

1 9 9 2 O R D I N A N C E S

Ordinance No.	DATE	Ordinance
8060	12/17/91	Relating to Lot Consolidation: Combining of two or more existing parcels into one parcel and recorded as one parcel with the Washington County Recorder's Office.
8061	12/17/91	Relating to the Regulation of Liquor within the City
8062	12/17/91	Adding Section 212, A Heritage Preservation Commission
8063	4/6/92	Amending Section 212.012 & Section 212.013 of the Municipal Code (Composition: 9 members, 2 alternates)
8064	5/5/92	Add Chapter 303 & Repeal Chapter 304 relating to Floodplain Management
8065	5/18/92	Add Section 1005 relating to the regulation of bicycling
8066	5/18/92	Repealing Section 505.260 & amending Section 505.320 A & Section 505.410 (Type of signs allowed)
8067	6/16/92	Add Sections 505.040V & Section 505.320F & amending Section 505.320A & Section 505.410 (City Identification Sign, Type of Signs Allowed)
8068	7/21/92	Amend Section 301.070C as it relates to the zoning map (Gene Peltier)
8069	8/18/92	Add Section 701.040 (D) (3) (k) (1) (c) (Secure Manhole covers)
8070	9/1/92	Amend Section 301.070C as it relates to the zoning map (Tom Soderberg)
8071	9/16/92	Relating to exceptions to platting (minor subdivision)
8072	10/6/92	Add Section 301.070D.14 "Limited Business Zoning District"
8073	10/6/92	Add Section 301.070D.15 "Business Park"

8074	10/6/92	Amend Section 301.060D.1 (Conditional Use Permits)
8075	10/20/92	Amend Section 401.360(C) & Add Section 401.360(D) relating to platting monumentation
8076	10/20/92	Add Sections 505.040W & X & amend Sections 505.300A, 505.310A, 505.320 & 505.410 as it relates to signs
8077	10/20/92	Amend Sections 401.042(A), 401.043(A) (2) relating to exceptions to platting

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 80-60

AN ORDINANCE RELATING TO LOT CONSOLIDATIONS.

The Lake Elmo City Council hereby ordains that Sections 401.040 II and 401.045 and its subdivisions are hereby added to the Lake Elmo Municipal Code to read as follows:

401.040 II. Lot Consolidation is the combining of two or more existing parcels into one parcel and recorded as one parcel with the Washington County Recorder's Office.

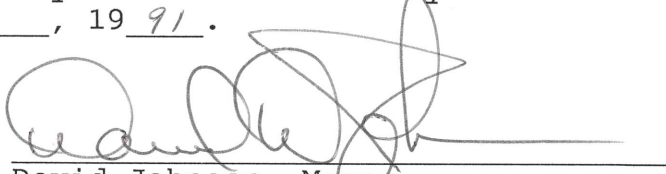
401.045. Lot Consolidations shall be excepted from the platting requirements of Section 401.210 of the Lake Elmo Municipal Code provided that such Lot Consolidations shall not create or increase the nonconformity of a Lot and provided further that the applicant for a Lot Consolidation shall:

- A. Complete an application and submit it with the following information to the zoning administrator:
 - 1. A legal description of each parcel of land.
 - 2. A written description stating the reason and intention for the Lot Consolidation.
 - 3. A current 1/2 Section map or a scaled drawing depicting all parcels involved in the Lot Consolidation.

Any Lot Consolidation requested with an application for a Large Lot or Simple Lot Subdivision shall be reviewed during the approval process. All other Lot Consolidations shall be reviewed by the City Staff and approved by the City Council by Resolution. The City Council may, at its option, refer the Lot Consolidation to the Planning Commission for review and recommendation prior to the City Council action.

Effective Date. This ordinance shall be effective the day following its publication.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 17th day of December, 1991.



David Johnson, Mayor

ATTEST:



Mary Kueffner, City Administrator

Publication Date. Published on the 8th of JANUARY, 1992.

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CITY OF LAKE ELMO
WASHINGTON, COUNTY
SUMMARY OF ORDINANCE 80 61
RELATING TO LIQUOR WITHIN THE CITY OF LAKE ELMO

On December 17, 1991, the Lake Elmo City Council adopted Ordinance 80-61 relating to Liquor within the City of Lake Elmo.

On December 17, 1991, the Lake Elmo City Council received a summary of Ordinance 80-61 and by 4 affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTIONS OF THE LAKE ELMO MUNICIPAL CODE ARE HEREBY AMENDED:

Section 1201.010 (B)	Defines "Sale" or "Sell"
Section 1201.010 (H)	Defines "Commissioner"
Section 1201.010 (I)	Defines "Wine"
Section 1201.020	Requires License to sell liquor
Section 1201.030	Defines 6 kinds of licenses
Section 1201.030 (A)-(C)	Defines On-Sale License, On-Sale Wine License and Temporary On-Sale Licenses.
Section 1201.040	Application of License
Section 1201.040 (A)-(D)	Defines Form of license, defines requirement of bond; defines financial responsibility; defines approval of security.
Section 1201.050	Requires License Fees
Section 1201.050 (A)	Sets fees for Licenses
Section 1201.050 (B)	Allows for waiver of license fee
Section 1201.060	Granting of License
Section 1201.070	Defines persons ineligible for license.
Section 1201.080	Defines places ineligible for license.
Section 1201.080 (A)	General prohibition
Section 1201.080 (B)	Delinquent Taxes
Section 1201.090	Conditions of License
Section 1201.100	Restrictions on Purchasing/Consumption
Section 1202.020 (A)	Prohibits the sale of nonintoxicating liquor without a license.

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTIONS ARE HEREBY ADDED TO THE LAKE ELMO MUNICIPAL CODE:

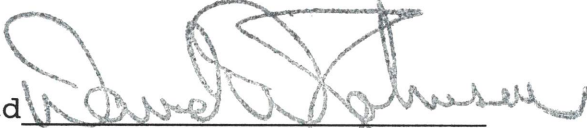
Section 1201.030 (D-F)	Defines Off-Sale, Special Club and Special Sunday Sales Licenses
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- Section 1201.050 (C-E) Requires payment for license, allows for a pro rata fee, defines provision for refunds.
- Section 1201.060 (A-C) Requires a preliminary investigation for license application, provides for a hearing process for license applicant, provides the terms for license transfer.
- Section 1201.080 (C) Defines the distance from schools and churches for liquor license
- Section 1201.090 (A-E) General Conditions of license, Insurance Requirements, Licensee Responsibilities, Inspections
- Section 1201.100 (A-B) Restricts liquor in unlicensed places, restricts consumption of liquor in public places.
- Section 1201.110 Sets forth the conditions for a license suspension and revocation.
- Section 1201.120 A (1-3) Sets forth the hours for on-sale liquor on Weekdays, Sundays, and Holidays.
- Section 1201.120 B (1-6) Restricts the hours and days of the sale of off-sale intoxicating liquor.
- Section 1202.010 Defines the sale or selling of non-intoxicating malt liquor
- Section 1202.020 A Prohibits the sale of non-intoxicating malt liquor without a license.

A complete copy of Ordinance 80-61 Regulation of Liquor within the City of Lake Elmo 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

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 80-61

AN ORDINANCE RELATING TO THE REGULATION OF LIQUOR WITHIN THE CITY OF LAKE ELMO.

THE LAKE ELMO CITY COUNCIL ORDAINS THAT SECTIONS 1201.010(B), 1201.010(H), 1201.010(I), 1201.020, 1201.030, 1201.030(A) THRU (C), 1201.040, 1201.040(A) THRU (D), 1201.050, 1201.050(A), 1201.050(B), 1201.060, 1201.070, 1201.080, 1201.080(A), 1201.080(B), 1201.090, 1201.100 and 1202.020(A) OF THE LAKE ELMO MUNICIPAL CODE ARE HEREBY AMENDED; AND SECTIONS 1201.030(D) THRU (F), 1201.050(C) THRU (E), 1201.060(A) THRU (C), 1201.080(C), 1201.090(A) THRU (E), 1201.100(A), 1201.100(B), 1201.110, 1201.120 AND ITS SUBDIVISIONS, 1202.010(L), AND 1202.020(A) ARE HEREBY ADDED TO THE LAKE ELMO MUNICIPAL CODE TO READ AS FOLLOWS:

1201.010(B). "Sale" or "Sell" means to directly or indirectly, by any pretense or by any device, sell, barter, keep for sale or otherwise dispose of alcoholic beverages as part of a commercial transaction.

1201.010(H). "Commissioner" means the Commissioner of Public Safety for the State of Minnesota.

1201.010(I). "Wine" means the beverage made from condensed grape must or from other agricultural products other than sound, ripe, grapes; imitation wine; compounds sold as wine; vermouth; cider; perry and sake; in each instance containing not less than 7% nor more than 24% alcohol by volume.

1201.020. License Required. Except as hereinafter provided, no persons shall sell intoxicating liquor without first obtaining a license from the City of Lake Elmo.

1201.030. Kinds of Licenses. Intoxicating Liquor Licenses shall be of six kinds:

- A. On-Sale Licenses. On-sale licenses shall be issued only to hotels, clubs, restaurants and exclusive liquor stores and shall permit "on-sale" of intoxicating liquor only.
- B. On-Sale Wine Licenses. On-sale Wine Licenses shall be issued only to restaurants having facilities for seating at least 25 guests at one time and shall permit only the sale of wine not exceeding 14% alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food.

- C. Temporary On-Sale Licenses. Temporary On-Sale Licenses shall be issued only to clubs or charitable, religious or other nonprofit organizations in existence for at least three years and shall authorize the on-sale of intoxicating liquor in connection with a social event sponsored by the licensee and subject to the restrictions imposed by MS Chapter 340A.
- D. Off-Sale Licenses. Off-Sale Licenses shall be issued only to exclusive liquor stores and shall permit "off-sale" of intoxicating liquor only.
- E. Special Club Licenses. Special Club Licenses shall be issued to incorporated clubs or congressional chartered veterans organizations which have been in existence for at least three years.
- F. Special Licenses for Sunday Sales. Sunday On-Sale Licenses shall be issued only to a hotel, restaurant, or club which has facilities for serving at least thirty (30) guests at one time and which has a regular on-sale license.

1201.040. Application for License.

- A. Form. Every application for a license to sell liquor shall include applicant's name, age, representations as to character (with such references as the Council may require), citizenship, the type of license applied for, the business in connection with which the proposed license will operate and its location, whether the applicant is owner and operator of the business, how long applicant has been in that business at that place, and such other information as the council may require from time to time. Every application shall also include a copy of each summons received by the applicant under Minnesota Statutes Section 340A.802 during the preceding year. The application shall be in the form prescribed by the Commissioner and shall be verified and filed with the City Clerk. No person shall make a false statement in an application.
- B. Bond. Each application for an "on-sale", "on-sale wine" or "off-sale" license shall be accompanied by a surety bond in the amount of \$1000 or, in lieu thereof, cash or United States government bonds of equivalent value.
- C. Financial Responsibility. No liquor license may be issued, maintained or renewed unless the applicant demonstrates proof of financial responsibility with regard to liability imposed by MS 340A.801. Such proof shall be filed with the Commissioner. Any liability insurance policy filed as proof of financial

responsibility under this subdivision shall conform to Minnesota Statutes Section 340A.409.

- D. Approval of Security. Security Bonds or evidence of financial responsibility shall be approved as to form by the City Attorney. Operation of a licensed business without having on file with the City at all times evidence of required bonds or insurance coverage shall be cause for revocation of the liquor license.

1201.050. License Fees.

- A. Fees. The annual fee for liquor licenses shall be as follows:

On-Sale:	\$1,500.00
On-Sale Wine	\$ 300.00
Temporary On-Sale:	\$ 25.00
Off-Sale:	\$ 200.00
Special Club:	\$ 100.00
Sunday Sales:	\$ 200.00

- B. Waiver of Fee. The City Council can, at its discretion, waive the fee for a Temporary On-Sale License.
- C. Payment. Each application for a license shall be accompanied by a receipt from the City Treasurer for payment in full of the license fee and the fixed investigation fee required pursuant to 1201.060(A). All fees shall be paid into the general fund. If an application for a license is rejected, the treasurer shall refund the amount paid as the license fee.
- D. Term, pro rata fee. Each license shall be issued for a period of one year except that if the application is made during the license year, a license may be issued for the remainder of the year for a pro rata fee, with any unexpired fraction of a month being counted as one month. Every license shall expire on the last day of December.
- E. Refund. No refund of any license fee shall be made except as herein provided.

1201.060. Granting of License.

- A. Preliminary Investigation. On an initial application for an on-sale license and on application for transfer of an existing on-sale license, the applicant shall pay with his application an investigation fee of \$250.00 and the City shall construct a preliminary background and financial investigation of the applicant. The application in such case shall be made on a form prescribed by the Commissioner and with such additional

information as the Council may require. If the Council deems it in the public interest to have an investigation made on a particular application for renewal of an on-sale license, it shall so determine. In any case, if the Council determines that a comprehensive background and financial investigation of the applicant is necessary, it may conduct the investigation itself or contract with the Commissioner for the investigation. No license shall be issued, transferred, or renewed if the results show to the satisfaction of the Council that issuance would not be in the public interest. If the investigation is required beyond state boundaries, the applicant shall pay for the actual cost of such investigation but in no event an amount in excess of \$10,000. The estimated amount of such investigation shall be paid at the time of application. The remaining amount due for investigative costs shall be paid prior to final review of the license application by the City Council. The full amount of the license investigation fee is payable irregardless of whether the liquor license is granted.

- B. Hearing and Issuance. The City Council shall investigate all facts set out in the application and not investigated in the preliminary background investigation. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Council shall, in its discretion, grant or refuse the application. No license shall become effective until it, together with the security furnished by the applicant, has been approved by the Commissioner.
- C. Person and Premises License; Transfer. Each license shall be issued only to the applicant and for the premises described in the application. No license may be transferred to another person or place without City Council approval. Any transfer of stock of a corporate license is deemed a transfer of the license, and a transfer of stock without prior Council approval is a ground for revocation of the license.

1201.070. Persons ineligible for License. No license shall be granted to any person made ineligible for such a license by state law.

1201.080. Places Ineligible for License.

- A. General Prohibition. No license shall be issued for any place or any business ineligible for such a license under state law.

- B. Delinquent Taxes. No license shall be granted for operation on any premises on which taxes, assessments, or other financial claims of the City are delinquent and unpaid.
- C. Distance from School or Church. No license shall be granted within 600 feet of any school, church, playground or public park except for those temporary licenses granted pursuant to Section 1201.030(C).

1201.090. Conditions of License.

- A. General. Every license is subject to the conditions in the following subdivisions and all other provisions of this ordinance and of any other applicable ordinance, state law or regulation.
- B. Insurance. Every licensee shall comply with the financial responsibility requirements of state law and of this ordinance is a continuing condition of any license granted pursuant to this ordinance.
- C. Licensee Responsibility. Every licensee is responsible for the conduct in the licensed establishment, and any sale of alcohol beverages by any employee authorized to sell such beverages in the establishment is the act of the licensee for purposes of license suspension or revocation.
- D. Inspections. Every licensee shall allow any peace officer, health officer, or properly designated officer or employee of the City to enter, inspect and search the premises of the licensee during business hours without a warrant.
- E. Display during Prohibited Hours. No "on-sale" establishment shall display liquor to the public during hours when the sale of liquor is prohibited.

1201.100. Restrictions on Purchasing\Consumption.

- A. Liquor in Unlicensed Places. No person shall mix or prepare liquor for consumption in any public place or place of business unless it has a license to sell liquor "on-sale" or a permit from the Commissioner and no person shall consume liquor in any such place.
- B. Consumption in Public Places. No person shall consume liquor in a public park, or other public place, except for those temporary licenses granted pursuant to Section 1201.030(C). of this Ordinance.

1201.110. Suspension and Revocation. The Council shall either suspend for up to sixty (60) days or revoke any liquor license, or impose a civil fine not to exceed \$2,000 for each violation upon the finding that the licensee has failed to comply with any applicable statute, regulation, or ordinance relating to alcohol beverages. Except in case of failure of financial responsibility, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to Minnesota Statutes Sections 14.57 to 14.70 of the Administrative Procedure Act.

Lapse of required Dram Shop Insurance or Bond, or withdrawal of a required deposit of cash or securities, shall effect an immediate suspension of any license issued pursuant to this ordinance without further action of the City Council. Notice of Cancellation, lapse of a current liquor liability policy or bond, or withdrawal of deposited cash or securities shall also constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or bond, or withdrawal of a required deposit, or of suspension or revocation of a license, may request a hearing thereon and if such a request is made in writing to the Clerk a hearing shall be granted within ten (10) days or such longer period as may be requested. Any suspension under this paragraph shall continue until the City Council determines that the financial responsibility requirements of this ordinance have again been met.

1201.120. Hours of Sale.

A. Intoxicating Liquor On-Sale. No sale of intoxicating liquor for consumption on the licensed premises may be made by an on-sale licensee:

1. Between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
2. After 1:00 a.m. on Sundays except that a restaurant, club or hotel with a seating capacity for at least 30 persons which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 12 noon on Sunday and 1:00 a.m. on Mondays;
3. Between 8:00 p.m. on December 24 and 8:00 a.m. on December 25, except that a restaurant, club or hotel with a seating capacity for at least 30 persons which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 12 noon on Sundays and 1:00 a.m. on Mondays.

B. Intoxicating Liquor Off-Sale. No sale of intoxicating liquor may be made by an off-sale licensee;

1. On Sundays;
2. Before 8:00 a.m. on Monday through Saturday;
3. After 10:00 p.m. on Monday through Saturday;
4. On Thanksgiving Day;
5. On Christmas Day, December 25th; or
6. After 8:00 p.m. on Christmas Eve, December 24th.


1202.010(L). "Sale or "Sell" means to directly or indirectly by any pretense or by any device, sell, barter, keep for sale or otherwise dispose of alcoholic beverages as part of a commercial transaction.

1202.020(A). Except as hereinafter provided, no person shall sell nonintoxicating malt liquor without first obtaining a license from the City of Lake Elmo. Licenses shall be of three kinds: (1) "on-sale"; (2) "off-sale"; and (3) temporary "on-sale".

The Lake Elmo City Council ordains that Section 1201.070(A) through (I) of the Lake Elmo City Code are hereby repealed.

Effective Date. This ordinance shall be effective the day following publication of the ordinance summary which was approved by four affirmative votes on December 17, 1991.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 17th day of December, 1991.



David Johnson, Mayor

ATTEST:



Mary Kueffner, City Administrator

Publication Date. Published on the 15th of JAN, 1992.

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12/19/91

CITY OF LAKE ELMO
WASHINGTON, COUNTY
SUMMARY OF ORDINANCE 80 61
RELATING TO LIQUOR WITHIN THE CITY OF LAKE ELMO

On December 17, 1991, the Lake Elmo City Council adopted Ordinance 80-61 relating to Liquor within the City of Lake Elmo.

On December 17, 1991, the Lake Elmo City Council received a summary of Ordinance 80-61 and by 4 affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTIONS OF THE LAKE ELMO MUNICIPAL CODE ARE HEREBY AMENDED:

Section 1201.010 (B)	Defines "Sale" or "Sell"
Section 1201.010 (H)	Defines "Commissioner"
Section 1201.010 (I)	Defines "Wine"
Section 1201.020	Requires License to sell liquor
Section 1201.030	Defines 6 kinds of licenses
Section 1201.030 (A)-(C)	Defines On-Sale License, On-Sale Wine License and Temporary On-Sale Licenses.
Section 1201.040	Application of License
Section 1201.040 (A)-(D)	Defines Form of license, defines requirement of bond; defines financial responsibility; defines approval of security.
Section 1201.050	Requires License Fees
Section 1201.050 (A)	Sets fees for Licenses
Section 1201.050 (B)	Allows for waiver of license fee
Section 1201.060	Granting of License
Section 1201.070	Defines persons ineligible for license.
Section 1201.080	Defines places ineligible for license.
Section 1201.080 (A)	General prohibition
Section 1201.080 (B)	Delinquent Taxes
Section 1201.090	Conditions of License
Section 1201.100	Restrictions on Purchasing/Consumption
Section 1202.020 (A)	Prohibits the sale of nonintoxicating liquor without a license.

