

TITLE III: ADMINISTRATION

TITLE III: ADMINISTRATION

Chapter

- 30. CITY GOVERNMENT**
- 31. BOARDS AND COMMISSIONS**
- 32. EMERGENCY MANAGEMENT**
- 33. CITY POLICIES**
- 34. ADMINISTRATIVE OFFENSES**
- 35. TAXATION**

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT

CHAPTER 30: CITY GOVERNMENT

Section

City Council

- 30.01 Initial meeting; organization
- 30.02 Regular and special meetings
- 30.03 Presiding officer
- 30.04 Minutes
- 30.05 Order of business; agenda
- 30.06 Quorum and voting
- 30.07 Ordinances, resolutions, motions, and petitions
- 30.08 Committees and appointments
- 30.09 Suspension of rules
 - Councilmembers and Mayor; Election, Term of Office*
- 30.20 Purpose
- 30.21 Elections
- 30.22 Term of office; Mayor

Spring Lake Park, MN Code of Ordinances

- 30.23 Term of office; Councilmembers
- 30.24 Compensation of Mayor and Council members

City Officials

- 30.35 Administrator, Clerk/Treasurer
- 30.36 Audit

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY COUNCIL

CITY COUNCIL

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY COUNCIL / § 30.01 INITIAL MEETING; ORGANIZATION.

§ 30.01 INITIAL MEETING; ORGANIZATION.

At the first regular Council meeting of January of each year, the Council shall:

- (A) Designate the depositories of city funds;
- (B) Designate the official newspaper;
- (C) Choose an Acting Mayor from the Councilmembers, who shall perform the duties of the Mayor during the disability or absence of the Mayor from the city or, in case of a vacancy in the office of Mayor, until a successor has been appointed and qualifies;
- (D) Appoint officers and employees and members of boards, commissions, and committees as may be necessary; and
- (E) The following appointment procedure will be used when there are multiple positions available with more candidates than positions:
 - (1) Nominations will be accepted by the Mayor from any Councilmember;
 - (2) Nominations will optionally be presented by the Mayor;
 - (3) Nominations from the floor will be accepted;
 - (4) Any written nominations will be honored;
 - (5) Brief supporting statements will be allowed if desired;

Spring Lake Park, MN Code of Ordinances

(6) The Council Secretary will prepare the following chart on the board:

<i>Councilmember Voting</i>	<i>Candidate A</i>	<i>Candidate B</i>	<i>Candidate C</i>	<i>Candidate D</i>	<i>Candidate (as needed)</i>
Mayor					
Councilmember A					
Councilmember B					
Councilmember C					
Councilmember D					

(7) Each Councilmember and the Mayor will be asked to rank, on paper, his or her choice for the appointment. If there are three positions open, the first choice would get five points; if there are two positions open, the first choice would get four points; and if there is only one position open, the first choice would get three points. Everyone would then give his or her second choice one less point, third choice one less point, fourth choice one less point, and fifth choice one less point. If, for example, there are five candidates and two openings, everyone must give one candidate a four, one a three, one a two, and one a one;

(8) The Administrator, Clerk/Treasurer will collect the ballots and record the totals on the board; and

(9) The accumulation of the five votes will determine the appointee. Ties, when they are significant, will be broken by lot.

(1976 Code, § 14B.01)

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY COUNCIL / § 30.02 REGULAR AND SPECIAL MEETINGS.

§ 30.02 REGULAR AND SPECIAL MEETINGS.

(A) *Regular meetings.* Regular meetings of the City Council shall be held on the first and third Monday of each calendar month at 7:00 p.m. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place. All meetings, including special and adjourned Council meetings, shall be held in the Community Center, 1301 81st Avenue NE, unless specially called for another location.

(B) *Special meetings.* The Mayor or any two members of the Council may call a special meeting of the Council upon at least 24 hours written notice to each member of the

Spring Lake Park, MN Code of Ordinances

Council. This notice shall be delivered personally to each member or shall be left at his or her usual place of residence with some responsible person. Similar notice shall be given to the official publications of the city and posted at the Community Center.

(C) *Public meetings.* All Council meetings, including special and adjourned Council meetings and meetings of Council committees, shall be open to the public.

(1976 Code, § 14B.01)

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY COUNCIL / § 30.03 PRESIDING OFFICER.

§ 30.03 PRESIDING OFFICER.

(A) *Who presides.* The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the Acting Mayor shall preside. In the absence of both, the Administrator, Clerk/Treasurer shall call the meeting to order and shall preside until the Councilmembers present at the meeting choose one of their number to act temporarily as presiding officer.

(B) *Procedure.* The presiding officer shall preserve order, enforce the rules of procedure herein prescribed, and determine, subject to the final decision of the Council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by these rules, the proceedings of the Council shall be conducted in accordance with Robert's Rules of Order, Newly Revised.

(C) *Appeal.* Any member may appeal to the Council from a ruling of the presiding officer. The appeal shall be sustained if it is approved by a majority of the members present.

(D) *Rights of presiding officer.* The presiding officer may make motions or speak on any question except that on demand of any Councilmember, he or she shall vacate the chair and designate a Councilmember to preside temporarily.

(E) *Variations from Robert's Rules of Order, Newly Revised.*

(1) Motions will not need a second.

(2) Any motion may be debated; debate may be limited by a successful motion to limit.

(1976 Code, § 14B.02)

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY

COUNCIL / § 30.04 MINUTES.

§ 30.04 MINUTES.

(A) *Who keeps.* Minutes of each Council meeting shall be kept by the City Administrator, Clerk/Treasurer or, in his or her absence, by the Deputy Clerk. In the absence of both, the presiding officer shall appoint a secretary pro tem. Ordinances, resolutions, and claims need not be recorded in full in the minutes if they appear in other permanent records of the Administrator, Clerk/Treasurer and can be accurately identified from the description given in the minutes.

(B) *Approval.* The minutes of each meeting shall be reduced to typewritten form, shall be signed by the Administrator, Clerk/Treasurer, and copies thereof shall be delivered to each Councilmember as soon as practicable after the meeting. At the next regular Council meeting following that delivery, approval of the minutes shall be considered by the Council. The minutes need not be read aloud, but the presiding officer shall call for any additions or corrections. If there is no objection to a proposed addition or correction, it may be made without a vote of the Council. If there is an objection, the Council shall vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

(C) *Official record.* The minutes of the City Council, once approved as provided in division (B) above, shall constitute the official record of the city. Following official approval of the minutes, any tapes or videos of the meeting may be erased at the discretion of the Administrator, Clerk/Treasurer.

