

FROM PUBLIC NOTICES, PAGE 17

dwelling, dwelling unit, or rooming unit or manufactured home, which is damaged, decayed, dilapidated, unsanitary, unsafe, vermin- or rodent-infested, or which lacks provision for illumination, ventilation, or sanitary facilities to the extent that the defects create a hazard to the health, safety, or welfare of the occupants or of the public may be declared unfit for human habitation.

Whenever a dwelling, dwelling unit, rooming unit or manufactured home has been declared unfit for human habitation, the City Inspector shall order same vacated within a reasonable time and shall post a placard on same indicating that it is unfit for human habitation, and any operating license previously issued for such dwelling shall be revoked.

(2) Vacated building. It shall be unlawful for a vacant building, dwelling, dwelling unit, rooming unit or manufactured home which has been declared unfit for human habitation to be used for human habitation until the defective conditions have been corrected and written approval has been issued by the City Inspector. It shall be unlawful for any person to deface or remove the declaration placard from any such dwelling, dwelling unit, rooming unit or manufactured home.

(3) Securing unfit and vacated dwellings and buildings. The owner of any building, dwelling, dwelling unit, rooming unit, or manufactured home which has been declared unfit for human habitation, or which is otherwise vacant for a period of 60 days or more, shall make same safe and secure so that it is not hazardous to the health, safety, and welfare of the public and does not constitute a public nuisance. Any vacant dwelling or building with open egress doors, windows, garage doors, or hatchways if unguarded, shall be deemed to be a hazard to the health, safety, and welfare of the public and a public nuisance within the meaning of this chapter and under the provisions § 216-2, Public Nuisances affecting health, of the Code of the City of Isanti.

(4) Hazardous building declaration. If a building or dwelling has been declared unfit for human habitation and the owner has not remedied the defects within a prescribed reasonable time, the dwelling may be declared a hazardous building and treated consistent with the provisions of Minnesota statute.

E. Execution of compliance orders by public authority. Upon failure to comply with a compliance order within the time set and no appeal having been taken, the Council may, by resolution, cause the cited deficiency to be remedied as set forth in the compliance order. The cost of such remedy shall be placed against the subject property and may be levied and collected as a special assessment in the manner provided by Minnesota statute.

F. Right of appeal. When it is alleged by any person to whom a compliance order is directed that such compliance order is based upon erroneous interpretation of this chapter, such person may appeal the compliance order to the Council as a Board of Appeals. The filing of an appeal shall stay all proceedings, unless such a stay would cause imminent peril to life, health or property.

G. Liability of ownership transferee. Anyone securing an interest in the dwelling, dwelling unit, rooming unit, or manufactured home which has received a violation tag or compliance order shall be bound by same without further service of notice upon such person and shall be subject to all penalties and procedures prescribed by this chapter.

Article III**Minimum Standards****§ 256-9 Basic requirements for maintenance of properties.**

A. Responsibility of owners. The owner of a dwelling shall be responsible for the maintenance of that structure and for the meeting the provisions of this chapter. Those responsibilities may not be abrogated by a private agreement.

B. Removal of basic equipment or facilities. No owner, operator, or occupant shall cause any facility or equipment which is required under this chapter to be removed from or shut off from any occupied building or dwelling unit, except for such temporary interruptions as may be necessary while actual repairs or alterations are in progress or during temporary emergencies.

(1) Foundations, Exterior Walls, and Roofs. The foundation, exterior walls, and exterior roof must be substantially water tight and in sound condition and repair. The foundation must adequately support the building at all points. Every exterior wall must be free of deterioration, holes, breaks, loose or rotting boards or timbers, and any other condition that might admit rain or dampness to the interior portion of the walls or to the exterior spaces of the building.

Exterior walls must be free of graffiti. All exterior wood surfaces must be protected from the elements by a protective covering or treatment. If 25 percent or more of the exterior surface is unprotected or the covering is blistered or peeling, the affected surface must be restored with a compatible protective covering or treatment. If the exterior surface of the pointing of any brick, block, or stone wall is loose or has fallen out, the surface must be repaired.

(2) Grading and Drainage. Except for wetland and approved ponds, every yard, court, walkway, driveway, and other portions of the premises on which a building stands must be graded and drained so as to be free of standing water. The water must not be drained onto adjacent properties except as provided in legally recorded easements or other documents.

(3) Windows, Doors, and Screens. Every window, exterior door, and other exterior opening must be substantially tight and in sound condition and repair. Every window, other than a fixed window or storm window, must be capable of being easily opened. Every window, door, and frame must be constructed and maintained in such relation to the adjacent wall construction as to exclude rain, wind, and pests from entering the building. Every operable window in a rental facility or unit must be supplied with screens of not less than 16 mesh per inch during the insect season. Every operable window in a residential rental unit must be equipped with an approved lock if located less than six feet above the adjacent grade.

(4) Landings at Doors. There must be a floor or a landing on each side of a door having a width not less than the width of the door or, in the case of a sliding door or atrium door, a width not less than six feet, and a length measured in the direction of travel of not less than 36 inches for residential facilities and 44 inches for nonresidential facilities. Landing surfaces more than 30 inches above the grade below must include a guardrail complying with the Minnesota State Building Code.

(5) Floors, Interior Walls, and Ceilings. Every floor, interior wall, and ceiling must be kept in sound condition and good repair. Every floor must be free of loose, warped, protruding, or rotting floor materials. Every interior wall and ceiling must be free of holes, cracks, and loose plaster and must be maintained in a tight, waterproof condition. Paints with a lasting toxic effect must not be used. The floor of every toilet room, bathroom, and kitchen must have a smooth, hard, nonabsorbent surface capable of being easily maintained in a clean and sanitary condition. Nothing herein prevents the use of carpeting in such rooms provided that the underlying floor complies with the requirements of this subsection.

(6) Heating. No person is allowed to occupy, or permit another person to occupy, any building or any part thereof that does not have heating facilities which are properly installed, which are maintained in safe and good working condition, and capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in every dwelling unit located therein to a temperature of at least 68 degrees Fahrenheit, at a distance of three feet above floor level and three feet from exterior walls from October through May. Gas or electric appliances designed primarily for cooking or water heating purposes are not heating facilities within the meaning of this subsection. Portable heating equipment employing flame and the use of liquid fuel does not meet the requirements of this subsection and is prohibited. No owner or occupant is allowed to install, operate, or use a space heater employing a flame that is not vented outside the structure in an approved manner.

(A) No fuel-burning heater shall be of a portable type.
(B) Every fuel-burning heater shall have a fire-resistant panel beneath it.
(C) Every fuel-burning heater shall be properly vented to a chimney or duct leading to outdoor space.
(D) Every heater located within three feet of a wall shall be equipped with insulation sufficient to prevent overheating of the wall during periods of maximum operation.
(E) Every heater smoke pipe shall be equipped with guards properly constructed of nonflammable material at the point where the pipe goes through a wall, ceiling, or partition.

(7) Fire Extinguisher. All rental units shall be equipped with a fire extinguisher with a minimum rating of 2A 10BC. The extinguisher shall be located within the individual dwelling unit or common hallway or corridor within 75 feet of the dwelling unit door.
(A) Fire extinguishers will be checked to ensure proper servicing at least every two years as a requirement of obtaining a rental license. A tag with the name of the servicing company and the

service date shall be affixed to the extinguisher and shall remain affixed until the next servicing.

(8) Carbon monoxide detectors. Carbon monoxide detectors shall be installed and maintained per MN State Statutes §299F.51.

(9) Electrical Service in Dwellings. Every dwelling unit and all public and common areas must be supplied with electric service, functioning over current protection devices, electric outlets, and electric fixtures which are properly installed, maintained in safe and good working condition in compliance with the edition of the National Electric Code in effect as of the date of construction or improvements thereto, and connected to a source of electric power in a manner prescribed by State and local laws, ordinances, rules, and regulations.

(10) Light and Ventilation. No person is allowed to occupy, or permit another person to occupy, any dwelling or dwelling unit which does not comply with the following:

(a) Habitable Room Light and Ventilation. Except where there is supplied some other device affording adequate ventilation and approved by the Compliance Official, every habitable room must have at least one window facing directly outdoors which can be opened easily. The minimum total of openable window area in every habitable room is the greater of 10 percent of the floor area of the room or 10 square feet. At least one half of the required window area must be openable.

(b) Non-habitable Room Ventilation. Every bathroom and water closet compartment and every laundry and utility room shall contain at least 50 percent of the ventilation required for habitable rooms contained in paragraph (a) above, except that no windows are required if such rooms are equipped with a ventilation system which is approved by the Compliance Official.

(c) Public Corridor and Stairway Light. Every public corridor and stairway in every common interest or rental facility must be adequately lighted by natural or electric light at all times at one foot-candle at floor level. Every public corridor and stairway in structures containing not more than two dwelling units must be supplied with conveniently located light switches controlling the adequate lighting system which may be turned on when needed, instead of full time lighting.

(11) Door Locks. No person is allowed to occupy, or permit another person to occupy, any dwelling or dwelling unit unless all exterior/exit doors of the dwelling or dwelling unit are equipped with safe, functioning locking devices. Residential common interest and rental facilities with common entrances must be furnished with door locks as follows:

(a) Every door that is designed to provide ingress or egress for a dwelling unit within a common interest or rental facility must be equipped with an approved lock that has a dead locking bolt that cannot be retracted by end pressure provided, such door must be openable from the inside without the use of a key or any special knowledge or effort.
(b) All multiunit rental structures with a central entrance lobby shall have a Fire Department lock box installed as one of the requirements for issuing a rental license.

(12) Kitchen. Every dwelling unit must have a room, or portion of a room, in which food may be prepared or cooked, which has an adequate circulation area, and is equipped with the following:

(a) A kitchen sink in good working condition and properly connected to an approved water supply system, which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to an approved sewer system.
(b) Cabinets or shelves for the storage of eating, drinking, and cooking equipment and utensils, and for food that does not require refrigeration for safe keeping, and a counter or table for food preparation. Such cabinets or shelves and counter or table must be adequate for the permissible occupancy of the dwelling unit, and of sound construction furnished with surfaces that are easily cleanable and that will not impart any toxic or deleterious effect to food.
(c) A stove or similar device for cooking food and a refrigerator for the safe storage of food at or below 40 degrees Fahrenheit, which are properly installed with all necessary connections for safe, sanitary, and efficient operation.

(13) Toilet Facilities. Within every dwelling unit there must be a non-habitable room equipped with a flush water closet in good working condition.
(14) Lavatory Sink. Within every dwelling unit there must be a lavatory sink. Such lavatory sink may be in the same room as the flush water closet or, if located in another room, the lavatory sink must be located in close proximity to the door leading directly into the room in which the flush water closet is located.

(15) Bathtub or Shower. Within every dwelling unit there must be a non-habitable room equipped with a bathtub or shower in good working condition having an entrance door which affords privacy, unless the facilities are accessed only through a bedroom which does have such an entrance door.

(16) Bedrooms. All areas used for sleeping must be habitable rooms, and provided with an emergency escape/rescue window meeting the Minnesota State Fire Code.

(17) Stairways, Porches, and Balconies. Every stairway, inside or outside of a dwelling, and every porch, balcony, and deck must be kept in safe and structurally sound condition. Stairs, guardrails, and handrails must conform and comply with the edition of the Minnesota State Building Code in effect as of the date of construction or improvements thereto. Every porch, balcony, and deck 30 inches or more above grade must have a guardrail that conforms to the edition of the Minnesota State Building Code in effect as of the date of construction or improvements thereto. Except in a single occupancy residential facility, stairways having two or more risers must be provided with handrails on both sides.

(18) Access. Access to or egress from each dwelling unit may not pass through any other dwelling unit.

(19) Exterior Lighting. Exterior parking areas and walkways must be illuminated a minimum of one foot-candle at grade level. This provision does not apply to areas accessory to single-family and two-family dwellings.

(20) Yards. Every yard on improved property must provide lawn or combined ground cover of vegetation, garden, hedges, shrubbery, and related ground cover meeting Section 15 of the Zoning Code.

(21) Discontinuance of Service or Facilities. No owner, association, operator, or occupant may allow any service, facility, equipment, or utility required under this Code to be removed from or shut off from or discontinued for any occupied building or portion thereof, except for such temporary interruptions as may be necessary while actual repairs or alterations are in process, or during temporary emergencies, or in accordance with State and local laws and ordinances.

(22) Site Plans and Building Permits. All buildings, structures, and premises subject to the provisions of this Section must comply with the provisions and conditions of any approved site plan and building permit.

§256-10 Pests.

(1) Harborage. All structures and exterior property must be free from rodent harborage and infestation. Boxes, lumber, scrap metal, and similar materials that can provide shelter to pests may not be allowed to accumulate either in or outside a structure in a manner that attracts pests. Materials permitted and approved for exterior storage must be neatly stacked.

(2) Food Source. Any materials that may serve as a food source for pests, whether within a structure or on the premises, must be appropriately stored so as not to attract pests.

(3) Structures. All openings with a diameter of one-half inch or more in the exterior surfaces of a structure must be sealed.

§256-11 Garbage, Rubbish, and Recyclable Materials.

(1) Storage and Disposal. Garbage, rubbish, and recyclable materials must be stored and disposed of in a clean, sanitary, and safe manner.

§256-12 Maintenance Requirements.

(1) Screens and Storm Windows. For residential rental facilities, screens and storm windows as required by law must be installed in season.

(2) Sanitary Fixtures. Fixtures within the building must be maintained in a clean and sanitary condition.

(3) Accessory Structures. Accessory structures or buildings must be structurally sound, and be maintained in good repair and appearance. The exterior of such structures must be made weather resistant through the use of decay resistant materials such as paint or other preservatives. Paint must be maintained.

(4) Safe Building. Every foundation, roof, floor, exterior and interior wall, ceiling, inside and outside stairs, porch and balcony, and every appurtenance thereto, must be safe to use and capable of supporting loads required by the occupancy.

(5) Facilities to Function. Every supplied facility, fixture, piece of equipment, or utility required under this Code and every chimney and flue must be installed, maintained, and must function effectively in a safe, sound, and working condition.

§256-13 Minimum Requirements for Dwellings and Dwelling Units.

No person is allowed to occupy, or permit another person to occupy, any dwelling or dwelling unit for the purpose of living therein that does not comply with the following:

(1) Permissible Occupancy of Rental Dwelling Unit. Except for families as defined in this ordinance the number of occupants of a rental dwelling unit must not exceed two times the number of bedrooms in the dwelling unit.

(2) One Family Per Dwelling Unit. No more than one family is allowed to occupy a dwelling unit for the purpose of living therein.

§256-14 Securing and Monitoring of Premises and Buildings.

(1) The Chief Building Official, the Fire Chief, the Chief of Police, and their designees, are authorized to order the immediate evacuation of a building or premises that poses an immediate threat to health and safety. Once evacuated, unsecured buildings or premises posing an immediate danger of sustaining property damage or threat to health and safety may be ordered immediately secured and placarded. Unauthorized entry onto placarded premises or into a placarded building, or the removal or defacing of a placard, is a misdemeanor. In all other cases, a vacant building that remains unsecured for a period of 48 hours or more is deemed a public nuisance and must be secured. City officials or their designees are authorized to enter private property and use reasonable force to enforce this clause.

(2) Manner of Securing Buildings. Boarding must be done with sound materials securely fastened to the building and painted with a color consistent with the adjacent surfaces, except that openings on walls facing street frontages must be covered with clear acrylic plastic sheets only. Nonresidential building exterior signage on the vacant portions must be removed, except signage used for sale or lease of the building as allowed by Section 16 of the Zoning Code.

(3) The premises of a vacant building must be maintained in an appropriate manner including, but not limited to, mowing of yard areas; removal of weeds from parking areas, drives, medians, and landscaping; collection and removal of debris; and watering and maintaining landscaping and yard.

Section 3 - Effective Date

This ordinance shall take effect upon its passage and publication in the official City newspaper.

Adopted by the City Council this 20th day of July 2021.

Mayor Jeff Johnson

Jaden Strand, City Clerk

Published in the **Isanti-Chisago County STAR** on **July 29 2021**

CITY OF ISANTI ORDINANCE NO.759**AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 693, ADOPTED ON AUGUST 8, 2018 AND TITLED RIGHT-OF-WAY MANAGEMENT**

THE CITY COUNCIL OF ISANTI DOES ORDAIN:

Section 1 – Repealer.

Ordinance 693, titled Right-of-Way Management, as amended, codified in Chapter 257 of the City Code, is hereby repealed in its entirety and replaced with the ordinance set forth below.

Section 2 – Ordinance. The following Chapter 257 is hereby adopted:

Chapter 257**RIGHT-OF-WAY MANAGEMENT****§257-1. Findings, purpose and intent.****§257-2. Election to manage public rights-of-way.****§257-3. Definitions.****§257-4. Administration.****§257-5. Permit requirement.****§257-6. Permit applications.****§257-7. Small cell wireless permit applications.****§257-8. Action on small cell wireless permit applications.****§257-9. Issuance of permit; conditions.****§257-10. Small cell facility agreement.****§257-11. Right-of-way work & small cell wireless permit fees.****§257-12. Right-of-way patching and restoration.****§257-13. Joint applications.****§257-14. Supplementary applications.****§257-15. Other obligations****§257-16. Denial or revocation of permit.****§257-17. Installation requirements.****§257-18. Inspection****§257-19. Work done without permit.****§257-20. Supplementary notification.****§257-21. Revocation of permits.****§257-22. Mapping data.****§257-23. Location and relocation of facilities.****§257-24. Pre-excavation facilities location.****§257-25. Small cell location requirements.****§257-26. Aesthetic requirements for small cell wireless facilities****§257-27. Damage to other facilities.****§257-28. Right-of-way vacation.****§257-29. Indemnification and liability.****§257-30. Abandoned and unusable facilities.****§257-31. Appeal.****§257-32. Reservation of regulatory and police powers.****§257-33. Severability.****§ 257-1 Findings, purpose, and intent.**

A. To provide for the health, safety, and welfare of its citizens, and to ensure the integrity of its streets and the appropriate use of the rights-of-way, the City of Isanti strives to keep its rights-of-way in a state of good repair and free from unnecessary encumbrances.

