

City of Ramsey
Agenda
City Council Work Session
Tuesday, January 9, 2024

5:30 pm
Lake Itasca Room, 7550 Sunwood Drive NW

Remote Attendance available at www.cityoframsey.com/meetings.
Those joining remotely and requesting to speak are asked to use a webcam when speaking.

1. **Call to Order**

2. **Topics for Discussion**
 1. Discuss Council Organization
 2. 2024 Legislative Priorities
 3. Holiday Messaging on Social Media
 4. Nuisance Code Update

3. **Topics for Future Discussion**
 1. Review Future Topics/Calendar

4. **Mayor/Council/Staff Input**

5. **Adjournment***

***Note: the City Council may motion to recess this Work Session meeting and reconvene after the regular City Council meeting if items on the agenda are not completed.**

Meeting Date: 01/09/2024

Information

Title:

Discuss Council Organization

Purpose/Background:

Purpose: The purpose of this report is to determine the committees, boards, authorities or other groups to which Councilmembers will be appointed. Also to be determined are the appointments for the official newspaper, approval of the annual contract with TimeSavers Off-Site Secretarial Service (TOSS), and appointment of legal services.

Background: Each year, Councilmembers are appointed to serve on different committees, boards, authorities or other groups. Attached is a list of the committees as well as a description of what they are and when they meet. Staff will make note of the final selections to be adopted by Council at their meeting later this evening.

The Chair and Vice-Chair positions for each committee will be appointed at the committee level. It should be noted that each board and commission have a staff liaison appointed, as well as Councilmember(s) liaison.

As a reminder, the City's Code states the following with regard to Ex-officio members. The City Council may appoint, by majority vote, a Councilmember or City staff person 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. The City Council members appointed to the EDA are voting members.

Attached is the resolution that is on the Agenda this evening for formal adoption. Please note: The highlighted 2024 appointments are open for discussion. The appointments discussed will be incorporated into the resolution before tonight's meeting. One councilmember has suggested recreating the Happy Days Committee. In recent years, volunteer involvement at the committee level dwindled and staff largely planned the event. The recreation of the committee could involve some as-needed meetings to discuss event changes.

*The Anoka County Housing and Redevelopment Authority was listed in previous years under two-year appointments. The Authority was started many years ago, and at that time cities participated in the meetings. Now it is all handled solely by the County, so it has been removed from the Council Organization resolution for 2024.

The organizational resolution includes declaring the City's official newspaper. At the time of this writing, the City has received one proposal from Adams Publishing Group - the Anoka County UnionHerald. Such proposal is attached to this case. The Anoka County UnionHerald has historically served as the City's official newspaper and currently provides the most regular coverage of the City. The proposal from Adams Publishing Group states the rates for 2024 will remain unchanged.

Also included for Council review and approval is the Addendum to the Recording Secretary Service Agreement between the City of Ramsey and TimeSaver Off Site Secretarial (TOSS) that extends the expiration date to December 31, 2024 (attached). The addendum shows a less than 5.25 percent increase in the rates. Approval of the contract with TOSS is part of the resolution.

Appointing legal services is another part of the Organization Resolution. The most recent agreement with the City's Attorney, Frederic Knaak of Holstad & Knaak, PLC is effective November 1, 2023 through October 31, 2025. The monthly fee is \$4,150.00. Any time over the 10 hours included in the monthly fee is billed at a single

rate of \$150.00 per hour. The firm of Eckberg Lammers was contracted for prosecution services; the current agreement is effective through December 31, 2027.

Timeframe:

Approximately 15 minutes

Funding Source:

N/A

Responsible Party(ies):

City Administrator
City Clerk

Outcome:

To receive clear direction from the Council with regard to the appointments to committees, boards, authorities and other groups, designation of the official newspaper, the addendum to the Recording Secretary Service Agreement and appointments for legal services.

Attachments

TOSS Agreement
Newspaper Request
Holstad & Knaak Contract
Eckberg Lammers Contract
Committee Descriptions
Draft Resolution #24-001

Form Review

Inbox

Brian Hagen

Form Started By: Katie Schmidt

Final Approval Date: 01/04/2024

Reviewed By

Brian Hagen

Date

01/04/2024 10:06 AM

Started On: 12/15/2023 11:14 AM

TimeSaver Off Site Secretarial, Inc.

OCT 30 2023

October 27, 2023

Ms. Katie Schmidt, Administrative Assistant
City of Ramsey
7550 Sunwood Drive
Ramsey, MN 55303

Dear Katie,

Enclosed is an Addendum to the Recording Secretary Service Agreement that extends the expiration date to December 31, 2024. To comply with ESST requirements, the unit rates reflect increases of \$1.50 per hour and 50 cents per page. The base rate and unit rate first hour reflect an increase of less than 5.25%.

We appreciate the confidence you have placed in TimeSaver to handle your meeting minute needs and look forward to continuing that relationship in 2024.

If you need further information or have questions, please feel free to contact me at 612-251-8999.

Best regards,



Carla Wirth
Owner

Enclosure: Recording Secretary Service Agreement
Return envelope

**ADDENDUM TO
RECORDING SECRETARY SERVICE AGREEMENT**

Dated: December 31, 2023

By and between TimeSaver Off Site Secretarial, Inc. and the City of Ramsey, 7550 Sunwood Drive, Ramsey, MN 55303.

1. EXTENSION OF RECORDING SECRETARIAL SERVICE AGREEMENT: The term of the existing Recording Secretary Service Agreement dated December 31, 2022 shall be extended under the same terms and conditions to December 31, 2024.
2. TOSS CHARGES: TOSS shall be paid for its services as recording secretary for each meeting with a one (1) hour minimum, the highest rate prevailing, as follows:
 - a. Base Rate: One Hundred Sixty-Seven and 00/100 dollars (\$167.00) for any meeting up to one (1) hour (billable time) plus Thirty-Nine and 50/100 dollars (\$39.50) for each thirty (30) minutes following the first one (1) hour; **or**
 - b. Unit Rate: Fifty-One and 75/00 dollars (\$51.75) for the first hour of meeting time and Thirty-Four and 50/100 dollars (\$34.50) for every hour after the first hour plus Fifteen and 50/100 dollars (\$15.50) for each page of draft minutes for submission to the City of Ramsey for their preparation of final minutes.

At the end of the term of this Addendum or any extension of it, the parties may make a new Agreement or extend or modify the terms of this Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Addendum to the Recording Secretary Service Agreement as of the day and year indicated.

January __, 2024

CITY OF RAMSEY

By: _____
Brian S. Hagen

Its: City Administrator

October 27, 2023

TIMESAVER OFF SITE SECRETARIAL, INC.

By: Carla Wirth
Carla Wirth

Its: President & CEO



November 10, 2023

Katie Schmidt
City Clerk
City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

Dear Ms. Schmidt,

It is with great pleasure that we ask to serve as the official newspaper for the City of Ramsey in 2024. As we continue to implement new changes in the newspaper to improve readership, we feel it's important to provide readers with the city's public notices in addition to news stories, features and photographs of local events we cover each week.

We would like to publish your public notices in the **Anoka County UnionHerald**. The legal publication rate for the **Anoka County UnionHerald** as of January 1, 2024, will remain unchanged from the 2023 rate of 10.75 per column inch. If any documents need to be manually typeset, a \$20 flat fee will be charged per public notice. As a newspaper published in the County of Anoka, we meet the requirements to qualify as your official legal newspaper.

All public notices published in the **Anoka County UnionHerald** will be posted to abcnewspapers.com – which averages over 54,000 unique visitors per month in search of local news and information.

We have appreciated your business over the past years and hope that we can be of service to you in 2024 as a credible, weekly community news source. If you have any questions, please feel free to call me at 763-691-6001 or email me at publicnotice@apgecm.com. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads 'Tonya Orbeck'.

Tonya Orbeck
Legal Notice Department Manager

CONTRACT FOR CIVIL (NON-CRIMINAL) MUNICIPAL LEGAL SERVICES

THIS AGREEMENT is made between and entered by the CITY OF RAMSEY, MINNESOTA, a Minnesota Statutory City (hereinafter, "the City") and HOLSTAD & KNAAK, PLC, a law firm organized as a professional association under the laws of the State of Minnesota (hereinafter, "the Attorney")

Upon formal appointment of the Attorney by the City Council and for the promised consideration as outlined below, the Attorney shall provide the following legal services to the City:

LEGAL SERVICES

1. Attend City Council meetings and other City Board, Authority, Commission or Committee meetings as requested by the City Council or City Administrator.
2. Draft and/or review ordinances, resolutions, and correspondence, as requested. Review City Council agendas and meeting minutes, as requested.
3. Advise the Mayor, Council Members, City Administrator, Department Heads and other City staff on City legal matters.
4. Prepare and/or review municipal contracts, such as contracts for public improvements, joint powers agreements, construction, and purchase of equipment.
5. Review of the Municipal Code on a regular basis and provide assistance in the drafting of any needed modifications or amendments.
6. Represent the City in matters related to the enforcement of City building and zoning codes in injunctive and other civil proceedings, except in instances where such representation is provided in the City's insurance contract and third-party representation is obtained. In such instances it will remain the Attorney's duty to closely monitor and cooperate as needed in such representation.
7. Research and submit legal options on municipal or other legal matters, as requested by the City Council or the City Administrator.
8. Meet with the City Council, City Administration, Department Heads and City Staff as needed to review Council and Commission Agenda items and the status of all legal matters before the City. The Attorney and City Administrator will establish any necessary schedule if and when it is determined that regular meetings will be necessary for this purpose.
9. Provide legal briefings or presentations regarding new or proposed legislation affecting the City's operation and activities.
10. Provide advice and training on open meeting law, data practice law and requirements, parliamentary procedure, record retention and privacy issues, including HIPPA.
11. Represent, as needed, the City in employment related issues, labor negotiations, arbitration, administrative hearings and in litigation involving those same issues.
12. Interpret and advise with respect to municipal employment matters including, but not limited to PERA, labor agreements, personnel policy, FMLA and Veterans Preference.

13. Defend City in litigation, except in those cases where the City's insurance company is required to provide defense, including, but not limited to: a) human rights claims; b) condemnation; c) permits and administrative actions; and d) labor and employment proceedings in which legal representation of the city is either advisable or required.
14. Represent the City in uninsured claims and other insurance matters.
15. In coordination with any separately retained Bond Counsel, review financing, special assessments, bonds and insurance requirements required by or for City Contracts or activities.
16. Represent the City in the acquisition of properties for public improvements, easements, and parks.
17. Represent the City in condemnation proceedings for public improvement projects.
18. Represent the City in workers' compensation matters.
19. Initiate litigation on behalf of the City as requested by the City Council.
20. Interpret and advise the City on questions related to zoning or land use issues, impact fees and legal uses.
21. On direction of the Administrator, prepare and/or review the following:
 - a) Conditional and Special Use Permits
 - b) Vacation of Rights of Way Applications, supporting documentation and Resolutions
 - c) Special Assessments
 - d) Planned Unit Developments
 - e) Development Agreements
 - f) Subdivision and Zoning Requests
 - g) Development Agreement Drafts
22. The foregoing, expressly enumerated services, while intended to be extensive, is not intended to be all inclusive, and services provided shall also include those additional matters that may be considered customary and usual in the provision of legal services by a City attorney under customs and laws of the State of Minnesota.

ADDITIONAL DUTIES OF ATTORNEY

1. The Attorney shall not subcontract out or assign any interest in this contract to any third party without the prior written consent of the City.
2. Frederic W. Knaak shall be the principal attorney on all matters involving the representation of the City and shall be expressly, professionally, and individually responsible for all facets of that representation.

3. The Attorney shall maintain professional liability insurance coverage at all times during its representation of the City in the amount of \$2,000,000 aggregate claims, and \$2,000,000 individual claims.

4. It is understood by the Attorney and the City that this contract shall run for two years after the appointment of the Attorney, at which time it may only be renewed upon express agreement of the City and the Attorney. Notwithstanding the intended term, it is expressly understood that the Attorney's tenure as City Attorney is at the pleasure of the City Council and that the appointment of the City Attorney may be terminated at any time with or without any cause. In the event of a termination for other-than-cause prior to the two-year term, to the extent feasible, the City shall provide 60 days notice of its intention to terminate or not renew this contract.

5. On or about December 31 of each year, for the duration of this Agreement, the City Attorney and City Administrator may mutually evaluate the usage of legal services during the prior year of this Agreement in order to evaluate usage of legal services during the prior year of the Agreement in order to evaluate usage and identify areas where modification in the parties' relationship may be mutually beneficial.

6. All data collected, created, received, maintained, or disseminated for any purposes by the activities of the Attorney because of this Agreement and the resulting Attorney-Client relations is governed by the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, as amended, the Minnesota Rules implement such act now in force or as adopted, as well as federal regulations on data privacy. This paragraph does not create a duty or any obligation on the part of the Attorney to provide access to public data to the public for inspection or otherwise if the public data are available from the City.

7. Any modification of the provisions of this Agreement shall be reduced to writing and signed by the parties hereto.

OTHER

1. The City expressly reserves its right to hire independent counsel on matters it determines requires an attorney with more expertise or expertise in a particular field. In such a situation, the City shall remain responsible to the Attorney for the monthly fee provided under this agreement along with any billings not related to the matter for which special counsel was retained. The City shall only be responsible to the Attorney for extra expenses in relation to the matter for which special counsel is retained if the City names the Attorney as co-counsel in the matter or otherwise requests the Attorney's participation.
2. The effective date of this Agreement shall be November 1, 2023.

COMPENSATION AND EXPENSES

1. Payment under this contract shall be in the form of a single, monthly fee of four-thousand one hundred and fifty/00 (\$4,150.00). That payment is intended to be for all of the foregoing services, including up to 10 hours of time billed on litigation matters, such as condemnation matters or

arbitrations. This rate does not include filing or similar fees required in representing the City in litigation matters. These incidental fees shall be paid by the City as incurred.

2. If it appears that more than ten hours of time shall be required on litigation matters, the Attorney shall notify the City in writing of that expectation. Any time over the 10 hours included in the monthly fee shall be billed at a single rate of \$150.00 per hour.

3. In the event of an unexpected or unusual cost, no expense or cost shall be billed to the City without first obtaining an authorization from the city in writing. Such an expense, as an example, might be a necessary deposition or transcript, or a very large volume of printing (in excess of 2000 pages in any given month.)

IN WITNESS WHEREOF, the CITY and the ATTORNEY have executed this Agreement and it is effective on the latest date affixed hereto.

CITY OF RAMSEY

HOLSTAD & KNAAK PLC

By: _____

By: _____

Mark E. Kuzma, its Mayor

Frederic W. Knaak, Esq.

By: _____

Brian Hagen, City Administrator

Dated: _____

Dated: _____

▼ AGREEMENT FOR CRIMINAL PROSECUTION SERVICES

This Agreement, entered into between the City of Ramsey, a Minnesota Municipal Corporation (City) and the Law Firm of Eckberg Lammers, P.C., (Criminal Prosecution Attorney) as of January 1, 2023 provides as follows:

ARTICLE I:
BACKGROUND: FINDINGS

- 1.1 Authority. The appointment and removal of the Criminal Prosecution Attorney are made by the City Council.
- 1.2 Council Determination. At a duly called regular meeting of the City Council it was determined that the law firm of Eckberg Lammers, P.C. be engaged as Criminal Prosecution Attorney, with Joseph Van Thomme of that firm serving as chief prosecutor for the City. This agreement between the firm and the City sets forth the terms and conditions of the engagement.

ARTICLE II:
TERMS AND CONDITIONS

- 2.1 Consideration. In consideration of the mutual promises and conditions contained in this Agreement, the City and the Criminal Prosecution Attorney agree to the terms and conditions as set forth herein.
- 2.2. Criminal Prosecution Attorney Appointment. The City appoints the firm of Eckberg Lammers, P.C. as Criminal Prosecution Attorney, with Joseph Van Thomme acting as primary chief prosecutor for the City.
- 2.3 Usual and Customary Criminal Prosecution Services. The Criminal Prosecution Attorney agrees to perform all usual and customary criminal prosecution services for the City in accordance with the terms of this Agreement, including, but not limited to the following primary responsibilities for the criminal prosecution services:

General Responsibilities:

Represent and prosecute all criminal law matters within the City's jurisdiction, included but not limited to scheduling, and attending all necessary hearings, trials, arraignments, and post-conviction hearing as required, coordinating officer and witness appearances, reviewing all criminal cases presented for purposes of prosecution, determine technical compliance with criminal code and other state statutes, writing complaints, making recommendations to the Court for alternatives to prosecution where appropriate, act as a resource to the Police Department in the development of criminal cases, and provide training sessions for Police and other City staff as needed.

Provide timely pursuit of disposition of criminal case in advance of actual Court cases to avoid unnecessary officer Court time.

Process and prosecute forfeiture cases on behalf of the Police Department.

The Criminal Prosecution Attorney is required to be knowledgeable in a variety of legal areas, including but not limited to:

- * Criminal Prosecution
- * Trial Activity
- * General Municipal Laws
- * City Code Issues related to criminal prosecution
- * General State and Federal Laws relating to prosecution matters
- * General Government Data Practices related to rules of discovery and criminal prosecution

The Criminal Prosecution services that are required by the City and covered by a fixed retainer fee include, but are not limited to, the following areas:

1. Meetings and/or telephone conversations with and advising City Administrator and Police Chief, police officers and other authorized staff on general criminal legal matters.
2. Research and submission of legal opinions on criminal legal matters requested by the City Administrator, Police Chief or other authorized staff, availability to answer staff questions by telephone.
3. Legal consultation and general support for City Administrator and Police Chief and other authorized staff on general criminal legal matters.
4. Provide a high level of customer service by responding in a prompt matter.
5. Prosecute all petty misdemeanor, misdemeanor and statutorily delegated gross misdemeanor offense committed within the corporate limits of the City. This includes all such cases initiated by any law enforcement agency and citizen complaints including, but not limited to, traffic violations, DUI cases, and City Code violations that are prosecuted criminally.
6. Provide advice, consultation and training where required to the City's Police Department and to all other departments of the City in the interpretation and enforcement of statutes, ordinances and investigations of violations in connection with the prosecution of criminal cases.
7. Prepare criminal complaints where facts warrant.
8. Evaluate all cases where a plea of not guilty is entered and prosecute where warranted.
9. Prepare appropriate pre-trial notices as required.
10. Seek such additional investigation as required.
11. Negotiate and enter plea bargains where deemed advisable.
12. Represent the City at all pre-trial motions.
13. Perform all legal research and prepare briefs when required.

14. Try all jury and court cases as necessitated.
15. Review ordinances for criminal prosecution as requested.
16. Render written opinions to law enforcement on criminal prosecution matters where requested, including interpretation of statutes, ordinances, rules and regulations.
17. Ensure proper notifications and preparation of police officers and staff for trial.
18. Assist in resolving criminal prosecution matters not resulting in litigation.
19. Assist the City and law enforcement in efficient disposition of DUI-related forfeitures arising from cases handled by the Criminal Prosecution Attorney.
20. Examine, evaluate and provide representation for all appeals to the Appellate Courts.

As part of the firm's comprehensive flat fee prosecution services, no charges are ever imposed for phone calls. The firm encourages police officers and staff to contact any of our prosecuting attorneys. If a phone call evolves into a project or work item, that item shall be covered by the flat fee retainer agreement. The firm has found its law enforcement clients welcome this approach, as it provides for unfettered legal advice without imposing financial pressure on the given department.

2.4 Compensation for Criminal Prosecution Services. For Criminal Prosecution Services for the years 2023 - 2027, the City agrees to compensate the Criminal Prosecution Attorney as follows:

	2023	2024	2025	2026	2027
Retainer Fee*	\$75,028	\$77,278	\$79,596	\$81,983	\$84,442
Hourly Attorney *	\$250	\$250	\$250	\$250	\$250

* Retainer Fee: Annual Amount to be paid in 12 equal installments.

* Hourly Attorney: The hourly rates for all attorneys will be the same and shall only apply to matters not related to or covered by this agreement. Such fees will be specifically agreed to by the City prior to any undertaking of legal services by the Criminal Prosecution Attorney.

2.5 Compensation for Expenses. The City will compensate the Criminal Prosecution Attorney for the following actual and necessary expenses incurred by the Criminal Prosecution Attorney on behalf of the City:

The Criminal Prosecution Attorney passes through the following charges to the City at cost:

- * Process Server Fees
- * Court Filing Fees
- * Document Recording and Closing Fees
- * Court Reporter Transcription Fees

- 2.6 **Billing Statements.** Billings by the Criminal Prosecution Attorney to the City for services will be on a monthly basis, except as may otherwise be agreed upon by the parties. The billing statement shall be of sufficient detail to adequately inform the City concerning the services performed and the nature and extent of costs and disbursements. The statement shall also contain a summary that shows the total fees, charges and disbursements.
- 2.7 **Term of Agreement.** The term of this Agreement shall be for five years. The rates specified in this Agreement will remain in effect for the term of this Agreement.
- 2.8 **Chief Prosecutor.** It is the intention of the parties and it is hereby agreed by the Criminal Prosecution Attorney, the term "Chief Prosecutor" as used herein means and refers to Joseph Van Thomme, who will supervise and be responsible to the City for the criminal prosecution services provided.
- 2.9 **Entire Agreement.** This Agreement, any attached exhibits and any addenda or amendments signed by the parties shall constitute the entire Agreement between the City and the Criminal Prosecution Attorney, and supersedes any other written or oral agreements between the City and the Criminal Prosecution Attorney. This Agreement can only be modified in writing signed by the City and the Criminal Prosecution Attorney.
- 2.10 **Termination.** This Agreement may be terminated by the City at any time or by the Criminal Prosecution Attorney upon 60 days written notice.
- 2.11 **Conflict of Interest.** The Criminal Prosecution Attorney shall use best efforts to meet all professional obligations to avoid conflict of interest and appearances of impropriety in representation of the City. In the event of a conflict, the Criminal Prosecution Attorney shall arrange for suitable alternative legal representation. It is the intent of the Criminal Prosecution Attorney to refrain from handling legal matters for any other person or entity that may pose a conflict of interest.
- 2.12 **Agreement Not Assignable.** Except as provided in Paragraph 2.11 of this Agreement relating to conflicts of interest, the rights and obligations created by this Agreement may not be assigned by either party.
- 2.13 **Agreement Not Exclusive.** The City retains the right to hire other legal representatives for specific legal matters.
- 2.14 **Independent Contractor Status.** All services provided by the Criminal Prosecution Attorney pursuant to this Agreement shall be provided by the Criminal Prosecution Attorney as an independent contractor and not as an employee of the City for the purpose, including but not limited to: income tax withholding, workers' compensation, unemployment compensation, FICA taxes, liability for torts and eligibility for employee benefits.
- 2.15 **Work Product.** All records, information, materials and other work product prepared and developed in connection with the provision of services pursuant to this Agreement shall become the property of the City.
- 2.16 **Insurance and Indemnification.** Criminal Prosecution Attorney agrees to maintain a valid policy of Professional Liability Insurance for the duration of this Agreement. The value of

the policy shall not be less than the cap of municipal tort liability as established by Minnesota Statutes. Criminal Prosecution Attorney further agrees to defend, indemnify, and hold harmless the City, its agents and employees against all causes of actions against the City or any of its agents or employees that arise from or as a result of the Criminal Prosecution Attorney's negligent actions or advice under the terms of this Agreement.

