



## STAFF REPORT

DATE: May 15, 2018

**REGULAR**

ITEM #: 21

**MOTION**

**TO:** City Council  
**FROM:** Ben Prchal, City Planner  
**AGENDA ITEM:** Zoning Text Amendment - Golf Cart Ordinance  
**REVIEWED BY:** Emily Becker, Planning Director

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### **BACKGROUND:**

The City of Lake Elmo has received an application for a Zoning Text amendment to allow the operation of golf carts on public streets within the City. The application was submitted by the Royal Development, Inc., the developer of Royal Golf Club at Lake Elmo, a golf course community. As a golf course community, they would like their residents to be able to use their personal carts to access different areas of the development without having to drive larger automobiles.

### **REVIEW AND ANALYSIS:**

#### **Lake Elmo:**

Currently the city does not allow the operation of golf carts on public streets. The state of Minnesota allows Cities to make the determination of their allowance through the adoption of an ordinance. However, if the city chooses to allow golf carts there are minimum requirements that must be enforced/enacted. The requirements will be addressed further on in the report. If the city chooses to adopt the ordinance there will be a new section added to the code as well as an amendment to the definition of all-terrain vehicles.

Also the fee schedule will need to be amended to include a fee for golf cart permits.

#### **State Requirements:**

The state requires at a minimum the items listed out below

- May only be operated on designated roadways – included as an attachment are the proposed designated roadways
- May only be operated from sunrise to sunset, unless equipped with original headlights, taillights, and rear-facing brake lights. – code only proposes sunrise to sunset
- Shall not be operated in inclement weather – further described in proposed ordinance
- The display of slow-moving vehicles emblem
- Insurance
- Application requirements – permits are only valid for 3 years
- They must be allowed to cross non-designated roadways but they do not need to be allowed to travel on or down them.

#### **Other Communities:**

There are other communities that allow golf carts to be driven on public streets including City of Anoka, City of Trimont, Dodge Center, City of Ramsey, and Redwing. They all at a minimum have the state requirements with some variability between them.

**Anoka:**

- Golf carts may be operated on all local city streets within the limits of the city that have a speed limit of 30 mph or less, with the exception of East Main St.
- Golf carts are allowed on designated trail (those leading to a golf course)
- Carts must be parked in designated public parking stalls or areas used by automobiles only.
- A permit may be revoked at any time for violating any provision of this Article, after investigation by the Police Department and final determination by the Police Chief or his or her appointee.
- Approval must come from the police department.
- \$25 fee and permits are good for one year

**City of Trimont:**

- The Chief of Police may revoke a permit at any time upon finding that the holder has violated any of the provisions of this ordinance or Minnesota Statutes Chapter 169 or if there is any evidence that the permit holder cannot safely operate the motorized golf cart.
- The City clerk may authorize the permits
- \$15 fee and the permits are good for 3 years

**City of Dodge Center:**

- A motorized golf cart shall be operated as close to the right curb or right side of the roadway as practicable, except when making left turns.
- They also offer an appeal process for revoked permits.
- The City administrator makes the determination whether or not to revoke a permit.
- Permits are submitted to the City Administrator
- \$10 fee and all permits expire on December 31<sup>st</sup> of each year

**Ramsey:**

- Permits are obtained from the police department
- \$10 fee and permits are good for 3 years

**Red Wing:**

- Only operated between May 1 and October 31<sup>st</sup> of each year
- Permits are available at the police department
- \$30 fee and permits are good for 1 year

Communities regulate permitted and unpermitted roads differently. Staff has not noticed any trends other than Cities regulate based on what makes the most sense for them and their needs. Some say carts may only be used when on the way to or from a golf course, where other cities do not make that a requirement. After discussing the topic between several departments City staff has concluded that carts shall only be permitted to travel on roads which are contained within the Golf Course Community (GCC) zoning district.

### **FISCAL IMPACT:**

Staff does not foresee a fiscal impact. There should be a fee associated with the issuance of a permit.

\$30 permit fee established to last for 3 years.

### **COMMENTS AND RECOMMENDATION**

Staff recommendation: The planning department has discussed the language with other departments and in doing so has arrived at the following conclusion. Given that the character of the roads which would be designated for use, staff does not immediately see an issue with allowing the use of golf carts within the GCC zoning district. Staff is recommending approval.

The Public Safety Committee also recommended approval. However, there were a few comments that came from their meeting on the topic, they are as follows. Their comments are in bold, and City Attorney responses have been summarized, italicized.

- **Open Bottle**

- *The “open bottle law” is in Minnesota Statutes Section 169A.35. It prohibits the possession of open bottles of alcoholic beverages in “motor vehicles” that are upon streets or highways. A golf cart is considered a “motor vehicle” for these purposes. It also appears that all of the driving while intoxicated statutes in Minnesota Statutes Chapter 169A apply to golf carts that are being operated on streets or highways, so a reference was added to the ordinance since these statutes would apply. Open bottle does not apply when on private property.*

- **Age Limit**

- *Essentially Minnesota law would not allow the city to govern who may and may not drive a golf cart based on age or if they have a driver’s license or not.*

- **Section 70.03 D –**

- *In short, if an applicant who has had his or her driver’s license revoked but has a note from his or her doctor saying that he or she can safely operate the golf cart would not be entitled to a permit because the applicant has not satisfied both requirements of this section of the ordinance.*

- **Rental Carts**

- *A new permit would be required each time a golf cart was rented, so most people would likely not go through this trouble.*

Staff had informed the committee that the amendments would need to be approved by the City Attorney. The Committee was aware the amendments were dependent upon Attorney Approval. Their recommendation was made knowing that the comments may or may not have an impact on the proposed ordinance.