(1976 Code, § 14B.03)

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY COUNCIL / § 30.05 ORDER OF BUSINESS; AGENDA.

§ 30.05 ORDER OF BUSINESS; AGENDA.

(A) *Order of business established.* Each meeting of the Council shall convene at the time and place appointed therefor. Council business shall be conducted in the following order:

- (1) Call to order;
- (2) Roll call;
- (3) Pledge of Allegiance;

Spring Lake Park, MN Code of Ordinances

- (4) Approval of minutes;
- (5) Discussion from the floor (citizens only). After 20 minutes on one subject, Council may by motion limit discussion;
- (6) Police report; public works report;
- (7) Items relating to police or public works report;
- (8) Public hearings (if needed);
- (9) Petitions, requests, and communications;
- (10) Ordinances and resolutions;
- (11) Unfinished business;
- (12) New business;
- (13) Engineering report;
- (14) Attorney's report;
- (15) Councilmember reports;
- (16) Staff reports;
- (17) First regular meeting of the month: disbursements;
- (18) Second regular meeting of the month: budget to date;
- (19) Licenses;
- (20) Other; and
- (21) Adjournment.

(B) *Varying order.* The order of business may be varied by the presiding officer, but all public hearings shall be held at the time specified in the notice of hearing.

(C) *Agenda.* An agenda of business for each regular meeting shall be prepared and filed in the office of the Administrator, Clerk/Treasurer, not later than three days before the meeting. The agenda shall be prepared in accordance with the order of business, and copies thereof shall be delivered to each Councilmember and to the official newspaper and others who may request it as far in advance of the meeting as time for preparation will permit. If any member of the Council who is present objects, an item of business shall not be added to the agenda for the meeting.

Spring Lake Park, MN Code of Ordinances

(1976 Code, § 14B.04)

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY COUNCIL / § 30.06 QUORUM AND VOTING.

§ 30.06 QUORUM AND VOTING.

(A) *Quorum.* At all Council meetings a majority of all the Councilmembers shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.

(B) *Voting.* The votes of the members on any question may be taken in any manner which signifies the intention of the individual members, and the votes of the members on any action taken shall be recorded in the minutes. The vote of each member shall be recorded on each appropriation of money, except for payments of judgments, claims, and amounts fixed by statute. If any member is present but does not vote, the minutes as to his or her name shall be marked “present -- not voting.”

(C) *Votes required.* A majority vote of all members of the Council shall be necessary for approval of any ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.

(D) *Roll call vote.* When a roll call is requested by the presiding officer, it will be called in the following order:

- (1) Non-presiding Councilmembers in order of seniority (most senior first, newest last); and
- (2) Presiding officer.

(1976 Code, § 14B.05)

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY COUNCIL / § 30.07 ORDINANCES, RESOLUTIONS, MOTIONS, AND PETITIONS.

§ 30.07 ORDINANCES, RESOLUTIONS, MOTIONS, AND PETITIONS.

(A) *Readings.* Every ordinance shall be presented in writing. An ordinance or resolution need not be read in full unless a member of the Council requests such a reading.

(B) *Signing and affidavit of publication.* Every ordinance and resolution passed by
American Legal Publishing Corporation

Spring Lake Park, MN Code of Ordinances

the Council shall be signed by the Mayor, attested by the Administrator, Clerk/Treasurer, and filed by him or her in the ordinance or resolution book. Affidavits of publication of every ordinance shall be attached and filed with the ordinance.

(C) *Motions and petitions.* Every motion shall be stated in full before it is submitted to a vote by the presiding officer and shall be recorded in the minutes. Every petition addressed to the Council shall be in writing and shall be read in full upon presentation to the Council unless the Council dispenses with the reading. Each petition shall be recorded in the minutes by title and filed with the minutes of the Administrator, Clerk/Treasurer.

(1976 Code, § 14B.06)

Cross-reference:

Ordinances which amend or supplement code, see § 10.16

Repeal or modification of ordinance, see § 10.15

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY COUNCIL / § 30.08 COMMITTEES AND APPOINTMENTS.

§ 30.08 COMMITTEES AND APPOINTMENTS.

(A) *Committees and appointments designated.* The following committees shall be appointed by the Council at the first regular Council meeting in January of each year. (“*” indicates Mayoral appointment with Council approval.)

- (1) Agent of Record;
- (2) Attorney;
- (3) Auditor;
- (4) Engineer;
- (5) Weed Inspector;
- (6) *Assistant Weed Inspector;
- (7) Animal Control;
- (8) Park and Playground Commission;
- (9) Anoka County Joint Law Enforcement;
- (10) Liquor Commission;

Spring Lake Park, MN Code of Ordinances

- (11) Variance Committee;
- (12) Negotiations -- Police;
- (13) Negotiations -- Liquor;
- (14) Negotiations -- Public Works;
- (15) Administrator, Clerk/Treasurer;
- (16) Police Chief;
- (17) Police Sergeant;
- (18) Parks and Recreation Director;
- (19) Public Works Director;
- (20) Director of Liquor Operations;
- (21) Assessor;
- (22) Building Official;
- (23) Plumbing Inspector;
- (24) Fire Marshal;
- (25) Planning and Zoning Commission;
- (26) *Emergency Management Director;
- (27) *Environmental Quality Commission;
- (28) North Metro Cable Communications Commission; and
- (29) North Metro Cable Commission Operating Committee.

(B) *Referral and reports.* Any matter brought before the Council for consideration may be referred by the presiding officer to the appropriate committee or to a special committee appointed by him or her for a written report and recommendation before it is considered by the Council as a whole.

(1976 Code, § 14B.07)

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY COUNCIL / § 30.09 SUSPENSION OF RULES.

§ 30.09 SUSPENSION OF RULES.

(A) These rules, except as they relate to quorum and voting, may be suspended by a three-fourths vote of the Council.

(B) By unanimous consent, the Council may in an individual circumstance waive Robert's Rules of Order.

(1976 Code, § 14B.08)

**TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT /
COUNCILMEMBERS AND MAYOR; ELECTION, TERM OF OFFICE**

COUNCILMEMBERS AND MAYOR; ELECTION, TERM OF OFFICE

**TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT /
COUNCILMEMBERS AND MAYOR; ELECTION, TERM OF OFFICE / § 30.20
PURPOSE.**

§ 30.20 PURPOSE.

