

RENVILLE COUNTY LAND USE ORDINANCE

CHAPTER EIGHT

FEEDLOT AND MANURE MANAGEMENT REGULATIONS

This chapter of the Renville County Land Use Ordinance shall be known as the Renville County Feedlot and Manure Management Regulations and may be referred to in this chapter as the Feedlot Ordinance.

The Renville County Feedlot and Manure Management Regulations are adopted pursuant to the authorization and policies contained in Minnesota Statutes Chapters 115 and 116 and Minnesota Rules Chapter 7020 and the planning and zoning enabling legislation in Minnesota Statutes Chapter 394.

SECTION 1. INTENT AND PURPOSE

The production of farm animals and other agricultural products is an important part of the history, environment, and economy of Renville County. Livestock, poultry, dairy products, and other agricultural commodities are produced within the County for consumption in Minnesota, the United States, and foreign countries. The continued health of the agricultural community and the production of these products are essential to the economic well-being of the County and its residents.

The County also contains a wealth of natural resources including an abundance of surface and groundwater. These resources must be protected from pollution to ensure the health of the public and to maintain safe, high quality water for recreational, residential, agricultural, and commercial use. The following regulations have been established to protect natural resources and the quality of life in Renville County while recognizing the importance of animal agriculture and the beneficial uses of animal manure in the production of agricultural crops.

It is the intent and purpose of this Ordinance to allow for the continued production of agricultural commodities and to maintain a healthy agricultural community within the County while ensuring that animal feedlots and animal wastes are properly managed to protect the health of the public and the County's natural resources.

This chapter is adopted for the following purposes:

1. To protect the health and safety of the residents of Renville County.
2. To regulate the development, location, operation, and maintenance of feedlots and manure storage structures so as to prevent contamination of air and surface and groundwaters within the County.

3. To protect the water quality in Renville County against the improper handling of manure which can contribute pathogens, nutrients, and biological oxygen demanding materials into surface water.
4. To allow for the continued production of agricultural commodities and to maintain a healthy agricultural community within the County while ensuring that animal feedlots and animal manure are properly managed to protect the health of the public and the County's natural resources.

SECTION 2. DEFINITIONS

Following is a list of definitions most pertinent to this chapter of the Renville County Land Use Ordinance. For a complete list of definitions, refer to Chapter One.

Abandon - To cease a specific use of a property for a period of 12 consecutive months or more.

Administrator - The Renville County Zoning Administrator.

Agency - The Minnesota Pollution Control Agency.

Agricultural Use - The use of land for the growing and/or production of field crops, livestock, and livestock products for the production of income including, but not limited to, the following:

1. Field crops including: barley, soybeans, corn, forage, oats, sugar beets, rye, sorghum, and sunflowers.
2. Livestock including: dairy and beef cattle, sheep, swine, horses intended for slaughter, mules, farmed cervidae, llamas, ostriches, emus, rheas, bison, and goats.
3. Poultry and game birds.
4. Horticulture or nursery stock, fruit, vegetables, timber, trees, bees, and fur-bearing animals.
5. Lands enrolled in a government conservation program.
6. Incidental and accessory activities and uses including, but not limited to:
 - A. Pasture, woodland or wetlands, or wildlife land held and/or operated in conjunction with other agriculture uses described in this definition.
 - B. Preparing, packing, treating, storing, or disposing of the products or by-products raised on the premises described in this definition.

- C. Retail selling by the producer of products raised on premises described in this definition.

Alteration - To change or make different; to remodel or modify.

Animal Manure - Poultry, livestock, or other animal excreta or a mixture of excreta with feed, bedding, or other materials.

Animal Mortality Plan - The handling of dead animals in accordance with state requirements including: Minnesota Statutes 35.82 and Minnesota Rules Chapters 1719 and 7011.

Animal Unit - A unit of measure used to compare differences in the production of animal manures that employs as a standard the amount of manure produced on a regular basis by a 1,000 pound slaughter steer or heifer.

The following figures shall be used in determining animal unit numbers for Renville County:

| | | | |
|----|-----------|---|----------------------|
| 1. | Dairy: | 1 calf (under 500 lbs.) | = 0.2 animal units |
| | | 1 heifer | = 0.7 animal units |
| | | 1 cow (under 1,000 lbs.) | = 1.0 animal units |
| | | 1 cow (over 1,000 lbs.) | = 1.4 animal units |
| 2. | Beef: | 1 calf (under 500 lbs.) | = 0.2 animal units |
| | | 1 slaughter steer/heifer, stock cow, or bull | = 1.0 animal units |
| | | 1 cow/calf unit | = 1.2 animal units |
| | | 1 feeder steer/heifer | = 0.7 animal units |
| 3. | Swine: | Sow w/piglets under 14 days old | = 0.4 animal units |
| | | Other swine under 55 lbs. | = 0.05 animal units |
| | | Swine 55 - 300 lbs. | = 0.3 animal units |
| 4. | Turkeys: | 1 turkey under 5 lbs. | = 0.005 animal units |
| | | 1 turkey over 5 lbs. | = 0.018 animal units |
| 5. | Chickens: | Pullets | = 0.002 animal units |
| | | 1 chicken under 5 lbs. | = 0.003 animal units |
| | | 1 chicken over 5 lbs. | = 0.005 animal units |
| 6. | Horse: | 1 horse | = 1.0 animal units |
| 7. | Sheep: | 1 sheep or lamb | = 0.1 animal units |

For animal categories not listed in 1 through 7, the number of animal units shall be defined as the average weight of the animal divided by 1,000 pounds.

Applicant - A person, corporation, or other legal entity recognized by law who applies for a Variance, Zoning Permit, Conditional Use Permit, or other land use permit.

Attorney - The Renville County Attorney or designated legal representative.

Basin - An area specifically designed and engineered to be associated with an animal feedlot where animal manure or runoff containing animal manure is stored until it can be utilized as domestic fertilizer.

Board of Adjustment and Appeals - An officially constituted body appointed by the County Board whose principal duties are to hear appeals and, where appropriate, grant variances from the strict application of the Land Use Ordinance.

Board of County Commissioners - The Renville County Board of County Commissioners.

Buffer - A strip of land intended to create physical separation between potentially incompatible uses of land.

Building - Any structure either temporary or permanent having a roof which may provide shelter or enclosure of person, animals, chattel, or property of any kind, and when said structures are divided by party walls without openings, each portion of such building so separate shall be deemed a separate building.

Building Setback - The minimum horizontal distance between the building and right-of-way line, property line, ordinary high water level or bluff line.

