

Eureka Township

Dakota County

State of Minnesota

ORDINANCE NO. 2021-02

AN ORDINANCE AMENDING ORDINANCE 6, CHAPTER 7, SECTION 1, PARAGRAPH M

THE TOWN BOARD OF EUREKA TOWNSHIP HEREBY ORDAINS:


SECTION 1: Ordinance 6, Chapter 7, Section 1, Paragraph M is hereby amended to read as follows:

M. Setbacks. No extraction activity may occur within one thousand (1000) feet of any dwelling and within fifty (50) feet of any adjacent property line, road right-of-way or public utility. Screeners, crushers, other processing equipment and manufacturing equipment may not be located closer than one thousand (1000) feet from a dwelling nor closer than one hundred (100) feet from any adjacent property line, road right-of-way or public utility. Setbacks from an existing dwelling shall take precedence over setbacks for road right-of-way, adjacent property line and public utility. If the processing equipment is placed within an enclosed structure, the Town Board may consider shorter setback distances. Grading plans affecting pipelines or power line corridors will be evaluated on a case-by-case basis. The Town Board may waive setback requirements when the common boundary area of an adjoining property is also a legal mining operation, the common boundary is not within one thousand (1000) feet of a residence, and both property owners of adjacent mining operations have agreed to a common reclamation plan and have a written agreement with the Township establishing responsibility for reclamation. Any existing approved setback reduction in an existing approved Interim Use Permit continues to have approved status.

SECTION 2: ADOPTION AND ENACTMENT. This Ordinance shall become effective upon application.

SECTION 3: EFFECTIVE DATE. This Ordinance shall be effective upon its passage and the first day of publication.

Passed by the Town Board of Eureka Township, Minnesota this 9th day of August, 2021.



Donovan Palmquist, Town Board Chair

Attested:



Ranee Solis, Town Clerk