

**CHAPTER 2  
OPERATIONS AND ADMINISTRATION**

**Section 200 - City Council**

**200.01 Meetings**

**Subd. 1 The Council.** The Council shall consist of a Mayor and four Council Members.

**Subd. 2 Regular Meetings.** Regular meetings of the Council shall be held monthly at a time designated by the Council at its January meeting. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place. All meetings, including special and adjourned meetings, shall be held in the City Hall unless the Council decides otherwise at a prior meeting or meeting in the City Hall is impossible.

**Subd. 3 Quorum.** At all meetings of the Council, a majority of the Council Members elected shall constitute a quorum to do business.

**Subd. 4 Special Meetings.** The Mayor or any two members of the Council may call a special meeting of the Council upon at least 3 days written notice to each member of the Council. This notice shall be delivered personally to each member or shall be left at the member's usual place of residence with some responsible person. Notice to the public shall be given in accordance with State law.

**Sub. 5 Emergency Meetings.** An emergency meeting may be called by the Mayor or any two members of the Council. Actual notice of the meeting must be attempted to be given to all members of the Council, and notice provisions of state law must also be met.

**Subd. 6 Initial Meeting.** At the first regular Council meeting in January of each year the Council shall:

- A. Designate the depositories of City funds;
- B. Designate the official newspaper;
- C. Designate the day and time for Council meetings to convene;
- D. Choose one of the Council Members as acting Mayor, who shall perform the duties of the Mayor during the disability or absence of the Mayor from the City or, in case of a vacancy in the office of Mayor, until a successor has been appointed and qualifies;
- E. Appoint officers, employees and members of boards, commissions, and committees as may be necessary;
- F. Establish and appoint Council Members to Council committees deemed appropriate for the efficient and orderly management of the City;
- G. Establish the salaries of the Mayor and Council Members for the year; and

H. Consider the confirmation of fire chief, two assistant fire chiefs, and other officers elected by the fire department members.

**Subd. 7 Public Meetings.** All Council meetings, including special and continued meetings and meetings of Council committees, shall be conducted in accordance with the Minnesota Open Meeting Law.

**200.02 Appointments.** The following officers shall be appointed by the Council and shall hold office at the pleasure of the Council:

- A. Health Officer
- B. Fire Marshall
- C. Civil Defense Director
- D. Building Inspector
- E. Such other officers and employees as shall be provided from time to time by ordinance or resolution.

**200.03 Compensation.** When not otherwise provided by law, compensation of all officers and employees of the City shall be set by the Council.

**200.04 Presiding Officer.**

**Subd. 1 Who Presides.** The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the acting Mayor shall preside. For this reason, an acting Mayor shall be chosen at the first regular meeting of the Council each year. In the absence of both, the Clerk-Treasurer shall call the meeting to order and shall preside until the Council Members present choose one of their number to act temporarily as presiding officer. The presiding officer may make motions, second motions and speak on any questions.

**Subd. 2 Procedure.** The presiding officer shall preserve order, enforce the Council's rules of procedure and determine, without debate, subject to the final decision of the Council on appeal, all questions of procedure and order. Except as otherwise provided by statute, this Code, or by rules adopted by resolution of the Council, the proceedings of the Council shall be conducted according to Robert's Rules of Order, Revised.

**Subd. 3 Appeal Procedure.** Any Council Member may appeal to the Council from a ruling of the presiding officer. If the appeal is seconded, the objecting Council Member may speak once solely on the procedural question involved and the presiding officer may explain the presiding officer's ruling. No other Council Member may participate in the discussion. The appeal shall be sustained if approved by a majority of the Council Members present.

**200.05 Minutes.**

**Subd. 1 Who Keeps.** Minutes of each Council meeting shall be kept by the Clerk-Treasurer or, in the Clerk-Treasurer's absence, by a person designated by the Council. Ordinances, resolutions, and claims need not be recorded in full in the minutes if they appear in other permanent records of the Clerk-Treasurer, and can be accurately identified from the description given in the minutes.

**Subd. 2 Approval.** The minutes of each meeting shall be reduced to typewritten form, and shall be signed by the Clerk-Treasurer and the Mayor. Copies of the minutes shall be delivered to each Council Member requesting such as soon as practicable after the meeting. At the next regular

Council meeting following delivery of the minutes, approval of the minutes shall be considered by the Council at the first regular scheduled Council Meeting of the month. The minutes need not be read aloud, but the presiding officer shall call for any proposed additions or corrections.

## **200.06 Order of Business**

**Subd. 1 Order Established.** Each meeting of the Council shall convene at the time and place appointed for the meeting. Council business shall be conducted in the following order unless varied by the presiding officer:

1. Call to Order
2. Roll Call
3. Adoption of Agenda
4. Adoption of Consent Agenda
5. Approval of Minutes of Previous Meetings
6. Public Forum
7. Report on Previous Public Forum Requests
8. Bid Opening & Awards
9. Public Hearings
10. Committee or Council Member Reports
11. Staff Reports
12. Staff Requests
13. Old Business
14. New Business
15. Correspondence
16. Preliminary Agenda for Next Succeeding Meeting
17. Adjournment

**Subd. 2 Varying Order.** The order of business may be varied in the discretion of the presiding officer, but all public hearings shall be held at the time specified in the notice of hearing.