The purpose of this subchapter is to provide for an orderly transition to the biennial election plan and schedule to conform with the provisions of M.S. § 205.07, as it may be amended from time to time.

(1976 Code, § 12.01)

**TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT /
COUNCILMEMBERS AND MAYOR; ELECTION, TERM OF OFFICE / § 30.21
ELECTIONS.**

§ 30.21 ELECTIONS.

The regular city elections for this city shall be held biennially in even-numbered years. Regular city elections shall be on the first Tuesday after the first Monday in November of each

Spring Lake Park, MN Code of Ordinances

even-numbered year.

(1976 Code, § 12.02)

**TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT /
COUNCILMEMBERS AND MAYOR; ELECTION, TERM OF OFFICE / § 30.22 TERM
OF OFFICE; MAYOR.**

§ 30.22 TERM OF OFFICE; MAYOR.

The term of office of the Mayor shall be for four years.

(1976 Code, § 12.03)

**TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT /
COUNCILMEMBERS AND MAYOR; ELECTION, TERM OF OFFICE / § 30.23 TERM
OF OFFICE; COUNCILMEMBERS.**

§ 30.23 TERM OF OFFICE; COUNCILMEMBERS.

(A) *Term of office.* The terms of Councilmembers hereafter elected shall be for four years.

(1976 Code, § 12.04)

(B) *Schedule of elections.* The two candidates receiving the highest number of votes at this election shall be elected to four-year terms. The candidate receiving the third highest number of votes shall serve a term of two years.

(1976 Code, § 12.05)

**TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT /
COUNCILMEMBERS AND MAYOR; ELECTION, TERM OF OFFICE / § 30.24
COMPENSATION OF MAYOR AND COUNCIL MEMBERS.**

§ 30.24 COMPENSATION OF MAYOR AND COUNCIL MEMBERS.

The compensation of the Mayor and the compensation of each Council member shall be

Spring Lake Park, MN Code of Ordinances

established from time to time by City Council ordinance pursuant to M.S. § 415.11, as it may be amended from time to time.

(1976 Code, § 11.01) (Am. Ord. 326, passed 9-5-2000; Am. Ord. 332, passed 7-1-2002; Am. Ord. 345, passed 7-6-2004)

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY OFFICIALS

CITY OFFICIALS

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY OFFICIALS / § 30.35 ADMINISTRATOR, CLERK/TREASURER.

§ 30.35 ADMINISTRATOR, CLERK/TREASURER.

The offices of Clerk and Treasurer shall be combined into the office of Clerk/Treasurer. The office of Administrator shall be added and the new job title shall be Administrator, Clerk/Treasurer. The Administrator, Clerk/Treasurer shall be appointed by the City Council for an indefinite term.

(1976 Code, § 10.01)

TITLE III: ADMINISTRATION / CHAPTER 30: CITY GOVERNMENT / CITY OFFICIALS / § 30.36 AUDIT.

§ 30.36 AUDIT.

City financial affairs shall be audited by the Public Examiner or a public accountant in accordance with minimum auditing procedures prescribed by the Public Examiner. The Council shall, at the first meeting each year, designate the Public Examiner or a public accountant to make the audit for the ensuing year.

(1976 Code, § 10.02)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS

CHAPTER 31: BOARDS AND COMMISSIONS

Section

General Provisions

- 31.01 Intent; appointment and attendance
 - 31.02 Automatic resignation by absence
- Parks and Recreation Commission*
- 31.15 Establishment
 - 31.16 Composition
 - 31.17 Terms
 - 31.18 Vacancies
 - 31.19 Compensation
 - 31.20 Organization
 - 31.21 Procedures
 - 31.22 Presiding chairperson
 - 31.23 Meetings
 - 31.24 Minutes and reports
 - 31.25 Order of business
 - 31.26 Budget and finance
 - 31.27 Duties and functions

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / GENERAL PROVISIONS

GENERAL PROVISIONS

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / GENERAL PROVISIONS / § 31.01 INTENT; APPOINTMENT AND ATTENDANCE.

§ 31.01 INTENT; APPOINTMENT AND ATTENDANCE.

The city appoints persons on an annual basis to boards and commissions for the purpose of assisting the City Council with its policy and decision-making functions. These boards and commissions serve a vital role within the city government and it is deemed imperative by the

Spring Lake Park, MN Code of Ordinances

City Council that those chosen to serve attend meetings with regularity.

(1976 Code, § 14D.01)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / GENERAL PROVISIONS / § 31.02 AUTOMATIC RESIGNATION BY ABSENCE.

§ 31.02 AUTOMATIC RESIGNATION BY ABSENCE.

Any three consecutive, unexcused absences from duly called board or commission meetings shall constitute automatic resignation from that board or commission. Replacement for a vacancy created in this manner shall be in the same manner as the original appointment.

(1976 Code, § 14D.02)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION

PARKS AND RECREATION COMMISSION

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.15 ESTABLISHMENT.

§ 31.15 ESTABLISHMENT.

There is hereby established a Parks and Recreation Commission for the purpose of advising the Council on the operation of public recreation, parks, and playgrounds. The Parks and Recreation Commission is referred to herein as the “Commission.”

(1976 Code, § 14C.01)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.16 COMPOSITION.

§ 31.16 COMPOSITION.

Spring Lake Park, MN Code of Ordinances

The Commission shall consist of seven appointed members, all being residents of the city, and must consist of at least two men and two women. The Commission will also consist of the Parks and Recreation Director and Council Commissioner.

(1976 Code, § 14C.02)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.17 TERMS.

§ 31.17 TERMS.

Appointment shall be made at the first regular January meeting of the City Council. Members shall be appointed for three-year terms, beginning January 1 and ending December 31 of the third year following. Initial appointment shall be as follows: two members appointed for terms of one year; two members appointed for terms of two years; and three members appointed for terms of three years. Members may serve for more than one term by reappointment by the Council.

(1976 Code, § 14C.03)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.18 VACANCIES.

§ 31.18 VACANCIES.

Commission members may resign voluntarily. Three consecutive, unexcused absences from duly called Commission meetings shall constitute automatic resignation from office. Replacements for vacancies shall be appointed by the City Council.

(1976 Code, § 14C.04)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.19 COMPENSATION.

§ 31.19 COMPENSATION.

Members of the Commission shall serve without compensation.

(1976 Code, § 14C.05)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.20 ORGANIZATION.

§ 31.20 ORGANIZATION.

(A) *Officers.* The Commission shall annually, at the February meeting, elect one member to serve as chairperson, one member to serve as vice chairperson, and one member to serve as secretary.

