

the East Half (E 1/2) of the Northwest Quarter (NW 1/4), and except the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4), and except that part lying northeasterly of the southeasterly line of Block Twenty-One (21), Nortons Fairmont Park Division of Duluth, and except Lots Nineteen (19) through Twenty-Four, inclusive, Block Fifteen (15); Lots Eighteen (18) through Twenty-Four (24) inclusive, Block Sixteen (16); and Lots Twelve (12) through Seventeen (17), Eighteen (18), Nineteen (19) through Twenty-Four (24) inclusive, Block Twenty (20), Ironton First Division of Duluth.

A western peripheral area consisting of the following land: Section Twenty-Seven (27), Township Forty-Nine (49), Range Fifteen (15) except that part lying east of the Duluth Winnipeg & Pacific Railway and except that part known as Riverside Park Second Addition. That part of Section Thirty-Four (34), Township Forty-Nine (49), Range Fifteen (15) lying northwesterly of the Duluth Winnipeg & Pacific Railway right of way.

An eastern peripheral area consisting of the following land: That part of the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of Section Fourteen (14), Township Forty-Nine (49), Range Fifteen (15), lying east of the Duluth Winnipeg & Pacific Missabe and Iron Range Railway right of way, except that part used for highway purposes, and that part of the East Half (E 1/2) of the Southeast Quarter (SE 1/4) lying north of the Duluth Winnipeg & Pacific Railway right of way, except the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4).

These boundaries may be changed by the legislature at the request of the authority subject to the approval of the park and recreation board and planning commission.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3 by the city council of the city of Duluth.

Approved April 17, 1984

CHAPTER 391 — S.F.No. 1757

An act relating to water well contractors; licensing and regulating use of vertical heat exchangers; amending Minnesota Statutes 1982, section 156A.02, by adding a subdivision; proposing new law coded in Minnesota Statutes, chapter 156A.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, section 156A.02, is amended by adding a subdivision to read:

Subd. 7. For the purposes of sections 156A.02 to 156A.12 "vertical heat exchanger" means any earth-coupled heating or cooling device consisting of a sealed piping system installed vertically in the ground for the purpose of transferring heat to or from the surrounding earth.

Sec. 2. [156A.11] VERTICAL HEAT EXCHANGER: LICENSING AND REGULATION.

Subdivision 1. No contractor shall drill or construct any excavation used for the purpose of installing a vertical heat exchanger unless the contractor possesses a valid water well contractor's license.

Subd. 2. Vertical heat exchangers must be constructed, maintained, and abandoned in accordance with the provisions of chapter 156A and the rules adopted under it.

Subd. 3. No contractor shall install a vertical heat exchanger without first obtaining a permit from the commissioner of health. Application for the permit must be made on forms provided by the commissioner and must be accompanied by a \$50 fee. As a condition of the permit, the owner of the property on which the vertical heat exchanger is to be installed shall agree to allow inspection by the commissioner, or his agent, during regular working hours of department of health inspectors.

Approved April 17, 1984

CHAPTER 392 — S.F.No. 1396

An act relating to local government; requiring the county board of adjustment to take the town board's recommendation into consideration when making certain decisions; amending Minnesota Statutes 1982, section 394.27, subdivision 5.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, section 394.27, subdivision 5, is amended to read:

Subd. 5. The board of adjustment shall have the authority to order the issuance of variances, hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcing any ordinance adopted pursuant to the provision of

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