

CITY OF LAKE ELMO

RESOLUTION NO. 2008-40

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 08-008 BY TITLE AND SUMMARY**

WHEREAS, the city council of the city of Lake Elmo has adopted Ordinance No. 08-008, an ordinance to amend the definition of impervious surfaces and to amend the allowable impervious surface coverage for lots in open space preservation developments; and

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the city council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Lake Elmo, that the city administrator shall cause the following summary of Ordinance No. 08-008 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the city of Lake Elmo has adopted Ordinance No. 08-008. The ordinance amends the definition for the term "impervious surface" and amends the allowable impervious surface coverage for lots in open space preservation developments from 17% to 20%. The ordinance further allows for the impervious surface coverage in these developments to be increased to 25% provided mitigation measures approved by the City are installed to capture any additional water runoff due to the additional impervious coverage on a lot.


The full text of Ordinance No. 08-008 is available for inspection at Lake Elmo city hall during regular business hours.



Mayor Dean Johnston


BE IT FURTHER RESOLVED by the city council of the city of Lake Elmo that the city administrator keep a copy of the ordinance in her office at city hall for public inspection and that she post a full copy of the ordinance in a public place within the city.

Dated: August 19, 2008.



Mayor Dean Johnston

ATTEST:



Susan Hoyt
City Administrator

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

Mayor Johnston and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:
Council Member Smith

Whereupon said resolution was declared duly passed and adopted.

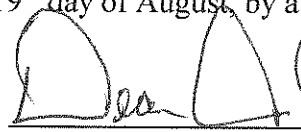
Section 2. The City Council of the City of Lake Elmo hereby ordains that Section 11.01 is hereby amended to read as follows:

Impervious Surface. Any structure or surface which interferes to any degree with the direct absorption of water into the ground, including but not limited to building footprints, sidewalks, paved or gravel driveways and parking areas, patios, sport courts, swimming pools, or any other similar surface. Decks, pervious landscaping fabric, engineering approved paver systems, and retaining walls shall not be included as impervious surface.

Section 3. Adoption Date

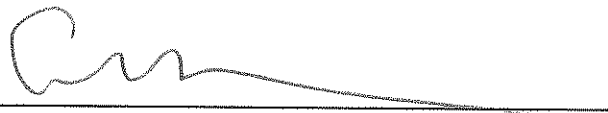
This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

This Ordinance No. 08-008 was adopted on this 19th day of August, by a vote of 4 Ayes and 1 Nay.



Dean Johnston, Mayor

ATTEST:



Susan Hoyt, City Administrator

This Ordinance No. 08-008 was published on the ____ day of August, 2008.