B. The City of Isanti hereby enacts this chapter relating to right-of-way and small cell wireless permits and administration. This chapter imposes reasonable regulation on the placement and maintenance of facilities and equipment currently within its rights-of-way or to be placed therein at some future time. It is intended to complement the regulatory roles of state and federal agencies. Under this chapter, persons constructing within, excavating and obstructing the rights-of-way will bear financial responsibility for their work. Finally, this chapter provides for recovery of out-of-pocket and projected costs from persons using the public rights-of-way.

C. This chapter shall be interpreted consistently with Minn. Stat. §§ 237.16, 237.162, 237.163, 237.79, 237.81, and 238.086 (the "Act"), and the other laws governing applicable rights of the City and users of the right-of-way. This chapter shall also be interpreted consistent with Minnesota Rules 7819.0050 - 7819.9950 and Minnesota Rules, Chapter 7560 where possible. To the extent any provision of this chapter cannot be interpreted consistently with the Minnesota Rules, that interpretation most consistent with the Act and other applicable statutory and case law is intended. This chapter shall not be interpreted to limit the regulatory and police powers of the City to adopt and enforce general ordinances necessary to protect the health, safety, and welfare of the public.

§ 257-2 Election to manage public rights-of-way.

Pursuant to the authority granted to the City under state and federal statutory, administrative and common law, the City hereby elects, pursuant to Minn. Stat. § 237.163 Subdivision 2(b), to manage rights-of-way within its jurisdiction.

§ 257-3 Definitions.

The following definitions apply in this chapter. References hereafter to "sections" are, unless otherwise specified, references to sections in this chapter. Defined terms remain defined terms, whether or not capitalized.

ABANDONED FACILITY

A facility no longer in service or physically disconnected from a portion of the operating facility, or from any other facility, that is in use or still carries service. A facility is not abandoned unless declared so by the right-of-way user.

APPLICANT

Any person requesting permission to excavate or obstruct a right-of-way or requesting permission to collocate a small cell wireless facility.

CITY

The City of Isanti, Minnesota. For purposes of § 257-29, "City" also means the City's elected officials, officers, employees, and agents.

COLLOCATE OR COLLOCATION

To install, mount, maintain, modify, operate, or replace a small wireless facility on, under, within, or adjacent to an existing wireless support structure or utility pole that is owned privately, or by the City or other governmental unit.

COMMISSION

The State of Minnesota Public Utilities Commission.

CONGESTED RIGHT-OF-WAY

A crowded condition in the subsurface of the public right-of-way that occurs when the maximum lateral spacing between existing underground facilities does not allow for construction of new underground facilities without using hand digging to expose the existing lateral facilities in conformance with Minn. Stat. § 216D.04, Subdivision 3, over a continuous length in excess of 500 feet.

C O N S T R U C T I O N PERFORMANCE BOND

Any of the following forms of security provided at permittee's option and approved by the City:

A. Individual project bond;
B. Cash deposit;
C. Security of a form listed or approved under Minn. Stat. § 15.73, Subdivision 3;

D. Letter of credit, in a form acceptable to the City;

FROM PUBLIC NOTICES, PAGE 18

E. Self-insurance, in a form acceptable to the City;

F. A blanket bond for projects within the City, or other form of construction bond, for a time specified and, in a form, acceptable to the City.

DELAY PENALTY

The penalty imposed as a result of unreasonable delays in right-of-way excavation, obstruction, patching, or restoration as established by permit.

DEPARTMENT

The Public Works or Engineering Department of the City of Isanti.

EMERGENCY

A condition that:

A. Poses a danger to life or health, or of a significant loss of property; or
B. Requires immediate repair or replacement of facilities in order to restore service to a customer.

EQUIPMENT

Any tangible asset used to install, repair, or maintain facilities in any right-of-way.

EXCAVATE

To dig into or in any way remove or physically disturb or penetrate any part of a right-of-way.

FACILITY or FACILITIES

Any tangible asset in the right-of-way required to provide utility service.

FIVE-YEAR PROJECT PLAN

A document listing projects adopted by the City for construction within the next five years.

HIGH DENSITY CORRIDOR

A designated portion of the public right-of-way within which telecommunications right-of-way users having multiple and competing facilities may be required to build and install facilities in a common conduit system or other common structure.

HOLE

An excavation in the pavement, with the excavation having a length less than the width of the pavement.

LOCAL REPRESENTATIVE

A local person or persons, or designee of such person or persons, authorized by an applicant or permittee to accept service and to make decisions for that applicant or permittee regarding all matters within the scope of this chapter.

MANAGEMENT COSTS

The actual costs the City incurs in managing its rights-of-way, including such costs, if incurred, as those associated with registering applicants; issuing, processing, and verifying right-of-way or small wireless facility permit applications; inspecting job sites and restoration projects; maintaining, supporting, protecting, or moving user facilities during right-of-way work; determining the adequacy of right-of-way restoration; restoring work inadequately performed after providing notice and the opportunity to correct the work; and revoking right-of-way or small wireless facility permits. Management costs do not include payment by a telecommunications right-of-way user for the use of the right-of-way, unreasonable fees of a third-party contractor used by the City including fees tied to or based on customer counts, access lines, or revenues generated by the right-of-way or for the City, the fees and cost of litigation relating to the interpretation of Minnesota Session Laws 1997, Chapter 123; Minn. Stat. § 237.162 or 237.163; or any ordinance enacted under those sections, or the City fees and costs related to appeals taken pursuant to § 257-31 of this chapter.

OBSTRUCT

To place any tangible object in a right-of-way so as to hinder free and open passage over that or any part of the right-of-way.

PATCH or PATCHING

A method of pavement replacement that is temporary in nature. A patch consists of the compaction of the subbase and aggregate base, and the replacement, in kind, of the existing pavement for a minimum of two feet beyond the edges of the excavation in all directions. A patch is considered full restoration only when the pavement is included in the City's five-year project plan.

PAVEMENT

Any type of improved surface that is within the public right-of-way and that is paved or otherwise constructed with bituminous, concrete, aggregate, or gravel.

PERMIT

The permit which, pursuant to this chapter, must be obtained before a person may excavate or obstruct in a right-of-way or collocate a small cell wireless facility. An permit allows the permittee to work in that part of the right-of-way and do such work described and approved in such permit.

PERMIT FEE

Money paid to the City by an applicant to cover the costs as provided in § 257-11.

PERMITTEE

Any person to whom a permit to excavate, obstruct or collocate in the right-of-way has been granted by the

City under this chapter.

PERSON

An individual or entity subject to the laws and rules of this state, however organized, whether public or private, whether domestic or foreign, whether for profit or nonprofit, and whether natural, corporate, or political.

PROBATION

The status of a person that has not complied with the conditions of this chapter.

PROBATIONARY PERIOD

One year from the date that a person has been notified, in writing, that they have been put on probation.

PUBLIC RIGHT-OF-WAY or RIGHT-OF-WAY

The area on, below, or above a public roadway, highway, street, alley, bicycle path, or public sidewalk in which the City has an interest, including other dedicated rights-of-way for travel purposes and utility easements of the City. This includes all public grounds. A right-of-way does not include the airwaves above a right-of-way or public grounds with regard to cellular or other non-wire telecommunications or broadcast service.

RESTORATION COST

The amount of money paid to the City by a permittee to achieve the level of restoration according to plates 1 to 13 of Minnesota Public Utilities Commission Rules.

RESTORE or RESTORATION

The process by which an excavated right-of-way and surrounding area, including pavement and foundation, is returned to the same condition and life expectancy that existed before excavation.

RIGHT-OF-WAY PERMIT

Either the excavation permit or the obstruction permit, or small wireless facility, depending on the context, required by this chapter.

RIGHT-OF-WAY USER

A. A telecommunications right-of-way user as defined by Minn. Stat., § 237.162, Subdivision 4; or

B. A person owning or controlling a facility in the right-of-way that is used or intended to be used for providing utility service, and who has a right under law, franchise, or ordinance to use the public right-of-way.

SERVICE LATERAL

An underground facility that is used to transmit, distribute or furnish natural gas, electricity, communications, and water from a common source to an end-use customer. A service lateral is also an underground facility that is used in the removal of wastewater from a customer's premises.

SERVICE or UTILITY SERVICE

Includes:

A. Those services provided by a public utility as defined in Minn. Stat. § 216B.02, Subdivision 4 and 6;

B. Services of a telecommunications right-of-way user, including transporting of voice or data information;

C. Services of a cable communications systems as defined in Minn. Stat. Chapter 238;

D. Natural gas or electric energy or telecommunications services provided by the City;

E. Services provided by a cooperative electric association organized under Minn. Stat. Chapter 308A; and

F. Water and sewer, including service laterals, steam, cooling, or heating services.

SMALL WIRELESS FACILITY

A wireless facility that meets both of the following qualifications:

A. Each antenna is located inside an enclosure of no more than six cubic feet in volume or could fit within such an enclosure; and

B. All other wireless equipment associated with the small wireless facility provided such equipment is, in aggregate, no more than 28 cubic feet in volume, not including electric meters, concealment elements, telecommunications demarcation boxes, battery backup power systems, grounding equipment, power transfer switches, cutoff switches, cable, conduit, vertical cable runs for the connection of power and other services, and any equipment concealed from public view within or behind an existing structure or concealment.

S U P P L E M E N T A R Y APPLICATION

An application made to excavate or obstruct more of the right-of-way than allowed in, or to extend, a permit that had already been issued.

TELECOMMUNICATIONS RIGHT-OF-WAY USER

A person owning or controlling a facility in the right-of-way, or seeking to own or control a facility in the right-of-way that is used or is intended to be used for providing wireless service, or transporting telecommunication or other voice or data information. For purposes of this chapter, a cable communication system defined and regulated under Minn. Stat. Chapter 238 and telecommunication activities related to providing natural gas or electric energy services, a public utility as defined in Minn. Stat. § 216B.02,

a municipality, a municipal gas or power agency organized under Minn. Stat. Chapter 453 and 453A, or a cooperative electric association organized under Minn. Stat. Chapter 308A are not telecommunications right-of-way users for purposes of this chapter except to the extent such entity is offering wireless service.

TEMPORARY SURFACE

The compaction of subbase and aggregate base and replacement, in kind, of the existing pavement only to the edges of the excavation. It is temporary in nature except when the replacement is of pavement included in the City's two-year plan, in which case it is considered full restoration.

TRENCH

An excavation in the pavement, with the excavation having a length equal to or greater than the width of the pavement.

TWO YEAR PROJECT PLAN

Shows projects adopted by the City for construction within the next two years.

UTILITY POLE

A pole that is used in whole or in part to facilitate telecommunications or electric service.

WIRELESS FACILITY

Equipment at a fixed location that enables the provision of wireless services between user equipment and a wireless service network, including equipment associated with wireless service, a radio transceiver, antenna, coaxial or fiber-optic cable, regular and backup power supplies, and a small wireless facility, but not including wireless support structures, wireline backhaul facilities, or cables between utility poles or wireless support structures, or not otherwise immediately adjacent to and directly associated with a specific antenna.

WIRELESS SERVICE

Any service using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or by means of a mobile device, that is provided using wireless facilities. Wireless service does not include services regulated under Title VI of the Federal Communications Act of 1934, as amended, including cable service.

WIRELESS SUPPORT STRUCTURE

A new or existing structure in a right-of-way designed to support or capable of supporting small wireless facilities, as reasonably determined by the City. Also referred to as a pole.

§ 257-4 Administration.

The City Administrator or her/his designee is the principal City official responsible for the administration of the rights-of-way, right-of-way permits, small cell wireless permits and the ordinances related thereto. The City Administrator or her/his designee may delegate any or all of the duties hereunder.

§ 257-5 Permit requirement.

A. Permit required. Except as otherwise provided in this code, no person may obstruct or excavate any right-of-way, or install or place facilities in the right-of-way, without first having obtained the appropriate right-of-way work or small cell wireless permit from the City to do so.

B. Right-of-way work permits cover the following activities:

(1) Excavation. A right-of-way permit is required by a registrant to excavate that part of the right-of-way described in such permit and to hinder free and open passage over the specified portion of the right-of-way by placing facilities described therein, to the extent and for the duration specified therein.

(2) Obstruction. A right-of-way permit is required by a registrant to hinder free and open passage over the specified portion of right-of-way by placing equipment described therein on the right-of-way, to the extent and for the duration specified therein. An additional permit for obstruction is not required if a person already possesses a valid right-of-way permit for excavation with the same project.

C. Small cell wireless/pole attachment permits cover the following activity:

(1) A Small cell wireless/pole attachment permit is required to erect or install a wireless support structure, to co-locate a small wireless facility, or to otherwise install a small wireless facility in the specified portion of the right-of-way, to the extent specified therein, provided that such permit shall remain in effect for the length of time the facility is in use, unless lawfully revoked.

D. Permit extensions. No person may excavate or obstruct the right-of-way beyond the date or dates specified in the permit unless such person makes a supplementary application for another right-of-way permit before the expiration of the initial permit, and a new permit or permit extension is granted.

E. Delay penalty. In accordance with Minnesota Rules 7819.1000, Subpart 3, and notwithstanding Subsection B of this section, the City shall establish and impose a delay penalty for unreasonable delays in

right-of-way excavation, obstruction, patching, or restoration. The delay penalty shall be established from time to time by City Council resolution.

F. Permit display. Permits issued under this chapter shall be conspicuously displayed or otherwise available at all times at the indicated work site and shall be available for inspection by the City.

§ 257-6 Right-of-Way Permit applications.

Application for a permit is made to the City. Right-of-way permit applications shall contain, and will be considered complete only upon compliance with, the requirements of the following provisions:

A. Submission of a completed permit application form, including all required attachments, and scaled drawings showing the location and area of the proposed project and the location of all known existing and proposed facilities.

B. Payment of money due the City for:

(1) Permit fees, estimated restoration costs, and other management costs;

(2) Prior obstructions or excavations;

(3) Any undisputed loss, damage, or expense suffered by the City because of applicant's prior excavations or obstructions of the rights-of-way or any emergency actions taken by the City;

(4) Franchise fees or other charges, if applicable.

C. Payment of disputed amounts due the City by posting security in an amount equal to the disputed amount, in a form approved by the City, or by depositing the disputed amount in an escrow account

D. Posting an additional or larger construction performance bond for additional facilities when applicant requests an excavation permit to install additional facilities and the City deems the existing construction performance bond inadequate under applicable standards.

§ 257-7 Small Cell Wireless Permit Applications.

Prior to placing, installing, modifying, relocating or removing a small wireless facility or wireless support structure in the ROW, or to collocating a wireless facility on an existing wireless support structure in the ROW, the operator shall obtain a permit from the City. The City may require additional information as reasonably necessary to evaluate the application and the impact of the proposed installation(s) on the public health, safety and welfare or on use or management of the ROW.

A. Proof of agent designation (if applicable). If the applicant is serving as an agent of a small wireless operator, the applicant must provide written documentation of the agent designation signed by the operator.

B. Map. The applicant must include an aerial map showing the location of the proposed or existing support structure to which the small wireless facility is proposed to be attached, or from which a small wireless facility is proposed to be removed.

C. Photo simulations. For all applications to locate small wireless facilities in the ROW, the applicant shall provide photo simulations from at least two reasonable line-of-site locations near the proposed project site. The photo simulations must be taken from the viewpoints of the greatest pedestrian or vehicular traffic.

D. Consolidated applications. An applicant seeking to construct, modify, collocate or replace more than one small wireless facility or more than one wireless support structure within the City may file a consolidated application for up to 15 small wireless facility requests or wireless support structure requests, provided the requests grouped on a consolidated application only address substantially the same type of small wireless facilities or substantially the same type of wireless support structures, and provided that all small wireless facilities in the application are located within a two-mile radius. (Note: The City may treat each request individually during application review and processing and when issuing a determination or applying these guidelines.)

E. Site and other plans and structural calculations. The applicant must include fully dimensioned site plans, elevation drawings and structural calculations that depict any known existing wireless facilities with all existing transmission equipment and other improvements, the proposed facility with all proposed transmission equipment and other improvements, and the legal boundaries of the existing right-of-way and any associated access and utility easements. Fully dimensioned site plans shall indicate the spacing from existing curb, driveways, sidewalks, light poles and any other poles or appurtenances.

F. Full description of number and dimensions of facilities and/or structures to be installed. The applicant must include a full description of the number and dimensions of all small wireless facilities proposed to be installed and the wireless support structure, either new or existing, to be utilized for each small wireless facility. For all equipment proposed to be installed, the applicant must include: (1) the manufacturer's name and model number; (2) physical dimensions, including without limitation, height, width, depth and weight with mounts and other necessary hardware; and (3) the ambient noise level generated from the equipment, if any.

G. Owner's authorization. For any application to attach a small wireless facility to a wireless support structure that is not owned by the City, the applicant must submit evidence sufficient to show that either: (1) applicant owns the proposed support structure; or (2) applicant has obtained the owner's written authorization to file the application.

§ 257-8 Action on small cell wireless permit applications.

A. Deadline for action. The City shall approve or deny a small wireless facility permit application within 90 days after filing of such application. The small wireless facility permit, and any associated building permit application, shall be deemed approved if the City fails to approve or deny the application within the review periods established in this section.

B. Consolidated applications.

(1) In rendering a decision on a consolidated permit application, the City may approve some small wireless facilities and deny others, but may not use denial of one or more permits as a basis to deny all small wireless facilities in the application.