**200.07 Agenda.** The Clerk-Treasurer shall direct the preparation of the Agenda for each meeting. The deadline for placing items on the Agenda shall be at noon on the Wednesday prior to the meeting. The agenda of business for each regularly scheduled Council meeting shall be prepared and filed in the office of the Clerk-Treasurer not later than two business days before the meeting. The agenda shall be prepared according to the required order of business and copies shall be delivered to each Council Member and the City Attorney. No item of business shall be considered unless it appears on the agenda for the meeting or is approved for addition to the agenda by unanimous vote of the Council Members present.

## **200.08 Voting.**

**Subd. 1 Procedure for Voting.** The votes of the members on any question pending before the Council may be by voice vote, standing vote, or in any other manner of voting which signifies the intention of the members. However, if the vote is not unanimous, there shall be a roll call and the names of those voting for and against the question shall be recorded in the minutes. If any member present does not vote, the minutes shall reflect that the named member was marked "Present - Not Voting."

**Subd. 2 Majority Vote.** A majority vote of all members of the Council shall be necessary for approval of any ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.

**Subd. 3 Mayor's Vote.** The Mayor shall vote last on any questions before the Council.

#### **200.09 Ordinances, Resolutions, Motions, Petitions and Communications.**

**Subd. 1 Presentation.** Every ordinance and resolution shall be presented in writing and shall be read in full before a vote is taken. However, reading in full may be dispensed with by unanimous consent. All motions shall be recorded in the minutes and stated in full before they are submitted to a vote by the presiding officer.

**Subd. 2 Signed and Attested.** Every ordinance and resolution passed by the Council shall be signed by the Mayor, attested by the Clerk-Treasurer, and filed by the Clerk-Treasurer in the ordinance or resolution book. Proof of publication of every ordinance shall be attached and filed with the ordinance. Unless otherwise provided, every ordinance will take effect upon publication.

**Subd. 3 Repeals and Amendments.** Every ordinance or resolution repealing or amending all or a part of a previous ordinance or resolution shall give the number of the ordinance, resolution or code section to be repealed or amended. Each ordinance or resolution amending an existing ordinance or resolution or part thereof shall set forth in full each amended section or subdivision as it will read with the amendment.

#### **200.11 Salaries**

**Subd. 1. Authority.** Pursuant to the authority granted in Minnesota Statute §415.11, the City Council may, by ordinance, fix their own salaries as members of such governing body. No change in salary shall take effect until after the next succeeding municipal election.

**Subd. 2. Annual Salaries.** The annual salary for the office of Mayor shall be \$1,800.00. The annual salary for the office of Council Member shall be \$1,200.00.

### **Section 205 - Elections**

**205.01 Election Date.** The City shall hold regular City elections biennially on the first Tuesday after the first Monday in November in every even-numbered year.

**205.02 Term of Office.** Two Council Members shall be elected for four-year terms at each biennial election. The Mayor shall be elected for a two-year term at each biennial election. The terms of elected officers shall commence on the first business day of January following the election at which the officer was elected.

**205.03 Registration of Qualified Voters**The system for the permanent registration of voters provided for by Minnesota Statutes, Chapter 201, is incorporated by reference. No voter shall be permitted to vote in any election held in the City unless the person is a resident and is registered as provided by Minnesota law.

### **Section 210 - Office of Clerk-Treasurer**

**REPEALED MAY 10, 1999**

**Section 210 - Administrative Department**

**210.01 Position of City Clerk-Treasurer.** The City Clerk-Treasurer shall perform such clerical duties and financial duties as may be set forth within his/her job description or as may be required by the Council, statutes or this code.

**210.02 Position of Zoning Administrator.** The City Zoning Administrator shall perform such administrative duties as may be set forth within the Zoning Ordinance and his/her job description or as may be required by the Council, Planning Commission, statutes or this code.

**210.03 Annual Audit.** There shall be an annual audit of the City's financial affairs by the state auditor or a certified public accountant in accordance with minimum auditing procedures prescribed by the state auditor. The auditor shall be chosen on an annual basis by the City Council.

**Section 220 - Police Department  
REPEALED MAY 24, 1999**

**Section 225 - Fire Department**

**225.01 Volunteer Fire Department.** There is continued in the City a volunteer fire department consisting of a Chief who shall also serve as the Fire Marshal, two assistant Chiefs who shall be designated as "First Assistant" and "Second Assistant", and not less than 15 nor more than 25 firefighters.

**225.02 Appointment of Officers.** The Chief of the fire department, two assistant Chiefs, and other officers shall be elected annually by the members of the department subject to confirmation by the Council at its organizational meeting in January. The officers of the Fire Department each shall hold office for one year and until their successors have been duly elected or appointed, except that any of them may be removed by the Council for cause and after a public hearing. Firefighters and probationary firefighters shall be appointed by the members of the department.

**225.03 Duties of Chief.** The Chief shall have control over all of the fire fighting apparatus and shall be solely responsible for its care and condition. The Chief shall make a monthly report, to the Council at its regularly scheduled meetings, as to the condition of the equipment and needs of the fire department. The Chief may submit additional reports and recommendations at any meeting of the Council and shall report each suspension of a member of the fire department at the first meeting of the Council following each suspension. The Chief shall be responsible for the proper training and discipline of the members of the fire department, and may suspend any member for refusal or neglect to obey orders pending final action by the Council on the discharge or retention.

**225.04 Duties of Fire Marshal.** The office of Fire Marshal shall be held by the Chief. The Fire Marshal shall be charged with the enforcement of all laws aimed at fire prevention. The Marshal shall have full authority to inspect all premises and to cause the removal or abatement of all fire hazards.