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTIONS ARE HEREBY ADDED TO THE LAKE ELMO MUNICIPAL CODE:

Section 1201.030 (D-F)	Defines Off-Sale, Special Club and Special Sunday Sales Licenses
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Section 1201.050 (C-E) Requires payment for license, allows for a pro rata fee, defines provision for refunds.

Section 1201.060 (A-C) Requires a preliminary investigation for license application, provides for a hearing process for license applicant, provides the terms for license transfer.

Section 1201.080 (C) Defines the distance from schools and churches for liquor license

Section 1201.090 (A-E) General Conditions of license, Insurance Requirements, Licensee Responsibilities, Inspections

Section 1201.100 (A-B) Restricts liquor in unlicensed places, restricts consumption of liquor in public places.

Section 1201.110 Sets forth the conditions for a license suspension and revocation.

Section 1201.120 A (1-3) Sets forth the hours for on-sale liquor on Weekdays, Sundays, and Holidays.

Section 1201.120 B (1-6) Restricts the hours and days of the sale of off-sale intoxicating liquor.

Section 1202.010 Defines the sale or selling of non-intoxicating malt liquor

Section 1202.020 A Prohibits the sale of non-intoxicating malt liquor without a license.

A complete copy of Ordinance 80-61 Regulation of Liquor within the City of Lake Elmo 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

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 80-61

AN ORDINANCE RELATING TO THE REGULATION OF LIQUOR WITHIN THE CITY OF LAKE ELMO.

THE LAKE ELMO CITY COUNCIL ORDAINS THAT SECTIONS 1201.010(B), 1201.010(H), 1201.010(I), 1201.020, 1201.030, 1201.030(A) THRU (C), 1201.040, 1201.040(A) THRU (D), 1201.050, 1201.050(A), 1201.050(B), 1201.060, 1201.070, 1201.080, 1201.080(A), 1201.080(B), 1201.090, 1201.100 and 1202.020(A) OF THE LAKE ELMO MUNICIPAL CODE ARE HEREBY AMENDED; AND SECTIONS 1201.030(D) THRU (F), 1201.050(C) THRU (E), 1201.060(A) THRU (C), 1201.080(C), 1201.090(A) THRU (E), 1201.100(A), 1201.100(B), 1201.110, 1201.120 AND ITS SUBDIVISIONS, 1202.010(L), AND 1202.020(A) ARE HEREBY ADDED TO THE LAKE ELMO MUNICIPAL CODE TO READ AS FOLLOWS:

1201.010(B). "Sale" or "Sell" means to directly or indirectly, by any pretense or by any device, sell, barter, keep for sale or otherwise dispose of alcoholic beverages as part of a commercial transaction.

1201.010(H). "Commissioner" means the Commissioner of Public Safety for the State of Minnesota.

1201.010(I). "Wine" means the beverage made from condensed grape must or from other agricultural products other than sound, ripe, grapes; imitation wine; compounds sold as wine; vermouth; cider; perry and sake; in each instance containing not less than 7% nor more than 24% alcohol by volume.

1201.020. License Required. Except as hereinafter provided, no persons shall sell intoxicating liquor without first obtaining a license from the City of Lake Elmo.

1201.030. Kinds of Licenses. Intoxicating Liquor Licenses shall be of six kinds:

- A. On-Sale Licenses. On-sale licenses shall be issued only to hotels, clubs, restaurants and exclusive liquor stores and shall permit "on-sale" of intoxicating liquor only.
- B. On-Sale Wine Licenses. On-sale Wine Licenses shall be issued only to restaurants having facilities for seating at least 25 guests at one time and shall permit only the sale of wine not exceeding 14% alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food.

- C. Temporary On-Sale Licenses. Temporary On-Sale Licenses shall be issued only to clubs or charitable, religious or other nonprofit organizations in existence for at least three years and shall authorize the on-sale of intoxicating liquor in connection with a social event sponsored by the licensee and subject to the restrictions imposed by MS Chapter 340A.
- D. Off-Sale Licenses. Off-Sale Licenses shall be issued only to exclusive liquor stores and shall permit "off-sale" of intoxicating liquor only.
- E. Special Club Licenses. Special Club Licenses shall be issued to incorporated clubs or congressional chartered veterans organizations which have been in existence for at least three years.
- F. Special Licenses for Sunday Sales. Sunday On-Sale Licenses shall be issued only to a hotel, restaurant, or club which has facilities for serving at least thirty (30) guests at one time and which has a regular on-sale license.

1201.040. Application for License.

- A. Form. Every application for a license to sell liquor shall include applicant's name, age, representations as to character (with such references as the Council may require), citizenship, the type of license applied for, the business in connection with which the proposed license will operate and its location, whether the applicant is owner and operator of the business, how long applicant has been in that business at that place, and such other information as the council may require from time to time. Every application shall also include a copy of each summons received by the applicant under Minnesota Statutes Section 340A.802 during the preceding year. The application shall be in the form prescribed by the Commissioner and shall be verified and filed with the City Clerk. No person shall make a false statement in an application.
- B. Bond. Each application for an "on-sale", "on-sale wine" or "off-sale" license shall be accompanied by a surety bond in the amount of \$1000 or, in lieu thereof, cash or United States government bonds of equivalent value.
- C. Financial Responsibility. No liquor license may be issued, maintained or renewed unless the applicant demonstrates proof of financial responsibility with regard to liability imposed by MS 340A.801. Such proof shall be filed with the Commissioner. Any liability insurance policy filed as proof of financial

responsibility under this subdivision shall conform to Minnesota Statutes Section 340A.409.

- D. Approval of Security. Security Bonds or evidence of financial responsibility shall be approved as to form by the City Attorney. Operation of a licensed business without having on file with the City at all times evidence of required bonds or insurance coverage shall be cause for revocation of the liquor license.

1201.050. License Fees.

- A. Fees. The annual fee for liquor licenses shall be as follows:

On-Sale:	\$1,500.00
On-Sale Wine	\$ 300.00
Temporary On-Sale:	\$ 25.00
Off-Sale:	\$ 200.00
Special Club:	\$ 100.00
Sunday Sales:	\$ 200.00

- B. Waiver of Fee. The City Council can, at its discretion, waive the fee for a Temporary On-Sale License.
- C. Payment. Each application for a license shall be accompanied by a receipt from the City Treasurer for payment in full of the license fee and the fixed investigation fee required pursuant to 1201.060(A). All fees shall be paid into the general fund. If an application for a license is rejected, the treasurer shall refund the amount paid as the license fee.
- D. Term, pro rata fee. Each license shall be issued for a period of one year except that if the application is made during the license year, a license may be issued for the remainder of the year for a pro rata fee, with any unexpired fraction of a month being counted as one month. Every license shall expire on the last day of December.
- E. Refund. No refund of any license fee shall be made except as herein provided.

1201.060. Granting of License.

- A. Preliminary Investigation. On an initial application for an on-sale license and on application for transfer of an existing on-sale license, the applicant shall pay with his application an investigation fee of \$250.00 and the City shall construct a preliminary background and financial investigation of the applicant. The application in such case shall be made on a form prescribed by the Commissioner and with such additional

information as the Council may require. If the Council deems it in the public interest to have an investigation made on a particular application for renewal of an on-sale license, it shall so determine. In any case, if the Council determines that a comprehensive background and financial investigation of the applicant is necessary, it may conduct the investigation itself or contract with the Commissioner for the investigation. No license shall be issued, transferred, or renewed if the results show to the satisfaction of the Council that issuance would not be in the public interest. If the investigation is required beyond state boundaries, the applicant shall pay for the actual cost of such investigation but in no event an amount in excess of \$10,000. The estimated amount of such investigation shall be paid at the time of application. The remaining amount due for investigative costs shall be paid prior to final review of the license application by the City Council. The full amount of the license investigation fee is payable irregardless of whether the liquor license is granted.

- B. Hearing and Issuance. The City Council shall investigate all facts set out in the application and not investigated in the preliminary background investigation. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Council shall, in its discretion, grant or refuse the application. No license shall become effective until it, together with the security furnished by the applicant, has been approved by the Commissioner.
- C. Person and Premises License; Transfer. Each license shall be issued only to the applicant and for the premises described in the application. No license may be transferred to another person or place without City Council approval. Any transfer of stock of a corporate license is deemed a transfer of the license, and a transfer of stock without prior Council approval is a ground for revocation of the license.

1201.070. Persons ineligible for License. No license shall be granted to any person made ineligible for such a license by state law.

1201.080. Places Ineligible for License.

- A. General Prohibition. No license shall be issued for any place or any business ineligible for such a license under state law.

- B. Delinquent Taxes. No license shall be granted for operation on any premises on which taxes, assessments, or other financial claims of the City are delinquent and unpaid.
- C. Distance from School or Church. No license shall be granted within 600 feet of any school, church, playground or public park except for those temporary licenses granted pursuant to Section 1201.030(C).

1201.090. Conditions of License.

- A. General. Every license is subject to the conditions in the following subdivisions and all other provisions of this ordinance and of any other applicable ordinance, state law or regulation.
- B. Insurance. Every licensee shall comply with the financial responsibility requirements of state law and of this ordinance is a continuing condition of any license granted pursuant to this ordinance.
- C. Licensee Responsibility. Every licensee is responsible for the conduct in the licensed establishment, and any sale of alcohol beverages by any employee authorized to sell such beverages in the establishment is the act of the licensee for purposes of license suspension or revocation.
- D. Inspections. Every licensee shall allow any peace officer, health officer, or properly designated officer or employee of the City to enter, inspect and search the premises of the licensee during business hours without a warrant.
- E. Display during Prohibited Hours. No "on-sale" establishment shall display liquor to the public during hours when the sale of liquor is prohibited.

1201.100. Restrictions on Purchasing\Consumption.

- A. Liquor in Unlicensed Places. No person shall mix or prepare liquor for consumption in any public place or place of business unless it has a license to sell liquor "on-sale" or a permit from the Commissioner and no person shall consume liquor in any such place.
- B. Consumption in Public Places. No person shall consume liquor in a public park, or other public place, except for those temporary licenses granted pursuant to Section 1201.030(C). of this Ordinance.

1201.110. Suspension and Revocation. The Council shall either suspend for up to sixty (60) days or revoke any liquor license, or impose a civil fine not to exceed \$2,000 for each violation upon the finding that the licensee has failed to comply with any applicable statute, regulation, or ordinance relating to alcohol beverages. Except in case of failure of financial responsibility, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to Minnesota Statutes Sections 14.57 to 14.70 of the Administrative Procedure Act.

Lapse of required Dram Shop Insurance or Bond, or withdrawal of a required deposit of cash or securities, shall effect an immediate suspension of any license issued pursuant to this ordinance without further action of the City Council. Notice of Cancellation, lapse of a current liquor liability policy or bond, or withdrawal of deposited cash or securities shall also constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or bond, or withdrawal of a required deposit, or of suspension or revocation of a license, may request a hearing thereon and if such a request is made in writing to the Clerk a hearing shall be granted within ten (10) days or such longer period as may be requested. Any suspension under this paragraph shall continue until the City Council determines that the financial responsibility requirements of this ordinance have again been met.

1201.120. Hours of Sale.

- A. Intoxicating Liquor On-Sale. No sale of intoxicating liquor for consumption on the licensed premises may be made by an on-sale licensee:
1. Between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday;
 2. After 1:00 a.m. on Sundays except that a restaurant, club or hotel with a seating capacity for at least 30 persons which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 12 noon on Sunday and 1:00 a.m. on Mondays;
 3. Between 8:00 p.m. on December 24 and 8:00 a.m. on December 25, except that a restaurant, club or hotel with a seating capacity for at least 30 persons which holds an on-sale intoxicating liquor license may sell intoxicating liquor for consumption on the premises in conjunction with the sale of food between the hours of 12 noon on Sundays and 1:00 a.m. on Mondays.

B. Intoxicating Liquor Off-Sale. No sale of intoxicating liquor may be made by an off-sale licensee;

1. On Sundays;
2. Before 8:00 a.m. on Monday through Saturday;
3. After 10:00 p.m. on Monday through Saturday;
4. On Thanksgiving Day;
5. On Christmas Day, December 25th; or
6. After 8:00 p.m. on Christmas Eve, December 24th.


1202.010(L). "Sale or "Sell" means to directly or indirectly by any pretense or by any device, sell, barter, keep for sale or otherwise dispose of alcoholic beverages as part of a commercial transaction.

1202.020(A). Except as hereinafter provided, no person shall sell nonintoxicating malt liquor without first obtaining a license from the City of Lake Elmo. Licenses shall be of three kinds: (1) "on-sale"; (2) "off-sale"; and (3) temporary "on-sale".

The Lake Elmo City Council ordains that Section 1201.070(A) through (I) of the Lake Elmo City Code are hereby repealed.

Effective Date. This ordinance shall be effective the day following publication of the ordinance summary which was approved by four affirmative votes on December 17, 1991.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 17th day of December, 1991.



David Johnson, Mayor

ATTEST:



Mary Kueffner, City Administrator

Publication Date. Published on the 15th of JAN., 1992.

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 8062

AN ORDINANCE ADDING SECTION 212 A HERITAGE PRESERVATION
COMMISSION OF THE 1979 MUNICIPAL CODE OF LAKE ELMO

The City Council of the City of Lake Elmo ordains:

212 HERITAGE PRESERVATION COMMISSION

212.010 Establishment of Commission: In accordance with State Statute 471.193 (Municipal Heritage Preservation) and the powers of this Statutory City, a Heritage Preservation Commission is hereby established.

212.011 Purpose: To engage in a comprehensive program of historic preservation and to preserve and promote this cities' historic resources according to this ordinance.

212.012 Composition: The Heritage Preservation Commission (H.P.C.) shall consist of five (5) members, two alternate members and one (1) ex-officio member from the Washington County Historical Society. Members shall be appointed by the City Council for three year terms so that only one-third (1/3) of the appointments will expire on December 31st of each year. No member may serve more than two consecutive three-year terms unless the average years of service for all commission members is less than four years. A member who has served two terms may be reappointed by the City Council after a one year absence. The City Council shall designate a first alternate and a second alternate who will become full members in order of appointment and shall complete the unexpired term of the member they succeed. If the office of any alternate becomes vacant, the vacancy shall be filled in the same manner in which the last regular appointment for that office was made.

212.013 Qualifications: Each commission member must be a person with demonstrated interest and expertise in historic preservation and must reside within the City of Lake Elmo with the exception of ex-officio members.

212.014 Removal: Any member or alternate member may be removed by a four-fifths vote of the City Council, for cause. Cause shall include but not be limited to having more than three (3) consecutive unexcused absences or being absent from more than one-third (1/3) of the meetings in any one calendar year. The Council may consider exceptional circumstances when applying the rule.

212.015 Officers: The commission shall elect a Chairperson, a Vice Chairperson, and may elect a Secretary from among its appointed members at the annual meeting each year, for a term of one year. The Chairperson shall preside at all meetings of the Commission, if present, and shall perform all other duties and functions assigned by the Commission or the City Council. The Vice Chairperson shall perform these duties in the absence of the Chairperson. If a vacancy occurs in the Chairperson's office, the Vice Chairperson shall assume the Chairperson's duties for the remainder of the year; and a new Vice Chairperson shall be elected by the Commission at a Special Election to be held at the next regularly scheduled Commission meeting, after at least two days written notice to each Commission member.

212.016 Annual Meeting: The commission shall hold an annual meeting the first Monday in the month of January in each year unless the first Monday is New Year's Day, in which case the annual meeting shall be held at the first regularly scheduled meeting of the Commission in the month of January in each year. Such meeting shall be devoted to the election of officers and such other business as shall be scheduled.

212.017 Annual Work Plan: The commission shall meet with the City Council at their first meeting after formation and at the first meeting in September each year thereafter to review activities during the preceding year and develop an annual work plan through the establishment and review of Goals, Objectives, and Tentative Action Steps.

212.018 Regular Meetings: Regular meetings shall be held in the City Hall at p.m. on the of each month. No action shall be taken in the absence of a quorum except to adjourn the meeting to a subsequent date. A regular meeting may be cancelled or rescheduled by the Commission at a prior meeting if there are no scheduled agenda items on the Thursday prior to the meeting. All action taken by the commission shall be by the affirmative vote of a majority of the members present.

212.019 Special Meetings: Special meetings of the Commission shall be held in the City Hall at a time and place designated or at a public place at a time designated and shall be called by the Chairperson. Upon the written request of at least four members the Chairperson shall be required to call a Special meeting to be held within seven days of the request. Written notice thereof shall be given to all members not less than forty-eight hours in advance of the meeting.

212.020 Quorum: A quorum shall consist of two-thirds (2/3) of the members.

212.021 Voting: Each member attending any meeting shall be entitled to cast one vote. Voting shall be by voice vote. In the event that any member shall have a personal interest of any kind in the matter then before the Commission, he shall disclose this interest and be disqualified from voting upon the matter, and the Secretary shall record in the minutes that no vote was cast by such member. Alternate members shall be entitled to cast one vote in the absence of any member. The second alternate shall be entitled to cast one vote in the absence of any two members.

212.022 Proceedings: At any regular meeting of the Commission the following shall be the regular order of business:

- A. Roll Call
- B. Minutes of the preceding meeting
- C. Old and new business as scheduled on the Agenda
- D. Communications
- E. Adjournment

212.023 Rules of Procedures: All meetings of the Commission shall be conducted in accordance with the Revised Robert's Rules of Order.

212.024 Agendas: The Chairperson shall cause all items to be considered at any meeting to be placed on a written Agenda by the City Administrator. The City Administrator shall advise the Chairperson of any matters the Commission must consider by Council directive, Ordinance, or Statute and shall have prepared and mailed a written Agenda of all meetings to all Commission members, the City Council, and the public no less than four days before each meeting.

212.025 Records: Each formal action of the Commission shall be embodied in full upon the Minute Book as a formal motion or resolution after an affirmative vote as provided herein. The minutes of each meeting shall be provided to each member, the City Council, and the public no more than seven days after the date of each meeting. The recommendations and findings of the Commission shall be presented to the City Council at the next regularly scheduled City Council meeting. The records of meetings and actions and recommendations shall be transmitted to the City Administrator for keeping and distribution.

212.026 Training: Commission members shall be encouraged to avail themselves of training courses offered by the City, the State, and other government and public training agencies and the City Council shall budget for the reimbursement of expenses incurred in training each year.

212.027 Powers: To actively promote historical preservation within the city. To receive and cause to be made public display artifacts of significance to the community and to appropriately receipt and secure them. To write or cause to be written, a pictorial (all media) history of the City of Lake Elmo. To establish and maintain liaison with civic, church, and other groups for the purpose of promoting historic preservation and timely securing artifacts. To promote gifting of artifacts, structures, or money to promote the activities involved in historical preservation. Further:

- a. To survey and recommend to the City Council the designation of districts, sites, buildings, structures, and objects that are of historical, architectural, archaeological, engineering, or cultural significance.

b. To recommend to the City Council rules governing construction, alteration, demolition, and use, including the review of building permits, and the adoption of other measures appropriate for the preservation, protection, and perpetuation of designated properties and areas.

c. To recommend to the City Council the acquisition by purchase, gift, or bequest of a fee or lesser interest, including preservation restrictions, in designated properties and adjacent or associated lands which are important for the preservations and use of the designated properties.

d. To recommend to the City Council the use of it's powers of eminent domain to maintain or preserve designated properties and adjacent or associated lands.

e. To recommend to the City Council the granting of use variations to the zoning ordinance for the purpose of promoting historical preservation or continuity.

f. To participate in the conduct of land use planning processes by the review and comment on documents or actions relating to designated areas and on comprehensive plans.

g. To recommend to the City Council the removal of blighting influences in designated areas, including signs, unsightly structures, and debris, incompatible with the physical well-being of the areas.

