

ORDINANCE #11-____

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AN AMENDMENT TO CHAPTER 2 WHICH IS KNOWN AS THE ADMINISTRATION CHAPTER OF THE CITY CODE OF RAMSEY, MINNESOTA.

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE V (BOARDS, COMMISSIONS, AND AUTHORITIES), DIVISION 1 (GENERALLY) OF THE RAMSEY CITY CODE.

The City of Ramsey ordains:

SECTION 1 AUTHORITY

This ordinance is adopted pursuant to and under the authority of the City Charter of the City of Ramsey.

SECTION 2 AMENDMENTS

City Code Sections 2-155 through 2-160 are amended as follows (additions indicated as underline, deletions indicated as ~~strike-through~~)

Sec. 2-155. - Established; purposes.

(a) *Established.* The city establishes the following boards, commissions and authorities:

- (1) Planning commission.
- (2) Park and recreation commission.
- ~~(3) Board of adjustment.~~
- (34) Board of appeals and adjustments/official maps.
- ~~(45)~~ Environmental policy board.
- ~~(56)~~ Economic development authority.
- ~~(67)~~ Housing and redevelopment authority.

(b) *Purpose.* All boards and commissions created by this section shall be for the purpose of advising the city council with respect to any municipal function or activity or to perform quasi-judicial functions as designated herein and/or as designated from time to time by ordinance.

(Code 1978, § 2.03.01; Ord. No. 92-04, 6-12-1992; Ord. No. 04-30, 8-23-2004; Ord. No. 04-48, 1-31-2005; Ord. No. 06-14, § 1, 4-25-2006)

Sec. 2-156. - Appointment of members, terms of office and removal.

- (a) *Voting members and residence requirement.* At least two-thirds of the members of each board or commission shall be residents of the city. Members shall represent a broad range of interest in functions of the city.
- (b) *Ex officio members.* The city council may appoint, by majority vote, a councilmembers or city staff persons as ex officio members of any board or commission privileged to speak on any matter without a vote, and the ex officio members shall provide a liaison between the board or commission and city council.
- (c) *Appointment and oath.* Members of a board or commission shall be appointed by a majority vote of the city council for staggered four-year terms, in addition to any partial term a person may be appointed to complete on behalf of a predecessor who is unable to complete said term. Each appointed member shall, before entering upon the discharge of duties, take an oath agreeing to faithfully discharge the duties of office.
- (d) *Serve without compensation.* All members of a board or commission shall serve without compensation. Board or commission members may receive a stipend for expenses as established by resolution of the city council.
- (e) *Attendance policy.* The absence of a board or commission member from three or more regularly scheduled meetings of his board or commission within any six-month period shall be cause for removal of that member from his seat on the board or commission. The city council shall have the authority to remove board or commission members for violation of this policy.
- (f) *Terms.* Board and commission members shall serve four-year terms. There will be no limit to the number of terms that can be served.
- (g) *Code of conduct.* It is the policy of the city to maintain a respectful public service environment free from violence, discrimination and unlawful activities relating specifically to the boards of commission members role with the city, and other offensive or degrading remarks or conduct.
 - (1) *Expected conduct of board and commission members.* Board and commission members shall conduct themselves at all times in such a manner as to reflect most favorably on the city. Conduct unbecoming a board or commission member shall include any conduct that tends to bring the city into disrepute or reflects discredit on the person as a board or commission member of the city, or that which tends to impair the functioning of a board or commission member.
 - (2) *Consequences of engaging in inappropriate conduct as a board or commission member.* Board or commission members who are found to engage in inappropriate conduct while acting in their official capacity as a board or commission member are subject to disciplinary action. Discipline may include, but is not limited to, a verbal or written reprimand or suspension from his position on the board or commission.
- (h) *Removal of members.*
 - (1) Board and commission members may be removed from their position at any time, with or without cause, by a majority vote of the city council.
 - (2) This subsection (h) does not apply to members of the Charter commission or members of the economic development authority as said bodies are organized under the authority of state statutes and; consequently, the removal of members of said bodies is regulated by state statutes.