Both Staff and the Public Safety Committee recommend approval of the ordinance. The committee recommended approval of the Ordinance with amendments 5-0.

### **OPTIONS**

- Approve the Golf Cart Ordinance as it has been written
- Deny the Golf Cart Ordinance
- Approve the Golf Cart Ordinance with amendments

**RECOMMENDATION:**

*“Move to adopt Ord. 08-209 adding new language as it applies to the allowance of golf carts on City streets in the GCC zoning district within the City of Lake Elmo.”*

*“Move to adopt Ord. 08-210 amending the City’s fee schedule to add a golf cart permit fee”*

*“Move to adopt Resolution 2018-053 authorizing summary publication of Ordinance. 08-209 and Ordinance 08-210.”*

**ATTACHMENTS**

- State Statute
- Designated Road map
- Ord 08-209 Golf Cart Ordinance
- Ord. 08-210 amending City’s fee schedule
- Resolution 2018-053 authorizing summary publication of golf cart ordinance and fee schedule

**169.045 SPECIAL VEHICLE USE ON ROADWAY.**

Subdivision 1. **Designation of roadway, permit.** The governing body of any county, home rule charter or statutory city, or town may by ordinance authorize the operation of motorized golf carts, all-terrain vehicles, utility task vehicles, or mini trucks, on designated roadways or portions thereof under its jurisdiction. Authorization to operate a motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck is by permit only. For purposes of this section:

- (1) an all-terrain vehicle has the meaning given in section 84.92;
- (2) a mini truck has the meaning given in section 169.011, subdivision 40a; and

(3) a utility task vehicle means a side-by-side, four-wheel drive, off-road vehicle 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.

Subd. 2. **Ordinance.** The ordinance shall designate the roadways, prescribe the form of the application for the permit, require evidence of insurance complying with the provisions of section 65B.48, subdivision 5 and may prescribe conditions, not inconsistent with the provisions of this section, under which a permit may be granted. Permits may be granted for a period not to exceed three years, and may be renewed. A permit may be revoked at any time if there is evidence that the permittee cannot safely operate the motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck on the designated roadways. The ordinance may require, as a condition to obtaining a permit, that the applicant submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck on the roadways designated.

Subd. 3. **Times of operation.** Motorized golf carts, all-terrain vehicles, and utility task vehicles may only be operated on designated roadways from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights. They shall not be operated in inclement weather, except during emergency conditions as provided in the ordinance, or when visibility is impaired by weather, smoke, fog or other conditions, or at any time when there is insufficient visibility to clearly see persons and vehicles on the roadway at a distance of 500 feet.

Subd. 4. **Slow-moving vehicle emblem.** Motorized golf carts shall display the slow-moving vehicle emblem provided for in section 169.522, when operated on designated roadways.

Subd. 5. **Crossing intersecting highways.** The operator, under permit, of a motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck may cross any street or highway intersecting a designated roadway.

Subd. 6. **Application of traffic laws.** Every person operating a motorized golf cart, all-terrain vehicle, utility task vehicle, or mini truck under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of this chapter, except when those provisions cannot reasonably be applied to motorized golf carts, all-terrain vehicles, utility task vehicles, or mini trucks and except as otherwise specifically provided in subdivision 7.

Subd. 7. **Nonapplication of certain laws.** The provisions of chapter 171 are applicable to persons operating mini trucks, but are not applicable to persons operating motorized golf carts, utility task vehicles, or all-terrain vehicles under permit on designated roadways pursuant to this section. Except for the requirements of section 169.70, the provisions of this chapter relating to equipment on vehicles are not applicable to motorized golf carts, utility task vehicles, or all-terrain vehicles operating, under permit, on designated roadways.