Building Setback Line - A line within a lot parallel to a public right-of-way line, a side or rear lot line, a bluff line, or a high water level or line behind which buildings or structures must be placed.

Change In Operation - An increase beyond the permitted maximum number of animal units, or an increase in the number of animal units which are confined at an unpermitted animal feedlot requiring a construction investment, or a change in the construction or operation of an animal feedlot that would affect the storage, handling, utilization, or disposal of animal manure.

City - The cities of Renville County.

Commercial Manure Pumper or Applicator - Any person or company that pumps or land applies manure from feedlot facilities not owned or operated by the person or company.

Commissioner - The Commissioner of the Minnesota Pollution Control Agency.

Conditional Use - A use or development that conforms to the comprehensive land use plan of the County and is classified as conditional generally because it is appropriate or desirable in a specified zone but requires special approval because if not carefully located or designed, it may create special problems.

Construction Short-Form Permit - A permit issued for an animal feedlot or manure storage area according to Minnesota Rules Chapter 7020.

Contour Interval - The vertical height between contour lines.

Contour Map - A map on which irregularities of land surface are shown by lines connecting points of equal elevations.

Corrective Action - Any action required by the department to ensure compliance or conformance with this Ordinance and state regulations.

Corrective or Protective Measure - A practice, structure, condition, or combination thereof which prevents or reduces the discharge of pollutants from an animal feedlot to a level in conformity with MPCA rules.

County - Renville County, Minnesota.

Covered Basin - An earthen constructed manure holding structure either totally covered with a minimum of a six-inch thick layer of straw or other similar material, a synthetic or floating man-made cover which continually covers the entire earthen basin area, concrete, or glass-lined steel structure totally enclosing and covering the entire manure holding area.

Department - The Renville County Division of Environment and Community Development.

Dilapidated Dwelling/Structure - All dwellings or structures which, by inadequate maintenance, abandonment, unsanitary conditions, are vermin-infested, and/or are lacking facilities or essential equipment, are unsafe and dangerous to human life and are unfit for human habitation, occupation, or use. A dilapidated dwelling/structure shall include:

1. Any dwelling/structure which because of physical condition constitutes a public nuisance.
2. Any dwelling/structure which has been officially declared a fire hazard or is otherwise dangerous to the safety of persons or property.

3. Any dwelling/structure from which utilities, plumbing, heating, sewage, or other facilities have been disconnected, destroyed, removed, or rendered ineffective so that it is unfit for its intended use.
4. Any dwelling/structure which, by reasons of environmental contamination, poses a threat to public health or safety in its present condition.
5. Any nonconforming dwelling/structure that is damaged to an extent of more than 50 percent of its market value as determined by the County Assessor.

DNR - The Minnesota Department of Natural Resources.

Domestic Fertilizer - For the purposes of this Ordinance, domestic fertilizer means:

1. Animal manure that is put on or into the soil to improve the quality or quantity of plant growth.
2. Animal manure that is used as compost, soil conditioners, or specialized plant beds.

Drainage Course - A watercourse or indenture for the drainage of surface water.

Drainageway - A natural passageway in the surface of the earth so situated and having such a topographical nature that surface water flows through it from other areas before reaching a final ponding area. The term also includes all drainage structures that have been constructed or placed for the purpose of conducting water from one place to another.

Easement - Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Environmental Assessment Worksheet (EAW) - A brief document which is designed to set out the basic facts necessary to determine whether an EIS is required for a proposed project or to initiate the scoping process for an EIS.

Environmental Impact Statement (EIS) - A detached written statement as required under Minnesota Statutes Chapter 116C and D.

Existing Feedlot - An animal feedlot that has been utilized for livestock production within the past five years.

Expansion of an Existing Feedlot - Construction or any activity which may result in the increase in the number of animal units that a feedlot is capable of holding or an increase in manure storage capacity.

Farm - A tract of land which is principally used for agricultural activities such as the production of cash crops, livestock, poultry, or fish farming. Such farms may include agricultural dwellings and accessory buildings and structures necessary to the operation of the farm.

Farming - The cultivation of the soil and all activities incidental thereto; agriculture.

Farmland - Any land used in conjunction with a farming operation.

Farmstead - Property on which structures and a farm dwelling are located for management, storage, livestock, etc. for a farm operation.

Feedlot and Manure Storage Area Registration - An official record required for all feedlot facilities as defined in Minnesota Rules Chapter 7020. The document must include information completed by the feedlot producer including the location of the feedlot; type of facility including pastures, barns, and open lots; distances from wells; number and types of animals; number of animal units; and type of manure storage area.

Feedlot, Livestock - A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and specifically designed as a confinement area in which manure may accumulate or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of these rules, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under these rules.

Feedlot Operator/Owners - An individual, a corporation, a group of individuals, a partnership, joint venture, owner, or any other business entity having charge or control of one or more livestock feedlots, poultry lots, or other animal lots.

Feedlot Permit - A document issued by the MPCA or delegated County that contains requirements, conditions, and compliance schedules relating to the discharge and management of animal manure pollutants. Feedlots and manure storage areas subject to permit requirements as stated in Part 7020.0405 shall be issued a NPDES/SDS, construction short form, or interim Minnesota Feedlot or Manure Storage Area permit.

Flood Plain - The low land areas adjoining a wetland, lake, or watercourse that are subject to inundation by a 100-year flood (regional flood). Flood plain areas within Renville County shall encompass all areas designated as zone A on the Flood Insurance Rate Map.

Grade - The average of the finished level at the center of the exterior walls of the building or the slope of a road, street, or other public way specified in percentage terms.

Groundwater - Water contained below the surface of the earth in the saturated zone including, without limitations, all waters whether under confined, unconfined, or perched

conditions, in near-surface unconsolidated sediment or regolith, or in rock formations deeper underground.

Incorporation (Animal Manure) - The mixing of manure with the topsoil by means such as discing, plowing, rototilling, injection, or other mechanical means concurrent with the application or within 24 hours, providing the mixing occurs before a rainfall event.

Interim Permit - A permit issued by the agency that expires no longer than two years from the date of issue.

Lagoon - An impoundment made by the excavation of earthen fill for biological treatment of animal manure.

Livestock - Domestic farm animals including, but not limited to, cattle, hogs, horses, bees, sheep, goats, chickens, and other animals commonly kept for commercial food production purposes.

Livestock Operations - A lot or structure or combination of lots and structures intended for the breeding, raising, or holding of 10 or more animal units in the Shoreland District or 50 or more animal units in the non-Shoreland District.

