



Environmental Services Department Soil & Water Conservation District

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Transfer of Property SSTS Fact Sheet

If you are selling or buying property in Beltrami County and the property has a subsurface sewage treatment system (SSTS), the status of the SSTS must be identified prior to the transfer. This applies to all properties in Beltrami County including all cities, townships, and unincorporated areas.

SSTS includes, outhouses (privies), holding tanks, or any other system designed to store or treat sewage.

For specific requirements within the City of Bemidji, Bemidji Township, and Northern Township you will need to contact them. For specific requirements in all other areas, the Beltrami County SSTS Ordinance applies. The following are the requirements located in the Beltrami County SSTS Ordinance.

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- A. The seller of the property must disclose, in writing, information about the status and location of all known SSTS on the property to the buyer in accordance with Minnesota State Statute 115.55, subdivision 6.
- B. In addition to the requirements established in Minnesota Statutes, all property transferred must comply with Section 712(C) of this ordinance unless the sale or transfer involves one or more of the following circumstances:
 1. The affected tract of land is without buildings or contains no dwellings or other buildings with plumbing fixtures.
 2. The transfer does not require the filing of a Certificate of Real Estate Value, as described in Minnesota Statutes, Section 272.115, subdivision 1.
 3. The transfer is a foreclosure or tax forfeiture.
 4. The sale or transfer completes a contract for deed or purchase agreement entered into prior to the effective date of this Ordinance. This subsection applies only to the original vendor and vendee on such a contract.
 5. Any dwelling or other building that is connected exclusively to a municipal wastewater treatment system.

- C. No owner or other person acting with legal authority on behalf of an owner of a tract of land upon which a structure that is required to have a SSTS is located, shall convey to another party said tract of land, unless one of the following requirements are met:
1. A valid Certificate of Compliance is on file for all SSTS on the parcel of land to be conveyed, or
 2. A valid Operating Permit is in place for the SSTS and all monitoring and reporting requirements have been met satisfactorily, or
 3. If the seller fails to provide a Certificate of Compliance or knows the system is failing, but not an Imminent Threat to Public Health or Safety, the buyer may sign an agreement with the ESD stating that the buyer is accepting all liability to provide the ESD with a Certificate of Compliance for the SSTS within 12 months of the date of transfer, or
 4. If the seller fails to provide a Certificate of Compliance or knows the system is an Imminent Threat to Public Health or Safety, the buyer may sign an agreement with the ESD stating that the buyer is accepting all liability to bring the SSTS into compliance within 30 days of the date of transfer, or
 5. If property transfer occurs between November 15 and April 15, a Stipulation Agreement shall be submitted to the ESD if conditions exist that prohibit the completion of a compliance inspection stating that the buyer is agreeing to complete a compliance inspection by next June 1. If, upon inspection, the system is found to be non-compliant, the system must be brought into compliance within 12 months of the date of transfer.

New agreement forms, titled "Winter Agreement" and "Property Transfer Agreement" are available on our website. The "Winter Agreement" can only be used from November 15 to April 15.

If the compliance inspection cannot be completed prior to transfer of property, the buyer agrees to have the inspection completed within 30 days of closing date. If transfer takes place during the winter months (November 15 to April 15) the winter agreement can be signed that the inspection will be completed by June 1.

Failure to comply with the requirements of the Beltrami County SSTS Ordinance by the landowner or their agent shall constitute a misdemeanor and shall be punishable as defined in Minnesota State Statutes.