

DULUTH/NORTH SHORE SANITARY DISTRICT

ORDINANCE NO. 2

AN ORDINANCE LIMITING SEWER SERVICE TO AREAS WITHIN THE JURISDICTIONAL BOUNDARIES OF THE DULUTH/NORTH SHORE SANITARY DISTRICT

The Board of Managers (the "Board") of the Duluth/North Shore Sanitary District (the "District") ordains as follows:

Section 1. Findings.

1.01 There are continuing and persistent issues of water quality in the Lake Superior watershed which need to be addressed through the provision of adequate public systems for the collection and treatment of wastewater.

1.02 The District was created for the purpose of promoting the public health and welfare by providing an adequate and efficient system and means of collecting, conveying, pumping, treating and disposing of domestic sewage and garbage and industrial wastes within the District and there is need throughout the territory of the District for the accomplishment of these purposes.

Section 2. Recitals.

2.01 The District intends to construct a wastewater collection system to serve the property within the territory of the District (the "Utility").

2.02 The District is currently facilitating a land use planning study within the territory of the District in order to, among other matters, evaluate the impact of the Utility on land use and land development in the District.

2.03 The District has previously determined it to be prudent and in the best interest of the residents of and owners of property within the District to authorize the Minnesota Pollution Control Agency ("MPCA") to prepare an Environmental Assessment Worksheet ("EAW") which will include an analysis of the land use and development impacts described in Section 2.02 above.

2.04 In conjunction with its preparation of the EAW, the MPCA has recommended, among other things, that the District adopt an ordinance restricting Utility service to areas solely within the territory of the District.


Section 3. Finding. The District hereby finds, determines and declares that restricting Utility service to areas solely within the territory of the District is desirable and prudent and in the best interest of the residents of and owners of property within the District.

Section 4. Restriction on Utility Extensions. Other than septage disposal (as described in Ordinance No. 1 of the District) and service to the Knife River-Larsmont Sanitary District, the District will not extend Utility service to properties which are located outside of the jurisdictional boundaries of the District.

Adopted by the Board of Managers of the Duluth/North Shore Sanitary District, Saint Louis County, Minnesota on the 5th day of June, 2001.


Chair

ATTEST:


Secretary

This Ordinance was published on June 13, 2001.