C. Tolling of deadline. The ninety-day deadline for action on a small wireless facility permit application may be tolled if:

(1) The City receives applications from one or more applicants seeking approval of permits for more than 30 small wireless facilities within a seven-day period. In such case, the City may extend the deadline for all such applications by 30 days by informing the affected applicants, in writing, of such extension.

(2) The applicant fails to submit all required documents or information and the City provides written notice of incompleteness to the applicant within 30 days of receipt of the application. Upon submission of additional documents or information, the City shall have 10 days to notify the applicant, in writing, of any still-missing information.

(3) The City and a small wireless facility applicant agree, in writing, to toll the review period.

§ 257-9 Issuance of permit; conditions.

A. Permit issuance. If the applicant has satisfied the requirements of this chapter, the City shall issue a permit.

B. Conditions. The City may impose reasonable conditions upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use. In addition, a permittee shall comply with all requirements of local, state, and federal laws, including but not limited to Minn. Stat. §§ 216D.01 to 216D.09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560.

C. Small wireless facility conditions. In addition to Subsection B, the erection or installation of a wireless support structure, the co-location of a small wireless facility, or other installation of a small wireless facility in the right-of-way, shall be subject to the following conditions:

(1) A small wireless facility shall only be co-located on the particular wireless support structure, under those attachment specifications, and at the height indicated in the applicable permit application.

(2) No new wireless support structure installed within the right-of-way shall exceed 50 feet in height without the City's written authorization, provided that the City may impose a lower height limit in the applicable permit to protect the public health, safety and welfare or to protect the right-of-way and its current use, and further provided that a registrant may replace an existing wireless support structure exceeding 50 feet in height with a structure of the same height subject to such conditions or requirements as may be imposed in the applicable permit.

(3) No wireless facility may extend more than 10 feet above its wireless support structure.

(4) Where an applicant proposes to install a new wireless support structure in the right-of-way, the City may impose separation requirements between such structure and any existing wireless support structure or other facilities in and around the right-of-way.

(5) Where an applicant proposes co-location on a decorative wireless support structure, sign or other structure not intended to support

small wireless facilities, the City may impose reasonable requirements to accommodate the particular design, appearance or intended purpose of such structure.

(6) Where an applicant proposes to replace a wireless support structure, the City may impose reasonable restocking, replacement, or relocation requirements on the replacement of such structure.

D. Limitations. While the City fully intends to apply the guidelines established in Chapter 257 uniformly to all small wireless facility applications, there may be circumstances where not every specific guideline may be met. In this case, City staff will use its reasonable discretion in approving small wireless facilities permit applications that deviate from the strict application of this Chapter.

§ 257-10. Small wireless facility agreement.

A. A small cell wireless facility shall only be collocated on a small wireless support structure owned or controlled by the City, or any other City asset in the right-of-way, after the applicant has executed a standard small wireless facility co-location agreement with the City.

B. The standard collocation agreement shall be in addition to, and not in lieu of, the required small cell wireless permit; provided, however, that the applicant shall not be additionally required to obtain a license or franchise in order to co-locate. Issuance of a small cell wireless permit does not supersede, alter or affect any then-existing agreement between the City and applicant.

§ 257-11 Right-of-way work and small cell wireless permit fees.

A. Excavation. The City shall impose a right-of-way work permit fee in an amount sufficient to recover City management costs for excavations. The fee shall be per the City fee schedule.

B. Obstruction. The City shall impose a right-of-way work permit fee in an amount sufficient to recover City management costs for obstructions (unless combined with a permit for excavations).

C. Street Cutting. The City shall impose fees for street cutting and require an escrow in addition to the right-of-way work permit per the City Fee Schedule.

D. Small wireless facility. The City shall impose a small cell wireless permit fee for a small wireless facility in an amount sufficient to recover:

(1) Management costs; and
(2) City engineering, make-ready, and construction costs associated with collocation of small wireless facilities.

(3) Engineering fees are based on actual engineering staff time. Additional time necessary to review based upon complexity of application may be billed to the applicant.

E. Payment of permit fees. No excavation permit or obstruction permit shall be issued without payment of excavation or obstruction permit fees. The City may allow applicant to pay such fees within 30 days of billing.

F. Nonrefundable. Permit fees that were paid for a permit that the City has revoked for a breach as stated in § 257-21 are not refundable.

G. Application to franchisees. Unless otherwise agreed to in a franchise, management costs may be charged separately from and in addition to the franchise fees imposed on a right-of-way user in the franchise.

§ 257-12 Right-of-way patching and restoration.

A. Timing. The work to be done under the excavation permit, and the patching and restoration of the right-of-way as required herein, must be completed within the dates specified in the permit, increased by as many days as work could not be done because of circumstances beyond the control of the permittee or when work was prohibited as unreasonable or unreasonable under § 257-16.

B. Patch and restoration. The permittee shall patch its own work. The City may choose either to have the permittee restore the right-of-way or to restore the right-of-way itself.

(1) City restoration. If the City restores the right-of-way, permittee shall pay the costs thereof within 30 days of billing. If, following such restoration, the pavement settles due to permittee's improper backfilling, the permittee shall pay to the City, within 30 days of billing, all costs associated with correcting the defective work.

(2) Permittee restoration. If the permittee restores the right-of-way itself, it shall at the time of application for an excavation permit post a construction performance bond in accordance with the provisions of Minnesota Rules 7819.3000.

C. Standards. The permittee shall perform excavation, backfilling, patching, and restoration according to the standards and with the materials specified by the City and shall comply with Minnesota Rules

SEE PUBLIC NOTICES, PAGE 20

FROM PUBLIC NOTICES, PAGE 19

7819.1100.

D. Duty to correct defects. The permittee shall correct defects in patching or restoration performed by permittee or its agents. The permittee upon notification from the City, shall correct all restoration work to the extent necessary, using the method required by the City. Said work shall be completed within five calendar days of the receipt of the notice from the City, not including days during which work cannot be done because of circumstances constituting force majeure or days when work is prohibited as unreasonable or unfeasible under § 257-16.

E. Failure to restore. If the permittee fails to restore the right-of-way in the manner and to the condition required by the City, or fails to satisfactorily and timely complete all restoration required by the City, the City at its option may do such work. In that event the permittee shall pay to the City, within 30 days of billing, the cost of restoring the right-of-way. If the permittee fails to pay as required, the City may exercise its rights under the construction performance bond.

§ 257-13 Joint applications.

A. Joint application. Applicants may jointly apply for permits to excavate or obstruct the right-of-way at the same place and time.

B. Shared fees. Applicants who apply for permits for the same obstruction or excavation, which the City does not perform, may share in the payment of the obstruction or excavation permit fee. In order to obtain a joint permit, Applicants must agree among themselves as to the portion each will pay and indicate the same on their applications.

C. With City projects. Applicants who join in a scheduled obstruction or excavation performed by the City, whether or not it is a joint application by two or more registrants or a single application, are not required to pay the excavation or obstruction and degradation portions of the permit fee, but a permit would still be required.

§ 257-14 Supplementary applications.

A. Limitation on area. A right-of-way or small cell wireless permit is valid only for the area of the right-of-way specified in the permit. No permittee may do any work outside the area specified in the permit, except as provided herein. Any permittee which determines that an area greater than that specified in the permit must be obstructed or excavated must, before working in that greater area, make application for a permit extension and pay any additional fees required thereby, and be granted a new permit or permit extension.

B. Limitation on dates. A right-of-way or small cell wireless permit is valid only for the dates specified in the permit. No permittee may begin its work before the permit start date or, except as provided herein, continue working after the end date. If a permittee does not finish the work by the permit end date, it must apply for a new permit for the additional time it needs, and receive the new permit or an extension of the old permit before working after the end date of the previous permit. This supplementary application must be submitted before the permit end date.

§ 257-15 Other obligations.

A. Compliance with other laws. Obtaining a right-of-way or small cell wireless permit does not relieve the permittee of its duty to obtain all other necessary permits, licenses, and authority and to pay all fees required by the City or other applicable rule, law or regulation. A permittee shall comply with all requirements of local, state and federal laws, including but not limited to Minn. Stat. §§ 216D.01 to 216D.09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560. A permittee shall perform all work in conformance with all applicable codes and established rules and regulations, and is responsible for all work done in the right-of-way pursuant to its permit, regardless of who does the work.

B. Prohibited work. Except in an emergency, and with the approval of the City, no right-of-way obstruction or excavation may be done when seasonally prohibited or when conditions are unreasonable for such work.

C. Interference with right-of-way. A permittee shall not so obstruct a right-of-way that the natural free and clear passage of water through the gutters or other waterways shall be interfered with. Private vehicles of those doing work in the right-of-way may not be parked within or next to a permit area, unless parked in conformance with City parking regulations. The loading or unloading of trucks must be done solely within the defined permit area unless specifically authorized by the permit.

D. Trenchless excavation. As a condition of all applicable permits, permittees employing trenchless excavation methods, including but

not limited to horizontal directional drilling, shall follow all requirements set forth in Minn. Stat. Chapter 216D and Minnesota Rules Chapter 7560 and shall require potholing or open cutting over existing underground utilities before excavating, as determined by the Director.

§ 257-16 Denial or revocation of permit.

A. Reasons for denial. The City may deny a permit for failure to meet the requirements and conditions of this chapter or if the City determines that the denial is necessary to protect the health, safety, and welfare of the public and when necessary to protect the right-of-way and its current use.

B. Procedural requirements. The denial or revocation of a permit must be made in writing and must document the basis for the denial. The City must notify the applicant or right-of-way user, in writing, within three business days of the decision to deny or revoke a permit. If an application is denied, the right-of-way user may address the reasons for denial identified by the City and resubmit its application. If the application is resubmitted within 30 days of receipt of the notice of denial, no additional application fee shall be imposed. The City must approve or deny the resubmitted application within 30 days after submission.

§ 257-17 Installation requirements.

The excavation, backfilling, patching and restoration, and all other work performed in the right-of-way shall be done in conformance with Minnesota Rules 7819.1100 and 7819.5000 and other applicable local requirements, in so far as they are not inconsistent with the Minn. Stat. §§ 237.162 and 237.163. Installation of service laterals shall be performed in accordance with Minnesota Rules Chapter 7560 and these ordinances. Service lateral installation is further subject to those requirements and conditions set forth by the City in the applicable permits and/or agreements referenced in § 257-23B of this chapter.

§ 257-18 Inspection.

A. Notice of completion. When the work under any permit hereunder is completed, the permittee shall furnish a completion certificate in accordance with Minnesota Rules 7819.1300 if requested by the City.

B. Site inspection. The permittee shall make the work site available to the City and to all others as authorized by law for inspection at all reasonable times during the execution of and upon completion of the work if requested by the City.

C. Authority of City.

(1) At the time of inspection, the City Administrator or Designee may order the immediate cessation of any work which poses a serious threat to the life, health, safety, or well-being of the public.

(2) The City Administrator or Designee may issue an order to the permittee for any work that does not conform to the terms of the permit or other applicable standards, conditions, or codes. The order shall state that failure to correct the violation will be cause for revocation of the permit. Within 10 days after issuance of the order, the permittee shall present proof to the Director that the violation has been corrected. If such proof has not been presented within the required time, the City Administrator or Designee may revoke the permit pursuant to § 257-21.

§ 257-19 Work done without permit.

A. Emergency situations.

(1) Each facility owner shall immediately notify the City Administrator or Designee of any event regarding its facilities that it considers to be an emergency. The facility owner may proceed to take whatever actions are necessary to respond to the emergency. Excavators' notification to Gopher State One Call regarding an emergency situation does not fulfill this requirement. Within two business days after the occurrence of the emergency, the facility owner shall apply for the necessary permits, pay the fees associated therewith, and fulfill the rest of the requirements necessary to bring itself into compliance with this chapter for the actions it took in response to the emergency.

(2) If the City becomes aware of an emergency regarding right-of-way facilities, the City will attempt to contact the local representative of each facility owner affected, or potentially affected, by the emergency. In any event, the City may take whatever action it deems necessary to respond to the emergency, the cost of which shall be borne by the facility owner whose facilities occasioned the emergency.

B. Nonemergency situations. Except in an emergency, any person who, without first having obtained the necessary permit, obstructs or excavates a right-of-way must subsequently obtain a permit and, as a penalty, pay additional fees required by the City as set forth in the City Fee Schedule, Chapter 160, deposit with the City the fees necessary to correct any damage to

the right-of-way, and comply with all of the requirements of this chapter.

§ 257-20 Supplementary notification.

If the obstruction or excavation of the right-of-way begins later or ends sooner than the date given on the permit, the permittee shall notify the City of the accurate information as soon as this information is known.

§ 257-21 Revocation of permits.

A. Substantial breach. The City reserves its right, as provided herein, to revoke any right-of-way permit without a fee refund, if there is a substantial breach of the terms and conditions of any statute, ordinance, rule or regulation, or any material condition of the permit. A substantial breach by the permittee shall include, but shall not be limited to, the following:

(1) The violation of any material provision of the right-of-way permit.

(2) An evasion or attempt to evade any material provision of the right-of-way permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the City or its citizens.

(3) Any material misrepresentation of fact in the application for a right-of-way permit.

(4) The failure to complete the work in a timely manner, unless a permit extension is obtained or unless the failure to complete work is due to reasons beyond the permittee's control.

(5) The failure to correct, in a timely manner, work that does not conform to a condition indicated on an order issued pursuant to § 257-19.

B. Written notice of breach. If the City determines that the permittee has committed a substantial breach of a term or condition of any statute, ordinance, rule, regulation, or any condition of the permit, the City shall make a written demand upon the permittee to remedy such violation. The demand shall state that continued violations may be cause for revocation of the permit. A substantial breach, as stated above, will allow the City, at its discretion, to place additional or revised conditions on the permit to mitigate and remedy the breach.

C. Response to notice of breach. Within 24 hours of receiving notification of the breach, the permittee shall provide the City with a plan, acceptable to the City, that will cure the breach. The permittee's failure to so contact the City, or the permittee's failure to timely submit an acceptable plan, or the permittee's failure to reasonably implement the approved plan shall be cause for immediate revocation of the permit. Further, the permittee's failure to so contact the City, or the permittee's failure to submit an acceptable plan, or the permittee's failure to reasonably implement the approved plan shall automatically place the permittee on probation for one full year.

D. Cause for probation. From time to time, the City may establish a list of conditions of the permit, which if breached will automatically place the permittee on probation for one full year, such as, but not limited to, working out of the allotted time period or working on right-of-way grossly outside of the permit authorization.

E. Automatic revocation. If a permittee, while on probation, commits a breach as outlined above, the permittee's permit will automatically be revoked and the permittee will not be allowed further permits for one full year, except for emergency repairs.

F. Reimbursement of City costs. If a permit is revoked, the permittee shall also reimburse the City for the City's reasonable costs, including restoration costs and the costs of collection and reasonable attorneys' fees incurred in connection with such revocation.

§ 257-22 Mapping data.

A. Information required. Each permittee shall provide mapping information required by the City in accordance with Minnesota Rules 7819.4000 and 7819.4100. Following completion of any work pursuant to a permit, the permittee shall provide the City Administrator or Designee accurate maps and drawings certifying the "as-built" location of all equipment installed, owned, and maintained by the permittee upon request. Such maps and drawings shall include the horizontal and vertical location of all facilities and equipment and shall be provided consistent with the City's electronic mapping system, when practical or as a condition imposed by the City Administrator or Designee. Failure to provide maps and drawings pursuant to this subsection may be grounds for denying future permit applications.

B. Service laterals. All permits issued for the installation or repair of service laterals, other than minor repairs as defined in Minnesota Rules 7560.0150, Subpart 2, shall require the permittee's use of appropriate means of establishing the horizontal locations of installed service laterals and the service lateral vertical locations in those cases where the City Administrator

or Designee reasonably requires it. Permittees or their subcontractors shall submit to the City Administrator or Designee evidence satisfactory to the City Administrator or Designee of the installed service lateral locations. Compliance with this subsection and with applicable Gopher State One Call law and Minnesota Rules governing service laterals installed after December 31, 2005, shall be a condition of any City approval necessary for:

(1) Payments to contractors working on a public improvement project, including those under Minn. Stat. Chapter 429; and

(2) City approval under development agreements or other subdivision or site plan approval under Minn. Stat. Chapter 462. The City Administrator or Designee shall reasonably determine the appropriate method of providing such information to the City. Failure to provide prompt and accurate information on the service laterals installed may result in the revocation of the permit issued for the work or future permits to the offending permittee or its subcontractors.

§ 257-23 Right-of-way Location and relocation of facilities.

A. Placement, location, and relocation of facilities must comply with the Act, with other applicable law, and with Minnesota Rules 7819.3100, 7819.5000, and 7819.5100, to the extent the rules do not limit authority otherwise available to the City.

B. Corridors.

(1) The City may assign a specific area within the right-of-way, or any particular segment thereof as may be necessary, for each type of facility that is or, pursuant to current technology, the City expects will someday be located within the right-of-way. All excavation, obstruction, or other permits issued by the City involving the installation or replacement of facilities shall designate the proper corridor for the facilities at issue.

(2) Any person who has facilities in the right-of-way in a position at variance with the corridors established by the City shall, no later than at the time of the next reconstruction or excavation of the area where the facilities are located, move the facilities to the assigned position within the right-of-way, unless this requirement is waived by the City for good cause shown, upon consideration of such factors as the remaining economic life of the facilities, public safety, customer service needs, and hardship to the facility owner.

C. Limitation of space. To protect the health, safety, and welfare of the public, or when necessary, to protect the right-of-way and its current use, the City shall have the power to prohibit or limit the placement of new or additional facilities within the right-of-way. In making such decisions, the City shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's needs for the particular utility service, the condition of the right-of-way, the time of year with respect to essential utilities, the protection of existing facilities in the right-of-way, and future City plans for public improvements and development projects which have been determined to be in the public interest.