(B) *Responsibilities.*

(1) The chairperson is responsible for the agenda, presiding at meetings, and making all reports and recommendations of the Commission to the City Council.

(2) The vice chairperson is responsible for the chairperson's responsibilities when the chairperson is absent.

(3) The secretary is responsible for the minutes of all meetings.

(4) The Parks and Recreation Director and Council Commissioner are non-voting members.

(1976 Code, § 14C.06)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.21 PROCEDURES.

§ 31.21 PROCEDURES.

The proceedings of the Commission shall be conducted in accordance with Robert's Rules of Order, Newly Revised.

(1976 Code, § 14C.07)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.22 PRESIDING CHAIRPERSON.

§ 31.22 PRESIDING CHAIRPERSON.

(A) *Who presides.* The chairperson shall preside at all meetings of the Commission. In the absence of the chairperson, the vice chairperson shall preside. In the absence of both, the secretary shall call the meeting to order and shall preside until the Commission members present at the meeting have chosen one of their number to act temporarily as presiding chairperson.

(B) *Rights of the presiding chairperson.* The presiding chairperson may make motions, or speak on any question, except that on demand of any Commission member, he or she shall vacate the chair and designate a Commission member to preside temporarily.

(1976 Code, § 14C.08)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.23 MEETINGS.

§ 31.23 MEETINGS.

(A) *Regular meetings.* The Commission shall hold at least one regular meeting each month which shall be on the first Tuesday of each month at 7:00 p.m. All meetings, including special meetings, shall be held in the Community Center, 1301 81st Avenue NE, unless specially called for at another location.

(B) *Special meetings.* The chairperson, Parks and Recreation Director, or Council Commissioner may call a special meeting upon at least one day's notice to each member of the Commission. Notice of a special meeting shall be posted at the Community Center.

(C) *Public meetings.* All Commission meetings, including special meetings and meetings of Commission committees, shall be open to the public.

(1976 Code, § 14C.09)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.24 MINUTES AND REPORTS.

§ 31.24 MINUTES AND REPORTS.

The Commission shall keep a public record of all motions, resolutions, findings, minutes,

Spring Lake Park, MN Code of Ordinances

and reports which shall be reduced in writing and a copy forwarded to the City Council. The Parks and Recreation Department shall maintain all records and minutes of the Commission.

(1976 Code, § 14C.10)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.25 ORDER OF BUSINESS.

§ 31.25 ORDER OF BUSINESS.

(A) *Order established.* Each meeting of the Commission shall convene at the time and place appointed therefor. Commission business shall be conducted in the following order:

- (1) Call to order;
- (2) Roll call;
- (3) Approval of minutes;
- (4) Discussion from the floor;
- (5) Commission member reports;
- (6) Unfinished business;
- (7) New business;
- (8) Director's report;
- (9) Council Commissioner's report;
- (10) Other; and
- (11) Adjournment.

(B) *Varying order.* The order of business may be varied by the presiding chairperson.

(C) *Agenda.* The agenda shall be prepared in accordance with the order of business. Copies thereof shall be given to each Commission member and posted in the Community Center as far in advance of the meeting as time for preparation will permit.

(1976 Code, § 14C.11)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.26 BUDGET AND FINANCE.

§ 31.26 BUDGET AND FINANCE.

The Director shall furnish written budget-to-date reports to the Commission at monthly intervals for the purpose of budgeting, accounting, and reporting. The fiscal year of the Commission and the fund shall be from January 1 to December 31 of each year. The Commission must present, no later than August 1 of each year, an estimate in such detail as the Council shall require for its financial needs for the Parks and Recreation Department for the ensuing year.

(1976 Code, § 14C.12)

TITLE III: ADMINISTRATION / CHAPTER 31: BOARDS AND COMMISSIONS / PARKS AND RECREATION COMMISSION / § 31.27 DUTIES AND FUNCTIONS.

§ 31.27 DUTIES AND FUNCTIONS.

The duties and functions of the Commission shall be as follows:

- (A) Serve in an advisory capacity to the City Council;
- (B) Maintain an interest in and an understanding of the functions and operations of the Parks and Recreation Department;
- (C) Endeavor to secure a full understanding of the city's needs and desires for parks and recreation facilities and be sensitive to the acceptance within the community of the current programs;
- (D) Convey to the Council its understanding of the community's sentiment regarding recreation and parks and submit recommendations to the Council on parks and recreation programs and policies;
- (E) Review conditions and adequacy of park property;
- (F) Provide hearings for groups or individuals regarding parks and recreation matters;
- (G) Keep informed and consider all financial aspects pertaining to parks and recreation;
- (H) Consider proper names for city park property;
- (I) Propose regulations for control of city park property to the Council;

Spring Lake Park, MN Code of Ordinances

(J) Advise and assist architectural engineers on preparation of specific plans prior to their presentation to the Council for formal approval;

(K) Represent the city at community functions where appropriate and approved by the Council;

(L) Represent the city at meetings with other communities, county, or state boards of similar nature where appropriate and approved by the Council; and

(M) Perform other duties and functions or conduct studies and investigations as specifically directed or delegated by the Council.

(1976 Code, § 14C.13)

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT

CHAPTER 32: EMERGENCY MANAGEMENT

Section

32.01	Policy and purpose
32.02	Definitions
32.03	Establishment of emergency management organization
32.04	Powers and duties of Director
32.05	Local emergencies
32.06	Emergency regulations
32.07	Emergency management a government function
32.08	Participation in labor disputes or politics
32.99	Penalty

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT / § 32.01 POLICY AND PURPOSE.

§ 32.01 POLICY AND PURPOSE.

Because of the existing possibility of the occurrence of disasters of unprecedented size and destruction resulting from fire, flood, tornado, blizzard, destructive winds, or other natural causes, or from sabotage, hostile action, or from hazardous material mishaps of catastrophic measure; and in order to insure that preparations of this city will be adequate to deal with those

Spring Lake Park, MN Code of Ordinances

disasters, and generally, to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of this city, it is hereby found and declared to be necessary:

(A) To establish a city emergency management organization responsible for city planning and preparation for emergency government operations in time of disasters;

(B) To provide for the exercise of necessary powers during emergencies and disasters;

(C) To provide for the rendering of mutual aid between this city and other political subdivisions of this state and of other states with respect to the carrying out of emergency-preparedness functions; and

(D) To comply with the provisions of M.S. § 12.25, as it may be amended from time to time, which requires that each political subdivision of the state shall establish a local organization for emergency management.