Manure - Any solid or liquid containing animal excreta.

Manure Stockpile Standards - Requirements as outlined in Minnesota Rules Chapter 7020 for permitting, design, construction, location, operation, and maintenance of short-term and permanent stockpile sites.

Manure Storage Area or Structure - An area or structure associated with an animal feedlot where animal manure or runoff containing animal manure is stored until it can be utilized as domestic fertilizer or removed to a permitted animal manure disposal site. Animal manure packs or mounding within the animal feedlot shall not be considered to be manure storage for these regulations.

Modification of an Existing Feedlot - Conversion or remodeling of an existing structure used for livestock production. The conversion or remodeling will not result in increased production capacity.

MPCA - The Minnesota Pollution Control Agency.

Municipality - A city or township, however organized.

National Pollutant Discharge Elimination System (NPDES) - A permit issued by the MPCA for the purpose of regulating the discharge of pollutants from point sources including concentrated animal feeding operations.

Natural Drainageway/Waterway - A natural passageway or depression in the earth's surface, such as ravines, draws, and hollows, that has definable beds and banks capable of conducting surface water runoff from adjacent lands before reaching a final ponding area.

Natural Resources - The physical values of the land supplied by nature including, but not limited to, animal life, plant life, soil, rock, minerals, and water.

Neighborhood - An area containing a contiguous group of residential lots distinguishable by some identifiable feature or point of reference where people live in close proximity to one another.

New Animal Feedlot - An animal feedlot constructed and operated at a site where an animal feedlot did not previously exist or where a pre-existing animal feedlot has been abandoned or unused for livestock production for five years or more.

Open Basin, Open Concrete Tank, or Any Open Manure Storage Vessel - Any structure or designed and approved manure storage vessel which is not covered by a minimum of a six-inch thick layer of straw, a synthetic or floating cover, or a wooden, concrete, or glass-lined structure. All manure storage vessels not totally encompassed by one of the above-described methods shall be considered an open manure storage vessel.

Ordinance - The Renville County Land Use Ordinance.

Ordinary High Water Level - The boundary of "public waters" and "wetlands" as defined by Minnesota Statutes Chapter 103G and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and floodways, the ordinary high water level is the operating elevation of the normal summer pool.

Owner - An individual, firm, association, syndicate, co-partnership, corporation, trust, or any other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

Pasture - Areas where grass or other growing plants are used for grazing and where the concentration of animals is such that a vegetation cover is maintained during the growing season except in the immediate vicinity of temporary supplemental feeding or water devices.

Performance Standards - The minimum development standards as adopted by this Ordinance.

Permittee - Any person who obtains a permit from the County pursuant to this Ordinance. A person is a permittee only for the term of the permit.

Pitted Barn - A building with self-contained concrete manure storage capabilities. The concrete manure storage vessel shall be covered by the building if directly below the building or may be located outside the building and covered with an impervious material.

Planning Commission - The Renville County Planning Commission.

Pollution Abatement Structure - Any of the defined animal manure storage systems listed within the Ordinance which are designed and constructed to collect runoff from existing open concrete feeding floors or open dirt lots which currently pose a pollution hazard to surface or groundwater of Renville County.

Potential Pollution Hazard (Feedlot) - A condition which indicates a potential for pollution of the land or waters of the state including, but not limited to:

1. An animal feedlot or manure storage area whose boundaries are located within shoreland or flood plain, or are located in an area draining directly to a sinkhole or draining to an area with shallow soils overlaying a fractured or cavernous rock, or are located within 100 feet of a water well.
2. An animal feedlot or manure storage area whose construction or operation will allow a discharge of pollutants to surface or groundwater of the state in excess of applicable standards including, but not limited to, Minnesota Rules Chapters 7050 and 7055 during a rainstorm event of less magnitude than the 25-year (4.9 inches), 24-hour event, or will violate any applicable state rules.

Public Nuisances - A public nuisance is a thing, act, occupation, or use of property which:

1. Maintains or permits a condition which unreasonably annoys, injures, or endangers the safety, health, comfort, or peace of any considerable numbers of the public.
2. Interferes with, obstructs, or renders dangerous for passage any public highway or right-of-way or waters used by the public.
3. Is guilty of any other act or omission declared by law to be a public nuisance and for which no sentence is specifically provided (reference Minnesota Statutes Chapter 609.74).

Public Waters - Any waters as defined in Minnesota Statutes Chapter 103G.005.

Quarter-Quarter Section - A division of a section of land according to the survey and rules of the original United States Government Land Survey containing approximately 40 acres.

Religious Facility - A building, together with its accessory building and uses, where persons regularly assemble for religious worship and which building, together with its accessory building and uses, is maintained and controlled by a religious body organized to sustain public worship.

Right-of-Way - The publicly owned land along a road or highway corridor a portion of which is covered by the road or highway pavement.

Road - A public or private right-of-way affording primary access by pedestrians and vehicles abutting properties, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place, or however otherwise designated. Ingress and egress easements shall not be considered roads.

Setback - The minimum horizontal distance between a structure or sewage treatment system or other facility and the ordinary high water level, top of bluff, natural resource feature, sewage treatment system, road or highway, or property line or other facility.

Shoreland - The land located within the following distances from public waters: (a) 1,000 feet from the ordinary high water mark of a lake, pond, or flowage; (b) 300 feet from a river or stream or the landward extent of a flood plain designated by Ordinance on such a river or stream, whichever is greater. The practical limits of shorelands may be less than the statutory limits wherever the waters involved are bounded by natural topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner.

Significant Historic Site - Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites or is determined to be an unplatted cemetery that falls under the provisions of Minnesota Statutes Chapter 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota state archaeologist or the director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.

Slope - The amount a land surface rises or falls from a horizontal plane. Slope can be expressed as a fraction or percentage, arrived at by dividing the distance of the vertical rise or fall from the horizontal plane by the horizontal distance.

State Disposal System Permit (SDS) - A state permit that may be processed in accordance with Minnesota Rules Chapter 7020.

Transfer of Property - The act of a party by which the title to property is conveyed from one person to another. The sale and every other method, direct or indirect, of disposing or parting with property, or with an interest therein, or with the possession thereof, absolutely or conditionally, voluntarily or involuntarily, by or without judicial proceedings, as a conveyance, sale, mortgage, gift, or otherwise.

Variance - A modification or variation of the provisions of this Ordinance where it is determined that, by reason of special and unusual circumstances relating to a specific lot, the strict application of the Ordinance would cause an undue hardship.

