

Winona County Septic System Responsibility Form

The Winona County Zoning Ordinance requires that properties that are transferred that contain an existing septic system, must provide adequate documentation in regards to how a non-compliant system will be brought into compliance. This form is to be completed if the system in question cannot be inspected or replaced prior to the sale or transfer of the property. The purpose of the form is to legally define the responsibility for required future inspection, repair, replacement, and maintenance of the septic system(s) on the property.

Pursuant to Chapter 13.10.2 D. IV. of the Winona County Zoning Ordinance; If the seller fails to provide a Certificate of Compliance, the seller shall provide the buyer sufficient security in the form of an escrow agreement to assure the installation of a complying septic system. The security shall be placed in an escrow with a licensed attorney-at-law, or federal or state chartered financial institution. The amount escrowed shall be equal to one hundred and fifty (150) percent of a written estimate to install a complying septic system provided by a licensed and certified installer, or the amount escrowed shall be equal to one hundred and ten (110) percent of the written contract price for the installation of a complying septic system provided by a licensed and certified installer. After a complying septic system has been installed and a certificate of compliance issued, the Department shall provide the escrow agent a copy of the Certificate of Compliance.

Parcel Identification # (P.I.N.): _____
Today's Date _____ Date of Transfer _____
Seller(s) Name (please print): _____
Property Address: _____
Seller(s) forwarding address: _____
Buyer(s) Name (please print): _____
Buyer(s) Current Address: _____

Check condition that applies to property

- The Compliance Inspection Form indicates that the septic system is an IMMEDIATE THREAT to public health or safety and shall be replaced or upgraded to MN Rules Ch. 7080 standards within ten (10) months. (*Attach Notice of Noncompliance.*)

Buyer(s) or Seller(s) (please print): _____ agree to install a sewage treatment system on the property, within 10 months of the date of the Notice of Noncompliance, that complies with County Ordinance. Date: _____.

- The Compliance Inspection Form indicates that the septic system is FAILING and shall be replaced or upgraded within 2 years. (*Attach Notice of Noncompliance.*)

Buyer(s) or Seller(s) (please print): _____ agree to install a sewage treatment system on the property, within 2 years of the date of the Notice of Noncompliance, that complies with County Ordinance. Date: _____.

- The property is being sold during the period of November 1st and April 30th. Due to time of year and weather conditions, a compliance inspection cannot be completed, but will be inspected before June 1st immediately following the date of this property transfer.

Buyer(s) or Seller(s) (please print): _____ agree to conduct a compliance inspection of the sewage treatment system on the property by the following June 1st and, if required, will repair the system within the time allowed by County Ordinance. Date: _____.

An escrow account has been established in the amount of \$ _____ held by _____ and said escrow shall name Winona County as the agent for purposes of determining if said funds may be released. A copy of the proposed escrow agent shall be forwarded to the Department for approval.

Seller(s) Signature(s)/Date

Buyer(s) Signature(s)/Date