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT / § 32.02 DEFINITIONS.

§ 32.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DISASTER. A situation which creates an immediate and serious impairment to the health and safety of any person, or a situation which has resulted in or is likely to result in catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.

EMERGENCY. An unforeseen combination of circumstances which calls for immediate action to prevent from developing or occurring.

EMERGENCY MANAGEMENT. The preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by fire, flood, tornado, and other acts of nature, or from sabotage, hostile action, or from industrial hazardous material mishaps. These functions include, without limitation, firefighting services, police services, emergency medical services, engineering, warning services, communications, radiological, and chemical, evacuation, congregate care, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services,

and other functions related to civil protection, together with all other activities necessary or incidental for carrying out the foregoing functions. **EMERGENCY MANAGEMENT** includes those activities sometimes referred to as **CIVIL DEFENSE** functions.

EMERGENCY MANAGEMENT FORCES. The total personnel resources engaged in city-level emergency management functions in accordance with the provisions of this chapter or any rule or order thereunder. This includes personnel from city departments, authorized volunteers, and private organizations and agencies.

EMERGENCY MANAGEMENT ORGANIZATION. The staff responsible for coordinating city-level planning and preparation for disaster response. This organization provides city liaison and coordination with federal, state, and local jurisdictions relative to disaster-preparedness activities and assures implementation of federal and state program requirements.

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT / § 32.03 ESTABLISHMENT OF EMERGENCY MANAGEMENT ORGANIZATION.

§ 32.03 ESTABLISHMENT OF EMERGENCY MANAGEMENT ORGANIZATION.

There is hereby created within the city government an emergency management organization which shall be under the supervision and control of the City Emergency Management Director, called the "Director." The Director shall be appointed by the Mayor with approval of the City Council for an indefinite term and may be removed by him or her at any time. The Director shall serve with a salary as established by the City Council and shall be paid his or her necessary expenses. The Director shall have direct responsibility for the organization, administration, and operation of the emergency-preparedness organization, subject to the direction and control of the Mayor.

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT / § 32.04 POWERS AND DUTIES OF DIRECTOR.

§ 32.04 POWERS AND DUTIES OF DIRECTOR.

(A) The Director, with the consent of the Mayor, shall represent the city on any regional or state conference for emergency management. The Director shall develop proposed mutual aid agreements with other political subdivisions of the state for reciprocal emergency management aid and assistance in an emergency too great to be dealt with unassisted, and shall present these agreements to the Council for its action. These arrangements shall be consistent

Spring Lake Park, MN Code of Ordinances

with the State Emergency Plan.

(B) The Director shall make studies and surveys of the human resources, industries, resources, and facilities of the city as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster. The Director shall establish the economic stabilization systems and measures, service staffs, boards, and sub-boards required, in accordance with state and federal plans and directions, subject to the approval of the Mayor.

(C) The Director shall prepare a comprehensive emergency plan for the emergency preparedness of the city and shall present the plan to the Council for its approval. When the Council has approved the plan, it shall be the duty of all city agencies and all emergency-preparedness forces of the city to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time. The Director shall coordinate the emergency management activities of the city to the end that they shall be consistent and fully integrated with the emergency plans of the federal government and the state and correlated with emergency plans of the county and other political subdivisions within the state.

(D) In accordance with the State and City Emergency Plan, the Director shall institute training programs and public information programs and conduct practice warning alerts and emergency exercises as may be necessary to assure prompt and effective operation of the City Emergency Plan when a disaster occurs.

(E) The Director shall utilize the personnel, services, equipment, supplies, and facilities of existing departments and agencies of the city to the maximum extent practicable. The officers and personnel of all city departments and agencies shall, to the maximum extent practicable, cooperate with and extend services and facilities to the city's emergency management organization and to the Governor upon request. The head of each department or agency in cooperation with the Director shall be responsible for the planning and programming of those emergency activities as will involve the utilization of the facilities of the department or agency.

(F) The Director shall, in cooperation with those city departments and agencies affected, assist in the organizing, recruiting, and training of emergency management personnel, which may be required on a volunteer basis to carry out the emergency plans of the city and state. To the extent that emergency personnel are recruited to augment a regular city department or agency for emergencies, they shall be assigned to the departments or agencies and shall be under the administration and control of the department or agency.

(G) Consistent with the state emergency services law, the Director shall coordinate the activity of municipal emergency management organizations within the city and assist in establishing and conducting training programs as required to assure emergency operational

Spring Lake Park, MN Code of Ordinances

capability in the several services as provided by M.S. § 12.25, as it may be amended from time to time.

(H) The Director shall carry out all orders, rules, and regulations issued by the Governor with reference to emergency management.

(I) The Director shall prepare and submit reports on emergency-preparedness activities when requested by the Mayor.

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT / § 32.05 LOCAL EMERGENCIES.

§ 32.05 LOCAL EMERGENCIES.

(A) A local emergency may be declared only by the Mayor or his or her legal successor. It shall not be continued for a period in excess of three days except by or with the consent of the Council. Any order or proclamation declaring, continuing, or terminating a local emergency shall be given prompt and general publicity and shall be filed in the office of the City Administrator, Clerk/Treasurer.

(B) A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or interjurisdictional disaster plans, and may authorize aid and assistance thereunder.

(C) No jurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions. However, an interjurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions.

Penalty, see § 32.99

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT / § 32.06 EMERGENCY REGULATIONS.

§ 32.06 EMERGENCY REGULATIONS.

(A) Whenever necessary, to meet a declared emergency or to prepare for an emergency for which adequate regulations have not been adopted by the Governor or the Council, the Council may by resolution promulgate regulations, consistent with applicable federal or state law or regulation, respecting: the conduct of persons and the use of property

Spring Lake Park, MN Code of Ordinances

during emergencies; the repair, maintenance, and safeguarding of essential public services; emergency health, fire, and safety regulations; drills or practice periods required for preliminary training; and all other matters which are required to protect public safety, health, and welfare in declared emergencies.

(B) Every resolution of emergency regulations shall be in writing; shall be dated; shall refer to the particular emergency to which it pertains, if so limited; and shall be filed in the office of the City Administrator, Clerk/Treasurer. A copy shall be kept posted and available for public inspection during business hours. Notice of the existence of these regulations and their availability for inspection at the Administrator, Clerk/Treasurer's office shall be conspicuously posted at the front of the city hall or other headquarters of the city or at other places in the affected area as the Council shall designate in the resolution. By resolution, the Council may modify or rescind a regulation.