210.028 Communication with the State Historic Preservation Officer: Proposed site designations and design guidelines must be sent to the state historic preservation officer at the Minnesota historical society, after initial review by the City Council, who shall review and comment on the proposal within 60 days. By October 31 of each year each commission shall submit an annual report to the state historic preservation officer. The report must summarize the commission's activities including designations, reviews, and other activities during the previous 12 months.

Section 3. Effective Date: This Ordinance shall take effect and be in force from and after its passage and publication according to law.

ADOPTED by the City Council this 17th day of December, 1991.

David Johnson, Mayor

ATTEST:

Mary Kueffner, City Administrator

Published in the JANUARY 15TH 1992
St. Croix Valley Press

CITY OF LAKE ELMO
WASHINGTON, COUNTY
SUMMARY OF ORDINANCE 80-62
HERITAGE PRESERVATION COMMISSION

On December 17, 1991, the Lake Elmo City Council adopted Ordinance 80-62 relating to the establishment of a Heritage Preservation Commission.

On December 17, 1991, the Lake Elmo City Council received a summary of Ordinance 80-62 and by 4 affirmative votes, approved the publication of a summary of this ordinance, to wit:

Ordinance 80-62 establishes a Heritage Preservation Commission in accordance with State Statute 471.193 (Municipal Heritage Preservation) and the powers of the City of Lake Elmo.

The purpose of this Heritage Preservation Commission is to engage in a comprehensive program of historic preservation and to preserve and promote Lake Elmo's historic resources.

This Ordinance defines and sets forth the guidelines relative to the composition, qualifications, removal, officers, annual meeting, annual work plan, regular meetings, special meetings, quorum, voting, proceedings, rules of procedure, agendas, records, training, powers, and communication with the State Historic Preservation Officer.

This Ordinance further directs the Historic Preservation Commission to promote historical preservation within the City of Lake Elmo. To receive and cause to be made public display artifacts of significance to the community and to appropriately receipt and secure them. To write or cause to be written, a pictorial history of the City of Lake Elmo. To establish and maintain liaison with civic, church, and other groups for the purpose of promoting historic preservation and timely securing artifacts. To promote gifting of artifacts, structures, or money to promote the activities involved in historical preservation.

A complete copy of Ordinance 80-62 Historic Preservation Commission 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

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

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212.013 Qualifications: Each commission member must be a person with demonstrated interest and expertise in historic preservation and must reside within the City of Lake Elmo with the exception of ex-officio members.

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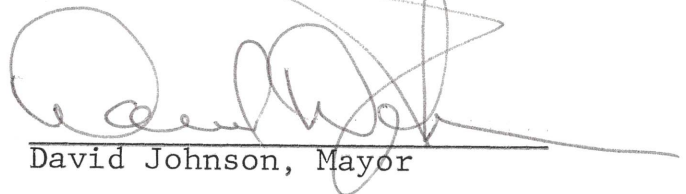
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Section 3. Effective Date: This Ordinance shall take effect and be in force from and after its passage and publication according to law.

ADOPTED by the City Council this 17th day of December, 1991.



David Johnson, Mayor

ATTEST:



Mary Kueffner, City Administrator

CITY OF LAKE ELMO
WASHINGTON, COUNTY
SUMMARY OF ORDINANCE 80-62
HERITAGE PRESERVATION COMMISSION

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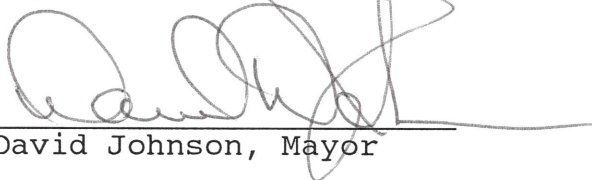
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A complete copy of Ordinance 80-62 Historic Preservation Commission is on file in the office of the city administrator and can be viewed by the public during normal business hours.

Signed


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

**AN ORDINANCE AMENDING SECTION 212.012 AND SECTION 212.013 OF
THE LAKE ELMO MUNICIPAL CODE.**

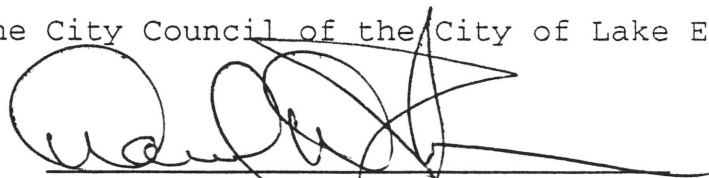
The Lake Elmo City Council hereby ordains that Sections 212.012 and 212.013 are hereby amended to read as follows:

212.012 Composition: The Heritage Preservation Commission (H.P.C.) shall consist of nine (9) members, two alternate members and one (1) ex-officio member from the Washington County Historical Society. Members shall be appointed by the City Council for three year terms so that only one-third (1/3) of the appointments will expire on December 31st of each year. No member may serve more than two consecutive three-year terms unless the average years of service for all commission members is less than four years. A member who has served two terms maybe reappointed by the City Council after a one year absence. The City Council shall designate a first alternate and a second alternate who will become full members in order of appointment and shall complete the unexpired term of the member they succeed. If the office of any alternate becomes vacant, the vacancy shall be filled in the same manner in which the last regular appointment for that office was made.

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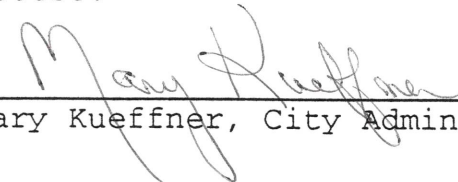
Effective Date: This ordinance shall be effective the day following its publication.

Adoption Date: Passed by the City Council of the City of Lake Elmo this 6th day of April, 1992.



David Johnson, Mayor

Attest:



Mary Kueffner, City Administrator

Publication Date: Published on the 15th day of April. 1992.
St. Croix Valley Press

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

**AN ORDINANCE AMENDING SECTION 212.012 AND SECTION 212.013 OF
THE LAKE ELMO MUNICIPAL CODE.**

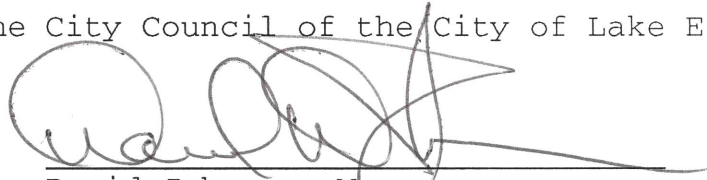
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Attest:



Mary Kueffner, City Administrator

Publication Date: Published on the 15th day of April. 1992.
St. Croix Valley Press

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE 80⁶⁴

AN ORDINANCE ADDING CHAPTER 303 AND REPEALING CHAPTER 304 OF
THE LAKE ELMO MUNICIPAL CODE RELATING TO
FLOODPLAIN MANAGEMENT

The City Council ordains that Chapter 303 and its
subsections shall be added to the Lake Elmo Municipal code
to read as follows:

FLOODPLAIN MANAGEMENT ORDINANCE

SECTION 303.010 STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSE

A. Statutory Authorization: The legislature of the State of Minnesota has, in Minnesota Statutes Chapter 103F and 462.357 delegated the responsibility to local government units to adopt regulations designed to minimize flood losses. Therefore, the City Council of Lake Elmo, Minnesota does ordain as follows:

B. Findings of Fact:

1. The flood hazard areas of Lake Elmo, Minnesota, are subject to periodic inundation which results in potential loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

2. Methods Used to Analyze Flood Hazards. This Ordinance is based upon a reasonable method of analyzing flood hazards which is consistent with the standards established by the Minnesota Department of Natural Resources.

C. Title: The provisions of Lake Elmo Code Sections 303.010 through 303.120 and amendments thereto shall be referred to as the Floodplain Regulation.

D. Statement of Purpose: It is the purpose of the Floodplain Regulation to promote the public health, safety, and general welfare and to minimize those losses described in Section 303.010 B. by provisions contained herein.

SECTION 303.020 GENERAL PROVISIONS

A. Lands to Which Ordinance Applies: The Floodplain Regulation shall apply to all lands within the jurisdiction of the City of Lake Elmo shown on the City's Flood Boundary and Floodway Map and the Flood Insurance Rate Map dated July 2, 1979 (hereinafter "Official Maps") as being located within the boundaries of the Floodway, Flood Fringe, or General Floodplain Districts. These Official Maps are hereby adopted by reference and declared to be a part of the Floodplain Regulation.

B. Regulatory Flood Protection Elevation: The Regulatory Flood Protection Elevation shall be an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.

CITY OF LAKE ELMO
WASHINGTON COUNTY
SUMMARY OF ORDINANCE 80 64____
RELATING TO FLOODPLAIN MANAGEMENT

On May 5, 1992, the Lake Elmo City Council adopted Ordinance 8064____ relating to Floodplain Management within the City of Lake Elmo.

On May 5, 1992, the Lake Elmo City Council received a summary of Ordinance 8064____ and by 5 affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTIONS OF THE LAKE ELMO MUNICIPAL CODE ARE HEREBY ADOPTED:

SECTION 303.010 STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSE

SECTION 303.020 GENERAL PROVISIONS

SECTION 303.030 DEFINITIONS

SECTION 303.040 ESTABLISHMENT OF FLOODPLAIN DISTRICT

SECTION 303.050 FLOODPLAIN DISTRICT

SECTION 303.060 PUBLIC UTILITIES, RAILROADS, AND BRIDGES

SECTION 303.070 ADMINISTRATION

SECTION 303.080 BOARD OF ADJUSTMENT AND APPEALS

SECTION 303.090 CONDITIONAL USES - STANDARDS OF EVALUATION PROCEDURES

SECTION 303.100 NONCONFORMING USES

SECTION 303.110 PENALTIES FOR VIOLATION

SECTION 303.120 AMENDMENTS

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY.

SECTION 304 FLOOD PLAIN MANAGEMENT

C. Interpretation:

1. In their interpretation and application, the provisions of the Floodplain Regulation shall be held to be minimum requirements and shall be liberally construed in favor of the City of Lake Elmo and shall not be deemed a limitation or repeal of any other powers granted by State Statutes.

2. Where interpretation is needed as to the exact location of the boundary of the floodplain district as shown on the Official Maps, as for example where there appears to be a conflict between a mapped boundary and actual field conditions and there is a formal appeal of the decision of the Zoning Administrator, the Board of Adjustment shall make the necessary interpretation. All decisions will be based on elevations on the regional (100-year) flood profile and other available technical data. Persons contesting the location of the district boundaries shall be given a reasonable opportunity to present their case to the Board and to submit technical evidence.

D. Abrogation and Greater Restrictions: The provisions of the Floodplain Regulation are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where the Floodplain Regulation imposes greater restrictions, the provisions of the Floodplain Regulation shall prevail. All other ordinances inconsistent with the Floodplain Regulation are hereby repealed to the extent of the inconsistency only.

E. Warning and Disclaimer of Liability: The Floodplain Regulation does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. The Floodplain Regulation shall not create liability on the part of the City of Lake Elmo or any officer or employee thereof for any flood damages that result from reliance on the Floodplain Regulation or any administrative decision lawfully made thereunder.

F. Severability: If any section, clause, provision, or portion of the Floodplain Regulation is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Floodplain Regulation shall not be affected thereby.

SECTION 303.030

DEFINITIONS

Unless specifically defined below, words or phrases used in this Section shall be interpreted so as to give them the same meaning as they have in common usage and so as to give the Floodplain Regulation its most reasonable application. In the event that a definition in Section 301.040 is different than the definition herein, the definition found in this Section shall apply.

Accessory Use or Structure - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Basement - means any area of a structure, including crawl spaces, having its floor or base subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.

Conditional Use - means a specific type of structure or land use listed in this ordinance that may be allowed but only after an in-depth review procedure and with appropriate conditions or restrictions as provided in Section 301.060 C. of the City Code.

Equal Degree of Encroachment - a method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.

Finished Fill - means soil compaction area and the final grade outside the wall and foundation of a structure.

Flood - a temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in the inundation of normally dry areas.

Flood Frequency - the frequency for which it is expected that a specific flood stage or discharge may be equalled or exceeded.

Flood Fringe - that portion of the floodplain outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Study for the City of Lake Elmo.

Floodplain - the beds proper and the areas adjoining a wetland, lake or watercourse which have been or hereafter may be covered by the regional 100-year flood.

Flood-Proofing - a combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.

Floodway - the bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which are reasonably required to carry or store the regional flood discharge.

Obstruction - any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory floodplain which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

Principal Use or Structure - means all uses or structures that are not accessory uses or structures.

Reach - a hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or man-made obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.

Regional Flood - a flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in the Flood Insurance Study.

Regulatory Flood Protection Elevation - The Regulatory Flood Protection Elevation shall be an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.

Structure - anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes and other similar items.

Variance - means a modification of a specific permitted development standard required in this ordinance to allow an alternative development standard not stated as acceptable in the official control, but only as applied to a particular property for the purpose of alleviating a hardship as defined in Section 301.060 C. Economic considerations alone shall not constitute a hardship.

SECTION 303.040

ESTABLISHMENT OF FLOODPLAIN DISTRICT

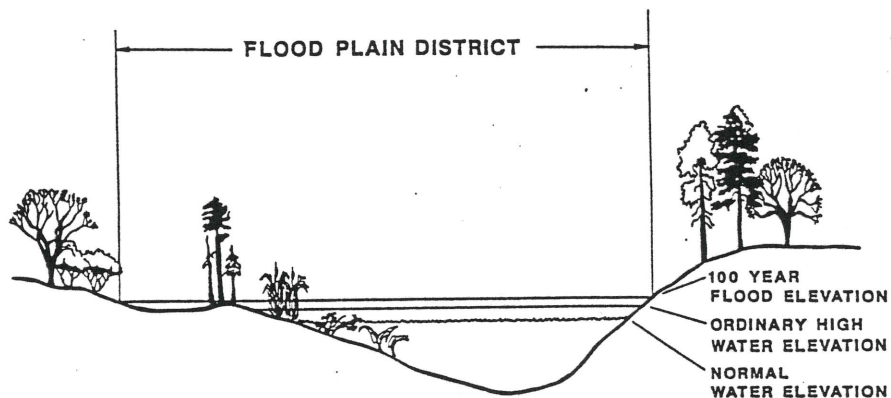
A. Designation of the Floodplain District:

1. The Flood Insurance Study for the City of Lake Elmo prepared by the FEMA and dated January, 1979 and the Flood Boundary and Floodway Map and Flood Insurance Rate Map, both dated July 2, 1979 (hereinafter referred to as the "Official Maps") contained therein are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study shall be on file in the office of the City Clerk. The Floodplain District for the City of Lake Elmo shall include those areas which lie within the 100-year Flood Boundary on the Flood Insurance Rate Map dated July 2, 1979.

B. Compliance: No new structure or land shall hereafter be used and no structure shall be located, extended, converted, or structurally altered without full compliance with the terms of the Floodplain Regulation and other applicable regulations which apply to uses within the jurisdiction of the Floodplain Regulation. In addition, a caution is provided here that:

1. Modifications, additions, structural alterations or repair after damage to existing nonconforming structures and nonconforming uses of structures or land are regulated by the general provisions of the Floodplain Regulation and specifically Section 303.100; and

2. As-built elevations for elevated or floodproofed structures must be certified by a Registered Land Surveyor and flood proofing techniques must be designed and certified by a registered professional engineer or architect as specified in the general provisions of the Floodplain Regulation and specifically as stated in Section 303.070.



SECTION 303.050

FLOODPLAIN DISTRICT

A. Permitted Uses: The following uses have a low flood damage potential and do not obstruct flood flows. These uses shall be permitted to the extent that they are not prohibited by any other ordinance and provided they do not require structures, fill, or storage of materials or equipment. In addition, no use shall adversely affect the capacity of the channels or floodways or any tributary to the main stream or of any drainage ditch, or any other drainage facility or system.

1. Agricultural uses such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming and wild crop harvesting.

2. Private and public recreational uses such as golf courses, tennis courts, golf driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves hunting and fishing areas, and single or multiple purpose recreational trails.

3. Residential uses such as lawns, gardens, parking areas, and play areas.

B. Standards for Floodplain Permitted Uses:

1. The use shall have a low flood damage susceptibility.
2. The use shall be permissible in the underlying zoning district.
3. The use shall not obstruct flood flows or increase flood elevations and shall not involve structures, fill, obstructions, excavations or storage of materials or equipment.
4. New or replacement on-site sewage treatment systems must be designed to eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and they shall not be subject to impairment or contamination during times of flooding. Any sewage treatment system designed in accordance with the City's and State's current state-wide standards whichever is more restrictive for on-site sewage treatment systems shall be determined to be in compliance with this Section.

C. Conditional Uses:

1. Railroads, bridges, utility transmission lines, and pipelines.
2. Structural works for flood control such as levees, dikes and floodwalls constructed to any height where the intent is to protect individual structures and levees or dikes where the intent is to protect agricultural crops for a frequency flood event equal to or less than the 10-year frequency flood event.
3. Alterations and/or additions to existing principal structures, located in the flood fringe portion of the flood plain district which are elevated on fill so that the lowest floor including basement floor is at or above the Regulatory Flood Protection Elevation. The finished fill elevation for structures shall be no lower than the Regulatory Flood Protection Elevation and the fill shall extend at such elevation at least fifteen (15) feet beyond the outside limits of the structure erected thereon. Such construction must comply with the requirements of Section 303.050.D.

D. Standards for Floodplain Conditional Uses:

1. All Uses. No structure (temporary or permanent), fill (including fill for roads and levees), deposit, obstruction, storage of materials or equipment, or other uses may be allowed as a Conditional Use that will cause any increase in the stage of the (100-year) regional flood or cause an increase in flood damages in the reach or reaches affected.

2. All floodplain Conditional Uses shall be subject to the procedures and standards contained in Section 303.090.

3. The Conditional Use shall be permissible in the underlying zoning district.

4. Structural works for flood control that will change the course, current or cross section of protected wetlands or public waters shall be subject to the provisions of Minnesota Statute, Chapter 103G. Community-wide structural works for flood control intended to remove areas from the regulatory floodplain shall not be allowed in the floodway.

5. When at any one time more than 1,000 cubic yards of fill or other similar material is located on a parcel for such activities as on-site storage, landscaping, sand and gravel operations, roads, dredge spoil disposal or construction of flood control works, an erosion/sedimentation control plan must be submitted. The plan must be prepared and certified by a registered professional engineer.

E. Standards for All Floodplain Uses:

1. All new principal structures must have vehicular access at or above the Regulatory Flood Protection Elevation. If a variance to this requirement is granted, the Board of Adjustment must specify limitations on the period of use or occupancy of the structure for times of flooding.

2. Commercial Uses - accessory land uses, such as yards, railroad tracks, and parking lots may be at elevations lower than the Regulatory Flood Protection Elevation.

3. Fill shall be properly compacted and the slopes shall be properly protected by the use of rip-rap, vegetative cover or other acceptable method. The Federal Emergency Management Agency (FEMA) has established criteria for removing the special flood hazard area designation for certain structures properly elevated on fill above the 100-year flood elevation - FEMA's requirements incorporate specific fill compaction and side slope protection standards for multi-structure or multi-lot developments. These standards should be investigated prior to the initiation of site preparation if a change of special flood hazard area designation will be requested.

4. Floodplain developments shall not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system where a floodway or other encroachment limit has not been specified on the Official Zoning Map.

5. All dwelling units must be at least twenty (20) feet wide through the main living area of the structure. The structure must have continuous frost footings. Continuous frost footings are not required for porches, decks, and other appendages so long as proper post type footings per existing building codes are constructed.

6. Travel trailers, travel vehicles, and manufactured homes are prohibited in the floodplain district.

SECTION 303.060 PUBLIC UTILITIES, RAILROADS, AND BRIDGES

A. Public Utilities. All public utilities and facilities such as gas, electrical, sewer, and water supply systems to be located in the floodplain shall be flood-proofed in accordance with the State Building Code or elevated to above the Regulatory Flood Protection Elevation.

