



Minnesota Pollution Control Agency
 520 Lafayette Road North
 St. Paul, MN 55155-4194

SSTS Business License Surety Bond

Subsurface Sewage Treatment Systems (SSTS) Program

Doc Type: Bond and Bond Rider

Instructions on Page 3

Bond No. _____

KNOW ALL PERSONS BY THESE PRESENTS:

THAT _____ doing business as
 (Name of Licensee)
 _____ at _____, Minnesota,
 (Address)

as Principal, and _____, a corporation authorized
 (Name of Surety)

to do surety business in the State of Minnesota, as Surety, are hereby held and firmly bound to the Commissioner of the Minnesota Pollution Control Agency-State of Minnesota and any persons aggrieved by reason of the Principal's failure to faithfully perform the duties, and in all things comply with all laws, ordinances, and rules, pertaining to the Principal's license or any permit applied for and all contracts entered into, in the sum of _____ THOUSAND DOLLARS (_____).

For the payment of this sum, Principal and Surety bind themselves, their heirs, representatives, successors and assigns, jointly and firmly by these presents.

THE CONDITION of the above obligation is such, that WHEREAS the said Principal is making application with the Minnesota Pollution Control Agency to be licensed as, or has been licensed as, a subsurface sewage treatment system business:

(specific licenses) _____

NOW THEREFORE, if said Principal shall faithfully and lawfully perform the duties, and in all things comply with the laws and ordinances, including all amendments thereto, appertaining to the license or permit applied for, then this obligation shall be void; otherwise to remain in full force and effect.

The aggregate liability of the Surety, regardless of the number of claims made against the bond or the number of years the bond remains in force, shall in no event exceed the amount set forth above. Any revision of the bond amount shall not be cumulative. This bond may be canceled by the Surety as to future liability by giving written notice to the Minnesota Pollution Control Agency, stating the date of cancellation, which in no event shall be less than thirty (30) days after the mailing of said notice; however, the Surety shall remain liable for any and all acts of the Principal covered by this bond up to the date of cancellation.

PROVIDED, it is the intention of the parties that this bond be continuous. This bond may be canceled at any time upon giving the said Principal and the Minnesota Pollution Control Agency 30 days written notice, said notice to be served by certified mail, whereupon, except as to any liabilities or indebtedness incurred prior to the termination of this said 30 days notice, the liability of the Surety under this bond shall cease. The Surety shall notify the Principal and the Minnesota Pollution Control Agency if payment on the bond has been made which results in the value of the bond falling below the legal requirement.

By their signatures below, the parties certify that the wording of this surety bond is identical to the wording specified in Minnesota Rules, part 7083.2030, as the rules were constituted on the date the parties executed the bond.

Signed this _____ day of _____, _____

Signed, sealed, and delivered in the presence of:

(Witness as to Principal) _____

(Licensee name) _____

(Signature) _____

(Witness as to Surety) _____

(Name of Surety Company) _____

By (Attorney-in-Fact) _____

INDIVIDUAL OR PARTNERSHIP ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)

On the _____ day of _____, 20____, before me, a Notary Public within and for said county, personally appeared, _____ to me known to be the person(s) described in and who executed the foregoing instrument, as Principal(s), and acknowledged to me that _____ s/he executed the same as her/his free act and deed.

Notary Public, _____
County, _____
My Commission Expires _____

(Notarial Seal)

CORPORATE ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)

On the _____ day of _____, 20____, before me personally appeared, _____ to me, who being duly sworn, did depose and say: that s/he resides in _____ the s/he is the _____ President of the _____ the corporation described in and which executed the foregoing instrument; that s/he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; and that s/he signed her/his name thereto by like order.

Notary Public, _____
County, _____
My Commission Expires _____

(Notarial Seal)

ACKNOWLEDGMENT OF CORPORATE SURETY

STATE OF _____)
COUNTY OF _____)

On the _____ day of _____, _____ before me personally appeared, _____ to me known, who being duly sworn, did say: that s/he resides in _____ the s/he is the aforesaid officer or attorney in fact of _____ a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; and that said instrument as signed and sealed in behalf of said corporation by the aforesaid officer, by authority of its board of directors; and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.

