

CITY OF LAKE ELMO
WASHINGTON, COUNTY
SUMMARY OF ORDINANCE 8029
RELATING TO SOLID WASTE AND SOLID WASTE DISPOSAL

On April 17, 1990, the Lake Elmo City Council adopted Ordinance 80-29 relating to the Solid Waste and Solid Waste Disposal.

On December 3, 1991, the Lake Elmo City Council received a summary of Ordinance 80-29 and by 4 affirmative votes, approved the publication of a summary of this ordinance, to wit:

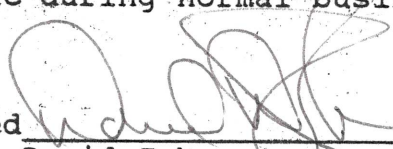
Section 801.050 B. Frequency of Collections:
Section 801.050 C. Storage of Solid Waste:
Section 801.050 D. Storage and Containers
Section 801.070 - Prohibits waste incineration facilities and/or solid waste, rubbish, or garbage disposal facilities from being located within the City of Lake Elmo.

Section 802 Solid Waste Abatement: Sets forth the city's policy for waste abatement

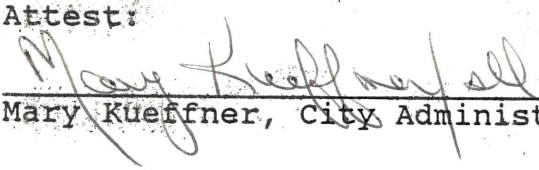
Section 802.020 Defines Reyclable Materials, Designated Recycling Program, Scavenging, Yard Waste, Compost Site.

Section 802.030:- Curbside Recycling
Section 802.040 - Collection of Recyclables.
Section 802.050 - Participation in Recycling Program
Section 802.060 - Materials to be Picked Up for Recycling
Section 802.070 - Ownership of Recyclables
Section 802.080 - Prevention of Scavenging
Section 802.090 - Land Disposal of Yard Waste
Section 802.100 - Ownership of Compost
Section 802.110 - City's Commitment to Solid Waste Abatement

A complete copy of Ordinance 80-29 Solid Waste Disposal and Abatement is on file in the office of the city administrator and can be viewed by the public during normal business hours.

Signed 
David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

ORDINANCE NO. 8030

CITY OF LAKE ELMO

SECTION 1: PURPOSE AND INTENT: The intent of this ordinance is to control and regulate the use of the waters of Lake Elmo in the City of Lake Elmo, Washington County, Minnesota, during certain hours and certain days, for the duration of the U.S. Olympic Festival.

SECTION 2: SURFACE ZONING OF LAKE ELMO BY RESTRICTING USE AND HOURS OF USE DURING THE U.S. OLYMPIC FESTIVAL:

A. During the hours of 8:00 a.m. to 12:00 p.m. on July 5 and July 6, 1990, the boating activities on Lake Elmo shall be restricted to "no-wake" speed.

B. During the hours of 4:00 p.m. to 8:00 p.m. on July 5, 1990, the boating activities on Lake Elmo shall be restricted to "no wake" speed.

C. During the hours of 6:00 a.m. to 10:00 a.m. on July 10 and July 11, 1990, the boating activities on Lake Elmo shall be restricted to "no wake" speed.

D. During the hours of 3:00 p.m. to 7:00 p.m. on July 10 and July 11, 1990, the boating activities on Lake Elmo shall be limited to "no wake" speed.

E. During the hours of 7:00 a.m. to 11:00 a.m. and 3:00 p.m. to 7:00 p.m. on July 12, 1990, the boating activities on Lake Elmo shall be limited to "no wake" speed.

F. During the hours of 8:00 a.m. to 11:30 a.m. and 4:00 p.m. to 7:00 p.m. on July 7, 1990, no boat traffic will be allowed on Lake Elmo with the exception of non-motorized boats from adjacent private property, and all such boats must remain motionless during the competition.

G. During the hours of 8:00 a.m. to 11:15 a.m. and 4:00 p.m. to 7:15 p.m. on July 8, 1990, no boat traffic will be allowed on Lake Elmo with the exception of non-motorized boats from adjacent private property, and all such boats must remain motionless during the competition.

H. During the hours of 6:30 a.m. to 10:45 a.m. on July 13 and July 14, 1990, no boat traffic will be allowed on Lake Elmo with the exception of non-motorized boats from adjacent private property, and all such boats must remain motionless during the competition.

I. During the hours of 6:30 a.m. to 11:30 a.m. on July 15, 1990, no boat traffic will be allowed on Lake Elmo with the exception of non-motorized boats from adjacent private property, and all such boats must remain motionless during the competition.

SECTION 3: ENFORCEMENT: The enforcement of this ordinance shall be the primary responsibility of the Washington County Sheriff's Department. Other licensed peace officers including Conservation Officers of the Department of Natural Resources of the State of Minnesota are also authorized.

SECTION 4: All authorized Resource Management, Emergency and Enforcement Personnel, while acting in the performance of their duties are exempt from the foregoing Restrictions.

SECTION 5: PENALTIES: Any person who shall violate any of the provisions of this ordinance shall be guilty of a Misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Seven Hundred Dollars (\$700.00) or by imprisonment of not more than ninety (90) days, or both.

SECTION 6: EFFECTIVE DATE: This Ordinance shall be in effect upon its passage and publication from July 5, 1990 through July 15, 1990.

ADOPTED by the Lake Elmo City Council this 15th day of May, 1990.



Susan Dunn, Mayor

ATTEST:



Mary Kueffner, City Administrator

CITY OF LAKE ELMO
WASHINGTON, COUNTY
SUMMARY OF ORDINANCE 8029
RELATING TO SOLID WASTE AND SOLID WASTE DISPOSAL

On April 17, 1990, the Lake Elmo City Council adopted Ordinance 80-29 relating to the Solid Waste and Solid Waste Disposal.

On December 3, 1991, the Lake Elmo City Council received a summary of Ordinance 80-29 and by 4 affirmative votes, approved the publication of a summary of this ordinance, to wit:

Section 801.050 B. Frequency of Collections:
Section 801.050 C. Storage of Solid Waste:
Section 801.050 D. Storage and Containers
Section 801.070 Prohibits waste incineration facilities and/or solid waste, rubbish, or garbage disposal facilities from being located within the City of Lake Elmo.

Section 802 Solid Waste Abatement: Sets forth the city's policy for waste abatement

Section 802.020 Defines Reyclable Materials, Designated Recycling Program, Scavenging, Yard Waste, Compost Site.

Section 802.030:- Curbside Recycling
Section 802.040 - Collection of Recyclables.
Section 802.050 - Participation in Recycling Program
Section 802.060 - Materials to be Picked Up for Recycling
Section 802.070 - Ownership of Recyclables
Section 802.080 - Prevention of Scavenging
Section 802.090 - Land Disposal of Yard Waste
Section 802.100 - Ownership of Compost
Section 802.110 - City's Commitment to Solid Waste Abatement

A complete copy of Ordinance 80-29 Solid Waste Disposal and Abatement is on file in the office of the city administrator and can be viewed by the public during normal business hours.

Signed 
David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

800 SOLID WASTE

801 SOLID WASTE DISPOSAL

802 SOLID WASTE ABATEMENT

803 OPEN BURNING OF REFUSE

801 SOLID WASTE DISPOSAL

801.010 Definitions

A. The words "solid waste" for purposes of this ordinance shall mean garbage, refuse and other discarded solid materials, except animal waste used as fertilizer, including solid waste materials resulting from industrial, commercial and agricultural operations. "Solid Waste" does not include earthen fill, boulders, rock and other materials normally handled in construction operations.

B. The word "refuse" for the purpose of this ordinance, shall mean putrescible and nonputrescible solid wastes, including garbage, rubbish, ashes, incinerator ash, incinerator residue.

C. The word "rubbish" for the purpose of this ordinance, shall mean nonputrescible solid wastes, including ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, fallen leaves, tree trimmings, parts of dead trees, wood glass, bedding, crockery, or litter of any kind.

D. The word "garbage" for the purpose of this ordinance, shall mean discarded material resulting from the handling, processing, preparation, serving, and consumption of food.

E. The words "solid waste collection" for the purpose of this ordinance, shall mean the gathering of solid waste from public or private places.

F. The words "solid waste transportation" for the purpose of this ordinance shall mean, the conveyance of solid waste from one place to another, by means of vehicle, rail car, water vessel, conveyor or other means.

G. The words "refuse collection service" for purposes of this ordinance shall mean, a private operation engaged in solid waste collection and solid waste transportation.

H. The words "business of refuse collection" for the purpose of this ordinance, shall mean, operating a refuse collection service for hire.

In compliance with this State Law, the City of Lake Elmo shall prohibit the deposit of yard waste (1) In mixed municipal solid waste; (2) In a disposal facility; (3) In a resource recovery facility except for the purposes of composting or co-composting, effective 1-1-1990.

The City of Lake Elmo will provide to its residents a place at which uncontaminated leaves and grass clippings may be deposited. This site, to be known as "The Lake Elmo Compost Site", will be open to the residents of the City of Lake Elmo at a regularly scheduled basis.

Residents who use the Compost Site for the deposit of uncontaminated leaves and grass clippings shall remove from the site any bags or containers in which yard waste was brought to the site.

802.100 OWNERSHIP OF COMPOST The uncontaminated leaves and grass clippings deposited at the Lake Elmo Compost Site shall remain the property of the City of Lake Elmo. However, it is the intent of the City of Lake Elmo to make available to the general residential public the finished compost, on a first come, first serve basis. No motorized loading equipment, other than that used by the City of Lake Elmo, is allowed on the premises at any time for the purpose of obtaining finished compost without the approval of the City of Lake Elmo.

802.110 CITY'S COMMITMENT TO SOLID WASTE ABATEMENT Lake Elmo is firmly dedicated to the education of the public on the importance of natural resources protection and preservation and the many environmentally and socially responsible ways in which such resources should be used and enjoyed.

To this end, the City of Lake Elmo has resolved that in all aspects of its planning and operation, it shall demonstrate its long-range commitment to education, environmental ethics, and the protection and preservation of its and all natural resources by serving as a highly visible living example and role model of care and respect for the environment.

The City of Lake Elmo shall become further involved environmentally and develop and aggressively implement a highly visible recycling program that will effectively demonstrate, yet again, another example of its leadership in the protection and preservation of its natural resources.

The City of Lake Elmo has implemented a curbside recycling program, and yard waste compost site, and commits to recycling in all City owned facilities including an in-park recycling effort made possible through education of park guests and general public as to the need for recycling; and will explore ways for broadening the program through intergovernmental cooperation and private enterprise.

The City of Lake Elmo will make every effort to purchase recycled materials, which will include, but not be limited to paper.

802.050 PARTICIPATION The initial curbside collection of recyclables shall be voluntary. Hereafter, this program may be supported by mandatory source separation at the discretion of the City of Lake Elmo, Washington County, or the State of Minnesota, pending further analysis.

802.060 MATERIALS TO BE PICKED UP AT CURBSIDE Items to be collected and instructions for preparation shall be uniform throughout the City. Material to be collected shall include, but not be limited to the following:

- A. Newspapers
- B. Corrugated Cardboard
- C. Glass (clear, green and brown)
- D. Aluminum and bi-metal cans.
- E. Batteries
- F. Special Items
 - a. Tires will be picked up with recyclables at a cost determined by the City and the Contracted Recycler.

802.070 OWNERSHIP Ownership of recyclable materials set out for the purpose of participating in curbside recycling programs shall remain that of the person or household from which the materials originated until collected by authorized collector. Upon removal by the City or its designated agents or contractors from a designated collection point, ownership of properly prepared and stored recyclable materials intended for a City authorized collection program shall be vested in the authorized collector. Materials not prepared, cleaned or stored according to City specifications shall remain the responsibility and property of the individuals or household from which the materials originated. Nothing in this ordinance shall abridge the right of any individual or household to give or sell their recyclable materials to any recyclable material program.