2.17 Data Practices Act Compliance. Data provided to the Criminal Prosecution Attorney under this Agreement shall be administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13.

2.18 Choices of Law and Venue. This Agreement shall be governed by the construed in accordance with the laws of the State of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the State or Federal Courts of Minnesota, and all parties to this Agreement waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed by their proper officers and representatives as the day and year first above written.

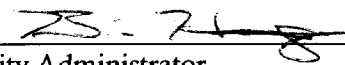
Dated: 2-3-2023

CITY OF RAMSEY



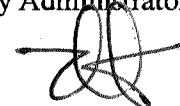
Mayor

Dated: 01-30-23



City Administrator

Dated: 2/6/23q



Joseph Van Thomme
Criminal Prosecuting Attorney

COMMITTEES, AUTHORITIES, BOARDS, COMMISSIONS
(Descriptions and Meeting Schedules)

One Year Appointments

Environmental Policy Board (EPB) (Appointments 1 Plus Alt) The EPB will promote environmental awareness and conservation practices by citizens by advising the City Council on policy issues, review of new development proposals, communication and education. The EPB meets on the 3rd Monday of each month at 6:30 p.m. in the Council Chambers at the Municipal Center. *Liaison/Ex-Officio to Commissions*

Highway 10 Committee (Appointments 3) This is a committee of three City Councilmembers that addresses issues of concern to Highway 10, including legislative initiatives, grant requests, and attending the Anoka County Highway 10 Working Group meetings (early morning 7:30 a.m.). Meetings are scheduled as needed.

Park and Recreation Commission (Appointments 1 Plus Alt) The primary objective of the Park and Recreation Commission is to monitor and reflect the attitudes and concerns of the citizens of Ramsey 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 Ramsey. The Park and Rec. Commission meets on the 2nd Thursday of each month at 6:30 p.m. in the Council Chambers at the Municipal Center or at various Ramsey parks. *Liaison/Ex-Officio to Commissions*

Planning Commission (Appointments 1 Plus Alt) The primary objective of the Planning Commission is to advise the City Council on land use concerns. In addition, the Planning Commission shall serve as the planning agency and shall have the powers and duties given such agencies by state statute. The Planning Commission meets on the 1st Thursday of each month at 7 p.m. in the Council Chambers at the Municipal Center. *Liaison/Ex-Officio to Commissions*

Public Works Committee (Appointments 3 Plus Alt) This Committee considers and advises the City Council on matters concerning public infrastructure, including roadway improvements and maintenance operations, traffic control modification requests, storm water management, and public utility improvements and needs. The Committee meets the 3rd Tuesday of each month at 5:30 p.m. in the Lake Itasca Room at the Ramsey Municipal Center. *Committee of the Council*

***EDA Appointments Coincide with Council Terms** (A vacancy is created in the membership of the commission when a city councilmember of the authority ends councilmembership.)

Economic Development Authority (EDA) (Appointments 2 Plus Alt) The primary objective of the EDA is to aid, assist and promote the growth and expansion of commercial, retail and industrial development in the City of Ramsey. The EDA meets the second Thursday of each month, beginning at 7:30 a.m., in the Council Chambers at the Municipal Center. *Voting Member*

Two-Year Appointments

Anoka County Joint Law Enforcement (JLEC) (Appointments 1 Plus Alt) (This is a 2-year appointment.) The JLEC is an innovative governing body that was created in Anoka County to collaboratively and efficiently work on public safety issues through the entire county. The JLEC was created in 1970. This group is chaired by the County Attorney and is made up of elected officials from each jurisdiction, and the Chief/Sheriff of each jurisdiction. The Fire Protection Council also has a representative on the JLEC. This Board **meets quarterly – the 4th Wednesday of the month at 2:00 p.m.** The meeting locations vary.

Anoka County Fire Protection Council (ACFPC) (Appointments 1 Plus Alt) (This is a 2-year appointment) The ACFPC operates as an independent Joint Powers Arrangement between multiple jurisdictions in Anoka County. The purpose of the ACFPC is to join together to improve the efficiency and effectiveness of fire and emergency services to the public within the geographic service area of the member jurisdictions, to cooperatively address its member's long term needs for fire-fighting and emergency equipment, fire records data systems and fire-fighter and EMS training. The ACFPC **meets quarterly in the months of January, April, July, and October, at approximately 7:00 p.m.** at a rotating location in one of the members' jurisdictions.

Fire Relief Association (Appointments set by Bylaws) The objective of the Fire Relief Association is to provide service pensions and ancillary benefits to members and beneficiaries of the City of Ramsey Fire Department. The Board has nine members, six General Trustees elected from membership and three Municipal Trustees. Per the bylaws the three Municipal Trustees are the Fire Chief, Finance Director and the Mayor. **The meeting schedule for the Fire Relief Association is TBD.**

Lower Rum River Watershed Management Organization (LRRWMO) (Appointments 1 Plus Alt) (This is a 2-year appointment.) LRRWMO is a joint powers special purpose unit of government including the cities of Ramsey, Anoka and portions of Andover. The organization seeks to protect and improve lakes, rivers, streams, groundwater, and other water resources across municipal boundaries. The LRRWMO **meets the 3rd Thursday of the month beginning at 8:00 a.m.,** at Anoka City Hall (Committee Room) 2015 South 1st Avenue, Anoka.

Youth First (Appointments 1 Plus Alt) (This is a 2-year appointment.) Youth First is a non-profit organization that provides free after school and summer programs to middle and high school age children in Andover, Anoka, Coon Rapids and Ramsey. Their mission is to actively engage youth, their families, and the community to ensure youth have the five fundamental promises they need to succeed: safe places, caring adults, effective education, a healthy start and opportunities to serve. Youth First **meets the second Thursday of every month at 7:30 a.m.** – at the Youth First Building, 6701 Highway 10 NW, Ramsey, MN. Member of Organization

Quad Cities Cable Commission (QCTV) (Appointments 1 Plus Alt) (This is a 2-year appointment.) QCTV strives to connect our communities through local cable TV programming valued by residents. The four member cities include Andover, Anoka, Champlin and Ramsey. The Committee **meets bi-monthly on the 3rd Thursday of at 11:00 a.m.** in the Council Chambers at Anoka City Hall, 2015 – 1st Avenue, Anoka as a governing board for this joint powers organization. **Meeting Months: January, March, May, July, September and November.**

Councilmember introduced the following resolution and moved for its adoption:

RESOLUTION #24-001

RESOLUTION FOR 2024 COUNCIL ORGANIZATION

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

- 1) That the City of Ramsey's official newspaper is the Anoka County UnionHerald; official newspaper of the City in which all legal notices, vacancies, advertisements, etc. will be published; and
- 2) That the City of Ramsey's Legal Services are provided as follows: a) General Legal Counsel: Holstad and Knaak, PLC; b) Prosecution Counsel: Ekberg Lammers, PC and c) Bond Counsel/TIF: Taft Stettinius & Hollister, LLP; and
- 3) That the City of Ramsey's recording secretarial service is TimeSaver Off-Site Secretary Services (TOSS); and
- 4) That the following one-year terms are as follows: Acting Mayor, Environmental Policy Board, Highway 10 Committee, Park and Recreation Commission, Planning Commission and Public Works Committee.

	<u>2023 Appt.</u>	<u>2024 Appt.</u>
a) Acting Mayor	Chris Riley	Chris Riley
b) Environmental Policy Board	Chelsee Howell Matt Woestehoff (Alt)	[REDACTED] [REDACTED] (Alt)
c) Highway 10 Committee	Mark Kuzma Chris Riley Dan Specht Brian Hagen	Mark Kuzma Dan Specht [REDACTED] [REDACTED]
d) Park and Recreation Commission	Debra Musgrove Michael Olson (Alt)	[REDACTED] [REDACTED] (Alt)
e) Planning Commission	Matt Woestehoff Michael Olson (Alt)	Matt Woestehoff [REDACTED] (Alt)
f) Public Works Committee	Debra Musgrove Chris Riley Matt Woestehoff Chelsee Howell (Alt)	Debra Musgrove Chelsee Howell Michael Olson [REDACTED] (Alt)

5) That the following two-year terms are as follows: Anoka County Fire Protection Council, Anoka County Joint Law Enforcement, Anoka County Solid Waste Abatement Advisory Team, Anoka County Housing and Redevelopment Authority, Fire Relief Association, Health Authority, LOGIS Board of Directors, Lower Rum River Watershed Management Organization (LRRWMO), North Metro Mayors Association, Quad Cities Cable Communications Commission, and Youth First are as follows:

	<u>2021-2022 Appt.</u>	<u>2023-2024 Appt.</u>
a) Anoka County Fire Protection Council	Ryan Heineman Dan Specht (Alt)	Debra Musgrove Dan Specht (Alt)
b) Anoka County Joint Law Enforcement Council (JLEC)	Jeff Katers Chelsee Howell Dan Specht (Alt)	Jeff Katers Michael Olson Chelsee Howell (Alt)
c) Anoka County Solid Waste Abatement Advisory Team	Chris Anderson	Chris Anderson
d) Fire Relief Association	Mark Kuzma Matt Kohner Diana Lund	Mark Kuzma Matt Kohner Diana Lund
e) Health Authority	Dr. James Long	Dr. James Long
f) LOGIS Board of Directors	Jason Fredrickson Chris Bruneau	Jason Fredrickson Chris Bruneau (Alt)
g) Lower Rum River Watershed Management Organization (LRRWMO)	Debra Musgrove Chris Riley (Alt) Len Linton, Staff	Debra Musgrove Chris Riley (Alt) Len Linton, Staff
h) North Metro Mayors Association: Operating Committee Management Committee	Mark Kuzma Kurt Ulrich	Mark Kuzma Brian Hagen
i) Quad Cities Cable Communications Commission	Matt Woestehoff Kurt Ulrich	Dan Specht Matt Woestehoff
j) Youth First	Michelle Anderson Tim Frankfurth Dan Specht Cory Gardner (Alt) Matt Woestehoff (Alt)	Michelle Anderson Tim Frankfurth Matt Woestehoff Kyle Brotkowski (Alt) Dan Specht (Alt)

6) The City Council members appointed to the EDA while maintaining City Council membership are as follows:

- a) Economic Development Authority Chris Riley Term
 Chelsee Howell
 Michael Olson (Alt)

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember , and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 9th day of January, 2024.

Mayor

ATTEST:

City Clerk

CC Work Session**Meeting Date:** 01/09/2024**Primary Strategic Plan Initiative:** Not Applicable**Information****Title:**

2024 Legislative Priorities

Purpose/Background:

The purpose of this discussion is to review the 2023 Legislative Outcomes and 2024 Legislative Priorities for the City of Ramsey. Attached is a draft 2024 Legislative Priority document for review. The document recognizes many priorities which have been identified in the past, as well as some new ones. At an earlier work session discussing Employee Sick and Safe Time requirements, it was suggested the topic of ESST be placed on our 2024 priority list. The reasoning behind the suggestion stemmed from the benefits package many government agencies already offer regarding sick time. You will find the topic listed on the draft document, but no objective has been identified. Since the adoption of ESST by the State, it has been clarified that elected officials are not eligible for the earnings. However, other categories of employees remain eligible that are non-traditional or seasonal employees. For example: Firefighters, Election Judges, temporary Seasonal workers.

Mr. Mario Nozzarella, IDTS Medical, Inc., will be in attendance to discuss plans for a proposed medical project in which he plans to request state funding for. This project could fall under the city's legislative priorities due to the process for IDTS to obtain funds. The city's involvement may come in the form of administering state funds to IDTS. Mr. Nozzarella will provide further details at the meeting. As for seeking state funding, Mr. Nozzarella would be responsible for the efforts required at the Capitol. This support would promote economic development within Ramsey. IDTS currently occupies space in the second story of the VA Clinic with plans to completely build out the second story. Further development around the VA Clinic is also potential due to IDTS' long term plans.

State Rep. Niska and Sen. Bahr have been invited to this meeting.

2023 Legislative Priority Outcomes:

- Sales and Use Tax Exemption ranted for the Water Treatment Plant
- \$3.2 million in State Bonding proceeds awarded for the construction of the Water Treatment Plant
- TIF 14 (The COR) project deadline was extended to November 2026 to incur eligible expenses
- JLEC legislation which allows Anoka County to levy funds for the purpose public safety improvements and equipment was extended. An extra provision added to this, proposed by JLEC, exempts the levied funds from being included in the county's tax rate.
- LGA funding increased state wide and a new formula was adopted. Unfortunately, Ramsey did not benefit from these changes.
- The Homestead Market Value Exclusion value was increased to \$413,800.

Timeframe:**Funding Source:****Responsible Party(ies):**

Brian Hagen, City Administrator

Outcome:

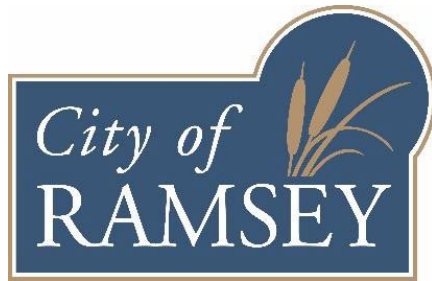
Provide direction for final adoption on January 23, 2024.

Attachments

Draft 2024 legislative Priorities
Draft Supporting Resolution for IDTS

Form Review

Inbox	Reviewed By	Date
Brian Hagen	Brian Hagen	01/04/2024 04:10 PM
Form Started By: Brian Hagen		Started On: 01/04/2024 11:04 AM
Final Approval Date: 01/04/2024		



2024 City of Ramsey Legislative Priorities

DRAFT

Local Priority: Sales and Use Tax Exemptions for Water Treatment Plant Trunk Watermain Improvements

During the 2023 legislative session, state sales and use tax exemptions were approved for the purchase of materials for the new Water Treatment Plant. Unfortunately, sales and use tax exemptions were not approved for the necessary Trunk Watermain improvements so the City is seeking legislative approval in 2024 for state sales and use tax exemptions for the necessary Trunk Watermain improvements.

- In 2023, sales and use tax exemptions were approved for the Water Treatment Plant.
- The City will work with legislators to amend the approved language to authorize applying sales and use tax exemptions to the necessary Trunk Watermain improvements.

Local Priority: State Funding for Water Treatment Plant Trunk Watermain Improvements

During the 2022 and 2023 legislative sessions, the City of Ramsey requested \$10M in state bond funds for construction of a Water Treatment Plant to address a public health need. In 2019, the Minnesota Department of Health informed the City that its water supply contained unsafe levels of manganese. In 2021, the City completed a feasibility study that recommended constructing a Water Treatment Plant to address this public health need. In 2023, the City began constructing a \$42M Water Treatment Plant. During the 2023 legislative session, \$3.2M was awarded for the Water Treatment Plant. The City respectfully requests the remaining \$6.8M be awarded in 2024 to help fully fund construction of the Water Treatment Plant by 2025, as well as the necessary Trunk Watermain improvements that will be constructed in 2024.

- In 2023, Ramsey received \$3.2M in state bond funds for the Water Treatment Plant.
- The City requests an additional \$6.8 million in state bond funds to fully fund the Water Treatment Plant, as well as the necessary Trunk Watermain improvements.
- The City will work with legislators to amend the approved language to authorize applying awarded funds to the necessary Trunk Watermain improvements.

Local Priority: Tax Increment Financing District 14 (TIF 14, The COR)

Language in the original 2010 legislation included, but did not limit to, the city's share of the costs necessary to provide for the construction of the Northstar Transit Station and related infrastructure as eligible expenditures. This included structured parking, a pedestrian overpass and roadway improvements. State Statute requires interfund loan resolutions when a city borrows funds to a district for improvements with plans to repay itself back through future tax increment. However, these expenses were funded without the required interfund loan resolutions pursuant to the TIF statute. Special legislation did not exempt the City from the interfund loan requirement.

- The City will work with legislators to amend the special TIF 14 legislation to exempt the interfund loan requirement. Thus creating the potential repayment of such interfund loans through TIF 14 revenue through 2040.

Local Priority: Funding for continued study of Ramsey/Dayton Mississippi River bridge project

- The feasibility study for a new Mississippi River bridge was completed in 2021 with funds allocated by the 2020 legislature. Staff will work with local legislators to secure the funding for the next step in pursuit of this project. These next steps may include establishing a location of the crossing, in which will be used when developing parcels impacted by a future river crossing. It should be noted, the City of Dayton recognizes the likelihood of a future crossing and are developing a master plan to incorporate such crossing in the future.

Local Priority: Metro Mobility Service Area

- Introduce legislation that will add Ramsey to the service area for Metro Mobility.
- Over the years some residents have expressed an interest in getting door-to-door Metro Mobility Service in Ramsey.
- City residents annually pay \$352,000 to the Metro Transit Taxing District that the City was required to enter when the NorthStar Station was completed.
- Inclusion in the Metro Mobility service area requires a state statute and was last extended to the City of Lakeville in 2019. The cost of the service is covered by the state.

Local Priority: Closed landfill legislation to allow economic development

- Staff will work with the PCA and local legislators to determine what, if any, legislation will allow closed landfill property to be put back on the tax role for private development opportunities.

State-wide Policy Priority:

- **Employee Sick and Safe Time (ESST)**

State-wide Policy Priority:

- **Exemption of residential gardens from water emergency restrictions**

Staff will work with legislators to research possible legislation to ensure that, in the event the governor declares by executive order a critical water deficiency, pursuant to Minnesota Statutes section 103G.291 implementing mandatory emergency water conservation measures and mandatory restrictions upon nonessential water use is enforced and outdoor irrigation is prohibited, that gardens created by Minnesota residents for the cultivation of vegetables, fruits, herbs and flowers for food and medicinal purposes will not be subject to water restrictions, nor shall they be limited to reclaimed water.

State-wide Policy Priority:

- **Statewide licensure of massage therapy**

Support legislation that seeks to adopt a state license requirement for massage therapists. Lack of a statewide license for massage therapists has hampered law enforcement's ability to regulate illegal activities across municipal boundaries related to this profession.

State-wide Policy Priority:

- **Amend remote open meeting law requirement (MS13D.02) that requires notification of a remote place accessible to the public**

Support legislation that will simplify the remote meeting process for local elected bodies, such as, the requirement that all remote locations be advertised and accessible to the public.

State-wide Policy Priority:

- **Lift hospital moratorium**

Support legislation that seeks to increase the availability of hospital beds and allow a free-market for hospital construction.

State-wide Policy Priority:

- **Local Government Aid (LGA)**

Local Government Aid for Ramsey has fluctuated (see chart below) from a high of \$396,382 in 2001, to the current level of \$0 in 2017 and beyond. The basic formula was changed in 2014 and some level of LGA was restored for the next three years

(approximately \$100,000 per year), however the same formula has now resulted in the elimination of all LGA for Ramsey and similar developing suburbs.

FY 2000 - \$359,771

FY 2001 - \$396,382

FY 2002 - \$303,894

FY 2003 through 2013 - \$0

FY2014 - \$91,381

FY 2015 - \$110,352

FY 2016 - \$111,311

FY 2017 through 2023 - \$0

Background:

Support legislation that revises the LGA formula and recognizes the needs of developing suburbs, restoring LGA to developing suburbs for long-term capital needs.

- No changes were made to the LGA funding formula in 2022.
- The City should consider working with legislators to determine if there is an opportunity to revise the LGA formula in the future to provide greater resources to developing suburbs.
- A couple of LGA bills were introduced in 2021 that may have impacted Ramsey, but failed to become law:
 - LGA adjusted for unpaid local assistance costs HF 1052/SF 749 (Rep. Jim Nash, R-Waconia, and Sen. Bill Weber, R-Luverne) would have allowed cities that have not been reimbursed by another city for local assistance costs to submit an application for reimbursement through a reduction in the LGA of the recipient city.
 - LGA minimum distribution HF 1096/SF 1238 (Rep. Jerry Hertaus, R-Greenfield, and Sen. David Osmeck, R-Mound) would have provided for a minimum per capita LGA amount for all cities that otherwise would receive no LGA, and increased the LGA appropriation to cover the additional amount.
- During the 2022 session, discussions occurred regarding updating the LGA formula. Based on a draft formula, Ramsey would have received funds.
- The most recent LGA adjustments left Ramsey with \$0 LGA contributions.