B. Public Transportation Facilities. Railroad tracks, and bridges to be located within the floodplain shall comply with Section 303.050. Elevation to the Regulatory Flood Protection Elevation shall be provided where failure or interruption of these transportation facilities would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area. Limited access roads or railroads may be constructed at a lower elevation where failure or interruption of transportation services would not endanger the public health or safety.

C. On-site Sewage Treatment and Water Supply Systems: Where public utilities are not provided: 1) On-site water supply systems must be designed to eliminate infiltration of flood waters into the systems; and 2) New or replacement on-site sewage treatment systems must be designed to eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and they shall not be subject to impairment or contamination during times of flooding. Any sewage treatment system designed in accordance with the City's and State's current state-wide standards whichever is more restrictive for on-site sewage treatment systems shall be determined to be in compliance with this Section.

SECTION 303.070 ADMINISTRATION

A. Zoning Administrator: A Zoning Administrator or other official designated by the City of Lake Elmo shall administer and enforce the Floodplain Regulation. If the Zoning Administrator finds a violation of the provisions of the Floodplain Regulation, the Zoning Administrator shall notify the person responsible for such violation in accordance with the procedures stated in Section 303.100.

B. Permit Requirements: A Permit issued by the Zoning Administrator in conformity with the provisions of the Floodplain Regulation shall be secured prior to the erection, addition, or alteration of any building, structure, or portion thereof; prior to the use or change of use of a building, structure, or land; prior to the change or extension of a nonconforming use; and prior to the placement of fill, excavation of materials, or the storage of materials or equipment within the floodplain.

C. Application for Permit. Application for a Permit shall be made in duplicate to the Zoning Administrator on forms furnished by the Zoning Administrator and shall include the following where applicable: plans in duplicate drawn to scale, showing the nature, location, dimensions, and elevations of the lot; existing or proposed structures, fill, or storage of materials; and the location of the foregoing in relation to the floodplain.

D. State and Federal Permits. Prior to granting a Permit or processing an application for a Conditional Use Permit or Variance, the Zoning Administrator shall determine that the applicant has obtained all necessary State and Federal Permits.

E. Certificate of Occupancy for a New, Altered, or Nonconforming Use. It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises or part thereof hereafter created, erected, changed, converted, altered, or enlarged in its use or structure until a Certificate of Occupancy shall have been issued by the Zoning Administrator indicating that the use of the building or land conforms to the requirements of the Floodplain Regulation.

F. Construction and Use to be as Provided on Applications, Plans, Permits, Variances and Certificates of Occupancy. Permits, Conditional Use Permits, or Certificates of Occupancy issued on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of the Floodplain Regulation, and punishable as provided by Section 303.110.

G. Certification. The applicant shall be required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building elevations were accomplished in compliance with the provisions of this ordinance. Flood-proofing measures shall be certified by a registered professional engineer or registered architect.

H. Record of First Floor Elevation. The Zoning Administrator shall maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations or additions to existing structures in the floodplain. The Zoning Administrator shall also maintain a record of the elevation to which structures or alterations and additions to structures are flood-proofed.

I. Subdivisions. No land shall be subdivided which is unsuitable for the reason of flooding, inadequate drainage, water supply or sewage treatment facilities. All lots within the floodplain districts shall contain a building site at or above the Regulatory Flood Protection Elevation. All subdivisions shall have water and sewage treatment facilities that comply with the provisions of the Floodplain Regulation and have road access both to the subdivision and to the individual building sites no lower than the Regulatory Flood Protection Elevation. For all subdivisions in the floodplain, the Floodway and Flood Fringe boundaries, the Regulatory Flood Protection Elevation and the required elevation of all access roads shall be clearly labelled on all required subdivision drawings and platting documents. For all residential structures in the floodplain, the floodway and the flood fringe boundaries, the basement construction, or the lowest floor if there is no basement, shall not be allowed below the Regulatory Flood Protection Elevation.

SECTION 303.080 BOARD OF ADJUSTMENT AND APPEALS

A. Rules. The Board of Adjustment and Appeals shall have rules and power conferred in Section 301.060 C.

B. Hearings. The Board of Adjustment shall follow the hearing procedures of Section 301.060 C. 4. The Board shall submit by mail to the Commissioner of Natural Resources a copy of the application for proposed Variances sufficiently in advance so that the Commissioner will receive at least ten days notice of the hearing.

C. Decisions. A Board decision and their findings shall be made according to Section 301.060 C. 4. and 5. In granting a Variance the Board may prescribe appropriate conditions and safeguards which are in conformity with the purposes of the Floodplain Regulation. Violations of such conditions and safeguards, when made a part of the terms under which the Variance is granted, shall be deemed a violation of the Floodplain Regulation punishable under Section 303.110.

A copy of all decisions granting Variances shall be forwarded by mail to the Commission of Natural Resources within ten days of such action.

Appeals from any decision of the Board may be made in accordance with and as specified in Section 301.060 C. 6.

D. Flood Insurance Notice and Record Keeping. The Zoning Administrator shall notify the applicant for a variance that: 1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and 2) Such construction below the 100-year or regional flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions. A community shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its annual or biennial report submitted to the Administrator of the National Flood Insurance Program.

SECTION 303.090 CONDITIONAL USES - STANDARDS OF EVALUATION
PROCEDURES

A. Rules and Hearings. A Conditional Use Permit Application shall be acted upon according to the procedures outlined in Section 301.060 D.

Upon filing with the City of Lake Elmo an application for a Conditional Use Permit, the City Council shall submit by mail to the Commissioner of Natural Resources a copy of the application for proposed Conditional Use sufficiently in advance so that the Commissioner will receive at least ten days notice of the hearing.

B. Procedures to be followed by the City of Lake Elmo in Passing on Conditional Use Permit Applications Within the FloodPlain District.

1. Require the applicant to furnish such of the following information and additional information as deemed necessary by the City Council for determining the suitability of the particular site for the proposed use:

(a) Plans drawn to scale showing the nature, location, dimensions, and elevation of the lot, existing or proposed structures, fill, storage of materials, flood-proofing measures, and the relationship of the above to the location of the stream channel.

(b) Specifications for building construction and materials, flood-proofing, filling, dredging, grading, channel improvement, storage of materials, water supply and sanitary facilities.

(c) Transmit one copy of the information described above to a designated engineer or other expert person or agency for technical assistance, where necessary, in evaluating the proposed project in relation to flood heights and velocities, the seriousness of flood damage to the use, the adequacy of the plans for protection, and other technical matters.

(d) Based upon the technical evaluation of the designated engineer or expert, the City Council shall determine the specific flood hazard at the site and evaluate the suitability of the proposed use in relation to the flood hazard.

C. Factors Upon Which the Decision of the City Council Shall Be Based. In passing upon Conditional Use applications, the City of Lake Elmo shall consider all relevant factors specified in other sections of the Floodplain Regulation, and:

1. The danger to life and property due to increased flood heights or velocities caused by encroachments.
2. The danger that materials may be swept onto other lands or downstream to the injury of others or they may block bridges, culverts or other hydraulic structures.
3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
5. The importance of the services provided by the proposed facility to the community.
6. The requirements of the facility for a waterfront location.
7. The availability of alternative locations not subject to flooding for the proposed use.
8. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
9. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
10. The safety of access to the property in times of flood for ordinary and emergency vehicles.
11. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site.
12. Such other factors which are relevant to the purposes of the Floodplain Regulation.

D. Conditions Attached to Conditional Use Permits. Upon consideration of the factors listed above and the purpose of this Ordinance, the City of Lake Elmo shall attach such conditions to the granting of Conditional Use Permits as it deems necessary to fulfill the purposes of the Floodplain Regulation. Such conditions may include, but are not limited to, the following:

1. Modification of waste treatment and water supply facilities.
2. Limitations on period of use, occupancy, and operation.
3. Imposition of operational controls, sureties, and deed restrictions.
4. Requirements for construction of channel modifications, compensatory storage of a two to one replacement or greater, dikes, levees, and other protective measures.
5. Flood-proofing measures, in accordance with the State Building Code and the Floodplain Regulation. The applicant shall submit a plan or document certified by a registered professional engineer or architect that the flood-proofing measures are consistent with the Regulatory Flood Protection Elevation and associated flood factors for the particular area.

SECTION 303.100 NONCONFORMING USES

A. A structure or the use of a structure or premises which was lawful before the passage or amendment of the Floodplain Regulation but which is not in conformity with the provisions of the Floodplain Regulation may be continued subject to the requirements of Section 301.050 B.

SECTION 303.110 PENALTIES FOR VIOLATION

A. Violation of the provisions of the Floodplain Regulation or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of Variances or Conditional Uses) shall constitute a misdemeanor and shall be punishable as defined by law.

B. Nothing herein contained shall prevent the City of Lake Elmo from taking such other lawful action as is necessary to prevent or remedy any violation. Such actions may include but are not limited to:

1. In responding to a suspected ordinance violation, the Zoning Administrator and Local Government may utilize the full array of enforcement actions available to it including

but not limited to, prosecution and fines, injunctions, after-the-fact permits, orders for corrective measures or a request to the National Flood Insurance Program for denial of flood insurance availability to the guilty party. The community must act in good faith to enforce these official controls and to correct the Floodplain Regulation violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.

2. When the Floodplain Regulation violation is either discovered by or brought to the attention of the Zoning Administrator, the Zoning Administrator shall immediately investigate the situation and document the nature and extent of the violation of the official control. As soon as is reasonably possible, this information will be submitted to the appropriate Department of Natural Resources' and Federal Emergency Management Agency Regional Office along with the Community's plan of action to correct the violation to the degree possible.

3. The Zoning Administrator shall notify the suspected party of the requirements of the Floodplain Regulation and all other Official Controls and the nature and extent of the suspected violation of these controls. If the structure and/or use is under construction or development, the Zoning Administrator may order the construction or development immediately halted until a proper permit or approval is granted by the Community. If the construction or development is already completed, then the Zoning Administrator may either (1) issue an order identifying the corrective actions that must be made within a specified time period to bring the use or structure into compliance with the official controls, or (2) notify the responsible party to apply for an after-the-fact permit/ development approval within a specified period of time not to exceed 30-days.

4. If the responsible party does not appropriately respond to the Zoning Administrator within the specified period of time, each additional day that lapses shall constitute an additional violation of the Floodplain Regulation and shall be prosecuted accordingly. The Zoning Administrator shall also, upon the lapse of the specified response period, notify the landowner to restore the land to the condition which existed prior to the violation of the Floodplain Regulation.

SECTION 303.120

AMENDMENTS

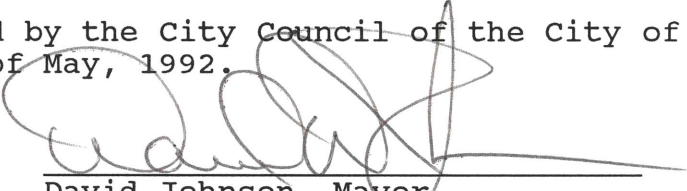
The floodplain designation on the Official Map shall not be removed from floodplain areas unless it can be shown that the designation is in error. Special exceptions to this rule may be permitted by the Commissioner of Natural Resources if he determines that, through other measures, lands are adequately protected for the intended use.

All amendments to the Floodplain Regulation including amendments to the Official Zoning Map must be submitted to and approved by the Commissioner of Natural Resources prior to adoption. Changes in the Official Zoning Map must meet the Federal Emergency Management Agency's (FEMA) Technical Conditions and Criteria and must receive prior FEMA approval before adoption. The Commissioner of Natural Resources must be given 10-days written notice of all hearings to consider an amendment to the Floodplain Regulation and said notice shall include a draft of the proposed amendment or technical study under consideration.

The City Council further ordains that Chapter 304 of the Lake Elmo Municipal Code is hereby repealed.

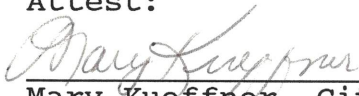
Effective Date: This ordinance shall be effective the day following its publication.

Adoption Date: Passed by the City Council of the City of Lake Elmo the 5th day of May, 1992.



David Johnson, Mayor

Attest:



Mary Kueffner, City Administrator

A complete copy of Ordinance 8064 _____ Floodplain Management within the City of Lake Elmo is on file in the office of the city administrator and can be viewed by the public during normal business hours.

A handwritten signature in dark ink, appearing to read 'David Johnson', written over a horizontal line.

David Johnson, Mayor

Attest:

A handwritten signature in dark ink, appearing to read 'Mary Kueffner', written over a horizontal line.
Mary Kueffner, City Administrator

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE 8065

AN ORDINANCE ADDING SECTION 1005 RELATING TO THE REGULATION
OF BICYCLING TO THE LAKE ELMO MUNICIPAL CODE

The City Council ordains that Chapter 1005 and its subsections shall be added to the Lake Elmo Municipal code to read as follows:

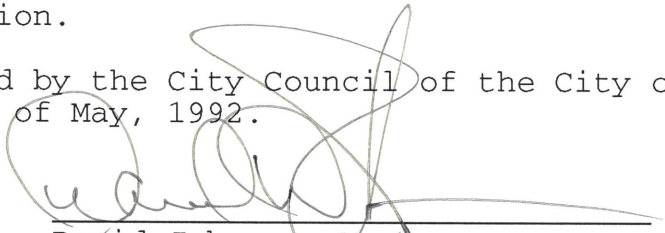
SECTION 1005 BICYCLING

It shall be unlawful for any person to:

- A. Operate a bicycle, except on designated bike trails and roadways and except as close to the right hand side of bike trail or roadway as conditions permit;
- B. Operate a mountain bike or similar cycle except on bike trails and roadways as permitted in Section 1005;
- C. Operate a bicycle in violation of Minnesota Statutes, Chapter 169, "Highway Traffic Violation";
- D. Ride or operate a bicycle except in a prudent and careful manner and at speed faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area.

Effective Date: This ordinance shall be effective the day following its publication.

Adoption Date: Passed by the City Council of the City of Lake Elmo the 18th day of May, 1992.


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE 8066

AN ORDINANCE REPEALING SECTION 505.260 AND AMENDING SECTION
505.320 A AND SECTION 505.410 OF THE
LAKE ELMO MUNICIPAL CODE

The Lake Elmo City Council hereby ordains that Section
505.260 of the Lake Elmo Municipal Code is hereby repealed.

The Lake Elmo City Council hereby ordains that Section
505.320A and Section 505.410 of the Lake Elmo Municipal Code
are hereby amended to read as follows:

Section 505.320A: Type of Signs Allowed: Business,
nameplate, identification, illuminated, ground, pedestal,
motion, political, real estates sales, shopping center,
temporary and wall.

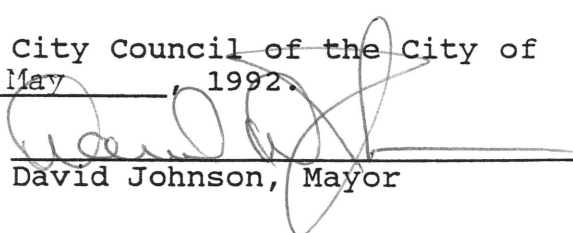
Section 505.410: Sign Permit Chart:

SP = Sign Permit	AG	RES	COMM	INDUS	PUD
C = Conditional Use Permit	<u>DIST</u>	<u>DIST</u>	<u>DIST</u>	<u>DIST</u>	<u>DIST</u>
P = Permitted Use					
N = Not Allowed					

Advertising Sign	N	N	N	N	N
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Effective Date: This ordinance shall be effective the day
following publication.

Adoption Date: Passed by the City Council of the City of
Lake Elmo the 18th day of May, 1992.



David Johnson, Mayor

Attest:



Mary Kueffner, City Administrator

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE 8067

AN ORDINANCE ADDING SECTIONS 505.040V. AND SECTION 505.320F.
AND AMENDING SECTION 505.320A. AND SECTION 505.410 OF THE
LAKE ELMO MUNICIPAL CODE

The City Council ordains that Sections 505.040V. and
Section 505.320F. shall be added to the Lake Elmo Municipal
Code to read as follows:

Section 505.040V: SIGN: City Identification Sign:

A sign that contains the name of the City, the City logo,
and may also include identification of civic organizations
located within the City.

Section 505.320F: City Identification signs shall not
exceed 6 feet in height or 40 square feet in total surface
coverage.

The City Council further ordains that Sections
505.320A. and 505.410 are hereby amended as follows:

Section 505.320A: Type of Signs Allowed: Business,
nameplate, identification, illuminated, ground, pedestal,
motion, political, real estates sales, shopping center,
temporary wall and city identification Sign.

Section 505.410: Sign Permit Chart:

SP = Sign Permit

C = Conditional Use Permit

P = Permitted Use

N = Not Allowed

AG

DIST

RES

DIST

COMM

DIST

INDUS

DIST

PUD

DIST

<u>City Identification Sign</u>	N	N	<u>P</u>	N	N
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Effective Date: This ordinance shall be effective the day
following publication.

Adoption Date: Passed by the City Council of the City of
Lake Elmo the 16th day of June, 1992.

David Johnson, Mayor

ATTEST:

Mary Kueffner
Mary Kueffner, City Administrator

Jene Peltier

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE 80-68

AN ORDINANCE AMENDING SECTION 301.070C OF THE
1979 LAKE ELMO MUNICIPAL CODE AS IT RELATES TO THE
ZONING DISTRICT MAP

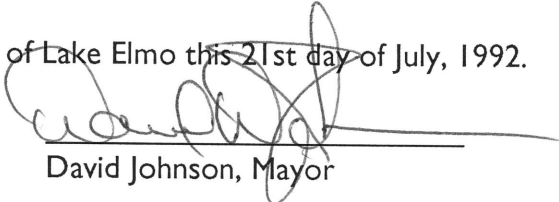
The Lake Elmo City Council hereby ordains:

SECTION 1. AMENDMENT: Section 301.070C of the Lake Elmo Municipal Code is hereby amended to change the zoning from Rural Residential (RR) to Residential Estates (RE) the following described parcel:

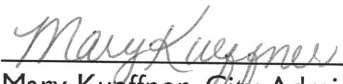
That part of the SE-1/4 of the SE-1/4 being the part lying North of NLY R/W of Minnesota Highway 12 excepting therefrom the S. 627.9 feet of the W 618.00 feet thereof and also excepting therefrom the S. 213.75 feet of the E. 222.75 feet thereof subject to easement, Section 35, Township 29, Range 21.

SECTION 2. EFFECTIVE DATE: This ordinance shall become effective the following its publication.

Adopted by the City Council of the City of Lake Elmo this 21st day of July, 1992.


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

Published in the St. Croix Valley Press on the 5th day of August, 1992.

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE 80-69

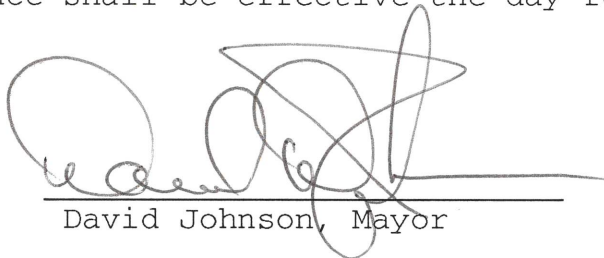
AN ORDINANCE ADDING SECTION 701.040 (D)(3)(k)(1)(c)
TO THE LAKE ELMO MUNICIPAL CODE.

The Lake Elmo City Council hereby ordains that Section 701.040 (D)(3)(k)(1)(c) is hereby added to the Lake Elmo Municipal Code to read as follows:

- (c) Manhole covers must be secured in one of the following manners: by installation of a cover weighing 75 pounds, or greater; or secured by means of bolting.

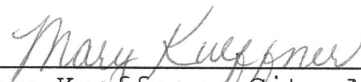
Adoption Date: Passed by the City Council of the City of Lake Elmo, the 18th day of August, 1992.

Effective Date: This ordinance shall be effective the day following its publication.



David Johnson, Mayor

Attest:



Mary Kueffner, City Administrator

Publication Date: Published on the 2nd day of September, 1992 in the St. Croix Valley Press.