802.080 SCAVENGING Unauthorized collection or "scavenging" may reduce the volumes of material collected as part of a designated program and thereby threaten the economic viability of the authorized program. Scavenging may also cause confusion among participating residents and thereby disrupt the publicity and educational processes of an authorized program. To insure that a designated recycling program will be implemented in an orderly fashion and to avoid adverse effects on the public health, welfare, safety and environment, it shall be unlawful for any person who is not authorized by the City of Lake Elmo to take or collect recyclable material set out for authorized collection programs within the City.

802.090 LAND DISPOSAL OF YARD WASTE The Minnesota Waste Management Act prohibits the deposit of yard waste (1) In mixed municipal solid waste; (2) In a disposal facility; (3) In a resource recovery facility except for the purposes of composting or co-composting, effective 1-1-1990.

I. The word "hauler" for the purpose of this ordinance means any person engaged in the business of refuse collection.

J. The words "collection point" for the purpose of this ordinance shall mean, any residence, place of business or other place in the City of Lake Elmo with respect to which a hauler as defined hereunder has been hired for the purpose of collecting and transporting solid waste therefrom.

K. A "farmer" for purposes of this ordinance shall be a person permanently residing on a tract of land of not less than 75 acres in the City of Lake Elmo and who farms such land as a predominant source of income.

801.020 Purpose The purpose of this ordinance is to protect the public health, safety and welfare of the residents of the City of Lake Elmo by licensing and regulating the operation of refuse collection services within the City which licensing and regulation the City Council hereby determines to be necessary to insure the regular collection and transportation of solid waste and to eliminate the dispersal of solid waste along the streets and other areas in or near the City and to eliminate other and similar health and safety hazards which the Council finds now exist or are to be anticipated in the absence of such licensing and regulation.

801.030 License Required

A. No person, firm or corporation shall engage in the business of refuse collection with the City of Lake Elmo without first having obtained a license from the City Council.

B. Such license may be issued by the Council for the calendar year under the conditions prescribed by this Ordinance and upon payment of a license fee for certain occupations as set by the City Council by resolution.

C. Revocation Every license issued under this Ordinance is subject to the right, which is hereby expressly reserved, to revoke the same should the licensee, directly or indirectly, violate any provision of the City Code, the laws of the State of Minnesota or any permit issued hereunder relating to this activity permitted by this license. Said license may be revoked by the City Council after written notice to the licensee. Which notice shall specify the Ordinance or law violation with which the licensee is charged. Ten (10) days notice of the hearing shall be given the licensee. At such hearing the licensee and his attorney may present and submit evidence in his defense.

D. The application shall include at least the following information:

1. Name of applicant
2. Address of applicant
3. Telephone number of applicant
4. Name of employer
5. Certificate of Competancy, License, Master Number and issuing authority, where applicable.
6. If self-employed, business name.
7. Set forth in detail applicants training, experience and other qualifications, if any, which tend to establish that he possesses the technical knowledge and ability required to plan, lay-out and supervise the work.
8. A list of communities where applicant is licensed and recent work performed in them.
9. An assurance that applicant agrees to abide by the Ordinance of the City of Lake Elmo relating to the installation, alteration, repair of service equipment, work, or construction licensed.

801.040 Bond Required No license issued hereunder shall be effective until the licensee shall have deposited with the Administrator a license bond in the penal sum of \$1,000.00 conditioned on the licensee's compliance with the conditions of the license granted hereunder.

801.050 Regulations All collection and removal of solid waste within the City of Lake Elmo shall be performed in accordance with the following regulations:

A. Responsibility for Collection The owner and occupant of any premises, business establishment or industry and/or the refuse collection service shall be responsible for the collection and transportation of all solid waste accumulated at a premises, business establishment or industry in accordance with this Section 801.

B. Frequency of Collections All garbage and all other solid waste small enough to fit in a 32-gallon can shall be collected and removed from each collection point at least once a week, unless the hauler and customer agree otherwise.

C. Storage of Solid Waste The owner and occupant of any premises, business establishment, or industry shall be responsible for the storage of all solid waste accumulated at that premises, business establishment or industry in accordance with this Section 801.

Garbage and similar putrescible waste shall be stored in durable, rust resistant, nonabsorbent, watertight, rodent proof, and easily cleanable containers, with close fitting, fly-tight covers and having adequate handles or bails to facilitate handling; other refuse shall be stored in durable containers or as otherwise provided in this Section. Where garbage and similar putrescible wastes are stored in combination with nonputrescible refuse, containers for the storage of the mixture shall meet the requirements for garbage containers.

D. Storage and Containers Except on days scheduled for collection, containers shall be stored out of view of the public street or road. If curbside pickup is used, only container with the week's accumulation of solid waste shall be placed curbside on private property for collection. Except on collection day containers shall remain out of the view from the public street or road. Refuse collection employees shall replace any collection containers back on the curbside on private property.

E. Effect of Failure to Pay Fees Notwithstanding any provisions of this ordinance to the contrary, no hauler need collect or remove the solid waste from any collection point if the customer for whom it is being collected is in default of any payment or payments required to be paid for such service under the contract or agreement existing between the hauler and such customer.

801.060 Exceptions Any farmer, as defined herein, shall be exempt from weekly collection provided, however, that solid waste accumulated on such farm shall be disposed of as provided by other applicable laws and regulations.

801.070 Disposal of Solid Waste, Rubbish, Garbage, Incinerator Ash

A. Purpose The purpose of this ordinance is to protect the public health, safety and welfare of the residents of the City of Lake Elmo against the adverse effects of landfills by prohibiting waste incineration facilities and/or solid waste, rubbish, or garbage disposal facilities from being located within the City of Lake Elmo.

B. Scope By adoption and publication of this ordinance, the City of Lake Elmo will prohibit waste incinerator facilities and/or solid waste rubbish or garbage disposal facilities from being located within the City of Lake Elmo.

802 SOLID WASTE ABATEMENT

802.010 The purpose of the policies set forth within this Ordinance is to reduce the amount of solid waste sent to landfills through source separation of recyclable items. This ordinance is intended to serve several purposes:

1. To raise the public's awareness of recycling and to make recycling services available to City residents.
2. To encourage recycling activity with the City of Lake Elmo.
3. To be prepared for a seemingly inevitable mandatory source separation ordinance which may occur at the discretion of the City of Lake Elmo, Washington County, and/or the State of Minnesota.

802.020 DEFINITIONS

A. "Recyclable Materials" shall mean items of refuse which are part of an authorized recycling program and which are intended for transportation, processing, and manufacturing or reuse, including, but not limited to: paper, glass, aluminum and other metal cans and containers and corrugated cardboard.

B. "Designated Recycling Program" shall mean a program for the collection and recycling of recyclable materials which is instituted, sponsored and controlled by the City of Lake Elmo and its contracted recycler.

C. "Scavenging" shall mean the unauthorized collection of recyclable materials that have been specifically set out by residents of the City for the purpose of participating in curbside recycling programs.

D. "Yard Waste" as it relates to this Ordinance shall mean uncontaminated leaves and grass clippings uncontaminated with foreign objects, such as tree trimmings or brush.

E. "Compost Site" An area designated by the City of Lake Elmo for residents to place uncontaminated leaves and grass clippings.

802.030 CURBSIDE RECYCLING The City of Lake Elmo has initiated a program in which every resident within the City is afforded the opportunity to voluntarily separate recyclable solid waste. The City of Lake Elmo will provide curbside pickup of recyclables based on the following conditions:

802.040 COLLECTION All collection of recyclables shall be at curbside on the boulevard. Those recyclables shall be in a clearly identifiable manner to be designated by the City staff.

file

ORDINANCE NO. 8031

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN IN THE CITY OF LAKE ELMO, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, POLE LINES, FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY AND ITS INHABITANTS, AND OTHERS, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF SAID CITY FOR SUCH PURPOSES.

THE CITY COUNCIL OF THE CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

Section 1. There be and hereby is granted to Northern States Power Company, a Minnesota corporation, its successors and assigns, hereinafter referred to as "Company", during the period of 20 years from the date hereof, the right and privilege of constructing, operating, repairing, and maintaining, in, on, over, under, and across the streets, alleys and public grounds of the City of Lake Elmo, Washington County, Minnesota, hereinafter referred to as "City" an electric distribution system and electric transmission lines, including poles, pole lines, and fixtures and appurtenances, usually conveniently, or necessarily used in connection therewith, for the purpose of transmitting and furnishing electric energy for light, heat, power and other purposes for public and private use in and to said City and the inhabitants thereof, and others, and for the purpose of transmitting into and through said City such electric energy, provided that such electric distribution system and transmission lines shall be so located as in no way to interfere with the safety and convenience of ordinary travel along and over said streets, alleys, and public grounds, and provided that Company, in the construction, operation, repair and maintenance of such poles, pole lines, and fixtures and appurtenances, shall be subject to such reasonable regulation as may be imposed by the City Council.

Section 2. The service to be provided and the rates to be charged by Company for electric service in the City shall be subject to the jurisdiction of the Public Utilities Commission of this State. Company shall provide reasonably efficient and adequate service to members of the public within the City who apply for such service in accordance with the rules and regulations of Company.

Section 3. There is also granted to Company, during the term hereof, permission and authority to trim all trees and shrubs in the streets, alleys, and public grounds of said City which may interfere with the proper construction, operation, repair, and maintenance of any

ACCEPTANCE OF ORDINANCE NO. 8031

CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA

ACCEPTANCE OF FRANCHISE:

WHEREAS, the City Council of the City of Lake Elmo, Washington County, Minnesota, on the 5th day of June, 1990, passed and adopted Ordinance No. 8031 entitled:

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS PERMISSION TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN IN THE CITY OF LAKE ELMO, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, LINES, FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY, ITS INHABITANTS, AND OTHERS, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF THE CITY FOR SUCH PURPOSES.

which Ordinance was duly published according to law on the 8th day of August, 1990, in The St. Croix Valley Press, a newspaper printed and published in the City of Lake Elmo, County of Washington, and State of Minnesota, and which Ordinance is not effective unless accepted in writing by NSP Company.

NOW THEREFORE, Northern States Power Company, a Minnesota Corporation for itself and its successors and assigns, does hereby accept all the terms and conditions of said Ordinance.

IN WITNESS WHEREOF, Northern States Power Company has caused this document to be executed in its corporate name by its duly authorized persons and its corporate seal to be hereto affixed this 14th day of August, 1990.

Attest:

Johanna Isdahl
Assistant Secretary

Northern States Power Company

By R. D. Clough
Vice President, Electric Utility Operations

EXCERPTS OF MINUTES OF JUNE 5th, 1990 ^{Regular} MEETING

OF THE CITY COUNCIL

OF THE

CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA

June 5,, 1990

A Regular meeting of the City Council of the City of Lake Elmo, Minnesota, duly called, convened, and held in accordance with law, was called to order by Mayor Dunn on the 5th day of June, 1990 at 7 o'clock p.m. at the Council Chamber in said City.

The following members, constituting a legal quorum were present:

Mayor: Susan Dunn

City Council Members: Lee Hunt, Todd Williams, Rose Armstrong

Councilmember Lee Hunt introduced a certain Ordinance No. 8031 entitled:

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN IN THE CITY OF LAKE ELMO, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, POLE LINES, FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY, AND ITS INHABITANTS, AND OTHERS, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF THE CITY FOR SUCH PURPOSES.

and on motion made, seconded, and duly adopted, the above-entitled Ordinance was read.

Thereafter a motion was made by Councilmember Lee Hunt and seconded by Councilmember Rose Armstrong that the above-entitled Ordinance be adopted as read and in its entirety.

On roll call the vote was as follows:

AYES (4) Dunn, Hunt, Armstrong, Williams

NAYS (0)

The Mayor then declared said motion duly carried and the above-entitled Ordinance duly passed and adopted, and ordered the City Clerk to publish the same in accordance with the law in such case made and provided.

I DO HEREBY CERTIFY that I am City Clerk of the City of Lake Elmo, Washington County, Minnesota, and that I am custodian of its records, that the above is a true and correct copy of a part of the minutes of the Regular meeting of the City Council of said City held on June 5,, 1990.


City Clerk

File

ORDINANCE NO. 8032

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSE OF INSTALLING, ENLARGING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF LAKE ELMO, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO SAID CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH SAID CITY, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF SAID CITY FOR SUCH PURPOSE.