State-wide Policy Priority:

- **Metropolitan Council Committee Membership**

Support legislation that seeks to adjust Metropolitan Council Committee membership qualifications and membership determination. Currently there are 16 geographical Council Districts and one chair. Members are comprised of a representative who resides in the district they represent, with the chair serving at large. All members are interviewed by a nominating committee created by the governor, and the final appointment is determined by the governor.

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION #24-_____

RESOLUTION PROVIDING SUPPORT FOR A CLINICAL RESEARCH & TREATMENT FACILITY

WHEREAS, the City of Ramsey, annually reviews its legislative priorities and provides direction to Staff to implement these priorities; and

WHEREAS, IDTS Medical, Inc. (IDTS) has completed the first phase buildout for its company and relocated to the second floor of the VA Building at 7545 Veterans Drive NW; and

WHEREAS, IDTS has been innovating solutions for the Respiratory Industry and has had an ongoing Clinical Trial Agreement with Mayo Clinic Rochester and MediTuner (Swedish Corporation) since February 2022 in home spirometry and data collection from Asthma patients for predicting respiratory morbidity. IDTS has also signed a Clinical Research Agreement with the University of Colorado and o2matics (Danish Corporation) for automation in o2 titration and saturation. MediTuner has opened its US based operations in the IDTS Medical Center and o2matics is in the process of following suit. The Clinical Research and Treatment Facility will be the home for these and many more national & international companies: and

WHEREAS, IDTS is a facility where everyone has access to leading edge medical treatment for respiratory disorders, regardless of their ability to pay while supporting the advancement of research and innovation in respiratory care; and

WHEREAS, Supporting this program will allow Ramsey to be part of a leadership community in healthcare, pave the way to provide billable world class healthcare solutions for patients with respiratory diseases and supply the setting to relocate international companies to the United States. This facility is open to the public servicing Greater Minnesota Hospitals & Clinics, V.A. patients in a 30-mile radius, assisted living communities, partnerships with community sports programs and the underserved community while driving revenue to local businesses; and

WHEREAS, The vision for IDTS is to create a world class Research & Treatment Hospital for respiratory care in the Ramsey Core located next to the VA building on Veterans Drive; and

WHEREAS, IDTS Medical has requested that the City of Ramsey to provide a resolution of support of the proposed medical project to assist with obtaining funding from the State of Minnesota or other viable sources; and

WHEREAS, IDTS Medical, Inc. is Active / in Good Standing with office of the Minnesota Secretary of State as of 1/2/2024.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

- 1) That the City Council supports the Clinical & Research Facility by IDTS.
- 2) The City Council supports IDTS and its Clinical Research & Treatment Facility in obtaining legislative action/funding that would assist the (Insert Project name) in the City of Ramsey

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 9th day of January, 2024.

Mayor

ATTEST:

City Clerk

CC Work Session

Meeting Date: 01/09/2024

Primary Strategic Plan Initiative: Not Applicable

Information

Title:

Holiday Messaging on Social Media

Purpose/Background:

Councilmembers Specht and Howell have requested a discussion on social media messaging by the City regarding the Christmas season.

The City utilizes social media as a form of communication to the residents and business owners. We post a variety of information throughout the year, including when city offices will be closed. Generally the message will state "The City of Ramsey offices will be closed for *(insert specific holiday)*..." or "In observance of *(insert specific holiday)*, the City of Ramsey offices will be closed..." We also may recognize other generally practiced events like Saint Patrick's Day and Halloween by calling attention to being safe, etc. The City utilized a generic Happy Holidays and Season's Greeting's message when sharing that City offices would be closed December 22nd and 25th.

M.S. 645.44, Subd. 5. Defines holidays as:

- January 1 – New Year’s Day
- Third Monday in January – Martin Luther King’s Birthday
- Third Monday in February – Washington’s and Lincoln’s Birthday
- Last Monday in May – Memorial Day
- June 19 – Juneteenth
- July 4 – Independence Day
- First Monday in September – Labor Day
- Second Monday in October – Indigenous Peoples Day
- November 11 – Veterans Day
- Fourth Thursday in November – Thanksgiving Day
- December 25 – Christmas Day
- *Political subdivisions shall have the option of determining whether Indigenous Peoples Day and the Friday after Thanksgiving shall be holidays.

Timeframe:

Funding Source:

Responsible Party(ies):

Outcome:

Based on Council consensus.

Attachments

No file(s) attached.

Form Review

Inbox

Brian Hagen

Form Started By: Brian Hagen

Final Approval Date: 01/04/2024

Reviewed By

Brian Hagen

Date

01/04/2024 02:17 PM

Started On: 01/02/2024 08:54 AM

CC Work Session

Meeting Date: 01/09/2024

Primary Strategic Plan Initiative: Create a positive image for residential neighborhoods, business districts and key corridors.

Information

Title:

Nuisance Code Update

Purpose/Background:

Update existing Nuisance Code to help clarify code language, make corrections as needed, add additional language to better enforcement activities and to re-organize moving language to more appropriate sections. The City Council began the discussion on November 28, 2023.

Timeframe:

Funding Source:

Normal Staff Time

Responsible Party(ies):

Community Development in cooperation with Police and Public Works

Outcome:

Gather feedback from the draft ordinance, and put together a finished product to bring before an upcoming Council meeting.

Attachments

- Nuisance Chapter 30
- Animals Chapter 10
- Traffic and Vehicle Chapter 54
- Presentation

Form Review

Inbox

Brian Hagen

Form Started By: Craig Swalchick

Final Approval Date: 01/04/2024

Reviewed By

Brian Hagen

Date

01/04/2024 10:58 AM

Started On: 01/04/2024 08:02 AM

Chapter 30 NUISANCES¹

Sec. 30-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A-weighted means a specific weighting of the sound pressure level for the purpose of determining the human response to sound. The specific weighting characteristics and tolerances are those given in American National Standards Institute S1.4-1983, section 5.01.

Abandoned vehicle means any motor vehicle which is determined by the zoning administrator, chief of police, or their assigns, to be an inoperable vehicle as herein defined or to which the last registered owner of record has relinquished dominion or control.

Acceptable prairie restoration means an area of semi or continuous ground cover consisting of native grasses and forbs, with an identified plant species matrix that does not include identified, state-listed noxious weeds or invasive non-native plants. With respect to any undesirable plants, the establishment and long-term maintenance plan shall address the eradication measures to be employed.

Agricultural land means the areas in the state lying south and west of a line along the following highway right-of-way: starting at the North Dakota border, the line goes east along State Highway 10 to State Highway 23, then follows Highway 23 east to State Highway 95, which it follows to the Wisconsin border. The agricultural zone referred to in this guide applies only to ATV use.

All-terrain vehicle (ATV) means a motorized, flotation-tired vehicle with at least three but no more than six low-pressure tires.

Daytime means those hours from 7:00 a.m. to 10:00 p.m.

dBA means unit of sound level expressed in decibels (dB) and A-weighted (A).

Decibel means a unit of sound pressure level, abbreviated as "dB."

Diseased tree means any diseased or insect infested tree that poses a threat to public trees in the city.

Dwelling unit means a residential building or portion thereof intended for occupancy including but not limited to single-unit or multiunit homes, apartments, hotels, motels, nursing homes, seasonal cabins, boardinghouses or rooming houses, tourist homes or trailers.

Impulsive noise means either a single sound pressure peak (with either a rise time less than 200 milliseconds or total duration less than 200 milliseconds) or multiple sound pressure peaks (with either rise times less than 200 milliseconds or total duration less than 200 milliseconds) spaced at least by 200 millisecond pauses.

Inoperable or junk vehicle means any motor vehicle which cannot meet ~~all~~ any one of the following criteria:

- (1) The vehicle must be able to be driven or propelled under its own power upon demand in its existing condition; and

¹State law reference(s)—Nuisances generally, Minn. Stats. ch. 561; authority to define and abate nuisances, Minn. Stats. §§ 410.33, 412.221, subd. 23; public nuisances prohibited, Minn. Stats. § 609.74 et seq.

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- (2) The vehicle must be able to be driven or propelled under its own power in a safe manner and not be wrecked, junked, or dismantled at the time of inspection and/or abatement; and
 - (3) The vehicle must have current license plates and tabs; and
 - (4) The vehicle must have current proof of liability insurance, as required by state law.

L10 means a sound level, expressed in decibels (dBA) which exceeded ten percent of the time for a one-hour time period, as measured by test procedures approved by the commissioner.

L50 means a sound level, expressed in decibels (dBA) which exceeded 50 percent of the time for a one-hour time period, as measured by test procedures approved by the commissioner.

Motor vehicle means every vehicle which is self-propelled and every vehicle which is propelled by electric power. The term "motor vehicle" includes, but is not limited to, automobiles, motorcycles, snowmobiles, motor bikes, scooters, all-terrain vehicles, and go-carts.

Nighttime means those hours from 10:00 p.m. to 7:00 a.m.

Outdoor or, outside means a location within a yard or lot that not within an approved structure. Such a structure can include a shed, garage, or other accessory structure with four constructed walls. Lean-tos, tarps, carports, and fencing are not considered an approved structure.

Person means an individual, firm, partnership, corporation, trustee, association, the state and its agencies and subdivisions, or any body of persons whether incorporated or not. With respect to acts prohibited or required herein, the term "person" shall include employees and licensees.

Public nuisance means any action, situation, land use, or existence of any activity that unreasonably annoys, injures, or endangers the general health, safety, welfare, or public peace such that the comfortable enjoyment of life or property is disrupted, or which is offensive or has a blighting influence on the community.

Public road right-of-way means the entire right-of-way of a roadway that is not privately owned, including the traveled portions, banks, ditches, shoulders, and medians.

Recreational vehicle describes all-terrain vehicles, [campers, camping trailers, motorhomes](#), off-highway vehicles, and off-road vehicles.

[Shade tree means a woody perennial grown primarily for aesthetic or environmental purposes.](#)

Sound measuring device means a decibel meter that meets standards set by the Specifications for Sound Level Meters published by the American National Standards Institute as referenced in Minn. Rules ch. 7030.

Sound pressure level, in decibels, means 20 times the logarithm to the base 10 of the ratio of the pressure to the reference pressure. The reference pressure shall be 20 micronewtons per square meter.

Track or trail means a course built or created by a repetitive or continued use of a motor vehicle.

[Vehicle means any motorized or unmotorized vehicle including but not limited to, automobiles, trucks, motorcycles, buses, recreational vehicles, snowmobiles and trailers.](#)

(Code 1978, § 5.08.02; Ord. No. 07-14, § 3, 9-11-2007; Ord. No. 08-20, § 2, 7-22-2008)

Sec. 30-2. Purpose.

The purpose of this chapter is to take all reasonable measures within the city's jurisdiction to prevent the establishment of activities that maintain or permit a condition which unreasonably annoys, injures or endangers

the health, morals, decency, safety, or public peace so that such activities do not affect the comfortable enjoyment of life or property.

(Code 1978, § 5.08.01; Ord. No. 07-14, § 3, 9-11-2007)

Sec. 30-3. ~~Property~~ Conditions constituting a public nuisance.

The following are declared to be nuisances affecting public peace, health, welfare, and/or safety of the community:

Subd. 1. General Nuisances

A. ~~(1)~~ Exposed accumulation of decayed or unwholesome food or vegetable matter.

~~(2) All diseased animals running at large.~~

~~(3) Carcasses of animals not buried at least three feet deep or destroyed within 24 hours after death.~~

~~(4) Accumulations of manure, refuse or other debris, except that any manure maintained in conformance with chapter 10 shall not be declared a public nuisance.~~

B. ~~(5)~~ Privy vaults and garbage cans which are not rodent-free or fly tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors.

C. ~~(6)~~ The storage or accumulation of waste, refuse, or garbage that is not contained in a closed container designed or reasonably adapted for such purpose, except for 30 days preceding pick-up by a hauler. This includes any accumulation of appliances, plumbing fixtures, furniture, equipment, remnants of wood (decayed or weathered) unused construction materials, stockpiles of rocks or dirt, or any items that could not be put to use in the manner that they are intended.

D. ~~The outdoor accumulation and storage of junk, trash, refuse, debris, materials or other items to include, but not limited to, those items not customarily used outdoors.~~

~~(7) The depositing of garbage or refuse on a public right-of-way or adjacent private property.~~

~~(8) The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, bottles or other substance which may injure any person or animal or damage any pneumatic tire when passing over such surface.~~

E. ~~(9)~~ The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste, or other substances.

F. ~~Dense smoke, noxious fumes, gas and soot, or cinders that creates a hazard or nuisance to the public.~~

G. ~~Radio aerials or television antennas erected or maintained in a dangerous manner.~~

H. ~~All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated so as to endanger public safety, or not constructed and maintained as provided by code.~~

I. ~~The allowing of rain water, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk.~~

J. ~~All dangerous, unguarded machinery in any place, or so situated or operated on private property as to attract the public.~~

K. ~~Any barbed-wire fence less than six feet above ground and within three feet of a public sidewalk or way unless for agricultural purposes permitted by zoning code. unless a permit is granted by the city.~~

L. ~~Any well, hole or similar excavation which is left uncovered or in such other condition as to constitute a hazard to anyone coming on the premises where it is located.~~

-
- M. The existence of any sign, fence, structure or part of any structure which, because of fire, wind, or other natural disaster or physical deterioration, is no longer habitable as a dwelling nor useful for any other purpose for which it may have been intended.
- N. The existence of any vacant dwelling, garage or other outbuilding, unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals for no longer than 1 year or less.
- O. The outdoor or outside parking or storage of any junk, abandoned or inoperable vehicles, equipment, trailers and the like.
- P. The outdoor or outside storage of any part of a vehicle, or piece of machinery that is deteriorating or unusable or intended to be used as salvageable parts.
- Q. Temporary accessory structures not approved by the City, including but not limited, to shipping containers and structures made from canvas or plastic with tubular metal hoops.
- R. Logs and brush piles that create a habitat for rodent and vermin.
- S. Failure to follow or comply with requirements set forth in development agreements, Conditional Use Permits, or Interim Use Permits, unless otherwise approved by the City.
- T. Camping, squatting, or living on public or private land unless within a designated campground or for the personal enjoyment on privately owned property by the owner. Tents, campers, vehicles and the like, cannot be used for commercial or private permanent or temporary dwelling units.
- U. It shall be unlawful to place any sign or advertisement in the public right of way.
- V. Addressing must be clearly visible and each property identifiable, to include constructions sites from the start of construction throughout development, as to allow for first responders, emergency services and wayfinding.
- W. Any other act or omission declared to be a public nuisance and for which no sentence is specifically provided.

Subd. 2. Grass, Weeds, and Noxious Growths

~~(10)~~ A. All grass, weeds, or noxious growths of vegetation upon public or private property exceeding eight inches in height, or whatever height specified in the appropriate zoning district, excluding acceptable prairie restoration plant materials.

1. ~~a.~~ Exemption. All ground cover vegetation located in the following areas are hereby exempt from height restrictions:
- ~~1.~~ a. Shore impact zones;
 - ~~2.~~ b. Bluff impact zones;
 - ~~3.~~ c. Areas within 50 feet of a wetland or natural drainage way;
 - ~~4.~~ d. Areas of native plant communities with approved management plans; and
 - ~~5.~~ e. Significant vegetative stands identified under section 117-148, relating to Mississippi River Corridor Critical Area (MRCCA) Overlay District Development Standards.

Any vegetation management within the MRCCA overlay district shall comply with the requirements and standards of zoning code and with any vegetation clearing permits approved by the City of Ramsey.

f. Areas of steep slope where mowing is not safely possible.

g. Any area that has been undisturbed by development, grading or building and remains in its original natural state.

B. All areas that have been graded or developed must maintain the property to turf grass standards unless an appropriate prairie management plan has been accepted by the City or falls within the exemption list above.

~~(11) Dense smoke, noxious fumes, gas and soot, or cinders in unreasonable quantities.~~

Subd.3. Obstructions of Rights-of-Way

A. It is unlawful to place or deposit debris, including but not limited to dirt, leaves, grass, snow, ice, and other materials onto a road, public or private property. Governmental agencies and their contractors performing street maintenance and snow removal activities are exempted.

B. Snow, materials or debris shall not be pushed across a street or public right of way.

C. Snow, ice and other hazards must be removed from sidewalks and trails within 48 hours of a snow fall or other precipitation event causing the hazard.

D. Any obstructions affecting the ordinary use of a public street, trail, or right of way unless specifically permitted by code.

~~(12) Snow, ice, or other precipitation not removed from sidewalks or the allowing of rain water, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk.~~

~~(13) E. All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles.~~

~~(14) Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks, or public grounds except under such conditions as are permitted by this Code or other applicable law.~~

~~(15) Radio aerials or television antennas erected or maintained in a dangerous manner.~~

~~(16) F. Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free uses of the streets or sidewalks.~~

G. All trees, hedges, billboards or other obstructions that prevent persons from having a clear view of all traffic approaching an intersection or a violation of the site triangle requirements set forth in City Code.

H. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials.

I. Wastewater cast or permitted to flow, upon streets or other public property.

~~(17) All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated so as to endanger public safety, or not constructed and maintained as provided by code.~~

~~(18) Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk or way unless a permit is granted by the city.~~

~~(19) Wastewater cast or permitted to flow, upon streets or other public property.~~

~~(20) Any well, hole or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any child coming on the premises where it is located.~~

~~(21) f. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials.~~

- ~~(22) The existence of any structure or part of any structure which, because of fire, wind, or other natural disaster or physical deterioration, is no longer habitable as a dwelling nor useful for any other purpose for which it may have been intended.~~
- ~~(23) The existence of any vacant dwelling, garage or other outbuilding, unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals.~~
- ~~(24) All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public.~~
- ~~(25) The outdoor or outside storage of any abandoned or inoperable vehicles, as defined by this chapter.~~
- ~~(26) The outdoor or outside storage of any part of a motor vehicle or piece of machinery that is deteriorating or unusable or intended to be used as salvageable parts.~~
- ~~(27) Any violation of section 117-355, relating to off-street parking regulations.~~
- ~~(28) Any violation of chapter 10, relating to the keeping of animals.~~
- ~~(29) Any violation of chapter 34, article III, division 3, relating to clandestine drug labs.~~
- ~~(30) Any other act or omission declared to be a public nuisance and for which no sentence is specifically provided.~~
- ~~(31) The use or operation of a radio, musical instrument, amplified music or sound, or other machine or device used for production or reproduction of sound at a volume in the excess of that reasonably necessary for the convenient hearing of the person or in the room, vehicle, or chamber in which the same is being operated, as defined by this chapter. The operation between the hours of 10:00 p.m. and 7:00 a.m. of any radio, musical instrument, amplified music or sound, or other machine or device for the reproducing or producing of sound if the sound therefrom is audible from:

 - ~~a. An apartment or hallway of a multifamily building adjacent to a unit where the device is operating.~~
 - ~~b. The property line of the real property on which the device is being operated.~~
 - ~~c. A distance of 50 feet from any motor vehicle in which the device is operating.~~~~
- ~~(32) To operate or to cause to be operated, but not limited to, the use of any noise creating blower or power fan, internal combustion engine, air compressor or steam engine, automobile, motorcycle, snowmobile, motor boat, motor bike, scooter, recreational vehicle, all terrain vehicle, off-highway motorcycle, off-road vehicle, go-cart, or remote controlled airplane, boat, or other vehicle powered by an engine or motor, the operation of which causes noise, unless the noise from the blower or fan is muffled and such engine or compressor is equipped with a muffler device sufficient to deaden and effectively prevent such noise so that the noise shall not annoy, disturb or affect the comfortable enjoyment of life or property.

 - ~~a. Sound levels. No person shall operate or cause or permit to be operated any source of noise in such a manner as to create a noise level exceeding the limit set in Table 1.~~~~

TABLE 1

	7:00 A.M. — 10:00 P.M.		10:00 P.M. — 7:00 A.M.	
Land Use	L50	L10	L50	L10
Residential	60	65	50	55
Commercial	65	70	65	70
Industrial	75	80	75	80

-
- b. ~~Measurement procedure.~~ The following procedures must be used to obtain a representative sound level measurement by the use of a sound measuring device:
1. ~~A decibel meter will be used to obtain readings and be used as evidence.~~
 2. ~~The operator of the device has sufficient training to properly operate the equipment and can testify as to the manner in which the device was set up and operated.~~
 3. ~~The device is operated with minimal distortion or interference from outside sources; and has been certified as being accurate and reliable.~~
 4. ~~Measurements must be made at least three feet off the ground or surface and away from natural or artificial structures which would prevent an accurate measurement.~~
 5. ~~Measurements must be made using an A-weighting and fast response characteristics of the sound measuring device as specified in American National Standards Institute S1.4-1983.~~
 6. ~~Measurements must not be made in sustained winds or in precipitation which results in a difference of less than ten decibels between the background noise level and the noise source being measured.~~
 7. ~~Measurements must be made using a microphone which is protected from ambient conditions which would prevent an accurate measurement.~~
 8. ~~Measurement must be made from the property of the person making the complaint, when applicable.~~

(33) ~~Tracks and trails for riding motor vehicles are not allowed in a residential area unless said track or trail is:~~

- a. ~~1,000 feet from any residence except that of the owner; and~~
- b. ~~At least 50 feet from property lines, public streets, utilities, or easements.~~

~~(Code 1978, § 5.08.04; Ord. No. 04-34, 9-27-2004; Ord. No. 07-14, §§ 2, 3, 9-11-2007; Ord. No. 07-21, § 2, 10-23-2007; Ord. No. 11-06, § 2, 7-24-2012; Ord. No. 12-10, § 2, 7-24-2012; Ord. No. 22-07, § 2, 2-8-2022)~~

Sec. 30-4. Nuisances affecting public safety.