§ 257-24 Pre-excavation facilities location.

In addition to complying with the requirements of Minn. Stat. §§ 216D.01 to 216D.09 ("One Call Excavation Notice System"), before the start date of any right-of-way excavation, each permittee who has facilities or equipment in the area to be excavated shall mark the horizontal and vertical placement of all said facilities. Any permittee whose facilities are less than 20 inches below a concrete or asphalt surface shall notify and work closely with the excavation contractor to establish the exact location of its facilities and the best procedure for excavation.

§ 257-25 Small cell location requirements

A. Most preferable locations.

The following are the most preferred areas for new small wireless facilities in the order of preference (1 being most preferable):

(1) Industrial Districts if not adjacent to a park, residential district or historic district.

(2) Highway Rights of Way areas if not adjacent to a park, or residential district.

(3) Commercial Districts if not adjacent to a park, or residential district.

B. Collocation preference. It is the City's strong preference that whenever an applicant proposes to place a new small wireless facility that the applicant collocate the same on existing wireless support structures.

C. Least preferable locations. The following are the least preferred areas for new small wireless facilities in the order of preference (2 being least preferable):

(1) Residential Districts

(2) Parks

D. Consideration of alternate locations. The City reserves the right to propose an alternate location for a small wireless facility and/or wireless support structure to the location proposed in the application within one hundred feet of the proposed location or within a distance that is equivalent to the width of the ROW in or on which the small wireless facility and/or wireless support structure is proposed, whichever is greater, which the operator shall use if it has the right to use the alternate location on reasonable terms and conditions and the alternate location does not impose technical limits or additional costs.

E. Guidelines on placement. The City desires to promote cleanly organized and streamlined facilities using the smallest and least intrusive means available to provide wireless services to the community. Generally, a small wireless facility and/or wireless support structure shall match and be consistent with the materials and finish of the wireless support structure, adjacent City poles, and of the surrounding area adjacent to their location. In the absence of adjacent City poles, the wireless support structure shall match the materials and finish of the adjacent utility poles.

The following additional guidelines on placement shall apply:

(1) Small wireless facilities and wireless support structures shall be located no closer than 150 feet away, radially, from another small wireless facility and wireless support structure.

(2) A combination wireless support structure and streetlight pole should only be located where an existing pole (usually Connexus Energy or East Central Energy) can be removed and replaced, or at a new location where it has been identified that a streetlight is necessary.

(3) Small wireless facilities and wireless support structures shall be located in a manner that does not impede, obstruct, or hinder usual public pedestrian or vehicular travel or public safety on a ROW.

(4) Small wireless facilities and wireless support structures shall be located in a manner that does not obstruct the legal use of a ROW by a utility provider.

(5) Small wireless facilities and wireless support structures shall be located in a manner that does not violate the federal Americans with Disabilities Act.

(6) Small wireless facilities and wireless support structures shall be located in a manner that does not negatively impact the structural integrity of the associated wireless support structure.

(7) Small wireless facilities and wireless support structures shall be located in alignment with existing trees to the extent there are Blvd trees to be in alignment with, utility poles, and streetlights.

(8) Small wireless facilities and wireless support structures shall be located equal distance between trees when possible, with a minimum of 15 feet separation such that no proposed disturbance shall occur within the critical root zone of any tree.

(9) Small wireless facilities and wireless support structures shall be located with applicable clearance from existing utilities.

(10) Small wireless facilities and wireless support structures shall be located so as not to be located along the frontage of any building deemed to be of historic significance on a federal, state, or local level.

(11) Small wireless facilities and wireless support structures shall not be located within vision triangles at street intersections.

(12) New wireless poles shall not be located directly in front of any existing residential, commercial or industrial structure. (Figure 1 at end of notice)

(13) To the greatest extent possible, new wireless poles shall be located in line with existing lot lines or an equidistance from any two existing structures. In areas of the City where multiple poles about each other and/or where no side lot setback requirements exist, new wireless poles shall not be located directly in front of an entrance or window of any existing structure. (see Figure 2 at end of notice)

F. Limitations. While the City fully intends to apply the guidelines established in this policy uniformly to all small wireless facility applications, there may be circumstances where not every specific guideline may be met. In these cases, City staff will use its reasonable discretion in approving small wireless facilities permit applications that deviate from the strict application of this policy.

§ 257-26 Aesthetic requirements for small cell wireless facilities

A. Antennas

(1) Each small wireless antenna shall be located entirely within a shroud or canister type enclosure.

(2) The diameter of the antenna enclosure at its widest point should not be wider than two times the diameter of the top of the wireless

support structure. The enclosure shall not exceed six cubic feet in volume.

(3) All antenna enclosures shall either be mounted to the top of the wireless support structure pole and aligned with the centerline of the wireless support structure, or mounted to the side of the wireless support structure such that the vertical centerline of the antenna enclosure shall be parallel with the wireless support structure with the height of the side mounted antenna being at a location on the wireless support structure noted in the application and approved by the City, but at least 10 feet above ground level at its lowest point. Antennas must not exceed the building height requirements in their respective zoning district by more than ten 10' feet, with a maximum height of 50' feet.

(4) Tree "topping" or the improper pruning of trees is prohibited. Any proposed pruning or removal of trees, shrubs or other landscaping already existing in the ROW must be noted in the application and must be approved by the City.

B. Cables and wires. All cables, wires and connectors related to the small wireless facility must be fully concealed on the wireless support structure and shall match the color of the wireless support structure. There shall be no external cables and wires related to the small wireless facility hanging off or otherwise exposed on the wireless support structure.

C. Colors. All colors shall match the background of any wireless support structure that the facilities are located upon, including equipment cabinets. Notwithstanding the foregoing, in the case of existing wooden utility poles, finishes of conduit shall be zinc, aluminum or stainless steel, or colored to match those metal finishes, and equipment cabinets shall be the color of brushed aluminum.

D. Equipment enclosures / concealment / maintenance.

(1) Equipment enclosures, including electric meters, shall be as small as possible, but in no event larger than 28 cubic feet in volume. Ground-mounted equipment shall incorporate concealment elements into the proposed design matching color and materials of the wireless support structure, unless other materials or colors are approved by the City. Concealment may include, but shall not be limited to, landscaping, strategic placement in less obtrusive locations and placement within existing or replacement street furniture.

(2) Radio equipment shall be fully enclosed within an equipment cabinet or concealed within the antenna shroud enclosure matching the color and materials of the wireless support structure, unless other materials or colors are approved by the City.

(3) Landscaping concealing equipment enclosures shall be planted in such quantity and size such that 100% screening is achieved within two years of installation.

(4) All equipment enclosures shall be maintained in good condition. They shall be completely sealed with a secured access. The small cell company and/or right-of-way user must take reasonable care and measures to prevent damage to their facilities. Open, broken or unsealed enclosures shall be considered a public nuisance under City Code Chapter 216.

E. Signage / logos / lights / decals / cooling fans.

(1) Signage. The small wireless facility permittee shall post its name, location identifying information, and emergency telephone number in an area on the cabinet of the small wireless facility that is visible to the public. Signage required under this section shall not exceed 4 inches by 6 inches, unless otherwise required by law (e.g. radio-frequency (RF) ground notification signs) or the City. If no cabinet exists, the signage shall be placed at the base of the pole.

(2) Lights. New small wireless facilities and wireless support structures shall not be illuminated, except in accord with state or federal regulations, or unless illumination is integral to the camouflaging strategy such as design intended to look like a street light pole.

(3) Logos/ Decals. The small wireless facility operator/ permittee shall remove or paint over unnecessary equipment manufacturer decals. The color shall match or shall be as approved by the City. Small wireless facilities and wireless support structures shall not include advertisements and may only display information required by a federal, state or local agency. The small wireless facility operator/ permittee shall utilize the smallest and lowest visibility RF warning sticker required by government or electric utility regulations. Placement of the RF sticker shall be as close to the antenna as possible.

(4) Cooling Fans. In residential areas, the small wireless facility

SEE PUBLIC NOTICES, PAGE 21

FROM PUBLIC NOTICES, PAGE 20

operator/permittee shall use a passive cooling system. In the event that a fan is needed, the small wireless facility operator/permittee shall use a cooling fan with a low noise profile.

§ 257-27 Damage to other facilities.

When the City does work in the right-of-way and finds it necessary to maintain, support, or move a permittee's facilities to protect it, the City shall notify the local representative as early as is reasonably possible. The costs associated therewith will be billed to that permittee and must be paid within 30 days from the date of billing. Each permittee shall be responsible for the cost of repairing any facilities in the right-of-way which it or its facilities damage.

§ 257-28 Right-of-way vacation.

Reservation of right. If the City vacates a right-of-way that contains the facilities of a permittee, the permittee's rights in the vacated right-of-way are governed by Minnesota Rules 7819.3200.

§ 257-29 Indemnification and liability.

By accepting a permit under this chapter, a permittee agrees to defend and indemnify the City in accordance with the provisions of Minnesota Rules 7819.1250.

§ 257-30 Abandoned and unusable facilities.

A. Discontinued operations. A permittee who has determined to discontinue all or a portion of its operations in the City must provide information satisfactory to the City that the permittee's obligations for its facilities in the right-of-way under this chapter have been lawfully assumed by another permittee.

B. Removal. Any permittee who has abandoned facilities in any right-of-way shall remove it from that right-of-way if required in conjunction with other right-of-way repair, excavation, or construction, unless this requirement is waived by the City.

§ 257-31 Appeal.

An applicant or permittee that has been denied a permit; has had a permit revoked; believes that the fees imposed are not in conformity with Minn. Stat. § 237.163, Subdivision 6; or disputes a determination of the City Administrator or Designee regarding provisions of this chapter may have the denial, revocation, fee imposition, or decision reviewed, upon written request, by the City Council. The City Council shall act on a timely written request at its next regularly scheduled meeting, provided the right-of-way user has submitted its appeal with sufficient time to include the appeal as a regular agenda item.

§257-32 Reservation of regulatory and police powers.

A permittee's rights are subject to the regulatory and police powers of the City to adopt and enforce general ordinances as necessary to protect the health, safety, and welfare of the public.

§ 257-33 Severability.

If any portion of this chapter is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof. Nothing in this chapter precludes the City from requiring a franchise agreement with the applicant, as allowed by law, in

Table listing various fees and services such as Dog License, Kennel License, Peddler or Mobile Food Unit Application, etc.

Table listing S.E.C. - Commercial/Industrial, SAC/WAC Inspection Fee, State Surcharge, etc.

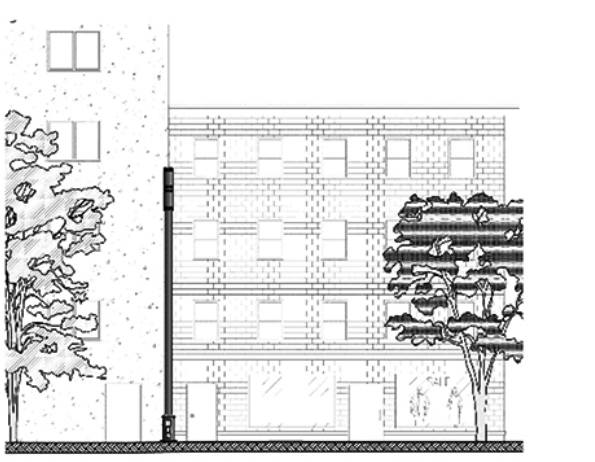
Table with columns for All Services Residential Service Change, Circuits and Feeders, and various amperage ratings (0 to 300 amp, 400 amp, etc.).

- C. Community Center. 1. Cleaning Fee (if elected by renter) \$125.00, 2. Damage Deposit \$250.00, 3. Damage Fees, 4. Equipment Available to Rent, etc.

Figure 1 - Example of Acceptable Location Between Residential Homes:



Figure 2 - Example of Acceptable Location Between Commercial Buildings:



B. Building Inspections. 1. Valuation Fee Schedule for Isanti.

Table with columns: Value of Work, Value Based Permit Fee (Residential & Commercial). Rows include \$501 - \$2,000, \$2,001 - \$25,000, etc.

- 2. Building Permit Per Valuation Fee Schedule, 3. Basement Finishes/ Remodel Permit \$300.00, 4. City Utility Services under Driveway \$100.00, etc.

Table: Fee Arrangements - When Requested Non-Profit Monthly Rental Rates (less than 4 hour rentals). Columns: Reservations per month, Monthly Fee, Fee Per Reservation.

Table: Fee Arrangements - When Requested For-Profit and Private Monthly Rental Rates (less than 4 hour rentals). Columns: Reservations per month, Monthly Fee, Fee Per Reservation.

Section 3 - Effective Date. This ordinance shall take effect upon its passage and publication in the official City newspaper.

Adopted by the City Council this 20th day of July 2021. Mayor Jeff Johnson

Attest: Jaden Strand City Clerk

Published in the Isanti-Chisago County STAR on July 29, 2021

CITY OF ISANTI ORDINANCE NO. 760

AN ORDINANCE AMENDING ORDINANCE 727, ADOPTED ON 4-7-2020 AND TITLED FEES

The City Council of the City of Isanti, Minnesota ordains:

Section 1-Amendment. Ordinance 727, titled fees, codified in Chapter 160 of the City Code, are hereby amended as follows:

Chapter 160 FEES

§ 160-1. Purpose.

§ 160-2. Enumeration of fees.

§ 160-3. Other fees.

§ 160-4. Summary publication of chapter authorized.

§160-1. Purpose.

The City Council has determined that it is in the best interest of the residents of the City that a Fee Schedule is established that lists items that fees shall be charged for by the City of Isanti.

§160-2. Enumeration of fees.

- A. Administration. 1. Administrative Hearing Filing Fee \$75.00, 2. Adult Use Fee \$2,500.00, 3. Adult Use Investigation Fee \$300.00, etc.

** Groups storing belongings at the facility may be subject to a monthly storage fee.

D. Economic Development Authority. 1. Assignment & Assumption Agreement \$1,000.00 plus costs

FROM PUBLIC NOTICES, PAGE 21

Table of fees and costs including items like Development Agreement, Establishment of New TIF District, Host Approval of Conduit Debt, Issuance of Conduit Debt, Revolving Loan Fund Application Fee, SAC/WAC Repayment Agreement, TIF Development Agreement, Tax Abatement Application Fee, Liquor/Beer Licenses, Background Check & Investigation Fee, Beer Off-Sale, Beer On-Sale, Brewers Off-Sale Malt Liquor, Brewers Tap Room On-Sale, Brew Pub Off-Sale Malt Liquor, Club License, Intox Liquor On-Sale, Intox Liquor Sunday On-Sale, Consumption and Display Permit, Temporary Consumption and Display Permit, Temporary On-Sale 3.2 Beer License, Temporary One-Day On-Sale Intox Liquor License, Temporary On-Sale Intoxicating Liquor License, Temporary On-Sale Intoxicating Liquor License (Multiple events), Wine On-Sale, Parks, Recreation, and Culture, Copy of Comprehensive Park Plan, Community Garden - Ground Plot, Community Garden - Raised Bed, Farmer's Market - Membership Fee, Farmer's Market - Stall Fee, Park Dedication Fee, Park Dedication Fee - Multi Family with Recreational Amenities, Park Dedication Fee (All Others), Park Shelter Electric Box Deposit, Park Shelter Fee, Special Event Cleanup Deposit, Tennis Court Usage, Unity Park Softball Field Usage, Planning & Zoning, Administrative Appeals, Administrative Permit, Administrative Permit - Non-profit, Administrative Subdivision, Annexation/De-Annexation, Comprehensive Plan Amendment, Conditional Use Permit, Conditional Use Permit Amendment, Copy of Comprehensive Plan, Copy of Zoning Ordinance, Copy of Engineer Design Standards, Development Agreement, Easement Application, EAW & EIS Review, Final Plat, Interim Use Permit, Minor Subdivision Plat, Planned Unit Development - Final Plan, Planned Unit Development - General Plan, Preliminary Plat, Rezoning Request, Sign Permit (permanent), Sign Permit (temporary), Signal Light Fee (Residential), Signal Light Fee (Commercial), Site Plan Review, Site Plan Review Financial Surety, Text Amendment, Vacation Request, Variance Request, Wetlands Replacement Plan Review, Zoning Permits, Zoning Verification Letter, Police, Alcohol Screening, Chemical Disposal (small amount), Chemical Disposal (large amount), Cleaning of Crime Scene, Copy of Photo, Copy of Police Report, Copy of Video and/or Audio, Fee for Returned Check listed under Administration, Fingerprinting, Parking Ticket, Police Records Search, Professional Hire of Police Office, Storage Fees, Towing, Unjust Hearing, Sewer and Water, Delinquent Posting Notice Fee, Water Meter - New Construction.

Table of fees and costs including items like Meter (5/8 & 3/4 inch), Full Meter (Radio and Body), Radio, Body, Horn, Meter (larger, > 3/4 inch, diameter), Meter Connections/Fittings, Meter Replacement Administrative Fee for Non-Compliance, Private Metered Water Sales, Deposit, Private Well Water Testing, Sewer Access Fee (SAC), Sewer Rates, Storm Water Rates, Storm Water Escrow Commercial, Storm Water Escrow Residential, Trunk Utility Charge Residential, Trunk Utility Charge Commercial/Industrial, Unpaid Water and Sewer, Valve Plate Cover, Water Access Charge (WAC), Water Disconnect/ Reconnect, Water Disconnect / Reconnect (After hours), Water Meter History Report, Water Meter Testing, Water Rates, Streets, Bobcat/Tractor Charge with Operator, Labor - During work hours, Labor - After Hours, Mow Charge with Operator, Sidewalk Snow Removal, Street Cut Permit, Weed Whip Charge with Operator, MINNESOTA WARN RATES, Road Grader with Wing, Dump Truck with Snowplow and Wing, Air Compressor with Accessories and Pickup, Pickup, One Ton Trucks, Tractors, Vactor with Pickup, Single Axle Truck, Street Sweeper, Single Axle Dump Truck with Snowplow, Skidsteer, Self-propelled Mower/ Snow Blower/V Plow/Broom/Brush Hog/Grapple Bucket Attachment, All Other Equipment Such As Chain Saw, Push Mower and Weed Whips, Fire, Fire Extinguisher Service Deposit Fee, Fire Extinguisher - Administrative Fee.