Not published;
contingent on
Soderberg purchasing
property.

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 8070

AN ORDINANCE AMENDING SECTION 301.070C OF THE 1979 LAKE ELMO
MUNICIPAL CODE AS IT RELATES TO THE ZONING DISTRICT MAP

The City Council of the City of Lake Elmo ordains:

SECTION 1. AMENDMENT: Section 301.070C Zoning District Map of the 1979 Municipal Code of the City of Lake Elmo is hereby amended to change the zoning from Rural Residential (RR) to Agricultural (A); to wit:

That part of the East One - half of the Southeast Quarter of Sections 27, Township 29, Range 21, Washington County, Minnesota, being further described as follows:

Commencing at the East Quarter corner of said section 27; thence South 0 degrees 42 minutes 48 seconds East (basis of bearings is the Washington County Coordinate System, South Zone) along the East line of said section 27 a distance of 1318.00 feet; thence South 89 degrees 11 minutes 43 seconds West 33.00 feet to the point of beginning; thence South 0 degrees 42 minutes 48 seconds East parallel with said East line 598.00 feet; thence South 89 degrees 11 minutes 49 seconds West 660.00 feet; thence South 0 degrees 42 minutes 48 seconds East 660.00 feet to a point distant 60 feet northerly of the South line of said Section 27; thence South 89 degrees 11 minutes 49 seconds West along a line 60.00 feet Northerly of and parallel with the South line of said Section 27 a distance of 247.09 feet; thence North 0 degrees 48 minutes 11 seconds West 10.00 feet; thence South 89 degrees 11 minutes 49 seconds West along a line 70.00 feet Northerly of and parallel with said South line a distance of 378.33 feet to its intersection with the West line of the said East One - half of the Southeast Quarter of Section 27; thence along said West line North 0 degrees 42 minutes 43 seconds West 1908.76 feet; thence North 89 degrees 11 minutes 40 seconds East 1185.39 feet to a point 133.00 feet Westerly of the East line of said Section 27; thence South 0 degrees 42 minutes 48 seconds East along a line 133.00 feet Westerly of and parallel with said East line a distance of 660.82; thence North 89 degrees 11 minutes 43 seconds East 100.00 feet to the point of beginning and containing 1,960.967 square feet or 45.018 acres.

SECTION 2. EFFECTIVE DATE: This ordinance shall become effective the day following its publication.

Adopted by the City Council of the City of Lake Elmo this 1st day of September, 1992.

David Johnson, Mayor

Attest:

Mary Kueffner, City Administrator

Published in the St. Croix Valley Press on the _____ day
of _____. 1992.

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 8071

AN ORDINANCE RELATING TO EXCEPTIONS TO PLATTING

The Lake Elmo City Council ordains that Section 401.042 and its subdivisions, and Section 401.060(D) are hereby added to the Lake Elmo Municipal Code to read as follows:

401.042. Exceptions to Platting. The City Council may waive all or a portion of the platting requirements for a minor subdivision.

- A. A minor subdivision is a division of property which satisfies the following criteria:
 - 1. The property division results in no more than two parcels; and
 - 2. Each resultant parcel, individually or when combined with an abutting parcel through an approved lot consolidation procedure, equals or exceeds the minimum lot requirements for the zoning district in which the property is located; or
 - 3. Each resultant parcel when combined with an abutting parcel through an approved lot consolidation procedure causes a currently nonconforming lot to become less nonconforming.
- B. Application for Review. Applications for a minor subdivision shall be submitted on forms provided by the zoning administrator which include the following information:
 - 1. Name, address and telephone number of the property owner.
 - 2. A legal description of the parcel which is being subdivided and legal descriptions for each of the resulting parcels.
 - 3. A written description stating the reason for the request.
 - 4. A land survey prepared by and signed by a registered land surveyor describing the minor subdivision and showing all buildings, driveways, easements, setbacks and other pertinent information

and including new legal descriptions for all resulting parcels.

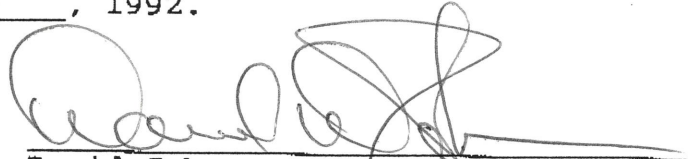
- C. Review. A completed application shall be submitted to the Planning Commission for its review and recommendation to the City Council. Simple lot divisions may be approved by three affirmative votes of the City Council. Council may attach reasonable conditions to its approval and may require dedication of necessary easements.

401.060(D). Has been approved as an exception to platting pursuant to Section 401.042.

The Lake Elmo City Council ordains that Section 401.040 entitled "Exceptions to Platting (Simple Lot Division or Large Lot Division)" and its subdivisions, and Section 401.260 and its subdivisions are hereby repealed.

Effective Date. This ordinance shall be effective the day following its publication.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 16th day of September, 1992.


David Johnson, Mayor

ATTEST:


Mary Kueffner, City Administrator

Publication Date. Published on the 23rd of September, 1992.

b:\ord\LEORD10
9/15/92

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 80-72**

**AN ORDINANCE ADDING SECTION 301.070 D. 14 "LIMITED BUSINESS"
TO THE 1979 LAKE ELMO MUNICIPAL CODE**

The City council of the City of Lake Elmo ordains:

SECTION 1. AMENDMENT: Section 301.070 D. 14 "LIMITED BUSINESS" of the 1979 Municipal Code of the City of Lake Elmo is hereby adopted: to wit:

301.070 D. 14. LB - LIMITED BUSINESS DISTRICT

301.070 D. 14 A. PURPOSE:

The purpose of the Limited Business District is to establish a comprehensive planned framework for development along I-94 where municipal sanitary sewer does not exist. The City has determined that it is in the best interest of the City and the region to responsibly manage growth in this district. It is the intent of this district to promote a high quality of business design and development that produces a positive visual image and minimizes adverse impacts from traffic congestion, noise, odor, glare, and similar problems. Specific development goals within the district include the following:

- 1) To encourage a high quality development standard for structures within the district.
- 2) To protect the natural environment, in accordance with City Ordinances.
- 3) To allow development to comply with the capacity of regional and local road systems.
- 4) To guide development by setting requirements for on-site sewer systems.
- 5) To establish permitted, accessory and conditional uses in order to stimulate local economic prosperity along the interstate corridor and within the Metropolitan Rural Service Area while closely monitoring the magnitude of development so not to prematurely demand the expansion of local governmental services.

301.070 D. 14. B. PERMITTED USES - Permitted Uses are as follows:

- 1) Offices for administrative, executive, professional, and management functions.
- 2) Clinics, medical offices.
- 3) Financial institutions such as banks.
- 4) Business and professional schools, private trade schools.

301.070 D. 14. C. CONDITIONAL USES

- 1) Medical, dental, and research laboratories.
- 2) Business service uses normally associated with office developments (photocopy and printing shops, travel agencies, etc.) and containing limited retail activity.
- 3) Limited retail uses including:
 - (a) Retail sales clearly accessory to the permitted principal use of the land, for example: the compounding, dispensing or sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the foregoing when conducted in the building occupied primarily by medical, dental, osteopathic, chiropractic or optometric offices.
 - (b) The retail sale of commodities marketed to the local area such as:
 - (1) Greenhouses and nurseries, landscaping services, flowers and floral accessories.
 - (2) Art sale and gallery.
 - (3) Furniture, home furnishings and related equipment.
 - (4) Vineyard and winery produce and sales.
 - (5) Sporting goods, skiing, bicycles, motorcycles, snowmobiles, boats and fishing gear (all storage restricted to inside).
- 4) Veterinary clinics with no crematorium, outdoor kennels or storage.
- 5) Restaurants and cafeterias incorporated within a principal structure and oriented predominantly towards serving the needs of employees of the surrounding area, but excluding drive-up and exterior walk-up facilities.
- 6) Licensed dependent care centers and preschool facilities.
- 7) Transmission facilities for tele-conferencing, which are not free-standing and which do not extend more than 20 feet above the building to which they are attached.
- 8) Other uses similar to those permitted by this section, as determined by the City Council.

301.070 D. 14. D. ACCESSORY USES:

Within the Limited Business District, the following are allowed provided they are subordinate to and associated with a permitted use:

- 1) Satellite dish antennas to permit tele-conferencing.
- 2) Landscaped buffers, wildlife areas, internal picnicking areas, and walking-jogging trails.
- 3) Internal privately owned and maintained roads for off street parking and loading areas, between buildings within a single platted lot.

(301.070 D. 14 D.)

- 4) Other uses customarily associated with, and clearly incidental to a permitted use, as determined by the City Council.

NOTE: Facilities for the operation of helicopters and STOL aircraft are expressly forbidden.

301.070 D. 14. E. MINIMUM DISTRICT REQUIREMENTS:

Minimum Lot Requirements:

1. Lot Area: 3.5 Acres
2. Minimum Lot Width: 300 feet
3. Minimum Lot Depth: 400 feet
4. Building Setback from Property Lines:
 - a. Front 100 feet
 - b. Side 50 feet
 - c. Side (street) 100 feet
 - d. Rear 50 feet
 - e. any line adjacent to a residential zone 150 feet
5. Parking Setback from property lines:
 - a. Front 50 feet
 - b. Side 50 feet
 - c. Side (street) 50 feet
 - d. Rear 50 feet
 - e. any line adjacent to a residential zone 100 feet
6. Maximum Building Height: 35 feet
7. Maximum coverage by all structures: 25%
8. Maximum area to be covered by buildings, parking lots, driveways and other hard surfaces: 40%
9. Sewer Discharge: No use may exceed a ratio of 3.0 SAC units per 3.5 acres or 235 gallons per day per net acre of land, whichever is more restrictive. For the purpose of this regulation, net acres equals the total area of the lot minus wetlands, open water and dedicated public or street right-of-ways. No one single on site sewer system shall be designed to handle more than 5,000 gallons per day. Each parcel must dedicate areas for primary and secondary on site sewer treatment areas.
10. Minimum Building Floor Size: 4,000 square feet

301.070 D. 14. F. PERFORMANCE STANDARDS

301.070 D. 14. F. 1. Minimum Architectural Standards:

It is in the best interest of the City to promote high standards of architectural design. New building proposals shall include architectural and site plans prepared by registered architect and shall show the following as a minimum: 1) elevations of all sides of the buildings, 2) type and color of exterior building materials, 3) typical general floor plans, 4) dimensions of all structures, 5) location of trash containers, heating, cooling and ventilation equipment and systems, 6) description of unique architectural features specific to the particular request.

The exterior surfaces of all buildings shall be faced with brick, stone, glass or equivalent. The City may allow architecturally enhanced and integrally colored block, in all cases examples of the proposed finish are to be submitted for review by the Planning Commission. No building shall be constructed with a main exterior surface of sheet aluminum, steel, corrugated aluminum, or similar products, these materials are acceptable only as trim. Non-structural metal standing seam roofing is permitted. No accessory building shall exceed the height of a principal building. All exterior equipment and trash and recycling storage areas and dock areas shall be screened with materials used in the principal structure. Low profile, self-contained HVAC units which blend in with the building architecture are exempt from the screening requirement.

Underground utilities shall be provided for all structures.

301.070 D. 14. F. 2. PARKING:

Each building site shall be provided with such off street automobile parking as may be approved by the City. No parking shall be permitted on any street, driveway, or any place other than in approved parking spaces.

Construction - all drives and parking lots shall be constructed with concrete or blacktop, and with concrete curb and gutters. Where appropriate, sidewalks may be required. Parking lot landscape areas, including landscape islands shall be reasonably distributed throughout the parking lot area so as to break up expanses of paved areas.

Ratio - Unless otherwise approved by the City, parking shall be provided as follows: a) The minimum ratio of one permanently-paved off-street automobile parking space for each 2000 square feet of warehouse building area, and for each 250 square feet of office building area, and for each 150 square feet of retail area, and a ratio of one for three in seating for full service restaurants. b) The minimum ratio of one permanently-paved off-street automobile parking space for every two employees, whichever ratio shall result in the greater number of parking spaces.

Screening - All parking area shall be screened from the public view in a manner approved by the City prior to the construction or alteration of any building or building site.

Location - Unless otherwise approved by the City prior to construction or alteration, parking will not be permitted within 30 feet of the front property lines (those facing any dedicated street) of the building site, nor within 10 feet of its side property lines, nor within 10 feet of its rear property line.

301.070 D. 14. F. 3. LANDSCAPING:

All yard area shall either be landscaped green areas or open and left in a natural state. Yards to be landscaped shall be landscaped attractively with lawn, trees and shrubs in accordance with a plan prepared by a landscape architect. Areas left in a natural state shall be kept free of litter, debris and noxious weeds. Yards adjoining any residential zone shall contain a buffer area consisting of berming, landscaping and/or fencing for the purpose of screening noise, sight, sound and glare. A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the site plan. Where areas abut residential districts, a buffer area of a minimum depth of 100 feet will be required. Such a buffer area shall be completely defined and designed, and approved by the City prior to all final City inspections for construction on site. Prior to the issuance of a building permit or commencement of any improvements on site, the owner shall provide the City with a financial security for a minimum of 24 months, approved by the City Attorney, to assure construction of the buffer area. All landscaping shall comply with Section 504.040 of the Lake Elmo Municipal Code.

301.070 D. 14. F. 4. SIGNAGE:

All signs shall be of a design and material approved by the City. Unless otherwise approved by the City, all signs must be attached to a building, parallel to and contiguous with, its walls, and not projecting above its roof line. All signs shall comply with Chapter 505 of the Lake Elmo Municipal Code.

301.070 D. 14 F. 5. CITY FACILITY EXPANSION IMPACT FEE:

The City may assess a Public Facilities Impact Fee on a proposed development within the LB Zoning District in those cases where it can demonstrate that:

- a. The expansion of public facilities is reasonably required as a result of the approval of the development; and
- b. The Impact Fee does not exceed the development's pro-rata share of the reasonably anticipated public facilities expansion cost.

Impact Fees shall be placed in a restrictive fund and may only be used to finance the cost of the public facilities expansion required by the development approval.

301.070 D. 14. F. 6. LIGHTING:


Plans for new developments shall include a lighting plan denoting the location, type and height of lighting fixtures and the illumination patterns shown on a site plan. Glare whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible at any property line. The source of lights shall be hooded and controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. All lighting shall comply with Chapter 1508 of the Lake Elmo Municipal Code.

301.070 D. 14. F. 7. TRAFFIC:

No use shall be allowed unless the property owner provides a road plan acceptable to the City, which shall demonstrate, at a minimum, that the proposed use and resulting traffic will not adversely affect the then existing traffic of the City. All private roads must comply with existing City regulations, with construction and maintenance being the sole responsibility of the property owner.

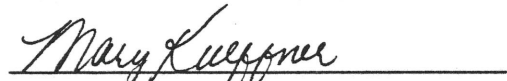
SECTION 2. EFFECTIVE DATE: This ordinance shall become effective the day following its publication.

Adopted by the City Council of the City of Lake Elmo this 6th day of October, 1992.



David Johnson, Mayor

Attest:



Mary Kueffner, City Administrator

Published in the St. Croix Valley Press on the 21ST day of October, 1992.

CITY OF LAKE ELMO
WASHINGTON COUNTY
SUMMARY OF ORDINANCE 8072 RELATING TO
SECTION 301.070 D. 14. "LIMITED BUSINESS ZONING DISTRICT"

On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-72 adopting the "Limited Business District" Zoning Ordinance.


On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-72 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:

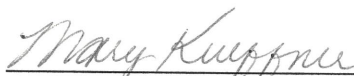
Section 301.070 D. 14	Limited Business District
Section 301.070 D. 14A	Purpose
Section 301.070 D. 14B	Permitted Uses
Section 301.070 D. 14C	Conditional Uses
Section 301.070 D. 14D	Accessory Uses
Section 301.070 D. 14E	Minimum District Requirements
Section 301.070 D. 14F	Performance Standards
Section 301.070 D. 14F1	Minimum Architectural Standards
Section 301.070 D. 14F2	Parking
Section 301.070 D. 14F3	Landscaping
Section 301.070 D. 14F4	Signage
Section 301.070 D. 14F5	City Facility Expansion Impact Fee
Section 301.070 D. 14F6	Lighting
Section 301.070 D. 14F7	Traffic

A complete copy of Ordinance 80-72 "Limited Business District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.

Signed:


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

CITY OF LAKE ELMO
WASHINGTON COUNTY
SUMMARY OF ORDINANCE 8072 RELATING TO
SECTION 301.070 D. 14. "LIMITED BUSINESS ZONING DISTRICT"

On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-72 adopting the "Limited Business District" Zoning Ordinance.

On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-72 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:

WRONG - 518.070

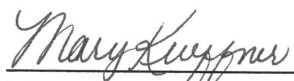
Section 301.050 D. 14	Limited Business District
Section 301.050 D. 14A	Purpose
Section 301.050 D. 14B	Permitted Uses
Section 301.050 D. 14C	Conditional Uses
Section 301.050 D. 14D	Accessory Uses
Section 301.050 D. 14E	Minimum District Requirements
Section 301.050 D. 14F	Performance Standards
Section 301.050 D. 14F1	Minimum Architectural Standards
Section 301.050 D. 14F2	Parking
Section 301.050 D. 14F3	Landscaping
Section 301.050 D. 14F4	Signage
Section 301.050 D. 14F5	City Facility Expansion Impact Fee
Section 301.050 D. 14F6	Lighting
Section 301.050 D. 14F7	Traffic

A complete copy of Ordinance 80-72 "Limited Business District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.

Signed:


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 80-73**

**AN ORDINANCE ADDING SECTION 301.070 D. 15. "BUSINESS PARK"
TO THE 1979 LAKE ELMO MUNICIPAL CODE**

The City Council of the City of Lake Elmo ordains:

SECTION 1. AMENDMENT: Section 301.070 D. 15. "Business Park" of the 1979 Municipal Code of the City of Lake Elmo is hereby adopted: to wit:

301.070 D. 15. BP - BUSINESS PARK

301.070 D. 15. A. PURPOSE:

The purpose of the Business Park District is to establish a comprehensive planned framework for development along I-94. The City has determined that it is in the best interest of the City and the region to responsibly manage growth in this district. It is the intent of this district to promote a high quality of business design and development that produces a positive visual image and minimizes adverse impacts from traffic congestion, noise, odor, glare, and similar problems. Specific development goals within the district include the following:

- 1) To protect the natural environment, in accordance with City Ordinances.
- 2) To provide adequate space for off-street parking of automobiles and, where appropriate, off-street loading of trucks.
- 3) To allow development that is consistent with the capacity of regional and local road systems.
- 4) To stimulate local economic development within the Business Park district area, while minimizing the demands of additional City Services.
- 5) To permit occupancies of a more intense use than are possible outside the MUSA.
- 6) To provide users with an attractive working environment that is unique in the eastern Metropolitan Area with immediate access to I-94.

301.070 D. 15. B. PERMITTED USES:

- 1) Offices for administrative, executive, professional, and management functions.
- 2) Clinics, medical offices.
- 3) Financial institutions such as banks
- 4) Business and professional schools, private trade schools.

301.070 D. 15. C. CONDITIONAL USES:

- 1) Medical, dental, and research Laboratories.
- 2) Business service uses normally associated with office developments (photocopy and printing shops, travel agencies, etc.) and containing limited retail activity.
- 3) Health clubs, such as, tennis, racquetball, aerobics, weight lifting, swimming, weight loss clinics.
- 4) Conference centers.
- 5) Veterinary clinics with no crematorium, outdoor kennels or storage.
- 6) Restaurants and cafeterias incorporated within a principal structure and oriented predominantly towards serving the needs of employees of the surrounding area, but excluding drive-up and exterior walk-up facilities.
- 7) Limited retail sales clearly accessory to the permitted principal use of the land, for example: the compounding, dispensing or sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the foregoing when conducted in the building occupied primarily by medical, dental, osteopathic, chiropractic or optometric offices.
- 8) Recording Studios.
- 9) Licensed dependent care centers and preschool facilities.
- 10) Theaters (excluding drive-ins).
- 11) Full service restaurants where food is served to a customer and consumed while seated at a counter or table.
- 12) Hotels and motels incorporating a full service restaurant and with rooms accessible only through interior corridors to be subordinate to a main business complex.
- 13) Transmission facilities for tele-conferencing, which are not free-standing and which do not extend more than 20 feet above the building to which they are attached.
- 14) Other uses similar to those permitted by this section, as determined by the City Council.