The following are declared to be nuisances affecting public safety:

- (1) ~~All snow and ice not removed from public sidewalks 12 hours after snow or other precipitation causing the condition has ceased to fall;~~
- (2) ~~All trees, hedges, billboards or other obstructions that prevent persons from having a clear view of all traffic approaching an intersection;~~
- (3) ~~All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles;~~
- (4) ~~Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks, or public grounds except under such conditions as are permitted by this Code or other applicable law;~~
- (5) ~~Radio aerials or television antennas erected or maintained in a dangerous manner;~~
- (6) ~~Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free uses of the streets or sidewalks;~~

-
- ~~(7) All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated so as to endanger public safety, or not constructed and maintained as provided by code;~~
 - ~~(8) The allowing of rain water, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;~~
 - ~~(9) Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk or way unless a permit is granted by the city;~~
 - ~~(10) All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public;~~
 - ~~(11) Wastewater cast or permitted to flow, upon streets or other public property;~~
 - ~~(12) Any well, hole or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any child coming on the premises where it is located;~~
 - ~~(13) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials;~~
 - ~~(14) The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, bottles or other substance which may injure any person or animal or damage any pneumatic tire when passing over such surface;~~
 - ~~(15) The depositing of garbage or refuse on a public right-of-way or adjacent private property.~~

~~(Code 1978, § 5-08.06; Ord. No. 04-34, § 9-27-2004)~~

Sec. 30-5. Nuisances affecting public peace Noise.

Subd. 1. Noisy parties and gatherings.

- A. It is unlawful for any person to permit or to be present at or participate in a noisy party or gathering of people from which noise emanates of sufficient volume or nature so as to disturb the peace, quiet or comfort of another or interferes with the right of another to use peacefully his/her property, whether on public or private property. It shall be presumed that a violation of this section has occurred when any noise from a gathering is plainly audible, at a distance of 50 feet or more, between the hours of 10:00 p.m. and 7:00 a.m. without having a special event permit.
- B. It is unlawful for any person, owning or possessing property upon which a party or gathering prohibited herein is in progress, to fail to abate such noise upon an order of a police officer. When a police officer has probable cause that a violation of this section is occurring, the officer may order all persons present, other than the owner or person in possession of the property, to disperse and leave the property immediately and failure of any person, other than the owner or person in possession of the property, to refuse to leave after being so ordered by the police officer shall be unlawful.

Subd. 2. Electronic sound system/audio equipment.

- A. No person shall use or operate any device, instrument, electronic sound system or audio equipment including, but not limited to, any compact disc player, cassette tape player, AM-FM radio, citizen band radio, paging system, or any other device designed to produce or reproduce audio sound; in such an unreasonably loud manner that it disturbs the peace, quiet, and comfort of others or interferes with the right of another to use peacefully his/her property or public property without disturbance.
- B. It shall be presumed that a violation of this section has occurred when any electronic sound system or audio equipment is operated in a manner in which it is plainly audible at a distance of 50 feet or more.

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- C. When sound violating this section is produced by an electronic sound system or audio equipment that is located in or on a vehicle, the vehicle's owner is guilty of the violation, provided that if the vehicle's owner is not present, the person in charge of the vehicle at the time of the violation is guilty of the violation.
- D. This section shall not apply to sound produced by the following:
1. Amplifying equipment used in connection with activities for which a permit has been granted or in connection with activities of any organized school, church, civic, or other event or activity open to the public and occurring between the hours of 7:00 a.m. and 10:00 p.m. while still maintaining decibel limits set by Minnesota State Law.
 2. Anti-theft devices;
 3. Bells, chimes, carillons, or the like in association with a religious institution or school;
 4. emergency civil defense warning signals; and
 5. Authorized emergency vehicles or other vehicles required by law to be equipped with sound devices.

~~(a) Specific acts. The following are declared to be nuisances affecting public peace:~~

- ~~(1) The use or operation of a radio, musical instrument, phonograph, tape recorder or other machine or device used for production of reproduction of sound at a volume in the excess of that reasonably necessary for the convenient hearing of the person or in the room, vehicle, or chamber in which the same is being operated.~~
- ~~(2) The operation between the hours of 10:00 p.m. and 7:00 a.m. of any radio, musical instrument, phonograph, tape recorder or other machine or device for the reproducing or producing of sound if the sound therefrom is audible from:
 - ~~a. An apartment or hallway of a multifamily building adjacent to a unit where the device is operating.~~
 - ~~b. The property line of the real property on which the device is being operated.~~
 - ~~c. A distance of 50 feet from any motor vehicle in which the device is operating.~~~~

Subd.3. ~~(3)~~ To operate or to cause to be operated, but not limited to, the use of any noise creating blower or power fan, internal combustion engine, air compressor or steam engine, automobile, motorcycle, snowmobile, motor boat, motor bike, scooter, recreational vehicle, all-terrain vehicle, off-highway motorcycle, off-road vehicle, go-cart, or remote-controlled airplane, boat, or other vehicle powered by an engine or motor, the operation of which causes noise, unless the noise from the blower or fan is muffled and such engine or compressor is equipped with a muffler device sufficient to deaden and effectively prevent such noise so that the noise shall not annoy, disturb or affect the comfortable enjoyment of life or property.

Subd.4. ~~(4)~~ Tracks and trails for riding motor vehicles are not allowed in a residential area unless said track or trail is:

- ~~A. a.~~ 1,000 feet from any residence except that of the owner; and
- ~~B. b.~~ At least 50 feet from property lines, public streets, utilities or easements.

Subd.5. The following activity shall be unlawful on public or private property between the hours of 10:00 p.m. and 7:00 a.m.

- A. The use of any power tools for construction activity including, but not limited to: saws; jackhammers; nail drivers; impact wrenches; and air compressors.
- B. The use of power lawn or landscape maintenance equipment, including but not limited to: lawn mowers; hedge clippers; grass/weed trimmers; garden tillers; chainsaws; leaf-blowers; wood chippers.
- C. Repair and servicing of motor vehicles, recreational vehicles or other vehicles or equipment in residentially zoned districts or those district adjacent to residentially zoned properties.

Subd.6. Construction activity, including but not limited to: operation, repair, servicing and engine start-up/warm-up of heavy construction equipment; loading and unloading of heavy equipment; and delivery of supplies between the hours of 8:00 p.m. and 7:00 a.m.

Subd.7. Exemption. The following activities are specifically exempted from the prohibitions under this section:

- A. Mining and excavation regulated by a mining and excavation permit.
- B. All activities and land uses regulated by conditional use permits including but not limited to fuel facilities, fast food establishments, major auto repair, school activities and day care facilities.
- C. Public work, construction and maintenance by federal, state, county or city authorities or their contractors and sub-contractors as approved by the city engineer.
- D. Snow removal activities.
- E. Emergency public works repair/construction.
- F. Parking lot maintenance or sweeping.

Subd.8. (5) All other conditions or things, which are likely to cause injury to the person or property of anyone and to interfere with the comfortable enjoyment of life or property.

~~(b) — Sound levels. No person shall operate or cause or permit to be operated any source of noise in such a manner as to create a noise level exceeding the limit set Table 1.~~

TABLE 1

	7:00 A.M.—10:00 P.M.		10:00 P.M.—7:00 A.M.	
Land Use	150	110	150	110
Residential	65	60	55	50
Commercial	70	65	70	65
Industrial	80	75	80	75

~~(c) — Measurement procedure. The following procedures must be used to obtain a representative sound level measurement by the use of a sound measuring device~~

- ~~(1) — A decibel meter will be used to obtain readings and be used as evidence.~~
- ~~(2) — The operator of the device has sufficient training to properly operate the equipment and can testify as to the manner in which the device was set up and operated.~~
- ~~(3) — The device is operated with minimal distortion or interference from outside sources; and has been certified as being accurate and reliable.~~
- ~~(4) — Measurements must be made at least three feet off the ground or surface and away from natural or artificial structures that would prevent an accurate measurement.~~

-
- ~~(5) Measurements must be made using an A-weighting and fast response characteristics of the sound measuring device as specified in American National Standards Institute S1.4-1983.~~
 - ~~(6) Measurements must not be made in sustained winds or in precipitation that results in a difference of less than ten decibels between the background noise level and the noise source being measured.~~
 - ~~(7) Measurements must be made using a microphone that is protected from ambient conditions that would prevent an accurate measurement.~~
 - ~~(8) Measurement must be made from the property of the person making the complaint, when applicable.~~
- (Code 1978, § 5.08.07; Ord. No. 04-34, § 9-27-2004)

Sec. 30-6. ~~Powers of city officials.~~ Sound levels and Measurement

The allowable sound levels and measurement standards follow the Minnesota Pollution Control Guidelines for Noise found in the Minnesota Administrative Rules Section 7030. Whenever the City Administrator or designee finds that a violation has occurred, penalties may be issued in accordance with State Law and the City of Ramsey Code.

~~Whenever in the judgment of the City Administrator or their Designee city's health authority, city engineer, or chief of police (or other such city official as may be determined by the city administrator), a finding is made upon investigation that a public nuisance is being maintained or exists within the city, the city may at the direction of the city administrator, issue a citation or written notice to the owner or occupant of the premises where the public nuisance is maintained requiring him to terminate and abate said nuisance. Service of said notice shall be in person or by U.S. mail. If the premises are not occupied and the address of the owner is unknown, service on the owner may be had by posting a copy of the notice on the premises. If the nuisance is not abated within ten days of the date of issuance of the notice, the city may issue a code violation citation to the notified owner or occupant. As an alternative, the city may elect to prosecute the matter in district court without first issuing the ten-day notice described in this section.~~

(Code 1978, § 5.08.08; Ord. No. 04-34, § 9-27-2004)

Sec. 30-7 ~~Chapter 113~~–Natural Resource and Environmental Preservation and Protection

~~Article III~~–Shade Tree Diseases and Pests

Subd. 1. Purpose ~~Sec. 113 40 (101 Purpose)~~

The City Council has determined that the health of the community forest, including both public and private trees, faces threats from certain lethal diseases and pests, including but not limited to, Oak Wilt, Dutch Elm Disease, and Emerald Ash Borer. Without proper preventative and control measures in place, the loss of trees from these epidemics would result in substantial depreciation of property values, could significantly reduce wildlife habitat and the beneficial wildlife corridor linkages, and detract from the city's rural character. In addition to, and in accordance with, Minn. Stats. 18G and Minn. Stats. 89.54-89.64, the provisions of this chapter are adopted as an effort to control and prevent the spread of these shade tree diseases and pests.

~~Sec. 113 41 (102 Definitions)~~

Subd. 2 License Required ~~Sec. 113 42(103 License Required)~~

- A. Any person, firm, or corporation that provides tree care, tree trimming, or removal of trees, limbs, branches, brush, or shrubs for hire must be registered with the Minnesota commissioner of Agriculture under Minn. Stat. § 18G.07.

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- B. License Required. It shall be unlawful for any individual, partnership, or corporation to conduct, as a business for profit, the cutting, trimming, pruning, removing, spraying or otherwise treating trees, shrubs or vines in the city without having secured a license from the city to conduct such business.
 - C. Application for a license under this chapter shall be made on a form approved by the city and shall include, among other things, the name and address of the applicant, the number of and names of employees of the applicant, and a description of vehicles and equipment used for the business, including license plate numbers if applicable. It shall also include proof of compliance with Minn. Stat. § 18G.07.
 - D. Insurance Requirements. No license or renewal of a license shall be granted, nor shall the same be effective, until the applicant has filed with the city a certificate of insurance evidencing the holding of liability insurance and the limits required by Minnesota Statutes and proof of workers' compensation insurance. The city shall be named and the insurance provided shall include the city as an additional party insured. Said policy shall provide that it may not be canceled by the insurer except after ten (10) days written notice to the city and, if such insurance is so canceled and the licensee fails to replace the same with another policy conforming to the provisions of this chapter, said license shall be automatically suspended until such insurance has been replaced.
 - E. License Fee. The annual license fee shall be determined by the city's annual Fee Schedule.

Subd. 3 Nuisances Declared ~~Sec. 113-43 (200 Nuisances Declared)~~

- A. The following are considered public nuisances, as their conditions represent a threat to the health of the overall community forest. The city may submit a wood sample to a laboratory, such as the University of Minnesota's Plant Disease Clinic, to confirm the presence of the disease or pest.
 - 1. Any elm tree or part thereof infected to any degree with Dutch Elm Disease fungi (either *Ophiostoma ulmi* or *Ophiostoma novo-ulmi*), or which harbors any elm bark beetle (*Hylurgopinus rufipes*), European elm bark beetle (*Scolytus multistriatus*), or banded elm bark beetle (*Scolytus schevyrewi*), collectively referred to as elm bark beetles.
 - 2. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material not properly covered and sealed or from which the bark has not been removed or sprayed with an effective insecticide for elm bark beetles; except that the stockpiling of uncovered bark bearing elm wood shall be permitted during the months of October through March.
 - 3. Any tree, or part thereof, within the Red Oak family (northern red oak, northern pin oak, pin oak, and black oak), infected to any degree with the oak wilt fungus (*Bretziella fagacearum*). This includes any diseased material that is potentially spore producing (PSP).
 - 4. Any tree, or part thereof, within the White Oak family (white oak, bur oak, swamp white oak, and chinkapin oak), that poses a threat of transmission of the oak wilt fungus to other trees of the same species through grafted roots.
 - 5. Any ash tree (*Fraxinus* spp.) or part thereof, infected to any degree with Emerald Ash Borer (EAB), *Agrilus planipennis*.
 - 6. Any tree deemed by the city to be hazardous, which may include structural defects in the roots, stem, and/or branches, that could cause the tree to fail and, should it fall, would land within a public right-of-way or upon public land.

Subd. 4. Nuisance Trees ~~Sec. 113-44 (201 Nuisance trees)~~

- A. ~~Disease or pest-infested trees.~~ Any tree located within the city, which is determined by a certified arborist or a certified tree inspector to be a nuisance tree, as defined above, ~~afflicted with any dangerous or infectious insect infestation or plant disease,~~ may be declared a public nuisance. ~~This shall include trees and shrubs harboring injurious insects or pathogens that may cause significant potential danger to the community forest.~~ A nuisance tree can be declared hazardous or potentially hazardous if circumstances warrant immediate action to abate that nuisance.
 - 1. The city, or its designate, may remove or cause or order to be removed, any nuisance tree or part thereof. ~~which is in an unsafe condition or which by reason of its nature is injurious to sewers,~~

~~electric power lines, gas lines, water lines, or other public improvements, or is infected with Oak Wilt or Dutch Elm Disease~~

2. An evaluation of "imminent danger" means that the hazard to the public is immediate. If the property owner cannot be contacted or refuses to remove the hazard, the city will initiate action immediately.
3. An evaluation of "potentially dangerous" means that a hazard to the public will exist in the near future. The property owner will be notified and should remove the future hazard as soon as possible.

A. The city shall have the right to cause the removal of any ~~dead or diseased~~ nuisance tree(s), as defined above, on private property. ~~within the city, when such trees constitute a hazard to life or property, or harbor insects or disease which constitute a potential threat to other trees within the city.~~ In the event of failure of the property owner(s) to comply with such provisions, the city shall have the authority to remove such nuisance trees and charge the cost of removal to the property owner.

1. Notice to take action. ~~An order for~~ A "Notice to Take Action" will be issued upon determination by the city, or its designee, to prevent the spread of disease or insects to public trees and the community forest at large ~~that maintenance work requiring the pruning, preservation, or removal of trees or plants upon private property when such action is necessary to ensure public safety and/or in accordance with the following provisions~~ places. Issuance of a Notice to Take Action may be based on one (or more) of the following:

- a. For Oak Wilt, any of the following: visual confirmation of wilted leaves, presence of a fungal spore pad(s), or laboratory confirmation of the presence of the Oak Wilt fungus.
- b. For Dutch Elm Disease, any of the following: laboratory confirmation of the presence of the Dutch Elm Disease fungi, visual confirmation of leaf symptoms, staining of the sapwood, or visual confirmation of elm bark beetle galleries.
- c. For Emerald Ash Borer, confirmation of EAB galleries or D-shaped exit holes.

2. The Notice to Take Action shall include the following information:

- a. ~~Such notice shall describe~~ Specify the kind of tree, ~~shrub, or other plant or plant part~~ which has been declared to be a public nuisance; its location on the property; and the reason for declaring it a nuisance.
- a. Proper disposal procedures of wood, bark and debris from said nuisance shall be detailed in said notice. These disposal procedures shall be followed within the time provided in the notice.
- c. The Notice ~~of violation~~ to Take Action shall state ~~the specific violation and indicate whether immediate enforcement will be sought or if 30 days will be allowed~~ the timeline to correct and/or remove the ~~violation~~ nuisance tree(s).
- d. If the owner of the property to whom an order has been issued fails or refuses to take remedial action in accordance with and within the time specified in ~~an order~~ a Notice to Take Action, the city, or its designate, shall cause the remedial action so ordered to be performed at the expense of the owner. Appeals shall be in accordance with ~~section 117-55~~ Chapter 2 of City Code.

Subd. 5 Preventative Measures ~~Sec. 113-45 (202 Preventative Measures)~~

A. Preventative measures. When managing nuisance trees, as defined herein, preventative measures are generally more cost effective for property owners than control measures. Hence, the following measures, either individually or in combination, shall be implemented:

1. If pruning or removal of oak trees must be conducted during the 'High Risk' timeframe (generally April through July), the cut surface shall be immediately treated with a water-based paint, wound sealant, or shellac to minimize the potential introduction of Oak Wilt.

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2. If a property owner desires to retain Oak Wilt infected wood from the Red Oak family, DED infested elm wood, or EAB infested ash wood on site, the following measures shall be implemented:
 - a. Cut the wood into firewood sized pieces and stack neatly to allow for drying.
 - b. Cover the stacked wood with 4-6 mil thick clear plastic or a tarp and completely bury the edges into the ground to trap any elm bark beetles or emerald ash borers under the covering and to prevent sap feeding beetles from accessing the diseased oak wood.
 - c. The plastic or tarp can be removed after the growing season of the year following removal.

Sec. 30-78. ~~Abatement of nuisances by council~~-Violations

Any Violation of Ramsey City Code is deemed to be a Public Nuisance and is punishable as a Misdemeanor unless otherwise noted as a Petty Misdemeanor. Each day a violation continues is considered a new violation.

~~If, after such service of notice, the party fails to abate the nuisance or make the necessary repairs, alterations, or changes in accordance with the direction of the council, said council may cause such nuisance to be abated at the expense of the city and recover such expenditure, plus an additional 25 percent, either by civil action against the person served; or if such service has been had upon the owner or occupant, by ordering the city administrator to extend such sum, plus 25 percent as a special tax against the property upon which the nuisance existed and to certify the same to the county auditor for collection in the manner as taxes and special assessments are certified and collected.~~

~~(Code 1978, § 5.08.09; Ord. No. 04-34, § 9-27-2004)~~

~~State law reference(s)—Collection of charges as a special assessment, Minn. Stats. § 439.101.~~

Chapter 10 ANIMALS¹

ARTICLE I. IN GENERAL

Sec. 10-1. Keeping of certain animals, livestock and poultry.

(a) *Prohibited animals.*

- (1) The following animals are prohibited within the city:
 - a. Any animal or species prohibited by state or federal law.
 - b. All large cats of the family felidae, such as lions, tigers, jaguars, leopards, cougars and ocelots, except commonly accepted domesticated house cats.
 - c. All members of the family canidae, such as wolves, foxes, coyotes, dingoes and jackals, except domesticated dogs.
 - d. All poisonous animals, including snakes; that upon touch or bite may cause hallucinations, alter cardiopulmonary functions, or even death.
 - e. Dangerous farm type animals, including bison, emus, and ostrich, except with a non-traditional animal license.
 - f. All other animals which are not listed explicitly above, but which can be easily defined in this chapter as an exotic animal, including bears, wolverines, and badgers.
- (2) Persons keeping animals for a public zoo as volunteers, docents, or otherwise, any bona fide research institution or veterinary hospital are exempt from the provisions of this chapter, provided protective devices adequate to prevent such animals from escaping or injuring the public are provided.

(b) *Non-domestic animals.*

- (1) The schedule referred to in subsection (b)(1) of this section shall be used in the following manner:
 - a. The types of non-domestic animals kept or maintained shall be limited to those listed on the schedule.
 - b. The maximum number of animal units allowed, excluding domestic animals, for a specific acreage of land shall be determined by the following formula:

Maximum number of animal units allowed = Number of acres rounded down to the nearest quarter (.25) acre(s):

¹Editor's note(s)—Ord. No. 15-12, § 2, adopted July 14, 2015, amended chapter 10 in its entirety to read as herein set out. Former chapter 10, §§ 10-1, 10-2, 10-23, 10-24, 10-52—10-70, 10-95 and 10-119—10-128, pertained to similar material. See the Code Comparative Table for the chapter's history.

State law reference(s)—General authority relative to animals, Minn. Stats. §§ 410.33, 412.221, subd. 21; animal health, Minn. Stats. ch. 35; dogs and cats, Minn. Stats. ch. 347; cruelty to animals, Minn. Stats. § 343.20 et seq.; stray animals and companion animals, Minn. Stats. ch. 346.

<i>Permitted Animal Types</i>	<i>Assigned Animal Unit Values</i>	<i>Minimum Acreage Required</i>
Cattle family except Bison	1 head = 1 unit	2.5 acres
Llama/Alpaca family	1 head = 1 unit	2.5 acres
Swine family	2 head = 1 unit	2.5 acres
Sheep/Goat family	2 head = 1 unit	0.50 acres
Poultry/Fowl families (chicken, duck)	25 head = 1 unit	No minimum
Poultry/Fowl families (turkey, goose)	8 head = 1 unit	2.5 acres
Horse/Mule family	See section 10-1(4)c.	1.5 acres
Animal units not addressed in this table will be determined by the City at the time of Non-Traditional Animal License consideration.		