CITY OF ISANTI ORDINANCE NO. 761 AN ORDINANCE AMENDING ORDINANCE NO. 146, ADOPTED ON JANUARY 17, 1989 AND TITLED UNCLAIMED PROPERTY THE CITY COUNCIL OF ISANTI DOES ORDAIN: Section 1 - Repealer. Ordinances 146, titled Unclaimed Property, codified in Chapter 312 of the City Code, are hereby repealed in their entirety and replaced with the ordinance set forth below. Section 2 - Ordinance. The following Chapter 312 is hereby adopted: Chapter 312 Unclaimed Property § 312-1 Custody of Property. § 312-2 Disposition of Property. § 312-3 Summary Disposal. § 312-4 Disposition of Funds. § 312-5 Special Provisions: Police Department. § 312-6 Disposition of Abandoned Motor Vehicles. § 312-1 Custody of Property. The chief of police or designee will take custody of all personal property, including lost money, lawfully coming into the possession of the city and city employees in the course of municipal operations and remaining unclaimed by the owner. The chief of police or designee must retain the property in a safe place for a period of at least 90 days, unless claimed by the true owner with satisfactory proof of ownership. The chief or designee must keep a record of the property, including its disposition. § 312-2 Disposition of Property. Property held in custody by the chief of police or designee and not claimed by the true owner within 90 days will be deemed abandoned. The chief of police or designee may dispose of abandoned property in one of the following ways: A. sell the property at public sale following 10 days published notice in the official newspaper;

enforcement purposes. § 312-6 Disposition of Abandoned Motor Vehicles. The chief of police or designee must dispose of abandoned motor vehicles by following the procedure in Minn. Stat. § 168B.01 through §168B.101. Section 3 - Effective Date. This ordinance shall take effect upon its passage and publication in the official City newspaper. Adopted by the City Council this 20th day of July 2021 Mayor Jeff Johnson Attest: Jaden Strand City Clerk Published in the Isanti-Chisago County STAR on July 29, 2021 CITY OF ISANTI ORDINANCE NO. 762 AN ORDINANCE AMENDING ORDINANCE NO. 287, ADOPTED ON MAY 6, 2003 TITLED BUILDING CONSTRUCTION THE CITY COUNCIL OF ISANTI DOES ORDAIN AS FOLLOWS: Section 1 - Amendment. Ordinance 287 is hereby amended as follows: Chapter 111 BUILDING CONSTRUCTION §111-9 Building Code optional chapters B(2) Appendix J(Grading) from the 2018 International Building Code. Section 2 - Effective Date. This ordinance shall take effect upon its passage and publication in the official City newspaper. Adopted by the City Council this 20th day of July 2021 Mayor Jeff Johnson Attest: Jaden Strand City Clerk Published in the Isanti-Chisago County STAR on July 29, 2021 CITY OF ISANTI ORDINANCE NO. 763 AN ORDINANCE TO AMEND CITY CODE CHAPTERS 1, 8, 18, 29, 33, 47, 65, 68, 71, 76, 87, 111, 119, 125, 135, 143, 216, 230, 233, 245, 253, 256, 257, 258, 262, 264, 270, 278, 281, 284, 290, 295, 300, 312, 320, 325 AND A344. THE CITY COUNCIL OF ISANTI DOES ORDAIN: Section 1 - Amendments. City Code Chapters 1, 8, 18, 29, 33, 47, 65, 68, 71, 76, 87, 111, 119, 125, 135, 143, 216, 230, 233, 245, 253, 256, 257, 258, 262, 264, 270, 278, 281, 284, 290, 295, 300, 312, 320, 325 AND A344 as presented in City Code Editorial and Legal Analysis Summary as follows: Chapter 1 General Provisions Article 1 General Penalty § 1-1 Violations and penalties • Revise to read "imprisonment for a period not to exceed 90 days" in § 1-1. Chapter 1 General Provisions Article II Adoption of Code • Language will be updated following approval of editorial and legal analysis Chapter 1 General Provisions Article II Adoption of Code § 1-3 Definitions • Move § 1-3 and 1-4 to Article I of Chapter 1 and titled "Construction and Penalties" as it is not related to adoption of code. • Remove "Treasurer" in § 1-3 and change "Treasurer" in § 312-6B to "Finance Director." Chapter 8 City Council Article I Advisory Boards § 8-1 Establishment of advisory bodies • Revise title Article I to "Advisory Bodies" Chapter 8 City Council Article I Advisory Boards § 8-2 Appointment and number of members • Revise § 8-2A to read "Any City staff member, as deemed necessary or advisable by the City Council, may be appointed to be an ex officio member of the advisory body." • Revise § 8-2B to read "Sixty days prior to the expiration of the term of a member of an advisory body, for which reappointment or a new appointment would be required, City staff is authorized to publish for such vacancy." Chapter 8 City Council Article I Advisory Boards § 8-6 Planning Commission • Revise § 8-6C to read "the Mayor and four City Council members." • Revise § 8-6E (2) to read "The Mayor and four Council members shall serve on the Planning Commission for a one-year term to expire on December 31 of each year." Chapter 8 City Council Article II Salaries §8-10 Per diem fee for service on boards • Revise § 8-10 to reference committees and boards in Chapter § 8-29A (2) Chapter 8 City Council Article-- III Rules of Organization § 8-17 Rules of order and procedure • Revise § 8-17A (3) to read "Advisory bodies shall organize themselves, elect a Chair and Vice Chair, and determine their meeting dates by majority vote of members." Chapter 8 City Council Article III Rules of Organization § 8-22 Agenda • Revise § 8-22A to read "An agenda will be prepared for all regular Council meetings by the City Administrator or designee." Chapter 8 City Council Article III Rules of Organization § 8-25 Public hearings • Revise § 8-28B (3) to read "Staff presentation (including the Clerk, Administrator, Attorney and engineering reports, if any)." • Revise § 8-25C to read "However, the presiding officer may allow additional time for speakers and additional time for speakers shall be allowed by majority vote of the City Council." Chapter 8 City Council Article III Rules of Organization § 8-27 Procedure for resolution and ordinance adoption • Revise to remove "by resolution" so the sentence reads "Unless otherwise provided by law, all ordinances shall be adopted by a majority vote of Council members present at the Council meeting." Chapter 8 City Council Article III Rules of Organization § 8-29 Committees • Revise § 8-29A (1) to read "The City Administrator or their designee shall convene Committee of the Whole meetings and introduce Committee agenda items." • Revise § 8-29A (2) to incorporate Planning Commission, Parks, Recreation and Culture Board and Economic Development Authority. • Revise "EDA" to "Economic Development Authority" in § 8-29(C). • Revise "Park, Recreation and Culture Board" to "Parks, Recreation and Culture Board" in § 8-29(C). Chapter 8 City Council Article III Rules of Organization § 8-35 Suspension or amendment of rules • Remove § 8-32 and § 8-35. Chapter 18 Elections Article II Primaries §18-3 Date • Revise § 8-13 to incorporate "A municipal primary general election is to be held for the purpose of electing officers." Chapter 18 Elections Article II Primaries § 18-4 Names on ballot • Revise § 18-4 to read "When more than one council member is to be elected for full terms at the same election, the candidates' names shall be placed under one office on the ballot with the number to be elected to the office specified directly underneath the title and identification of the office." Chapter 18 Elections Article III Vacancies In Elected Offices §8-17 Vacancies in Council • Revise § 18-7A (3) to read "Failure to attend regular meetings of the Council for a 90-day period without being excused by the Council." Chapter 18 Elections Article III Vacancies In Elected Offices § 18-8 Procedures to fill Council vacancies by special election • Revise § 18-8C(3)(f) to remove "of \$2" after "filing fee." Chapter 18 Elections Article IV Filing Fees for Affidavit of Candidacy § 18-12 • Revise § 18-12 to remove "and resolution of the City Council." Chapter 29 Newsletter • Remove chapter 29 in its entirety. Chapter 33 Officers and Employees Article I Administrator § 33-2 Appointment; removal; hearing • Revise § 33-2 to read "If he/she has served as City Administrator for one year, written chares and a public hearing on the charges before the City Council shall be provided, if requested by the City Administrator within seven days of notification of the Council's intent to remove him/her." Chapter 47 Police Reserve § 47-6 Compensation • Revise § 47-6 to read "Members of the Reserve shall receive no compensation for their services, except that they shall be covered by worker's compensation while on duty." Chapter 65 Administrative Penalties § 65-5 Administrative citations • Remove language from § 65-5B "A late payment fee of 10% of the scheduled fine amount will be imposed." Chapter 65 Administrative Penalties § 65-6 Administrative hearing • Remove § 65-6D and renumber § 65-6E, F and G as §65-6D, E and F • Revise § 65-6F to read "Any fines or penalties imposed must be paid within 10 days of the date of the Hearing Officer's order." Chapter 65 Administrative Penalties § 65-7 Recovery of civil penalties • Revise § 65-7A (4) to read "If a civil penalty is not paid within the time specified, it constitutes: A lien upon the real property upon which the violation occurred, if the property owner was found responsible for that violation and the lien can be assessed under Minn. Stats.

FROM PUBLIC NOTICES, PAGE 22

§ 429.101, as amended from time to time."

Chapter 68 Adult Establishments §68-4 License required

- Statute revision in § 68-4D (2) to incorporate Minn. Stat § 364.03, Subd. 3, Evidence of rehabilitation.
- Chapter 68 Adult Establishments § 68-5 Violations and penalties
- Revise § 68-5A to read "Any person violating any provision of this chapter is guilty of a misdemeanor and upon conviction shall be punished by not more than the maximum penalty for a misdemeanor as prescribed by state law."
- Revise § 68-5A to refer to the general penalty in Chapter 1, Article 1.

Chapter 71 Aircraft, Use of Unmanned § 71-1 Purpose

- Revise § 71-1 to read "This chapter is enacted for the purpose, and with the intent, to control and regulate the use of private unmanned aircrafts, also known as 'drones' (rotary or fixed wing), to prevent them from disturbing, disrupting, harassing, or endangering another person or property. This chapter is also enacted to control and direct the use of unmanned aircrafts while departments within the City of Isanti are performing their official duties."
- Chapter 71 Aircraft, Use of Unmanned § 71-2 Use
- Revise § 71-2 to read "This chapter shall be enforced for both recreational and commercial use of unmanned aircrafts typically weighing less than 55 pounds including its payload. Public safety officials using unmanned aircrafts while performing their official duties or when directed by the Chief of Police or their designee are exempt from the provisions of this chapter."
- Chapter 71 Aircraft, Use of Unmanned § 71-3 Definitions
- Removal of the terms "airspace," "altitude," "area of command," "autonomous system," "data collection" and "remote control."
- Chapter 71 Aircraft, Use of Unmanned §71-4 Unmanned aerial systems limitations
- Revise § 71-4G to read "No person shall knowingly operate an unmanned aircraft over critical infrastructure within the City as defined by the Chief of Police or their designee. Critical infrastructure includes, but not limited to: water treatment and storage facilities, wastewater treatment, railroad tracks, gas plants, gas supply, public buildings, power stations and transmission lines, radio towers or other land areas defined as or containing critical infrastructure."

Chapter 71 Aircraft, Use of Unmanned § 71-5 Information, notices and markings

- Removal of language "of their flight" in § 71-5.
- Chapter 71 Aircraft, Use of Unmanned § 71-8 Violation a misdemeanor
- Language change in §71-8 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 76 Alcoholic Beverages Article I State Law, Definitions and Public Consumption §76-3 Definitions
- Revise § 76-3 to read "Adults that are participating in, aiding, or allowing any illegal activity related to the event or gathering."
- Revise the definition of "club" for § 76-3 to match definition in Minn. Stat. § 340A.101 of 30 members.
- Revise the definition of "hotel" for § 76-3 to match definition in Minn. Stat. § 340A.101 to "at least 10 guest rooms."
- Revise the definition of "intoxicating liquor" for § 76-3 to match definition in Minn. Stat. § 340A.101 of "3.2% of alcohol by weight."

Chapter 76 Alcoholic Beverages Article I State Law, Definitions and Public Consumption §76-3 Definitions

- Revise § 76-3 to read "This article does not apply to retail intoxicating liquor or 3.2% malt liquor licensees, municipal liquor stores, or bottle club permit holders who are regulated by Minn. Stat. § 340A.503, Subd. 1(a)(1), as amended from time to time."
- Chapter 76 Alcoholic Beverages Article V Social Host § 76-39 Violations and penalties
- Revise "an administrative fee of \$75" to read "a civil penalty of \$75" in § 76-39.
- Chapter 87 Animals Article I Keeping of Certain Animals § 87-1.1 Chickens
- Revise § 87-1.1J to read "Chickens are prohibited in multifamily structures and/or homes."
- Chapter 87 Animals Article I Keeping of Certain Animals § 87-2 Violations and penalties
- Revise § 87-2 to refer to the general penalty in Chapter 1, Article 1.

Chapter 87 Animals Article II Open Burning § 87-3 Definitions

- Revise § 87-3 to read "clubs, including congressionally chartered veterans' organizations."
- Revise § 76-9F to read "The City may not issue more than three four-day, four three-day, six two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any one organization or for any

location in the City, within a twelve-month period."

- Revise language in § 76-9G to incorporate "Have facilities for seating at least 30 guests at one time."
- Revise language to match Minn. Stat § 340A.24 to read "If a brewer licensed under Subsection L of this section possesses a license under Subsection J above, the brewer's total retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 750 barrels."
- Revise "Subsection J above" to read "Subsection K above" in § 76-9L.

Chapter 76 Alcoholic Beverages Article II Licensing and Operation § 76-10 License fees; pro rata

- Revise § 76-10B to read "The Council may establish by ordinance license fees for any of the liquor licenses it is authorized by this chapter to issue."

Chapter 76 Alcoholic Beverages Article II Licensing and Operation § 76-16 Investigation

- Move comprehensive background and financial investigation fees to Chapter 160, § 160-2E

Chapter 76 Alcoholic Beverages Article II Licensing and Operation § 76-25 Suspension and revocation

- Revise § 76-25A to read "The Council may act as the hearing body under that act, or it may contract with the Office of Administrative Hearing" and update the reference to the statutes § 14.57 to § 14.69.
- Remove language "or violation of Section 4" in § 76-25B (1).
- Revise reference of "Subsection B" to "this subsection" in § 76-25C

Chapter 76 Alcoholic Beverages Article III Municipal Liquor Store § 76-26 Municipal liquor store continued

- Revise reference of "Section § 76-29" to "§ 76-27" in § 76-26.
- Chapter 76 Alcoholic Beverages Article III Municipal Liquor Store §76-28 Operation
- Revise § 76-28C to read "The handling of municipal liquor store receipts and disbursements shall comply with the procedure prescribed by law for the receipts and disbursements of City funds generally."
- Revise § 76-26E to read "The hours during which intoxicating liquor may be sold shall be as provided in § 76-20."

Chapter 76 Alcoholic Beverages Article III Municipal Liquor Store § 76-30 Violations and penalties

- § 76-30, Violations and penalties, applies to all of Chapter 76; move to a separate article at the end of the chapter.
- Revise reference of "Subsection 23" to "§ 76-30."

Chapter 76 Alcoholic Beverages Article IV Annual Rodeo Liquor Liability Insurance § 76-31 Liquor liability insurance policy limits

- Revise § 76-31A to read "As a condition to the granting of a temporary license for the on-sale of intoxicating liquor or 3.2% malt liquor for the Isanti Volunteer Fire Department Relief Association Annual Rodeo and associated events, the Isanti Volunteer Fire Department Relief Association shall have in place liquor liability insurance as per Minn. Stat. § 340A.409, as amended from time to time, and liability insurance in the following amounts:"
- Chapter 76 Alcoholic Beverages Article V Social Host § 76-34 Authority
- Revise reference of "§ 145A.05" to "§ 412.221, Subd. 32" in § 76-36C.
- Chapter 76 Alcoholic Beverages Article V Social Host § 76-36 Exceptions
- Revise § 76-36C to read "This article does not apply to retail intoxicating liquor or 3.2% malt liquor licensees, municipal liquor stores, or bottle club permit holders who are regulated by Minn. Stat. § 340A.503, Subd. 1(a)(1), as amended from time to time."

Chapter 76 Alcoholic Beverages Article V Social Host § 76-39 Violations and penalties

- Revise "an administrative fee of \$75" to read "a civil penalty of \$75" in § 76-39.

Chapter 87 Animals Article I Keeping of Certain Animals § 87-1.1 Chickens

- Revise § 87-1.1J to read "Chickens are prohibited in multifamily structures and/or homes."
- Chapter 87 Animals Article I Keeping of Certain Animals § 87-2 Violations and penalties
- Revise § 87-2 to refer to the general penalty in Chapter 1, Article 1.