Vicinity Map - A map drawn to comparatively small scale that shows the area proposed to be platted in relation to known geographical features, e.g. town centers, lakes, roads.

Waters of the State - All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portions thereof.

Wetland - Any lands as defined in Minnesota Statutes Chapter 103G. These lands are transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. Wetlands must have the following three attributes: (1) have a predominance of hydric soils; (2) are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and (3) under normal circumstances support a prevalence of such vegetation.

Zoning Administrator - The duly appointed person charged with enforcement of this Ordinance.

Zoning/Land Use Permit - A document issued by the office of the zoning administrator to permit construction or the establishment of, but not limited to, all buildings, building additions, structures, towers, temporary grading, shoreland repairs, and vegetation alterations, manufactured homes, all farm buildings, grain bins, silos, etc.

SECTION 3. ADOPTION BY REFERENCE OF STATE REGULATIONS

Pursuant Minnesota Statutes, the Renville County Board of County Commissioners hereby adopts by reference Minnesota Rules Chapter 7020 for the control of pollution from animal feedlots, as amended.

SECTION 4. SCOPE

The provisions of parts of Minnesota Rules Chapter 7020 govern the storage, transportation, disposal, and utilization of animal manure and the application for issuance

of permits for construction and operation of animal manure management and disposal or utilization systems for the protection of the environment.

From and after the date of adoption this Ordinance and subsequent amendments, all existing or proposed new feedlots or expansion of existing feedlots shall be in conformity with the provisions of this Ordinance and Minnesota Rules Chapter 7020.

No person shall permit or allow their land or property under their control to be used for any new animal feedlot or expansion of an existing feedlot within Renville County unless in compliance with the provisions of this Ordinance and all pertinent sections of this Ordinance.

All feedlots within Renville County shall manage animal manure in compliance with this Ordinance.

Nothing in this Ordinance shall exempt any owner or operator of any feedlot from conforming to applicable state or federal regulations governing confined feeding operations or any other provisions of this Ordinance.

SECTION 5. ADMINISTRATION

1. The Renville County Feedlot and Manure Management Regulations shall be administered by the Renville County Division of Environment and Community Development.
2. Duties and Powers.
 - A. The Renville County Feedlot Officer shall have the following duties and powers:
 - i. Administer and enforce the Renville County Feedlot and Manure Management Regulations.
 - ii. Supervise the keeping of all necessary records including those related to feedlot and manure management and construction of manure storage and runoff control structures and/or practices.
 - iii. Consult with SWCD, NRCS, MPCA, and private consultants as necessary to ensure construction standards are followed on manure handling and runoff control structures.
 - iv. Provide and maintain a public information bureau relative to this Ordinance.
 - v. Educate the public and feedlot operators to issues of this Ordinance such as potential feedlot pollution problems.

- vi. Oversee the inspection of feedlot operations to insure compliance with the standards of this Ordinance.
- vii. Review Conditional Use Permits of feedlots greater than 300 animal units once within the first two years of operation to ensure compliance with this Ordinance. Further review will occur at the discretion of the Division.
- viii. Consult with other County departments, state and federal agencies, and private consultants as needed to discharge these duties.
- ix. Investigate possible violations and complaints.
- x. Administer animal feedlot and manure storage area registration programs.
- xi. Distribute permit application and registration forms to owners required to make application for a permit.
- xii. Review permit applications and issue construction short-form and interim permits.
- xiii. Inspect all animal feedlots and manure storage areas in accordance with the approved delegation agreement.
- xiv. Provide assistance to owners in completing permit applications.
- xv. Maintain a record of all correspondence and material relating to permit applications, inspections, and complaints.
- xvi. Maintain a record of all notifications received from livestock production facility operators claiming the hydrogen sulfide ambient air quality standard exemption including the days the exemption was claimed and the cumulative days used.
- xvii. Submit an annual report to the commissioner of the Minnesota Pollution Control Agency in a format requested by the commissioner that includes the following:
 - a. All newly acquired and updated registration information required.
 - b. Inspection summary information from the previous year.

- c. Permitting summary information from the previous year including information regarding permits for facilities with fewer than 1,000 animal units that are Concentrated Animal Feeding Operations (CAFOs) under Code of Federal Regulations, Title 40, Part 122, Appendix B(b).
 - d. Complaint and complaint response summary information from the previous year.
 - e. Outreach and education summary information from the previous year.
 - f. Summary of the progress toward achieving the goals identified in the approved delegation agreement and, if applicable, proposed adjustments to the goals or plans to meet the goals in the approved delegation agreement.
- xviii. Complete the required County Feedlot Officer training necessary to perform the duties described under this part assigned to the County Feedlot Officer.
 - xix. Forward to the commissioner of the Minnesota Pollution Control Agency permit applications, inspection reports, and all other applicable documents for the facilities identified in Minnesota Rules part 7020.1600, Subpart 4, Item B.
3. Variances. A variance from the setbacks or any other requirements of this Ordinance may be granted if all procedures and regulations of the Renville County Land Use Ordinance are followed.
 4. Fees. Application fees, permit fees, inspection fees, and such other fees required by this Ordinance shall be set by resolution of the County Board.

SECTION 6. GENERAL REQUIREMENTS

1. No animal feedlot or manure storage area shall be constructed, located, or operated so as to knowingly create or maintain a potential pollution hazard.
2. A new feedlot, or the expansion of an existing feedlot, shall not exceed a density of 2,000 animal units as defined by this Ordinance.
3. All vehicles used to transport animal manure on township, County, and state highways or through municipalities shall be leak proof. Manure spreaders with end gates shall be in compliance with this provision provided the end gate works effectively to restrict leakage and the manure spreader is leak proof. This shall

not apply to animal manure being hauled to fields adjacent to feedlot operations or fields divided by roadways.