- (2) Poultry/fowl shall be subject to the following:
- a. Poultry/fowl are defined as chickens, turkeys, geese, ducks, or similar.
 - b. Poultry/fowl must be provided an enclosure in accordance with City Code chapter 117, article II (Zoning) and Minnesota State Building Code. The enclosure shall be counted as an accessory building when calculating total number of permitted accessory buildings on a property. The enclosure and surrounding grounds shall be maintained in a clean and sanitary condition and in good repair. Flies, rodents, and noxious odors shall be controlled. Poultry/fowl may not run at large.
 - c. Poultry/fowl, including any shelters, coops and/or containment fencing, must be located in side or rear yards only.
 - d. All enclosures must maintain a minimum setback of ten feet from all property lines and must maintain a minimum setback of 30 feet from all adjacent inhabited structures.
 1. The enclosure shall remain completely enclosed to prevent unwanted intrusion by outside animals and migratory birds.
 2. If 100 percent opaque fencing (privacy fencing) is utilized for the exercise area, said fencing is subject to the standard fence regulations and setbacks within City Code chapter 117. If alternative fencing is used (for example, chain link fencing), then said fencing shall be no closer than ten feet to a property line.
 - e. Roosters may be kept and maintained only on parcels of at least two and one-half acres in size. Said properties are allowed a total of two roosters.
 1. Setbacks for rooster enclosure and exercise area shall be 50 feet from any neighboring place of human habitation and 75 feet from neighboring property lines.
- (3) Cattle, and swine families shall be subject to the following:
- a. Cattle, llama/alpaca, and swine families may be kept and maintained only on parcels of at least two and one-half acres in size.
 - b. Sheep/goats may be kept and maintained on parcels of at least one-half acre in size.
 - c. Barns and stables subject to section 10-3.
- (4) Horses.

- a. Intent and purpose of section provisions. The intent of this section is to establish regulations for maintaining horses as defined in subsection (b) of this section exclusively on property. Section 10-3 (barns and stables) also applies to this article. The purpose of this section is:
 1. To prohibit the maintaining of horses on lots or parcels of record less than one and one-half acres in size;
 2. To require the filing with the city of a sketch drawing prior to maintaining a horse; and
 3. To ensure proper handling, treatment and maintenance of horses.
- b. Horse defined. As used in this section, the term "horse" shall mean any stallion, mare, gelding, foal, pony, donkey, ass, burro, mule or animal of horse kind.
- c. Acreage requirements. The following chart prescribes the number of horses that can be maintained on lots of record of sizes as shown. The lease of property contiguous to the lot of record is eligible to meet acreage requirements provided the lot of record is at least one and one-half acres in size and evidence of a current lease is provided to the city:

Acreage	Number of Horses Permitted	Comments
Less than 1.5 acres	0	Not permitted.
1.5—3.0 acres	2	Sketch drawing required in property file.
Over 3 acres	2+	One additional horse for each full acre over 3 acres.

- d. Sketch drawing required prior to maintaining and boarding a horse or horses on any parcel of land three acres or more in size, the landowner shall provide a sketch drawing to the city.
 1. Required sketch drawing information shall include:
 - i. Name and address of the fee owner of the subject property where the horses are to be maintained and the name and address of occupant of subject property.
 - ii. Legal description of subject property.
 - iii. Acreage of subject property and acreage of enclosed roaming area.
 - iv. Number of horses to be maintained on subject property.
 - v. Sketch drawing showing, to scale:
 - (A) Location of all buildings on subject property;
 - (B) Fenced in horse pasture area;
 - (C) Location and distance from subject property of all adjacent property's buildings; and
 - (D) Area on subject property where manure will be stored if the number of horses exceeds one horse per one-half acre of enclosed roaming area.
- e. Rodent and insect control.
 1. Manure shall be handled or treated in such a manner as not to create a public nuisance which shall mean at a minimum that manure will be properly disposed of weekly when the

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- number of horses on any one parcel exceeds one horse per one-half acre of enclosed roaming area.
2. Corrals, pens, stables or similar enclosures shall be maintained in a manner to minimize fly breeding.
 3. Accumulations of horse manure on the paved portion of a street, sidewalk or alley shall not be permitted, and the horse owner shall be responsible to abate such nuisance.
- f. Care and maintenance of horses.
1. No horse shall be treated cruelly or inhumanely by any person or in violation of Minn. Stats. ch. 343, which provisions relate to preventing cruelty to animals.
 2. Proper care and maintenance of each horse shall be the responsibility of the person, firm or corporation designated as the owner, caretaker or custodian of such horse.
 3. No person shall keep a horse in a manner creating a public or private nuisance.
 4. Horses shall be provided adequate shelter.
 5. Fences for pens, corrals or similar enclosures must be of sufficient height and strength to retain the horses enclosed. Extra care must be taken to ensure the stallions are properly enclosed.
- g. Control, trespass roadways and impoundment.
1. No person shall permit any horse of which they are the owner, caretaker or custodian to run at large within the city. Such animal will be deemed to run at large when it is off the premises owned or rented by its owner and unaccompanied by the owner, or an agent or employee of the owner.
 2. The chief of police or any designated agent of the city may impound any horse found at large and shall provide proper sustenance for such impounded horse. The chief of police or designated agent shall, within 24 hours after any such horse has been impounded, post written notice at the city hall describing such horse and stating that it has been impounded. If the owner of the impounded horse is known to the person impounding, personal service of notice of such impounding shall be served within 24 hours after impounding upon such owner in the manner prescribed by state law for the service or process.
 3. Costs incurred by the city in impounding horses running at large shall be paid by the horse owner prior to releasing the horse. An impounded horse shall be released only to a person providing proof of ownership and displaying a receipt from the city administrator showing payment of the reasonable costs of impounding, cost of feeding and veterinarian care.
 4. Any person who, without authority of law, and without first paying the costs due, shall take an impounded horse out of the enclosure in which it is impounded, shall be guilty of a misdemeanor.
 5. In the event a horse impounded by the city is not redeemed within 14 days, after its impoundment, the chief of police or designated agent shall give three days' notice of the time and place where such horse will be sold by posting and serving notices as required for notice herein. If such horse cannot be sold on the day stated, it may be sold as soon as possible thereafter without notice. The city treasurer shall deposit said proceeds in the general fund.
 6. If the previous owner of the horse which was sold makes a claim for the sale proceeds within one year from the sale date, the city finance officer, on order from the council, shall

pay the previous horse owner the difference between the sale price and the cost of impounding, feeding and sales charges; otherwise, the sale proceeds shall be forfeited to the city.

7. No person may ride or drive a horse after sunset and before sunrise along or crossing any public way without appropriate lighting or reflectorized clothing.
8. The council shall designate and properly post those areas in public lands and parks where horses may be ridden.
9. No person may ride or drive a horse in any public park, beach, golf course or other public property except within the right-of-way of public streets and highways and areas duly designated by the city as a trail or hitching area.
10. Persons riding a horse or driving a horse-drawn vehicle upon a public road way shall be subject to those provisions of this Code and state law applicable to the driver of motor vehicles, except those provisions which by their nature have no application.
11. Horses shall not be ridden or driven in any manner that would cause undue damage to any hard-surfaced road.
12. No person shall ride or drive a horse upon private property without the prior written permission of the owner or occupant thereof.
13. No person shall interfere with any horse ridden or kept in a lawful manner, and owners of domestic animals shall restrain their animal so as to not interfere.

(5) Beekeeping. Bee hives may be maintained on a parcel with the issuance of a zoning permit.

- a. Hives may only be located on lots with an existing use.
- b. The number of allowed hives shall be based on property size:

Lot Size	Number of Hives
0.25 acres or less	Up to 4 hives
0.25—0.99 acres	Up to 8 hives
1.00—1.99 acres	Up to 20 hives
2.00—3.99 acres	Up to 40 hives
4 acres or larger	Up to 40+ hives

(Up to 5 frame Nucleus colonies do not have quantity limits.)

- c. No hive shall exceed 20 cubic feet in volume.
- d. No hive shall be located closer than three feet from any property line or within any easement, whichever is more restrictive.
- e. No hive shall be located closer than ten feet from a neighboring, inhabited structure.
- f. A constant supply of water shall be supplied or available to all hives.
- g. A flyway barrier at least six feet in height shall shield any part of a property line that is within 25 feet of a hive. The flyway barrier shall consist of 100 percent opaque fencing, dense, year-round (coniferous) vegetation, existing structures, or combination thereof, and shall extend at least 25 feet beyond the hive.
- h. Colonies shall be maintained in moveable frame hives with adequate space and management techniques to prevent overcrowding and swarming.

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- i. In any instance in which a colony exhibits unusually aggressive characteristics by stinging or attempting to sting without due provocation or exhibits an unusual disposition towards swarming, it shall be the duty of the beekeeper to requeen the colony. Queens shall be selected from stock bred for gentleness and nonswarming characteristics.
 - j. Beekeeping zoning permit process.
 - 1. *Application.* The application for a zoning permit shall contain the following information; name, address, and telephone number of applicant; the address of the location, and a sketch plan of the premises where the bee hives will be maintained include how the owner will demonstrate compliance with the standards of this section.
 - 2. *Processing application.* The application must be filed with the zoning administrator together with the permit fee.
 - 3. *Term and transfer.* The zoning permit shall be valid without renewal provided that the applicant complies with the terms of the zoning permit. Zoning permits under this chapter may not be transferred from person to person or from place to place.
 - 4. *Revocation.* The council may revoke any license issued under this article upon adequate notice and a hearing before the council, if requested, on the following grounds: Any violation of this Code; material misstatement or misrepresentation in application for permit or renewal thereof; failure to keep the permittee's premises in an orderly, aesthetically pleasing manner as prescribed by the council and/or its designated representative; failure to comply with the terms of the permit.
- (6) Non-traditional animal license.
- a. Non-traditional or exotic animals are those that are not normally considered to be domesticated but are not wild animals as defined in section 10-119. A person may keep a non-traditional or exotic animal as defined herein only upon issuance of non-traditional animal license. In determining whether an animal is considered non-traditional or exotic, it shall be the responsibility of the applicant to supply the city with the necessary data and information to reasonably prove that the animal is not dangerous in captivity. This information shall be part of the public record and shall be discussed as part of the non-traditional animal license.
 - b. In reviewing a request to keep non-traditional or exotic animals, the city may impose conditions and restrictions as it finds necessary, including but not limited to the following:
 - 1. Restrictions on the number and type of animals;
 - 2. Setbacks greater than those required in section 10-23 or the underlying zoning district for the property in question;
 - 3. Restrictions on the size, height, and type of enclosures;
 - 4. Screening or landscaping of the proposed use.
 - c. The applicant must also submit a copy of all permits required from any other regulatory agencies.
 - d. License process.
 - 1. *Application.* The application for a license shall contain the following information; name, address, and telephone number of applicant; the address of the location, and a sketch plan of the premises where the animals will be maintained include how the owner will demonstrate compliance with the standards of this section.
 - 2. *Processing application.* The application must be filed with the zoning administrator together with the permit fee 30 days prior to a city council meeting. Following an

inspection of the premises proposed to be licensed, the zoning administrator shall make a recommendation to the city council to approve or deny the application. The city council shall hold a public comment period and make the final decision on the application.

3. *Term and transfer.* The license shall be valid without renewal provided that the applicant complies with the terms of the license. Licenses under this chapter may not be transferred from person to person or from place to place.
4. *Revocation.* The council may revoke any license issued under this article upon adequate notice and a hearing before the council, if requested, on the following grounds: Any violation of this Code; material misstatement or misrepresentation in application for license or renewal thereof; failure to keep the licensee's premises in an orderly, aesthetically pleasing manner as prescribed by the council and/or its designated representative; failure to comply with the terms of the license.

(7) Miscellaneous maintenance standards.

- a. On all parcels of land maintaining non-domestic animals, there shall be a roofed or covered structure with walls to protect the animals from the elements.
- b. A confined exercise area must be provided for the animals. The exercise area shall be fenced off to prevent the animals from roaming at large. Chickens are exempt from fencing requirements.
- c. Manure shall be handled and treated in such a manner so as not to create a public nuisance or impact the environment or groundwater. Corrals, pens, stables, and similar enclosures shall be maintained in a manner to minimize fly breeding. No person shall leave accumulations of manure on any street or sidewalk.
- d. No non-domestic animal shall be treated cruelly or inhumanely by any person or in violation of state statutes preventing cruelty to animals.
- e. No animals of any type may be maintained on any parcel within the city, no matter what size the parcel, if the maintenance of said animals creates a nuisance as defined in chapter 30.

(c) *Domestic animals.*

(1) Domestic animals are classified as:

- a. Domestic dogs (excluding hybrids with wolves, coyotes or jackals);
 1. Domestic dogs are limited to four without a private kennel license;
 2. Domestic dogs shall be provided an enclosure protected from inclement weather during the winter months (November—March);
- b. Domestic cats (excluding hybrids with ocelots or margays);
- c. Rodents, such as hamsters, mice, gerbils, white rats, guinea pigs, chinchillas or hedgehogs, capable of being maintained continuously in a cage;
- d. Rabbits;
- e. Captive-bred species of common cage birds;
- f. Small non-venomous snakes;
- g. Non-poisonous lizards, iguanas, chameleons, salamanders and turtles or other similar small reptiles, unless prohibited by state or federal law;
- h. Fish, unless prohibited by state or federal law;

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- i. Domestically raised ferrets (must be vaccinated yearly);
 - j. Domestically raised pot-bellied pigs.
- (2) Domestic animals shall be up to date on vaccines.
- (3) Domestic animals are permitted in all residential districts.

(Ord. No. 15-12, § 2, 7-14-2015; Ord. No. 22-03 , § 2, 2-8-2022)

Sec. 10-2. Animals at large.

No person shall allow any animal of any type to run at large.

- (1) The term "at large" means an animal that is off the premises of the owner and is:
- a. Not on a leash held by a responsible person; or
 - b. Not accompanied by and under the direct control of a responsible person so as to be effectively restrained by command.
- (2) An animal shall not be determined to be at large if it is:
- a. Engaged in wild game or animal hunting and under the control of its owner or a responsible person;
 - b. Engaged in obedience training and under the control of its owner or a responsible person; or
 - c. Running loose on the owner's property, or property under the owner's control and under the control of a responsible party.
- (3) If the animal is running loose on the owner's property and runs onto adjacent public or private properties and does not respond to a person, then the animal is considered at large.

(Ord. No. 15-12, § 2, 7-14-2015; Ord. No. 22-03 , § 2, 2-8-2022)

Sec. 10-3. Barns and stables.

- (a) No stable or barn in which cows, horses, roosters, or other animals are kept may be located within 50 feet of a place of human habitation and 75 feet from neighboring property lines. Such stables and barns, where lawful, shall be kept clean. Manure shall be removed with sufficient frequency to avoid nuisance from odors or from the breeding of flies at least once every two weeks.
- (b) Manure shall be removed by hauling beyond the city limits unless used for fertilizer, in which case it shall be spread upon the ground evenly and turned under at once or as soon as the frost leaves the ground.

(Ord. No. 15-12, § 2, 7-14-2015; Ord. No. 22-03 , § 2, 2-8-2022)

Secs. 10-4—10-51. Reserved.

ARTICLE II. DOGS²

DIVISION 1. GENERALLY

Sec. 10-52. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal control authority means an agency of the state, county, municipality, or other governmental subdivision of the state which is responsible for animal control operations in its jurisdiction.

Boarding means providing for the care, shelter, or feeding of dogs, not owned by the owner or occupant of the premises where said dogs are kept, for any period.

Dangerous dog means any dog that has:

- (1) Without provocation, inflicts substantial bodily harm on a human being on public or private property.
- (2) Has killed a domestic animal without provocation while off the owner's property.
- (3) Has been found to be potentially dangerous, and, after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.

Dog means any male or female of the canine species.

Dog owner means the license holder or any other person, firm, association, or corporation owning, keeping or harboring a dog. Any person keeping or harboring a dog for five consecutive days shall, for the purposes of this definition, be deemed an owner.

Great bodily harm means bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm

Kennel, commercial, means a place where boarding and/or training is offered to any number of dogs not owned by the owner or occupant of the premises. Such boarding and/or training may also include but is not limited to related uses such as selling, breeding, showing, treating or grooming. Pet shops, veterinary clinics, and pet grooming facilities are considered commercial uses but shall not be defined as commercial kennels.

Kennel, private, means a place where a dog owner keeps four or more dogs over six months of age on property occupied by the dog owner for residential purposes and where the keeping of such dogs is incidental to the occupancy of the premises, and may include breeding and selling of dogs as a hobby. A conditional use permit is required for four or more dogs.

²Ord. No. 22-03 , § 2, adopted February 8, 2022, repealed the former article II, § 10-24, and renumbered articles III and IV as articles II and III. The former article II pertained to horses and derived from Ord. No. 15-12, adopted July 14, 2015.

State law reference(s)—Dogs and cats, Minn. Stats. ch. 347.

Owner means the license holder or any other person, firm, association, or corporation owning, keeping or harboring a dog. Any person keeping or harboring a dog for five consecutive days shall, for the purposes of this definition, be deemed an owner.

Potentially dangerous dog means any dog that:

- (1) When unprovoked, inflicts bites on a human or domestic animal on public or private property.
- (2) When unprovoked, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack.
- (3) Has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.

Proper enclosure means securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal from escaping and providing protection from the elements for the dog. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the dog to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the dog from exiting.

Provocation means an act that an adult could reasonably expect may cause a dog to attack or bite.

Running at large means any dog which is not either:

- (1) Effectively contained on private property;
- (2) Effectively restrained, by chain or leash, to private property with the consent of the property owner;
- (3) Effectively restrained by a chain or leash not to exceed six feet in length; or
- (4) Under the voice control of its owner.

Substantial bodily harm means bodily injury that involves a temporary but substantial disfigurement, or that causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or that causes a fracture of any bodily member.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-53. Animal control officer.

As used in this article the term "animal control officer" means any city officer or employee designated to enforce any portion of this article.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-54. Duties of animal control officer.

The animal control officer shall perform the following duties:

- (1) Seize, impound, or restrain any dog found running at large within the city.
- (2) Investigate all cases of animal bites reported to him and supervise the quarantine of any such animal to ensure that it is kept under observation for a period of ten days.
- (3) Enforce all other provisions of this article.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-55. No interference with officer.

It shall be unlawful for any person to molest or in any way interfere with any peace officer, animal control officer, or any of their duly authorized assistants, or with any duly authorized agent while engaged in performing work under the provisions of this article.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-56. Number of dogs permitted.

- (a) On a parcel or series of contiguous parcels under the same ownership or occupancy as the dog owner, no more than three dogs are permitted. A private kennel license is required for four or more dogs.
- (b) *Private kennel license process.*
 - (1) *Application.* The application for a license shall contain the following information; name, address, and telephone number of applicant; the address of the location where four or more dogs will be maintained, the number of dogs proposed to be maintained on the premise, the breeds of the dogs to be maintained, and a sketch plan of the premises where the dogs will be maintained.
 - (2) *Processing application.* The application must be filed with the zoning administrator together with the permit fee 30 days prior to a city council meeting. Following an inspection of the premises proposed to be licensed, the zoning administrator shall make a recommendation to the city council to approve or deny the application. The city council shall hold a public hearing and make the final decision on the application.
 - (3) *Term and transfer.* The license shall be valid without renewal provided that the applicant complies with the terms of the license. Licenses under this chapter may not be transferred from person to person or from place to place.
 - (4) *Revocation.* The council may revoke any license issued under this article upon adequate notice and a hearing before the council, if requested, on the following grounds:
 - a. Any violation of this Code;
 - b. Material misstatement or misrepresentation in application for license or renewal thereof;
 - c. Failure to keep the licensee's premises in an orderly, aesthetically pleasing manner as prescribed by the council and/or its designated representative;
 - d. Failure to comply with the terms of the license.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-57. Reserved.

Ord. No. 21-08 , § 3, adopted February 23, 2021, repealed § 10-57, which pertained to individual dog licensing and derived from Ord. No. 15-12, adopted July 14, 2015.

Sec. 10-58. Tags.

All dogs in public spaces shall have an identification tag with owner or veterinarian contact information affixed to the dog collar. In lieu of a physical tag, a microchip embedded in the dog with the same information is sufficient for identification.

(Ord. No. 15-12, § 2, 7-14-2015; Ord. No. 21-08, § 3, 2-23-2021)

Sec. 10-59. Rabies vaccination.

- (a) Every owner or keeper of a dog shall cause the same to be vaccinated by a licensed veterinary with anti-rabies vaccine at least once every three years and prior to the time such dog shall reach the age of six months.
- (b) No dog need be vaccinated when a licensed veterinarian has examined the animal and certified that, at such time, vaccination would endanger its health because of its age, infirmity, debility, illness, or other medical consideration; and such exception certificate is presented to the animal control officer within five days of such examination. The animal shall be vaccinated against rabies as soon as its health and age permit. Unvaccinated animals must be confined to the owner's property or a veterinary facility.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-60. Animal at large.

[a.](#) Every owner or keeper of a dog shall cause the same to be under the control of and in custody of a person of sufficient age to adequately control the dog at all times, while the dog is off the premises of the owner. The terms "control" and "custody" mean on a leash of not more than six feet in length or under the voice control of its owner. It shall be lawful to have a dog in an automobile without a leash, but it must be on a leash or under the voice control of its owner if taken out of the vehicle. Violation of this section shall be a petty misdemeanor.

[b.](#) It is unlawful for any diseased animal to run at large.

[c.](#) All animals must be in the care and control of their owner.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-61. Report of dog bites.

Any person knowing of a human being bitten by a dog shall immediately notify the animal control officer or the police department and said dog shall then be confined and kept under observation for a period of ten days before being removed from owner's property or disposed of.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-62. Destroying a dog.

It shall be unlawful for any person other than the animal control officer or a police officer to kill or destroy any dog or animal of the dog kind running at large in the city or that has been known to bite a person within ten days.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-63. Abandonment.

No person shall abandon or release any dog, cat, or other animal within the boundaries of the city.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-64. Potentially dangerous dogs.