301.070 D. 15. D. ACCESSORY USES:

Within the Business Park district, the following are allowed provided they are subordinate to and associated with a permitted use:

- 1) Satellite dish antennas to permit tele-conferencing.
- 2) Landscaped buffers, wildlife areas, internal picnicking areas, and walking-jogging trails.

(301.070 D. 15. D.)

- 3) Internal privately owned and maintained roads for off street parking and loading areas, between buildings within a single platted lot.
- 4) Other uses customarily associated with, and clearly incidental to a permitted use, as determined by the City Council.

NOTE: Facilities for the operation of helicopters and STOL aircraft are expressly forbidden.

301.070 D. 15. E. MINIMUM DISTRICT REQUIREMENTS:

1. **Plat size.** A subdivision within the Business Park district (other than existing plats) cannot be platted if less than 20 acres in size.
2. **Minimum Lot Requirements:**
 - a. Lot Area: 3.0 Acres
 - b. Minimum Lot Width: 200 feet
 - c. Width/Depth ratio: 1/3.5 This assumes rectangular lots. Other shapes would generally conform to this ratio.
 - d. Minimum Building Setback from Property Lines:
 1. Front 50 feet, plus 25 feet for each storey above the first.
 2. Side, Side (street) and Rear 30 feet, plus 20 feet for each storey above the first.
 3. Any line adjacent to a residential zone 150 feet (This area is to be reserved for landscaping)
 - f. Minimum Parking Setback from property lines:
 1. Front 30 feet
 2. Side 15 feet
 3. Side (street) 30 feet
 4. Rear 15 feet
 - g. Maximum Building Height: 60 feet
Proposals for buildings higher than 60 feet would be subject to separate technical and planning evaluation by C.U.P.
 - h. Maximum area to be covered by buildings, parking lots, driveways, sidewalks and other impervious surfaces: 75%
 - i. Minimum Building Foundation Size: 10,000 sf

(301.070 D. 15. E.)

- j. No use may exceed a sanitary sewer usage rate of 335 gallons per day per gross acre of land. The city will require the installation of water meters and may require other documentation and testing in order to ensure compliance with this standard.

301.070 D. 15. F. PERFORMANCE STANDARDS:

301.070 D. 15. F. 1. Minimum Architectural Standards:

It is in the best interest of the City to promote high standards of architectural design. New building proposals shall include architectural and site plans prepared by registered architect and shall show the following as a minimum: 1) elevations of all sides of the buildings, 2) type and color of exterior building materials, 3) typical general floor plans, 4) dimensions of all structures, 5) location of trash containers, heating, cooling and ventilation equipment and systems, 6) description of unique architectural features specific to the particular request.

The exterior surfaces of all buildings shall be faced with brick, stone, glass or equivalent. The City may allow architecturally enhanced and integrally colored block, in all cases examples of the proposed finish are to be submitted for review by the Planning Commission. No building shall be constructed with a main exterior surface of sheet aluminum, steel, corrugated aluminum, or similar products, these materials are acceptable only as trim. Non-structural metal standing seam roofing is permitted. No accessory building shall exceed the height of a principal building. All exterior equipment and trash and recycling storage areas and dock areas shall be screened with materials used in the principal structure. Low profile, self-contained HVAC units which blend in with the building architecture are exempt from the screening requirement. Underground utilities shall be provided for all structures.

301.070 D. 15. F. 2. PARKING:

Each building site shall be provided with such off street automobile parking as may be approved by the City. No parking shall be permitted on any street, driveway, or any place other than in approved parking spaces.

Construction - all drives and parking lots shall be constructed with concrete or blacktop, and with concrete curb and gutters. Where appropriate, sidewalks may be required. Parking lot landscape areas, including landscape islands shall be reasonably distributed throughout the parking lot area so as to break up expanses of paved areas.

Ratio - Unless otherwise approved by the City, parking shall be provided as follows: a) The minimum ratio of one permanently-paved off-street automobile parking space for each 250 square feet of office building area, or b) the minimum ratio of one permanently-paved off-street automobile parking space for every two employees, whichever ratio shall result in the greater number of parking spaces.

Screening - All parking area shall be screened from the public view in a manner approved by the City prior to the construction or alteration of any building or building site.

Location - Unless otherwise approved by the City prior to construction or alteration, parking will not be permitted within 30 feet of the front property lines (those facing any dedicated street) of the building site, nor within 10 feet of its side property lines, nor within 10 feet of its rear property line.

301.070 D. 15. F. 3. LANDSCAPING:

All yard area shall either be landscaped green areas or open and left in a natural state. Yards to be landscaped shall be landscaped attractively with lawn, trees and shrubs in accordance with a plan prepared by a landscape architect. Areas left in a natural state shall be kept free of litter, debris and noxious weeds. Yards adjoining any residential zone shall contain a buffer area consisting of berming, landscaping and/or fencing for the purpose of screening noise, sight, sound and glare. A reasonable attempt shall be made to preserve as many existing trees as is practical and to incorporate them into the site plan. Where areas abut residential districts, a buffer area of a minimum depth of 150 feet will be required. Such a buffer area shall be completely defined and designed, and approved by the City prior to all final City inspections for construction on site. Prior to the issuance of a building permit or commencement of any improvements on site, the owner shall provide the City with a financial security for a minimum of 24 months, approved by the City Attorney, to assure construction of the buffer area. All landscaping shall comply with Section 504.040 of the Lake Elmo Municipal Code.

301.070 D. 15. F. 4. SIGNAGE:

All signs shall be of a design and material approved by the City. Unless otherwise approved by the City, all signs must be attached to a building, parallel to and contiguous with, its walls, and not projecting above its roof line. All signs shall comply with Chapter 505 of the Lake Elmo Municipal Code.

301.070 D. 15. F. 5. CITY FACILITY EXPANSION IMPACT FEE:

The City may assess a Public Facilities Impact Fee on a proposed development within the Business Park District in those cases where it can demonstrate that:

- a. The expansion of public facilities is reasonably required as a result of the approval of the development; and
- b. The Impact Fee does not exceed the development's pro-rata share of the reasonably anticipated public facilities expansion cost.

Impact Fees shall be placed in a restrictive fund and may only be used to finance the cost of the public facilities expansion required by the development approval.

301.070 D. 15. F. 6. LIGHTING:

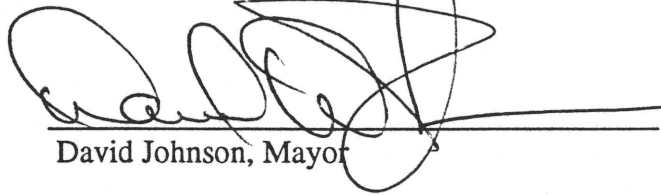
Plans for new developments shall include a lighting plan denoting the location, type and height of lighting fixtures and the illumination patterns shown on a site plan. Glare whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible at any property line. The source of lights shall be hooded and controlled. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. All lighting shall comply with Chapter 1508 of the Lake Elmo Municipal Code.

301.070 D. 15. F. 7. TRAFFIC:

No use shall be allowed unless the property owner provides a road plan acceptable to the City, which shall demonstrate, at a minimum, that the proposed use and resulting traffic will not adversely affect the then existing traffic of the City. All private roads must comply with existing City regulations, with construction and maintenance being the sole responsibility of the property owner.

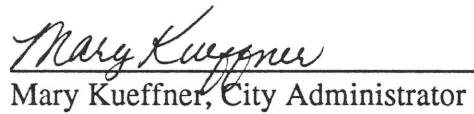
SECTION 2. EFFECTIVE DATE: This ordinance shall become effective the day following its publication.

Adopted by the City Council of the City of Lake Elmo this 6th day of October, 1992.



David Johnson, Mayor

Attest:



Mary Kueffner, City Administrator

Published in the St. Croix Valley Press on the 21st day of October, 1992.

CITY OF LAKE ELMO
WASHINGTON COUNTY
SUMMARY OF ORDINANCE 8073 RELATING TO
SECTION 301.070 D. 15. "BUSINESS PARK"

On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-73 adopting the "Business Park" Zoning Ordinance.

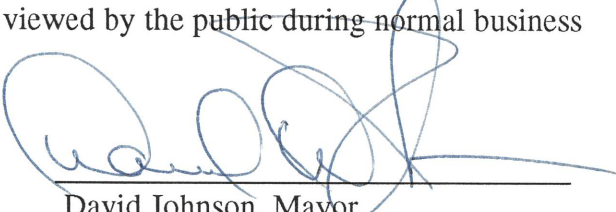
On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-73 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:

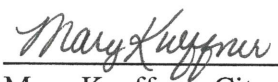
Section 301.050 D. 15	Business Park District
Section 301.050 D. 15A	Purpose
Section 301.050 D. 15B	Permitted Uses
Section 301.050 D. 15C	Conditional Uses
Section 301.050 D. 15D	Accessory Uses
Section 301.050 D. 15E	Minimum District Requirements
Section 301.050 D. 15F	Performance Standards
Section 301.050 D. 15F1	Minimum Architectural Standards
Section 301.050 D. 15F2	Parking
Section 301.050 D. 15F3	Landscaping
Section 301.050 D. 15F4	Signage
Section 301.050 D. 15F5	City Facility Expansion Impact Fee
Section 301.050 D. 15F6	Lighting
Section 301.050 D. 15F7	Traffic

A complete copy of Ordinance 80-73 "Business Park District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.

Signed:


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE 8074

AN ORDINANCE AMENDING SECTION 301.060D 1
(CONDITIONAL USE PERMITS) OF THE LAKE ELMO MUNICIPAL CODE

The City Council ordains that Section 301.060D1 of the Lake Elmo Municipal Code shall be amended to read as follows:

Section 301.060D1 Conditional Use Permits

Conditional Use Permits may be granted or denied in any district by action of the governing body according to the standards for that district. In granting a conditional use permit the governing body shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals, convenience, and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions including parking facilities on adjacent streets and land, the effect on utility and school capacities, the effect on property values of property in the surrounding area, and the effect of the proposed use on the Comprehensive Plan. If it shall determine that the proposed use will not be detrimental to the health, safety, convenience, morals, or general welfare of the community nor will cause serious traffic congestion nor hazards, nor will seriously depreciate surrounding property values, and that said use is in harmony with the general purpose and intent of this Ordinance and the Comprehensive Plan, the council may grant such permits.

EFFECTIVE DATE: This ordinance shall become effective the day following its publication.

ADOPTED by the Lake Elmo City Council on the 6th day of October, 1992.


David Johnson, Mayor

ATTEST:


Mary Kueffner, City Administrator

Published in the St. Croix Valley Press the 4th day of November, 1992.

CITY OF LAKE ELMO
WASHINGTON COUNTY
SUMMARY OF ORDINANCE 8073 RELATING TO
SECTION 301.070 D. 15. "BUSINESS PARK"

On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-73 adopting the "Business Park" Zoning Ordinance.


On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-73 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:

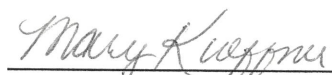
Section 301.070 D. 15	Business Park District
Section 301.070 D. 15A	Purpose
Section 301.070 D. 15B	Permitted Uses
Section 301.070 D. 15C	Conditional Uses
Section 301.070 D. 15D	Accessory Uses
Section 301.070 D. 15E	Minimum District Requirements
Section 301.070 D. 15F	Performance Standards
Section 301.070 D. 15F1	Minimum Architectural Standards
Section 301.070 D. 15F2	Parking
Section 301.070 D. 15F3	Landscaping
Section 301.070 D. 15F4	Signage
Section 301.070 D. 15F5	City Facility Expansion Impact Fee
Section 301.070 D. 15F6	Lighting
Section 301.070 D. 15F7	Traffic

A complete copy of Ordinance 80-73 "Business Park District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.

Signed:


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 8075

AN ORDINANCE RELATING TO PLATTING MONUMENTATION.

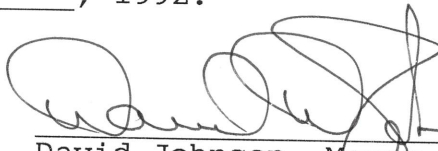
The Lake Elmo City Council hereby ordains that Section 401.360(C) of the Lake Elmo City Code is amended; and Section 401.360(D) is added to the Lake Elmo City Code to read as follows:

401.360(C). A second monumentation shall be required following the final grading and completion of streets, curbs and utility improvements for a plat in order to insure that all irons and monuments are correctly in place.

401.360(D). Proof of the final monumentation shall be in the form of a surveyor's affidavit that said monumentation is complete. The surveyor's affidavit shall be submitted to the Washington County Surveyor's Office and to the City of Lake Elmo within one year from the date of recording the plat or prior to the issuance of building permits, whichever event occurs first.

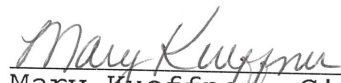
Effective Date. This ordinance shall be effective the day following its publication.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 20th day of October, 1992.



David Johnson, Mayor

ATTEST:



Mary Kueffner, City Administrator

Publication Date. Published on the 11th day of November, 1992.

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA
ORDINANCE 80- 76**

**AN ORDINANCE ADDING SECTIONS 505.040 W AND X AND
AMENDING SECTIONS 505.300A, 505.310A, 505.320 AND 505.410 OF
THE 1979 LAKE ELMO MUNICIPAL CODE AS IT RELATES SIGNS**

The City Council of the City of Lake Elmo ordains:

SECTION I. AMENDMENT: Section 505.040 W and X "Sign Definitions" are hereby added to the Lake Elmo Municipal Code, and ;Section 505.300A "Signs in Agricultural Districts - Type of Sign Allowed", Section 505. 310 A. "Permitted Signs in Residential Districts - Type of Signs Allowed", Section 505.320A "Permitted Signs in Commercial and Industrial Districts - Type of Signs Allowed" and Section 505.410 "Sign Permit Chart" of the Lake Elmo Municipal Code are hereby amended as follows; to wit:

505.040 W "Neighborhood/Sector Sign" - A free standing sign which identifies by name, the section of the City.

505.040 X " Directional Signs for Churches, Schools, or Publicly Owned Land or Buildings" - A sign which bears the name and/or address of a church, school, or publicly owned land or building and may include a directional arrow pointing to said location.

505.300 A - "Type of Sign Allowed": Nameplate, real estate sales, ground, political, temporary, wall, identification, business, Neighborhood/Sector Signs, and Directional Signs for Churches, Schools, or Publicly Owned Land or Buildings.

505.310A - "Type of Sign Allowed": Nameplate, real estate sales, political, ground, temporary, wall, identification, Neighborhood/Sector Signs, and Directional Signs for Churches, Schools, or Publicly Owned Land or Buildings.

505.320A - "Type of Sign Allowed": Business, nameplate, identification, illuminated, ground pedestal, motion, political, real estate sales, shopping center, temporary, wall, Neighborhood/Sector Signs, and Directional Signs for Churches, Schools, or Publicly Owned Land or Buildings.

505.410 - "Sign Permit Chart"

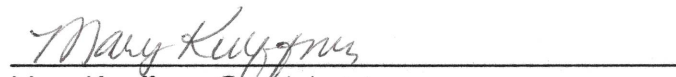
TYPE OF SIGN	AGRICULTURAL DISTRICT	RESIDENTIAL DISTRICT	COMMERCIAL DISTRICT	INDUSTRIAL DISTRICT	PLANNED UNIT DEV.
<u>Neighborhood/ Sector Sign</u>	SP	SP	SP	SP	SP
<u>Directional signs for Churches, Schools, or Publicly Owned Land or Buildings</u>	SP	SP	SP	SP	SP

SECTION 2. EFFECTIVE DATE: This ordinance shall become effective the day following its publication.

Adopted by the City Council of the City of Lake Elmo this 20th day of October, 1992.


David Johnson, Mayor

Attest:


Mary Kueffner, City Administrator

Published in the St. Croix Valley Press on the 11th day of November, 1992.

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 8077

AN ORDINANCE RELATING TO EXCEPTIONS TO PLATTING

The Lake Elmo City Council ordains that Sections 401.042(A), 401.042(A)(2) of the Lake Elmo Municipal Code are hereby amended to read as follows:

401.042(A). A minor subdivision is a division of land which results in no more than two parcels; and

1. Each resultant parcel, individually or when combined with an abutting parcel through an approved lot consolidation procedure, equals or exceeds the minimum lot requirements for the zoning district in which the property is located; or,
2. In those cases where the City Council determines that it is not reasonably possible for each such resultant parcel to comply with the provisions of Section 401.042(A)(1), each resultant parcel when combined with an abutting parcel through an approved lot consolidation procedure shall at least cause a currently nonconforming lot to become less nonconforming.

The Lake Elmo City Council ordains that Section 401.042(A)(3) is hereby repealed.

Effective Date. This ordinance shall be effective the day following its publication.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 20th day of October, 1992.



David Johnson, Mayor

ATTEST:



Mary Kueffner, City Administrator

Publication Date. This Ordinance or an approved Summary thereof, was published on the 18th of November, 1992.

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO

ORDINANCE NO. 8077

AN ORDINANCE RELATING TO EXCEPTIONS TO PLATTING

The Lake Elmo City Council ordains that Sections 401.042(A), 401.042(A)(2) of the Lake Elmo Municipal Code are hereby amended to read as follows:

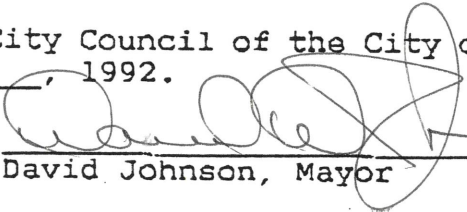
401.042(A). A minor subdivision is a division of land which results in no more than two parcels; and

1. Each resultant parcel, individually or when combined with an abutting parcel through an approved lot consolidation procedure, equals or exceeds the minimum lot requirements for the zoning district in which the property is located; or,
2. In those cases where the City Council determines that it is not reasonably possible for each such resultant parcel to comply with the provisions of Section 401.042(A)(1), each resultant parcel when combined with an abutting parcel through an approved lot consolidation procedure shall at least cause a concurrently nonconforming lot to become less nonconforming.

The Lake Elmo City Council ordains that Section 401.042(A)(3) is hereby repealed.

Effective Date. This ordinance shall be effective the day following its publication.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 20th day of October, 1992.


David Johnson, Mayor

ATTEST:


Mary Kueffner, City Administrator

Publication Date. This Ordinance or an approved Summary thereof, was published on the 11th of November, 1992.

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. 80-60

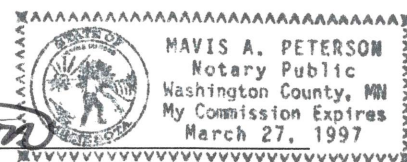
which is attached was cut from the columns of said newspaper, and was printed and published once each week, for ONE successive weeks; it was first published on WEDNESDAY, the 8 day of JANUARY, 1992, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 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 JANUARY, 1992.

Mavis A. Peterson



Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(Line, word, or inch rate)

CITY OF LAKE ELMO

COUNTY OF WASHINGTON
STATE OF MINNESOTA
ORDINANCE NO. 80-60
AN ORDINANCE RELATING TO LOT
CONSOLIDATIONS

The Lake Elmo City Council hereby ordains that Sections 401.040 II and 401.045 and its subdivisions are hereby added to the Lake Elmo Municipal Code to read as follows:

401.040 II. Lot Consolidation is the combining of two or more existing parcels into one parcel and recorded as one parcel with the Washington County Recorder's Office.