Chapter 87 Animals Article II Open Burning § 87-3 Definitions

- Revise § 76-9D to read "clubs, including congressionally chartered veterans' organizations."
- Revise § 76-9F to read "The City may not issue more than three four-day, four three-day, six two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any one organization or for any

Chapter 87 Animals Article II Open Burning § 87-3 Definitions

- Revise § 76-9D to read "clubs, including congressionally chartered veterans' organizations."
- Revise § 76-9F to read "The City may not issue more than three four-day, four three-day, six two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any one organization or for any

Chapter 87 Animals Article II Open Burning § 87-3 Definitions

- Revise § 76-9D to read "clubs, including congressionally chartered veterans' organizations."
- Revise § 76-9F to read "The City may not issue more than three four-day, four three-day, six two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any one organization or for any

Chapter 87 Animals Article II Open Burning § 87-3 Definitions

- Revise § 76-9D to read "clubs, including congressionally chartered veterans' organizations."
- Revise § 76-9F to read "The City may not issue more than three four-day, four three-day, six two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any one organization or for any

Chapter 87 Animals Article II Open Burning § 87-3 Definitions

- Revise § 76-9D to read "clubs, including congressionally chartered veterans' organizations."
- Revise § 76-9F to read "The City may not issue more than three four-day, four three-day, six two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any one organization or for any

Chapter 87 Animals Article II Open Burning § 87-3 Definitions

- Revise § 76-9D to read "clubs, including congressionally chartered veterans' organizations."
- Revise § 76-9F to read "The City may not issue more than three four-day, four three-day, six two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any one organization or for any

Chapter 87 Animals Article II Open Burning § 87-3 Definitions

- Revise § 76-9D to read "clubs, including congressionally chartered veterans' organizations."
- Revise § 76-9F to read "The City may not issue more than three four-day, four three-day, six two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any one organization or for any

§87-5.1 Removal of excrement; exceptions

- Revise § 87-5.1 to read "A. Any person who owns, keeps, harbors, or has charge of an animal shall immediately collect and remove any and all feces deposited by the animal on public or private property. B. The owner or person in control of an animal not permit such animal to be on public property or the property of another without having in the possession of the owner or person in control of the animal a device equipment for the immediate removal of feces material deposited by the animal as well as a container for the transport of such fecal material to an appropriate disposal receptacle located on the property of the owner or person in control of the animal. C. The premises on which any animal is kept shall be kept in a clean and sanitary condition and shall not be a harbor for rodents, flies or insects."
- Chapter 87 Animals Article II Dogs § 87-6 Licensing
- Revise "penalty" to "late fee" in § 87-6C.
- Chapter 87 Animals Article II Dogs § 87-7 Kennels
- Revise "kennel permit" in Subsection G to read "kennel license"; "license or permit" in Subsections F, G to read "license"; and "licensee or permit holder" in Subsection G changed to read "licensee" in § 87-7.
- Revise to read "The applicant's name, address, phone number, and e-mail address" § 87-7B (2).
- Chapter 87 Animals Article II Dogs § 87-11 Redemption of impounded animals by owner
- Revise term "Finance Department" to "Finance Director" in § 87-11.
- Revise term "pound keeper" to "animal shelter" in § 87-12A.
- Chapter 87 Animals Article II Dogs § 87-15 Confinement of certain dogs
- Revise §87-15 to read "The owner of a dangerous dog or potentially dangerous dog, as defined in Minn. Stat. § 347.50, shall comply with all requirements of Minn. Stat. § 347.50 through 347.565, which are incorporated in this article by reference."
- Chapter 87 Animals Article II Dogs § 87-18 Violations and penalties
- Revise § 87-18 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 87 Animals Article III Exotic Animals §87-23 Grandfather clause
- Remove fee in § 87-23C.

Chapter 87 Animals Article III Exotic Animals §87-25 Seizure

- Change reference to § 346.155, Subd. 5, Subsection (f)(1) and (2).
- Revise "has violated article" to read "has violated this article" in § 87-25.
- Chapter 87 Animals Article III Exotic Animals §87-26 Violations and penalties
- Revise §87-26 to refer to the general penalty in Chapter 1, Article 1.

Chapter 99 Bicycles, Roller Blades and Skateboards §99-4 Violations and penalties

- Revise § 99-4 to refer to the general penalty in Chapter 1, Article 1.

Chapter 111 Building Construction Article I Pipeline Safety Setback § 111-4 Variances

- Remove provisions not applying to the City in §111-4.
- Chapter 111 Building Construction Article II State Building Code § 111-5 Code adopted by reference
- Revise references to the "Commissioner of Administration" to the "Commissioner of Labor" and Industry and the reference to "Building Codes and Standards Division" changed to the "Department of Labor and Industry in § 115-5."
- Chapter 111 Building Construction Article II State Building Code § 111-6 Application, administration and enforcement
- Remove Subsections B and C as covered by Subsection A.
- Revise both "Department of Building Safety" and "Building Inspection Department" to "Community Development Department."
- Chapter 111 Building Construction Article II State Building Code § 111-9 Building Code Optional Chapters
- Revise to read "B(2) Appendix J(Grading) from the 2018 International Building Code."
- Chapter 119 Burning, Open Article II Open Burning § 119-4 Permit
- Revise reference to "Isanti Fire District" to "Isanti Fire District or Fire Agency."
- Chapter 119 Burning, Open Article II Open Burning § 119-5 Violations and penalties
- Revise § 119-5 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 125 City Name, Seal and Logo § 125-4 Penalties

Chapter 135 Curfew § 135-2 Minors under 18 years of age

- Revise curfew to start at 10:00 p.m.
- Chapter 135 Curfew § 135-7 Violations and penalties
- Penalty meant to apply to § 135-4 and § 135-5 relating to parents.
- Chapter 143 Drug Lab and Chemical Dump Sites §143-4 Definitions
- Revise "Minnesota Pollution Control" to read "Minnesota Pollution Control Agency" and the reference to the "Isanti County Health Department" to the "Isanti County Public Health Department."
- Chapter 143 Drug Lab and Chemical Dump Sites § 143-7 Notice of public health nuisance to concerned parties
- Revise "declaration of public health notice" should read "declaration of public health nuisance" in § 143-7.
- Chapter 143 Drug Lab and Chemical Dump Sites § 143-12 Violations and penalties
- Revise § 143-12 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 144 Drug Paraphernalia § 144-5 Penalties
- Revise § 144-5 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 149 Environmental Review § 149-1 Applicability of state Environmental Review Program
- Revise "6MCAR 3.021 to 3.047" to "Minnesota Rules Chapter 4410" in § 149-1.
- Chapter 149 Environmental Review §149-2 Cost of preparation and review
- Revise § 149-2B to read "The applicant for a permit for any action for which an environmental assessment worksheet (EAW) is required either by state law or rules of the City Council shall, upon the request of and in the manner prescribed by the ERP Coordinator, prepare a draft EAW and supply all information necessary to complete that document."
- Revise "6MCAR 3.042" to "Minnesota Rules Chapter 4410" in § 149-2D.
- Chapter 149 Environmental Review § 149-3 Administration
- Revise the reference of "6MCAR 3.024" to "Minnesota Rules § 4410.1000" in § 149-3B.
- Revise the reference of "6MCAR 3.025" to "Minnesota Rules § 4410.2000" in § 149-3E.
- Chapter 149 Environmental Review § 149-5 Enforcement, violations and penalties
- Revise § 149-5 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 160 Fees § 160-2 Enumeration of fees
- Revise § 160-2 to read "established by the City Council"; eliminate "by resolution."
- § 160-2A (1), Administrative citations, contains fines; move this subsection out of Chapter 160, Fees, and include it in Chapter 65, Administrative Penalties.
- Move per diem payments to Chapter 8, Article I, Advisory Boards.
- Move fines for lawn sprinkling violations to Chapter 65, Administrative Penalties, and list under Chapter 325, Water.
- Revise title of § 160-2F to read "Parks, Recreation and Culture."
- Move parking ticket administrative fine to Chapter 65.
- Chapter 160 Fees § 160-3 Other fees
- Revise to read "Sales and use tax shall be applied in addition to fees as required by state statute" in § 160-3.
- Chapter 171 Fireworks § 171-5 Exportation from City
- Remove "by the United States Department of Transportation" in §171-5.
- Chapter 178 Gambling § 178-3 Definitions
- Revise definition in § 178-3 to read "Includes exempt or excluded bingo and raffles as defined in the Minnesota Statutes."
- Chapter 178 Gambling § 178-11 Violations and penalties
- Revise § 178-11 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 188 Hunting and Firearms §188-3 Violations and penalties
- Revise § 188-3 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 216 Nuisances § 216-1 Public nuisance defined
- Revise to read "No person shall use a dynamic braking device or motor vehicle brakes that are in any way operated or activated by the compression of the engine in any motor vehicle upon any public ways located within the City limits of Isanti, including, but not limited to, highways, streets, alleys, easements, or right-of-way" in § 216-4B(i).
- Revise to read "Whoever by

his act or failure to perform a legal duty does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor: A. Maintains or permits a condition which unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any considerable number of members of the public; B. Interferes with, obstructs, or renders dangerous for passage any public highway or right-of-way; or C. Is guilty of any other act or omission declared by law or this Code to be a public nuisance and for which no sentence is specifically provided" in § 216-1.

Chapter 216 Nuisances § 216-2 Public nuisances affecting health, safety, comfort or repose

- Revise "ground" to read "gravel" in § 216-2E.
- Remove § 216-25H (3) and add new subsection § 216-2H (8)
- Chapter 216 Nuisances §216-3 Public nuisances affecting morals and decency
- Revise to read "of any building" to "on any public street, alley, sidewalk or floor of any building where the public gathers or has access" in § 216-3G (1).
- Chapter 216 Nuisances § 216-4 Public nuisances affecting peace, safety and general welfare
- Remove § 216-4A (13).
- Remove § 216-4A (14).
- Remove § 216-4A (16).
- Revise "comfort's repose" to "comfort, repose" in § 216-4B (1).
- Revise "distinctly and audible manner" to read "distinctly audible manner" in § 216-4B(4)(b).
- Revise "quiet, comfort, or of persons" to read "quiet, comfort, or repose of persons" in § 216-4B(4)(d).
- Revise to read "Schools, courts, churches, hospitals. It is unlawful for any person to create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning, court, church or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of the institution" in § 216-4B(4)(i).
- Revise to read "unless such brakes are necessarily used in an emergency situation. The prohibition contained in this subsection shall not apply to fire, police, EMS and/or other emergency vehicles" in § 216-4B(4)(j).
- Chapter 216 Nuisances § 216-8 Violations and penalties
- Revise § 216-8 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 227 Parking and Storage Article III Parking and Storage of Vehicle and Other Equipment § 227-12 Violations and Penalties
- Revise § 227-12 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 230 Parks and Recreation Areas
- Revise to read "All pet owners are responsible for the proper disposal of pet waste, subject to the exceptions in § 87-5.1D" in § 230-2E.
- Revise to read "Not clean up after pets, subject to the exceptions in § 87-5.1D" in § 230-2L (10).
- Revise to read "All pet waste must be cleaned up and disposed of in designated waste receptacles, subject to the exceptions in § 87-5.1D" in § 230-4C.
- Revise to read "In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to use any restroom in any park in other than a clean and sanitary manner" in § 230-2F.
- Revise language in Subsection L (13), (14), (17), (18) and (19) to read "L. In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to: (13) Use of recreational vehicles, including, but not limited to, all-terrain vehicles, snowmobiles, and motorcycles, on parks or park system land. (14) Use nonmotorized bicycles in park areas or trails, natural or paved, that are not signed as permitted. (17) Overnight parking Park overnight unless permitted by the City Administrator or designee. (18) Disturbing, damaging, or destroying Disturb, damage or destroy any trees or planted areas. (19) Removal of Remove wood from natural park areas unless permitted by the City Administrator or designee" in § 230-2L.
- Chapter 230 Parks and Recreation Areas § 230-4 Dog park rules and regulations
- Revise § 230-4 to read "In no case shall the personal property remain on site for over one day, and Personal property must be removed by park closure at 10:00 p.m. that day" in § 230-4K.
- Chapter 230 Parks and Recreation Areas § 230-7 Violations and penalties
- Revise §230-7 to refer to the general penalty in Chapter 1, Article 1.

Chapter 216 Nuisances § 216-2 Public nuisances affecting health, safety, comfort or repose

- Revise "ground" to read "gravel" in § 216-2E.
- Remove § 216-25H (3) and add new subsection § 216-2H (8)
- Chapter 216 Nuisances §216-3 Public nuisances affecting morals and decency
- Revise to read "of any building" to "on any public street, alley, sidewalk or floor of any building where the public gathers or has access" in § 216-3G (1).
- Chapter 216 Nuisances § 216-4 Public nuisances affecting peace, safety and general welfare
- Remove § 216-4A (13).
- Remove § 216-4A (14).
- Remove § 216-4A (16).
- Revise "comfort's repose" to "comfort, repose" in § 216-4B (1).
- Revise "distinctly and audible manner" to read "distinctly audible manner" in § 216-4B(4)(b).
- Revise "quiet, comfort, or of persons" to read "quiet, comfort, or repose of persons" in § 216-4B(4)(d).
- Revise to read "Schools, courts, churches, hospitals. It is unlawful for any person to create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning, court, church or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of the institution" in § 216-4B(4)(i).
- Revise to read "unless such brakes are necessarily used in an emergency situation. The prohibition contained in this subsection shall not apply to fire, police, EMS and/or other emergency vehicles" in § 216-4B(4)(j).
- Chapter 216 Nuisances § 216-8 Violations and penalties
- Revise § 216-8 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 227 Parking and Storage Article III Parking and Storage of Vehicle and Other Equipment § 227-12 Violations and Penalties
- Revise § 227-12 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 230 Parks and Recreation Areas
- Revise to read "All pet owners are responsible for the proper disposal of pet waste, subject to the exceptions in § 87-5.1D" in § 230-2E.
- Revise to read "Not clean up after pets, subject to the exceptions in § 87-5.1D" in § 230-2L (10).
- Revise to read "All pet waste must be cleaned up and disposed of in designated waste receptacles, subject to the exceptions in § 87-5.1D" in § 230-4C.
- Revise to read "In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to use any restroom in any park in other than a clean and sanitary manner" in § 230-2F.
- Revise language in Subsection L (13), (14), (17), (18) and (19) to read "L. In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to: (13) Use of recreational vehicles, including, but not limited to, all-terrain vehicles, snowmobiles, and motorcycles, on parks or park system land. (14) Use nonmotorized bicycles in park areas or trails, natural or paved, that are not signed as permitted. (17) Overnight parking Park overnight unless permitted by the City Administrator or designee. (18) Disturbing, damaging, or destroying Disturb, damage or destroy any trees or planted areas. (19) Removal of Remove wood from natural park areas unless permitted by the City Administrator or designee" in § 230-2L.
- Chapter 230 Parks and Recreation Areas § 230-4 Dog park rules and regulations
- Revise § 230-4 to read "In no case shall the personal property remain on site for over one day, and Personal property must be removed by park closure at 10:00 p.m. that day" in § 230-4K.
- Chapter 230 Parks and Recreation Areas § 230-7 Violations and penalties
- Revise §230-7 to refer to the general penalty in Chapter 1, Article 1.

Chapter 216 Nuisances § 216-2 Public nuisances affecting health, safety, comfort or repose

- Revise "ground" to read "gravel" in § 216-2E.
- Remove § 216-25H (3) and add new subsection § 216-2H (8)
- Chapter 216 Nuisances §216-3 Public nuisances affecting morals and decency
- Revise to read "of any building" to "on any public street, alley, sidewalk or floor of any building where the public gathers or has access" in § 216-3G (1).
- Chapter 216 Nuisances § 216-4 Public nuisances affecting peace, safety and general welfare
- Remove § 216-4A (13).
- Remove § 216-4A (14).
- Remove § 216-4A (16).
- Revise "comfort's repose" to "comfort, repose" in § 216-4B (1).
- Revise "distinctly and audible manner" to read "distinctly audible manner" in § 216-4B(4)(b).
- Revise "quiet, comfort, or of persons" to read "quiet, comfort, or repose of persons" in § 216-4B(4)(d).
- Revise to read "Schools, courts, churches, hospitals. It is unlawful for any person to create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning, court, church or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of the institution" in § 216-4B(4)(i).
- Revise to read "unless such brakes are necessarily used in an emergency situation. The prohibition contained in this subsection shall not apply to fire, police, EMS and/or other emergency vehicles" in § 216-4B(4)(j).
- Chapter 216 Nuisances § 216-8 Violations and penalties
- Revise § 216-8 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 227 Parking and Storage Article III Parking and Storage of Vehicle and Other Equipment § 227-12 Violations and Penalties
- Revise § 227-12 to refer to the general penalty in Chapter 1, Article 1.
- Chapter 230 Parks and Recreation Areas
- Revise to read "All pet owners are responsible for the proper disposal of pet waste, subject to the exceptions in § 87-5.1D" in § 230-2E.
- Revise to read "Not clean up after pets, subject to the exceptions in § 87-5.1D" in § 230-2L (10).
- Revise to read "All pet waste must be cleaned up and disposed of in designated waste receptacles, subject to the exceptions in § 87-5.1D" in § 230-4C.
- Revise to read "In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to use any restroom in any park in other than a clean and sanitary manner" in § 230-2F.
- Revise language in Subsection L (13), (14), (17), (18) and (19) to read "L. In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to: (13) Use of recreational vehicles, including, but not limited to, all-terrain vehicles, snowmobiles, and motorcycles, on parks or park system land. (14) Use nonmotorized bicycles in park areas or trails, natural or paved, that are not signed as permitted. (17) Overnight parking Park overnight unless permitted by the City Administrator or designee. (18) Disturbing, damaging, or destroying Disturb, damage or destroy any trees or planted areas. (19) Removal of Remove wood from natural park areas unless permitted by the City Administrator or designee" in § 230-2L.
- Chapter 230 Parks and Recreation Areas § 230-4 Dog park rules and regulations
- Revise § 230-4 to read "In no case shall the personal property remain on site for over one day, and Personal property must be removed by park closure at 10:00 p.m. that day" in § 230-4K.
- Chapter 230 Parks and Recreation Areas § 230-7 Violations and penalties
- Revise §230-7 to refer to the general penalty in Chapter 1, Article 1.