- (a) The animal control officer will provide the owner of a dog that has been deemed potentially dangerous, per section 10-52, with a potentially dangerous dog incident report.
- (b) If the dog has inflicted bites on a human or domestic animal on public or private property, a quarantine notice will also be provided to the owner advising of a ten day quarantine period.
- (c) If a proper enclosure cannot be provided for the dog, the animal control officer can seize the dog for the quarantine period. All costs of the care, keeping, and disposition of the dog are the responsibility of the person claiming an interest in the dog.
- (d) Any person knowing of a human being bitten by a dog shall immediately notify the animal control officer or the police department and said dog shall then be confined and kept under observation for a period of ten days before being removed from owner's property or disposed of.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-65. Dangerous dogs.

- (a) The animal control officer will provide the owner of a dog that has been deemed dangerous, per section 10-52, with a dangerous dog incident report.
- (b) If the dog has inflicted bites on a human or domestic animal on public or private property, a quarantine notice will also be provided to the owner advising of a ten-day quarantine period.
- (c) An owner of a dangerous dog shall keep the dog, while on the owner's property, in a proper enclosure. If the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle must be made in a manner that will prevent the dog from biting any person or animal but that will not cause injury to the dog or interfere with its vision or respiration.
- (d) An owner of a dangerous dog must renew the registration of the dog annually until the dog is deceased. If the dog is removed from the jurisdiction, it must be registered as a dangerous dog in its new jurisdiction.
- (e) An owner of a dangerous dog must notify the animal control authority in writing of the death of the dog or its transfer to a new location where the dog will reside within 30 days of the death or transfer, and must, if requested by the animal control authority, execute an affidavit under oath setting forth either the circumstances of the dog's death and disposition or the complete name, address, and telephone number of the person to whom the dog has been transferred or the address where the dog has been relocated.
- (f) An animal control authority shall require a dangerous dog to be sterilized at the owner's expense. If the owner does not have the animal sterilized within 30 days, the animal control authority shall seize the dog and have it sterilized at the owner's expense.
- (g) A person who owns a dangerous dog and who rents property from another where the dog will reside must disclose to the property owner prior to entering the lease agreement and at the time of any lease renewal that the person owns a dangerous dog that will reside at the property.
- (h) A person who transfers ownership of a dangerous dog must notify the new owner that the animal control authority has identified the dog as dangerous. The current owner must also notify the animal control authority in writing of the transfer of ownership and provide the animal control authority with the new owner's name, address, and telephone number.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-65.1. Dangerous dog registration.

- (a) *Requirement.* No person may own a dangerous dog in this state unless the dog is registered as provided in this section.
- (b) *Registration.* An animal control authority shall issue a certificate of registration to the owner of a dangerous dog if the owner presents sufficient evidence that:
 - (1) A proper enclosure exists for the dangerous dog and a posting on the premises with a clearly visible warning sign that there is a dangerous dog on the property, including a warning symbol to inform children;
 - (2) A surety bond issued by a surety company authorized to conduct business in this state in a form acceptable to the animal control authority in the sum of at least \$300,000.00, payable to any person injured by the dangerous dog, or a policy of public liability insurance issued by an insurance company authorized to conduct business in this state in the amount of at least \$300,000.00, insuring the owner for any personal injuries inflicted by the dangerous dog;
 - (3) The owner has paid an annual fee of not more than \$500.00, in addition to any regular dog licensing fees, to obtain a certificate of registration for a dangerous dog under this section; and
 - (4) The owner has had microchip identification implanted in the dangerous dog with the name of the microchip manufacturer and identification number of the microchip provided to the animal control authority. If the microchip is not implanted by the owner, it may be implanted by the animal control authority. In either case, all costs related to purchase and implantation of the microchip must be borne by the dog's owner.
- (c) *Warning symbol.* If an animal control authority issues a certificate of registration to the owner of a dangerous dog pursuant to subdivision (b), the animal control authority must provide, for posting on the owner's property, a copy of a warning symbol to inform children that there is a dangerous dog on the property. The warning symbol must be the uniform symbol provided by the commissioner of public safety. The commissioner shall provide the number of copies of the warning symbol requested by the animal control authority and shall charge the animal control authority the actual cost of the warning symbols received. The animal control authority may charge the registrant a reasonable fee to cover its administrative costs and the cost of the warning symbol.
- (d) *Fee.* The animal control authority may charge the owner an annual fee, in addition to any regular dog licensing fees, to obtain a certificate of registration for a dangerous dog under this section.
- (e) *Dangerous dog designation review.* Beginning six months after a dog is declared a dangerous dog; an owner may request annually that the animal control authority review the designation. The owner must provide evidence that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the animal control authority finds sufficient evidence that the dog's behavior has changed, the authority may rescind the dangerous dog designation.
- (f) *Law enforcement; exemption.* The provisions of this section do not apply to dangerous dogs used by law enforcement officials for police work.
- (g) *Exemption.* Dogs may not be declared dangerous if the threat, injury, or damage was sustained by a person:
 - (1) Who was committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the dog;
 - (2) Who was provoking, tormenting, abusing, or assaulting the dog or who can be shown to have repeatedly, in the past, provoked, tormented, abused, or assaulted the dog; or

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- (3) Who was committing or attempting to commit a crime.
- (h) *Tag.* A dangerous dog registered under this section must have a standardized, easily identifiable tag identifying the dog as dangerous and containing the uniform dangerous dog symbol, affixed to the dog's collar at all times.
- (Ord. No. 15-12, § 2, 7-14-2015; Ord. No. 21-08, § 3, 2-23-2021)

Editor's note(s)—Ord. No. 15-12, § 2, adopted July 14, 2015, set out provisions intended for use as § 10-65. For purposes of classification, and at the editor's discretion, these provisions have been included as § 10-65.1.

Sec. 10-66. Hearing for dogs deemed dangerous or potentially dangerous.

The owner of a dog that has been deemed dangerous or potentially dangerous may request a hearing to determine the validity of the dangerous or potentially dangerous dog declaration. If such a request is made, the owner must immediately comply with provision 1 of the notice, until the hearing examiner issues an opinion. To appeal the dangerous or potentially dangerous dog declaration:

- (1) A request, identifying with specificity the basis for the dog owner's objection to the declaration shall be filed in writing with the office of the chief of police within 14 days after the date of the service of the notice. Failure to do so within 14 days will terminate the owner's right to a hearing.
- (2) A \$250.00 filing fee shall be submitted with the appeal request. In the event that the dangerous dog declaration is not upheld by the hearing examiner, the filing fee will be refunded to the dog's owner. Per Minn. Stat. § 347.541, if the dangerous dog declaration is upheld by the hearing examiner, actual expenses of the hearing up to a maximum of \$1,000.00 will be the responsibility of the dog's owner.
- (3) A hearing shall be conducted within ten days, unless a later date is mutually agreed to by the hearing examiner, the dog owner and the city.
- (4) The hearing officer shall issue a decision on the matter within ten days after the hearing. The decision must be delivered to the dog's owner by hand delivery or registered mail as soon as practical and a copy must be provided to the animal control authority.
- (5) If the hearing officer affirms the dangerous dog declaration, the owner will have 14 days from receipt of that decision to comply with all requirements of the notice.
- (6) Any costs incurred for the care, keeping, and disposition of the dog are the responsibility of the person claiming an interest in the dog, except to the extent that a court or hearing officer finds that the seizure or impoundment was not substantially justified by law.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-67. Failure to restrain an attack by a dog.

- (a) It shall be unlawful for an owner to fail to restrain a dog from inflicting or attempting to inflict bodily injury to any person or other animal. Violation of this section shall be a misdemeanor. The court, upon a finding of the defendant's guilt hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:
- (1) The animal is dangerous as demonstrated by a vicious attack, an unprovoked attack, an attack without warning, or multiple attacks; or
 - (2) The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent injury to persons or other animals.

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- (b) If the court does not order the destruction of the dog, the court, as an alternative, may order the defendant to provide, and show proof to the court of public liability insurance in the minimum amount of \$300,000.00.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-68. Stopping an attack.

If any police officer or animal control officer is witness to an attack by a dog upon a person or another animal, the officer may take whatever means they deem appropriate to bring the attack to an end and prevent further injury to the victim.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-69. Dogs disturbing the peace.

It shall be unlawful for any person to own, keep, have in possession, or harbor any dog that howls, yelps, or barks to the reasonable annoyance of another person. Any person violating this section, who upon first requested by a police officer or animal control officer to stop or prevent the annoyance, and refuses to comply with the request will be issued a citation or arrested in accordance with Minnesota Rules of Criminal Procedure, and, if the officer deems it necessary to stop the annoyance, may have the dog taken to the city animal pound. Any dog placed in the pound may be reclaimed by the owner upon payment of the fee prescribed in subsection 10-95(b), and if not reclaimed may be disposed of in the manner provided in subsection 10-95(c).

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-70. Removal of excrement, [manure, and carcasses.](#)

- [a.](#) It is unlawful for any person who owns or has custody of a dog to cause or permit such animal to defecate on any private property without the consent of the property owner or on any public property unless such person immediately removes the excrement and places it in a proper receptacle. The provisions of this section shall not apply to seeing-eye dogs under the control of a blind person or dogs while being used in city police activity.

(Ord. No. 15-12, § 2, 7-14-2015)

- [b.](#) [It is unlawful for any person who owns or has custody of a dog to cause or permit accumulations of Manure and animal excrement, except that any manure maintained in conformance with State Law and City Code for use as fertilizer.](#)

- [c.](#) [It is unlawful for any person who owns or has custody of a dog to cause or permit carcasses of animals not buried at least three feet deep or destroyed within 24 hours after death.](#)

Secs. 10-71—10-94. Reserved.

DIVISION 2. IMPOUNDMENT

Sec. 10-95. Procedure; reclaiming.

- (a) *Impoundment.* All dogs picked up by the animal control officer or any of their duly authorized assistants shall be immediately transported to the designated pound. If the owner is known, they shall be immediately notified by telephone or personal contact and by written notice to their last known address. If the owner is unknown, written notice containing a description of the animal shall be posted at the pound and the city hall. The notice shall advise the owner that they have five regular business days to claim the dog. The term "regular business day" means any day during which the pound is open to the public not less than four consecutive hours between the hours of 8:00 a.m. and 7:00 p.m.
- (b) *Reclaiming.* An owner may reclaim an impounded dog:
- (1) If the dog has a current license: by paying to the pound master an impounding fee plus a boarding fee in an amount determined by agreement between the city and the designated pound, for each day the animal was confined. There shall also be an added impounding fee for any dog impounded twice within 12 months. Such fees shall be set by ordinance.
 - (2) If the dog does not have a current license: By first obtaining a license from the city administrator and paying the costs to the pound master.
- (c) *Unclaimed animals.* Any animal not claimed within the allotted time shall be disposed of in accordance with the provisions of Minn. Stats. § 35.71, subd. 3.

(Ord. No. 15-12, § 2, 7-14-2015)

Secs. 10-96—10-118. Reserved.

ARTICLE III. WILD ANIMALS³

Sec. 10-119. Rules and definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

At large means a wild animal that is outside of its secondary enclosure, or when the wild animal is outside of its primary enclosure but within its secondary enclosure and not in the presence of the owner.

Dwelling means a building or portion thereof designed or used exclusively for residential occupancy.

Handling means feeding, manipulating, transporting, restraining, treating, training, working or performing any similar activity with respect to a wild animal.

Impound means to seize and hold in legal custody.

Livestock means a typical farm animal kept for agricultural use, pleasure or profit, including but not limited to horses, mules, sheep, goats, cattle, swine, fowl, rabbits and mink.

Lot means a tract, plat or portion of a subdivision or other parcel or land intended as a unit for the purpose, whether immediate or future, or transfer of ownership or for the building development.

³Editor's note(s)—See editor's note at article II.

Owner means a person who keeps a wild animal or the parents or guardians of such a person under 18 years of age.

Portable primary enclosure means the portable structure used to confine a wild animal in a secure manner that prevents the running at large of a wild animal during transportation or temporarily confining such an animal during handling.

Primary enclosure means an individual, partnership, firm, joint stock company, corporation, association, unincorporated association of individuals, trust, estate, or other entity.

Restraint means the portable structure used to confine a wild animal in a secure manner that prevents the running at large of a wild animal during transportation or temporarily confining such an animal during handling.

Secondary enclosure means a structure such as a fence, wall or building, which entirely encloses the area in which the primary enclosures, exercise facilities and training facilities are located and all handling activities occur. Such secondary enclosure serves to contain a wild animal from running at large and to prevent any unauthorized public access.

Structure means anything constructed or erected, the use of which requires a permanent location on the ground or attachment to something having a permanent location on the ground, such as a fence, wall, or building.

The keeping of wild animals means possessing and handling of wild animals on any property and providing such an animal with the necessities of life such as feeding and sheltering. The keeping of wild animals may include animals being used or intended to be used for research, training, breeding, boarding, as a personal pet, or for agricultural purposes. The keeping of a wild animal may also include wild animals intended to be used for exhibition providing that such animals are not exhibited within the city, such as in the case of a public showing, circus or zoo.

Wild animal.

- (1) The term "wild animal" means a large or dangerous species that, in their uncaptured wild state, have the physical capacity to be dangerous to the safety and welfare of any person or property. Examples of such wild animals are (but not limited to these examples) bears, lions, wolves, coyotes, cougars, bison, tigers, panthers, monkeys, apes, large alligators and crocodiles (greater than four feet in length), large snakes (greater than six feet), and poisonous snakes, excluding dogs, cats, other traditional house pets and livestock.
- (2) Reducing such mammals, reptiles and birds to captivity, whether trained, raised or bred in captivity or otherwise considered domesticated in any manner, shall not remove such wild animals from these requirements and regulations.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-120. Penalty.

A person who fails to comply with or violates provisions of this Code or the restrictions of a conditional use permit or variance shall be guilty of a misdemeanor. Appropriate actions and proceedings may be taken by law or inequity to prevent a violation of this article of the conditions or restrictions of a conditional use permit or variance, to prevent unlawful construction, to recover damages, to restrain, correct or abate a violation, and to prevent illegal use of a lot; these remedies shall be in addition to the penalties described in this section.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-121. Purpose and intent.

It is the intent of this article to establish regulations that will allow as a conditional use the keeping of wild animals, with a conditional use permit in certain zoning districts. The city recognizes that wild animals require special handling to ensure that the health, safety and welfare of the public is protected and all land use conflicts are minimized.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-122. Enforcement.

- (a) *Impoundment.* In addition to the penalties imposed in section 10-120, a person in violation of this article may be subject to having the wild animals in question impounded, or destroyed. Owners in violation of this article will have ten days to correct the violation and redeem a wild animal. The owner is responsible for all costs incurred by the city to capture, keep and/or destroy a wild animal. If a wild animal is not redeemed, the city will dispose of such wild animal in any manner it deems necessary such as, but not limited to, selling, destroying, or donating to an appropriate organization or agency.
- (b) *Rabies.* A wild animal capable of transmitting rabies which has been known to have bitten a person shall be quarantined and observed for rabies under the direction of a licensed veterinarian for a period of time and in facilities determined to be adequate by that veterinarian and the city. If a wild animal is proven to be rabid, the wild animal shall be destroyed. If a wild animal is proven to not be rabid by a licensed veterinarian, it will be returned to the owner.
- (c) *Enforcement authority.* Enforcement officers shall have the right to destroy a wild animal posing an immediate threat of serious harm to any person, livestock or house pet.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-123. Inspection and revocation of conditional use permit.

The city may at any time inspect the lot and structures where a wild animal is kept to determine if the conditional use permit, and the conditions and restrictions of that conditional use permit are being strictly adhered to. The city may require an inspection upon reasonable request and shall reserve the right to have said inspection performed by an approved and qualified consultant.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-124. Nonconforming uses.

A person lawfully keeping wild animals within the city upon the effective date of the adoption of the ordinance from which this article is derived, who does not conform to the provisions of this article, shall be given 30 days to comply or submit application for the necessary permits.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-125. Variances.

- (a) *Variance and review criteria.* Where the city finds that extraordinary hardships or practical difficulties may result from strict compliance with the provisions of this article, and the purposes of this article may be

served to the same or greater extent by an alternative proposal, the city may approve variances to this article so that substantial justice may be done and the public interest secured, provided that:

- (1) Such a variance shall not have the effect of nullifying the intent and purpose of this article; and
- (2) The city shall not approve variances unless, based upon the evidence presented to it, it finds that:
 - a. The granting of the variance would not be detrimental to the public safety, health, or welfare or injurious to property.
 - b. The conditions that a variance would be based upon are unique to that application for which the variance is sought and are not applicable generally to other applications.
 - c. The strict enforcement of this article would result in unreasonable and unnecessary requirements or restrictions because a particular hardship would result, as distinguished from an inconvenience.
 - d. The variance would not in any manner vary the provisions of the Ramsey Comprehensive Plan.

(b) *Application and review.*

- (1) The application procedure for a variance from this article shall be the same as section 10-128(b) through (d).
- (2) Variances may be reviewed concurrently with an application for a conditional use permit.

(c) *Conditions of approval.* In approving an application for a variance, the city may attach conditions and restrictions as it finds necessary.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-126. Fees.

The applicant for a conditional use permit and/or variance shall pay an application fee as per ordinance. The applicant shall also pay for any costs or expenses incurred by the city during the processing and reviewing of the application, which exceed the application fee. Such expenses shall include, but are not limited to, consultants and other professionals and the cost of printing, mailing, and supplies. Such fees shall become due and payable immediately upon notification by the city. The city shall provide upon the request of the applicant, a breakdown of the various expenses incurred by the city. The city may withhold any final action on an application for a conditional use permit or variance and/or rescind prior actions until all fees are fully paid. The city may require additional deposits, above and beyond the application fee, if found necessary.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-127. General regulations.

(a) *Prohibition.* No person shall keep a wild animal unless such a use is specifically permitted by this article and all regulations are satisfied.

(b) *Regulations.*

(1) *Enclosures.*

- a. A wild animal shall be confined, sheltered and led in a primary enclosure contained entirely within a secondary enclosure.

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- b. All primary and secondary enclosures shall meet minimum requirements of structural soundness and security as deemed satisfactory by the city. All primary and secondary enclosures;
 - 1. Shall be constructed of steel bar, link, wire or other suitable material of sufficient strength to contain the proposed animal;
 - 2. Shall be adequately braced and securely anchored at ground level;
 - 3. Shall be constructed such as to prevent a wild animal from digging out from under the enclosure;
 - 4. Shall be key or combination locked to prevent unauthorized entrance;
 - 5. Shall be located so that all access to primary enclosures must be from within the secondary enclosure;
 - 6. Shall be adequately signed to notify the public of the presence of wild animals and the danger that exists.
- (2) The transportation of a wild animal outside of the secondary enclosure shall be in a vehicle specially equipped for the transportation of wild animals and a portable primary enclosure as approved by the city.
- (3) *Running at large.*
- a. It shall be prohibited for a wild animal to run at large.
 - b. A wild animal shall be under the restraint of its owner.
 - c. Tools for capturing wild animals shall be readily accessible, such as traps, firearms, tranquilizing guns and nets.
- (4) *Sanitation and health.*
- a. The lot on which a wild animal is kept shall be maintained in a clean, sanitary and neat manner in accordance with the conditions of the permit.
 - b. A wild animal shall be maintained in a healthy state so as to prevent the transmittal of disease to other animals or persons.
 - c. All animal waste shall be properly and timely disposed of in accordance with the conditions of the permit.
- (5) *Zoning and lot requirements.*
- a. All zoning code regulations shall be complied with.
 - b. Additional regulations shall be as follows:
 - 1. The keeping of wild animals shall be allowed only as a conditional use in any zoning district of the city.
 - 2. The lot on which a wild animal as defined herein is kept shall be at least two and one-half acres in size.
 - 3. The structures, primary and secondary enclosures and all uses associated with the handling of wild animals, shall be set back a minimum of 100 feet front yard; 30 feet side yard and 50 feet rear yard.
 - 4. The structures, primary and secondary enclosures and all areas in which a wild animal is handled shall be located a minimum of 300 feet from all dwellings other than that of the owner.

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5. The activity areas in which a wild animal is handled shall be screened or landscaped in such a manner as to prevent them from being visible at any time of the year from the road right-of-way, and public properties.

(Ord. No. 15-12, § 2, 7-14-2015)

Sec. 10-128. Conditional use permit for wild animals.

- (a) *Prohibition.* No person shall keep a wild animal unless a conditional use permit has been approved by the city for that person and that activity, in accordance with this article.
- (b) *Submittal of application.* Complete application for a conditional use permit shall include the following:
 - (1) One copy of the completed application form.
 - (2) One copy of a letter explaining in detail the proposed use and addressing regulations in section 10-127, and review criteria in this section.
 - (3) One copy of an accurate site plan (drawn to scale) or survey of the lot on which the proposed use would occur and the adjacent lots showing:
 - a. Lot dimensions;
 - b. Location, size and configuration of the area proposed to be used for the keeping of wild animals, including all existing and proposed buildings, structures, and enclosures;
 - c. Setbacks from front lot line, side lot lines, and rear lot line, and distances from neighboring dwellings, pastures, barns, and corrals;
 - d. Vegetation and terrain features such as steep slopes, wetlands, woods and any natural and proposed screening or landscaping;
 - e. Driveways, public and private roadways, parking and loading areas;
 - f. Easements for roads, access, open space, views, and utilities; and
 - g. Location of well and septic.The city reserves the right to require a certificate of survey.
 - (4) One copy of all permits required from the state department of natural resources, United States Department of Agriculture, United States Fish and Wildlife, and other governmental agency.
 - (5) One copy of the owner's qualifications, list of professional references and any other background materials as required by the zoning administrator.
 - (6) Payment of application fee and miscellaneous fees as established by ordinance.
 - (7) One copy of building plans for primary and secondary enclosures.
 - (8) Any additional information found necessary by the city zoning administrator.
- (c) *Application deadline.* A completed application for a conditional use permit shall be submitted no later than 30 days before the next regularly scheduled planning commission meeting.
- (d) *Review of council and planning commission.*
 - (1) Upon submittal of a completed application, the zoning administrator shall schedule a public hearing at the next planning commission meeting. The police chief shall receive a copy of the application and forward any recommendations to the zoning administrator who shall then review the application and police comments and may make recommendations to the planning commission. The planning

commission shall consider the application for a conditional use permit and thereafter make recommendations to the council. The council shall then approve, with modifications, or deny the application for a conditional use permit by resolution that shall set forth in detail any conditions and restrictions to which the approval is subject or reasons for denial.