THE CITY COUNCIL OF THE CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

Section 1. There be and hereby is granted to Northern States Power Company, a Minnesota corporation, its successors and assigns, hereinafter referred to as "Company", for a period of 20 years from the date hereof, the right and privilege of erecting a gas distribution system in the City of Lake Elmo, Washington County, Minnesota, hereinafter referred to as "City", and using the public ways and public grounds of City for the purpose of installing, operating, repairing, and maintaining, in, on, over, under, and across the same, all gas pipes, mains, and appurtenances, usually, conveniently, or necessarily used in connection therewith, for the purpose of the transmission of gas, or the distribution of gas, for public and private use within the limits of City as its boundaries exist or as they may be extended in the future, and for the purpose of transmitting gas into and through the City. Company may also do all reasonable things necessary or customary to accomplish these purposes subject, however, to the further provisions of this franchise. "Gas" as used herein shall be held to include natural gas, manufactured gas, or other form of gaseous energy.

Section 2. The gas transmission or distribution service to be provided and the rates to be charged by Company for service in the City shall be subject to the jurisdiction of the Public Utilities Commission of this State. Company shall provide reasonably efficient and adequate service to members of the public within the City who apply for such service in accordance with the rules and regulations of Company.

Section 3. Company shall indemnify, keep, and hold City free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair, or operation of Company's gas facilities located in, on, over, under, or across the public ways and public grounds of City, unless such injury or damage grows out of the negligence of City, its employees, or agents, or results from the

performance in a proper manner of acts reasonably deemed hazardous by Company, but such performance is nevertheless ordered or directed by City after notice of Company's determination. In the event a suit shall be brought against City under circumstances where the above agreement to indemnify applies, Company at its sole cost and expense shall defend City in such suit if written notice thereof is promptly given to Company within a period wherein Company is not prejudiced by lack of such notice. If such notice is not reasonably given as hereinbefore provided, Company shall have no duty to indemnify nor defend. If Company is required to indemnify and defend, it will thereafter have complete control of such litigation, but Company may not settle such litigation without the consent of City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to City; and Company, in defending any action on behalf of City shall be entitled to assert in any action every defense or immunity that City could assert in its own behalf.

Section 4. The City shall give the Company at least two weeks prior written notice of a proposed vacation of a public way. Except where required solely for a City improvement project, the vacation of any public way, after the installation of gas facilities, shall not operate to deprive Company of its rights to operate and maintain such gas facilities, until the reasonable cost of relocating the same and the loss and expense resulting from such relocation are first paid to Company. In no case, however, shall City be liable to the Company for failure to specifically preserve a right-of-way under Minnesota Statutes, Section 160.29.

Section 5. Company shall have full right and authority to assign to any person, persons, firm, or corporation all the rights conferred upon it by this Ordinance, provided that the assignee of such rights, by accepting such assignment, shall become subject to the terms and provisions of this Ordinance.

Section 6. Company shall, if it accepts this Ordinance and the rights and obligations hereby granted, file a written acceptance of the rights hereby granted with the City Clerk within ninety (90) days after the final passage and any required publication of this Ordinance.

Section 7. This Ordinance shall be in full force and effect from and after its passage, any publication required by law, and acceptance by Company.

Section 8. Where a provision of any other Ordinance conflicts with the provisions of this Ordinance, the provisions of this Ordinance shall prevail.


Section 9. Any notice to Company required under this Ordinance, shall be mailed to the Vice President of Gas Utility thereof at 825 Rice Street, St. Paul, Minnesota, 55117. Any notice to City shall be mailed to the CITY CLERK.

Passed and approved: June 5, _____, 1990



Mayor

Attest:



City Clerk

EXCERPTS OF MINUTES OF June 5, 1990 Regular MEETING

OF THE CITY COUNCIL

OF THE

CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA

June 5,, 1990

A Regular meeting of the City Council of the City of Lake Elmo, Minnesota, duly called, convened, and held in accordance with law, was called to order by Mayor Dunn on the 5th day of June, 1990 at 7 o'clock p.m. at the Council Chamber in said City.

The following members, constituting a legal quorum were present:

Mayor; Susan Dunn

City Council Members: Lee Hunt, Rose Armstrong, Todd Williams

Councilmember Lee Hunt introduced a certain Ordinance No. 8032 entitled:

AN ORDINANCE, AND GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSE OF INSTALLING, ENLARGING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF LAKE ELMO, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO SAID CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH SAID CITY, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF SAID CITY FOR SUCH PURPOSE.

and on motion made, seconded, and duly adopted, the above-entitled Ordinance was read.

Thereafter a motion was made by Councilmember Lee Hunt and seconded by Councilmember Rose Armstrong that the above-entitled Ordinance be adopted as read and in its entirety.

On roll call the vote was as follows:

AYES: (4) Hunt, Armstrong, Dunn, Williams

NAYS: (0)

The Mayor then declared said motion duly carried and the above-entitled Ordinance duly passed and adopted, and ordered the City Clerk to publish the same in accordance with the law in such case made and provided.

I DO HEREBY CERTIFY that I am City Clerk of the City of Lake Elmo, Washington County, Minnesota, and that I am custodian of its records, that the above is a true and correct copy of a part of the minutes of the Regular meeting of the City Council of said City held on June 5,, 1990

Mary Kueffner / sk
City Clerk

ACCEPTANCE OF ORDINANCE NO. 8032

CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA

ACCEPTANCE OF FRANCHISE:

WHEREAS, the City Council of the City of Lake Elmo, Washington County, Minnesota, on the 5th day of June, 1990, passed and adopted Ordinance No. 8032, entitled:

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSE OF INSTALLING, ENLARGING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF LAKE ELMO, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO SAID CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH SAID CITY, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF SAID CITY FOR SUCH PURPOSE.

which Ordinance was duly published according to law on the 8th day of August, 1990 in The St. Croix Valley Press, a newspaper printed and published in the City of Lake Elmo, County of Washington, and State of Minnesota, and which Ordinance is not effective unless accepted in writing by NSP Company.

NOW THEREFORE, Northern States Power Company, a Minnesota Corporation for itself and its successors and assigns, does hereby accept all the terms and conditions of said Ordinance.

IN WITNESS WHEREOF, Northern States Power Company has caused this document to be executed in its corporate name by its duly authorized persons and its corporate seal to be hereto affixed this 27th day of

August, 1990.

Attest:

Johanna Isdahl
Assistant Secretary

Northern States Power Company

By [Signature]
Vice President, Gas Utility

poles, pole lines, and fixtures and appurtenances, installed in pursuance of the authority hereby granted, provided that Company shall save said City harmless from any liability in the premises.

Section 4. Company shall indemnify, keep and hold City free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair or operation of Company's electric facilities located in, on, over, under, or across the public ways and public grounds of City, unless such injury or damage grows out of the negligence of City, its employees, or agents, or results from the performance in a proper manner of acts reasonably deemed hazardous by Company, but such performance is nevertheless ordered or directed by City after notice of Company's determination. In the event a suit shall be brought against City under circumstances where the above agreement to indemnify applies, Company at its sole cost and expense shall defend City in such suit if written notice thereof is promptly given to Company within a period wherein Company is not prejudiced by lack of such notice. If such notice is not reasonably given as hereinbefore provided, Company shall have no duty to indemnify nor defend. If Company is required to indemnify and defend, it will thereafter have complete control of such litigation, but Company may not settle such litigation without the consent of City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to City; and Company, in defending any action on behalf of City shall be entitled to assert in any action every defense or immunity that City could assert in its own behalf.

Section 5. The City shall give the Company at least two weeks prior written notice of a proposed vacation of a public way. Except where required solely for a City improvement project, the vacation of any public way, after the installation of electric facilities, shall not operate to deprive Company of its rights to operate and maintain such electric facilities, until the reasonable cost of relocating the same and the loss and expense resulting from such relocation are first paid to Company. In no case, however, shall City be liable to the Company for failure to specifically preserve a right-of-way under Minnesota Statutes, Section 160.29.

Section 6. Company shall have full right and authority to assign to any person, persons, firm, or corporation all the rights conferred upon it by this Ordinance, provided that the assignee of such rights, by accepting such assignment, shall become subject to the terms and provisions of this Ordinance.

Section 7. Company shall, if it accepts this Ordinance and the rights and obligations hereby granted, file a written acceptance of the rights hereby granted with the City Clerk within ninety (90) days after the final passage and any required publication of this Ordinance.

Section 8. This Ordinance shall be in full force and effect from and after its passage, any publication required by law, and acceptance by Company.

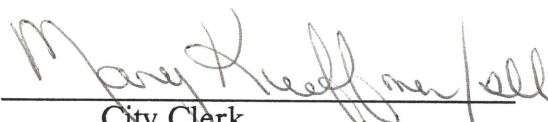
Section 9. Where a provision of any other Ordinance conflicts with the provisions of this Ordinance, the provisions of this Ordinance shall prevail. Notice to Company shall be mailed to the Area Manager thereof at 1700 East County Road E, White Bear Lake, Minnesota, 55110 and any notice to City shall be mailed to the CITY CLERK.

Passed and approved: June, 5, 19 90



Mayor

Attest:



City Clerk

ORDINANCE 8033

AN ORDINANCE AMENDING THE PROVISIONS OF ORDINANCE 8030

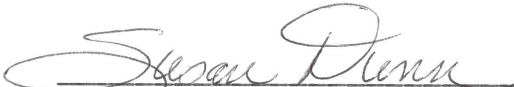
The City Council of the City of Lake Elmo hereby ordains:

Ordinance number 8030 is hereby amended by adding a provision to read as follows:

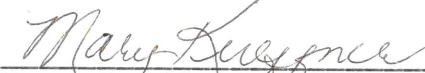
Section 2:

J. No motorized boat traffic shall be permitted at any time or within 100 feet of any buoyed area set aside for purposes of competition on Lake Elmo from July 5, 1990 thru July 17, 1990.

Adopted this 5th day of July, 1990.


Susan Dunn, Mayor

Attest:


Mary Kueffner, City Administrator

CITY OF LAKE ELMO

WASHINGTON COUNTY, MINNESOTA

ORDINANCE 8034

The City Council of the City of Lake Elmo does ordain as follows:

Section I: AMENDMENT: Section 500 and 501 Building Code; Section 502 Permits, Fees and Bonds of the Lake Elmo Municipal Code are hereby amended, along with all other Ordinances and parts of Ordinances in conflict therewith, and said ordinance shall read as follows:

500 BUILDING CODE

501 BUILDING CODE

502 PERMITS, FEES AND BONDS

503 SAFETY TO LIFE REQUIREMENTS FOR EXISTING BUILDINGS

501 BUILDING CODE501.010 1987 STATE BUILDING CODE ADOPTED.

The 1987 Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 through 16B.73, one copy of which is on file in the office of the City Building Official, is hereby adopted as the building code for the City of Lake Elmo. Such code is hereby incorporated in the City Code, as completely as if set out in full.

501.020 ENFORCEMENT

The Building Official and his duly appointed representatives shall be authorized and directed to enforce all provisions of the said Building Code and the regulations on Manufactured Housing.

501.030 SCOPE

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the City of Lake Elmo or cause the same to be done, contrary to or in violation of any of the provisions of said Building code or the Manufactured Housing Statute.

501.040 REQUIRED CHAPTERS OF THE 1987 MINNESOTA STATE BUILDING CODE.

The following State required chapters of the 1987 Minnesota State Building Code are hereby adopted and administered by the City of Lake Elmo.

1. Chapter 1300 - Code Administration
2. Chapter 1305 - Adoption of 1985 Uniform Building Code for Reference Including Appendix Chapter 35, Sound Transmission Control
3. Chapter 1315 - Electrical Code
4. Chapter 1320 - Elevators and Related Machines
5. Chapter 1325 - Solar Energy Systems
6. Chapter 1330 - Technical Requirements for Fallout Shelters
7. Chapter 1340 - Facilities for the Handicapped
8. Chapter 1345 - Minnesota Heating, Ventilating, Air Conditioning and Refrigeration Code
9. Chapter 1350 - Manufactured (Mobile Home Rules)
10. Chapter 1355 - Plumbing Code
11. Chapter 1360 - Prefabricated Structures
12. Chapter 1365 - Variation of Snow Loads

13. Chapter 4215 - Model Energy Code Amendments

501.050 OPTIONAL CHAPTERS OF THE 1987 MINNESOTA STATE BUILDING CODE

The following optional chapters of the 1987 Minnesota State Building Code are hereby adopted by the City of Lake Elmo.