**225.05 Records.** The Chief shall keep in convenient form a complete record of all fires. The record shall include the time of the alarm, location of fire, cause of fire (if known), type of building, name of owner and

tenant, purpose for which occupied, value of building and contents, members of the department responding to the alarm, and such other information as the Chief may deem advisable or as may be required from time to time by the Council or a state department.

**225.06 Practice Drills.** It is the duty of the Chief, when the weather permits, to hold a monthly practice drill of at least one hour's duration for the fire department and to give the firefighters instruction in approved methods of fire fighting and fire prevention.

**225.07 Assistant Chiefs.** In the absence or disability of the Chief, the First Assistant Chief shall perform all the functions and exercise all the authority of the chief, and in the absence of both the Chief and the First Assistant, the Second Assistant Chief shall perform all functions and exercise all authority of the Chief.

**225.08 Firefighters.** The Chief, the Assistant Chiefs, and all firefighters and probationary firefighters shall not be less than 18 years of age and shall be able-bodied. They shall become members of the fire department only after a twelve-month probationary period. The Council may require that each candidate, before becoming a probationary firefighter, must satisfy certain minimum qualifications which may be specified by the Council; and that the candidate may be required to pass a satisfactory mental and physical examination.

**225.09 Loss of Membership.** Firefighters absent from three consecutive drills, unless excused by the Chief, shall forfeit membership in the department.

**225.10 Compensation.** Compensation shall be established by the Council.

**225.11 Present Members.** Persons who have been members of the fire department for at least one year at the time of the adoption of this provision shall not be required to serve a probationary period before receiving firefighter's rating.

**225.12 Interference with Department.** It is unlawful for any person to give or make, or cause to be given or made, an alarm of fire without probable cause, or to neglect or refuse to obey any reasonable order of the Chief at a fire, or to interfere with the Fire Department in the discharge of its duties. Unlawful interference shall include the following of a fire truck when its siren and emergency lights are in operation, closer than 500 feet, by persons not on official City business. Any person convicted of violating this Section shall be guilty of a misdemeanor.

## **Section 230 - Planning Commission**

**230.01 Establishment.** A City Planning Commission for the City is hereby continued. The Commission shall be the City planning agency authorized by Minn. Stat., §462.354, Subdivision 1.

### **230.02 Composition.**

**Subd. 1 Membership.** The Planning Commission shall consist of six members appointed by the Council from among the residents of the City. Of the six members, one member shall be appointed from the membership of the Council and one shall be the Mayor who shall serve as an ex-officio, non-voting member. Members other than the Council representative and Mayor shall be appointed from among persons in a position to represent the general public interest. No person shall be appointed with private or personal interests likely to conflict with the general public interest.

**Subd. 2 Terms.** Terms of office for members other than the Mayor and Council representative shall be for three years, provided that in the establishment of the Planning Commission one of the members shall be appointed for a term of one year, one for a term of two years and two of the members for terms of three years. The Council representative shall be appointed for annual terms. The Council representative and Mayor's membership on the commission shall terminate with their respective Council offices.

**Subd. 3 Removal from Office; Vacancies.** Any member of the Planning Commission may be removed from office for just cause and on written charges by a two-thirds vote of the entire Council. The member shall be entitled to a public hearing before the removal vote is taken. Any member may be removed for non-attendance at Planning Commission meetings without action by the Council, according to rules adopted by the Planning Commission. It shall be the duty of the chairperson of the Planning Commission to notify the Council promptly of any vacancies occurring in membership. The Council shall fill the vacancies within ninety (90) days from notification for the unexpired term of the original appointment.

### **230.03 Organization.**

**Subd. 1 Officers.** The Planning Commission shall elect a chairperson and vice chairperson from its members who are not appointed ex-officio, and may create such other offices as it may determine. It shall provide itself with a secretary, either by election from among its members or by appointment of an officer or employee of the City who is not a member of the Planning Commission and shall not be entitled to vote. Terms of all elected offices shall be for one year, with eligibility for re-election.

**Subd. 2 Rules.** The Planning Commission shall adopt rules or by-laws for its governance and for the transaction of its business, following approval by the Council. The commission shall keep a record of attendance at its meetings and of resolutions, transactions, findings and determinations showing the vote of each member on each question requiring a vote, or if absent or abstaining from voting, indicating this fact. The records of the Planning Commission shall be public record.

**230.04 Appropriations, Expenses.** The Council may make available to the Planning Commission appropriations as it may see fit for fees and expenses necessary in the conduct of its work. Subject to approval of the Council and within limits set by appropriations or other funds made available, the Planning Commission may employ staff, technicians and experts as may be deemed proper, and may incur other expenses as may be necessary and proper for the conduct of its affairs. The Planning Commission shall have authority to expend all sums so appropriated and made available for its use from grants, gifts, and other sources for the purposes and activities authorized by this Section. Members of the Planning Commission shall receive no salaries or fees for their services, but may receive necessary travel, per diem, and other expenses while on official business for the Planning Commission, if funds are provided by the Council for these purposes.

### **230.05 Duties, Powers.**

**Subd. 1 Duties.** The Planning Commission shall have the powers and duties given planning agencies generally by the law including the power and duty to:

- A. to acquire and maintain in current form basic information and background data as is necessary for an understanding of past trends, present conditions, and forces at work to cause changes in these conditions.