(C) The Council may rescind any regulation by resolution at any time. If not sooner rescinded, every regulation shall expire at the end of 30 days after its effective date or at the end of the emergency to which it relates, whichever comes first. Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Council shall be suspended during the period of time and to the extent conflict exists.

(D) During a declared emergency, the city is, under the provisions of M.S. § 12.31, as it may be amended from time to time and notwithstanding any statutory or Charter provision to the contrary, empowered, through its Council, acting within or without the corporate limits of the city, to enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and property and providing emergency assistance to the victims of a disaster. The city may exercise these powers in the light of the exigencies of the disaster without compliance with the time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering rental equipment agreements, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds, including, but not limited to, publication of resolutions, publication of calls for bids, provisions of personnel laws and rules, provisions relating to low bids, and requirement for bids.

Penalty, see § 32.99

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT / § 32.07 EMERGENCY MANAGEMENT A GOVERNMENT FUNCTION.

§ 32.07 EMERGENCY MANAGEMENT A GOVERNMENT FUNCTION.

All functions and activities relating to emergency management are hereby declared to be

Spring Lake Park, MN Code of Ordinances

governmental functions. The provisions of this section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled under this resolution or under the worker’s compensation law, or under any pension law, nor the right of any person to receive any benefits or compensation under any act of Congress.

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT / § 32.08 PARTICIPATION IN LABOR DISPUTES OR POLITICS.

§ 32.08 PARTICIPATION IN LABOR DISPUTES OR POLITICS.

The emergency management organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.

TITLE III: ADMINISTRATION / CHAPTER 32: EMERGENCY MANAGEMENT / § 32.99 PENALTY.

§ 32.99 PENALTY.

Any person who violates any provision of this chapter or any regulation adopted thereunder relating to acts, omissions, or conduct other than official acts of city employees or officers is guilty of a misdemeanor.

Penalty, see § 10.99

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES

CHAPTER 33: CITY POLICIES

Section

Voter Registration

- 33.01 System established
- 33.02 Voting; registration required

Issuance of Citations

Spring Lake Park, MN Code of Ordinances

- 33.15 Employees authorized to issue citations
License and Permit Fees
- 33.25 Fees and charges
Employee and Volunteer Screening
- 33.35 Purpose
- 33.36 Required background investigations
- 33.37 Procedure; consent

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / VOTER REGISTRATION

VOTER REGISTRATION

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / VOTER REGISTRATION / § 33.01 SYSTEM ESTABLISHED.

§ 33.01 SYSTEM ESTABLISHED.

A permanent system of registration of voters is hereby established. M.S. Ch. 201, as it may be amended from time to time, is hereby expressly adopted.

(1976 Code, § 13.01)

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / VOTER REGISTRATION / § 33.02 VOTING; REGISTRATION REQUIRED.

§ 33.02 VOTING; REGISTRATION REQUIRED.

No person shall be permitted to vote, hereafter, unless registered in accordance with the provisions of M.S. Ch. 201, as it may be amended from time to time.

(1976 Code, § 13.02) Penalty, see § 10.99

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / ISSUANCE OF CITATIONS

ISSUANCE OF CITATIONS

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / ISSUANCE OF CITATIONS / § 33.15 EMPLOYEES AUTHORIZED TO ISSUE CITATIONS.

§ 33.15 EMPLOYEES AUTHORIZED TO ISSUE CITATIONS.

The following city employees and independent contractors performing services for the city may issue citations in lieu of arrest or continued detention for violation of this code:

- (A) Full-time peace officers;
- (B) Building Inspector;
- (C) Fire Inspector; and
- (D) Animal Warden.

(1976 Code, Ch. 14E)

Cross-reference:

Administrative Offenses, see Ch. 34

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / LICENSE AND PERMIT FEES

LICENSE AND PERMIT FEES

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / LICENSE AND PERMIT FEES / § 33.25 FEES AND CHARGES.

§ 33.25 FEES AND CHARGES.

The City Council may enact an ordinance establishing those fees and charges that are authorized by this code. Until that ordinance becomes effective, all fees and charges established by ordinance or resolution prior to the adoption of this code shall remain in effect. All fees and charges established by the ordinance establishing fees and charges may be amended from time to

time by amendment of that ordinance.

(Ord. 327, passed 9-18-2000)

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / EMPLOYEE AND VOLUNTEER SCREENING

EMPLOYEE AND VOLUNTEER SCREENING

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / EMPLOYEE AND VOLUNTEER SCREENING / § 33.35 PURPOSE.

§ 33.35 PURPOSE.

The City Council finds it to be in the best interest of the public, and further finds that public safety and welfare concerns require that certain prospective employees and volunteers must be screened for criminal history prior to any possibility of employment or volunteer position with the city.

(1976 Code, § 14F.01)

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / EMPLOYEE AND VOLUNTEER SCREENING / § 33.36 REQUIRED BACKGROUND INVESTIGATIONS.

§ 33.36 REQUIRED BACKGROUND INVESTIGATIONS.

The Police Department shall provide certain criminal history data contained in the State Criminal Justice Information System for all prospective employees and volunteers whose positions would require them to be involved in the following areas:

- (A) Any employee or volunteer who will work with, or have access to, a minor child;
- (B) Any employee or volunteer who will have direct contact (for example, by way of home inspection) with home owners within the city;
- (C) Any prospective employee for the position of police officer; and
- (D) Any prospective employee or volunteer who will directly handle public funds.

(1976 Code, § 14F.02)

TITLE III: ADMINISTRATION / CHAPTER 33: CITY POLICIES / EMPLOYEE AND VOLUNTEER SCREENING / § 33.37 PROCEDURE; CONSENT.

§ 33.37 PROCEDURE; CONSENT.

(A) For the purposes of employment with the city, criminal background investigations must only be conducted on finalists for employment and the City Administrator, Clerk/Treasurer or designee must obtain the written consent of the finalists before requesting the data. An applicant's failure to provide consent may disqualify him or her from the prospective position.

(B) For purposes of volunteer positions, the City Administrator, Clerk/Treasurer or designee must obtain the written consent of the prospective volunteer before requesting the data. An individual's failure to provide consent may disqualify him or her from serving.

