

Point of Sale Certification Ordinance For On-Site Septic Systems

Section 1.00 Wright County Certification of Sanitary System Compliance

No owner of a tract of land upon which a dwelling is located, or a tract of land upon which a structure which is required to have an individual sewage treatment system is located, shall sell or transfer to another party said tract of land, unless the following requirements are met:

- A. A Wright County Certificate of Sanitary System Compliance (hereinafter "Certificate") shall be provided by the seller to the buyer at or before the closing.
- B. The compliance portion of the Certificate shall be completed by a sewage treatment system inspector fully licensed by the State of Minnesota and shall indicate that said individual treatment system is constructed in compliance with Minnesota Rules Section 7080.
- C. In the event that one of the exemptions listed in Sections 1.01 or 1.02 applies, the Certificate must be signed by both parties to the transaction.
- D. The Certificate shall be filed with the County Auditor along with the Certificate of Real Estate Value.
- E. The compliance portion of a Certificate completed in accordance with this Ordinance shall be effective for one (1) year from the date of completion.

Section 1.01 Exempt Transactions

The compliance portion of the Certificate need not be completed if the sale or transfer involves the following circumstances:

- A. Tract of land is without building or contains no dwellings or other buildings with plumbing fixtures.
- B. No Certificate of Real Estate Value need be filed with the County Auditor, as per Minnesota Statutes, Section 272.115.
- C. The sale or transfer is to the seller's spouse, ex-spouse, or child, or to a joint tenant in the property.
- D. The transfer is of a testamentary nature.
- E. The transfer is a foreclosure or tax forfeiture.

- F. The sale or transfer completes a contract for deed entered into prior to the effective date of this Ordinance. This subsection applies only to the original vendor and vendee on such a contract.
- G. Any dwelling or other buildings with running water are connected to a municipal wastewater treatment system.

Section 1.02 Transactions Occurring Between December 1 and April 1

- A. If the transaction occurs between December 1 and the following April 1, and the compliance portion of the Certification cannot be completed, as certified by a licensed inspector, the compliance portion of the Certificate shall be completed and filed with the County Auditor by June 15 following the closing date.
- B. The responsibility for filing the completed compliance portion of the Certificate in this type of transaction shall be that of the buyer.

Section 1.03 Inspection of Individual Sewage Treatment Systems

- A. The compliance portion of the Certificate shall be completed by a sewage treatment system inspector fully licensed by the State of Minnesota.
- B. Upon receipt of a written application for inspection and payment of the required fee, the inspection may be performed by personnel of the Wright County Office of Planning and Zoning.
- C. Inspections performed for the purpose of satisfying the requirements of this Ordinance which are completed after the closing of the transaction shall be performed by personnel of the Wright County Office of Planning and Zoning. This requirement does not apply for those transactions covered by Section 1.02.

Section 1.04 Prohibition Against Transfer of Property; Enforcement

- A. No real property in Wright County shall be transferred unless the parties to the transaction have complied with the requirements of this Ordinance.
- B. Any person, firm, corporation or other entity who violates any of the provisions of this Ordinance or who makes any false statement on the Certificate required by Section 1.00, shall be guilty of a misdemeanor, punishable by imprisonment of up to ninety (90) days, a fine of up to seven hundred dollars (\$700), or both.
- C. In the event of a violation of this Ordinance, in addition to other remedies, the County Attorney may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations.

Section 1.05 Effective Date

This Ordinance shall be effective for all sales and transfers closing on or after August 1, 1995.

Adopted by Wright County Board of Commissioners this ____ day of _____, 1995.