- B. to prepare and keep current a comprehensive development plan for meeting present requirements and such future needs as may be foreseen.
- C. to establish principles and policies for guiding action affecting development in the City and its environs.
- D. to prepare and recommend to the City Council ordinances, regulations, and other proposals promoting orderly development along lines indicated as desirable by the comprehensive development plan.
- E. to determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan and the zoning ordinances.
- F. to keep the City Council and the general public informed and advised as to all planning and development matters.
- G. to conduct public hearings as may be required to gather information necessary for the drafting, establishment, maintenance and administration of the comprehensive plan and ordinances and regulations related to it; and to establish public committees for the purpose of collecting and compiling information necessary for the plan, or for the purpose of promoting the accomplishment of the plan in whole or in part.
- H. to perform other duties which may be assigned by the City Council, or which may have bearing on the preparation or accomplishment of the plan.
- I. to review all proposed amendments to the zoning ordinance, take part in public hearings, and make recommendations to the Council as may be prescribed by the zoning ordinance.
- J. to make recommendations on all requests for a conditional use permit under the terms of the zoning ordinance.
- K. to make recommendations in relation to the subdividing of land as prescribed by the ordinance; the Planning Commission shall report its recommendations to the Council for action.
- L. to obtain from City officers a descriptive list of proposed improvements for the ensuing five-year period. The Planning Commission shall also request from the local school district a similar list of its proposed public works. The Planning Commission shall list and classify all proposed public works and prepare a coordinated program of proposed public works for the ensuing year and for a projected five-year period. Such program shall be recommended by the Planning Commission to the Council and to other officers, departments, boards, or public bodies as have jurisdiction over the recommended planning or construction of these public works.
- M. to serve as the City's Board of Adjustment and Appeals and make final decisions regarding requests for variances.
- N. to make recommendations regarding interim use applications.

**Section 235 - Civil Defense Director**

**235.01 Act Adopted.** The Minnesota Civil Defense Act, Minn. Stat., Chap. 12, as it relates to cities, is adopted by reference as part of this Code.

**235.02 Definitions.** Unless the context indicates otherwise, the following terms have the stated meanings:

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

**Emergency** - An unforeseen combination of circumstances which calls for immediate action to prevent a disaster from developing or occurring.

**Emergency Services** - The preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters.

**235.03 Civil Defense Director.** A Civil Defense Director shall be appointed on annual basis by the Council. The Civil Defense Director shall have direct responsibility for the organization, administration and operation of civil defense in the City, subject to the overall direction and control of the Council.

**235.04 Powers and Duties of the Civil Defense Director**

**Subd. 1 Intergovernmental Arrangements.** The Civil Defense Director shall:

- A. Represent the City on any regional or state organization for civil defense.
- B. Develop proposed mutual aid agreements with other political subdivisions for reciprocal civil defense aid and assistance in a civil defense emergency too great to be dealt with unassisted and
- C. Present the agreements to the Council for approval.

**Subd. 2 Plans and Reports.** The Civil Defense Director shall prepare plans for the civil defense of the City and any reports of civil defense activities as the director deems appropriate or as are requested by the Council.

**Subd. 3 Use of City Personnel.** In a civil defense emergency, the Civil Defense Director shall utilize the personnel, services, equipment, supplies and facilities of existing departments and agencies of the City to the maximum extent practicable.

**Subd. 4 General Operations.** The Civil Defense Director shall direct and coordinate the general operation of civil defense efforts and the provisions of all local emergency services during a civil defense emergency, in conformity with controlling regulations and instructions of state civil defense authorities.

**235.05 Local Emergencies.** A local civil defense emergency may be declared only by the Mayor or legal successor. Such an emergency shall not be continued for a period longer than three days except with the consent of the Council.

## **Section 236 - Health Officer**

**236.01 Qualifications.** The City Health Officer shall be a physician licensed to practice medicine under the laws of the State of Minnesota.

**236.02 Duties of the Health Officer.** The Health Officer shall execute the lawful orders of the State Board of Health and perform other duties that are or may be prescribed by statute, by ordinance or resolution of the City Council or by regulation of the State Board of Health. The Health Officer shall enforce the nuisance ordinances of the City as they relate to matters in any way affecting the public health. The Health Officer is given power and it shall be the health officer's duty, to enter and inspect any and all premises where food products are stored that are to be offered for sale to the public. It shall be a condition of all licenses granted in the City that the Health Officer is given power to inspect any and all products sold on any licensed premises. The Health Officer shall take all necessary steps to abate any nuisances or unwholesome conditions and, in the officer's discretion, shall recommend the revocation or refusal of any license for any premises, operated or maintained in an unhealthful or unsanitary condition.

**236.03 Unsanitary Conditions.** When any nuisance, source of filth or cause of sickness is found on any property, the Health Officer shall order the owner or occupant to remove the same, at owner's expense, within a time not to exceed ten (10) days, the exact time to be specified in the notice. The notice shall be served by the sheriff or other peace officer by delivering a copy of it to the owner, occupant or agent of the property. If the owner of the property is unknown or absent, with no known representative or agent upon whom notice can be served, then the sheriff or other peace officer shall post a written or printed notice upon the property or premises, setting forth that unless the nuisance, source of filth or cause of sickness is abated or removed within ten (10) days, the sheriff or other peace officer shall abate or remove, or cause to be abated or removed, at the expense of the owner, the nuisance, source of filth or cause of sickness.

**236.04 Sanitary Inspections.** The Health Officer shall make periodic inspections of properties within the City and shall submit reports on the inspections to the Council.

**236.05 Removal - Assessment Cost.** Upon the failure of any owner, occupant or agent to comply with the requirements of the notice, the Health Officer may direct that the nuisance, source of filth or cause of sickness described in the notice be removed or abated. The Health Officer shall report the cost of such work to the City Clerk-Treasurer and the cost, if not paid promptly, shall be certified to the auditor of the county and by that officer extended upon the tax rolls and collected as taxes. When collected, it shall be paid to the City Clerk-Treasurer.