1. Chapter 1305.1000 - Certificates of occupancy shall be required for all types of occupancy, including groups R-3 and R-4.

501.060 ORGANIZATION AND ENFORCEMENT

The organization of the Building Department and enforcement of the code shall be as established by Chapter 2 of the Uniform Building Code, 1985 Edition. The Code shall be enforced within the incorporated limits of the City of Lake Elmo.

The Building Department shall be the Building Code Department of the City of Lake Elmo. The administrative authority shall be a State certified "Building Official".

The City Council shall appoint the Building Official for the jurisdiction of Lake Elmo.

502 PERMITS, FEES AND BONDS502.010 PERMITS REQUIRED

1. No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure in the City of Lake Elmo or cause the same to be done, without first obtaining a separate building permit for each such building or structure as required by the State Building Code as adopted by Chapter 501 of this Code.
2. Permits, inspections and collection of fees shall be as provided in Chapter 3 of the Uniform Building Code, 1985 Edition. (See Section 105 of this Code.)
3. The Building Official shall utilize the chart of estimated construction costs as annually provided by the Minnesota Department of Administration, State Building Codes and Standards Division, to compute building valuations for the purposes of establishing the permit fees of the City of Lake Elmo. (See Section 105 of this Code.)

502.050 EXCAVATION AND GRADING PERMITS

A permit shall be required for the excavation, grading or surfacing for any building, structure, plot or area of ground occupied by a building or structure, or in preparation for the construction of any building or structure where such excavation and grading is to be done with mechanical equipment. (See Section 105 of this Code.)

502.060 PRIVATE ROAD PERMITS

A permit shall be required to construct an asphalt, concrete, or gravel private road or alley. (See Section 1602 and Section 105 of this Code.)

502.070 MOVING BUILDINGS INTO CITY

- A. Buildings or structures moved from one location to another shall comply with the provisions of this code for new buildings.
- B. Where the Building Official is required to inspect a building outside of the City, any travel expense shall be paid by the applicant. Building mover must present a State license for house and building moving to the Building Official when applying for permit to move a building.
- C. Before any house or other structure is moved onto a lot or parcel in the City of Lake Elmo, the owner shall apply for a building permit. The Building Official shall present the site plan, construction plans, and photos of the structure from two or more angles to the Planning Commission. The Planning Commission shall report to the City Council whether or not the structure will be compatible with other development in the area; and make such recommendation to the City Council. If the City Council determines the structure would depreciate the area into which it is to be moved, it may withhold the permit for such relocation.

502.080 BUILDING DEMOLITION FEES

All buildings or structures prepared for demolition within the City of Lake Elmo require a demolition permit. (See Section 105 of this Code.)

Surcharge In addition to the permit fees required, the applicant shall pay a surcharge to be remitted to the Minnesota Department of Administration as prescribed by Minnesota Statutes 1984, Section 16B.70.

502.090 EXTERIOR FINISH

All residential buildings shall have the exterior finished within one (1) year of the date their permit was issued.

502.100 EXPIRATION

Every permit issued by the Building Official shall expire by limitation and become null and void after one (1) year, or if the building or work authorized by such permit is not commenced within one hundred twenty (120) days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred twenty (120) days. Before such work can be recommenced a new permit shall be first obtained to do so, and the fee therefore shall be one-half (1/2) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further, that such suspension or abandonment has not exceeded one year.

502.110 BUILDING PERMIT FEES

A fee for each building permit shall be paid on or before the issuance thereof. The fees for such permits shall be in the amount established from time-to-time by ordinance of the City Council.

SURCHARGE In addition to the permit fees required, the applicant shall pay a surcharge to be remitted to the Minnesota Department of Administration as prescribed by Minnesota Statutes 1984, Section 16B.70.

502.120 BOND OR CASH DEPOSIT TO PROTECT PERMANENT STREETS OR CURBS

On any new construction for property abutting a permanent street a bond or cash deposit shall be required to protect against damage to the permanent street, curb, or other public property or improvement occurring by reason of construction. (See Section 105 of this Code.)

502.130 SURVEY

The Building Inspector may require a Certificate of Survey showing the actual dimensions of the lot to be built on, the exact size and location on the lot of the building and accessory buildings to be erected, and such other information as may be necessary to determine compliance with the Municipal Code of the City of Lake Elmo, before issuing a building permit for new construction on any lot.

502.140 SUSPENSION OR REVOCATION

The Building Official may, in writing, suspend or revoke a permit issued under provisions of said Building Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of said Building Code.

502.150 VIOLATIONS AND PENALTIES

The penalties described in the Uniform Building Code, 1985 Edition, Section 205, as amended, shall be in keeping with Minnesota Statutes 609.033 to 609.034 which provides for a maximum fine of \$700.00.

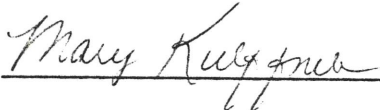
Section II: EFFECTIVE DATE: This ordinance shall become effective upon its passage and publication.

ADOPTED by the Lake Elmo City Council this 17th day of July, 1990.

A handwritten signature in cursive script, reading "Susan H. Dunn", written in dark ink.

Susan Dunn, Mayor

ATTEST:

A handwritten signature in cursive script, reading "Mary Kueffner", written in dark ink.

Mary Kueffner, City Administrator

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 8035

The City Council of the City of Lake Elmo does ordain as follows:

SECTION I. AMENDMENT: Section 105 FEES FOR LICENSES, PERMITS AND SERVICES, is hereby amended, along with all other Ordinances and parts of Ordinances in conflict therewith, and said Ordinance shall read as follows, to wit:


SECTION II. EFFECTIVE DATE: This ordinance shall become effective upon its passage and publication.

ADOPTED BY THE LAKE ELMO CITY COUNCIL this 17th day of July, 1990.



Susan Dunn, Mayor

ATTEST:



Mary Kueffner, City Administrator

105 FEES FOR LICENSES, PERMITS and SERVICES

105.010 ZONING ORDINANCE: The fees for applications required by the Lake Elmo Municipal Code shall be as follows:

A. Variances and Appeals	\$ 150.00
Escrow	250.00
B. Shoreland Permits	75.00
Escrow	100.00
C. Permits for Restrictive Soils and Wetland Protection and Preservation Overlay Districts, Flood Plain Management Permits	750.00
Escrow	1500.00
D. Site and Building Plan Review	100.00
Escrow	250.00
E. Conditional Use Permits	150.00
Escrow	1500.00
F. Conditional Use Permits (amended)	100.00
Escrow	500.00
G. Zoning District Amendment	300.00
Escrow	1500.00

105.020 <u>MANUFACTURED HOUSING PARKS:</u>	500.00
Escrow	1500.00

105.030 SUBDIVISION ORDINANCE: The fees for applications required by the Subdivision Ordinance shall be as follows:

A. Simple Lot Subdivision and variance as defined by Section 401.040A. of the Lake Elmo Municipal Code:	150.00
Escrow	250.00
Park Dedication for each newly created lot:	450.00*
B. Large Lot Subdivision as defined by Section 401.040B. of the Lake Elmo Municipal Code:	150.00
Escrow:	250.00
Park Dedication for each newly created lot:	450.00*
C. Platting: (Subdivision)	
1-10 lots	750.00
Escrow	1125.00
11-20 lots	1500.00
Escrow	2250.00
21 lots or more	3000.00
Escrow	4500.00
Park Dedication for each newly created lot:	450.00*

*Land dedication in lieu of park dedication is the option of the City Council after receiving a recommendation from the Parks Commission and/or Planning Commission.

105.040 BUILDING PERMIT FEES:

A. A fee for each building permit shall be paid on or before the issuance thereof. The fees for such permits shall be in the amount established from time-to-time by ordinance of the City Council.

<u>Total Valuation:</u>	<u>Fee:</u>
\$1.00 to \$500.00	\$15.00
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00 plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00.
\$2,001.00 to \$25,000.00	\$45.00 for the first \$2,000 plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$252.00 for the first \$25,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$414.50 for the first \$50,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$639.50 for the first \$100,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00.
\$500,001.00 to \$1,000,000.00	\$2039.50 for the first \$500,000.00 plus \$3.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00.
\$1,000,001.00 and up	\$3539.50 for the first \$1,000,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof.

SURCHARGE: In addition to the permit fees required, the applicant shall pay a surcharge to be remitted to the Minnesota Department of Administration as prescribed by Minnesota Statutes 1984, Section 16B.70.

B. The Plan Review fee shall be sixty-five percent (65%) of the Building Permit. Fee determined in 105.040A.

C. Fees for the following work shall be as set forth below:

1. Plumbing Permits:
 - a. 1 and 2 family residential-New \$60.00
 - b. 1 and 2 family additions/alterations \$25.00
 - c. Commercial and all other--New 70.00 or
1% of cost, whichever is greater.
 - d. Commercial and all other additions
and alterations. 30.00 or
1% of cost, whichever is greater.
2. Heating Permits:
 - a. New construction--Group K, Division 3 60.00
 - b. Additions and Alterations--Group K, Div.3 25.00
 - c. New construction--All Other 70.00 or
1% of cost, whichever is greater.
 - d. Additions/Alterations--All Other 25.00 or
1% of cost, whichever is greater.
3. Sign Permits: except Conditional Use Permit
for advertising sign. 25.00
4. Excavation and Grading Permit: 100.00
Escrow 500.00
5. Moving Building into City: 50.00
(plus Building Permit Fee)
6. Swimming Pools: computed on the
same basis as Building Fees
7. Tennis Court Construction: 50.00
8. Building Demolition Fee 50.00 for
first 1000 sq.ft. plus 10.00 for
each additional 1000 sq.ft.
9. Septic Permits: 50.00
Alterations 25.00
10. Private Road Permits: (see Section 1602) 100.00
11. Driveway Permit--Residential: 25.00
All Others 50.00
12. Parking Lots: (first 2000 sq.ft.) 100.00
plus \$1 for each additional
100 sq.ft. or improved area
thereafter.
Bond or cash deposit to protect permanent streets
or curbs. (See Section 502.120). 250.00

105.050 SURCHARGE: In addition to the permit fees required, the applicant shall pay a surcharge to be remitted to the Minnesota Department of Administration as prescribed by Minnesota Statutes 1984, Section 16B.70.

105.060 OTHER INSPECTION FEES:

1. Inspections outside of normal business hours (minimum charge - two hours) \$30.00 per hour*
2. Reinspection fees assessed under provisions of Uniform Building Code Section 305 (g) \$30.00 per hour*
3. Inspections for which no fee is specifically indicated. (minimum charge - one-half hour) \$30.00 per hour*
4. Additional plan review required by changes, additions or revisions to approved plans. (minimum charge - one-half hour) \$30.00 per hour*

*Or the total hourly cost to the jurisdiction. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

105.060 LICENSES:

A. Liquor License

- | | |
|--|-----------|
| (1) On-Sale Intoxicating Liquor | \$1500.00 |
| (2) Club On-Sale Intoxicating Liquor | 100.00 |
| (3) On-Sale Sunday Intoxicating Liquor | 200.00 |
| (4) Off-Sale Intoxicating Liquor | 200.00 |
| (5) On-Sale Non-Intoxicating Malt Liquor | 100.00 |
| (6) Off-Sale Non-Intoxicating Malt Liquor | 150.00 |
| (7) Wine License | 300.00 |
| (8) Temporary Non-Intoxicating Malt Liquor | 10.00 |

105.070 CONTRACTORS LICENSE:

The fee for all contractors doing business in the City of Lake Elmo shall be:

35.00 per year

105.080 DOG LICENSE AND IMPOUND FEES

- A. The fee for dog licenses shall be: 10.00 per year per dog
- B. The fee for an impounded dog which is unlicensed shall be: 50.00
- C. The fee for an impounded dog which is licensed shall be: 25.00

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 8036

The City Council of the City of Lake Elmo does hereby ordain as follows:

Section I: AMENDMENT: Sections 1402.170, 1402.180, 1402.190 and 1402.200 of the Lake Elmo Municipal Code is hereby amended, along with all other Ordinances and parts of ordinances in conflict therewith, and said ordinance shall read as follows, to wit:

1402.170. Animal Control Officer. The Council may appoint such person, persons or firm as the Council may deem necessary and advisable as Animal Control Officer for the City. Such Animal Control Officer shall be charged with the duty of enforcement of this ordinance and shall be vested with all the authority conferred hereby, including the power to issue the authority conferred hereby, including the power to issue a summons requesting a violator to appear before a Judge of the Washington County Court. The Council may provide for such compensation for the Animal Control Office as it may deem reasonable. The Animal Control Officer shall file a monthly report with the Council relating to the operation of the Animal Control as it applies to the City.