(1976 Code, § 14F.03)

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES

CHAPTER 34: ADMINISTRATIVE OFFENSES

Section

Administrative Offenses

- 34.01 Definition; violations
- 34.02 Notice
- 34.03 Payment
- 34.04 Hearing Officer
- 34.05 Hearing
- 34.06 Failure to pay
- 34.07 Disposition of penalties
- 34.08 Powers and duties of Administrator, Clerk/Treasurer
- 34.09 Penalty schedule adopted
- Implementation; Policies and Procedures*
- 34.20 Hearing Officers; appointment and duties
- 34.21 Payments; receipt

34.22 Records management

Cross-reference:

Issuance of Citations, see §§ 33.15 et seq.

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES

ADMINISTRATIVE OFFENSES

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES / § 34.01 DEFINITION; VIOLATIONS.

§ 34.01 DEFINITION; VIOLATIONS.

(A) *Definition.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADMINISTRATIVE OFFENSE. A violation of any section of this code when one performs an act prohibited, or fails to act when that failure is thereby prohibited; and subject to the penalties set forth in this code and the adopted schedule.

(B) *Violations.* Any person violating a section of this code, for which no other specific penalty is provided, shall be subject to the scheduled penalty, as a petty misdemeanor.

(1976 Code, § 71D.01) Penalty, see § 10.99

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES / § 34.02 NOTICE.

§ 34.02 NOTICE.

Any member of the Police Department or any other person employed by the city with authority to enforce this code shall, upon determining that there has been a violation, notify the violator, or person responsible for the violation, or in the case of a vehicular violation attach to the vehicle notice of the violation; that notice setting forth the nature, date, time of the violation, the name of the official issuing the notice, and the amount of the scheduled initial penalty, and where applicable, any charges relating thereto.

Spring Lake Park, MN Code of Ordinances

(1976 Code, § 71D.02)

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES / § 34.03 PAYMENT.

§ 34.03 PAYMENT.

Once notice is given, the person responsible for the violation shall, within seven days of the time of issuance of the notice, pay full satisfaction of the stated violation schedule to the City Administrator, Clerk/Treasurer. The penalty may be paid in person or by mail and payment shall be admission of the violation. A late charge shall be imposed for each seven days the penalty remains unpaid after the first seven-day period.

(1976 Code, § 71D.03) Penalty, see § 10.99

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES / § 34.04 HEARING OFFICER.

§ 34.04 HEARING OFFICER.

The Administrator, Clerk/Treasurer, or his or her designee, is authorized to hear or determine a cause of controversy under this chapter. The Hearing Officer is not a judicial officer but is a public officer as defined by M.S. § 609.415, as it may be amended from time to time, and is subject to Minnesota Statutes relating to public officers.

(1976 Code, § 71D.04)

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES / § 34.05 HEARING.

§ 34.05 HEARING.

Any person aggrieved by this chapter may request, within seven days of the time of issuance of the notice, to be heard by the Hearing Officer, who shall hear and determine the grievance. The Hearing Officer shall have the authority to dismiss the violation for cause, or reduce or waive the penalty upon terms and conditions as can be agreed upon by the parties; however, reasons for dispositions of this type shall be stated in writing by the Hearing Officer.

Spring Lake Park, MN Code of Ordinances

If the violation is sustained by the Hearing Officer, the violator shall pay satisfaction of the penalty or shall sign an agreement to pay upon terms and conditions as set forth by the Hearing Officer.

(1976 Code, § 71D.05) Penalty, see § 10.99

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES / § 34.06 FAILURE TO PAY.

§ 34.06 FAILURE TO PAY.

If a violator fails to pay the penalty imposed by this chapter, or as agreed upon following hearing before the Hearing Officer, the matter may be processed as a code violation through the Anoka County Court system.

(1976 Code, § 71D.06) Penalty, see § 10.99

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES / § 34.07 DISPOSITION OF PENALTIES.

§ 34.07 DISPOSITION OF PENALTIES.

All penalties collected shall be paid over to the Administrator, Clerk/Treasurer. The Administrator, Clerk/Treasurer may receive negotiable instruments in payment of penalties as conditional payment and shall not be held accountable therefor. Receipt shall be issued for cash payments.

(1976 Code, § 71D.07)

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES / § 34.08 POWERS AND DUTIES OF ADMINISTRATOR, CLERK/TREASURER.

§ 34.08 POWERS AND DUTIES OF ADMINISTRATOR, CLERK/TREASURER.

In addition to all other duties set forth in the code, the Administrator, Clerk/Treasurer may delegate and supervise the work of city employees implementing and administering this

Spring Lake Park, MN Code of Ordinances

chapter. The Administrator, Clerk/Treasurer shall make and have custody of all records necessary and shall keep proper accounts of the proceeds received.

(1976 Code, § 71D.08)

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / ADMINISTRATIVE OFFENSES / § 34.09 PENALTY SCHEDULE ADOPTED.

§ 34.09 PENALTY SCHEDULE ADOPTED.

Penalties shall be imposed for violation of the scheduled administrative offenses according to a schedule duly established and adopted, from time to time, by resolution of the City Council.

(1976 Code, § 71D.09) Penalty, see § 10.99

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / IMPLEMENTATION; POLICIES AND PROCEDURES

IMPLEMENTATION; POLICIES AND PROCEDURES

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / IMPLEMENTATION; POLICIES AND PROCEDURES / § 34.20 HEARING OFFICERS; APPOINTMENT AND DUTIES.

§ 34.20 HEARING OFFICERS; APPOINTMENT AND DUTIES.

(A) The Administrator, Clerk/Treasurer shall act as a Hearing Officer or shall appoint at least five additional Hearing Officers as follows:

- (1) Police Chief;
- (2) Sergeant;
- (3) Deputy Clerk;
- (4) Public Works Director; and
- (5) Building Inspector.

Spring Lake Park, MN Code of Ordinances

(B) These individuals shall be responsible as primary Hearing Officers for the following general subject matter offenses:

- (1) Police Chief and Sergeant:
 - (a) Traffic and parking;
 - (b) Animals;
 - (c) Snowmobiles;
 - (d) Trespass;
 - (e) Beer and alcohol in parks;
 - (f) Fireworks;
 - (g) Public nuisance; and
 - (h) Water ban violations.
- (2) Building Inspector:
 - (a) Housing Code;
 - (b) Construction; and
 - (c) Building and Fire Code.
- (3) Public Works Director:
 - (a) Sewer and water;
 - (b) Garbage and rubbish;
 - (c) Signs;
 - (d) Water ban violations;
 - (e) Streets and driveways; and
 - (f) Wetlands.
- (4) Administrator, Clerk/Treasurer and Deputy Clerk:
 - (a) Zoning;
 - (b) Housing Code;
 - (c) Subdivision regulations; and

Spring Lake Park, MN Code of Ordinances

(d) Regulated business activity.