**236.6 Penalty.** The penalty for failure of any owner, occupant or agent to comply with an order to remove an unsanitary condition shall be a misdemeanor.

## **Section 245 - Economic Development Commission**

**245.01 Establishment.** An Economic Development Commission is hereby established for the City. The Commission shall study and recommend policies and actions to the City Council concerning economic and community development, housing and transportation, parks and recreation, and any other matter which aids the economic well-being of the City. The City is specifically not establishing an Economic Development Authority as defined in Minn. Statutes § 469.090-469.1081.

**245.02 Purpose.** The purpose of the Commission is to create a partnership of city government, citizens and businesses working to identify, evaluate and implement economic development and community improvement opportunities, while preserving our unique scenic and historic heritage and quality of life.

**245.03 Composition.**

**Subd. 1 Membership.** The Economic Development Commission shall consist of not less than six (6) nor more than twelve (12) members who are appointed by the Council, except in its establishment, the Commission shall consist of twelve (12) members. Of the membership, up to twenty-five percent (25%) may be members who are non-residents who own a business in the City. One (1) member shall be appointed from the membership of the Council and one (1) shall be the Mayor who shall serve as an ex-officio, non-voting member. The balance of the membership shall be residents who may or may not own a business in the City. Members other than the Council representative and Mayor shall be appointed from among persons in a position to represent the general public interest. A person shall not be appointed with private or personal interests likely to conflict with the general public interest.

**Subd. 2 Multiple membership.** A person may not be a member of more than one Commission of the City, but may serve on any subcommittee appointed by the Council or a Commission.

**Subd. 3 Terms.** Terms of office for members shall be for three (3) years, provided that in the establishment of the Economic Development Commission, three (3) of the members shall be appointed for terms of one (1) year, three (3) for terms of two (2) years and four (4) for terms of three (3) years. The Council representative shall be appointed annually. The Council representative and Mayor's membership on the Commission shall terminate with their respective Council offices.

**Subd. 4 Removal from Office; Vacancies.** Any member of the Economic Development Commission may be removed from office for just cause and on written charges by a two-thirds vote of the entire Council. The member shall be entitled to a public hearing before the removal vote is taken. Any member may be removed for non-attendance at Commission meetings without action by the Council, according to rules adopted by the Commission. It shall be the duty of the chairperson of the Commission to notify the Council promptly of any vacancies occurring in membership. The Council shall fill the vacancies within ninety (90) days from notification for the unexpired term of the original appointment.

**245.04 Organization.**

**Subd. 1 Officers.** The Commission shall elect a chairperson, vice chairperson, a secretary and a financial liaison from its members who are not ex-officio. Terms of all elected officers shall be for one year, with eligibility for re-election.

**Subd. 2 Rules.**

- A. The Commission shall adopt rules and bylaws for its governance and for the transaction of its business, subject to review and approval by the Council.
- B. The Commission shall keep a record of attendance at its meetings and of motions, resolutions, transactions, findings and determinations showing the vote of each member on each question requiring a vote, or if absent or abstaining from voting, indicating this fact. The records of the

Commission shall be public record.

- C. The secretary shall provide minutes of each meeting for public record and keep a record of membership and member's terms in office.
- D. The financial liaison shall keep a record of the Commission's annual budget and funds authorized and spent by project, work with the City Treasurer and provide financial reports to the Commission.

**245.05 Appropriations, Expenses.** The Council may make available to the Commission appropriations as it may see fit for fees and expenses necessary in the conduct of its work. Subject to approval of the Council and within limits set by appropriations or other funds made available, the Commission may contract with or employ staff, technicians and experts as may be deemed proper, and may incur other expenses as may be necessary and proper for the conduct of its affairs. The Commission shall have authority to expend all sums so appropriated and made available for its use from grants, gifts, and other sources for the purposes and activities authorized by this Section. Members of the Commission shall not receive salaries or fees for their services, but, subject to prior Commission approval, may receive necessary travel, per diem, and other expenses while on official business for the Commission, if funds are provided by the Council for these purposes. The Commission will search for and identify other private and public agency sources of grants and other funding for its projects and, with the approval of the City Council, apply for such appropriate funding as is available.

**245.06 Duties, Powers.** The Commission shall have the following powers and duties:

**Subd. 1 Duties.**

- A. confer with and advise the Council and Planning Commission on matters concerning economic development and community facilities improvement.
- B. develop, with City Council and community input, and for Council review and approval, a vision for community and economic development that can serve as a guide for near term and longer term action and investment.
- C. work as a catalyst, accomplishing the goals of the Commission to the fullest extent possible through efforts of community organizations, businesses, volunteer task forces and individuals, and achieving broad community participation in visioning, planning and action.
- D. keep informed about community attitude and priorities regarding business and industrial development.
- E. develop and maintain an information base covering existing businesses, available and potential business sites, available business structures, highway and other access, utilities and rates, public infrastructure and rates, community amenities and other matters relevant to business and public location decisions.
- F. publish, disseminate or otherwise make available information which advertises the advantages and opportunities of business and residential location in the city.
- G. identify and facilitate use of professional expertise and advisory services that can help improve the prospects for longer term survival of new business ventures as well as help

existing businesses achieve increased profitability.