4. Manure Storage and Utilization.
 - A. Animal manure, when utilized as domestic fertilizer, shall not be stored for longer than 15 months.
 - B. A Manure Management Plan as required by this Ordinance shall provide for 12 months of storage and utilization capacity for new or expanding feedlots.
 - C. All new manure storage structures or expansion of existing manure storage structures shall comply with this Ordinance.
 - D. Any plans for manure storage structures except plans and specifications for concrete-lined manure storage areas having a capacity of 20,000 gallons or less shall have been prepared or approved by a registered professional engineer or a U.S. Department of Agriculture Natural Resource Conservation Service employee and meet all of Minnesota Rules Chapter 7020 liquid manure storage areas specifications.
 - E. Any variation from the Manure Management Plan for utilization of manure must be approved by the County Feedlot Officer.
 - F. The owner and operator of any animal feedlot shall be responsible for the storage, transportation, and disposal of all animal manure generated in a manner consistent with applicable Minnesota Rules and as required by this Ordinance
 - G. All new feedlots of 100 animal units or more or expansion of existing feedlots to 100 animal units or more, as defined by this Ordinance, shall submit to the County Feedlot Officer a Nutrient Management Plan which will include the location and area of all manure application sites, crop types, application method, and the resulting application rate of nitrogen (N) and phosphorous (P). Manure application shall not exceed agronomic rates of nitrogen.
5. The owner(s) and operator(s) of any animal feedlot are responsible to provide measures to assure that water runoff from the feedlot site will be of a quality equal or better, and a rate and volume equal to or less, than prior to development of the feedlot.
6. All methods of disposal of dead, dying, or diseased animals shall comply with Minnesota Board of Animal Health regulations.

7. The feedlot owner or operator shall allow the County Feedlot Officer or assigned representee to inspect the site upon reasonable notification.
8. A feedlot owner or operator shall be required to maintain sufficient acreage for land application of manure as regulated by MPCA. If for any reason a land application agreement is terminated, another parcel of land equal size is to be obtained. If for any reason there is not sufficient acreage, the affected operation shall seek an alternative method of handling its manure and shall obtain approval by the MPCA and Renville County prior to implementing the alternative method.
9. The feedlot owner is responsible to properly seal any abandoned wells within the feedlot site.
10. All new feedlots shall comply with applicable setback and separation requirements. The feedlot owner's or operator's dwelling is exempt from this requirement.
11. An odor management plan for all new feedlots of 300 animal units or more or expansion of existing feedlots to 300 animal units or more, as defined by this Ordinance, shall be submitted to the County Feedlot Officer for review and approval. The odor management plan shall contain as a minimum the following:
 - A. The method(s) of managing odor leaving the feedlot.
 - B. The provision(s) to manage odors emanating from liquid manure storage facility.
 - C. Plans for notification of neighbors at times of manure application.
12. The owner/operator of a feedlot shall be responsible for extraordinary maintenance and restoration of all County/township roads leading to the feedlot that may be damaged due to activities involving the feedlot unless the owner/operator can prove that the feedlot operation was not the cause of the roadway damage. All maintenance and restoration of roads shall be done with the approval of the Road Authority and to the Road Authority's satisfaction.
13. The County Board may, by resolution, require all unpermitted feedlots within environmentally sensitive areas to apply for, obtain, and operate according to the requirements of a Conditional Use Permit. These areas may include, but are not limited to: shoreland areas, specific watersheds or sub-watersheds, or areas determined by the County Board to be sensitive to ground or surface water pollution. The resolution adopting these requirements must state the reason or reasons for declaring the area an environmentally sensitive area and shall include legally sufficient findings of fact. A public meeting for the purpose of receiving comment on the proposed resolution shall take place prior to the adoption of the resolution. Owners of all known feedlots and local governments within the areas

shall receive written notice of the intention of the County Board to take such action at least 10 calendar days prior to the public comment meetings.

SECTION 7. PERMITS

1. Conditional Use Permit Required.
 - A. Feedlots meeting one or more of the following criteria must apply for and receive a Conditional Use Permit from the Renville County Board of County Commissioners:
 - i. Any new feedlot greater than 300 animal units as defined by this Ordinance.
 - ii. Any expansion of an existing feedlot that will exceed 300 animal units, as defined by this Ordinance, when completed.
 - iii. Any expansion of a legal, nonconforming feedlot greater than 300 animal units, as defined in this Ordinance, operating without a valid Conditional Use Permit issued by Renville County.
 - iv. Any change in ownership, following adoption of this Ordinance, of an existing feedlot greater than 300 animal units, as defined by this Ordinance, which is not currently permitted by a Conditional Use Permit.
 - v. Any expansion of an existing feedlot in the Shoreland District.
 - vi. Any expansion of any existing feedlot within one mile of a city boundary.
 - vii. Any feedlot that requires a NPDES Permit.
 - viii. Any feedlot requiring an Environmental Assessment Worksheet (EAW). The permitting authority shall be the regulatory unit of government responsible for all required EAWs.
 - ix. Whenever any existing or proposed feedlot operation proposes the construction of an above ground manure storage structure.
 - x. Whenever there is proposed to be a change in animal type at an existing feedlot greater than 300 animal units, as defined by this Ordinance.
 - B. If, in connection with an application for any permit or Variance under this Ordinance, a separate permit is required by a state or federal agency or

township, the Planning Commission or zoning administrator may delay action on the application pending receipt of the approved permit(s). Any time periods for rendering a decision shall be suspended during the permit preparation time up to its receipt by the office of the zoning administrator.

2. Land Use Permit Required. No Land Use Permits directly related to the confined feeding, breeding, raising, or holding of animals or the handling or storage of manure shall be issued until the required feedlot permit has been issued by the permitting authority.
3. Shoreland Review Required. Any animal feedlot of 10 animal units or more which is located within the Shoreland District shall be reviewed by the Renville County Feedlot Officer to determine if a potential pollution hazard exists. The Feedlot Officer may place conditions upon the operations of such feedlots to limit their impact on surface water quality.
4. Conditional Use Permit Application.
 - A. Persons requesting a Conditional Use Permit for an animal feedlot shall submit the following information as part of the application:
 - i. Owner's and operator's name and address.
 - ii. A copy of the property deed.
 - iii. A site plan at sufficient scale indicating the proposed location of the feedlot including all buildings, manure storage structures, open lots, and pastures. The site plan must also show all lakes, watercourses, ditches, residences, roads, and buildings within 5,280 feet and all tile intakes located within 300 feet of the proposed feedlot or waste storage structure.
 - iv. Animal types and maximum number of animals of each type that will be confined at the feedlot.
 - v. Descriptions of the geological conditions, soil types, groundwater elevations, and topography of the site and surrounding area.
 - vi. Manure Management Plan meeting the standards of Minnesota Rules Chapter 7020.
 - vii. A written statement that applicant has not had a feedlot permit revoked by MPCA within the past five years.