1402.180. Poundkeeper. The Council shall appoint such person, persons or firm as the Council may deem necessary and advisable as Poundkeeper for the City and the Council shall designate or establish a pound in which dogs taken up under the provisions of this ordinance shall be impounded. The Poundkeeper shall be compensated in such manner as the Council may deem reasonable. The Poundkeeper shall file a monthly report with the Council relating to the operation of the pound as it applies to the City.

1402.190 Impounding of Dogs. The Animal Control Officer shall take up and impound any dogs found in the City without the tags provided for in Section 1402.050 of this ordinance or any dogs which are in violation of any of the other provisions of this ordinance. To enforce this ordinance the Animal Control Officer is empowered and instructed to enter upon any private premises where he has reasonable cause to believe there is (a) an unlicensed dog, (b) a dog which has been at large during the same day, or (c) an unsecured female dog in heat.

1402.200. Redemption.

A. Any dog may be redeemed from the pound by the owner within five days after impounding by payment of a \$50.00 impounding fee plus \$8.50 for each day the dog is confined in the pound, as the cost of boarding and feeding.

B. An additional \$10.00 fee per impoundment shall be charged for any dog that has been impounded more than once each year. (For example: second impoundment \$60.00, third impoundment \$70.00).

C. In the case of unregistered or untagged dogs, the Poundkeeper shall not return such dog to the owner until a registration certificate and/or tag has been purchased at the City Office or from the Poundkeeper. In the case of unregistered or untagged dogs, a double impounding fee shall be paid due to the special handling required on an unregistered or untagged dog. (See Section 105 of this Code)

D. The Poundkeeper shall remit to the City the sum paid to him for the Registration Certificate and/or tag and furnish the City all necessary information pertaining to said purchase, including a copy of any Registration Certificate issued in connection therewith.

Section II. EFFECTIVE DATE: This ordinance shall become effective upon its passage and publication.

ADOPTED by the Lake Elmo City Council this 17th day of July, 1990.



Susan Dunn, Mayor

ATTEST:



Mary Kueffner, City Administrator

RAY LUS

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 8037

The City Council of the City of Lake Elmo does hereby ordain as follows:

Section I. AMENDMENT The following described lands classified on the Zoning District Map as set forth in Section 301.070 C (1) as RR (Rural Residential) are hereafter classified as AG (Agricultural) for zoning purposes.

SECT-36 TWP-029 RANG-21 PT NW1/4 OF SW1/4 EXC THE FOLLOWING.
BEG AT SW COR OF SD NW1/4 OF SW1/4 & RUN THENCE EAST ON SOUTH LINE OF SD NW1/4 OF SW1/4 16 RODS TO A PT THEN NORTH ON A LINE PAR WITH W LINE THEREOF 10 RODS TO A PT RUN THENCE WEST ON A LINE PAR WITH SOUTH LINE THEREOF 16 RODS TO A PT IN WEST LINE THEREOF RUN THENCE SOUTH ALONG SD WEST LINE 10 RODS TO PLACE OF BEG. EXC BEG AT A PT IN W LINE OF NW1/4 OF SW1/4 IN SD SEC 36 T29N R21W 36 RODS N OF SW COR OF SD NW1/4 OF SW1/4 RUNNING THEN E ON A LINE PAR WITH S LINE OF SD NW1/4 OF SW1/4 160FT TO A PT RUNNING THEN N ON A LINE PAR WITH W LIN OF NW1/4 OF SW1/4 90 FT TO A PT RUNNING THEN W ON A LINE PAR WITH S LINE OF SD NW1/4 OF SW1/4 160 FT TO W LIN THEN S ON W LINE OF SD 36 OF SD SEC 36 90 FT TO PLACE OF BEG. EXC 3410, described as follows: SECT-36 TWP-029 RANG-21 PART NW1/4-SW1/4 S36T29R21 THE N 474.06FT OF NW1/4-SW1/4 OF S36 T29 R21 THIS PARCEL IS SUJ TO R/W OF LAKE ELMO AVE N (AKA AS CO HWY #17)

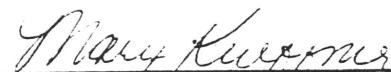
Section II. EFFECTIVE DATE. This Ordinance shall take effect and be enforced from and after its passage and publication.

Adopted by the City Council of the City of Lake Elmo the 23rd day of July, 1990.



Susan Dunn, Mayor

ATTEST:



Mary Kueffner, City Administrator

ORDINANCE 8038
CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE ADOPTING THE 1990 COMPREHENSIVE PLAN FOR LAKE ELMO, MINNESOTA BEFORE RECEIVING COMMENTS FROM SURROUNDING LOCAL GOVERNMENTS, SCHOOL DISTRICTS AND METROPOLITAN AND/OR STATE AGENCIES SO AS TO PROVIDE GUIDANCE IN PLANNING AND ZONING ISSUES FOR THE CITY OF LAKE ELMO

WHEREAS, the City of Lake Elmo has spent considerable time developing a new Comprehensive Plan; and

WHEREAS, the Lake Elmo Planning Commission has completed a plan, held public hearings on the matter, and recommended a new Comprehensive Plan to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED:

1. THAT, the Lake Elmo City Council adopts the 1990 Comprehensive Plan in order to provide policy direction and guidance for several imminent planning and zoning decisions the City currently faces.


2. THAT, the City Council directs the City Administrator to submit the 1990 Lake Elmo Comprehensive Plan to surrounding local governments, school districts and metropolitan and/or state agencies for review and comments. Comments will be received up until December 3, 1990 and will be studied and considered for incorporation into the 1990 Comprehensive Plan by the Planning Commission and the City Council after all comments have been made.

Adopted this 21st day of August, 1990 by the City Council of the City of Lake Elmo.



Susan Dunn, Mayor

Attest:



Mary Kueffner, City Administrator

PRINTER'S AFFIDAVIT OF PUBLICATION

CITY OF LAKE ELMO

ORDINANCE NO. 8031

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN IN THE CITY OF LAKE ELMO, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, POLE LINES, FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY AND ITS INHABITANTS, AND OTHERS, AID TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF SAID CITY FOR SUCH PURPOSES.

THE CITY COUNCIL OF THE CITY OF LAKE ELMO, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

Section 1. There by and hereby is granted to Northern States Power Company, a Minnesota corporation, its successors and assigns, hereinafter referred to as "Company", during the period of 20 years from the date hereof, the right and privilege of constructing, operating, repairing, and maintaining in, on, over, under, and across the streets, alleys and public grounds of the City of Lake Elmo, Washington County, Minnesota, hereinafter referred to as "City" an electric distribution system and electric transmission lines, including poles, pole lines, and fixtures and appurtenances, usually conveniently, or necessarily used in connection therewith, for the purpose of transmitting and furnishing electric energy for light, heat, power and other purposes for public and private use in and to said City and the inhabitants thereof, and others, and for the purpose of transmitting into and through said City such electric energy, provided that such electric distribution system and transmission lines shall be so located as in no way to interfere with the safety and convenience of ordinary travel along and over said streets, alleys, and public grounds, and provided that Company, in the construction, operation, repair and maintenance of such poles, pole lines, and fixtures and appurtenances, shall be subject to such reasonable regulation as may be imposed by the City Council.

Section 2. The service to be provided and the rates to be charged by Company for electric service in the City shall be subject to the jurisdiction of the Public Utilities Commission of this State. Company shall provide reasonably efficient and adequate service to members of the public within the City who apply for such service in accordance with the rules and regulations of Company.

Section 3. There is also granted to Company, during the term hereof, permission and authority to trim all trees and shrubs in the streets, alleys, and public grounds of said City which may interfere with the proper construction, operation, repair and maintenance of any poles, pole lines, and fixtures and appurtenances, installed in pursuance of the authority hereby granted, provided that Company shall save said City harmless from any liability in the premises.

Section 4. Company shall indemnify, keep and hold City free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair or operation of Company's electric facilities located in, on, over, under, or across the public ways and public grounds of City, unless such injury or damage grows out of the negligence of City, its employees, or agents, or results from the performance in a proper manner of acts reasonably deemed hazardous by Company, but such performance is nevertheless ordered or directed by City after notice of Company's determi-

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
County of Ramsey) ss

Eugene D. Johnson, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The St. Croix Valley Press, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed City of Lake Elmo
Ordinance No. 8031

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Wednesday, the 8 day of August, 1990, and was thereafter printed and published on ry to and including the day of 19; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: Eugene D. Johnson

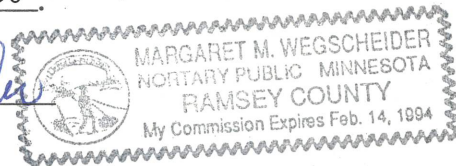
TITLE: Publisher

Subscribed and sworn to before me on

this 8 day of August, 1990.

Margaret M. Wegscheider
Notary Public, Ramsey County, Minn.

My Commission expires Feb. 14, 1994.



RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 15.50
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 5.67
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ 5.67
(Line, word, or inch rate)

nation. In the event a suit shall be brought against City under circumstances where the above agreement to indemnify applies, Company at its sole cost and expense shall defend City in such suite if written notice thereof is promptly given to Company within a period wherein Company is not prejudiced by lack of such notice. If such notice is not reasonably given as hereinbefore provided, Company shall have no duty to indemnify nor defend. If Company is required to indemnify and defend, it will thereafter have complete control of such litigation, but Company may not settle such litigation without the consent of City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to City; and Company, in defending any action on behalf of City shall be entitled to assert in any action every defense or immunity that City could assert in its own behalf.

Section 5. The City shall give the Company at least two weeks prior written notice of a proposed vacation of a public way. Except where required solely for a City improvement project, the vacation of any public way, after the installation of electric facilities, shall not operate to deprive Company of its rights to operate and maintain such electric facilities, until the reasonable cost of relocating the same and the loss and expense resulting from such relocation are first paid to Company. In no case, however, shall City be liable to the Company for failure to specifically preserve a right-of-way under Minnesota Statutes, Section 160.29.

Section 6. Company shall have full right and authority to assign to any person, persons, firm, or corporation all the rights conferred upon it by this Ordinance, provided that the assignee of such right, by accepting such assignment, shall become subject to the terms and provisions of this Ordinance.

Section 7. Company shall, if it accepts this Ordinance and the rights and obligations hereby granted, file a written acceptance of the rights hereby granted with the City Clerk within ninety (90) days after the final passage and any required publication of this Ordinance.

Section 8. This Ordinance shall be in full force and effect from and after its passage, any publication required by law, and acceptance by Company.

Section 9. Where a provision of any other Ordinance conflicts with the provisions of this Ordinance, the provisions of this Ordinance shall prevail. Notice to Company shall be mailed to the Area Manager thereof at 1700 East County Road E, White Bear Lake, Minnesota 55110, and any notice to City shall be mailed to the CITY CLERK.

Passed and approved June 5, 1990.

Susan Dunn
Mayor
ATTEST:
Mary Kueffner
City Clerk

**EXCERPTS OF MINUTES OF JUNE 5,
1990 REGULAR MEETING
OF THE CITY COUNCIL
OF THE
CITY OF LAKE ELMO,
WASHINGTON COUNTY, MINNESOTA
JUNE 5, 1990**

A Regular meeting of the City Council of the City of Lake Elmo, Minnesota duly called, convened, and held in accordance with law, was called to order by Mayor Dunn on the 5th day of June, 1990, at 7 o'clock p.m. at the Council Chamber in said City.