- I. develop informational packets about architectural and building design options for existing and prospective business building owners that offer alternatives for using economical, modern construction materials and techniques in styles consistent with the historic heritage of the City.
- J. explore ways to develop mutually beneficial programs with nearby cities supporting economic development and community betterment consistent with the goals and plans of the City.
- K. make a written report to the Council in December of each year, describing its activities for the previous year.
- L. submit the Commission's proposed annual budget to the City Council.

**Subd. 2 Powers.**

- A. The Commission shall have the power to appoint subcommittees of a size and nature it may deem necessary and may enlist the aid of persons and/or organizations who are not members of the Commission.
- B. The Commission shall not have power to make contracts, levy taxes, borrow money or condemn property, but shall have the full power and responsibility to investigate the necessity and recommend the taking of these and any other actions related to development by the Council and all other officers of the City responsible to formulate the terms of and the procedure for taking such action.
- C. All City employees shall, upon request and within a reasonable time, furnish to the Commission or its employees or agents available records or information as may be required in its work.
- D. The Commission, or its employees or agents may, in the performance of official duties, enter upon lands and make examinations or surveys in the manner as other authorized City agents or employees, and shall have such other powers as are required for the performance of official functions in carrying out the purposes of this Section.

**Section 250 – Park and Recreation Commission**

**250.01 Purpose.** The City of Taylors Falls does now operate and maintain public parks for the benefit and pleasure of its citizens. There is hereby established a Commission to be advisory to the City Council and shall be known as the Park and Recreation Commission. The Commission shall be organized and have the duties as set forth in this ordinance.

**250.02 Composition.**

**Subd. 1 Membership.** Such Park and Recreation Commission shall consist of six (6) members appointed by the majority of the City Council. Of the six (6) members appointed, three (3) members shall be residents of the City of Taylors Falls and one (1) member may be a non-

resident. One (1) member shall be appointed from the membership of the Council and one (1) shall be the Mayor who shall serve as an ex-officio, non-voting member.

**Subd. 2 Terms.** Of the members of the Commission first appointed, two shall be appointed for the term of one year, two for the term of two years, one for the term of three years; their successors shall be appointed for terms of two years. Both original and successive appointees shall hold their offices until their successors are appointed and qualified. Vacancies during the term shall be filled by the Council for the unexpired portion of the term. Every appointed member shall, before entering upon the discharge of his duties, take an oath that he will faithfully discharge the duties of his office.

**Subd. 3 Multiple membership.** A person may not be a member of more than one Commission of the City, but may serve on any subcommittee appointed by the Council or a Commission.

**Subd. 4 Removal from Office; Vacancies.** Any member of the Park and Recreation Commission may be removed from office for just cause and on written charges by a two-thirds vote of the entire Council. The member shall be entitled to a public hearing before the removal vote is taken. Any member may be removed for non-attendance at Commission meetings without action by the Council, according to rules adopted by the Commission. It shall be the duty of the chairperson of the Commission to notify the Council promptly of any vacancies occurring in membership. The Council shall fill the vacancies within ninety (90) days from notification for the unexpired term of the original appointment.

### **250.03 Organization.**

**Subd. 1 Officers.** The Commission shall elect a chairperson, vice chairperson, a secretary and a financial liaison from its members who are not ex-officio. Terms of all elected officers shall be for one year, with eligibility for re-election.

#### **Subd. 2 Rules.**

- A. The Commission shall adopt rules and bylaws for its governance and for the transaction of its business, subject to review and approval by the Council.
- B. All meetings of the Commission shall be open to the public. The secretary shall provide minutes of each meeting for public record and keep a record of membership and member's terms in office.
- C. The Commission shall keep a record of attendance at its meetings and of motions, resolutions, transactions, findings and determinations showing the vote of each member on each question requiring a vote, or if absent or abstaining from voting, indicating this fact. The records of the Commission shall be public record.
- D. The financial liaison shall keep a record of the Commission's annual budget and funds authorized and spent by project, work with the City Treasurer and provide financial reports to the Commission.

**250.04 Appropriations, Expenses.** The Council may make available to the Commission appropriations as it may see fit for fees and expenses necessary in the conduct of its work. Subject to approval of the Council and within limits set by appropriations or other funds made available, the Commission may

contract with or employ staff, technicians and experts as may be deemed proper, and may incur other expenses as may be necessary and proper for the conduct of its affairs. The Commission shall have authority to expend all sums so appropriated and made available for its use from grants, gifts, and other sources for the purposes and activities authorized by this Section. Members of the Commission shall not receive salaries or fees for their services, but, subject to prior Commission approval, may receive necessary travel, per diem, and other expenses while on official business for the Commission, if funds are provided by the Council for these purposes. The Commission will search for and identify other private and public agency sources of grants and other funding for its projects and, with the approval of the City Council, apply for such appropriate funding as is available.

**250.05 Powers and Duties.** The Commission shall have the following powers and duties:

**Subd. 1 Duties.**

- A. Consider, review, report and advise on all park and recreational matters, which the Council may refer to the Commission.
- B. Develop immediate and long-range plans for the park and recreational needs of the citizens of the City of Taylors Falls, and recommend to the Council a feasible means of financing such requirements.
- C. Recommend to the Council operating policies and procedures for use in existing parks, future parks and public lands.
- D. The responsibility for enhancing parks through evaluation, planning and initiating new programs and ideas.
- E. Coordinate City programs with area-wide programs, including programs of Community Education.

