

APPLICATION FOR NONMETALLIC MINING PERMIT PROCEDURES

- 1) The applicant shall complete a Town of Sumner Nonmetallic Mining Permit Application (Appendix A) and pay the required application fee.
- 2) After receiving the application and application fee, the Town Clerk shall mail a copy of the application to all adjoining landowners to the proposed nonmetallic mining site with the date and time of the next Town Plan Commission meeting.
- 3) The Clerk shall then place the application of the agenda for the next Town Plan Commission meeting.
- 4) The Plan Commission shall review and consider the application and make a recommendation to the Town board.
 - a. As a part of its review, the Plan Commission may require a representative from the company seeking the permit to attend a Plan Commission meeting to answer questions. After a decision has been rendered by the Plan Commission, the application shall be placed on the agenda of the Town board for a public hearing and decision.
- 5) At the public hearing held by the Town board, the Town board shall consider the recommendation of the Plan Commission and take public comment on the proposed mine. Before making a decision on the application, the Town board shall determine whether the application is complete, and whether the applicant has applied for or received any required Federal, State, or County permits for the proposed mine.
- 6) The Town Board shall grant the permit, either with or without conditions, if it is determined that the development and operation of the nonmetallic mine is in the best interests of the citizens of the Town, and will be consistent with the protection of public health, safety and general welfare.
- 7) The Town board may conditionally approve the permit and may attach conditions to protect public health and safety and promote the general welfare of the Town. Such conditions may include, but are not limited to:
 - a) Restrictive provisions and proof of financial security for reclamation
 - b) Restrictive provisions and proof of financial security for town road maintenance and repair
 - c) Restrictions on hours of operation
 - d) Restrictions on truck routes on town roads
 - e) Restrictions on truck and traffic volume into and out of the mine site
 - f) Restrictions to protect groundwater quantity and quality
 - g) Restrictions to safeguard public and private drinking and agricultural wells
 - h) Restrictions to control air emissions and dust from the mine and its operations
 - i) And any other restrictions deemed necessary and appropriate by the Town board to protect public health and safety and promote the general welfare of the Town and its citizens.
 - j) Are subject to renewal requirements. (Quarterly, annually or any other times as specified in the permit.)