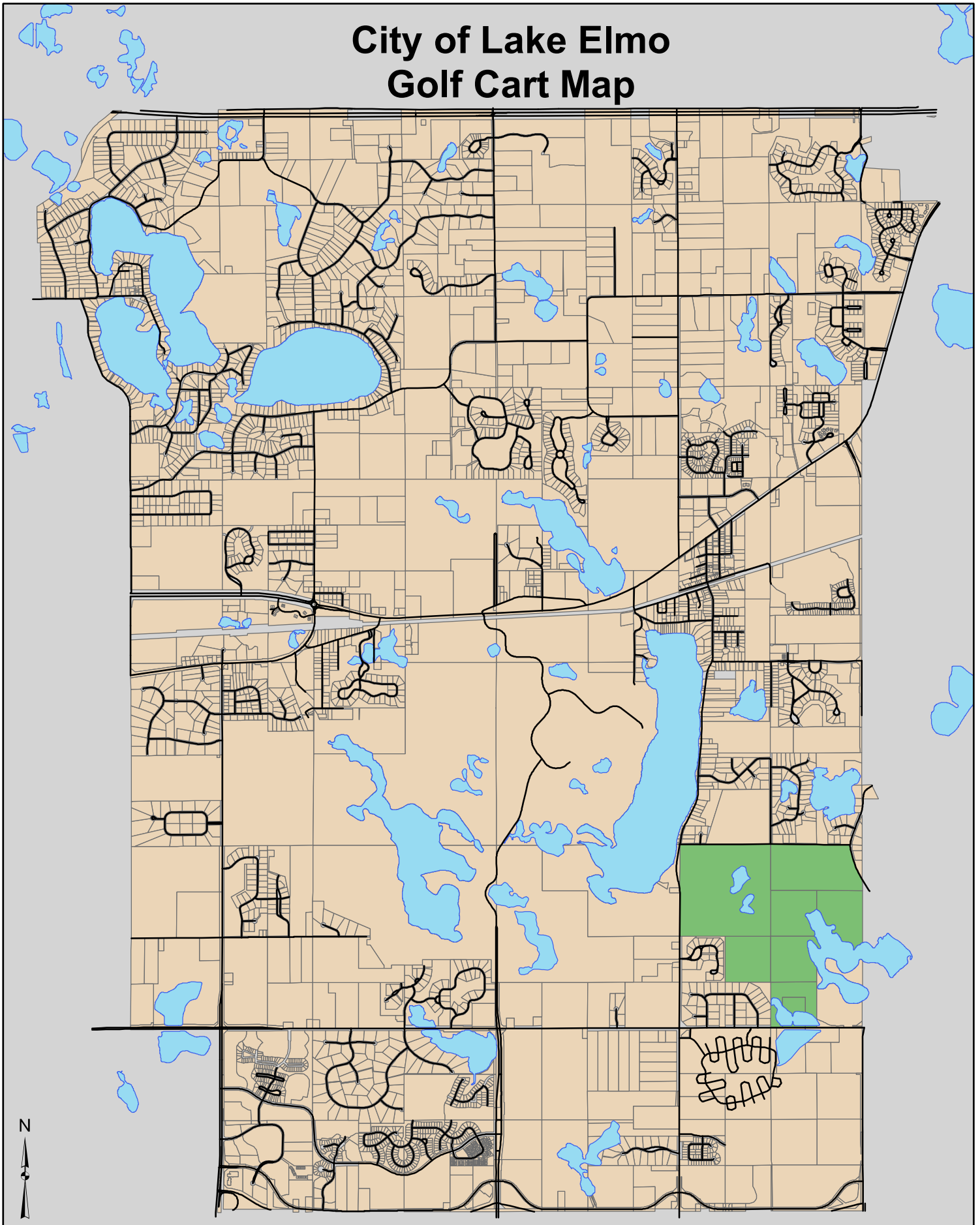
Subd. 7a. **Required equipment on mini trucks.** Notwithstanding sections 169.48 to 169.68, or any other law, a mini truck may be operated under permit on designated roadways if it is equipped with:

- (1) at least two headlamps;
- (2) at least two taillamps;
- (3) front and rear turn-signal lamps;
- (4) an exterior mirror mounted on the driver's side of the vehicle and either (i) an exterior mirror mounted on the passenger's side of the vehicle or (ii) an interior mirror;
- (5) a windshield;
- (6) a seat belt for the driver and front passenger; and
- (7) a parking brake.

Subd. 8. **Insurance.** In the event persons operating a motorized golf cart, utility task vehicle, all-terrain vehicle, or mini truck under this section cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Insurance Plan under sections 65B.01 to 65B.12, at a rate to be determined by the commissioner of commerce.

**History:** 1982 c 549 s 2; 1986 c 452 s 19; 1Sp1986 c 3 art 2 s 12; 1987 c 337 s 121,122; 1997 c 159 art 2 s 18; 2009 c 158 s 3,10; 2011 c 107 s 89-95; 2012 c 287 art 3 s 56; 2014 c 255 s 20

# City of Lake Elmo Golf Cart Map



**All other districts**

**Golf Course Community**

Golf carts are only permitted to travel on public roads which are contained within the Golf Course Community (GCC) zoning district. Golf carts found traveling on roads outside of this district shall be subject to ticketing. If there are questions relating to permitting or if a road is within the GCC, Call City hall at 651-747-3900.

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**ORDINANCE NO. 08-209**

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY  
AMENDING CHAPTERS 11 AND 70 TO ALLOW FOR GOLF CART OPERATION ON  
DESIGNATED CITY STREETS.**

**SECTION 1.** The City Council of the City of Lake Elmo hereby amends Title I, Chapter 11, General Code Provisions, Section 11.01, Definitions by adding the following definitions:

***GOLF CART.*** A self-propelled three or four-wheeled vehicle designated for and commonly used for transportation on a golf course that is limited in engine displacement of less than 800 cubic centimeters and total dry weight of less than 800 pounds. Vehicles that are required to be registered with the Minnesota Department of Natural Resources do not fall within the definition of a golf cart for purposes of this code.

**SECTION 2.** The City Council of the City of Lake Elmo hereby amends Title I, Chapter 11, General Code Provisions, Section 11.01, Definitions by deleting the ~~stricken~~ language and adding the underlined language as follows:

***OPERATE (SNOWMOBILES, ~~AND RECREATIONAL VEHICLES~~ ALL-TERRAIN VEHICLES, AND GOLF CARTS).*** To ride in or on and control the operation of a snowmobile, ~~or A.T.V., all-terrain vehicle, or golf cart.~~

**SECTION 3.** The City Council of the City of Lake Elmo hereby amends the title of Title VII, Chapter 70, Off Road Vehicles, Snowmobiles and All-Terrain Vehicles by deleting the ~~stricken~~ language and adding the underlined language as follows:

**CHAPTER 70: ~~OFF ROAD VEHICLES, SNOWMOBILES, AND~~ ALL-TERRAIN  
VEHICLES, AND GOLF CARTS**

**SECTION 4.** The City Council of the City of Lake Elmo hereby amends Title VII, Chapter 70, Snowmobiles, All-Terrain Vehicles, and Golf Carts to add a new Section 70.03 which shall read as follows:

**§ 70.03 GOLF CARTS.**

(A) *Permit required.* No golf cart may be operated on a street, alley, sidewalk, or other public property without first obtaining a permit from the city.