**Subd. 2 Powers.**

- A. The Commission shall have the power to appoint subcommittees of a size and nature it may deem necessary and may enlist the aid of persons and/or organizations who are not members of the Commission.
- B. The Commission shall not have power to make contracts, levy taxes, borrow money or condemn property, but shall have the full power and responsibility to investigate the necessity and recommend the taking of these and any other actions related to development by the Council and all other officers of the City responsible to formulate the terms of and the procedure for taking such action.
- C. All City employees shall, upon request and within a reasonable time, furnish to the Commission or its employees or agents available records or information as may be required in its work.
- D. The Commission, or its employees or agents may, in the performance of official duties, enter upon lands and make examinations or surveys in the manner as other authorized City agents or employees, and shall have such other powers as are required for the performance of official functions in carrying out the purposes of this Section.

**250.06 Effective Date.** This ordinance shall take effect from and after its adoption and publication according to law

Adopted March 13, 2000  
Published March 23, 2000

### **Section 255 – Heritage Preservation Commission**

**255.01 Declaration of Public Policy and Purpose.** The Council of the City of Taylors Falls hereby declares as a matter of public policy that the preservation, protection and perpetuation of areas, places, buildings, structures, lands, districts and other objects with historical, cultural or architectural interest or value is in the best interest of health, safety, welfare and property of the people.

The purposes of this Ordinance are to:

- A. Safeguard the heritage of the City by preserving properties which reflect elements of the City’s cultural, social, economic, political, visual or architectural history;
- B. Protect and enhance the City’s appeal to residents, visitors and tourists, and serve as a support and stimulus to business and industry;
- C. Foster civic pride in the beauty and accomplishments of the past;
- D. Promote the preservation and continued use of heritage preservation sites for the education and general welfare of the people of the City of Taylors Falls;
- E. Enhance the economic viability of Heritage Preservation sites and districts through the protection and promotion of their unique character;
- F. Enhance the visual and aesthetic character, diversity and interest of the City;
- G. Establish a Heritage Preservation Commission pursuant to Minnesota Statute 471.193.

#### **255.02 Definitions.**

**CITY** shall mean the corporate limits of the City of Taylors Falls.

**BUILDING OFFICIAL** is the officer or other designated authority charged with the administration and enforcement of the Minnesota Uniform Building Code, or the building official’s duly authorized representative.

**HERITAGE PRESERVATION DISTRICT** shall mean a contiguous collection or group of places, buildings, structures, lands or other objects that is determined to be historically, culturally or architecturally significant as a whole and has been locally designated as a Heritage Preservation District pursuant to Section 5 of this Ordinance.

**HERITAGE PRESERVATION SITE** shall mean any area, place, building, structure, land, work of art or other objects having special historical cultural or architectural interest or value for

the community which have been duly designated a Heritage Preservation Site, pursuant to Section 5, of this Ordinance. At the time of designation it would be determined if the structure is contributory or non-contributory.

**SITE ALTERATION PERMIT** shall mean a permit issued by the City for any alteration of any designated Heritage Preservation Site.

**255.03 Establishment of Heritage Preservation Commission.** Pursuant to Minnesota Statute 471.193 there is hereby created and established a City of Taylors Falls Heritage Preservation Commission, hereinafter called the “Commission.” The Commission shall have the responsibility of recommending to the City Council areas, places, buildings, structures, lands, works of art or others objects having special historical, cultural or architectural interest or value for the community as Heritage Preservation sites or districts.

**Subd. 1 Membership.** The Commission shall consist of seven (7) voting members appointed by the City Council. Of the membership, one (1) member shall be appointed from the membership of the Council, one (1) member shall be a business owner within the City, and one (1) member shall be appointed by the Chisago County Historical Society. All members must be residents of the City of Taylors Falls. At least one of the seven members shall be a member of the Taylors Falls Historical Society. The Mayor shall serve as an ex-officio, non-voting member. Members shall be persons with demonstrated interest and/or expertise in historic preservation and shall be of the following preservation-related professional classifications: history; architecture; architectural history; archeology; planning; real estate; design; building trades; landscape architecture or law.

**Subd. 2 Multiple Membership.** A person may not be a member of more than one Commission of the City, but may serve on any subcommittee appointed by the Council or a Commission.

**Subd. 3 Terms of Office.** Terms of office for members shall be for three (3) years, provided that in the establishment of the Heritage Preservation Commission, one (1) of the members shall serve a term of one (1) year, two (2) shall serve a term of two (2) years and two (2) shall serve a term of three (3) years. The Council Representative shall be appointed annually. The Council representative and Mayor’s membership as ex-officio, non-voting member on the Commission shall terminate with their respective Council offices. The vacancy of the unexpired terms shall be filled in the same manner as the appointment is made. The term of the Representative of the Chisago County Historical shall be determined by its organization and shall also be appointed annually. Members shall serve without compensation and will continue to hold office until their successors have been appointed and qualified. Terms of office shall expire on the last day of December in the last full year of appointment. Members may be appointed for consecutive terms.

**Subd. 4 Removal from Office: Vacancies.** Any member of the Heritage Preservation Commission may be removed from office for just cause and on written charges by a two-thirds vote of the entire Council. The member shall be entitled to a public hearing before the removal vote is taken. Any member may be removed for non-attendance at Commission meetings without action by the Council, according to rules adopted by the Commission. It shall be the duty of the chairperson of the Commission to notify the Council promptly of any vacancies occurring in membership. The Council shall fill the vacancies within ninety (90) days from notification for the unexpired term of the original appointment.

## **255.04 Organization.**

**Subd. 1 Officers.** The Commission shall elect a chairperson, vice chairperson, a secretary and a financial liaison from its members who are not ex-officio. Terms of all elected officers shall be for one year, with eligibility for re-election.