- viii. Information addressing neighborhood relation issues including:
 - a. A landscape plan showing how the visibility of the production site will be minimized.
 - b. An operation and maintenance plan for the facility.
 - c. A copy of a notice to each resident and each owner of real property within 5,000 feet of the perimeter of the proposed facility. The notice must be completed by written, verbal, or newspaper notification. The notice shall contain the following information:
 - 1. The names of the owners and the legal name of the facility.
 - 2. The location of the facility by County, township, section, and quarter section.
 - 3. Species of livestock and total animal units.
 - 4. Types of confinement buildings, lots, and areas at the animal feedlot.
 - 5. The types of manure storage areas.
 - 6. 911 site address.
 - d. Site inspection report by the Renville County Feedlot Officer to determine if there is the potential for a pollution hazard.
 - e. A complaint response protocol for the facility.
 - f. Such additional information as contained in the application or as requested by the Planning Commission, the County Board, or Environment and Community Development staff.
 - g. Approved permits required by the township or other state and federal agencies.
 - h. Any Environmental Impact Statement (EIS) or Environmental Assessment Worksheet (EAW) that may be required by the County or other federal and state agencies.

8. State Feedlot Permit Required.
 - A. A new or expanded feedlot capable of holding 300 animal units or more and meeting the requirements in Minnesota Rules Chapter 7020 shall apply for a state feedlot permit.
 - B. An application for a permit must contain the following:
 - i. The names and addresses of the owners and the signature of at least one of the owners.
 - ii. The legal name and business address of the facility, if different than the owner.
 - iii. The location of the facility by County, township, section, and quarter section.
 - iv. A list of all animal types and the maximum number of animals of each animal type that can be confined within each lot, building, or area at the animal feedlot.
 - v. A list of all existing and proposed manure storage areas including plans and specifications as required in Minnesota Rules Chapter 7020 for proposed liquid manure storage areas and permanent stockpile sites.
 - vi. The total number of animal units the facilities will be capable of holding after completing construction or expansion.
 - vii. The soil type or texture and depth to saturated soils at the facility as identified in the USDA Soil Survey Manual or a site-specific soils investigation.
 - viii. An aerial photograph showing the location of all wells, buildings, surface tile intakes, lakes, rivers, and watercourses within 1,000 feet of the proposed facility.
 - ix. The number of acres available for land application of manure.
 - x. A Manure Management Plan if applying for an SDS, NPDES, construction short form, or interim permit.
 - xi. An operation and maintenance plan.
 - xii. An animal mortality plan.

- xiii. If applicable, a description of all conditions that make the facility a pollution hazard and a description of the corrective and protective measures proposed to correct the pollution hazard.
- C. In addition to the requirements of item B, a permit application for an animal feedlot capable of holding 300 animal units or more or a manure storage area capable of holding the manure produced by 300 animal units or more as defined by this Ordinance must contain:
- i. An air emission plan that includes:
 - a. Methods and practices that will be used to minimize air emissions resulting from animal feedlot or manure storage area operations including manure storage area start-up practices, loading, and manure removal.
 - b. Measures to be used to mitigate air emissions in the event of an exceedance of the state ambient hydrogen sulfide standard.
 - ii. A complaint response protocol describing the procedures the owner will use to respond to complaints directed at the facility including:
 - a. A list of each potential odor source at the facility.
 - b. A determination of the odor sources most likely to generate significant amounts of odors.
 - c. A list of anticipated odor control strategies for addressing each of the significant odor sources.
 - iii. An emergency response plan that includes a description of the procedures that will:
 - a. Contain, minimize, and manage an unauthorized discharge.
 - b. Provide notification to the proper authorities.
 - c. Mitigate any adverse effects of an unauthorized discharge.
- D. In addition to the requirements of items B and C, an owner proposing to construct or expand an animal feedlot or a manure storage area shall also submit, on a form provided by the Division, certification and documentation that the owner has notified the local zoning authority of the

proposed new or expanded animal feedlot or manure storage area or that no such local zoning controls exist.

- E. In addition to the requirements of items B through D, an owner proposing to construct or expand an animal feedlot with the capacity of 500 animal units or more or a manure storage area with the capacity to hold the manure produced by 500 animal units or more, as defined by this Ordinance, shall also certify and document, on forms provided by the Division, that the notification requirements in Minnesota Rules Chapter 7020 have been met.
- F. The owner of an animal feedlot or a manure storage area shall submit additional information relating to the facility design, construction, or operation as requested by the commissioner or County Feedlot Officer to evaluate compliance with applicable federal and state rules.

SECTION 8. SETBACK REQUIREMENTS

- 1. Feedlot setbacks do not apply to dilapidated dwelling/structures, the applicant’s own residence, or a residence on the farm where the feedlot facility is located.
- 2. New construction shall comply with the standards set forth in the underlying zoning district.
- 3. The minimum required setbacks for feedlots imposed by this Ordinance apply without regard to County boundaries.
- 4. The minimum required setbacks are reciprocated and shall apply to new and expanded feedlots as well as new construction and expansion of this use listed. New residences built to replace an existing residence on the same site are exempted.

Livestock Feedlot and Manure Storage Structure Setbacks

| USE | 300 - 600 Animal Units | 601 - 1,000 Animal Units | 1,001 - 2,000 Animal Units |
|--------------------------------------|-----------------------------------|-------------------------------------|---------------------------------------|
| Dwellings or residential structures | 1,320 feet | 1,320 feet | 2,640 feet |
| Religious facility | 2,640 feet | 2,640 feet | 2,640 feet |
| Cemetery | 2,640 feet | 2,640 feet | 2,640 feet |
| Wetland (type 3-8) Drainage ditch | 300 feet | 300 feet | 300 feet |
| Ordinary high water | | | |
| Lake | 1,000 feet | 1,000 feet | 1,000 feet |
| River/creek | 300 feet | 300 feet | 300 feet |

| | | | |
|------------------------------------|------------|------------|------------|
| Golf course | 2,640 feet | 2,640 feet | 2,640 feet |
| Public park | 2,640 feet | 2,640 feet | 2,640 feet |
| Steep slope | 300 feet | 300 feet | 300 feet |
| Private well | * | * | * |
| Municipal well | * | * | * |
| Significant historic site | 2,640 feet | 2,640 feet | 2,640 feet |
| Municipality | 5,280 feet | 5,280 feet | 5,280 feet |
| FAA approved airport | 2,640 feet | 2,640 feet | 2,640 feet |
| Public buildings | 1,320 feet | 1,320 feet | 2,640 feet |
| Feedlot 300 – 600 animal units | 1,320 feet | 1,320 feet | 2,640 feet |
| Feedlot 601 - 1,000 animal units | 1,320 feet | 1,320 feet | 2,640 feet |
| Feedlot 1,001 - 2,000 animal units | 2,640 feet | 2,640 feet | 2,640 feet |
| Flood plain | Prohibited | Prohibited | Prohibited |
| Rural residential subdivision | 2,640 feet | 2,640 feet | 2,640 feet |