401.045. Lot Consolidations shall be excepted from the platting requirements of Section 401.210 of the Lake Elmo Municipal Code provided that such Lot Consolidations shall not create or increase the nonconformity of a Lot and provided further that the applicant for a Lot Consolidation shall:

A. Complete an application and submit it with the following information to the zoning administrator:

1. A legal description of each parcel of land.
2. A written description stating the reason and intention for the Lot Consolidation.
3. A current 1/2 Section map or a scaled drawing depicting all parcels involved in the Lot Consolidation.

Any Lot Consolidation requested with an application for a Large Lot or Simple Lot Subdivision shall be reviewed during the approval process. All other Lot Consolidations shall be reviewed by the City Staff and approved by the City Council by Resolution. The City Council may, at its option, refer the Lot Consolidation to the Planning Commission for review and recommendation prior to the City Council action.

Effective Date. This ordinance shall be effective the day following its publication.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 17th day of December, 1991.

David Johnson, Mayor

ATTEST:

Mary Kueffner, City Administrator

Published in the St. Croix Valley Press January 8, 1992.

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

Croix Valley Press, and has full knowledge

and with all of the requirements contained in the requirements of Minnesota Statutes, Chapter 169, and other applicable laws, as amended.

CITY OF LAKE ELMO

WASHINGTON COUNTY

SUMMARY OF ORDINANCE 80-61 RELATING TO LIQUOR WITHIN THE CITY OF LAKE ELMO
On December 17, 1991, the Lake Elmo City Council adopted Ordinance 80-61 relating to Liquor within the City of Lake Elmo.

On December 17, 1991, the Lake Elmo City Council received a summary of Ordinance 80-61 and by 4 affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTIONS OF THE LAKE ELMO MUNICIPAL CODE ARE HEREBY AMENDED:

- Section 1201.010 (B) Defines "Sale" or "Sell"
- Section 1201.010 (H) Defines "Commissioner"
- Section 1201.010 Defines "Wine"
- Section 1201.020 Requires License to sell liquor
- Section 1201.030 Defines 6 kinds of licenses
- Section 1201.030 (A)-(C) Defines On-Sale License, On-Sale Wine License and Temporary On-Sale Licenses
- Section 1201.040 Application of License
- Section 1201.040 (A)-(D) Defines Form of License, defines requirement of bond; defines financial responsibility; defines approval of security.
- Section 1201.050 Requires License Fees
- Section 1201.050 (A) Sets fees for Licenses
- Section 1201.050 (B) Allows for waiver of license fee
- Section 1201.060 Granting of License
- Section 1201.070 Defines persons ineligible for license
- Section 1201.080 Defines places ineligible for license
- Section 1201.080 (A) General prohibition
- Section 1201.080 (B) Delinquent Taxes
- Section 1201.090 Conditions of License
- Section 1201.100 Restrictions on Purchasing/Consumption
- Section 1202.020 (A) Prohibits the sale of non-intoxicating liquor without a license

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTIONS ARE HEREBY ADDED TO THE LAKE ELMO MUNICIPAL CODE:

- Section 1201.030 (D-F) Defines Off-Sale, Special Club and Special Sunday Sales Licenses
- Section 1201.050 (C-E) Requires payment for license, allows for a pro rate fee, defines provision for refunds
- Section 1201.060 (A-C) Requires a preliminary investigation for license application, provides for a hearing process for license applicant, provides the terms for license transfer.
- Section 1201.080 (C) Defines the distance from schools and churches for liquor license
- Section 1201.090 (A-E) General conditions of license, Insurance Requirements, Licensee Responsibilities, Inspections
- Section 1201.100 (A-B) Restricts liquor in unlicensed places, restricts consumption of liquor in public places.
- Section 1201.110 Sets forth the conditions for a license suspension and revocation.
- Section 1201.120 A (1-3) Sets forth the hours for on-sale liquor on Weekdays, Sundays, and Holidays.
- Section 1201.120 B (1-6) Restricts the hours and days of the sale of off-sale intoxicating liquor.
- Section 1202.010 Defines the sale or selling of non-intoxicating malt liquor
- Section 1202.020 A Prohibits the sale of non-intoxicating malt liquor without a license.

A complete copy of Ordinance 80-61 Regulation of Liquor within the City of Lake Elmo 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

Published in the St. Croix Valley Press January 15, 1992.

LAKE ELMO

ORDINANCE 80-61

the columns of said newspaper, and was published one week, for ONE successive weeks; on WEDNESDAY, the 15 day of JANUARY, 1992. It was thereafter printed and published on WEDNESDAY, the 15 day of JANUARY, 1992, and printed below is a copy of the lower portion of the newspaper, inclusive, which is hereby acknowledged to be a true and correct copy as the type used in the composition and publication.

Eugene D. Johnson
Publisher

me on
Y, 19 92.

MAVIS A. PETERSON
Notary Public
Washington County, MN
My Commission Expires
March 27, 1997

Notary Public, Ramsey County, Minn.

Commission expires MARCH 27, 1997.

INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(Line, word, or inch rate)

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
SUMMARY OF ORDINANCE 80-62

Commission is to engage in a comprehensive program of historic preservation and to preserve and promote Lake Elmo's historic resources.

This Ordinance defines and sets forth guidelines relative to the composition, qualifications, removal, officers, annual meeting, annual work plan, regular meetings, special meetings, quorum, voting, proceedings, rules of procedure, agendas, records, training, powers, and communication with the State Historic Preservation Officer.

This Ordinance further directs the Historic Preservation Commission to promote historical preservation within the City of Lake Elmo. To receive and cause to be made public display artifacts of significance to the community and to appropriately receipt and secure them. To write or cause to be written, a pictorial history of the City of Lake Elmo. To establish and maintain liaison with civic, church, and other groups for the purpose of promoting historic preservation and timely securing artifacts. To promote gifting of artifacts, structures, or money to promote the activities involved in historical preservation.

A complete copy of Ordinance 80-62 Historic Preservation Commission 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

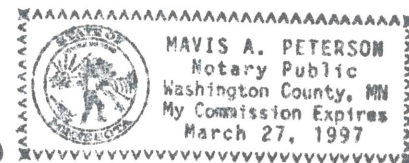
Published in the St. Croix Valley Press January 15, 1992.

cut from the columns of said newspaper, and was once each week, for ONE successive weeks; on WEDNESDAY, the 15 day 2, and was thereafter printed and published on to and including, the day 19; and printed below is a copy of the lower to Z, both inclusive, which is hereby acknowledged kind of type used in the composition and publica-

BY: [Signature]
TITLE: Publisher

before me on JANUARY, 19 92.

[Signature]



Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(Line, word, or inch rate)

CITY OF LAKE ELMO

WASHINGTON COUNTY

SUMMARY OF ORDINANCE 80-62

HERITAGE PRESERVATION COMMISSION

On December 17, 1991, the Lake Elmo City Council adopted Ordinance 80-62 relating to the establishment of a Heritage Preservation Commission.

On December 17, 1991, the Lake Elmo City Council received a summary of Ordinance 80-62 and by 4 affirmative votes, approved the publication of a summary of this ordinance, to wit:

Ordinance 80-62 establishes a Heritage Preservation Commission in accordance with State Statute 471.193 (Municipal Heritage Preservation) and the powers of the City of Lake Elmo.

The purpose of this Heritage Preservation

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
SUMMARY OF ORDINANCE 80-29

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 JANUARY, 1992, 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

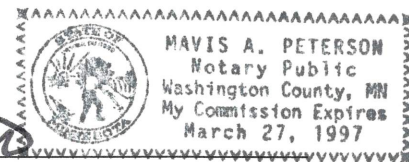
BY: Eugene D. Johnson

TITLE: Publisher

Subscribed and sworn to before me on

this 15 day of JANUARY, 1992.

Maivis A. Peterson



Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(Line, word, or inch rate)

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. 8063

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 APRIL, 1992, 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

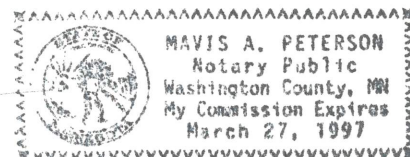
BY: Eugene D. Johnson
TITLE: Publisher

Subscribed and sworn to before me on
this 8 day of MAY, 1992.

Mavis A. Peterson

Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997.



RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(Line, word, or inch rate)

CITY OF LAKE ELMO
ORDINANCE NO. 8063

COUNTY OF WASHINGTON
STATE OF MINNESOTA
AN ORDINANCE AMENDING SECTION
212.012 AND SECTION 212.013 OF THE
LAKE ELMO MUNICIPAL CODE

The Lake Elmo City Council hereby ordains that Sections 212.012 and 212.013 are hereby amended to read as follows:

212.012 Composition: The Heritage Preservation Commission (H.P.C.) shall consist of nine (9) members, two alternate members and one (1) ex-officio member from the Washington County Historical Society. Members shall be appointed by the City Council for three year terms so that only one-third (1/3) of the appointments will expire on December 31st of each year. No member may serve more than two consecutive three-year terms unless the average years of service for all commission members is less than four years. A member who has served two terms may be reappointed by the City Council after a one year absence. The City Council shall designate a first alternate and a second alternate who will become full members in order of appointment and shall complete the unexpired term of the member they succeed. If the office of any alternate becomes vacant, the vacancy shall be filled in the same manner in which the last regular appointment for that office was made.

212.013 Qualifications: Each commission member must be a person with demonstrated interest and expertise in historic preservation and must reside or work within the City of Lake Elmo with the exception of ex-officio members.

Effective Date: This ordinance shall be effective the day following its publication.

Adoption date: Passed by the City Council of the City of Lake Elmo this 6th day of April, 1992.

David Johnson, Mayor
Mary Kueffner, City Administrator

Published in the St. Croix Valley Press April 15, 1992.

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 Minn. Stat. § 59.02, 331A.07, and other applicable laws, as amended.

CITY OF LAKE ELMO
WASHINGTON COUNTY
SUMMARY OF ORDINANCE 8064
RELATING TO FLOODPLAIN MANAGEMENT

On May 5, 1992, the Lake Elmo City Council adopted Ordinance 8064 relating to Floodplain Management within the City of Lake Elmo.

On May 5, 1992, the Lake Elmo City Council received a summary of Ordinance 8064 and by 5 affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTIONS OF THE LAKE ELMO MUNICIPAL CODE ARE HEREBY ADOPTED:

- SECTION 303.010 STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSE
- SECTION 303.020 GENERAL PROVISIONS
- SECTION 303.030 DEFINITIONS
- SECTION 303.040 ESTABLISHMENT OF FLOODPLAIN DISTRICT
- SECTION 303.050 FLOODPLAIN DISTRICT
- SECTION 303.060 PUBLIC UTILITIES, RAILROADS, AND BRIDGES
- SECTION 303.070 ADMINISTRATION
- SECTION 303.080 BOARD OF ADJUSTMENT AND APPEALS
- SECTION 303.090 CONDITIONAL USES - STANDARDS OF EVALUATION PROCEDURES
- SECTION 303.100 NONCONFORMING USES
- SECTION 303.110 PENALTIES FOR VIOLATION
- SECTION 303.120 AMENDMENTS

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY REPEALED IN ITS ENTIRETY.

SECTION 304 FLOOD PLAIN MANAGEMENT

A complete copy of Ordinance 8064 Floodplain Management within the City of Lake Elmo is on file in the office of the city administrator and can be viewed by the public during normal business hours.

David Johnson, Mayor

Attest: Mary Kueffner, City Administrator

Published in the St. Croix Valley Press May 20, 1992.

CITY OF LAKE ELMO

ORD. 8064 - FLOOD PLAIN MANAGEMENT

as cut from the columns of said newspaper, and was printed once each week, for ONE successive weeks; on WEDNESDAY, the 20 day of MAY, 1992, and was thereafter printed and published on _____ to and including _____, the _____ day of _____, 19____; and printed below is a copy of the lower case letters A to Z, both inclusive, which is hereby acknowledged and the kind of type used in the composition and publication.

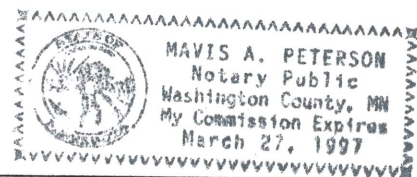
BY:

TITLE: Publisher

Subscribed and sworn to before me on

this 22 day of MAY, 1992.

Mavis A. Peterson



Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(Line, word, or inch rate)

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. 8065

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 27 day of MAY, 1992, 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:

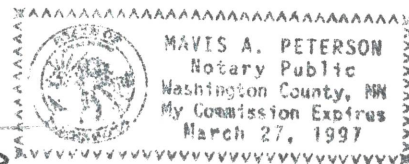
abcdefghijklmnopqrstuvwxyz

BY:

TITLE: Publisher

Subscribed and sworn to before me on
this 27 day of MAY, 1992.

Mavis Peterson



Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 19 97.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(Line, word, or inch rate)

CITY OF LAKE ELMO

COUNTY OF WASHINGTON
STATE OF MINNESOTA
ORDINANCE 8065

AN ORDINANCE ADDING SECTION 1005
RELATING TO THE REGULATION OF
BICYCLING TO THE LAKE ELMO
MUNICIPAL CODE

The City Council ordains that Chapter 1005 and its subsections shall be added to the Lake Elmo Municipal Code to read as follows:

SECTION 1005. BICYCLING.

It shall be unlawful for any person to:

A. Operate a bicycle, except on designated bike trails and roadways and except as close to the right hand side of bike trail or roadway as conditions permit;

B. Operate a mountain bike or similar cycle except on bike trails and roadways as permitted in Section 1005;

C. Operate a bicycle in violation of Minnesota Statutes, Chapter 169, "Highway Traffic Violation";

D. Ride or operate a bicycle except in a prudent and careful manner and at speeds faster than is reasonable and safe with regard to the safety of the operator and other persons in the immediate area.

Effective Date: This ordinance shall be effective the day following its publication.

Adoption Date: Passed by the City Council of the City of Lake Elmo the 18th day of May 1992.

David Johnson,
Mayor
Attest:

Mary Kueffner,
City Administrator

Published in the St. Croix Valley Press May 27, 1992.

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.

OF LAKE ELMO

8066

in the columns of said newspaper, and was
each week, for ONE successive weeks;
WEDNESDAY, the 3 day
and was thereafter printed and published on
including _____, the _____ day
; and printed below is a copy of the lower
th inclusive, which is hereby acknowledged
type used in the composition and publica-

CITY OF LAKE ELMO

COUNTY OF WASHINGTON

STATE OF MINNESOTA

ORDINANCE 8066

AN ORDINANCE REPEALING SECTION 505.260 AND AMENDING SECTION 505.320 A AND SECTION 505.410 OF THE LAKE ELMO MUNICIPAL CODE

The Lake Elmo City Council hereby ordains that Section 503.260 of the Lake Elmo Municipal Code is hereby repealed.

The Lake Elmo City Council hereby ordains that Section 505.320A and Section 505.410 of the Lake Elmo Municipal Code are hereby amended to read as follows:

Section 505.320A: Type of Signs Allowed: Business, nameplate, identification, illuminated, ground, pedestal, motion, political, real estate sales, shopping center, temporary and wall.

Section 505.410: Sign Permit Chart:

SP = Sign Permit	AG	RES	COMM	INDUS	PUD
C = Conditional Use Permit	DIST	DIST	DIST	DIST	DIST
P = Permitted Use					
N = Not Allowed					

Advertising Sign	N	N	N	N	N
------------------	---	---	---	---	---

Effective Date: This ordinance shall be effective the day following publication.

Adoption Date: Passed by the City Council of the City of Lake Elmo the 18th day of May, 1992.

David Johnson, Mayor

Attest:

Marry Kueffner, City Administrator

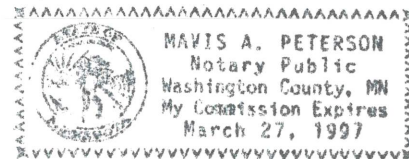
Published in the St. Croix Valley Press June 3, 1992.

E: Publisher

Subscribed and sworn to before me on

this 3 day of JUNE, 19 92.

Mavis Peterson



Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 19 97.

RATE INFORMATION

(1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)

(2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)

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

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 Statutes, Sections 502, 331A.07, and other applicable laws, as amended.

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA
ORDINANCE 8067

AN ORDINANCE ADDING SECTIONS 505.040V. AND SECTION 505.320F, AND AMENDING SECTION 505.320A. AND SECTION 505.410 OF THE LAKE ELMO MUNICIPAL CODE.

The City Council ordains that Sections 505.040V. and Section 505.320F. shall be added to the Lake Elmo Municipal Code to read as follows:

Section 505.040V: SIGN: City Identification Sign: A sign that contains the name of the City, the City logo, and may also include identification of civic organizations located within the City.

Section 505.320F: City Identification signs shall not exceed 6 feet in height or 40 square feet in total surface coverage.

The City Council further ordains that Sections 505.320A. and 505.410 are hereby amended as follows:

Section 505.320A: Type of Signs Allowed: Business, nameplate, identification, illuminated, ground, pedestal, motion, political, real estate sales, shopping center, temporary wall and City Identification Sign.

Section 505.410: Sign Permit Chart:

SP = Sign Permit
C = Conditional Use Permit
P = Permitted Use
M = Not Allowed

AG	RES	COMM	INDUS	PUD
DIST	DIST	DIST	DIST	DIST
N	N	P	N	N

City Identification Sign

Effective Date: This ordinance shall be effective on the day following publication.

Adoption Date: Passed by the City Council of the City of Lake Elmo the 16th day of June, 1992.

David Johnson, Mayor

ATTEST:

Mary Kuefner, City Administrator

Published in the St. Croix Valley Press June 24, 1992

OF LAKE ELMO

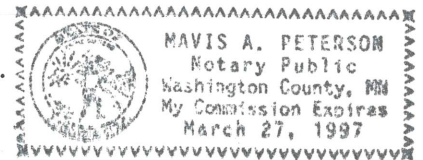
67

cut from the columns of said newspaper, and was once each week, for ONE successive weeks; on WEDNESDAY, the 24 day of JUNE, 1992, and was thereafter printed and published on WEDNESDAY, the 24 day of JUNE, 1992; and printed below is a copy of the lower portion of the newspaper, from page 1 to Z, both inclusive, which is hereby acknowledged and of type used in the composition and publication.

BY: Eugene D. Johnson
TITLE: Publisher

Subscribed and sworn to before me on this 24 day of JUNE, 1992.

Mavis A. Peterson



Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997

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)

SEP 15 1992

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
ZONING DISTRICT MAP

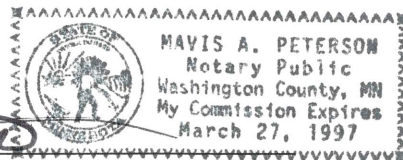
which is attached was cut from the columns of said newspaper, and was printed and published once each week, for ONE successive weeks; it was first published on WEDNESDAY, the 5 day of AUGUST, 1992, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 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 AUGUST, 1992.

Mavis A. Peterson

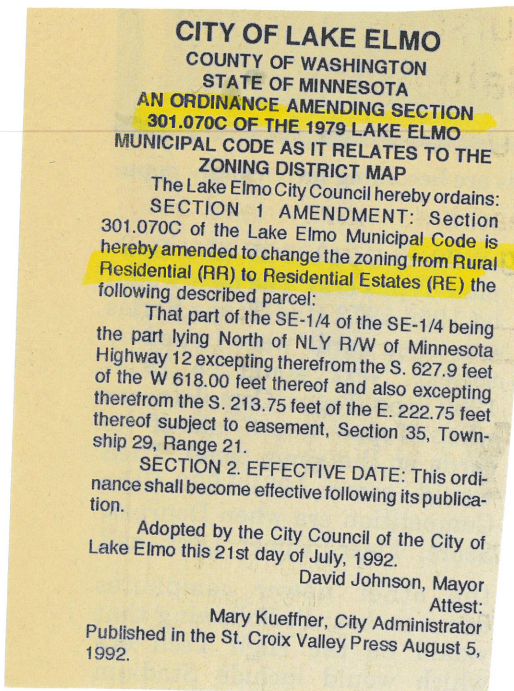


Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997.