Notary Public, _____
County, _____
My Commission Expires _____

(Notarial Seal)

SURETY COMPANY POWER OF ATTORNEY MUST BE ATTACHED

Instructions for Completing Subsurface Sewage Treatment System (SSTS) Surety Bond

The original SSTS **bond form must be filed with the SSTS business license application** – COPIES WILL NOT BE ACCEPTED

The Surety Company may use its own form. Regardless of whether the Minnesota Pollution Control Agency's (MPCA's) bond form is used or whether the Surety Company uses their form, there must not be an expiration date for the Subsurface Sewage Treatment System Surety Bond. The bond shall be effective and run continuously from the date the MPCA grants the SSTS Business license through either: 1) the cancellation date established by the Surety Company; or 2) the last date of valid licensure established by the MPCA, whichever occurs first. The Surety Company must provide 30 days notice of their established cancellation date to both the licensee and the MPCA.

When the MPCA supplied bond form is used, it must be completed as follows: (Surety Company provided bond forms are completed in a similar manner with the same language that is on the MPCA's Bond form)

- Bond Number: The Bond number must be issued. **It cannot be marked as "pending."**
- The Name of Licensee (Business name) including the assumed name (doing business as (dba)) shall be **exactly the same** as the applicant used on their "SSTS Business License Application" and all other forms. The business name that an applicant uses to identify themselves must be filed or registered with the Office of the Secretary of State. *Note: Only individual (sole proprietor) or partnership business types using their own true full name(s) of the individual or all partners as part of the business name are not required to be registered with the Office of the Secretary of State. See below examples:*

An individual proprietor without an assumed name – George Washington.

An individual proprietor with an assumed name – George Washington dba George Washington's Septic Service.

An individual using their full first and last legal names in an assumed name as shown above is not required to register with the Secretary of State.

A partnership with an assumed name – John Doe and James Doe dba Two Brothers Septic Service.

A corporation or limited liability company– Carson's Septic Design, Inc. (LLC, LLP).

A corporation or limited liability company with an assumed name – Manke Excavating LLC (Inc., LLP) dba Manke Septic Installation.

- The address of the Business.
- The name of the Surety (Bonding) Company.
- The amount of bond coverage is based on the type of license specialty areas that are identified as pending approval on the attached business license application. The minimum amount required is:
 - TEN THOUSAND DOLLARS (\$10,000)** - required for any combination of specialty areas which include Installer, Maintainer, Service Provider (Basic) Designer, and/or (Basic) Inspector.
 - TWENTY-FIVE THOUSAND DOLLARS (\$25,000)** - required for any combination of specialty areas which include Advanced Designer and Advanced Inspector.
- Specific licenses must list all specialty areas that are identified as pending approval on the attached business license application: Installer, Maintainer, Service Provider, Designer, Advanced Designer, Inspector and/or Advanced Inspector.
- The date the Bond was signed and surety sealed by the power of attorney.
- Licensee name and Signature. If the Business is an individual owner, the owner must sign bond; if a partnership, all partners must sign bond; if a limited liability partnership, all partners must sign bond; if a corporation, an officer must sign bond; and if another business entity, a person with delegated authority must sign bond. The individual(s) signing the bond for the business must be identified as the **Owners**, all **Partners** of partnerships, **all Officers** of corporations (Inc), **all Partners** of limited liability partnerships (LLP), **all Limited Liability Company Members (LLC)**, and **all Principals** of other business types as listed on the SSTS Business License Application.
- Witness as to Principal (name) and Signature. The witness must observe the Principal (Licensee) as they sign the bond. The witness may be the Notary Public, but does not need to be.
- Name of Surety (Bonding) Company.
- Signature of Attorney in Fact (Surety Company).
- Witness as to Surety (name) and Signature. The witness must observe the Attorney-in-Fact as they sign the bond. The witness may be the Notary Public, but does not need to be.
- **VERY IMPORTANT!** The bond form must be notarized as follows: (A) or (B) AND (C) below
 - A. If the business is an Individual, Partnership, Limited Liability Company or Limited Liability Partnership, the bond form must be notarized in the block on the upper one-third of the form. **All signatures need to be notarized.** Please copy the page if necessary.
 - B. If the business is a Corporation, the bond form must be notarized in the block in the center one-third of the form.
 - C. The block in the lower one-third of the form must be notarized by the Surety Company.
- The original Power of Attorney form must be attached.