(B) *Permit application.* Every application for a permit must be made on a form supplied by the city and must contain all of the following information:

- (1) The registered owner's name, address, and telephone number;
- (2) The make, model, year, and number of the golf cart;



- (3) Proof of insurance. The applicant must provide evidence of insurance in compliance with the provisions of Minnesota Statutes concerning insurance coverage for golf carts;
- (4) Current driver's license or reason for not having a current license; and
- (5) Other information as the city may require.

(C) *Permit fee.* The permit fee shall be as set forth in the city's fee schedule.

(D) *Approval.* No permit shall be granted or renewed unless the following conditions are met:

- (1) The applicant may be required to submit a certificate signed by a physician that the applicant is able to safely operate a motorized golf cart; and
- (2) The applicant has not had his or her driver's license revoked as the result of criminal proceedings.

If the application for the permit meets all of the requirements of this section, the permit application shall be approved by the Planning Director or his or her designee and a permit shall be issued by the city.

(E) *Appeal.* If a permit application is denied for any reason, the denial may be appealed to the City Council.

(F) *Duration.* Permits shall remain valid for a period of three years from the date of issuance.

(G) *Golf cart operation requirements.* The issuance of a permit and adherence to the criteria set forth below are specific to the City of Lake Elmo. Within the city, golf cart operators holding permits from the city may only operate the golf cart on city streets designated by this section. The following operation requirements shall apply:

- (1) The operator must have in his or her actual physical possession a valid, current, and unrevoked golf cart permit while operating the golf cart on a city street along with proof of insurance;
- (2) The operator is responsible for operating the golf cart in accordance with this section, and all other city, county, and state laws and regulations;
- (3) Golf carts may only be operated on city streets between sunrise and sunset;
- (4) Golf carts must be operated on the pavement and not within any boulevard or ditch, city sidewalk, trail or walkway used for pedestrian travel, or other publically owned land;
- (6) A golf carts must only transport as many persons as it was designed by the manufacturer to carry;
- (7) Golf carts must not be operated on city streets during inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions or

at any time when there is insufficient visibility to clearly see persons or vehicles on the roadway at a distance of 500 feet;

- (8) The golf cart must not be operated in a negligent way so that it may cause harm to other persons or cause damage to public or private property;
- (9) No operator shall use the golf cart to intentionally drive, chase, run over, or kill any animal, wild or domestic; and
- (10) Every person operating a golf cart on a city street has the rights and duties applicable to the driver of any other vehicle and must comply with the provisions of any traffic law of the City of Lake Elmo and Minnesota Statutes Chapter 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts and except as otherwise specifically provided in Minnesota Statutes Section 169.045, subdivision 7, as it may be amended from time to time.

(H) *Equipment required.* All golf carts must have the following equipment when operating on city streets:

- (1) A slow-moving vehicle emblem provided in Minnesota Statutes Section 169.522 prominently displayed on the rear of the vehicle;
- (2) A rear-view mirror so located as to reflect to the operator a view of the roadway for a distance of at least 200 feet to the rear of the vehicle; and
- (3) Parking brakes to hold the vehicle in place when unattended.

(I) *Designated city streets.* Golf carts shall only be permitted to be operated on designated city streets that are within the Golf Course Community (GCC) zoning district. All city streets outside of this zoning district are not allowed for golf cart use. The streets that are designated for golf cart operation are shown on the city's Golf Cart Street Map, which is on file and of record with the Planning Director. Golf carts are permitted to cross over any non-designated street or highway that intersects a designated city street. With this exception, golf carts shall not, for any period of time or distance, travel down any streets or highways not permitted for golf cart use.

(J) *Permit revocation.* The City Council may suspend or revoke a permit granted hereunder upon a finding that the holder has violated any of the provisions of this section or Minnesota Statutes Chapter 169, as it may be amended from time to time, or if there is evidence that the permit holder cannot safely operate the golf cart on the designated city streets.

**SECTION 5. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 6. Adoption Date.** This Ordinance 08-209 was adopted on this \_\_\_\_\_ day of \_\_\_\_\_ 2018, by a vote of \_\_\_\_ Ayes and \_\_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

\_\_\_\_\_  
Mike Pearson, Mayor

ATTEST:

\_\_\_\_\_  
Julie Johnson, City Clerk

| This Ordinance 08-\_\_\_\_ was published on the \_\_\_\_ day of \_\_\_\_\_, ~~2017~~2018.

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**ORDINANCE NO. 08-210**

**AN ORDINANCE ADOPTING A 2018 FEE SCHEDULE FOR THE CITY OF LAKE  
ELMO**

The City Council of the City of Lake Elmo ordains:

**SECTION I. Schedule Adopted.** The attached fee schedule is hereby adopted.

**SECTION II. Not Codified.** This ordinance is transitory in nature and shall not be codified in the City Code. This ordinance and the fee schedule established hereby shall be placed on file and available for public inspection at City Hall.

**SECTION III. Effect.** The fees set out in the attached fee schedule apply notwithstanding any other fees the City has established which may be inconsistent. Any other fees imposed by the City which do not appear on the attached fee schedule remain in full force and effect.

**SECTION IV. Effective Date.** This ordinance shall become effective for all billings rendered after adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION V. Adoption Date.** This Ordinance No. 08-210 was adopted on this 15<sup>th</sup> day of May, 2018, by a vote of \_\_\_Ayes and \_\_\_Nays.