(Code 1978, § 2.03.02; Ord. No. 92-04, 6-12-1992; Ord. No. 97-10, 8-11-1997; Ord. No. 03-03, 3-17-2003; Ord. No. 03-42, 11-17-2003; Ord. No. 06-12, § 1, 4-11-2006; Ord. No. 09-07, § 2(2.03.02), 5-12-2009)

Sec. 2-157. - Organization, meetings, etc.

- (a) *Regular and special meetings.* Regular meetings of boards and commissions shall be held with a date and time determined by the board or commission. Special board and commission meetings may be called by the chairperson, vice-chairperson or any two members of the board or commission as deemed necessary.
- (b) *Open meetings, meeting minutes and expenditures.* The board or commission shall follow Robert's Rules of Order, Newly Revised, for the transaction of business. On or before January 1 of each year, the board or commission shall submit to the city council a report of its work during the preceding year.
- (c) *Amendment of order of business.* The order of business may be varied by the presiding officer or upon board or commission motion, but all public hearings shall be held at the time specified in the notice of hearing.
- (d) *Agendas.* An agenda of business for each regular meeting shall be prepared by the clerk or the clerk's designated representative and filed in the office of the clerk. The agenda shall be prepared in accordance with the order of business and copies thereof shall be delivered to each board or commission member as far in advance of the meeting as time for preparation will permit. No item of business shall be considered unless it appears on the agenda for the meeting, but the commission or board may, in its discretion, consider matters not appearing.

(Code 1978, § 2.03.03; Ord. No. 92-04, 6-12-1992)

Sec. 2-158. - Chairperson and vice-chairperson.

- (a) *Election.* The board or commission may create and fill offices as it may determine and create subcommittees as it deems necessary to accomplish its purpose.
- (b) *Chairperson duties.* A chairperson shall be selected annually by a majority vote of the board or commission from its appointed members and may be removed by a majority vote of the board or commission. The chairperson shall have the following responsibilities in addition to those otherwise described in this section:
 - (1) Preside over all meetings of the board or commission.
 - (2) Appear or appoint a representative to appear, as necessary, before the city council to present the board or commission's viewpoint on matters as it relates to business under consideration by said board, commission, or city council.
 - (3) Review all city council and other advisory board or commission minutes and inform the board or commission of matters relevant to its function.
 - (4) Provide liaison with other governmental and volunteer units on matters relating to the board's or commission's function.
 - (5) Ensure preparation of agendas for each board or commission meeting.
- (c) *Vice-chairperson duties.* The vice-chairperson shall act in the absence of the chairperson and shall perform the duties of the chairperson whenever the chairperson is unable to attend a meeting, has resigned or is incapacitated and until a new chairperson is elected.

(Code 1978, § 2.03.04; Ord. No. 92-04, 6-12-1992)

Sec. 2-159. - Duties, responsibilities and objectives.

(a) *Planning commission.* The primary objective of the planning commission is to advise the city council on land use concerns and other duties conferred upon it by this chapter or the city council. In addition, the planning commission shall serve as the planning agency and shall have the powers and duties given such agencies by Minn. Stats. §§ 462.351 to 462.364. The Planning Commission shall also serve as and given the powers of the Board of Appeals and Adjustment. Appeals to the Board of Appeals and Adjustment may be taken by any affected person upon compliance with any reasonable conditions imposed by the Zoning Ordinance. The primary objective of the Board of Adjustment and Appeals shall be to hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance as well as to review and approve/deny variances from the provisions of Chapter 117 where strict enforcement would cause practical difficulties because of circumstances unique to the individual property under consideration. The Planning Commission shall be given the powers and duties given such agencies by Minn. Stats. §§ 462.357.