When the Surety Company completes the Bond, it must be returned to the Business to be signed by the licensee. The Business shall have the Bond notarized on the back in the appropriate block (Box A or B). Bonds that have the conditions of the Bond modified in any manner will not be accepted, and the application will be returned to the submitter.

Note to Surety Company:

Do not send bond form to the MPCA. Bond forms must be SIGNED by the licensee BEFORE submission to the MPCA.

Bond Examples

Individual Proprietors with an Assumed Name

KNOW ALL PERSONS BY THESE PRESENTS **CORRECT**

THAT George Washington (Name of Licensee) doing business as George Washington's Honey Wagon at 1600 Pennsylvania Avenue NW (Address)

EXAMPLE

KNOW ALL PERSONS BY THESE PRESENTS **INCORRECT**

THAT George Washington's Honey Wagon (Name of Licensee) doing business as _____ at 1600 Pennsylvania Avenue NW (Address)

EXAMPLE

Corporations or Limited Liability Companies without an Assumed Name

KNOW ALL PERSONS BY THESE PRESENTS **CORRECT**

THAT Carson's Septic Design, Inc. (Name of Licensee) doing business as _____ at 1907 Springdale Ave. Ely (Address)

EXAMPLE

KNOW ALL PERSONS BY THESE PRESENTS **INCORRECT**

THAT Rachel Carson (Name of Licensee) doing business as Carson's Septic Design, Inc. at 1907 Springdale Ave. Ely (Address)

EXAMPLE

Corporations or Limited Liability Companies with an Assumed Name

KNOW ALL PERSONS BY THESE PRESENTS **CORRECT**

THAT Manke Excavating LLC (Name of Licensee) doing business as Manke Septic Installation at 520 Lafayette Rd N, St. Paul (Address)

EXAMPLE

KNOW ALL PERSONS BY THESE PRESENTS **INCORRECT**

THAT Manke Septic Installation (Name of Licensee) doing business as Manke Excavating LLC at 520 Lafayette Rd N, St. Paul (Address)

EXAMPLE

PART A or B MUST BE COMPLETED
Depending on business structure type

PART C MUST BE COMPLETED BY THE SURETY COMPANY

INDIVIDUAL OR PARTNERSHIP ACKNOWLEDGMENT

STATE OF _____
COUNTY OF _____

On the _____ day of _____, 20____ before me, a Notary Public within and for said county, personally appeared _____ to me known to be the person(s) described in and who executed the foregoing instrument, as (Principal(s)) and acknowledged to me that _____ she executed the same as her/his free act and deed.

Notary Public: _____
County: _____
My Commission Expires: _____

(Notarial Seal)

CORPORATE ACKNOWLEDGMENT

STATE OF _____
COUNTY OF _____

On the _____ day of _____, 20____ before me personally appeared _____ to me, who being duly sworn, did depose and say: that she resides in _____ the office is the _____ President of the _____ the corporation described in and which executed the foregoing instrument, that she knows the seal of said corporation, that the seal affixed to said instrument is such corporate seal that it was so affixed by order of the board of directors of said corporation, and that she signed her/his name thereto by like order.

Notary Public: _____
County: _____
My Commission Expires: _____

(Notarial Seal)

ACKNOWLEDGMENT OF CORPORATE SURETY

STATE OF _____
COUNTY OF _____

On the _____ day of _____, 20____ before me personally appeared _____ to me known, who being duly sworn, did say: that she resides in _____ she is the abroad officer or attorney in fact of _____ the corporation, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument as signed and issued in behalf of said corporation by the abroad officer, by authority of its board of directors, and the abroad officer acknowledged said instrument to be the free act and deed of said corporation.

Notary Public: _____
County: _____
My Commission Expires: _____

(Notarial Seal)

SURETY COMPANY POWER OF ATTORNEY MUST BE ATTACHED