**LAKE ELMO CITY COUNCIL**

\_\_\_\_\_  
Mike Pearson, Mayor

ATTEST:

\_\_\_\_\_  
Julie Johnson, City Clerk

This Ordinance \_\_\_\_\_ was published on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.



## City of Lake Elmo - 2018 Fee Schedule

APPLICATION/FEE/PERMIT TYPE	2018 FEE	ADDITIONAL CHARGE, ESCROW or NOTES	DEPARTMENT
Amateur Radio Antenna	\$875.00		Planning
Appeal (to Board of Adjustment and Appeals)	\$250.00		Administration
Bed and Breakfast Permit Fee	\$100.00		Planning
Bee Keeping Permit	\$25.00	Valid for 2 years from issuance	Administration
Building Regulations		* State Sur Charge Collected per MN Statute 326B.148 on all permits	Building
<b>Building Permit Fee Schedule</b>			
<b>Total Valuation</b>			
\$1.00 to \$500.00	\$29.50		Building
\$501.00 to \$2,000.00	\$28.00 for the first \$500.00 plus \$3.70 for each additional \$100.00, or fraction thereof, to and including \$2,000.00.		Building
\$2,001.00 to \$25,000.00	\$83.50 for the first \$2,000.00 + \$16.55 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00.		Building
\$25,001.00 to \$50,000.00	\$464.15 for the first \$25,000.00 + \$12.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00.		Building
\$50,001.00 to \$100,000.00	\$764.15 for the first \$50,000.00 + \$8.45 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00.		Building
\$100,001.00 to \$500,000.00	\$1,186.65 for the first \$100,000.00 + \$6.75 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00.		Building
\$500,001.00 to \$1,000,000.00	\$3,886.65 for the first \$500,000.00 + \$5.50 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00.		Building
\$1,000,001.00 and up	\$6,636.65 for the first \$1,000,000.00 + \$4.50 for each additional \$1,000.00, or fraction thereof.		Building
Planning and Zoning Compliance Review and Verification	\$100.00		Building
Plan Review Fee	65% of building permit fee		Building
Plan review for similar plans	25% of normal building permit fee (MN Rules 1300.0160 subp. 5)		Building
Single Family Decks	Fee based on Valuation		Building
Single Family Residential Basement Finish	Fee Based on Valuation		Building
Swimming Pool In-Ground	\$150.00		Building
Swimming Pool Above-Ground	\$75.00		Building
Reinspection Fee	\$75.00		Building
Inspection outside normal business hours	\$120.00 per hour - 2 hour minimum		Building
Investigation fee - work started without required permit	Equal to permit fee amount		Building
Replace Inspection Record Card	\$25.00		Building
Additional Plan Review required by changes, addendum or revisions to plans	\$75.00 per hour, one hour minimum		Building



## City of Lake Elmo - 2018 Fee Schedule

APPLICATION/FEE/PERMIT TYPE	2018 FEE	ADDITIONAL CHARGE, ESCROW or NOTES	DEPARTMENT
Building Demolition - Residential	\$200.00		Building
Building Demolition - Commercial	\$300.00		Building
Fuel Tank Removal (Underground)	\$250.00		Building
Fuel Tank Installation	2% Value of the work		Building
Roofing - Residential	Fee Based on Valuation		Building
Roofing - Commercial	Fee Based on Valuation		Building
Siding - Residential	Fee Based on Valuation		Building
Siding - Commercial	Fee Based on Valuation		Building
Retaining Walls over 4'	Fee Based on Valuation		Building
Commercial Plumbing	\$60.00 per unit, Up to 3 Units or 1.5% Value of work, whichever is greater		Building
Residential Plumbing	\$60.00 per Unit, max fee \$180.00		Building
Sewer Service Installation Inspection	\$60.00		Building
Water Service Installation Inspection	\$60.00		Building
Sewer & Water Service Installation Inspection when completed together	\$60.00		Building
Investigation fee - Plumbing work started without required permit	Equal to permit fee amount		Building
Commercial HVAC	\$60.00 per unit, Up to 3 Units or 1.5% Value of work, whichever is greater		Building
Residential HVAC	\$60.00 per Unit, max fee \$180.00		Building
Fireplace Installation	\$60 per unit		Building
Investigation fee - HVAC work started without required permit	Equal to permit fee amount		Building
Manufactured Home Move In	\$200.00		Building
Manufactured Home Move Out	\$200.00		Building
Moving House or Primary Structure into the City	2% Value of the Work plus security amount determined by the Building Official		Building
Moving Accessory Structure into the City	2% Value of the Work plus security amount determined by the Building Official		Building
Automatic Fire Extinguishing Systems	2% Value, \$100.00 minimum		Building
Investigation fee - Fire Suppression work started without required permit	Equal to permit fee amount		Building
Fire Alarm Systems	2% Value, \$100.00 minimum		Building
Investigation fee - Fire Alarm work started without required permit	Equal to permit fee amount		Building
Annual Retail Consumer Fireworks (retailers only selling fireworks)	\$350.00		Building
Annual Retail Consumer Fireworks (all other retailers)	\$100.00		Building
Outdoor Public Fireworks Display	\$150.00		Building



