part of a floodplain should be avoided. If no option exists to locate a SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements in M. R., Chapter 7080.2270 and all relevant local requirements are met.

(d) Class V Injection Wells.

All owners of new or replacement SSTS that are considered to be Class V injection wells, as defined in the Code of Federal Regulations, title 40, part 144, are required by the Federal government to submit SSTS inventory information to the Environmental Protection Agency (EPA) as described in CFR40 part 144. Further, owners are required to identify all Class V injection wells in property transfer disclosures.

(e) SSTS Practitioner Licensing.

No person shall engage in site evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance, or pumping of SSTS without an appropriate and valid license issued by MPCA in accordance with M. R., Chapter 7083 except as exempted in 7083.0700. Athens Township limits this exemption to a property owner who wishes to construct a non-pressurized SSTS, which is to treat wastewater solely from their own dwelling or seasonal dwelling from the licensing requirement if a site evaluation and a system design are obtained from appropriately licensed practitioners.

(f) Prohibitions.

No surface discharging system must be permitted under the National Pollution Discharge Elimination program by MPCA.

Section 4-25. SSTS Standards.

(a) Standards Adopted by Reference.

Athens Township hereby adopts by this reference M. R., Chapter 7080 and 7081 in their entirety, excluding 7080.2400 Type V systems, as now constituted and from time to time amended. This adoption does not supersede the Township's right or ability to adopt local standards that are in compliance with Minnesota Statute 115.55.

(b) Amendments to the Adopted Standards.

1. List of Adopted Standards.

- a. All new and upgraded SSTS for individual dwellings shall be sized for Type 1 dwellings.

2. Determination of Hydraulic Loading Rate and SSTS Sizing.

- a. Either Table IX or Table IXa from M. R., Chapter 7080.2150, subp. 3E and herein adopted by reference shall be used to determine the hydraulic loading rate and infiltration area for all SSTS permitted under this Article.

3. Compliance Criteria.

a. Compliance Criteria for Existing SSTS.

- i. SSTS built after March 31, 1996, or SSTS located in a Shoreland area, Wellhead Protection area, or serving a food, beverage, or lodging establishment as defined under M. R., 7080.1100, subp. 84 shall have a three-foot vertical separation between the bottom soil infiltrative surface and the periodically saturated soil and/or bedrock.
- ii. Existing systems that have no more than a fifteen (15) percent reduction in this separation distance (a separation distance no less than 30.6 inches) to account for settling of sand or soil, normal variation of

separation distance measurements and interpretation of limiting layer characteristics may be considered compliant under this ordinance.

- iii. The vertical separation measurement shall be made outside the area of system influence but in an area of similar soil (M.R. 7080 1500, subp. 4).
- iv. All other system compliance shall be as defined in M.R. 7080.1500, subp. 1 through subp. 6.

4. Holding Tanks.

Holding tanks may be used for single family homes and other buildings with limited water used under the following conditions:

- i. Provided that an adequate soil treatment area does not exist on site.
- ii. The owner shall install a holding tank in accordance with M. R., 7080.2290.

Section 4-26. Licensing.

- (a) Valid license required. No sewer permit shall be issued by the Township to the applicant until such time the person, firm, or corporation engaging in the design, site evaluation, installation, or construction of any sewage treatment system provides a copy of a valid MPCA issued license as defined under M. R., Chapter 7083 authorizing said person, firm or corporation to conduct said activity in the State of Minnesota.
- (b) Designed, Installed and Maintained by Licensed Professional. All systems must be designed, installed, and maintained by a MPCA licensed professional.

Section 4-27. Land Application and Disposal of Septage.

- (a) Disposal. All septage hereafter disposed of shall conform to the EPA 503 Rule.
- (b) Land Application. Land application of septage shall require approval by the Township and shall be processed and regulated by Athens Township Ordinance No. 2012-03.

(c) Setbacks for Land Application. The following MPCA standards for setbacks shall be observed for land application:

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|----|---|------------|
| 1. | Property lines and road rights-of-way | 10 feet |
| 2. | Grassed waterways | 100 feet |
| 3. | Private wells | 200 feet |
| 4. | Intermittent streams, tile inlets, sinkholes, wetlands | 200 feet |
| 5. | Recreational trail and existing and proposed residences. | 200 feet |
| 6. | Surface water | |
| | Summer: May 1“ through October 31“ if a fifty (50) foot buffer
between the site and the surface water is established | 200 feet |
| | Summer — without a buffer | 600 feet |
| | Winter: November 1st through April 30th | 600 feet |
| 7. | Residential and commercial development and public
contact sites | 600 feet |
| 8. | Public wells | 1,000 feet |

(d) Soil characteristics for land application.

Land where septage is to be applied must have a separation of 24 inches between redoximorphic features (mottling) and the application point (surface or injection).