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 LINO LAKES
ORDINANCE NO. 80-69

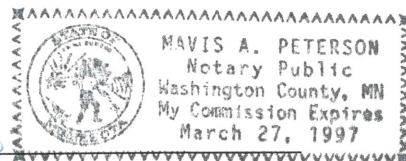
which is attached was cut from the columns of said newspaper, and was printed and published once each week, for ONE successive weeks; it was first published on WEDNESDAY, the 2 day of SEPTEMBER, 19 92, and was thereafter printed and published on every to and including, the day of 19; and printed below 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 2 day of SEPTEMBER, 19 92.

Mavis A. Peterson

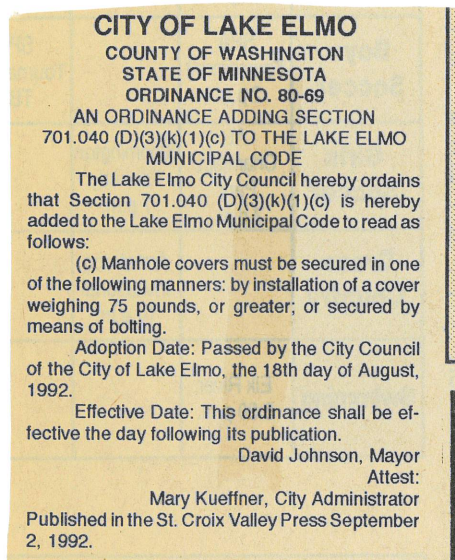


Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997

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
SUMMARY OF ORDINANCE 8072

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 30 day of DECEMBER, 1992, 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 30 day of DECEMBER, 1992.

MAVIS A. PETERSON

Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997

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

SUMMARY OF ORDINANCE 8072 RELATING TO SECTION 301.070 D. 14 "LIMITED BUSINESS ZONING DISTRICT"

On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-72 adopting the "Limited Business District" Zoning Ordinance.

On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-72 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit:

THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:

Section 301.070 D. 14 Limited Business District
Section 301.070 D. 14A Purpose
Section 301.070 D. 14B Permitted Uses
Section 301.070 D. 14C Conditional Uses
Section 301.070 D. 14D Accessory Uses
Section 301.070 D. 14E Minimum District Requirements

Section 301.070 D. 14F Performance Standards
Section 301.070 D. 14F1 Minimum Architectural Standards

Section 301.070 D. 14F2 Parking
Section 301.070 D. 14F3 Landscaping
Section 301.070 D. 14F4 Signage
Section 301.070 D. 14F5 City Facility Expansion Impact Fee

Section 301.070 D. 14F6 Lighting
Section 301.070 D. 14F7 Traffic

A complete copy of Ordinance 80-72 "Limited Business District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.

Signed:

David Johnson

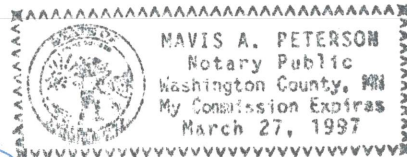
Mayor

Attest:

Mary Kueffner

City Administrator

Published in the St. Croix Valley Press, December 30, 1992



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
SUMMARY OF ORDINANCE 8072

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 21 day of OCTOBER, 19 92, 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 21 day of OCTOBER, 19 92



MAVIS A. PETERSON
Notary Public
Washington County, MN
My Commission Expires
March 27, 1997

Mavis A. Peterson

Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 19 97.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(Line, word, or inch rate)

CITY OF LAKE ELMO
WASHINGTON COUNTY
SUMMARY OF ORDINANCE 8072 RELATING TO SECTION 301.070D.14. "LIMITED BUSINESS ZONING DISTRICT"
On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-72 adopting the "Limited Business District" Zoning Ordinance.
On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-72 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit:
THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:
Section 301.050 D. 14 Limited Business District
Section 301.050 D. 14 A Purpose
Section 301.050 D. 14 B Permitted Uses
Section 301.050 D. 14 C Conditional Uses
Section 301.050 D. 14 D Accessory Uses
Section 301.050 D. 14 E Minimum District Requirements
Section 301.050 D. 14 F Performance Standards
Section 301.050 D. 14 F1 Minimum Architectural Standards
Section 301.050 D. 14 F2 Parking
Section 301.050 D. 14 F3 Landscaping
Section 301.050 D. 14 F4 Signage
Section 301.050 D. 14 F5 City Facility Expansion Impact Fee
Section 301.050 D. 14 F6 Lighting
Section 301.050 D. 14 F7 Traffic
A complete copy of Ordinance 80-72 "Limited Business District" is on file in the office of the City Clerk/Administrator and can be reviewed by the public during normal business hours.
Signed: David Johnson, Mayor
Attest:
Mary Kueffner, City Administrator
Published in the St. Croix Valley Press October 21, 1992

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
SUMMARY OF ORDINANCE 8073

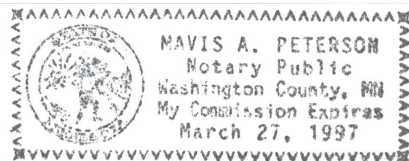
which is attached was cut from the columns of said newspaper, and was printed and published once each week, for ONE successive weeks; it was first published on WEDNESDAY, the 30 day of DECEMBER, 1992, and was thereafter printed and published on every _____ to and including _____, the _____ day of _____, 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 30 day of DECEMBER, 19 92.

Navis A. Peterson



Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997

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
SUMMARY OF ORDINANCE 8073 RELATING TO
SECTION 301.070 D.15. "BUSINESS PARK"
On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-73 adopting the "Business Park" Zoning Ordinance.
On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-73 and by four (4) affirmative votes, approved the publication of a summary of this ordinance. to wit:
THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:
Section 301.070 D.15 Business Park District
Section 301.070 D. 15A Purpose
Section 301.070 D. 15B Permitted Uses
Section 301.070 D. 15C Conditional Uses
Section 301.070 D. 15D Accessory Uses
Section 301.070 D. 15E Minimum District Requirements
Section 301.070 D. 15F Performance Standards
Section 301.070 D 15F1 Minimum Architectural Standards
Section 301.070 D. 15F2 Parking
Section 301.070 D. 15F3 Landscaping
Section 301.070 D. 15F4 Signage
Section 301.070 D. 15F5 City Facility Expansion Impact Fee
Section 301.070 D. 15F6 Lighting

Section 301.070 D.15F7 Traffic
A complete copy of Ordinance 80-73 "Business Park District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.
Signed:
David Johnson, Mayor
Attest:
Mary Kueffner
City Administrator
Published in the St. Croix Valley Press, December 30, 1992

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
SUMMARY OF ORDINANCE 8073 RELATING TO SECTION 301.070.

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 21 day of OCTOBER, 1992, 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

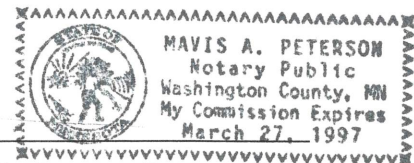
BY: Eugene D. Johnson
TITLE: Publisher

Subscribed and sworn to before me on
this 21 day of OCTOBER, 19 92.

Mavis A. Peterson

Notary Public, Ramsey County, Minn.

My Commission expires March 27, 1997.



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

SUMMARY OF ORDINANCE 8073 RELATING
TO SECTION 301.070 D. 15
"BUSINESS PARK"

On October 6, 1992, the Lake Elmo City Council adopted Ordinance 80-73 adopting the "Business Park" Zoning Ordinance.

On October 6, 1992, the Lake Elmo City Council received a summary of Ordinance 80-73 and by four (4) affirmative votes, approved the publication of a summary of this ordinance, to wit: THE LAKE ELMO CITY COUNCIL ORDAINS THAT THE FOLLOWING SECTION OF THE LAKE ELMO MUNICIPAL CODE IS HEREBY ADOPTED, TO WIT:

- | | |
|-------------------------|------------------------------------|
| Section 301.050 D. 15 | Business Park District |
| Section 301.050 D. 15A | Purpose |
| Section 301.050 D. 15B | Permitted Uses |
| Section 301.050 D. 15C | Conditional Uses |
| Section 301.050 D. 15D | Accessory Uses |
| Section 301.050 D. 15E | Minimum District Requirements |
| Section 301.050 D. 15F | Performance Standards |
| Section 301.050 D. 15F1 | Minimum Architectural Standards |
| Section 301.050 D. 15F2 | Parking |
| Section 301.050 D. 15F3 | Landscaping |
| Section 301.050 D. 15F4 | Signage |
| Section 301.050 D. 15F5 | City Facility Expansion Impact Fee |
| Section 301.050 D. 15F6 | Lighting |
| Section 301.050 D. 15F7 | Traffic |

A complete copy of Ordinance 80-73 "Business Park District" is on file in the office of the City Clerk/Administrator and can be viewed by the public during normal business hours.

Signed: David Johnson, Mayor

Attest:

Mary Kueffner, City Administrator

Published in the St. Croix Valley Press October 21, 1992

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:

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA
ORDINANCE 8074
AN ORDINANCE AMENDING SECTION 301.060D 1 (CONDITIONAL USE PERMITS) OF THE LAKE ELMO MUNICIPAL CODE
The City Council ordains that Section 301.060D1 of the Lake Elmo Municipal Code shall be amended to read as follows:
Section 301.060D1 Conditional Use Permits
Conditional Use Permits may be granted or denied in any district by action of the governing body according to the standards for that district. In granting a conditional use permit the governing body shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals, convenience, and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions including parking facilities on adjacent streets and land, the effect on utility and school capacities, the effect on property values of property in the surrounding area, and the effect of the proposed use on the Comprehensive Plan. If it shall determine that the proposed use will not be detrimental to the health, safety, convenience, morals, or general welfare of the community

(A) The newspaper has complied with all of the requirements concerning a qualified newspaper, as provided by Minnesota Statutes, Chapter 31A.07, and other applicable laws, as amended.

EFFECTIVE DATE: This ordinance shall become effective the day following its publication.
ADOPTED by the Lake Elmo City Council on the 6th day of October, 1992.
David Johnson, Mayor
Mary Kueffner, City Administrator
Published in the St. Croix Valley Press November 4, 1992

OF LAKE ELMO
from the columns of said newspaper, and was published each week, for ONE successive weeks;

it was first published on WEDNESDAY, the 4 day of NOVEMBER, 1992, 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 4 day of NOVEMBER, 19 92

MAVIS A. PETERSON
Notary Public
Washington County, MN
My Commission Expires March 27, 1997

Mavis Peterson
Notary Public, Ramsey County, Minn.
My Commission expires MARCH 27, 1997.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10 (Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10 (Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ (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:

STATE OF MINNESOTA
COUNTY OF WASHINGTON

CITY OF LAKE ELMO
AN ORDINANCE RELATING TO
EXCEPTIONS TO PLATTING

The Lake Elmo City council ordains that Section 401.042 and its subdivision, and Section 401.060 (D) are hereby added to the Lake Elmo Municipal Code to read as follows:

402.042. Exceptions to Platting. The City Council may waive all or a portion of the platting requirements for a minor subdivision.

A. A minor subdivision is a division of property which satisfies the following criteria:

1. The property division results in no more than two parcels; and

2. Each resultant parcel, individually or when combined with an abutting parcel through an approved lot consolidation procedure, equals or exceeds the minimum lot requirements for the zoning district in which the property is located; or

3. Each resultant parcel when combined when combined with an abutting parcel through an approved lot consolidation procedure causes a currently nonconforming lot to become less nonconforming.

B. Application for Review. Applications for a minor subdivision shall be submitted on forms provided by the zoning administrator which include the following information;

1. Name, address and telephone number of the property owner.

2. A legal description of the parcel which is being subdivided and legal descriptions for each of the resulting parcels.

3. A written description stating the reason for the request.

4. A land survey prepared by and signed by a registered land surveyor describing the minor subdivision and showing all buildings, driveway, easements, setbacks and other pertinent information and including new legal descriptions for all resulting parcels.

C. Review. A completed application shall be submitted to the Planning Commission for its review and recommendation to the City Council. Simple lot divisions may be approved by three affirmative votes of the City Council. Council may attach reasonable conditions to its approval and may require dedication of necessary easements.

401.060 (D). Has been approved as an exception to platting pursuant to Section 401.042. The Lake Elmo City Council ordains that Section 401.040 entitled "exceptions to Platting (Simple Lot Division or Large Lot Division)" and its subdivisions, and Section 401.260 and its subdivisions are hereby repealed.

Effective Date. This ordinance shall be effective the day following its publication.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 16th day of September, 1992

David Johnson,
Mayor

Attest:
Mary Kueffener,
City Administrator

Published in the St. Croix Valley Press September 23, 1992

tion or the notice:

abcdefghijklmnopqrstuvwxyz

BY:

TITLE: Publisher

Subscribed and sworn to before me on

this 23 day of SEPTEMBER, 19 92.



MAVIS A. PETERSON
Notary Public
Washington County, MN
My Commission Expires
March 27, 1997

Mavis A. Peterson

Notary Public, Ramsey County, Minn.

My Commission expires March 27 1997

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
AN ORDINANCE RELATING TO PLATTING MONUMENTATION

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 11 day of NOVEMBER, 1992, 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

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA
ORDINANCE NO. 8075
AN ORDINANCE RELATING TO PLATTING
MONUMENTATION

The Lake Elmo City Council hereby ordains that Section 401.360(C) of the Lake Elmo City Code is amended; and Section 401.360(D) is added to the Lake Elmo City Code to read as follows:

401.360(C). A second monumentation shall be required following the final grading and completion of streets, curbs and utility improvements for a plat in order to insure that all irons and monuments are correctly in place.

401.360(D). Proof of the final monumentation shall be in the form of a surveyor's affidavit that said monumentation is complete. The surveyor's affidavit shall be submitted to the Washington County Surveyor's Office and to the City of Lake Elmo within one year from the date of recording the plat or prior to the issuance of building permits, whichever event occurs first.

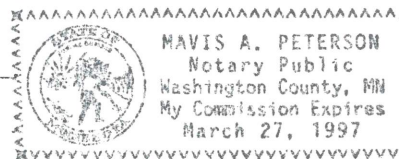
Effective Date: This ordinance shall be effective the day following its publications.

Adoption Date: Passed by the City Council of the City of Lake Elmo the 20th day of October, 1992.

David Johnson, Mayor
ATTEST:
Mary Kueffner, City Administrator
Published in the St. Croix Valley Press November 11, 1992

Subscribed and sworn to before me on
this 11 day of NOVEMBER, 1992

Mavis A. Peterson



Notary Public, Ramsey County, Minn.
My Commission expires MARCH 27, 1997.

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(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

below:

complied with all of the requirements con-qualified newspaper, as provided by Min-A.07, and other applicable laws, as amend-

OF LAKE ELMO

from the columns of said newspaper, and was each week, for ONE successive weeks; EDNESDAY, the 11 day and was thereafter printed and published on and including _____, the _____ day; and printed below is a copy of the lower with inclusive, which is hereby acknowledged of type used in the composition and publica-

CITY OF LAKE ELMO

WASHINGTON COUNTY, MN
ORDINANCE 8076

AN ORDINANCE ADDING SECTIONS 505.040 W AND X AND AMENDING SECTIONS 505.300A, 505.310A, 505.320 AND 505.410 OF THE 1979 LAKE ELMO MUNICIPAL CODE AS IT RELATES SIGNS

The City Council of the City of Lake Elmo ordains:

SECTION 1: AMENDMENT: Section 505.040 W and S "Sign Definitions" are hereby added to the Lake Elmo Municipal Code and Section 505.300A "Signs in Agricultural Districts - Type of Sign Allowed", Section 505.310A "Permitted Signs in Residential Districts - Type of Signs Allowed", Section 505.320A "Permitted Signs in Commercial and Industrial Districts - Type of Signs Allowed" and Section 505.410 "Sign Permit Chart" of the Lake Elmo Municipal Code are hereby amended as follows: to wit:

505.040 W "Neighborhood/Section Sign" - A free standing sign which identifies by name, the section of the City.

505.040 X "Directional Signs for Churches, Schools, or Publicly Owned Land or Buildings" - A sign which bears the name and/or address of a churches, school, or publicly owned land or building and may include a directional arrow pointing to said location.

505.300 - "Type of Sign Allowed": Nameplate, real estate sales, ground, political, temporary, wall, identification, business, Neighborhood/Sector Signs, and Directional Signs for Churches, Schools, or Publicly Owned Land or Buildings.

505.130 A - "Type of Sign Allowed": Nameplate, real estate sales, political, ground, temporary, wall, identification, Neighborhood/Section Signs, and Directional Signs for Churches, Schools, or Publicly Owned Land or Buildings.

505.320 A - "Type of Sign Allowed": Business, nameplate, identification, illuminated, ground pedestal, motion, political, real estate sales, shopping center, temporary, wall, Neighborhood/Section Signs, and Directional Signs for Churches, Schools, or Publicly Owned Land or Buildings.

505.410 - "Sign Permit Chart"

TYPE OF SIGN	AGRICULTURAL DISTRICT	RESIDENTIAL DISTRICT	COMMERCIAL DISTRICT	INDUSTRIAL DISTRICT	PLANNED UNIT DEV.
Neighborhood/Section Sign	SP	SP	SP	SP	SP
Directional signs for Churches, Schools or Publicly Owned Land or Buildings	SP	SP	SP	SP	SP

SECTION 2. EFFECTIVE DATE: This ordinance shall become effective the day following its publication.

Adopted by the City Council of the City of Lake Elmo this 20th day of October, 1992.

David Johnson, Mayor
Attest:
Mary Kueffner
City Administrator

Published in the St. Croix Valley Press November 11, 1992

E: Publisher

ore me on
R, 19 92

MAVIS A. PETERSON
Notary Public
Washington County,
My Commission Expires
March 27, 1997

Notary Public, Ramsey County, Minn.

My Commission expires MARCH 27, 1997

RATE INFORMATION

- (1) Lowest classified rate paid by commercial users for comparable space. \$ 3.10
(Line, word, or inch rate)
- (2) Maximum rate allowed by law for the above matter. \$ 3.10
(Line, word, or inch rate)
- (3) Rate actually charged for the above matter. \$ _____
(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 STATE OF MINNESOTA
ORDINANCE NO. 8077

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 18 day of NOVEMBER, 1992, 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*

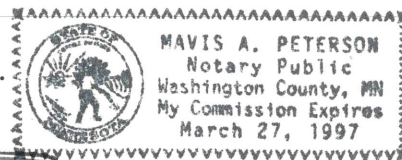
TITLE: Publisher

Subscribed and sworn to before me on
this 18 day of NOVEMBER, 1992.

Mavis A. Peterson

Notary Public, Ramsey County, Minn.

My Commission expires March 27, 1997



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)

STATE OF MINNESOTA
COUNTY OF WASHINGTON
CITY OF LAKE ELMO
ORDINANCE NO. 8077
AN ORDINANCE RELATING TO
EXCEPTIONS TO PLATTING

The Lake Elmo City Council ordains that Sections 401.042(A), 401.042(A)(2) of the Lake Elmo Municipal Code are hereby amended to read as follows:

401.042 (A). A minor subdivision is a division of land which results in no more than two parcels; and

1. Each resultant parcel, individually or when combined with an abutting parcel through an approved lot consolidation procedure, equals or exceeds the minimum lot requirements for the zoning district in which the property is located; or,

2. In those cases where the City Council determines that it is not reasonably possible for each such resultant parcel to comply with the provisions of Section 401.042(A)(1), parcel through an approved lot consolidation procedure shall at least cause a currently nonconforming lot to become less nonconforming.

The Lake Elmo City Council ordains that Section 401.042(A)(3) is hereby repealed.

Effective Date. This ordinance shall be effective the day following its publication.

Adoption Date. Passed by the City Council of the City of Lake Elmo the 20th day of October, 1992.

David Johnson, Mayor

ATTEST:

Mary Kueffner, City Administrator

Publication Date. This Ordinance or an approved Summary thereof, was published on the 18 of November, 1992.