

ORDINANCE #12-_____

CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA

AMENDMENTS TO CHAPTER 8 OF THE HOME RULE CHARTER OF THE CITY OF RAMSEY. SAID AMENDMENTS RELATE GENERALLY TO THE PETITIONING REQUIREMENT FOR INTITATION OF A LOCAL IMPROVEMENT.

THE CITY OF RAMSEY ORDAINS.

SECTION 1. AUTHORITY:

This Ordinance is enacted pursuant to Minnesota Statutes §410.12, Subd. 7.

SECTION 2. AMENDMENT.

Section 8.4 and Subsections 8.4.1, 8 4.2, 8.4.3, and 8.44 of the Home Rule Charter of the City of Ramsey are hereby amended to provide as written below:

CHAPTER 8
PUBLIC IMPROVEMENTS AND SPECIAL ASSESSMENTS

Section 8.4 Local Improvement Procedure. When the city undertakes any local improvement to which the state local improvement code, Minn. Stat. Chapter 429 applies, it shall comply with the provisions of that law, except as modified below. The council may by ordinance prescribe the procedure to be followed in making any other local improvement and levying assessments therefore.

8.4.1 Sixty Day Waiting Period. A period of sixty (60) days shall elapse after the conclusion of the public hearing required by law to precede the ordering of the construction of a local improvement project (the “Public Hearing”) before the actual ordering of the local improvement by the council and the council entering into a contract for the local improvement construction.

8.4.2 Percentage of Owners Required. When the local improvement has been petitioned for by the owners of not less than 50 percent in frontage of the real property abutting on streets named in the petition as the location of the local improvement the resolution ordering the local improvement by the council may be approved by vote of a majority of all members of the council. When there has been no such petition, the resolution may be adopted only by vote of four-fifths of all members of the council.

8.4.3 Petition Against the Local Improvement. A proposed local improvement may be initiated by petition of the owners of real property abutting on the streets

named in the petition. If, within thirty (30) days of the conclusion of the public hearing, a petition against such local improvement is filed with the city administrator which petition is signed by a percentage of the owners of real property abutting on the streets named in the initiating petition as the location of the improvement which percentage is greater than the percentage of owners of real property who signed the initiating petition, the council shall not make such local improvement at the expense of the abutting property owners. For purposes of the foregoing sentence, "owners of real property" shall not include owners of properties zoned for commercial or industrial uses or owners of properties zoned residential greater than 10 acres in size based on zoning classifications in effect at the date of such petition, or owners of non-homestead real property greater than one acre in size.

8.4.4 Counter Petition in Favor of the Improvement. If within thirty (30) days of the filing with the city administrator of a petition against the local improvement as described in Section 8.4.3 above, there is filed with the city administrator a petition in favor of the local improvement, signed by owners of real property abutting on the streets named in the initiating petition as the location of the improvement, in a percentage greater than the percent of owners of real property who signed the petition against the local improvement, then in such event the council may disregard the petition against the local improvement and proceed with the local improvement.

SECTION 3. EFFECTIVE DATE.

This Ordinance shall become effective 90 days after its passage and publication subject to the provisions of Minnesota Statutes §410.12, Subd. 7.

PASSED by the City Council of the City of Ramsey, Minnesota, the _____ day of June, 2012.

Mayor

ATTEST:

City Administrator

Date recommend by Charter Commission: April 19, 2012

City Council Introduction date: June 12, 2012

Posting dates: _____

Public hearing publication dates: _____

Public hearing date: June 26, 2012

Adoption date: _____

Publication date: _____

Effective date: _____