

ORDINANCE NO. 2012

**AN ORDINANCE AMENDING ORDINANCE NO. 2002
HAMPTON TOWNSHIP ZONING ORDINANCE**

The Board of Supervisors of Hampton Township Ordains the following amendments to Ordinance No. 2002:

SECTION I. Section 617 "Animal Control," subsection E. "Kennels" is amended in its entirety to read:

E. Maximum Number of Dogs

The keeping of more than four dogs on the same premises, whether owned by the same person or not and for whatever purpose kept, is prohibited; except that, a litter of pups born of dogs on the same premises may be kept for a maximum period of six months.

SECTION II. Section 620 "Individual Sewage Treatment Systems" of the Hampton Township Zoning Ordinance is amended in its entirety to read:

620: Private Sewage Treatment System and Water Supply System Standards

A. Private Sewage Treatment System Standards

Standards for the installation and repair of individual sewage treatment systems (ISTS) or subsurface sewage treatment systems (SSTS) are established by the Minnesota Pollution Control Agency and implemented by Dakota County Ordinance No. 113 Subsurface Sewage Treatment Systems, which ordinance is hereby adopted by reference.

1. No person shall install, repair or alter ISTS/SSTS without first obtaining a permit as provided herein. Applications provided by the Township must be completed in writing prior to issuance of a permit. Permit fees are established by the Town Board.
2. Installation, repair, pumping, and hauling of ISTS/SSTS requires licensing per Dakota County Ordinance No. 113.
3. Soil tests must be completed and must be favorable for the operation of ISTS/SSTS before a permit will be issued.
4. Installations, alterations, repairs, maintenance and inspections shall be performed in accordance with Dakota County Ordinance No. 113.
5. No ISTS/SSTS shall be permitted on any site less than 1 acre.

B. Private Water Supply System Standards

All private water supply systems constructed in the Township shall meet the standards established by the Minnesota Department of Health and regulations adopted by Dakota County in Ordinance No. 114.

SECTION III. Section 712 "Variances," subsection A. "Criteria for Granting Variances" is amended in its entirety to read:

A. Criteria for Granting Variances

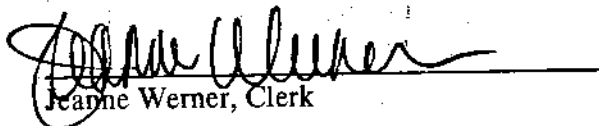
The Board of Adjustment and Appeals may recommend granting a variance from the literal provisions of this Ordinance in instances where strict enforcement would cause practical difficulties in the use of property under consideration and when it is demonstrated that such actions would be in harmony with the general purposes of this Ordinance and is consistent with the Hampton Township Comprehensive Plan. "Practical difficulties" means:

1. The property in question cannot be used in a reasonable manner under certain requirements of this Ordinance, and
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner, and
3. The variance, if granted, would not alter the essential character of the locality, and
4. Economic considerations alone do not constitute practical difficulties.

Practical difficulties also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems. No variance shall be granted to declare a substandard lot buildable unless, in addition to meeting the above criteria, the applicant has exhausted all reasonable possibility of combining the lot with an adjacent vacant lot. No variance shall be granted to permit a use which is not allowed in the district in which the land is located.

SECTION IV. Ordinance No. 2012 was adopted on January 17, 2012 and shall become effective upon publication in the official newspaper.

ATTEST:


Jeanne Werner, Clerk


Doug Wille, Chair

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