Chapter 216 Nuisances § 216-2 Public nuisances affecting health, safety, comfort or repose

- Revise "ground" to read "gravel" in § 216-2E.
- Remove § 216-25H (3) and add new subsection § 216-2H (8)
- Chapter 216 Nuisances §216-3 Public nuisances affecting morals and decency
- Revise to read "of any building" to "on any public street, alley, sidewalk or floor of any building where the public gathers or has access" in § 216-3G (1).
- Chapter 216 Nuisances § 216-4 Public nuisances affecting peace, safety and general welfare
- Remove § 216-4

FROM PUBLIC NOTICES, PAGE 23

• Revise "rental housing dwelling" to read "rental dwelling" in § 253-7D.

Chapter 253 Rental Dwellings § 253-9 Conduct of licensed property

- Revise to read "the applicant for the rental dwelling license" in § 253-9D(2)(b).

Chapter 253 Rental Dwellings § 253-11 Fire control regulations

- Revise "Fire Code of the City" to read "State Fire Code" in § 253-11.

Chapter 253 Rental Dwellings § 253-12 License revocation or suspension

- Revise to read "Failure to pay any application, penalty, reinspection, or reinstatement fee or any penalty required by this chapter" in § 253-12A (2).

Chapter 253 Rental Dwellings § 253-18 Violations and penalties

- Revise § 253-18 to refer to the general penalty in Chapter 1, Article I.

Chapter 256 Residential Property Maintenance Standards

- Repeal and Replace Chapter 256.

Chapter 257 Right-of-Way Management Repeal and Replace Chapter 257.

Chapter 258 Secondhand Goods Dealers § 258-2 Definitions

- Revise "Minnesota Department of Motor Vehicles to read "Department of Public Safety" in § 258-2.

Chapter 258 Secondhand Goods Dealers § 258-4 License or registration application

- Revise to read "the applicant's Social Security number or individual taxpayer identification number and Minnesota business identification number, as required by Minn. Stat. § 270C.72." in § 258-4A(4)(l).
- Revise to remove § 258-5E as covered by § 258-11B.

Chapter 258 Secondhand Goods Dealers § 258-15 Denial of license or registration

- Revise "permit" to read "license or registration" in § 258-15.

Chapter 260 Sewers Article I Sewers, General Requirements §260-1 Definitions

- Revise §260-1 to add definition "MPCA – The Minnesota Pollution Control Authority."
- Revise reference in § 260-1 for NPDES Permit to read "Sections 402 and 405 of the Clean Water Act, 33 U.S.C. § 1342 and §1345."

Chapter 260 Sewers §260-4 Connection to public sanitary sewer system required

- Revise to read "sanitary sewage treatment system (SSTS)" in § 260-4A.

Chapter 260 Sewers Article I Sewers, General Requirements §260-7 Waste disposal

- Revise § 260-7 to read "or in any area under the jurisdiction of the City."

Chapter 260 Sewers Article II Public Sewer Connections § 260-11 Standards

- Revise references to the "Minnesota Building and Plumbing Code" to read "the Minnesota Building and Plumbing Codes" in § 260-11A and § 260-23B.

Chapter 260 Sewers Article II Public Sewer Connections § 260-18 Usage charges

- Revise § 260-18 to read "The owner is responsible for payment of usage charges, and if unpaid the charges shall be a lien on the property pursuant to § 260-45B."

Chapter 260 Sewers Article IV Use of Public Sanitary Sewer System § 260-46 Violations and penalties

- Revise § 260-46 to refer to the general penalty in Chapter 1, Article I.

Chapter 262 Sewer and Water Service Charges Article I Sanitary Sewer and Water Rates and Regulations § 262-1 Definitions

- Remove definition of "Department" in § 262-1.

Chapter 262 Sewer and Water Service Charges Article I Sanitary Sewer and Water Rates and Regulations § 262-5 Accounts and billing for services

- Revise § 262-5F to read "The owner is responsible for all delinquent charges on the account, and if unpaid the charges shall be a lien on the property pursuant to § 262-7B."
- Revise § 262-5G to read "The owner of the building or premises is responsible for all delinquent charges on the account, and if unpaid the charges shall be a lien on the property pursuant to § 262-7B of this chapter."
- Revise § 262-6H to read "The owner is responsible for the base fee charges, and if unpaid the charges shall be a lien on the property pursuant to § 262-7B of this chapter."

Chapter 262 Sewer and Water Service Charges Article I Sanitary Sewer and Water Rates and Regulations §262-6 Right to discontinue service

- Remove "in accordance with Minn. Stat. § 216B.0975" in § 262-6B (2).

Chapter 262 Sewer and Water Service Charges Article II Special Sewer Treatment Fund

- Revise title to read "Special Sewer Treatment Fund" in § 262-8.

Chapter 262 Sewer and Water Service Charges Article IV Violations and Penalties § 262-13 Violations and penalties

- Revise § 262-13 to refer to the general penalty in Chapter 1, Article I.

Chapter 264 Shade Tree Disease Control Article I Shade Tree Pest Control § 264-1 Definitions

- Revise § 264-1 and § 264-10A to read "Parks, Recreation and Culture."

Chapter 264 Shade Tree Disease Control Article I Shade Tree Pest Control § 264-15 Violations and penalties

- Revise "Penalties and violations shall be imposed" to read "Penalties for violations shall be imposed" in § 264-15.

Chapter 264 Shade Tree Disease Control Article I Shade Tree Pest Control § 264-19 Storage/consumption prohibited

- Revise "consumption of diseased trees" to read "possession of diseased trees" in § 264-19.

Chapter 264 Snowmobiles and Special Vehicles Article I Snowmobiles § 270-3 Operation restrictions

- Revise to read "Where permitted, snowmobiles shall not be operated as follows: A. On or across any street within the City at a speed in excess of 20 miles per hour or in any location at a speed greater than deemed reasonable for the conditions" in § 270-3A.

Chapter 270 Snowmobiles and Special Vehicles Article I Snowmobiles § 270-5 Violations and penalties

- Revise § 270-5 to refer to the general penalty in Chapter 1, Article I.

Chapter 270 Snowmobiles and Special Vehicles Article I Snowmobiles § 270-7 General provisions; definitions

- Revise to remove "as provided in this article" after "emergency conditions" in § 270-7A (7).

Chapter 270 Snowmobiles and Special Vehicles Article I Snowmobiles § 270-8 Violations and penalties

- Revise § 270-8 to refer to the general penalty in Chapter 1, Article I.

Chapter 273 Solid Waste Article I Unwarranted Disposal § 273-1 Use of disposal containers

- Remove § 273-1D.

Chapter 278 Special Events §278-11 Permit revocation

- Revise "license" to read "permit" in § 278-11.

Chapter 278 Special Events § 278-12 Violations and penalties

- Revise § 278-12 to refer to the general penalty in Chapter 1, Article I

Chapter 281 Stormwater Article I Stormwater Drainage Utility § 281-4 Calculation of fee

- Revise to read "The stormwater ERU rate shall be evaluated on an annual basis" in § 281-4B.

Chapter 281 Stormwater Article I Stormwater Drainage Utility § 281-5 Billing and payment

- Revise reference in § 281-5A (1) to § 262-5F.

Chapter 284 Streets and Sidewalks Article I Street Naming and Numbering § 284-1 Treatment of existing street names

- Revise "Street Naming and Lot Number Map" to read "Street Naming and Lot Numbering Map" in § 284-1.

Chapter 284 Streets and Sidewalks Article I Street Naming and Numbering § 284-8 Violations and penalties

- Revise § 284-8 to refer to the general penalty in Chapter 1, Article I

Chapter 284 Streets and Sidewalks Article II Location and Maintenance of Sidewalks § 284-14 Snow removal

- Revise to read "the Department of Public Works" in § 284-14.

Chapter 284 Streets and Sidewalks Article II Location and Maintenance of Sidewalks § 284-16 Materials on streets, alleys, sidewalks, or public way

- Revise to read "This section does not apply when an obstruction permit has been issued in accordance with Chapter 257, Right-of-Way Management, of the City Code" in § 284-16B.
- Revise to read "Any such items not removed shall be deemed to be rubbish unless such items have an obvious market value in excess of \$100, and any cost incurred by the City and billed to the responsible owner, renter, or occupant for removal of such items may be assessed against the adjacent lot, parcel, or building, if not promptly paid by the responsible party" in § 284-16A.

Chapter 284 Streets and Sidewalks Article II Location and Maintenance of Sidewalks § 284-17 Violations and penalties

- Revise § 284-17 to refer to the general penalty in Chapter 1, Article I

Chapter 290 Tattooing and Body

Piercing

- Revise to include "and subject to a penalty as provided in Chapter 1, Article I, of the City Code" in § 290-4.

Chapter 295 Tobacco and Related Delivery Products Article I Smoking § 295-4 Violations and penalties

- Revise to read "Any person who shall do or commit any act which is forbidden by the provisions of this article shall be guilty of a petty misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$300, plus costs of prosecution" in § 295-4.

Chapter 300 Trails § 300-3 Snow removal on trails

- Revise § 300-3 to read "the City's Snow Plowing Policy adopted by resolution."

Chapter 300 Trails § 300-7 Violations and penalties

- Revise § 300-7 to refer to the general penalty in Chapter 1, Article I.

Chapter 312 Unclaimed Property

- Repeal and Replace Chapter 312.

Chapter 320 Vehicles, Recreational §320-1 Provisions of state law adopted

- Revise reference to Minn. Stat. §§ 84.92 to 84.928 in §320-1.

Chapter 320 Vehicles, Recreational §320-2 Definitions

- Revise "snowmobile" to read "recreational vehicle" in the definition of "owner" in § 320-2.

Chapter 320 Vehicles, Recreational §320-13 Violations and penalties

- Revise to read "The person shall be punished as for a misdemeanor under Minnesota law (maximum fine of \$1,000 or imprisonment for term not to exceed 90 days, or both, plus costs of prosecution in either case); where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, the person shall be punished as for a misdemeanor under Minnesota law; where the person stands convicted of violation of any provision of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, for the third or subsequent time within the immediately preceding twelve-month period, the person shall be punished as for a misdemeanor under Minnesota law" in §320-13A.

Chapter 325 Water Article I Purpose and Establishment § 325-1 Definitions

- Revise § 325-1 to read "The City Public Works Department."

Chapter 325 Water Article III Private Wells §325-13 Private wells

- Revise reference to Chapter A344 (fee schedule) to Chapter 160, Fees in § 325-13C (1).

Chapter 325 Water Article V Violations and Penalties §325-19 Violations and penalties

- Revise §325-19 to refer to the general penalty in Chapter 1, Article I.
- Revise to read "The usage charge shall be as provided in the Water Rate Table in Chapter 262, Sewer and Water Service Charges, of the City Code" in § 325-19B.

Chapter A344 Fee Schedule

- Uncodify Chapter A344.

Section 2- EFFECTIVE DATE:
This ordinance takes effect upon its adoption and publication in the official city newspaper.
Adopted by the Isanti City Council this 20th day of July 2021.
Mayor Jeff Johnson
Attest:
Jaden Strand
City Clerk
Published in the Isanti-Chisago County STAR on July 29, 2021

CITY OF CAMBRIDGE ORDINANCE 734 SUMMARY PUBLICATION

Ordinance 734 annexed land located in Cambridge Township, Isanti County, Minnesota Pursuant to Minnesota Statutes § 414.033 Subdivision 2 (3), Permitting Annexation by Ordinance as petitioned by the property owner. The parcel number affected is 03.028.5800. A complete copy of the ordinance is available at City Hall, 300 3rd Avenue NE, Cambridge for inspection.

ATTEST:
Evan C. Vogel
City Administrator
Published in the Isanti-Chisago County STAR on July 29, 2021

CITY OF CAMBRIDGE ORDINANCE 736 SUMMARY PUBLICATION

Ordinance 736 amended the Future Land Use Map for certain real property located in the NW ¼ of the NW ¼ of Section 3, Township 35, Range 23 (Munkberg property, PIN's. 15.003.0300 & 15.003.0200). Portions of property were changed from commercial and high density residential to low density residential. This property is located on the southeast corner of Opportunity Blvd. S. and 16th Ave SE. A complete copy of the ordinance is available at City Hall, 300 3rd Avenue NE, Cambridge for inspection.

ATTEST:

Evan C. Vogel
City Administrator
Published in the Isanti-Chisago County STAR on July 29, 2021

CITY OF CAMBRIDGE ORDINANCE 737 SUMMARY PUBLICATION
Ordinance 737 rezoned certain real property located in the NW ¼ of the NW ¼ of Section 3, Township 35, Range 23 (Munkberg property, PIN's. 15.003.0300 & 15.003.0200). Portions of property were rezoned from B-2 Highway Business District and R-3 Multiple Family Residence District to R-1 One Family Residence District. This property is located on the southeast corner of Opportunity Blvd. S. and 16th Ave SE. A complete copy of the ordinance is available at City Hall, 300 3rd Avenue NE, Cambridge for inspection.

ATTEST:
Evan C. Vogel
City Administrator
Published in the Isanti-Chisago County STAR on July 29, 2021

STATE OF MINNESOTA IN DISTRICT COURT COUNTY OF ISANTI SEVENTH JUDICIAL DISTRICT SUMMONS

Other Civil (Quiet Title Action)
Court File Number: 30-CV-21-345
Patricia C. M. Mielke and Michael D. Mielke, Wife and Husband, Plaintiff, -vs- Michael M. Whalin and Margaret A. Whalin, Husband and Wife; Mary K. Dolezal; Donald J. McKeen Jr. and Margaret R. McKeen, Husband and Wife; Thomas A. McKeen and Karen M. McKeen, Husband and Wife; Richard J. McCormick, Husband of Jeanne E. McCormick, deceased; Christopher McCormick and Jamie K. McCormick, Husband and Wife; Mary C. Dolezal and Margaret A. Whalin as Trustees of McKeen Lake Home Family Trust, under agreement dated January, 29, 2005, their successors and assigns; Unknown heirs of Jeanne E. McCormick, deceased; Unknown heirs of Donald J. McKeen, deceased and Mary C. McKeen, deceased; Unknown heirs of Daniel McKeen, deceased; and all other persons unknown claiming any right, title, interest, estate in or lien upon the real estate hereinafter described, Defendants.

THE STATE OF MINNESOTA TO THE ABOVE-NAMED DEFENDANTS:
You, and each of you, are hereby summoned and required to serve upon Plaintiffs attorneys an Answer to the Complaint which is on file in the Office of the Court Administrator of the above-named Court, within twenty-one (21) days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.
This action involves, affects or brings into question the real property situated in the County of Isanti, State of Minnesota, described as follows:
See attached Exhibit A.

NOTICE IS FURTHER GIVEN that the object of this action is to obtain a judgment declaring that Plaintiff is the owner in fee simple, in possession or and entitled to possession of the property described above, and that the Defendants, and each of them, have no right, title, estate, interest in or lien upon the said real estate.
NOTICE IS FURTHER GIVEN that no personal claim is made by Plaintiff against any of the Defendants.
Civil cases are subject to Alternative Dispute Resolution processes as provided in Rule 114 of the General Rules of Practice for the District Courts. Alternative Dispute Resolution includes mediation, arbitration and other processes set forth in the Rules. You may contact the Court Administrator for information about these processes and about resources available in your area.
Dated: June 29, 2021.
PARKER SATROM, P.A.
Kyle Anderson (Atty #401465)
Thomas Satrom (Atty #95898)
Attorneys for Plaintiff
123 South Ashland
Cambridge, Minnesota 55008
Phone:763-689-3000
Exhibit A- Legal Description
That part of Government Lot 1, Section 35, Township 36, Range 25, Isanti County, Minnesota, described as follows: Commencing at the Southeast corner of said Government Lot 1; thence North along the East line thereof 595.5 feet to the center of the County Road as now laid out and constructed; thence South 86 degrees 30 minutes West along said centerline 390.35 feet; thence North 1 degree 52 minutes

East 187.45 feet; thence North 77 degrees 25 minutes West 87.0 feet to the point of beginning of the tract of land to be herein described; thence North 77 degrees 25 minutes West 64.0 feet; thence North 15 degrees 31 minutes East to the shore of Spectacle Lake; thence Southeasterly along said shore to a point bearing North 13 degrees 48 minutes 30 seconds East from the point of beginning; thence South 13 degrees 48 minutes 30 seconds West to the point of beginning.
AND
That part of Government Lot 1, Section 35, Township 36, Range 25, Isanti County, Minnesota, described as follows: Commencing at the Southeast corner of said Government Lot 1; thence North along the East line thereof 595.5 feet to the center of County Road 37 as now laid out and traveled; thence South 86 degrees 30 minutes West along said centerline 390.35 feet to the point of the tract to be herein described; thence North 1 degree 52 minutes East 187.45 feet; thence North 77 degrees 25 minutes West a distance of 151 feet; thence South 15 degrees 31 minutes West a distance of 207 feet, more or less, to the center line of County Road 37 as it is presently laid out and traveled; thence Easterly along said center line a distance of 197 feet, more or less, to the point of beginning and there to terminate.
EXCEPT That part of Government Lot One (1), Section Thirty-five (35), Township Thirty-six (36), Range Twenty-five (25), described as follows, to-wit: Commencing at the Southeast corner of said Government Lot One (1); thence North along the East line thereof 595.5 feet to the venter line of County Road Number 37 as it now exists; thence South 86 degrees 30 minutes West along said center line 390.35 feet to the point of beginning; thence North 1 degree 52 minutes East a distance of 187.45 feet; thence North 77 degrees 25 minutes West a distance of 87 feet; thence South 1 degree 52 minutes West to a point where said line intersects with the center line of said County Road Number 37 as it presently exists; thence Easterly along said center line to the point of beginning and there to terminate.
Published in the Isanti-Chisago County STAR on July 22, 29, Aug. 5, 2021