## City of Lake Elmo - 2018 Fee Schedule

APPLICATION/FEE/PERMIT TYPE	2018 FEE	ADDITIONAL CHARGE, ESCROW or NOTES	DEPARTMENT
Residential Day Care Inspections	\$50.00		Building
Residential Adult Care/Foster Care/Adoption Inspections	\$50.00		Building
Escrow Administration Fee	\$100.00		Building
New Single Family Dwelling Construction Escrow	\$2,000.00		Building
Two or more dwelling units per building Construction Escrow	\$1,000.00 per unit		Building
Commercial/Industrial and Other structures	\$5,000.00 or amount determined by the Building Official		Building
<b>Burning Permit</b>			Fire
Residential	\$45.00		Fire
Commercial	\$80.00		Fire
Illegal Burn	see notes →	Additional fees may be incurred based on Wash. Cty. Chief's fee schedule and # of responding units	Fire
Chicken Keeping Permit	\$25.00	Initial permit expires on 12/31 of 2nd year.	Administration
Comprehensive Plan Amendment	\$1,300.00	Land Use Escrow \$2500	Planning
<b>Conditional Use Permit (CUP)</b>			Planning
New	\$1,050.00	Wireless Communication Facilities Fee Escrow \$6,000.00. Flood Plain Ordinance Fee Escrow \$500.00 Land Use Escrow \$2500	Planning
Amended	\$500.00		Planning
<b>Contractor License Fees</b>			Licensing
Driveway	\$50.00		Licensing
Solid Waste Hauler	\$120.00		Licensing
<b>Copy Services (Paper/Electronic)</b>			Administration
Copies (B&W)	\$0.25 per page	100 pages or more are charged at actual cost of production	Administration
Copies (Color)	\$0.50 per page	100 pages or more are charged at actual cost of production	Administration
Copies (B&W) 11x17	\$1.00 per page	100 pages or more are charged at actual cost of production	Administration
Copies (Color) 11x17	\$2.00 per page	100 pages or more are charged at actual cost of production	Administration
Data DVD Fee	\$15.00		Administration
GIS Scaled Aerial	\$25.00		Administration
Existing Maps	\$5.00		Administration
Custom (Per Hour Rate)	\$70.00		Administration
Plan Size Maps (Larger than 11x17)	\$15.00		Administration
Development Standards Specs/Details	\$55.00		Administration
Video reproduction	\$10.00		Administration
Culverts in Developments with Rural Section	\$160.00		Administration
Dog License- altered	\$20.00		Licensing
Dog License- unaltered	\$25.00		Licensing
Dog License- late fee	\$2.50 per month	Maximum \$10	Licensing



## City of Lake Elmo - 2018 Fee Schedule

APPLICATION/FEE/PERMIT TYPE	2018 FEE	ADDITIONAL CHARGE, ESCROW or NOTES	DEPARTMENT
Service Dog License	No Charge		Licensing
Dog - duplicate license or tag	\$1.00		Licensing
<b>Dog and Cat Impound fees</b>			
First Impound- Unlicensed Dog	\$60.00	All Impound Fees plus \$20/day Boarding Fee	Licensing
First Impound- Licensed Dog	\$42.00		Licensing
First Impound- Cat	\$42.00		Licensing
Subsequent dog/ cat impound	\$85.00		Licensing
<b>Driveway</b>			Planning
Residential - <u>no curb cut on residential street</u>	<u>\$70-\$50</u>	<u>\$1,000 security</u>	<u>Planning</u>
<u>Residential - curb cut on residential street</u>	<u>\$100</u>	<u>\$1,000 security</u>	<u>Planning</u>
<u>Residential - curb cut on collector or arterial street</u>	<u>\$150</u>	<u>\$1,000 security</u>	<u>Planning</u>
<u>Residential - second curb cut</u>	<u>additional \$100</u>	<u>\$1,000 security (per curb cut)</u>	<u>Planning</u>
Commercial	\$160.00		Planning
Easement Encroachment	\$100.00	Staff & Recording Fee	Planning
Electronic Fund Withdrawl/Bill Payment	Fee + Trans. Charge		Administration
<b>Environmental Review (EAW/EIS)</b>	\$1,500.00	\$2,500 Land Use escrow	
Village Area AUAR Fee	\$230.00	Per REC Unit. To be charged to development applications that increase the number of REC units above existing conditions within the Village AUAR Area. The fee will be based on the difference between the proposed and existing REC units. Fee to be paid as part of a developer's agreement for larger projects or at the time a building permit is issued for smaller projects. Once paid, the same land will not be charged again.	Planning
<b>Erosion Control</b>			Building
Re-inspection Fee (portal to portal from City Hall: 1 Hr. min)	\$50.00 per hour	\$5,000.00 Security	Building
Excavating & Grading ≥ 50 cubic yards, up to 400 cubic yds	\$125.00	Security \$500.00	Building
Excavating & Grading ≥ 400 cubic yards/acre of site area	\$500.00	\$500.00 fee escrow. Plus Security as Determined by the Planning Department	Engineering
<b>False Alarms (12 Month Period)* (*1-3 no charge)</b>			Fire
Residential			Fire
4-6 False Alarms	\$110.00		Fire
In Excess of 6 False Alarms	\$185.00		Fire
Commercial			Fire
4-6 False Alarms	\$315.00		Fire
In Excess of 6 False Alarms	\$520.00		Fire
Flood Plain District Delineation	\$500.00		Planning





