

Chapter 310. Mining Operations

310.1 Mining Operations. No Owner of any Lot and/or Parcel shall engage in any Mining Operation.

310.2 Exceptions. The following shall not be considered Mining Operations pursuant to this Chapter:

- a) Excavations for ornamental and/or agricultural ponds approved by the local unit of government;
- b) Construction/maintenance of a Public Road for a public agency within a Public Road Right-of-Way;
- c) Temporary excavations adjacent to a Public Road Right-of-Way involving Mining Operations associated with Public Road construction for a public entity, commonly known as temporary borrow pits, used exclusively for public infrastructure construction projects if:
 - 1) Said public infrastructure construction project is under the administration of a public entity; and
 - 2) The contract governing said public infrastructure construction project requires erosion control, sediment containment and site restoration provisions at least as strict as those in the Minnesota Pollution Control Agency's National Pollutant Discharge Elimination System General Storm Water Permit. These temporary borrow pits must be closed and restored within Twenty Four (24) months of the first date of work on the public infrastructure construction project. Only the excavation and removal of earth materials shall be allowed.

[END OF CHAPTER 310]