* Regulated by Minnesota Rules Chapter 4725

5. Calculation of Separation Distance. Separation distances shall be measured and rounded to the nearest foot as follows:
 - A. Cemetery, golf course, public park, airport, dwelling, religious facility, and public building – a straight line measured from the closest point of the site to the closest point of an existing or proposed feedlot or manure storage area or structure.
 - B. Feedlots – a straight line measured from the closest point of an existing or proposed feedlot to the closest point of another feedlot or manure storage area or structure.
 - C. Municipalities – a straight line measured from the closest corporate boundary to the closest point of an existing or proposed feedlot or manure storage area or structure.
 - D. Ditch, lake, river, creek – a straight line measured from the ordinary high water level to the closest point of an existing or proposed feedlot or manure storage area or structure.

**SECTION 9. MANURE LAND APPLICATION AND STOCKPILE
STANDARDS AND SETBACKS**

Manure is a valuable fertilizer resource in the production of crops; but when handled improperly, manure can contribute pathogens, nutrients, and biological oxygen demanding materials to surface water and negatively impact water quality.

1. Manure Management and Application Standards.
 - A. Manure application rates shall be based upon soil type, crop requirements, and crop yield goals. Application of manure may not be applied at any rate greater than the maximum recommended agronomic rate for the crop to be planted.
 - B. Testing of manure from all manure storage areas capable of holding manure produced by 300 animal units or more must initially be tested once per year for at least three years. Ongoing testing must continue once every four years. The nutrient analysis must be conducted using a laboratory certified by the Minnesota Department of Agriculture.
 - C. All manure shall be incorporated within 24 hours of application unless otherwise specified.
 - D. All manure applied within 300 feet of tile intakes must be injected or incorporated within 24 hours as required by Minnesota Rules Chapter 7020.
 - E. Application of manure to frozen or snow-covered soils shall be applied to slopes less than six percent. If sufficient land area with slopes less than six percent is unavailable, then manure shall be applied to lands that are managed to control runoff and erosion with soil and water conservation practices.
 - F. Manure shall not be applied directly into gullies or grass waterways.
2. Manure Stockpile Standards.
 - A. Stockpiling of manure shall comply with Minnesota Rules Chapter 7020.
 - B. Stockpiled manure shall not be permitted to escape the stockpile by runoff or any other means except deliberate, intentional, and lawful removal.
 - C. Manure may not be stockpiled in rock quarries, gravel or sand pits, bedrock, or any mining excavation sites.

D. The following minimum setbacks are required for all new and existing stockpiles and all manure application:

| Use | Stockpile | Surface Spread | Incorporated/Injected within 24 hours |
|---|------------|----------------|---------------------------------------|
| School, park, religious facility, significant historic site | 1,320 feet | 500 feet | 500 feet |
| Open ditch (public or private) | 300 feet | 300 feet | 5 feet from the berm |
| Surface tile inlet/intake | 300 feet | 300 feet | 0 feet |
| Lake | 1,000 feet | 300 feet | 300 feet |
| Public road * | 300 feet | 0 feet | 0 feet |
| Residence ** | 1,320 feet | 300 feet | 300 feet |
| River or stream | 300 feet | 300 feet | 300 feet |
| Ten-year flood plain | Prohibited | Prohibited | Prohibited |
| Well (municipal) | 1,000 feet | 1,000 feet | 1,000 feet |
| Well (private) | 200 feet | 200 feet | 200 feet |
| Municipality/rural residential subdivision | 1,320 feet | 500 feet | 100 feet |

* as measured from outer right-of-way boundary

** other than landowner's or operator's

E. Runoff from manure stockpile sites must not be allowed to enter the waters of the state. Runoff controls such as grass filter strips or earthen berms must be installed if a runoff condition exists.

3. Other Feedlot and Manure Management Provisions.

A. Upon request by the County Feedlot Officer, a feedlot owner or operator may be required to provide a manure management report. At a minimum, the report shall include the following:

- i. Aerial photos of fields used for spreading.
- ii. Rate of manure application rate based on: cropping plans, manure nutrient analysis, and soil sampling.
- iii. Total manure produced and total amount of manure that was land applied.
- iv. Any changes in easement or other agreement to utilize land for spreading manure.

SECTION 10. STANDARDS FOR MANURE STORAGE STRUCTURES

1. All manure storage structures shall conform to MPCA design requirements. All plans for manure storage structures, except concrete-lined manure storage areas having a capacity of 20,000 gallons or less, shall be designed and the plans signed by an agricultural or civil engineer registered in the State of Minnesota or by the United States Department of Agriculture Natural Resource Conservation Service. A copy of the manure storage structure design, signed by a registered engineer, shall be submitted to the County.
2. Construction reports and final as-built report shall be signed by an engineer registered in the State of Minnesota or staff of the United States Department of Agriculture Natural Conservation Service and submitted to the County Feedlot Officer. Signed reports are to certify that the manure storage structure was constructed in accordance to MPCA approved plans and specifications. A copy of such signed reports shall be submitted to the Division of Environment and Community Development.
3. A perimeter fence a minimum of five feet high and impenetrable by children shall be installed around any newly constructed manure storage basin(s) not covered by a synthetic or man made floating cover.
4. All manure storage basins shall be posted with signs every 100 feet stating "danger keep out."
5. Ladders or other forms of access to above grade liquid manure storage structures shall be controlled to prevent unauthorized access.
6. All outside manure stockpiling sites shall be located away from water runoff from surrounding areas. Manure stockpiling sites must meet Minnesota Rules Chapter 7020 technical standards.

SECTION 11. STANDARD FOR COMMERCIAL MANURE PUMPING AND LAND APPLICATION

1. Commercial animal manure pumping and land applicators are person(s) who pump and land apply animal manure for hire. All commercial manure pumpers and applicators conducting business in Renville County must be registered with the Renville County Division of Environment and Community Development. The following conditions apply:
 - A. Incorporation of manure on non-frozen soils must occur within 24 hours of application.
 - B. All conditions of this Ordinance and the feedlot owners' feedlot permit(s) are followed.