The following members, constituting a legal quorum were present:

Mayor: Susan Dunn, City Council Members: Lee Hunt, Todd Williams, Rose Armstrong.

Councilmember Lee Hunt introduced a certain Ordinance No. 8031 entitled:

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN IN THE CITY OF LAKE ELMO, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, POLE LINES, FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY, AND ITS INHABITANTS, AND OTHERS, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF THE CITY FOR SUCH PURPOSES.

and on motion made, seconded, and duly adopted, the above-entitled Ordinance was read.

Thereafter a motion was made by Councilmember Lee Hunt and seconded by Councilmember Rose Armstrong that the above-entitled Ordinance be adopted as read and in its entirety.

On roll call the vote was as follows:

AYES (4) Dunn, Hunt, Armstrong, Williams.

NAYS (0)

The Mayor then declared said motion duly carried and the above-entitled Ordinance duly passed and adopted, and ordered the City Clerk to publish the same in accordance with the law in such case made and provided.

DO HEREBY CERTIFY that I am City Clerk of the City of Lake Elmo, Washington County, Minnesota, and that I am custodian of its records, that the above is a true and correct copy of a part of the minutes of the Regular meeting of the City Council of said City held on June 5, 1990.

Mary Kueffner
City Clerk

Published in the St. Croix Valley Press August 3, 1990

PRINTER'S AFFIDAVIT OF PUBLICATION

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
County of Ramsey) ss

Eugene D. Johnson, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The St. Croix Valley Press, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed CITY OF LAKE ELMO
Ordinance No. 8032

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for One successive weeks; it was first published on Wednesday, the 8 day of August, 1990, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

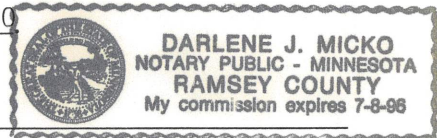
BY: Eugene D. Johnson

TITLE: Publisher

Subscribed and sworn to before me on

this 8 day of August, 19 90

Darlene J. Micko



Notary Public, Ramsey County, Minn.

My Commission expires July 8, 19 96.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 15.50
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 5.67
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ 5.67
(Line, word, or inch rate)

oses subject to the further provisions of this franchise. Gas as used herein shall be held to include natural gas, manufactured gas, or other form of gaseous energy.

Section 2. The gas transmission or distribution service to be provided and the rates to be charged by Company for service in the City shall be subject to the jurisdiction of the Public Utilities Commission of this State. Company shall provide reasonably efficient and adequate service to members of the public within the City who apply for such service in accordance with the rules and regulations of Company.

Section 3. Company shall indemnify, keep, and hold City free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair, or operation of Company's gas facilities located in, on, over, under, or across the public ways and public grounds of City, unless such injury or damage grows out of the negligence of City, its employees, or agents, or result from the performance in a proper manner of acts reasonably deemed hazardous by Company, but such performance is nevertheless ordered or directed by City after notice of Company's determination. In the event a suit shall be brought against City under circumstances where the above agreement to indemnify applies, Company at its sole cost and expense shall defend City in such suit if written notice thereof is promptly given to Company within a period wherein Company is not prejudiced by lack of such notice. If such notice is not reasonably given as hereinbefore provided, Company shall have no duty to indemnify nor defend. If Company is required to indemnify and defend, it will thereafter have complete control of such litigation, but Company may not settle such litigation without the consent of City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to City; and Company, in defending any action on behalf of City shall be entitled to assert in any action every defense or immunity that City could assert in its own behalf.

Section 4. The City shall give the Company at least two weeks prior written notice of a proposed vacation of a public way. Except where required solely for a City improvement project, the vacation of any public way, after the installation of gas facilities, shall not operate to deprive Company of its rights to operate and maintain such gas facilities, until the reasonable cost of relocating the same and the loss and expense resulting from such relocation are first paid to Company. In no case, however, shall City be liable to the Company for failure to specifically preserve a right-of-way under Minnesota Statutes, Section 160.29.

Section 5. Company shall have full right and authority to assign to any person, persons, firm, or corporation all the rights conferred upon it by this Ordinance, provided that the assignee of such rights, by accepting such assignment, shall become subject to the terms and provisions of this Ordinance.

Section 6. Company shall, if it accepts this Ordinance and the rights and obligations hereby granted, file a written acceptance of the rights hereby granted with the City Clerk within ninety (90) days after the final passage and any required publication of this Ordinance.

Section 7. This Ordinance shall be in full force and effect from and after its passage, any publication required by law, and acceptance by Company.

Section 8. Where a provision of any other Ordinance conflicts with the provisions of this Ordinance, the provisions of this Ordinance shall prevail.

Section 9. Any notice to Company required under this Ordinance, shall be mailed to the Vice President of Gas Utility thereof at 825 Rice Street, St. Paul, Minnesota, 55117. Any notice to City shall be mailed to the CITY CLERK.

Passed and approved: June 5, 1990.

Susan Dunn

Mayor

Attest:

Mary Kueffner

City Clerk

EXCERPTS OF MINUTES OF JUNE 5,
1990 REGULAR MEETING
OF THE CITY COUNCIL
OF THE
CITY OF LAKE ELMO,
WASHINGTON COUNTY, MINNESOTA
JUNE 5, 1990

A Regular meeting of the City Council of the City of Lake Elmo, Minnesota, duly called, convened, and held in accordance with law, was called to order by Mayor Dunn on the 5th day of June, 1990 at 7 o'clock p.m. at the Council Chamber in said City.

The following members, constituting a legal quorum were present:

Mayor: Susan Dunn. City Council Members: Lee Hunt, Rose Armstrong, Todd Williams.

Councilmember Lee Hunt introduced a certain Ordinance No. 8032 entitled:

AN ORDINANCE, AND GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSE OF INSTALLING, ENLARGING, OPERATING, REPAIRING, AND MAINTAINING IN THE CITY OF LAKE ELMO, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OF DISTRIBUTION OF GAS TO SAID CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH SAID CITY, AND TO USE THE PUBLIC WAYS AND PUBLIC GROUNDS OF SAID CITY FOR SUCH PURPOSE.

and on motion made, seconded, and duly adopted, the above-entitled Ordinance was read.

Thereafter a motion was made by Councilmember Lee Hunt and seconded by Councilmember Rose Armstrong that the above-entitled Ordinance be adopted as read and in its entirety.

On roll call the vote was as follows:

AYES: (4) Dunn, Hunt, Armstrong, Williams.

NAYS: (0).

The Mayor then declared said motion duly carried and the above-entitled Ordinance duly passed and adopted, and ordered the City Clerk to publish the same in accordance with the law in such case made and provided.

I DO HEREBY CERTIFY that I am City Clerk of the City of Lake Elmo, Washington County, Minnesota, and that I am custodian of its records, that the above is a true and correct copy of a part of the minutes of the Regular meeting of the City Council of said City held on June 5, 1990.

Mary Kueffner

City Clerk

Published in the St. Croix Valley Press August 8, 1990



AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
County of Ramsey) ss

Eugene D. Johnson, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The St. Croix Valley Press, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed CITY OF LAKE ELMO
Washington County, MN Ordinance 8034

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for One successive weeks; it was first published on Wednesday, the 1 day of August, 19 90 and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: Eugene D. Johnson
TITLE: Publisher

Subscribed and sworn to before me on

this 1 day of August, 19 90

Margaret M. Wegscheider
Notary Public, Ramsey County, Minn.

My Commission expires _____ 19____.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space \$ _____
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter \$ _____
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter \$ _____
(Line, word, or inch rate)

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 8034

The City Council of the City of Lake Elmo does ordain as follows:

Section I. AMENDMENT: Section 500 and 501 Building Code; Section 502 Permits, Fees and Bonds of the Lake Elmo Municipal Code are hereby amended, along with all other Ordinances and parts of Ordinances in conflict therewith, and said ordinance shall read as follows:

LAKE ELMO MUNICIPAL CODE
AMENDED ORDINANCE 7923
7946
8011
8015

500 BUILDING CODE
501 BUILDING CODE
502 PERMITS, FEES AND BONDS
503 SAFETY TO LIFE REQUIREMENTS
FOR EXISTING BUILDINGS
501 BUILDING CODE
501.010 1987 STATE BUILDING CODE ADOPTED.

The 1987 Minnesota State Building Code, established pursuant to Minnesota Statutes 16B.59 through 16B.73, one copy of which is on file in the office of the City Building Official, is hereby adopted as the building code for the City of Lake Elmo. Such code is hereby incorporated in the City Code, as completely as if set out in full.

501.020 ENFORCEMENT
The Building Official and his duly appointed representatives shall be authorized and directed to enforce all provisions of the said building Code and the regulations on Manufactured Housing.

501.030 SCOPE
It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the City of Lake Elmo or cause the same to be done, contrary to or in violation of any of the provisions of said Building code or the Manufactured Housing Statute.

501.040 REQUIRED CHAPTERS OF THE 1987 MINNESOTA STATE BUILDING CODE.
The following State required chapters of the 1987 Minnesota State Building Code are hereby adopted and administered by the City of Lake Elmo.

1. Chapter 1300 - Code Administration
2. Chapter 1305 - Adoption of 1985 Uniform Building Code for Reference Including Appendix Chapter 35, Sound Transmission Control
3. Chapter 1315 - Electrical Code
4. Chapter 1320 - Elevators and Related Machines
5. Chapter 1325 - Solar Energy Systems
6. Chapter 1330 - Technical Requirements for Fallout Shelters
7. Chapter 1340 - Facilities for the Handicapped
8. Chapter 1345 - Minnesota Heating, Ventilating, Air Conditioning and Refrigeration Code
9. Chapter 1350 - Manufactured (Mobile Home Rules)
10. Chapter 1355 - Plumbing Code
11. Chapter 1360 - Prefabricated Structures
12. Chapter 1365 - Variation of Snow Loads
13. Chapter 4215 - Model Energy Code



Amendments

501.050 OPTIONAL CHAPTERS OF THE 1987 MINNESOTA STATE BUILDING CODE

The following optional chapters of the 1987 Minnesota State Building Code are hereby adopted by the City of Lake Elmo.

1. Chapter 1305.1000 - Certificates of occupancy shall be required for all types of occupancy, including groups R-3 and R-4.

501.060 ORGANIZATION AND ENFORCEMENT

The organization of the Building Department and enforcement of the code shall be as established by Chapter 2 of the Uniform Building Code, 1985 Edition. The Code shall be enforced within the incorporated limits of the City of Lake Elmo.

The Building Department shall be the Building Code Department of the City of Lake Elmo. The administrative authority shall be a State certified "Building Official".

The City Council shall appoint the Building Official for the Jurisdiction of Lake Elmo.

502 PERMITS, FEES AND BONDS

502.010 PERMITS REQUIRED

1. No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure in the City of Lake Elmo or cause the same to be done, without first obtaining an separate building permit for each such building or structure as required by the State Building Code as adopted by Chapter 501 of this Code.

2. Permits, inspections and collection of fees shall be as provided in Chapter 3 of the Uniform Building Code, 1985 Edition. (See Section 105 of this Code).

3. The Building Official shall utilize the chart of estimated construction costs as annually provided by the Minnesota Department of Administration, State Building Codes and Standards Division, to compute building valuations for the purposes of establishing the permit fees of the City of Lake Elmo. (See Section 105 of this Code).

502.050 EXCAVATION AND GRADING PERMITS

A permit shall be required for the excavation, grading or surfacing for any building, structure, plot or area of ground occupied by a building or structure, or in preparation for the construction of any building or structure where such excavation and grading is to be done with mechanical equipment. (See Section 105 of this Code).

502.060 PRIVATE ROAD PERMITS

A permit shall be required to construct an asphalt, concrete, or gravel private road or alley. (See Section 1602 and Section 105 of this Code).

502.070 MOVING BUILDINGS INTO CITY

A. Buildings or structures moved from one location to another shall comply with the provisions of this code for new buildings.

B. Where the Building Official is required to inspect a building outside of the City, any travel expense shall be paid by the applicant. Building mover must present a State license for house and building moving to the Building Official when applying for permit to move a building.