(C) The Administrator, Clerk/Treasurer may conduct hearings on all offenses when primary Hearing Officers are unavailable.

(D) At least once each month the Hearing Officers shall meet as a committee chaired by the Administrator, Clerk/Treasurer to discuss their duties as Hearing Officers and review individual cases to ensure equitability and consistency in their findings, with a monthly report submitted to the Council by the chair.

(E) In the absence of all of the appointed Hearing Officers, the Administrator, Clerk/Treasurer may appoint a temporary Hearing Officer.

(Res. 91-44, passed 9-3-1991)

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / IMPLEMENTATION; POLICIES AND PROCEDURES / § 34.21 PAYMENTS; RECEIPT.

§ 34.21 PAYMENTS; RECEIPT.

Only those municipal personnel authorized by the Administrator, Clerk/Treasurer to receipt monies may receive payment of penalties and provide receipt to the person responsible for the violation.

(Res. 91-44, passed 9-3-1991) Penalty, see § 10.99

TITLE III: ADMINISTRATION / CHAPTER 34: ADMINISTRATIVE OFFENSES / IMPLEMENTATION; POLICIES AND PROCEDURES / § 34.22 RECORDS MANAGEMENT.

§ 34.22 RECORDS MANAGEMENT.

Each municipal department having authority to enforce §§ 34.01 *et seq.* shall maintain the office copy of administrative offenses issued by members of the respective department until a hearing is conducted or penalty payment received. At that time the department shall turn over to the Hearing Officer or employee receiving payment the office copy. That copy shall be dated and stamped "paid" or shall include a notation regarding the determination of the hearing before it is turned over to the Administrator, Clerk/Treasurer's office attached to the violator's copy for

Spring Lake Park, MN Code of Ordinances

filing and retention pursuant to the city's records retention schedule as approved by the state.

(Res. 91-44, passed 9-3-1991) Penalty, see § 10.99

TITLE III: ADMINISTRATION / CHAPTER 35: TAXATION

CHAPTER 35: TAXATION

Section

Watershed Management Tax District

- 35.01 Purpose
 - 35.02 District established
 - 35.03 Authority to tax
- Collection of Assessments for Ramsey County*
- 35.15 Purpose; authority of county officers
 - 35.16 Authority to establish payment procedure

TITLE III: ADMINISTRATION / CHAPTER 35: TAXATION / WATERSHED MANAGEMENT TAX DISTRICT

WATERSHED MANAGEMENT TAX DISTRICT

TITLE III: ADMINISTRATION / CHAPTER 35: TAXATION / WATERSHED MANAGEMENT TAX DISTRICT / § 35.01 PURPOSE.

§ 35.01 PURPOSE.

The purpose of this subchapter is to establish a watershed management tax district and to authorize the city to levy a special tax on all taxable property within the watershed district or a sub-watershed district to pay for the capital costs and maintenance of the water management facilities within those districts pursuant to M.S. § 103B.245, as it may be amended from time to time.

(1976 Code, § 5.01)

**TITLE III: ADMINISTRATION / CHAPTER 35: TAXATION / WATERSHED
MANAGEMENT TAX DISTRICT / § 35.02 DISTRICT ESTABLISHED.**

§ 35.02 DISTRICT ESTABLISHED.

There is hereby established a watershed management tax district (“district”) within the portion of the city that encompasses the Stoney Brook Creek Watershed. The land to be included in the special tax district is described and shown in the Watershed Management Tax District Exhibit, available for public inspection at the City Clerk’s office during regular city business hours.

(1976 Code, § 5.02)

**TITLE III: ADMINISTRATION / CHAPTER 35: TAXATION / WATERSHED
MANAGEMENT TAX DISTRICT / § 35.03 AUTHORITY TO TAX.**

§ 35.03 AUTHORITY TO TAX.

The City Council is authorized to annually levy a tax on all taxable property within the district to recover the cost of capital improvements and maintenance of the water management facilities authorized by the capital improvements program, in accordance with M.S. § 103B.245, as it may be amended from time to time.

(1976 Code, § 5.03)

**TITLE III: ADMINISTRATION / CHAPTER 35: TAXATION / COLLECTION OF
ASSESSMENTS FOR RAMSEY COUNTY**

COLLECTION OF ASSESSMENTS FOR RAMSEY COUNTY

**TITLE III: ADMINISTRATION / CHAPTER 35: TAXATION / COLLECTION OF
ASSESSMENTS FOR RAMSEY COUNTY / § 35.15 PURPOSE; AUTHORITY OF
COUNTY OFFICERS.**

§ 35.15 PURPOSE; AUTHORITY OF COUNTY OFFICERS.

(A) *Reason for subchapter.* The city deems it necessary to enact this subchapter because the legislature of the state did, in 1969, enact Chapter 1095 whereby amendment was made to M.S. § 429.061(3), providing that the remaining balance of an assessment, if paid in advance of the regular scheduled procedure for payment, shall be paid to the municipal treasurer.

(1976 Code, § 72.01)

(B) *Purpose.* This subchapter is made for the purpose of authorizing county officers to collect remaining balances of assessments for improvements in order to afford property owners and other members of the public the convenience of making that payment in the same place and in the manner that they pay general taxes and installments of assessments.

(1976 Code, § 72.03)

TITLE III: ADMINISTRATION / CHAPTER 35: TAXATION / COLLECTION OF ASSESSMENTS FOR RAMSEY COUNTY / § 35.16 AUTHORITY TO ESTABLISH PAYMENT PROCEDURE.

§ 35.16 AUTHORITY TO ESTABLISH PAYMENT PROCEDURE.

Whenever any property owner or other person desires to pay the remaining unpaid installments of any assessment for improvement, the assessment roll of which has been certified to the Ramsey County Auditor for collection with general taxes, the Ramsey County Treasurer and the Ramsey County Auditor are hereby authorized to establish whatever procedure is necessary to make possible the payment of that balance to those county officials in lieu of paying same to the municipal treasurer as provided in M.S. § 429.061(3), 1967, as it may be amended from time to time. Those county officials are hereby designated as agents for the city to collect such assessments and the mechanics thereof shall be set up by the County Auditor, County Treasurer, and the City Administrator, Clerk/Treasurer so that the intent and purpose of this subchapter is accomplished.

(1976 Code, § 72.02)