Section 4-28. Permits.

(a) Land Application Permits.

1. No person, firm, or corporation shall install, alter, repair or extend any sewage disposal system in the Township without first obtaining a permit from the Township Zoning Administrator for the specific installation, alteration, repair or extension, and, at the same time as applying for the permit, shall pay a fee as established by the Town Board of Supervisors. Such permits shall be valid for a period of twelve (12) months from the date of issue. Site evaluations shall be valid for twelve (12) months from the completion date.
2. Applications for permits shall be made in writing upon printed forms furnished by the Township and shall be signed by the applicant.
3. Each applicant for a permit shall have thereon the correct legal description of the property for the proposed installation, alteration, and/or repair, and be accompanied by a site plan of the land showing the location of any proposed or existing buildings located on the property with respect to the boundary lines of the property and complete plans of the proposed system with substantiating date, as requested by the Township Zoning

Administrator or his/her representative, attesting to the compliance with the requirements and standards of this Article. A complete plan must include the following:

- a. The location, size, and design of all parts of the system to be installed, altered, repaired or extended.
 4. The results of soil boring tests and percolation tests conducted on the property upon which the proposed installation is to take place.
 5. The present or proposed location of water supply facilities and water supply piping.
 6. The name of the person, firm, or corporation who is to install the system.
 7. Any further information as requested by the Township in order to process the application.
- (b) Construction Permits.
1. Purpose. A construction permit shall be obtained by the property owner or an agent of the property owner from the Township prior to the installation, replacement, modification, alteration, repair, or capacity expansion of a SSTS. The purpose of this permit is to ensure that the proposed construction activity is sited, designed, and constructed in accordance with the provisions of this ordinance by appropriately certified and/or licensed practitioners.
 2. Activities Requiring a Construction Permit. A Construction Permit is required for the installation of a new SSTS, for replacement of an existing SSTS, or for any repair or replacement of components that will alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout or function.
 3. Activities Not Requiring a Permit. A Construction Permit is not required for minor repairs or replacements of system components that do not alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout, or function.
 4. Permit Application Requirements. Construction Permit applications shall be made on forms provided the Athens Township Zoning Department and must be signed by the property owner or property owner's agent. The application shall include the following:

- a. The name, mailing address, telephone number, and email address of the property owner or property owner's agent.
 - b. The property identification number and address or other description of the property location.
 - c. A site evaluation report as described in Minnesota Rules, Chapter 7080.1730.
 - d. A design report as described in Minnesota Rules, Chapter 7080.2430.
 - e. A management plan as described in Minnesota Rules, Chapter 7082.0600.
 - f. A monitoring and disposal contract for holding tanks. Owners of holding tanks must provide a copy of a valid monitoring and disposal contract executed between the owner and a licensed maintenance business to the Township, which guarantees the removal of the holding tank contents in a timely manner that prevents an illegal discharge in accordance with Minnesota Rules, Chapter 7080.0100, Subp. 3G. This requirement is waived if the owner is a farmer who is exempt from licensing under Minnesota Statutes, section 115.56, subd. 3, paragraph (b), clause 3.
5. Application Review and Response. The Township Zoning Department shall review a permit application and supporting documents within fifteen (15) working days from the receipt of a satisfactorily completed application. Upon satisfaction that the proposed work will conform to the provisions of this Article, the Department shall issue a written permit authorizing construction of the SSTS as designed. In the event, for any reason, the applicant makes a significant change to the approved application, the applicant must file, prior to initiating or continuing construction, modification, or operation, an amended application detailing the changed conditions for approval or denial. The Department shall complete the review of the amended application within fifteen (15) working days of receipt of the amended application. If the permit application is incomplete or does not meet the requirements of this Article, the Department shall deny the application. A notice of denial shall be provided to the applicant, which must state the reason for the denial.
6. Permit Expiration. The Construction Permit is valid for a period of no more than one (1) year from its date of issue, unless it is extended in accordance with this Section or construction has been completed satisfactorily, whichever is shorter. Satisfactory completion of construction shall be determined by receipt of a signed certification that the construction or installation of the system was completed in

substantial conformance to the approved design documents by a qualified employee of Athens Township or a licensed inspection business that is authorized by the Athens Township Zoning Department and independent of the owner/applicant and the SSTS installer.

7. Extensions and Renewals. The Department may grant an extension of the Construction Permit if the construction has commenced prior to the original expiration date of the permit. The permit may be extended for a period of no more than six (6) months.
 8. Suspension or Revocation. The Department may suspend or revoke a Construction Permit issued under this Section for any false statements, misrepresentation of facts on which the Construction Permit was issued, or unauthorized changes to the system design that alter the original function of the system, or otherwise change the original system's design, layout or function. A notice of suspension or revocation and the reasons for the suspension or revocation shall be conveyed in writing to the permit holder. If suspended or revoked, installation or modification of a treatment system may not commence or continue until a valid Construction Permit is obtained.
- (c) Operating Permit.
1. SSTS Requiring an Operating Permit. An operating permit shall be required for all systems installed under Minnesota Rules, parts 7080.2290, 7080.2350, and Chapter 7081.