## City of Lake Elmo - 2018 Fee Schedule

APPLICATION/FEE/PERMIT TYPE	2018 FEE	ADDITIONAL CHARGE, ESCROW or NOTES	DEPARTMENT
<b>Golf Cart Operation Permit</b>	<b>\$30.00</b>	<b>Valid for 3 years after issuance</b>	<b>Planning/Police Dprtmnt</b>
<b>Interim Use Permit (IUP)</b>			
Fee	\$1,050.00	\$2,500.00 Escrow	Planning
Renewal	\$300.00		Planning
<b>Liquor License</b>			Licensing
Club On-Sale Intoxicating	\$100.00		Licensing
On-Sale Intoxicating	\$1,500.00		Licensing
Off-Sale Intoxicating	\$200.00		Licensing
Off-Sale Non-Intoxicating	\$150.00		Licensing
On-Sale Intoxicating- 2nd Building	\$750.00		Licensing
On-Sale Non-Intoxicating	\$100.00		Licensing
Investigation	\$350.00		Licensing
On-Sale Sunday Intoxicating	\$200.00		Licensing
Temporary Intoxicating	\$25.00		Licensing
Wine	\$300.00		Licensing
Lot Line Adjustment	\$325.00	None	Planning
<b>Massage Therapy Premises License</b>			Licensing
Application Fee	\$100.00	Fee includes one Therapist	Licensing
Investigation Fee	\$100.00		Licensing
<b>Massage Therapy Practitioner License</b>			Licensing
Application Fee	\$50.00		Licensing
Investigation Fee	\$25.00		Licensing
Massage Therapy Premises License Renewal	\$50.00	Fee includes one Therapist	Licensing
Massage Therapy Practitioner License Renewal	\$25.00		Licensing
Massage Therapy License Amendment	\$25.00		Licensing
Minor Subdivision	\$525.00	\$1,000.00 escrow	Planning
<b>Park Dedication</b>			Planning
Residential - Up to three lots	\$3,600.00 per lot	Four or more lots per \$153.14	Planning
Commercial	\$4,500.00 per acre		Planning
<b>Parking Lots</b>			Planning
Commercial	\$200.00	\$500 Fee Escrow. Plus Security as Determined by the Planning Department	Planning
<b>Platting</b>			
Sketch Plan Review (Subdivision)	\$500.00	\$3,500 Fee Escrow	Planning
Preliminary Plat (Subdivision)	\$1,850.00	\$10,000 Fee Escrow	Planning
Final Plat (Subdivision)	\$1,250.00	\$8,000 Fee Escrow	Planning



## City of Lake Elmo - 2018 Fee Schedule

APPLICATION/FEE/PERMIT TYPE	2018 FEE	ADDITIONAL CHARGE, ESCROW or NOTES	DEPARTMENT
<u>Final Plat (Extension Fee)</u>	<u>\$100.00</u>		<u>Planning</u>
<u>Development Agreement Amendment</u>	<u>\$500.00</u>		<u>Planning</u>
<b>Planned Unit Development</b>			Planning
General Concept Plan	\$1,250.00	\$7,500 Fee Escrow (Waive Subdivision Escrow)	Planning
Development Stage Plan	\$1,850.00	\$10,000 Fee Escrow (Waive Subdivision Escrow)	Planning
Final Plat	\$1,250.00	\$8,000 Fee Escrow (Waive Subdivision Escrow) and (City will retain escrows to reimburse review costs for each stage of Development)	Planning
Private Roads (Permitted only in AG zone)	\$150.00		Planning
Restictive Soils and Wetland Restoration Protection and Preservation Permit	\$800.00		Planning
Returned Check (NSF)	\$25.00		Administration
<b>Right-of-Way Permit</b>			
Annual Registration	\$200.00	\$5,000 Security	Engineering
Excavation Permit	\$275.00 + \$.60/foot		Engineering
Joint Trench Permit (per lot per utility)	\$275.00 + \$.60/foot		Engineering
Obstruction Permit	\$275.00		Engineering
Small Wireless Permit Fee	\$275.00		Engineering
Permit Extension	\$100.00		Engineering
Delay Penalty (per calendar day)	\$25.00		Engineering
SAC Charge (City) (Sewer Availability Charge)	\$3,000.00	Per REC Unit: collected at time of plat for new lot. This fee may be deferred through special assessment for parcels with existing structures.	Engineering
SAC Charge (Met Council) (Sewer Availability Charge)	\$2,485.00	Per REC Unit: \$2,485 to Met Council at time of connection.	Engineering
Sewer Connection Charge	\$1,000.00	Per REC Unit collected at time of plat for new lot. This fee may be deferred through special assessment for parcels with existing structures.	Engineering
Sewer Lateral Benefit Charge	\$11,300.00	Per REC Unit connecting to a Trunk Sewer Main and that has never been assessed.	Engineering
Sewer Base Charge - Residential - Non 201 Off Site	\$53.03 per quarter	Allowance of 10,000 gallons (10 Units) per quarter	Administration
<b>Sewer Rate</b>	\$4.55/1,000 Gal		Administration
201 Off-Site Maintenance Fee	\$75.75/unit/quarter		Administration
Real Estate Searches	\$15.00/Search	For special assessment or utility search	Administration
Signs - Permanent	\$180.00		Planning
<b>Signs - Temporary</b>	\$75.00		Planning