C. Before any house or other structure is moved onto a lot or parcel in the City of Lake Elmo, the owner shall apply for a building permit. The Building Official shall present the site plan, construction plans, and photos of the structure from two or more angles to the Planning Commission. The Planning Commission shall report to the City Council whether or not the structure will be compatible with other development in the area; and make such recommendation to the City Council. If the City Council determines the structure would depreciate the area into which it is to be moved, it may withhold the permit for such relocation.

502.080 BUILDING DEMOLITION FEES

All buildings or structures prepared for demolition within the City of Lake Elmo require a demolition permit. (See Section 105 of this Code).

Surcharge. In addition to the permit fees required, the applicant shall pay a surcharge to be remitted to the Minnesota Department of Administration as prescribed by Minnesota Statutes 1984, Section 16B.70.

502.090 EXTERIOR FINISH

All residential buildings shall have the exterior finished within one (1) year of the date their permit was issued.

502.100 EXPIRATION

Every permit issued by the Building Official shall expire by limitation and become null and void after one (1) year, or if the building or work authorized by such permit is not commenced within one hundred twenty (120) days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred twenty (120) days. Before such work can be recommenced a new permit shall be first obtained to do so, and the fee therefore shall be one-half (1/2) the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further, that such suspension or abandonment has not exceeded one year.

502.110 BUILDING PERMIT FEES

A fee for each building permit shall be paid on or before the issuance thereof. The fees for such permits shall be in the amount established from time-to-time by ordinance of the City Council.

SURCHARGE. In addition to the permit fees required, the applicant shall pay a surcharge to be remitted to the Minnesota Department of Administration as prescribed by Minnesota Statutes 1984, Section 16B.70.

502.120 BOND OR CASH DEPOSIT TO PROTECT PERMANENT STREETS OR CURBS

On any new construction for property abutting a permanent street a bond or cash deposit shall be required to protect against damage to the permanent street, curb, or other public property or improvement occurring by reason of construction. (See Section 105 of this Code).

502.130 SURVEY

The Building Inspector may require a Certificate of Survey showing the actual dimensions of the lot to be built on, the exact size and location on the lot of the building and accessory buildings to be erected, and such other information as may be necessary to determine compliance with the Municipal Code of the City of Lake Elmo, before issuing a building permit for new construction on any lot.

502.140 SUSPENSION OR REVOCATION

The Building Official may, in writing, suspend or revoke a permit issued under provisions of said Building Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of said Building Code.

502.150 VIOLATIONS AND PENALTIES

The penalties described in the Uniform Building Code, 1985 Edition, Section 205, as amended, shall be in keeping with Minnesota Statutes 609.033 or 609.034 which provides for a maximum fine of \$700.00.

Section II: EFFECTIVE DATE: This ordinance shall become effective upon its passage and publication.

ADOPTED by the Lake Elmo City Council this 17th day of July, 1990.

Susan Dunn, Mayor

ATTEST:

Mary Kueffner, City Administrator

Published in the St. Croix Valley Press August 1, 1990

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
County of Ramsey) ss

Eugene D. Johnson, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The St. Croix Valley Press, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed City of Lake Elmo
Ordinance 8035

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Wednesday, the 8 day of August, 1990, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: Eugene D. Johnson
TITLE: Publisher

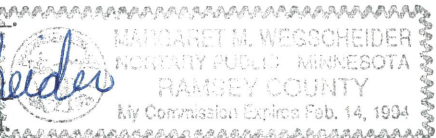
Subscribed and sworn to before me on

this 8 day of August, 1990

Margaret M. Wegscheider

Notary Public, Ramsey County, Minn.

My Commission expires Feb. 14 1994



RATE INFORMATION

- | | |
|--|---|
| (1) Lowest classified rate paid by commercial users for comparable space | \$ <u>15.50</u>
(Line, word, or inch <u>rate</u>) |
| (2) Maximum rate allowed by law for the above matter | \$ <u>5.67</u>
(Line, word, or inch <u>rate</u>) |
| (3) Rate actually charged for the above matter | \$ <u>5.67</u>
(Line, word, or inch <u>rate</u>) |

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 8035**

The City Council of the City of Lake Elmo does ordain as follows:

SECTION I. AMENDMENT: Section 105 FEES FOR LICENSES, PERMIT AND SERVICES, is hereby amended, along with all other Ordinances and parts of Ordinances in conflict therewith, and said Ordinance shall read as follows, to wit:

105.010 ZONING ORDINANCE: The fees for applications required by the Lake Elmo Municipal

C. de shall be as follows:	
A. Var	
Escrow	\$ 150.00
B. S	250.00
Escrow	75.00
C. Permits for Restrictive Soils and Wetland Protection and Preservation Overlay Districts, Flood Plain	100.00
Management Permits	
Escrow	750.00
D. Site and Building Plan Review	1500.00
Escrow	100.00
E. Conditional Use Permits	250.00
Escrow	150.00
F. Conditional Use Permits (amended)	1500.00
Escrow	100.00
G. Zoning District Amendment	500.00
Escrow	300.00
105.020 MANUFACTURED HOUSING PARKS:	1500.00
Escrow	500.00
105.030 SUBDIVISION ORDINANCE: The fees for applications required by the Subdivision Ordinance shall be as follows:	1500.00

A. Simple Lot Subdivision and variance as defined by Section 401.040A. of the Lake Elmo Municipal Code:

Escrow	150.00
Park Dedication for each newly created lot:	250.00
B. Large Lot Subdivision as defined by Section 401.040B. of the Lake Elmo Municipal Code:	450.00*

Escrow	150.00
Park Dedication for each newly created lot	250.00
C. Platting (Subdivision)	450.00*
1-10 lots	750.00
Escrow	1125.00
11-20 lots	1500.00
21 lots or more	2250.00
Escrow	3000.00
Park Dedication for each newly created lot	4500.00
Amended by Ordinance 7969	450.00*
Amended by Ordinance 7941	

*Land dedication in lieu of park dedication is the option of the City Council after receiving a recommendation from the Park Commission and/or Planning Commission.

105.040 BUILDING PERMIT FEES:

A. A fee for each building permit shall be paid on or before the issuance thereof. The fees for such permits shall be in the amount established from time-to-time by ordinance of the City Council.

Total Valuation	Fee
\$1.00 to \$500.00	\$15.00
\$501.00 to \$2,000.00	\$15.00 for the first \$500.00 plus \$2.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00.
\$2,001.00 to \$25,000.00	\$45.00 for the first \$2,000 plus \$9.00 for each additional \$1,000 or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$252.00 for the first \$25,000.00 plus \$6.50 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$414.50 for the first \$50,000.00 plus \$4.50 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$639.50 for the first \$100,000.00 plus \$3.50 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00.
\$500,001.00 to \$1,000,000.00	\$2039.50 for the first \$500,000.00 plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$1,000,000.00.
\$1,000,000.00 and up	\$3539.50 for the first \$1,000,000.00 plus \$2.00 for each additional \$1,000.00 or fraction thereof.

SURCHARGE: In addition to the permit fees required, the applicant shall pay a surcharge to be remitted to the Minnesota Department of Administration as prescribed by Minnesota Statutes 1984, Section 16B.70.

B. The Plan Review fee shall be sixty-five percent (65%) of the Building Permit Fee determined in 105.040A.

C. Fees for the following work shall be as set forth below:

1. Plumbing Permits:

- a. 1 and 2 family residential-New \$50.00
- b. 1 and 2 family additions/alterations \$25.00
- c. Commercial and all other-New \$70.00 or 1% of cost, whichever is greater.
- d. Commercial and all other additions and alterations 30.00 or 1% of cost, whichever is greater

2. Heating Permits:

- a. New construction - Group K Division 3 60.00
- b. Additions and Alterations-Group K, Div. 3 25.00
- c. New construction-all other 70.00 or 1% of cost, whichever is greater

3. Sign Permits: except Conditional Use Permit for advertising sign

4. Excavation and Grading Permit:

- Escrow 100.00
- 5. Moving Building into City 500.00
- (plus Building Permit Fee) 50.00

6. Swimming Pools: Computed on the same basis as Building Fees

7. Tennis Court Construction 50.00

- 8. Building Demolition Fee 50.00 for first 1000 sq. ft. plus 10.00 for each additional 1000 sq. ft.

9. Septic Permits

- Alterations 50.00

10. Private Road Permits: (see Section 1602)

11. Driveway Permit-Residential 100.00

- All Others 25.00

12. Park Lots: (first 2000 sq. ft.) 50.00

Plus \$1 for each additional 100 sq. ft. or improved area thereafter.

Bond or cash deposit to protect permanent streets or curbs. (See Section 502.120).

250.00

105.050 SURCHARGE. In addition to the permit fees required, the applicant shall pay a surcharge to be remitted to the Minnesota Department of Administration as prescribed by Minnesota Statutes 1984, Section 16B.70.

105.060 OTHER INSPECTION FEES:

- a. Inspections outside of normal business hours \$30.00 per hour*

(Minimum charge - two hours)

- 2. Reinspection fees assessed under provisions of Uniform Building Code Section 305 (g) \$30.00 per hour*

- 3. Inspections for which no fee is specifically indicated. (Minimum charge - one-half hour) \$30.00 per hour*

- 4. Additional plan review required by changes, additions or revisions to approved plans. (Minimum charge - one-half hour) \$30.00 per hour*

*Or the total hourly cost to the jurisdiction. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

105.060 LICENSES:

A. Liquor License

- (1) On-Sale Intoxicating Liquor \$1500.00
- (2) Club On-Sale Intoxicating Liquor 100.00
- (3) On-Sale Sunday Intoxicating Liquor 200.00
- (4) Off-Sale Intoxicating Liquor 200.00
- (5) On-Sale Non-Intoxicating Malt Liquor 150.00
- (6) Off-Sale Non-Intoxicating Malt Liquor 300.00
- (7) Wine License 300.00
- (8) Temporary Non-Intoxicating Malt Liquor 10.00

105.070 CONTRACTORS LICENSE:

The fee for all contractors doing business in the City of Lake Elmo shall be: 35.00 per year

105.080 DOG LICENSE AND IMPOUND FEES

- A. The fee for dog licenses shall be 10.00 per year per dog

B. The fee for an impounded dog which is unlicensed shall be 50.00

C. The fee for an impounded dog which is licensed shall be 25.00

SECTION II. EFFECTIVE DATE: This ordinance shall become effective upon its passage and publication.

ADOPTED BY THE LAKE ELMO CITY COUNCIL this 17th day of July, 1990

Susan Dunn, Mayor

ATTEST:

Mary Kueffner, City Administrator

PRINTER'S AFFIDAVIT OF PUBLICATION

CITY OF LAKE ELMO

WASHINGTON COUNTY, MINNESOTA
ORDINANCE 8036

The City Council of the City of Lake Elmo does hereby ordain as follows:

Section I. AMENDMENT. Sections 1402.170, 1402.180, 1402.190 and 1402.200 of the Lake Elmo Municipal Code is hereby amended, along with all other Ordinances and parts of ordinances, in conflict therewith, and said ordinance shall read as follows, to wit:

1402.170. Animal Control Officer. The Council may appoint such person, persons or firms as the Council may deem necessary and advisable as Animal Control Officer for the City. Such Animal Control Officer shall be charged with the duty of enforcement of this ordinance and shall be vested with all the authority conferred hereby, including the power to issue the authority conferred hereby, including the power to issue a summons requesting a violator to appear before a Judge of the Washington County Court. The Council may provide for such compensation for the Animal Control Office as it may deem reasonable. The Animal Control Officer shall file a monthly report with the Council relating to the operation of the Animal Control as it applies to the City.

1402.180. Poundkeeper. The Council shall appoint such person, persons or firm as the Council may deem necessary and advisable as Poundkeeper for the City and the Council shall designate or establish a pound in which dogs taken up under the provisions of this ordinance shall be impounded. The Poundkeeper shall be compensated in such manner as the Council may deem reasonable. The Poundkeeper shall file a monthly report with the Council relating to the operation of the pound as it applies to the City.

1402.190. Impounding of Dogs. The Animal Control Officer shall take up and impound any dogs found in the City without the tags provided for in Section 1402.050 of this ordinance or any dogs which are in violation of any of the other provisions of this ordinance. To enforce this ordinance the Animal Control Officer is empowered and instructed to enter upon any private premises where he has reasonable cause to believe there is (a) an unlicensed dog, (b) a dog which has been at large during the same day, or (c) an unsecured female dog in heat.