Section 4-29. System Abandonment Certification.

- (a) Purpose. The purpose of the System Abandonment Certification is to ensure that a treatment system no longer in service is abandoned within a reasonable time following decommissioning and in a manner that protects health, safety and water quality. It also terminates all permits associated with the system.
- (b) Abandonment Requirements.
 1. Whenever the use of a SSTS or any system component is discontinued as the result of a system repair, modification, replacement or decommissioning following connection to a municipal or private sanitary sewer, or condemnation or demolition of a building served by the system, further use of the system or any system component for any purpose under this Article shall be prohibited.

2. Continued use of a treatment tank where the tank is to become an integral part of a replacement system or a sanitary sewer system requires prior written approval of the Township Zoning Department.
3. Abandonment shall be completed in accordance with Minnesota Rules, Chapter 7080.2500. No prior notification to the Township Zoning Department or an owner's intent to abandon a system is necessary.

Section 4-30. Management Plans.

- (a) Purpose. The purpose of a management plan is to describe how a particular SSTS is intended to be operated and maintained to sustain the performance required. The plan is to be provided by a certified designer to the system owner when the treatment system is commissioned.
- (b) Required Contents of a Management Plan. Management plans shall include the following (Minnesota Rules, Chapter 7080.0600, subp. 1):
 1. Operating requirements describing tasks that the owner can perform and tasks that a licensed service provider or maintainer must perform;
 2. Maintenance requirements including maintenance procedures and a schedule of routine maintenance;
 3. A statement that the owner is required to notify the Township Zoning Department when the management plan requirements are not being met; and
 4. Disclosure of the location and condition of the additional soil treatment and dispersal area on the owner's property or a property serving the owner's residence.
- (c) Requirements for Systems not Operated under a Management Plan (Minnesota Rules, Chapter 7082.0100.Subp. 3 (L)). SSTS that are not operated under a management plan or operating permit must inspect treatment tanks and remove solids if needed every three years. Solids must be removed when their accumulation meets the limit described in Minnesota Rules, Chapter 7080.2450.

Section 4-31. Compliance Management.

- (a) Compliance Inspections. A SSTS compliance inspection must be performed as defined in Minnesota Rules 7082.0700 Inspection Program for Subsurface Sewage Treatment Systems.
- (b) Qualified Inspections. All compliance inspections must be performed and signed by licensed inspection businesses or qualified employees certified as inspectors.

- (c) Inspection Requirements. The permittee shall notify the Township Zoning Department a minimum of twenty-four (24) hours prior to the required inspection. Inspection will be scheduled and completed during regular business hours. All changes from the approved permit design shall require the approval by the designer of the system and by the Township prior to construction.
- (d) Point of Sale Certificate of Compliance. No owner of a tract of land located in the Township upon which a dwelling is located, or upon which a structure having an on-site sewage treatment system is located, shall sell or contract to see by conveyance or contract for conveyance without providing a copy of a Point of Sale Certificate of Compliance to the buyer prior to the sale in accordance with the following requirements:
1. Time of sale shall be defined as the time of execution of any document providing for the conveyance by deed or contract.
 2. The proposed purchaser shall not take occupancy of the dwelling or structure prior to the issuance of the Point of Sale Certificate of Compliance by the Township Zoning Department, except that upon the filing of an executed written agreement by the present and prospective owners, which agreement sets forth the date by which the new owner will complete the necessary corrective action, and which agreement and corrective action dates are approved by the Township Zoning Department and found to be adequate in the department's discretion, the occupancy may be permitted pending issuance of the Point of Sale Certificate of Compliance.
 3. Inspection forms for the Point of Sale Certificate of Compliance shall be completed on MPCA approved forms. The inspection shall be performed by a licensed MPCA inspector. Results of the inspection, in compliance or non-compliance, shall be submitted to the Township Zoning Department.
- (e) Additional Standards. In addition to any standards cited in the MPCA regulations in Minnesota Rules, Chapter 7080, the following shall also apply:
1. The use of a gravelless drainfield pipe in sandy soils is prohibited.
- (f) New Construction or Replacement.
1. Compliance inspections must be performed on new or replacement SSTS to determine compliance with Minnesota Rules, Chapters 7080 or 7081.
 2. A Certificate of Compliance for new SSTS construction or replacement, which shall be valid for five (5) years, shall be issued

by the Township Zoning Department if the system was built in accordance with the applicable requirements as specified in the construction permit.