## City of Lake Elmo - 2018 Fee Schedule

APPLICATION/FEE/PERMIT TYPE	2018 FEE	ADDITIONAL CHARGE, ESCROW or NOTES	DEPARTMENT
Temporary Renewal	\$25.00		Planning
Re-inspection Fee	\$25.00		Planning
Special Event Permit	\$75.00	City must be listed as additional insured	Planning
<b>Surface Water</b>			Administration
Residential	\$55.00		Administration
Non-Residential (Commercial etc.)	\$55.00	Utility rate factor per code	Administration
Review Fee	\$137.50	\$82.50 Review/\$55 Storm Water Fund	Administration
<b>Vacations (Streets or Easements)</b>			Planning
Easements	\$515.00	\$500 Fee Escrow	Planning
Streets	\$515.00	\$500 Fee Escrow	Planning
<b>Variance</b>	\$750.00	\$500 Fee Escrow	Planning
Shoreland Variance	\$1,500.00	\$500 Fee Escrow	Planning
Water Availability Charge (WAC)	\$3,000.00	Per REC Unit; collected at time of plat for new lot. This fee may be deferred through special assessment for parcels with existing structures.	Engineering
Water Connection Charge	\$1,000.00	Per REC Unit, collected at time of plat for new lot. This fee may be deferred through special assessment for parcels with existing structures.	Administration
<b>Water Equipment/Set up</b>			Administration
Meter (3/4" or less)	\$360.50	Additional fees apply to larger sized meters	Administration
Driveway Curb Stop Lid	\$103.00		Administration
Disconnect Service	\$82.40		Administration
Reconnect Service	\$82.40		Administration
Water Lateral Benefit Charge	\$5,800.00	never been assessed	Engineering
<b>Water Usage</b>			Administration
Residential - Quarterly Base Rate	\$20.60 Base		Administration
Residential - Plus Rate per 1,000 Gallons			Administration
Plus Rate for 0-15,000 Gallons	\$2.06		Administration
Plus Rate for 15,001-30,000 Gallons	\$2.47		Administration
Plus Rate for 30,001-50,000 Gallons	\$2.97		Administration
Plus Rate for 50,001-80,000 Gallons	\$3.56		Administration
Plus Rate for 80,001 + Gallons	\$4.27		Administration
<b>Water Usage</b>			Administration
Commercial - Quarterly Rate	\$25.75 Base		Administration
Commercial - Plus Rate Per 1,000 Gallons			Administration



## City of Lake Elmo - 2018 Fee Schedule

APPLICATION/FEE/PERMIT TYPE	2018 FEE	ADDITIONAL CHARGE, ESCROW or NOTES	DEPARTMENT
Plus Rate for 0 - 15,000 Gallons	\$3.20		Administration
Plus Rate for 15,001 - 30,000 Gallons	\$3.36		Administration
Plus Rate for 30,001 - 50,000 Gallon	\$3.88		Administration
Plus Rate for 50,001 - 80,000 Gallons	\$5.15		Administration
Plus Rate for 80,001 + Gallons	\$6.83		Administration
<b>Water Usage</b>			Administration
Hotel / Motel - Quarterly Rate	\$25.75 Base	For metered non-irrigation (domestic) consumption	Administration
Hotel / Motel - Plus Rate Per 1,000 Gallons			Administration
Plus Rate for 0 -30,000 Gallons	\$3.20		Administration
Plus Rate for 30,001 - 50,000 Gallons	\$3.36		Administration
Plus Rate for 50,001 + Gallons	\$4.12		Administration
<b>Water Usage Delinquent Accounts</b>			Administration
Regular	6% per quarter	Plus \$25.00 or 8%, whichever is greater, if certified to County for collection with taxes	Administration
Storm Water	10% per year	Plus \$25.00 or 8%, whichever is greater, if certified to County for collection with taxes	Administration
<b>Bulk Water Purchase</b>			Administration
Water from Hydrant	\$103.00 minimum	Plus \$3.36/additional 1,000 gallons	Administration
Wind Generator	\$850.00	\$2,000 Fee Escrow	Planning
Wireless Communication Permit	\$500.00	\$6,000 Fee Escrow	Planning
Zoning Amendment (Text or Map)	\$1,245.00	\$2,500 Escrow	Planning
Zoning Certification Letter	\$25.00		Planning
<b>Zoning Permit - Certificate of Zoning Compliance</b>			Planning
Accessory Structures < 200 SF	\$75.00		Planning
Fence (less than 6')	\$75.00		Planning
Other	\$75.00		
<b>Definition of Terms</b>			
<i>* Fee Escrow: City will maintain a fee escrow to cover all City review costs. Application fees include all professional fees and expenses incurred by the City.</i>			
<i>** Security: City will retain a security escrow to ensure completion of work as directed by the approved permit/application and compliance with the State Building Code and the City of Lake Elmo Municipal Code.</i>			
Adopted by City Council - 12-5-17			

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**RESOLUTION NO. 2018-053**

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08- AND  
ORDINANCE 08- BY TITLE AND SUMMARY**

**WHEREAS**, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-210, an ordinance amending the City's fee schedule, and Ord. 08-, an ordinance adding standards for the operation of golf carts on City streets; 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 Clerk shall cause the following summary of Ordinance No. 08-209 and Ord. 08-210 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. 08-210, which amends the City's 2018 Fee Schedule to add a fee of \$30 for golf cart permits which last three years.

**AND**

The City Council of the City of Lake Elmo has adopted Ord. 08-209, which includes the following changes to the Lake Elmo City Code of Ordinances:

Chapter 11 is amended by to add a definition of Golf Cart(s) and amend the definition of Operate.

Chapter 70 is amended by creating section 70.03: Golf Carts, which includes the following:

- Designates streets on which golf carts may be operated
- Applications are required, and approval of application by the city is required prior to issuance of said permit.
- Golf carts shall not be operated in inclement weather conditions and are limited to the hours of sunrise to sunset.
- A list of mandatory equipment for all golf carts operating on public right of way.
- Operators must not act in a negligent way to cause harm or damage to and persons, animals, or public or private property.

The full text of Ordinance No. 08-209 and Ordinance No. 08-210 is available for inspection at Lake Elmo city hall during regular business hours.

**BE IT FURTHER RESOLVED** by the City Council of the City of Lake Elmo that the City

Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: May 15, 2018

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Mayor Mike Pearson

ATTEST:

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Julie Johnson, City Clerk

(SEAL)

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

\_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.