(b) *Park and recreation commission.* The primary objective of the park and recreation commission is to monitor and reflect the attitudes and concerns of the citizens of the city relative to the park system and recreation programs, and to advise the city council of citizen attitudes and policy matters relevant to the park and recreation function in the city. The commission shall:

- (1) Develop, recommend, and upon adoption by the city council, monitor the execution of a comprehensive plan for the recreation and natural resources function of the city. Report to the city council regarding achievements toward fulfillment of the comprehensive plan and recommend amendments to the plan as necessary.
- (2) Continually review and evaluate the park system development and recreation programming. Develop and recommend methods to stimulate positive public interest in the recreation and natural resources functions.
- (3) Monitor and reflect attitudes and consensus of citizens relative to the park system and recreation programs and serve as a forum for the citizens to voice their opinions regarding the recreation and natural resources function.
- (4) Promote coordination with the school districts serving the city, encouraging the interchangeable use of city and school district facilities and programs to the best interests of the citizens. Encourage coordination with other communities to the extent appropriate in matters pertinent to the recreation and natural resources function.
- (5) Encourage dissemination of information to, and coordinate with, city organizations interested in the recreation and natural resources function, such as athletic groups, youth groups, civic organizations, etc.
- (6) Develop and recommend feasible programs relative to the conservation of our environment.

~~(c) *Board of adjustment.* The primary objective of the board of adjustments to review and approve/deny variances from the provisions of chapter 117 where there is strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration. The planning commission shall serve as the board of adjustment.~~

(d) *Board of appeals and adjustments/official maps.*

- (1) *Objective.* The primary objective of the board of appeals and adjustments/official maps is to consider appeals by owners of land within the Official Map who have been denied a land use permit, zoning permit,

approval for a building on land or any other city action taken pursuant to section 117-4 which may affect the landowner's land. The appeal procedures shall be pursuant to Minn. Stats. § 462.359 and section 117-4

(2) *Membership and term of office.* Notwithstanding section 2-156(c), there shall be five members of the board of appeals and adjustments/official maps who shall be appointed by the city's mayor for staggered four-year terms. At least one of the members shall be a current member of the planning commission. All other terms of this division shall be applicable to the board of appeals and adjustments/official maps.

(e) *Environmental policy board.* The primary objective of the city environmental policy board shall be to review, consider, initiate and recommend to the city council such policies, plans or projects which will enhance and preserve the natural environment of the city. The committee's scope shall include, but not necessarily be limited to matters of the preservation of the community forest, water quality, wetland preservation, groundwater protection, ecological preservation, control of soil erosion and air, noise and light pollution. The committee shall also review, upon request, environmental documents referred to from time to time by the planning commission or city council. The board shall:

- (1) Become familiar with state statutes, federal regulations, agency rules, and city ordinances on the subject of an environmental nature.
- (2) Receive information regarding the role of the Watershed Management Organization, municipalities, department of natural resources, and Army Corps of Engineers and other regulatory agencies on environmental issues and review related data.
- (3) Review environmentally related city policies and ordinances and recommend appropriate revisions and/or additions to the city council.
- (4) Promote public outreach and education regarding environmental issues facing the city.
- (5) Develop an annual work plan that is subject to the approval of the city council.

(Code 1978, § 2.03.06; Ord. No. 92-04, 6-12-1992; Ord. No. 98-15, 1-11-1999; Ord. No. 04-30, 8-23-2004; Ord. No. 06-14, § 1, 4-25-2006; Ord. No. 09-01, § 1, 2-24-2009)

Sec. 2-160. - Rules and procedures.

The board or commission shall adopt such rules and procedures not inconsistent with these provisions as may be necessary for the proper execution and conduct of business.

(Code 1978, § 2.03.07; Ord. No. 92-04, 6-12-1992)

Secs. 2-161—2-188. - Reserved.

SECTION 3 SUMMARY

The following official summary of Ordinance #11-__ has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance.

It is the intent and effect of Ordinance #11-__ to amend Ramsey City Code Chapter 117 (Zoning and Subdivision of Land) Section 117-53 (Variances) to reflect amendments to Minnesota Statute Section 462.357 to remove the definition of undue hardship and replace with a new definition of practical difficulty as it relates to the interpretation of reasonable use.

SECTION 4 EFFECTIVE DATE

The effective date of this ordinance is thirty (30) days after its passage and publication, subject to City Charter Section 5.07.

Adopted by the Ramsey City Council the ___ day of _____, 2011.

Mayor

ATTEST:

City Administrator

Introduction Date: _____

Posting Dates: _____

Adoption Date: _____

Publication Date: _____

Effective Date: _____