- (e) *Review criteria.* In acting upon an application for a conditional use permit, the city shall consider the following criteria:
- (1) Surrounding land uses.
 - (2) Structural soundness and security of all primary and secondary enclosures.
 - (3) Design, size, location and configuration of all primary and secondary enclosures.
 - (4) Maintenance of the primary and secondary enclosures and all other structures and areas used in relation to the keeping of any wild animal.
 - (5) Nuisances such as noise and odors.
 - (6) Aesthetics, including the appearance of the lot and structure where a wild animal is kept.
 - (7) Compliance with all sections of this Code.
 - (8) Regulations of the state department of natural resources, United States Department of Agriculture, United States Fish and Wildlife, or any other governmental agency.
 - (9) Nature and characteristics of each type of animal being proposed such as its size, strength, disposition, and its ability to harm a person or property.
 - (10) Other criteria found relevant by the city.

The applicant shall prove that the use as proposed in the conditional use permit application would not result in any detrimental effects as per the criteria listed in this subsection (e).

- (f) *Conditions of approval.* In approving an application for a conditional use permit, the city may attach conditions and restrictions as it finds necessary, including but not limited to the following:
- (1) Restrictions on the number and type of animals.
 - (2) Setbacks greater than those required in section 10-127.
 - (3) Minimum and/or maximum distance between primary and secondary enclosures.
 - (4) Minimum height of enclosures.
 - (5) Size of the enclosures.
- (g) *Expiration.* A conditional use permit shall remain in effect as long as the conditions agreed upon are observed and the permit holder is in compliance with all other regulations or standards of this chapter.

(Ord. No. 15-12, § 2, 7-14-2015)

Chapter 54 TRAFFIC AND VEHICLES¹

ARTICLE I. IN GENERAL

Sec. 54-1. Unnecessary acceleration.

No person shall start or accelerate any motor vehicle with an unnecessary exhibition of speed on any public or private way within the city limits. Prima facie evidence of such unnecessary exhibition of speed shall be unreasonable squealing or screeching sounds emitted by the tires or the throwing of sand or gravel by the tires of said vehicle or both.

(Code 1978, § 6.01.04; Ord. No. 6, 3-15-1971)

Sec. 54-2. Use of roller devices in Town Center District.

(a) *Purpose and intent.* The purpose of this section is to protect public health and safety stemming from the use of roller devices in the pedestrian oriented Town Center District. The city council finds that operation of such roller devices in areas of Town Center creates unnecessary potential danger to either the user of such device or the general public; and that the use of such device may cause destruction of property in the areas described as: west of Ramsey Boulevard, south of Bunker Lake Boulevard, east of Armstrong Boulevard, and north of the Burlington Northern-Santa Fe Railroad tracks.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Bicycle means a vehicle propelled through pedaling.

Inline skates means a shoe with wheels attached, or a device with wheels which is designed to be attached to a shoe. (This includes roller blades and roller skates.)

Roller device means a non-motorized wheel device including, but not limited to, inline skates, roller skis, and skateboards, and bicycles. For purposes of this definition, the provisions of this section do not apply to strollers, wagons, or wheelchairs.

Roller skis means a pair of skis with wheels attached which is intended to simulate skiing.

Skateboard means a device for riding upon, usually while standing, consisting of a piece of wood or other composition mounted on skate wheels.

(c) *Prohibited use.* No person shall operate roller devices or similar devices in the following areas of the city or under the following circumstances:

- (1) In any careless, reckless, or negligent manner which may, or be likely to endanger the safety of any person or the property of any person or has the potential to damage property.
- (2) While being pushed, pulled, or propelled in any manner by a third party.

¹State law reference(s)—Traffic generally, Minn. Stats. ch. 169; powers of local authorities, Minn. Stats. §§ 169.022, 169.04.

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- (3) On any private property without express permission of the owner or occupant of the property.
 - (4) On any city-owned facility including the municipal center campus, parking ramp, parking lot, or any other parking facility. Bicycles may be stored in designated areas.
 - (5) On any concrete sidewalk unless otherwise noted. All wheeled vehicles must travel on a road or designated area.
 - (6) In any public plaza, amphitheater, or any other improved surface intended for the use of public gathering.
 - (7) On any railing or raised surfaces such as speed control bumps or in any manner which may cause the damage or destruction of curbs, railings, walls, or any other structure or property.
 - (8) In any area to be described in the future, in addition to the areas described in this section, as established by resolution by the city council upon recommendation of city staff.
- (d) *Exceptions.*
- (1) Roller devices may be used by public safety officials while performing their official duties.
 - (2) The provisions of this section do not apply to strollers, wheelchairs, or wagons.
- (e) *Penalty.*
- (1) Violation of this section shall constitute a petty misdemeanor.
 - (2) Any police officer who observes violation of this section is authorized to impound the roller device and hold the roller device at the police department until resolution of the case following a violation. The impounded roller device shall be released to a user 18 years of age or older, or to a parent or guardian of a user who is under the age of 18, following the expiration of the impounded period.

(Code 1978, § 5.19; Ord. No. 06-34, § 2, 12-12-2006; Ord. No. 10-12, § 2, 8-9-2010)

Secs. 54-3—54-22. Reserved.

ARTICLE II. STOPPING, STANDING AND PARKING²

Sec. 54-23. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Block means the entire length of a roadway between its intersections with other public streets or between its intersection with a public street and the termination of the roadway.

[Commercial Motor Vehicle For purposes of this section, "commercial vehicle" shall have the meaning as the term is defined in Minn. Stats. § 169.011](#)

²State law reference(s)—Stopping, standing and parking, Minn. Stats. § 169.32 et seq.; authority to regulate standing or parking of vehicles, Minn. Stats. § 169.04.

Roadway means that portion of a street between its curbs, or between the outer edges of its shoulders whether such portion is constructed of concrete, asphalt or gravel or any combination thereof.

[Temporary or Temporarily within parking regulations means not to exceed 4 hours.](#)

Vehicle means any motorized or unmotorized vehicle including but not limited to, automobiles, trucks, motorcycles, buses, recreational vehicles, snowmobiles and trailers.

(Code 1978, § 6.03.01; Ord. No. 5, 3-15-1971)

Sec. 54-24. Prima facie evidence of ownership.

A person who holds the legal title to a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner. The operation or use of a motor vehicle in violation of this article shall be prima facie evidence that said motor vehicle was at the time of such violation controlled, operated and used by the owner thereof.

(Code 1978, § 6.03.02; Ord. No. 5, 3-15-1971)

Sec. 54-25. Commercial Vehicle and Trailer On-street parking.

- a. [It is unlawful to park any detached semitrailer as defined by Minnesota State Statute upon any street, city owned parking lot, or other public property unless specifically approved by City Council and Sign Posted.](#)
- b. [It is unlawful to park or store any Commercial Motor Vehicle as designated by Minnesota State Statute on any street, city owned public property, or other public property unless specifically approved by City Council and sign posted.](#)
- c. [It is unlawful to transfer materials and equipment from one commercial vehicle to another on a public roadway.](#)
- d. [It is unlawful to load or unload on a public road or right of way where zoning regulations and properties have accommodated for deliveries.](#)
- e. [Exemptions:](#)
 1. [Actively loading or unloading in designated loading zones.](#)
 2. [For the purpose of emergency repairs, property maintenance activity, or construction activity of adjacent infrastructure or buildings.](#)
 3. [Postal or mail delivery](#)
 4. [Residential moving vehicles actively loading or unloading not obstructing normal flow of traffic.](#)
 5. [To temporarily visit a business or residence where sufficient space to park within the private parking area is limited.](#)

~~All persons who hold the legal title to a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a~~

~~mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner. The operation or use of a motor vehicle in violation of this article shall be prima facie evidence that said motor vehicle was at the time of such violation controlled, operated and used by the owner thereof.~~
~~(Code 1978, § 6.03.03; Ord. No. 5, 3-15-1971)~~

Sec. 54-26. Permits for curb loading and unloading.

- (a) The city engineer is authorized to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of such permit.
- (b) It shall be unlawful for any permittee or other person to violate any of the special terms or conditions of any such permit.

(Code 1978, § 6.03.06; Ord. No. 5, 3-15-1971)

Sec. 54-27. Lights on a parked vehicle.

Whenever a vehicle is lawfully parked at nighttime upon any street within a business or residential district, no lights need be displayed upon such parked vehicle.

(Code 1978, § 6.03.07; Ord. No. 5, 3-15-1971)

State law reference(s)—Lights on parked vehicles, Minn. Stats. § 169.53.

Sec. 54-28. Prohibited parking.

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:

- (1) Directly across from a public or private driveway and, except for culs-de-sac and eyebrows, within three feet of either side of a public or private driveway, measured at the curb, other than the owner's driveway.
- (2) Within a properly marked fire lane;
- (3) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
- (4) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the city engineer has indicated a different length by signs or marking;
- (5) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance;
- (6) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- (7) On a roadway side of any vehicle stopped or parked at the edge or curb of a street;
- (8) On any boulevards; and
- (9) No motor vehicle shall stop or park on the shoulders of a public highway or street in the immediate vicinity of a theater during the hours it is in operation.

[\(10\) On or across any sidewalk, crosswalk, or trail-way](#)

(Code 1978, § 6.03.08; Ord. No. 5, 3-15-1971)

State law reference(s)—General parking prohibitions, Minn. Stats. § 169.34.

Sec. 54-29. Minimum roadway width.

No person shall park any vehicle upon a street other than an alley in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, and no person shall stop, stand, or park a vehicle within an alley in such position as to block the driveway of any abutting property.

(Code 1978, § 6.03.09; Ord. No. 5, 3-15-1971)

Sec. 54-30. Display for sale.

No person shall park a vehicle upon any roadway, [boulevard, sidewalk, trail, or Right of Way](#) for the principal purpose of displaying such vehicle for sale [or parked in such a manner as to be used as advertising of a business](#).

(Code 1978, § 6.03.10; Ord. No. 5, 3-15-1971)

Sec. 54-31. Repairing ~~automobiles~~ [vehicles](#) on the street.

No person shall make or allow to be made any washing, greasing, or repairing of a vehicle, on a street, except repairs necessitated by an emergency.

(Code 1978, § 6.03.11; Ord. No. 5, 3-15-1971)

Sec. 54-32. No parking signs; public facilities.

The city engineer is authorized to erect signs indicating no parking upon either or both sides of any street adjacent to any school or hospital property or any public facility (i.e., fire station, recreation center) when such parking would, in their opinion, interfere with traffic or create a hazardous condition.

(Code 1978, § 6.03.12; Ord. No. 5, 3-15-1971)

Sec. 54-33. No parking signs; street width.

The city engineer is authorized to erect signs indicating no parking upon any street when the width of the roadway does not exceed 20 feet, or upon one side of a street as indicated by such signs when the width of the roadway does not exceed 30 feet or for snow removal.

(Code 1978, § 6.03.13; Ord. No. 5, 3-15-1971)

Sec. 54-34. Other prohibited parking areas.

The city engineer is authorized to determine and designate by proper signs, places in which the stopping, standing, or parking of vehicles would create an especially hazardous condition or would cause unusual delay to traffic.

(Code 1978, § 6.03.15; Ord. No. 5, 3-15-1971; Ord. No. 96-09, 7-7-1996)

Sec. 54-35. Removing vehicles from streets.

- (a) Members of the police department are authorized to remove, or cause to be removed, a vehicle from a street or highway to the nearest garage or other place of safety, or to a garage designated or maintained by the police department or otherwise maintained by the city, under the circumstances hereinafter enumerated:
 - (1) When any vehicle is left unattended upon any bridge, viaduct, or causeway, or in any tube, tunnel or under-pass where such vehicle constitutes an obstruction to traffic.
 - (2) When a vehicle upon a highway is so disabled as to constitute an obstruction to traffic and the persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
 - (3) When any vehicle is left unattended upon a street and is so parked illegally as to constitute a hazard or obstruction to the normal movement of traffic or snow plowing.
- (b) Whenever an officer removes a vehicle from a street as authorized in this section and the officer knows or is able to ascertain from the registration records of the vehicle the name and address of the owner thereof, such officer shall immediately give or cause to be given notice in writing to such owner of the fact of such removal and the reasons therefor and of the place to which such vehicle has been removed. In the event any such vehicle is stored in a public garage, a copy of such notice shall be given to the proprietor of such garage.
- (c) Whenever an officer removes a vehicle from a street under this section and does not know and is not able to ascertain the name of the owner, or for any other reason is unable to give the notice to the owner as hereinbefore provided, and in the event the vehicle is not returned to the owner within a period of three days, then and in that event, the officer shall immediately send or cause to be sent written report of such removal by mail to the state department whose duty it is to register motor vehicles, and shall file a copy of such notice with the proprietor of any public garage in which the vehicle may be stored. Such notice shall include a complete description of the vehicle, the date, time and place from which removed, the reasons for such removal, and the name of the garage or place where the vehicle is stored.

(Code 1978, § 6.03.16; Ord. No. 5, 3-15-1971)

State law reference(s)—Towing of vehicles, Minn. Stats. § 169.041.

Sec. 54-36. Parking in areas affected with public interest.

Parking of vehicles in areas affected with a public interest shall conform to any stores or designated positions for parking and no vehicle shall be parked or allowed to stand in any area of such parking lot which has been designated or is used for a lane for moving traffic so as to interfere with the movement of traffic thereon.

(Code 1978, § 6.03.17; Ord. No. 5, 3-15-1971)

Sec. 54-37. Removal of keys from car.

Every person parking a passenger automobile on a public street, alley, public parking lot, or place affected with a public interest in the city shall lock the ignition, remove the key and take the key with him.

(Code 1978, § 6.03.18; Ord. No. 5, 3-15-1971)

Sec. 54-38. Time zone parking.

- (a) The city engineer is authorized to determine and designate by proper signs places not exceeding 100 feet in length in which parking is to be limited for a designated time in order to facilitate more efficient traffic movement.
- (b) Evening parking. No parking on any city street shall be permitted between the hours of 2:00 a.m. and 6:00 a.m.

(Code 1978, § 6.03.19; Ord. No. 5, 3-15-1971)

Sec. 54-39. Inclement weather parking.

- (a) No person shall, at any time, park or permit to be parked any vehicle within any block or any public street when within the preceding 24 hours, falling or blowing snow or a combination of falling and blowing snow has accumulated to a depth of three inches or more at street level anywhere within that block; provided, however, that parking shall be permitted within any block of any public street where not otherwise prohibited whenever the entire length of roadway of such block has been cleared of snow from curb to curb or, in the case of streets without curbs, between the outer edges of the shoulders of such streets. Any vehicle parked in violation of this section may be removed as provided by section 54-35.
- (b) No person shall at any time park or permit to be parked any vehicle upon a public street when such parking interferes with the snow removal operations of the city and any vehicle so parked may be removed by the city at the owner's expense in accordance with the provisions of section 54-35, provided that the owner of said vehicle is notified of the city's intention to remove snow by the placement of a warning tag on such vehicle at least 24 hours prior to removal.
- (c) Any person violating the provisions of this section shall be guilty of a petty misdemeanor.

(Code 1978, § 6.03.20; Ord. No. 5, 3-15-1971)

State law reference(s)—Towing of vehicles, Minn. Stats. § 169.041.

Sec. 54-40. Cost of removal.

Where it is necessary for the police department to remove or cause to be removed any vehicle pursuant to this article, the expense of such removal shall be paid by the vehicle owner.

(Code 1978, § 6.03.21)

Sec. 54-41. Ramsey Parking Ramp.

- (a) *Definitions.*

As used herein, the term motor vehicle is specifically limited to automobiles and motorcycles.

Ramsey Parking Ramp refers to the municipal parking ramp adjacent to city hall. The legal description of the Ramsey Parking Ramp is Lot 2, Block 1, COR ONE, Anoka County, Minnesota.

- (b) *Parking regulations.*

- (1) The sole permitted use of the Ramsey Parking Ramp is the parking of motor vehicles, as that term is defined by this section, which fit within the marked spaces.

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- (2) Persons parking in the Ramsey Parking Ramp must abide by all posted signs and all space markings. Spaces reserved for residents of the residential units located on Lot 3, Block 1, COR ONE, Anoka County, Minnesota, shall only be utilized by those residents, subject to this section. Only electric vehicles may park in spaces with vehicle recharging stations. Electric vehicles may only be recharged at designated recharging stations. Bicycles may only be parked in designated areas.
 - (3) The following shall not be stored or parked in the Ramsey Parking Ramp:
 - a. Personal property other than permitted motor vehicles.
 - b. Recreational vehicles, including boats, jet skis, snowmobiles and ATVs.
 - c. Travel trailers, campers, RVs, motorhomes and the like.
 - d. Utility trailers, horse trailers, boat trailers, and other trailers.
 - e. Commercial/business vehicles except as provided in subsection (7) below.
 - (4) Vehicle maintenance is prohibited in the Ramsey Parking Ramp. Vehicle maintenance includes changing oil, washing cars, or engaging in any other activity involving tools and/or chemical agents, except for changing flat tires, jump starting vehicles and replacing dead batteries.
 - (5) Electrical outlets (other than those associated with electrical charging stations) in the Ramsey Parking Ramp are for city use only. Outlets shall not be used to plug in vehicles or to provide electrical power for any other private or business use.
 - (6) No business activities may be conducted in the ramp, except as provided herein. The term business activities include loading and unloading products or goods for commercial purposes; storage of vehicles other than one driven as a personal vehicle; employee parking; and dispatching employees. Temporary use of the ramp to park a business vehicle for delivery of products or services to city hall, adjacent businesses, or residents of residence at the COR apartment homes are excluded from this prohibition.
 - (7) Any vehicle violating this section may be towed at the owner's expense, and any personal property violating this section may be removed. Violation of this section is a petty misdemeanor. Violators of this section may also receive a citation, in accordance with section 2-333 of this Code.
- (c) *Severability.* Should any section, subdivision, clause, or other provision of this chapter be held invalid by any court of competent jurisdiction, such decision shall not affect the validity of this title as a whole, or of any part thereof, other than the part held to be invalid.

(Ord. No. 20-15 , § 3, 7-28-2020)

Secs. 54-42—54-68. Reserved.

ARTICLE III. PRIVATE, PUBLIC AND SEMI-PUBLIC PROPERTY

Sec. 54-69. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Motor vehicle means every vehicle that is self-propelled and not deriving its power from overhead wires.

Motorcycle means every vehicle having a saddle for the use of a rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters, minibikes, bicycles with motor attached, but excluding a tractor.

Private property means property owned by a person, firm, voluntary association, or corporation other than a governmental body and is not generally open for use by the public.

Public property means property that may be used by all of the public subject to reasonable regulation by a governmental body. For the purposes of this definition, such property includes city parks or parking lots and school parking lots or yards, but does not include public streets and highways.

Semi-public property means private property generally open for use by the public but not owned or maintained by a governmental body. Such property includes without limitation church property, shopping center property, and other property generally used by patrons of a commercial or private business establishment, but not including private streets in residential areas.

Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway except devices moved by human power or used exclusively upon stationary rails or tracks.

(Code 1978, § 6.02.01)

Sec. 54-70. Traffic regulations.

- (a) No person shall operate or halt any vehicle on public or semi-public property carelessly or heedlessly in disregard of the rights or safety of others.
- (b) No person shall park a vehicle, motor vehicle, [commercial motor vehicle](#), or motorcycle in any designated parking area for disabled persons on public or semi-public property unless such person is physically handicapped and the vehicle displays an identifying certificate or insignia issued by the state department of public safety.
 - (1) For the purposes of this section, the term "physically handicapped" shall include any person who has sustained an amputation or permanent material disability of either or both arms, or legs, or who has been otherwise permanently disabled in any manner rendering it difficult and burdensome for him to walk.
 - (2) No person charged with violation of this section may be convicted notwithstanding that no identifying certificate or insignia is displayed on the vehicle if that person is, in fact, physically disabled.
- (c) [No person shall obstruct any disability parking space, access aisle, or ramp with any material, vehicle, or object to include the piling of snow in those spaces, unless they are designated emergency vehicles responding to an emergency or call for service.](#)
- (d) [It shall be unlawful for property owners or the responsible party to fail to install Handicapped Accessible signage in accordance with the Minnesota State Accessibility Code and Statute.](#)
- (E) [It shall be unlawful for a person to park any vehicle for the sole intention to camp, sleep or live and reside out of on any street, public and private property unless in a designated campground, or for personal enjoyment on privately owned property by the owner in accordance with City Code, Commercial Vehicle operators in conformance with the Federal Motor Carrier Safety Act and Minnesota Statute may utilize appropriate rest stops, truck stops or as posted to maintain compliance with mandatory rest periods.](#)
- (f) [All violations of this section \(54-70\) are considered a misdemeanor.](#)

(Code 1978, § 6.02.02; Ord. No. 5, 3-15-1971)

Sec. 54-71. Private property.

- (a) No vehicles, motor vehicles, or motorcycles shall be driven across or upon any private property without the written or oral permission of the owner, occupant, or lessee thereof. Written permission may be given by a posted notice of any kind or description that the owner, occupant, or lessee prefers, so long as it specifies the kind of vehicles allowed.
- (b) It is unlawful for a person to post any notice or sign provided in this section upon lands over which they have no right, title, interest, or license.