3. The Certificate of Compliance or notice of noncompliance must be submitted to the Township Zoning Department no later than fifteen (15) calendar days after the date the inspection was performed.
4. Certificates of compliance for new construction or replacement shall remain valid for five (5) years from the date of issue unless the Township Zoning Department finds evidence of noncompliance.

(g) Existing Systems.

1. Compliance inspections shall be required for existing SSTS systems when any of the following conditions occur:
 - a. When a construction permit is required to repair, modify or upgrade an existing system or when adding a bedroom to a dwelling; or
 - b. Upon receipt of a complaint or other notice of system malfunction.
2. Compliance inspections for existing SSTS shall be reported on inspection report forms provided by MPCA. Compliance inspections of existing SSTS shall meet the requirements of Minnesota Rules, Chapter 7082.0700, Subp. 4 (B). Vertical separation disputes must follow the procedure in Minnesota Rules, Chapter 7082.0700, Subp. 5.
3. The Certificate of Compliance or notice of noncompliance must be submitted to the Township Zoning Department no later than fifteen (15) calendar days after the date the inspection was performed. ,
4. Certificates of Compliance for existing SSTS shall remain valid for three (3) years from the date of issue unless the Department finds evidence of noncompliance.
5. Neither the issuance of permits, certificates of compliance or notices of noncompliance as requested or issued shall be construed to represent a guarantee or warranty of the system's operation or effectiveness. Such certificates signify that the system in question is or has been designed and installed in compliance or non-compliance with the provisions of these standards and regulations.

- (a) Variance Requests. Variance requests related to the horizontal setbacks from property lines, rights of way, structures or buildings will be processed according to the provisions of Chapter 20 of the Township Code of Ordinances.
- (b) Affected Agency. Variances that pertain to the standards and requirements of the State of Minnesota must be approved by the affected State agency pursuant to the requirements of that agency.

Section 4-34. Fees. From time to time, the Township Board of Supervisors shall establish fees for activities undertaken by the Township Zoning Department pursuant to this Article. Fees shall be due and payable at the time of submission of a permit application.

Section 4-35. Violations and Penalties.

- (a) Notice of Violation. The Township Zoning Department shall serve, in person or by mail, a notice of violation to any person determined to be violating provisions of this Article. The notice of violation shall contain:
 - 1. A statement documenting the findings of fact determined through observation, inspections or investigations;
 - 2. A list of specific violation(s) of this ordinance;
 - 3. Specific requirements for correction or removal of the specified violation(s); and
 - 4. A mandatory time schedule for correction, removal and compliance with this ordinance.
- (b) State Notification of a Violation. In accordance with State law, the Township Zoning Department shall notify the MPCA of any inspection, installation, design, construction, alteration or repair of an SSTS by a licensed/certified person or any septage removal by a licensed pumper that is performed in violation of the provisions of this Article.
- (c) Penalties.
 - 1. Misdemeanor. Any person who fails to comply with the provisions of this Article may be charged with a misdemeanor and, upon conviction thereof, be subject to the penalties for such as offense as provided by law. Each day during or on which a violation occurs or continues shall constitute a separate offense.
 - 2. Injunctive Relief/Civil Action. In the event of a violation or a threat of violation of this Article, the Department may institute appropriate actions or proceedings to include injunctive relief to prevent, restrain, correct, or abate such violations; and the Township Attorney may institute a civil action.

Section 4-35. Interpretation. In their interpretation and application, the provisions of this Article shall be held to be the minimum requirements and shall be liberally constructed in favor of the Township and shall not be deemed a limitation or repeal of any other powers granted by Minnesota Statutes.

Section 4-36. Severability. If any section, clause, provision, or portion of this Article is adjudged unconstitutional or invalid by a court of law, the remainder of this Article shall not be affected and shall remain in full force and effect.

Section 4-37. Abrogation and Greater Restrictions. It is not intended by this Article to repeal, abrogate, or impair any other existing Township ordinances, easements, covenants, or deed restrictions. However, where this Article imposes greater restrictions, the provisions of this Article shall prevail. All other ordinances or regulations that are inconsistent with this Article are hereby repealed to the extent of the inconsistency only.

Sections 4-38 thru 4-50. **RESERVED.**

ARTICLE III: Opting out of Requirements of Minnesota Statutes Section 462.3593

Section 4-51. Pursuant to authority granted by Minnesota Statutes, 462.3593, subdivision 9, the Town of Athens opts-out of the requirements of Minn. Stat. § 462.3593, which defines and regulates Temporary Health Care Dwellings. Adopted under Ordinance No, 2016-07 dated August 1, 2016.

Sections 4-52 thru 4-60. **RESERVED**

CHAPTER 5

RESERVED

CHAPTER 6

RESERVED

CHAPTER 7

RESERVED