1402.200 Redemption.

A. Any dog may be redeemed from the pound by the owner within five days after impounding by payment of a \$50.00 impounding fee, plus \$8.50 for each day the dog is confined in the pound, as the cost of boarding and feeding.

B. An additional \$10.00 fee per impoundment shall be charged for any dog that has been impounded more than once each year. (For example: second impoundment \$60.00, third impoundment \$70.00).

C. In the case of unregistered or untagged dogs, the Poundkeeper shall not return such dog to the owner until a registration certificate and/or tag has been purchased at the City Office or from the Poundkeeper. In the case of unregistered or untagged dogs, a double impounding fee shall be paid due to the special handling required on an unregistered or untagged dog. (See Section 105 of this Code).

D. The Poundkeeper shall remit to the City the sum paid to him for the Registration Certificate and/or tag and furnish the City all necessary information pertaining to said purchase, including a copy of any Registration Certificate issued in connection therewith.

Section II. EFFECTIVE DATE. This ordinance shall become effective upon its passage and publication.

ADOPTED by the Lake Elmo City Council this 17th day of July, 1990.

Susan Dunn, Mayor

ATTEST:

Mary Kueffner, City Administrator

Published in the St. Croix Valley Press August 15, 1990

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
County of Ramsey) ss

Eugene D. Johnson, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The St. Croix Valley Press, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed City of Lake Elmo
Ordinance 8036

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Wednesday, the 15 day of August, 1990, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

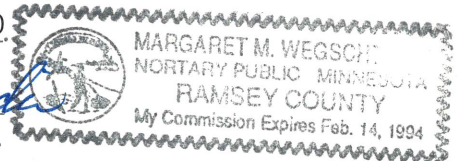
BY: Eugene D. Johnson
TITLE: Publisher

Subscribed and sworn to before me on

this 15 day of August, 1990

Margaret M. Wegscheid
Notary Public, Ramsey County, Minn.

My Commission expires Feb. 14 1994.



RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space \$ 15.50
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter \$ 5.67
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter \$ 5.67
(Line, word, or inch rate)

PRINTER'S AFFIDAVIT OF PUBLICATION

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
County of Ramsey) ss

Eugene D. Johnson, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The St. Croix Valley Press, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed City of Lake Elmo
Ordinance 8037

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for one successive weeks; it was first published on Wednesday, the 15 day of August, 1990, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: Eugene D. Johnson
TITLE: Publisher

Subscribed and sworn to before me on
this 15 day of August, 19 90.

Margaret M. Wegscheider
Notary Public, Ramsey County, Minn.

My Commission expires Feb. 14 19 94.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space \$ 15.50
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter \$ 5.67
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter \$ 5.67
(Line, word, or inch rate)

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 8037

The City Council of the City of Lake Elmo does hereby ordain as follows:

Section I. AMENDMENT. The following described lands classified on the Zoning District Map as set forth in Section 301.070 C (1) a RR (Rural Residential) are hereafter classified as AG (Agricultural) for zoning purposes.

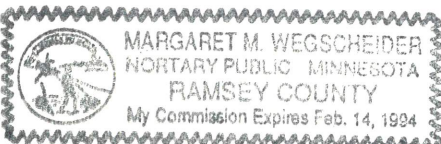
SECT-36 TWP-029 RANG-21 PT NW 1/4 OF SW 1/4 EXC THE FOLLOWING: BEG AT SW COR OF SD NW 1/4 OF SW 1/4 & RUN THENCE EAST ON SOUTH LINE OF SD NW 1/4 OF SW 1/4 16 RODS TO A PT THEN NORTH ON A LINE PAR WITH W LINE THEREOF 10 RODS TO APT RUN THENCE WEST ON A LINE PAR WITH SOUTH LINE THEREOF 16 RODS TO A PT IN WEST LINE THEREOF RUN THENCE SOUTH ALONG SD WEST LINE 10 RODS TO PLACE OF BEG. EXC BEG AT A PT IN W LINE OF NW 1/4 OF SW 1/4 IN SD SEC 36 T29N R21W 36 RODS N OF SW COR OF SD NW 1/4 OF SW 1/4 RUNNING THEN E ON A LINE PAR WITH S LINE OF SD NW 1/4 OF SW 1/4 160 FT TO A PT RUNNING THEN N ON A LINE PAR WITH W LINE OF NW 1/4 OF SW 1/4 90 FT TO A PT RUNNING THEN W ON A LINE PAR WITH S LINE OF SD NW 1/4 OF SW 1/4 160 FT TO W LINE THEN S ON W LINE OF SD 36 OF SD SEC 36 90 FT TO PLACE OF BEG. EXC 3410, described as follows: SECT-36 TWP-029 RANG-21 PART NW 1/4-SW 1/4 S36T29R21 THEN N 474.06 FT OF NW 1/4-SW 1/4 OF S36 T29 R21 THIS PARCEL IS SUBJ TO R/W OF LAKE ELMO AVE N (AKA AS CO HWY #17).

Section II. EFFECTIVE DATE. This Ordinance shall take effect and be enforced from and after its passage and publication.

Adopted by the City Council of the City of Lake Elmo the 23rd day of July, 1990.

Susan Dunn, Mayor

ATTEST:
Mary Kueffner, City Administrator
Published in the St. Croix Valley Press August 15, 1990



PRINTER'S AFFIDAVIT OF PUBLICATION

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
County of Ramsey) ss

Eugene D. Johnson, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The St. Croix Valley Press, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed CITY OF LAKE ELMO
Ordinance 8038

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for One successive weeks; it was first published on Wednesday, the 26 day of September, 1990, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

BY: *Eugene D. Johnson*

TITLE: Publisher

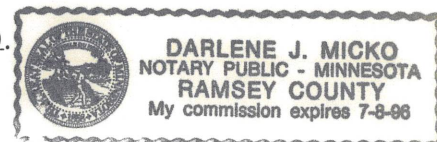
Subscribed and sworn to before me on

this 26 day of September, 1990.

Darlene J. Micko

Notary Public, Ramsey County, Minn.

My Commission expires July 8, 1996.



RATE INFORMATION

(1) Lowest classified rate paid by commercial users for comparable space. \$ 15.50
(Line, word, or inch rate)

(2) Maximum rate allowed by law for the above matter. \$ 5.67
(Line, word, or inch rate)

(3) Rate actually charged for the above matter. \$ 5.67
(Line, word, or inch rate)

CITY OF LAKE ELMO
WASHINGTON COUNTY,
MINNESOTA
ORDINANCE 8038

AN ORDINANCE ADOPTING THE 1990 COMPREHENSIVE PLAN FOR LAKE ELMO, MINNESOTA BEFORE RECEIVING COMMENTS FROM SURROUNDING LOCAL GOVERNMENTS, SCHOOL DISTRICTS AND METROPOLITAN AND/OR STATE AGENCIES SO AS TO PROVIDE GUIDANCE IN PLANNING AND ZONING ISSUES FOR THE CITY OF LAKE ELMO

WHEREAS, the City of Lake Elmo has spent considerable time developing a new Comprehensive Plan; and

WHEREAS, The Lake Elmo Planning Commission has completed a plan, held public hearings on the matter, and recommended a new Comprehensive Plan to the City Council for approval.

NOW THEREFORE, BE IT RESOLVED:

1. That, the Lake Elmo City Council adopted the 1990 Comprehensive Plan in order to provide policy direction and guidance for several imminent planning and zoning decisions the City currently faces.

2. THAT, the City Council directs the City Administrator to submit the 1990 Lake Elmo Comprehensive Plan to surrounding local governments, school districts and metropolitan and/or state agencies for review and comments. Comments will be received up until December 3, 1990 and will be studied and considered for incorporation into the 1990 Comprehensive Plan by the Planning Commission and the City Council after all comments have been made.

Adopted this 21st day of August, 1990 by the City Council of the city of Lake Elmo.

Susan Dunn, Mayor

Attest:

Mary Kueffner, City Administrator

Published in the St. Croix Valley Press September 26, 1990.

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
County of Ramsey) ss

Eugene D. Johnson, being duly sworn, on oath says that he is the publisher or authorized agent and employee of the publisher of the newspaper known as The St. Croix Valley Press, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed CITY OF LAKE ELMO
Ordinance No. 8039

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for One successive weeks; it was first published on Wednesday, the 5 day of December, 1990, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

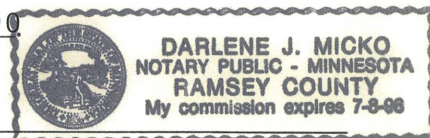
BY: Eugene D. Johnson
TITLE: Publisher

Subscribed and sworn to before me on
this 5 day of December, 19 90

Darlene J. Micko

Notary Public, Ramsey County, Minn.

My Commission expires July 8, 19 96



RATE INFORMATION

- | | |
|---|---|
| (1) Lowest classified rate paid by commercial users for comparable space. | \$ <u>15.50</u>
(Line, word, or inch rate) |
| (2) Maximum rate allowed by law for the above matter. | \$ <u>5.67</u>
(Line, word, or inch rate) |
| (3) Rate actually charged for the above matter. | \$ <u>5.67</u>
(Line, word, or inch rate) |

CITY OF LAKE ELMO
ORDINANCE 8039
WASHINGTON COUNTY, MINNESOTA
AN ORDINANCE AMENDING THE LAKE
ELMO MUNICIPAL CODE ADOPTING
SECTION 301.070 D. 13 RESIDENTIAL
ESTATES (R.E.) ZONING DISTRICT.
The City Council of the City of Lake Elmo ordains:

SECTION I. AMENDMENT: Section 301.070 D. is hereby amended by the addition of the following:

301.070 D. 13 Residential Estates
A. Permitted Uses and Structures
(1) One single family detached dwelling per lot within planned subdivisions of at least 20 acres, nominal.
B. Accessory Uses and Structures
(1) Uses and structures which are customarily accessory and clearly incidental and subordinate to permitted uses and structures, see Section 301.130 C. **ACCESSORY USES AND STRUCTURES.**
(a) No more than two detached accessory structures with a combined total not to exceed 1200 square feet.
(b) Accessory structure shall be architecturally compatible with principal structure.
(c) Accessory Structures for the sole use by occupants of the principal structure.
(d) Home Occupations as set forth in Section 301.040 (65) of this code.
C. Minimum District Requirements
(1) Lot Size 2 1/2 minimum (108,750 sq.ft.) to 10 acres (435,600 sq.ft.).
(2) Subdivision Density 3.33 acre average. No out-lots to remain within subdivision.
(3) Configuration: Lots must be configured to contain a circle with a diameter of 250 feet minimum. The ratio of lot length to width shall be a maximum of 3:1. Flag lots are prohibited.
(4) Area of Building Site: A minimum of one and a quarter (1.25) acre of land above the flood plain and free of any drainage easements.
(5) Principal Building Setbacks from Property Lines:
(a) Front 100 feet minimum
(b) Side (interior) 50 feet minimum
(c) Side (corner) 80 feet minimum
(d) Rear 100 feet minimum
(e) Collector/Arterial Street 150 feet minimum
(6) Frontage on Public Roadway 150 feet minimum except 70 feet at the end of cul-de-sacs.
(7) Parking 2 enclosed spaces minimum (200 s.f. minimum per space). 2 exterior spaces with minimum setback of 50 feet from any property line.
(8) Hard surface coverage 15% maximum.
(9) Septic Drainfield Regulation
(a) All newly subdivided lots shall have a minimum of 20,000 square feet of land to be dedicated for septic system use and suitable for that use. This land may comprise up to two separate areas each of which is contiguous to the 1.25 acre building site or contained within it and each of which contains at least 10,000 contiguous square feet.
(b) Placement of the second required drainfield between the trenches of the first drainfield is prohibited.

SECTION II. EFFECTIVE DATE: This ordinance shall become effective upon its passage and publication.
Adopted by the Lake Elmo City Council this 8th day of November, 1990.
Susan Dunn, Mayor
Attest:
Mary Kueffner, City Administrator
Published in the St. Croix Valley Press December 5, 1990