(Code 1978, § 6.02.03; Ord. No. 88-08, 7-12-1988)

Sec. 54-72. Public property.

It shall be unlawful for any person to operate any vehicle, motor vehicle, or motorcycle upon public property other than a paved surface designed for vehicular use or upon a path or area designated by appropriate signs permitting such use.

(Code 1978, § 6.02.04; Ord. No. 88-08, 7-12-1988)

Sec. 54-73. Semi-public property.

It shall be unlawful for any person to operate any vehicle, motor vehicle, or motorcycle upon public property other than a paved surface designed for vehicular use or upon a path or area designated by appropriate signs permitting such use.

(Code 1978, § 6.02.05; Ord. No. 88-08, 7-12-1988)

Sec. 54-74. Exceptions.

The provisions of this article shall not apply to emergency vehicles, vehicles used by governmental bodies, or to persons driving upon such property with the consent of the owner or his agent or any person in lawful possession of such real property.

(Code 1978, § 6.02.06; Ord. No. 88-08, 7-12-1988)

Sec. 54-75. Speed limits.

No person shall operate a vehicle, motor vehicle, or motorcycle on public or semi-public property at a speed greater than is safe and reasonable under the conditions of traffic then existing, and in no event shall exceed a speed of 15 miles per hour.

(Code 1978, § 6.02.07; Ord. No. 88-08, 7-12-1988)

Sec. 54-76. Age requirements.

No person under the age of 15 years of age shall operate any vehicle, motor vehicle, or motorcycle on any property other than upon private property with the express or implied permission of the owner thereof.

(Code 1978, § 6.02.08; Ord. No. 88-08, 7-12-1988)

Secs. 54-77—54-95. Reserved.

ARTICLE IV. RECREATIONAL VEHICLES³

Sec. 54-96. Purpose.

The purpose of this article is to provide reasonable regulations for the use of recreational vehicles on public and private property in the city. This article is not intended to allow what the Minnesota state statutes expressly prohibit nor to prohibit what the state statutes allow. It is intended to prevent public nuisance.

(Ord. No. 12-07, § 3, 6-12-2012)

Sec. 54-97. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agricultural zone means the areas in the state lying south and west of a line along the following highway rights-of-way: starting at the North Dakota border, the line goes east along State Highway 10 to State Highway 23, then follows Highway 23 east to State Highway 95, which it follows to the Wisconsin border.

All-terrain vehicle (ATV) means a motorized flotation-tired vehicle of not less than three but not more than six low-pressure tires. It includes Class 1 (engine displacement of less than 960 cubic centimeters and total dry weight of less than 1,000 pounds) and Class 2 (engine displacement of less than 960 cubic centimeters and total dry weight of 1,000 to 1,800 pounds) ATVs as per Minnesota State Statute.

Boulevard means that portion of the street or highway between the roadway and private property.

Designated non-use area means that area south of a straight line running from east to west at the 16700 block, starting at the Rum River on the east and running to the City of Elk River border on the west. Within the non-use area, access to Elmcrest Park and Central Park will be made and restricted to loading and unloading of snowmobiles and ATVs in the parking lots only. A designated route from the parking lot will be clearly posted to allow access to 167th Avenue from Elmcrest Park. A designated route from the parking lot of Central Park will be clearly posted to allow access to Armstrong Blvd. for direct northbound travel to the designated use area.

Designated trail means a clearly marked route for recreational vehicles to follow.

Designated use area means the area north of a straight line running from east to west at the 16700 block, starting at the Rum River on the east and running to the City of Elk River border on the west.

Go-cart means a low, four-wheeled motorized device with an open or closed frame designed and used for off-street operation only.

³Editor's note(s)—Ord. No. 12-07, § 2, 3, adopted June 12, 2012, repealed the former Art. IV, §§ 54-96—54-102, and enacted a new Art. IV as set out herein. The former Art. IV pertained to similar subject matter and derived from Code 1978, §§ 6-04-01, 6-04-03—6-04-08; Ord. No. 88-1, 2-25-1988; Ord. No. 88-19, 12-18-1988; Ord. No. 93-18, 12-13-1993; Ord. No. 09-14, § 1, 9-22-2009; Ord. No. 11-16, § 2, 11-22-2011.

State law reference(s)—Off-highway vehicles, Minn. Stats. § 84.771 et seq.; off-road motorcycles, Minn. Stats. § 84.787 et seq.; off-road vehicles, Minn. Stats. § 84.797 et seq.; snowmobiles, Minn. Stats. § 84.41 et seq.

Golf-cart means a passenger conveyance, electric or gasoline motor powered vehicle, with four low pressure tires and a engine displacement not exceeding 800 cubic centimeters and a total dry weight not exceeding 800 pounds.

Mini-bike means a small, two-wheeled motorized device designed for off-street operation. Mini-bikes may include miniature motorcycles and do not qualify as a moped, motorcycle or an ATV.

Off-highway motorcycle (OHM) means vehicles traveling on two wheels with a seat to be straddled by the operator with handlebars for steering control. OHMs may include some mini-bikes. They are for off-street operation only.

Operate means to ride in or on, and control the operation of a recreational vehicle.

Operator means every person who operates, or is in actual physical control of a recreational vehicle.

Public property means property that may be used by the public, subject to reasonable regulation by a governmental body. Such property includes city parks, city parking lots and public school parking lots and grounds.

Public road right-of-way means the entire right of way of a roadway that is not privately owned, including the traveled portions, banks, ditches, shoulders and medians.

Recreational vehicle means all-terrain vehicles, utility task vehicles, golf carts, snowmobiles, off-highway motorcycles, mini-bikes, go-carts, and other motorized vehicles, that by their use fit this definition.

Roadway means that portion of a street or highway improved, designed or ordinarily used for vehicular travel but not including the boulevard. For the purposes of this article, roadways not dedicated for public use and not maintained by the city are not included within this definition.

Semi-public property means private property generally for use by the public but not owned or maintained by a governmental body. Such property includes without limitation: church property, shopping center property and other property generally used by patrons of a commercial or private business establishment.

Snowmobile means a self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

Street or highway means the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular traffic (includes the right-of-way or boulevard). For the purposes of this article, streets or highways not dedicated for public use and not maintained by the city are not included within this definition.

Utility task vehicle means a side-by-side, four-wheel drive that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.

(Ord. No. 12-07, § 3, 6-12-2012; Ord. No. 11-16, § 2, 11-22-2011)

Sec. 54-98. Operation regulations for ATVs and utility task vehicles.

- (a) ATVs and utility task vehicles MAY NOT be operated in the following areas of the city:
- (1) Any area posted that ATVs or utility task vehicles are not allowed.
 - (2) On or along the Burlington Northern railroad right-of-way.
 - (3) On lots less than two and one-half acres in size unless it is for maintenance or plowing.
 - (4) On city sidewalks, bike or pedestrian trails.
 - (5) On semi-public, public or private property unless permission is posted.
 - (6) Within a city parking ramp.

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- (7) Within a county or state highway right-of-way other than as listed in Specific Limitations defined below.
 - (8) Within the boulevard of a city roadway.
 - (9) Within a county or state highway right-of-way in the designated non-use area.
 - (10) Within a county or state highway right-of-way from April 1 to August 1 as part of Minnesota's Agricultural Zone.
- (b) ATVs and utility task vehicles MAY be operated in the following areas of the city:
- (1) On your own property or the property of another with written permission, only if the property is two and one-half acres or greater in size, subject to the provisions of this article.
 - (2) On privately owned property if the operator has in possession written permission from the property owner; or on privately owned property if the property owner has posted a clearly visible notice indicating "ATVs allowed" or "utility task vehicles allowed" or words substantially similar.
 - (3) On all city roadways as allowed by Minnesota State Statute, however, NOT including county or state highways.
 - (4) On public or semi-public property only if posted with a clearly visible notice indicating "ATVs allowed" or "utility task vehicles allowed" or words substantially similar.
- (c) *Specific Limitations for operation of ATVs and utility task vehicles.*
- (1) A direct crossing of a street, roadway, county or state highway is permitted if:
 - a. The crossing is made at an angle of approximately 90 degrees to the roadway at a place where no obstruction prevents a quick and safe crossing or blocks the view of oncoming traffic for 300 feet.
 - b. The vehicle is brought to a complete stop before crossing the shoulder or entering upon the traveled portion of the street, road or highway.
 - c. The driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard.
 - d. In the case of a divided highway, the crossing shall be made only at an intersection of the highway with another street or road.
 - e. The crossing is made during period of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, the front and rear lights of the vehicle must be on.
 - f. A person born after July 1, 1987 possesses a MN DNR ATV safety certificate.
 - (2) An ATV may only be operated with the number of passengers that it was designed to carry.
 - (3) If ridden on a roadway, persons driving must be 18 years of age or older.
- (d) Every person operating an ATV or utility task vehicle on the roadway has the rights and duties applicable to the driver of any other vehicle under the provisions of Minn. Stats. chapters 169 and 84, except those provisions that cannot be reasonably applied.
- (e) Every operator/owner of an ATV or utility task vehicle must provide proof of insurance complying with Minn. Stats. § 65B.48, subd 5.
- (f) For an ATV or utility task vehicle to be used off of the owner's property, the owner first must request and obtain a city permit from the police department.
- (g) Permits.

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- (1) A permit application containing the following information must be completed and approved by the city's police department, prior to receiving a permit.
 - a. Registered owner name, address and telephone number.
 - b. Make, model, vehicle identification number and DNR registration number of the ATV or utility task vehicle.
 - c. Proof of insurance for the vehicle.
 - d. Class description (ATVs only).
 - (2) Permits must be affixed to the front center handlebar, lower center windshield area, or other location visible from the front center of the recreational vehicle.
 - (3) A granted permit will be valid for a maximum term of three years.
 - (4) A permit may be revoked for a violation of any provision of this article, after due investigation by the city's police department and final determination by the police chief. Any revocation may be appealed to the city council by providing a request for appeal in writing within 14 days of the final revocation. The revocation will remain in force until the appeal process has been completed.

(Ord. No. 12-07, § 3, 6-12-2012; Ord. No. 11-16, § 2, 11-22-2011)

Sec. 54-99. Operation regulations for golf carts.

- (a) Golf carts MAY NOT be operated in the following areas:
 - (1) Any area posted that golf carts are not allowed.
 - (2) On or long the Burlington Northern railroad right-of-way.
 - (3) On city sidewalks, bike or pedestrian trails.
 - (4) On semi-public, public or private property unless permission is posted.
 - (5) Within a county or state highway right-of-way other than as listed in specific limitations defined below.
 - (6) Within the boulevard of a city roadway.
 - (7) Within a county or state highway right-of-way in the designated non-use area.
 - (8) Within a county or state highway right-of-way from April 1 to August 1 as part of Minnesota's Agricultural Zone.
- (b) Golf carts may be operated only as follows:
 - (1) On your own property or the property of another with written permission, subject to the provisions of this article.
 - (2) On privately owned property if the operator has in possession written permission from the property owner; or, on privately owned property if the property owner has posted a clearly visible notice indicating "golf carts allowed" or words substantially similar.
 - (3) On all city roadways as allowed by Minnesota State Statute, however, NOT including county or state highways.
 - (4) On public or semi-public property only if posted with a clearly visible notice indicating "golf carts allowed" or words substantially similar.
- (c) Specific limitations for operation of golf carts.

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- (1) A direct crossing of any street, roadway, county or state highway is permitted if:
 - a. The crossing is made at an angle of approximately 90 degrees to the roadway at a place where no obstruction prevents a quick and safe crossing or blocks the view of oncoming traffic for 300 feet.
 - b. The vehicle is brought to a complete stop before crossing the shoulder or entering upon the traveled portion of the street, road or highway.
 - c. The driver yields the right-of-way to all oncoming traffic that constitutes an immediate hazard.
 - d. In the case of a divided highway, the crossing shall be made only at an intersection of the highway with another street or road.
 - e. If the crossing is made during period of one-half hour after sunset to one-half hour before sunrise or in conditions of reduced visibility, the front and rear lights of the vehicle must be on.
 - (2) A golf cart may only be operated with the number of passengers that it was designed to carry.
 - (3) If ridden on a roadway, persons driving must be 18 years of age or older.
 - (d) *Golf cart equipment requirements.*
 - (1) Slow moving vehicle emblem.
 - (2) Operable horn.
 - (3) Seat belts for driver and passengers.
 - (e) Every person operating a golf cart on the roadway has the rights and duties applicable to the driver of any other vehicle under the provisions of the Minn. Stats. chapter 169, except those provisions that cannot be reasonably applied.
 - (f) Every operator/owner of a golf cart must be able to provide proof of insurance when required, by an authorized enforcement officer, complying with Minn. Stats. § 65B.48, subd 5.
 - (g) For a golf cart to be used off of the owner's property, the owner first must request and obtain a City of Ramsey permit from the police department.
 - (h) Permits.
 - (1) A permit application containing the following information must be completed and approved by the city's police department, prior to receiving a permit.
 - a. Registered owner's name, address and telephone number.
 - b. Make, model, and vehicle identification number of the golf cart.
 - c. Proof of liability insurance for the golf cart.
 - (2) Permits must be affixed to the lower center windshield area or other location visible from the front center of the recreational vehicle.
 - (3) A permit will be valid for a maximum term of three years.
 - (4) A permit may be revoked for a violation of any provision of this article, after due investigation by the city's police department and final determination by the police chief. Any revocation may be appealed to the city council by providing a request for appeal in writing within 14 days of the final revocation. The revocation will remain in force until the appeal process has been completed.

(Ord. No. 12-07, § 3, 6-12-2012)

Sec. 54-100. Operation regulations for snowmobiles.

- (a) *Designated non-use areas.* Snowmobiles may not be operated in the designated non-use areas except in those limited areas where permitted as follows:
 - (1) Within the non-use area, access to Elmcrest Park and Central Park will be made and restricted to loading and unloading of snowmobiles in the parking lots only.
 - (2) A designated route from the parking lot will be clearly posted to allow access to 167th Avenue from Elmcrest Park. A designated route from the parking lot of Central Park will be clearly posted to allow access to Armstrong Boulevard for direct travel to the designated trail.
 - (3) On any clearly marked designated trail.
 - (4) On your own property or the property of another with written permission only if the property is greater than two and one-half acres in size.
- (b) *Designated use areas.* Snowmobiles may be operated only in the areas defined in section 54-97 as the designated use areas and then only as follows:
 - (1) On the operator's property subject to the provisions of this article.
 - (2) On privately owned property if the operator has in possession written permission from the property owner; or, on privately owned property if the property owner has posted a clearly visible notice indicating "snowmobiles allowed" or words substantially similar.
 - (3) On county or state highways within the designated use area as regulated by state statute.
 - (4) On city streets within the designated use area only as allowed by state statute.
 - (5) On public or semi-public property within the designated use area only if said property is clearly posted with signs designating the area or specific areas as open to recreational vehicles.
- (c) *Agricultural zone.* No snowmobiles may be operated within the right-of-way, including the ditch of a trunk, county state-aid, or county highway from April 1 to August 1 as part of Minnesota's Agricultural Zone.
- (d) *Hours of operation.* Snowmobiles may not be operated any place in the city between the hours of 10:00 p.m. and 8:00 a.m. Sunday through Friday, and between the hours of 1:00 a.m. and 8:00 a.m. Saturday and Sunday.
- (e) *Snow cover.* From November 1 to March 31, snowmobiles may not be operated off the operator's property or the property of another that the operator has written permission to be on, unless there is a minimum six inches of snow cover on the ground.
- (f) *Reflective Material.* Snowmobiles must have reflective material of at least 16 square inches on each side forward of the handlebars, so as to reflect lights at a 90-degree angle.

(Ord. No. 12-07, § 3, 6-12-2012)

Sec. 54-101. Operation limitations for mini-bikes and go-carts.

- (a) Mini-bikes greater than 110 cc may not be operated within the designated non-use area, regardless of lot size.
- (b) Go-carts may not be operated within the designated non-use area.
- (c) Mini-bikes and go-carts may not be operated off of their own property without the written permission of the owner of the property being ridden on.

(Ord. No. 12-07, § 3, 6-12-2012)

Sec. 54-102. Towing restriction.

It is unlawful for any person to operate a recreational vehicle so as to tow any person or thing on a street or highway except through the use of a rigid tow bar, as defined by state statute, attached to the rear of the recreational vehicle.

(Ord. No. 12-07, § 3, 6-12-2012; Ord. No. 11-16, § 2, 11-22-2011)

Sec. 54-103. Map.

A map showing the boundaries of the designated use and non-use areas shall be on display at the city hall and the police department for public viewing, during normal business hours.

(Ord. No. 12-07, § 3, 6-12-2012)

Sec. 54-104. Permit fee.

The permit fee for a Recreational Vehicle required by this section shall be set by council resolution and listed in the rates and fees ordinance.

(Ord. No. 12-07, § 3, 6-12-2012)

Sec. 54-105. Penalty.

Violation of any provision of this section shall constitute a petty misdemeanor [unless otherwise determined by Minnesota State Statute as a Misdemeanor or this ordinance.](#)

(Ord. No. 12-07, § 3, 6-12-2012)

NUISANCE, ANIMAL AND TRAFFIC CODE UPDATE



City Council Work Session
November 28, 2023

TEMPORARY ACCESSORY STRUCTURES



NECESSITY FOR MANAGED BUFFERS



EXTERIOR NUSIANCE



NUISANCES



LIVING IN TENTS AND CAMPSITES



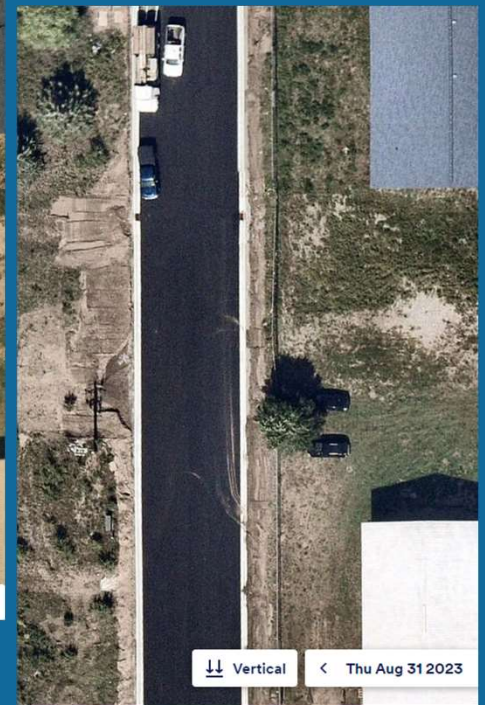
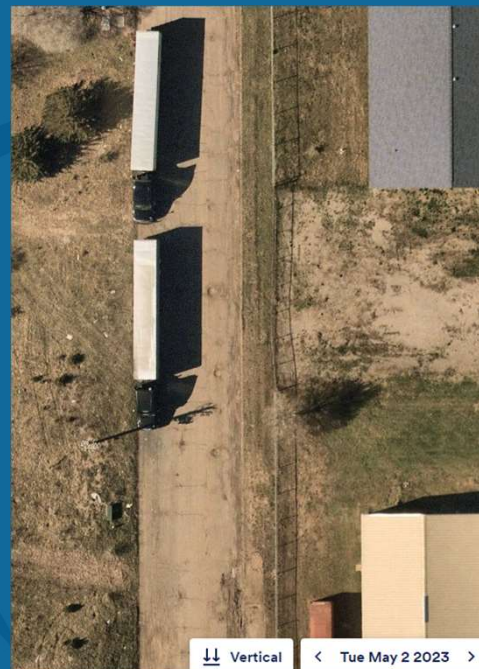
CAMPING



COMMERCIAL TRUCK PARKING



LONG TERM STORAGE, Vs. INVESTMENT IN OUR ROADS



OBSTRUCTIONS



OBSTRUCTIONS



OBSTRUCTIONS



PROVIDE FEEDBACK

- Is the proposed ordinance ready to be introduced with any adjustments or corrections as discussed?
- Shall we bring the proposed ordinance back to another work session for more discussion?

CC Work Session

Meeting Date: 01/09/2024

Primary Strategic Plan Initiative: Enhance City’s communication through transparency and accountability.

Information

Title:

Review Future Topics/Calendar

Purpose/Background:

Attached is the current list of future topics for work session discussions. Items are drawn from Council requests at meetings, or are related to topics that have been identified in the City's strategic plan. Tentative dates have been assigned.

Timeframe:

Funding Source:

Responsible Party(ies):

Outcome:

For Council review - no formal action necessary.

Attachments

Future Topics List

Form Review

Inbox

Brian Hagen

Form Started By: Katie Schmidt

Final Approval Date: 01/04/2024

Reviewed By

Brian Hagen

Date

01/04/2024 10:57 AM

Started On: 01/02/2024 10:37 AM

Row #		<u><i>Tentative City Council Future Work Session Topics</i></u>	
	Proposed Date	Topic	Minutes (Estimate)
	2024		
	Feb 13	Discuss THC Moratorium	60
	Feb 13	Discuss Subdivision Ordinance	30
	Feb 27	Further Personnel Policy Discussion	60
	Feb 27	Strategic Planning	30
	April	Discuss Sign Ordinance	30
	TBD	Discuss Recycling Program	45
	TBD	Discuss Solicitor License approval process	15
	TBD	Continue Policy Project Discussion – continue Park Policy discussion – Riverblood	30
	TBD	Draft Trail Maintenance Policy – Riverblood	30
	TBD	Draft Stormwater Pond Maintenance Policy – Westby	30
	TBD	Review procedure/policy/best practice for introduction of resolutions/proclamations – Staff	20
	TBD	Discuss Council and B/C Remote Meetings Policy - Staff	15
	TBD	Development Interest Info to Council	
	TBD	Decorum of Council Towards Meeting Attendees	