- C. Failure to follow all conditions of this Ordinance shall result in suspension of registration and the right to commercially apply manure in Renville County and/or punishment under Section 14 of this Ordinance.
 - D. Registration shall be renewed annually.
2. The Renville County Division of Environment and Community Development may register an individual or company as a commercial pumper or applicator of manure if the following information is submitted as part of the commercial pumping registration requirements:
 - A. Written request for registration that includes company name, owner's name, contact person's name and address, and a description of commercial land application procedures used.
 - B. Any other information as requested by Environment and Community Development staff.
 3. Upon receipt of required registration material, the Renville County Division of Environment and Community Development shall issue notification of registration and notification of Renville County regulations that govern application of manure within the County.
 4. Unless otherwise provided by the County Board, the registration year for commercial manure pumpers' registration shall be from January 1 through December 31. Registration renewal shall consist of a written request for renewal.

The commercial manure pumper will indemnify, defend, and hold harmless the County Board, their agents, elected officials, and employees from all claims, damages, losses, liabilities, costs, expenses, and lawsuits whatsoever arising out of any act or omission on the part of the pumper or its contractors, agents, servants, or employees in the performance of, or in relations to, any of the work or services to be performed or furnished by the pumper under the terms of this Ordinance.

The commercial manure pumper and the vehicles used in collecting and transporting manure within Renville County must comply with all state and local laws and vehicle safety regulations.

SECTION 12. PROHIBITED FEEDLOT ISSUES

1. There will be no new feedlots of 10 or more animal units permitted within 1,000 feet of a recreational, general development, or a natural environment lake; within 300 feet of a river, ditch or stream; or 300 feet from wetlands of types 3, 4, 5, 6, 7, and 8.

2. There will be no new or expanded lagoons or open basins. No manure from the expansion of an existing feedlot may be discharged into an existing lagoon or open basin. Open basins shall only be allowed where needed to correct existing pollution problems at livestock facilities, with the exception of swine facilities, containing 300 animal units or less as defined by this Ordinance.
3. Irrigation of manure wastewater is prohibited.

SECTION 13. MANURE STORAGE AND TRANSPORTATION

1. All animal manure shall be stored and transported in conformance with Minnesota Rules 7020 and the Renville County Feedlot and Manure Management Regulations.
2. No manure storage area shall be constructed, located, or operated so as to create or maintain a potential pollution hazard.
3. All vehicles used to transport animal manure on public roads shall be leak proof. Manure spreaders with working end gates shall be in compliance with this provision.
4. Animal manure, where utilized as domestic fertilizer, shall not be stored for longer than 15 months.
5. All manure storage areas shall have runoff control structures to contain the liquid if the storage area is located where a potential pollution hazard exists.
6. A Manure Management Plan specifying storage capacity adequate for the type and quantity of manure generated by the animal feedlot shall be developed as part of the Conditional Use Permit process.
7. There will be no new or expanded lagoons or open basins. No manure from the expansion of an existing feedlot may be discharged into an existing lagoon or open basin. Open basins shall only be allowed where needed to correct existing pollution problems at existing livestock facilities with the exception of swine facilities containing 300 total animal units or less as defined by this Ordinance.
8. All proposed cement manure storage structures of 20,000 gallons capacity or larger shall have been prepared or approved by an engineer licensed by the State of Minnesota or a qualified NRCS employee. A report from an engineer licensed by the State of Minnesota or a qualified NRCS employee must be submitted to and approved by the MPCA prior to the construction of the basin.

9. The following additional standards apply to liquid manure pumping for the protection of environmental quality and public health and safety:
- A. All manure pumping hoses shall be setback a minimum of 100 feet from public and private wells, excluding wells on the property where manure is pumped from that need to be passed for removal of manure.
 - B. All manure pumping hoses shall be setback a minimum of 100 feet from residences, businesses, churches, or public buildings, excluding the residence of the owner/operator.
 - C. An owner/operator shall provide written notification to all residential sites abutting a right-of-way where a manure pumping hose is to be located within five to 45 calendar days prior to placing the hose. The notification shall include the proposed timetable for the manure pumping and the name and phone number of a contact person. Exception will be made if written waiver of notification is granted by the residential property owner. A copy of the written notification also needs to be sent to the Division of Environment and Community Development.
 - D. All tile intakes within 100 feet of manure pumping hoses and any additional tile intakes that could receive spilled manure must be sealed during times of manure pumping by capping, plugging, sand bagging, or other approved method. The Division of Environment and Community Development may make exceptions for tile intakes within 100 feet that are physically up gradient from the hose, if consulted in advance.
 - E. An owner/operator of a manure pumping hose shall make reasonable accommodations to allow access to property.
 - F. Manure pumping hoses that are proposed to cross over any public or private drainage ditch, creek, river, stream, or other waterway must meet the following standards:
 - i. All hoses shall be completely impermeable and shall be doubly contained with a sheath, sleeve, or similar object that covers the entire width of the waterway, and goes over the berm of the waterway (if present) on both sides.
 - ii. No hose couplings shall be allowed on any section of hose within 50 feet of a waterway crossing if berms are present or 100 feet of a waterway crossing if berms are not present.
 - iii. Any waterway proposed to be crossed must be crossed by using a bridge or the shortest route possible.

- iv. An owner/operator must receive approval from the Division of Environment and Community Development before crossing a waterway.

SECTION 14. VIOLATIONS AND ENFORCEMENT

1. Any person who shall violate any of the provisions hereof or who shall fail to comply with any of the provisions hereof or who shall make any false statement in any document required to be submitted under the provisions hereof shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine and/or imprisonment. Each day that a violation continues shall constitute a separate offense.
2. Whenever any work is being done contrary to the provisions of this Ordinance, the Renville County Feedlot Officer, zoning administrator, or designated Renville County Division of Environment and Community Development staff person may order the work stopped by written notice personally serviced upon the owner or operator of the feedlot. All activities shall cease and desist until subsequent authorization to proceed is received from the Renville County Feedlot Officer or designated Renville County Division of Environment and Community Development staff person.
3. Any person who fails to comply with the conditions set forth on the Conditional Use Permit may be subject to revocation upon written notice personally served upon the owner or operator of the feedlot.
4. No person shall hinder or otherwise interfere with the Renville County Feedlot Officer or other designated staff in the performance of duties and responsibilities required pursuant to this Ordinance.
5. Upon request of the Renville County Feedlot Officer or designated Renville County Division of Environmental and Community Development staff person, the applicant, permittee, or any other person shall allow access at any reasonable time to the affected premises for the purposes of regulating enforcing this Ordinance.