CAMBRIDGE SELF STORAGE AUCTION

This is notice of intent to sell property located in unit M05 at Cambridge Self Storage and S45 at Isanti Self Storage. If respectively Jennifer Stoffers and Jesse Schweigert fail to pay the balances in full by August 13, 2021 at 9:00 a.m. online auctions will be held at www.storageauctions.net on August 16, 2021 at 9:00 a.m. The units appear to contain household items and garage items.
Published in the Isanti-Chisago County STAR on July 29, Aug. 5, 2021

2021 ISANTI COUNTY BOARD OF APPEAL AND EQUALIZATION
June 16, 2021; 6:00 p.m.– Government Center Board Room
Present: Chair Susan Morris, Commissioner Mike Warring, Commissioner Greg Anderson, Commissioner Terry Turnquist, Auditor-Treasurer Chad Struss
Absent: Commissioner Dave Oslund
Others Present: Assessor Elisha Long, Appraiser Steve Chmielewski, Appraiser Scott Soderman, Appraiser Jim Warden, Deputy Auditor Kasey Gilly
Auditor-Treasurer Struss opened the meeting at 6:01 p.m. and led the assembly in the Pledge of Allegiance. Chief Deputy Auditor-Treasurer Angie Larson gave the oath of office to the members of the Board of Equalization.
County Assessor Long began the meeting by introducing the appraisers. She then described the process the Isanti County Assessor office follows to assess properties. Assessor Long explained the 2021 Isanti County Annual Assessor's Report that was provided to the Board members. The 2022 priority will be the adjustment of the commercial values in the City of Cambridge and the City of Braham. This will ensure that the median ratio of a sales ratio study will be between 90% and 105%.
Tammie Tranby and Jesse Johndahl, parcel 02.002.0400, appeared in front of the board to discuss the valuation and tax increases on the property. He has not made the improvements that would justify the increase. Assessor Long stated his area was undervalued for years and the increase was to equalize the values based on area comparable properties and sales. She also said he was unwilling to allow the appraiser inside the home, so they cannot discuss any change in valuation. Motion by Struss, seconded by Warring, to make no change. Motion carried unanimously.
The open book adjustments were distributed and discussed. Motion by Turnquist, seconded by Anderson to approve the open book adjustments. Motion carried unanimously.
There being no further matters brought before the Board, a motion was made to adjourn the meeting at 7:13 p.m.
Respectfully Submitted,
Angie Larson
Isanti County Chief Deputy Auditor-Treasurer
Published in the Isanti-Chisago County STAR on July 29, 2021

COUNTY BOARD
SUMMARY PUBLICATION OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE ISANTI COUNTY BOARD OF COMMISSIONERS ISANTI COUNTY, MINNESOTA
Per Minnesota Statutes 375.12 Publication of Proceedings.
Meeting held on Wednesday, July 7, 2021, at 9:00 a.m.-Government Center Boardroom
A detail of the entire minutes are available for public inspection in the Isanti County Administrator's Office or by visiting our website at www.co.isanti.mn.us.
Members Present: Chairperson Susan Morris; Commissioners Terry Turnquist, Dave Oslund, Mike Warring, and Greg Anderson
Members Absent: None
Others Present: J Lines, J Edblad, L Giese, R Heilman, L Lovering, M Pivec, B Wendorf, C Struss, and T Bergloff; (Reporter: J Kotlia; S Mithaqiyani)
00o Chairperson Morris called the meeting to order and led the assembly in the Pledge of Allegiance.
00o Public Comment Session. Public comment was made.
21/07-01 Oslund/Turnquist, to approve the July 7, 2021, County Board Agenda with the following additions: E-4 – Dennis Ginter Reimbursement Claim; and E-5 – Maple Ridge Township Cleanup – \$500.00. Carried.
21/07-02 Anderson/Warring, to approve the June 16, 2021, County Board Meeting Minutes. Carried.
21/07-03 Turnquist/Oslund, to approve the Community Health Board Actions. Carried.
21/07-04 Anderson/Turnquist, to approve the following Personnel Action Items (on file). Carried.
21/07-05 Turnquist/Oslund, to approve out-of-state travel reimbursement to Susan Morris for a NACo Conference in Prince George's County, MD on July 9-12, 2021. Carried.
21/07-06 Warring/Anderson, to award the 2021-2022 Civil, Family and Probate Public Defender Contract, to Norton Law, LLC (Brice Norton), effective August 1, 2021, through July 31, 2022. Carried.
21/07-07 Turnquist/Oslund, to approve an application to conduct off-site gambling for the Cambridge Drift Dusters for an even at the Isanti County Fairgrounds, Cambridge Township, Isanti County; further to waive any waiting period. Carried.
21/07-08 Oslund/Turnquist, to approve the following Utility Permits (on file). Carried.
21/07-09 Anderson/Warring, to approve the following claims and warrants:
AG Excavating LLC & Robert Schlegel \$9,952.62
Aaa Striping Service Corp \$96,282.88
Asphalt Surface Technologies Corp. \$294,829.99
Bond Trust Services Corp Ref: 64096-PA \$475.00
Bond Trust Services Corp, Ref: 329248 \$8,785.00
Bond Trust Services Corp, Ref: 38510 \$3,100.00
Bond Trust Services Corp., Ref: 328552 \$46,968.75
Cargill, Incorporated \$17,308.89
D&G Electric Inc \$7,367.50
Election Systems & Software Inc \$9,180.50
International Thought Leaders Network \$20,000.00
Isanti Soil & Water Conservation Dist \$5,500.00
Johnson's Decorating Center Inc \$35,954.00
Madden Galanter Hansen Llp \$5,724.26
Minnesota State Auditor \$18,215.20
Nac Mechanical \$7,256.60
Oxford Township \$161,633.88
R L Larson Excavating Inc \$88,146.22
Regents Of University Of MN \$28,484.75
RVS Performance LLC \$5,450.00
Saint Paul Port Authority \$37,793.00
U.S. Postal Service (Quadient) \$10,000.00
WaterGuards LLC \$6,180.00
Total Claims & Warrants \$924,589.04
Carried.
21/07-10 Warring/Anderson, to approve the reimbursement

FROM PUBLIC NOTICES, PAGE 24

for out-of-state travel to Karen Long for the Property Records Industry Association Conference in Milwaukee, WI on August 30 - September 2, 2021. Carried.

21/07-11 Turnquist/Warring, to approve the East Central Regional Juvenile Center (ECRJC) Joint Powers Agreement, effective January 1, 2022, through December 31, 2026, with five year renewal unless the parties notify one another to terminate participation prior to January 1, 2026. This agreement is for one member assigned/reserved bed at ECRJC in Anoka. Carried.

21/07-12 Warring/Oslund, to approve the following resolution: RESOLUTION CLASSIFYING TAX FORFEITED LAND (on file). Carried.

21/07-13 Turnquist/Oslund, to approve the per diem payment to Kathy Skiba in the amount of \$60.00 submitted outside of the allowed time frame. Carried.

21/07-14 Oslund/Anderson, to approve the final plat of Weidendorf Farm, Section 8, Township 35, Range 22, North Branch Township, with the following conditions: 1. The septic system on Lot 2 Block 1 be brought into compliance. 2. The shed on the north property line on Lot 2 Block 1 must be removed. Carried.

21/07-15 Turnquist/Oslund, to approve the final plat of Nelson Shores, Section 28, Township 36, Range 25, Wyanett Township. Carried.

21/07-16 Oslund/Warring, to approve the reimbursement claim of Dennis Ginter in the amount of \$282.24 submitted after the allowed time frame. Carried.

21/07-17 Turnquist/Oslund, to approve the reimbursement to Maple Ridge Township for a cleanup day on May 1, 2021, in the amount of \$500.00; further said funds to come from SCORE. Carried.

21/07-18 Turnquist/Warring, to adjourn (10:12 a.m.). Carried.

Julia Lines, County Administrator By: Halee Turner, Administrative Assistant II

Published in the Isanti-Chisago County STAR on July 29, 2021

ISANTI COUNTY BOARD OF COMMISSIONERS COMMITTEE OF THE WHOLE MEETING

Public Notice is hereby given that the Isanti County Board of Commissioners has set a Committee of the Whole meeting for Monday, August 23, 2021. The work session will begin at 8:00 a.m. and will be held in the Upper Level Training Room of the Isanti County Government Center, 555 18th Ave SW, Cambridge, Minnesota 55008.

By order of the Isanti County Board of Commissioners this 21st day of July, 2021.

Julia Lines Isanti County Administrator Published in the Isanti-Chisago County STAR on July 29, 2021

PUBLIC HEARING

ISANTI COUNTY BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

July 23, 2021 The Isanti County Board of Adjustment will hold a public hearing on Thursday, August 12, 2021 at 9:00 a.m. in the County Board Room of the Isanti County Government Center, 555 - 18th Avenue SW, Cambridge, MN 55008 to consider the following requests:

1. The request of Ricky Petersen, 2878 369th Avenue NE, Grandy, MN 55029 to construct/extend the roofline of the existing single family dwelling with less than the required setback from the centerline of a County Road. Legal description is Pt. NE 1/4 of the SW 1/4 of Section 3, Township 36, Range 23, Cambridge Township.

2. The request of Rick and Geneva Selin, 34105 Verdin Street NW, Cambridge, MN 55008 to construct a four season porch with a deck with less than the required setback from the side property line. Legal description is the S 1/2 of the SW 1/4 fct. of Section 22, Township 36, Range 24, Springvale Township.

3. The request of Donald and Vicky Funfar, 33286 Marmon Street NE, Cambridge, MN 55008 to construct an addition, deck and garage addition with less than the required setback from the ordinary high watermark of a Recreational Development Lake, with less than the required setback from the existing septic system and with less

than the required setback from the road right of way of a township road on an undersized lot. Legal description is Lot 4 & 5 Lakeside Terrace of Section 36, Township 36, Range 23, Cambridge Township.

Trina Bergloff Isanti County Zoning Administrator If you would like to attend this meeting via Tele - Conference, please go to the Isanti County webpage at www.co.isanti.mn.us for instructions.

Published in the Isanti-Chisago County STAR on July 29, 2021

ISANTI COUNTY PLANNING COMMISSION NOTICE OF PUBLIC HEARING

July 22, 2021 The Isanti County Planning Commission will hold a public hearing on Thursday, August 12, 2021 at 6:00 p.m. in the County Board Room of the Isanti County Government Center, 555 18th Avenue SW, Cambridge, MN 55008 to consider the following requests:

1. The request of Keith & Linda Malmquist, 571 Eagle Ridge Road, Woodbury, MN 55125 to present a preliminary plat of Lela Acres. Legal description is the SW 1/4 of the NW 1/4 Fct except S 440' of Section 5, Township 35, Range 22, North Branch Township.

2. The request of Richard DeLage, 2150 313th Avenue NE, Cambridge, MN 55008 to present a preliminary plat of Deer Ridge. Legal description is the NW 1/4 of the SW 1/4 fct. of Section 9, Township 35, Range 23, Isanti Township.

3. The request of Nathan House, 8484 County Road 5 NW, Princeton, MN 55371 to present a preliminary plat of House's Ranch. Legal description is the NW 1/4 of the SW 1/4 fct. & Pt. of the W 75' of the North 695' of the NE 1/4 of the SW 1/4 of Section 8, Township 35, Range 25, Spencer Brook Township.

4. The request of William Cin, 3734 317th Avenue NE, Cambridge, MN 55008 to present a preliminary plat of Bill's Addition. Legal description is the E 1/2 of the NE 1/4 of the NW 1/4 of Section 11, Township 35, Range 23, Isanti Township.

5. The request of Isanti County Ag Society, 3101 Highway 95 NE, Cambridge, MN 55008 to rezone a portion of the property (one acre) from Agriculture/Residential District to Business District. Legal

description is Pt. of the SW 1/4 of the SE 1/4 of Section 27, Township 36, Range 23, Cambridge Township.

6. The request of James Bird and Matthew Winters, 36337 Polk Street NE, Stanchfield, MN 55080, for a conditional use permit for a farm winery business. Legal description is Pt of the N 1/2 of the NW 1/4 of Section 8, Township 36, Range 23, Cambridge Township.

7. The request of Ty Torgerson, 3382 Highway 95 NW, Cambridge, MN 55008, for a conditional use permit for a rural tourism business for an annual mega truck event. Legal description is the W 1/2 of the NE 1/4 of the NE 1/4 of Section 29, Township 36, Range 24, Springvale Township.

8. The request of Mark Bayer, 3095 County Road 6 NW, Cambridge, MN 55008, for a conditional use permit for a rural tourism business to grow, process and sell products made from peppers, pumpkins, and sunflowers with special events. Legal description is Pt of the SW 1/4 of the NW 1/4 of Section 4, Township 36, Range 24, Springvale Township.

9. The request of Bucks L.M.E.N. Properties LLC, 1500 278th Lane NE, Isanti, MN 55040 to rezone the portion of property zoned Agriculture/Residential District to Industry District. Legal description is the SE 1/4 of the SE 1/4 of Section 32, Township 35, Range 23, Isanti Township.

Trina Bergloff Isanti County Zoning Administrator If you would like to attend this meeting via-Tele-Conference, please go to the Isanti County webpage at www.co.isanti.mn.us for instructions.

Published in the Isanti-Chisago County STAR on July 29, 2021

SCHOOL BOARD

CAMBRIDGE-ISANTI SCHOOLS SUMMARY PUBLICATION OF THE PROCEEDINGS OF THE CAMBRIDGE-ISANTI SCHOOLS BOARD OF EDUCATION.

The complete minutes are available for public inspection at the Education Services Center, Cambridge-Isanti Schools, 625A Main Street North, Cambridge, MN, or at our website, www.c-ischools.org.

The Regular School Board Meeting of Cambridge-Isanti Schools

June 24, 2021. Member Present: Chair Tim Hitchings, Vice Chair Aaron Berg, Clerk Lynn Wedlund, Treasurer Heidi Sprandel, Directors Gary Hawkins, Nikki Johnson, and Carri Levitski; and Ex Officio, Superintendent Dr. Nate Rudolph.

Absent: None Chair Hitchings called the meeting to order at 6:30 p.m.

Motion to approve Agenda made by G. Hawkins, seconded by C. Levitski. Motion carried.

Motion to approve Consent Agenda made by N. Johnson, seconded by H. Sprandel. Motion carried.

Motion to approve Treasurer's Report subject to audit made by L. Wedlund, seconded by A. Berg. Motion carried.

Resolved to accept gifts and donations from the following individuals and businesses: Patrick Fossum, Beth Moran, and Jacket Backers. Motion to adopt the resolution to accept gifts, grants or devise of real or personal property made by C. Levitski, seconded by N. Johnson. Resolution was declared duly passed and adopted.

Motion to approve the 2022 Fiscal Year Budget made by N. Johnson, seconded by H. Sprandel. Motion carried unanimously.

Motion to approve submission of the Letter of Intent to Nexus Solutions made by A. Berg, seconded by G. Hawkins. Motion carried unanimously.

Motion to approve the 2022 Fiscal Year Meal Prices made by L. Wedlund, seconded by C. Levitski. Motion carried unanimously.

Motion to approve Vivacity Tech as Chromebook vendor and SHI as the GoGuardian license vendor for C-I Schools purchase of the 2021-22 Blended Learning Chromebooks made by G. Hawkins, seconded by T. Hitchings. Motion carried unanimously.

Motion to approve American Capital as the Leasing Agent for the 2021-22 Blended Learning Devices made by A. Berg, seconded by H. Sprandel. Motion carried unanimously.

Motion to approve the SEE Membership renewal for 2021-22 made by C. Levitski, seconded by A. Berg. Motion carried unanimously.

Motion to approve the 2021-22 MSBA Membership and Policy Services Renewal made by L.

Wedlund, seconded by G. Hawkins. Motion carried unanimously.

Motion to approve the BoardBook subscription renewal for 2021-22 made by G. Hawkins, seconded by A. Berg. Motion carried unanimously.

Motion to approve Dr. Damiani as our LEA Representative made by N. Johnson, seconded by H. Sprandel. Motion carried unanimously.

Motion to adopt the 2021-22 Resolution for Membership in the MSHSL the made by A. Berg, seconded by H. Sprandel. Resolution was declared duly passed and adopted.

Motion to approve the 2021-22 Athletics Agreement between C-I Schools and Art & Science Academy made by G. Hawkins, seconded by N. Johnson. Motion carried unanimously.

Motion to approve the 2021-22 Athletics Agreement between C-I Schools and Cambridge Christian School made by L. Wedlund, seconded by H. Sprandel. Motion carried unanimously.

Motion to approve the Student Handbooks for the 2021-22 school year made by A. Berg, seconded by C. Levitski. Motion carried unanimously.

Motion to approve Policy 403 as presented made by C. Levitski, seconded by H. Sprandel. Motion carried unanimously.

Motion to approve Policy 405 as presented made by A. Berg, seconded by L. Wedlund. Motion carried unanimously.

Motion to approve Policy 407 as presented made by N. Johnson, seconded by G. Hawkins. Motion carried unanimously.

Motion to approve Policy 409 as presented made C. Levitski, seconded by T. Hitchings. Motion carried unanimously.

Motion to approve Policy 423 as presented made H. Sprandel, seconded by C. Levitski. Motion carried unanimously.

Motion made by H. Sprandel, seconded by C. Levitski to adjourn at 8:16 p.m. Motion carried unanimously.

Published in the Isanti-Chisago County STAR on July 29, 2021

PHONE: 763-689-1181 | FAX: 763-689-1185 CLASSIFIEDS

CountyStar.com 16 Lost & Found 102 Services 115 Heating & Cooling 351 Antiques 358 Firewood 401 Auctions 401 Auctions 401 Auctions 404 Garage Sales ... 506 Real Estate