### **Subd. 2 Rules.**

- A. The Commission shall adopt rules and bylaws for its governance and for the transaction of its business, subject to review and approval by the Council.
- B. All meetings of the Commission shall be public and shall be called and conducted in accordance with all open meeting laws.
- C. The Commission shall keep a record of attendance at its meetings and of motions, resolutions, transactions, findings and determinations showing the vote of each member on each question requiring a vote, or if absent or abstaining from voting, indicating this fact. The records of the Commission shall be public record. Archives of the minutes shall be kept pursuant to Minnesota Statute 138.17.
- D. The secretary shall provide minutes of each meeting for public record and keep a record of membership and members' terms in office.
- E. The financial liaison shall keep a record of the Commission's annual budget and funds authorized and spent by project, with the assistance and oversight of the City Clerk-Treasurer, and provide financial reports to the Commission.

**Subd. 3 Appropriations, Expenses.** The Council may make available to the Commission appropriations as it may see fit for fees and expenses necessary in the conduct of its work. Subject to approval of the Council and within limits set by appropriations or other funds made available, the Commission may contract with or employ staff, technicians and experts as may be deemed proper, and may incur other expenses as may be necessary and proper for the conduct of its affairs. The Commission shall have authority to expend all sums so appropriated and made available for its use from grants, gifts, and other sources for the purposes and activities authorized by this Section. Members of the Commission shall not receive salaries or fees for their services, but, subject to prior Commission approval, may receive necessary travel, per diem, and other expenses while on official business for the Commission, if funds are provided by the Council for these purposes. The Commission will search for and identify other private and public agency sources of grants and other funding for its projects and, with the approval of the City Council, apply for such appropriate funding as is available.

## **255.05 Designation of Heritage Preservation Sites and District.**

**Subd. 1 Criteria.** The Commission shall recommend to the City Council areas, places, buildings, structures, lands, works of art or other objects having special historical, cultural or architectural interest or value for the community to be designated as Heritage Preservation Sites or Districts. In making such recommendations the Commission shall apply the following criteria:

1. Its inherent character, interest or value as part of the development, heritage or cultural characteristics of the City of Taylors Falls, the State of Minnesota or the United States.

2. Its location as a site of a significant historical event.
3. Its identification with a person or persons who significantly contributed to the culture and development of the City of Taylors Falls.
4. Its embodiment of distinguishing characteristics of an architectural style, period, forms or treatment.
5. Its identification as work of an architect or master builder whose individual work has influenced the development of the City of Taylors Falls.
6. Its embodiment of elements of architectural design, detail, materials, or craftsmanship, which represents a significant architectural innovation.

**Subd. 2 Findings and recommendations.** The Commission shall determine if the proposed Heritage Preservation Site or District is eligible for preservation according to the criteria specified in sub paragraph (A) of this section and whether the Commission recommends to the City Council that the site or district be designated for heritage preservation.

**Subd. 3 Heritage Preservation Commission Hearings.** Prior to the Commission recommending to the City Council the designation of any Heritage Preservation Site or District, the Commission shall hold a public hearing and seek the recommendations of all concerned citizens. Prior to such hearing the Commission shall cause to be published in the official newspaper of the City notice of said hearing at least ten (10) days prior to the date of the hearing. Notice of the hearing shall be mailed to all owners of record of the property or properties proposed to be designated as a Heritage Preservation Site or District and to all owners of property situated wholly or partly within three-hundred fifty (350) feet of the proposed Heritage Preservation Site or District at least ten (10) days prior to the date of the hearing. The Commission may make such modifications concerning the proposed designation, as it deems necessary in consideration of the public hearing.

**Subd. 4 Informing the Minnesota Historical Society.** A copy of the Commission's proposed designation of a Heritage Preservation Site or District including boundaries shall be sent to the Minnesota Historical Society in accordance with Minnesota Statutes 471.193. The Commission may make such modifications concerning the proposed designation, as it deems necessary in consideration of the comments of the Minnesota Historical Society.

**Subd. 5 Planning Commission's Review.** The Heritage Preservation Commission shall transmit to the City's Planning Commission its recommendation, including boundaries and the proposed program for the preservation of the Heritage Preservation Site or District. The Planning Commission shall comment on the proposed designation as a Heritage Preservation Site or District relative to the City Zoning Code and Comprehensive Plan of the City of Taylors Falls, and any other valid City planning considerations relevant to the proposed designation. The Planning Commission's comments shall become part of the official record concerning the proposed designation and shall be submitted by the Commission along with its recommendation concerning the proposed designation to the City Council. The Heritage Preservation Commission may make such modifications concerning the proposed designation as it deems necessary in consideration of the comments of the Planning Commission.

**Subd. 6 Council Designations.** Upon request of the Heritage Preservation Commission, the City Council, may by Ordinance, designate a Heritage Preservation Site or District. In the case of denial of the application, the applicant cannot reapply for the same project within six (6) months of the Council action.

**Subd. 7 Council Approval.** The Commission shall make no application to the National Register or the State of Minnesota for the designation of a historical property or district without the consent of the City Council.

**Subd. 8 Identification Plaque.** Those buildings or structures having been designated as Historic Preservation Sites by the City Council may be awarded a numbered plaque to be displayed on the exterior of the Site in full public view with the owner's consent. The plaque is to remain the property of the City and shall be removed by request of the Commission should the Site be so altered as to destroy the historic integrity of the Site.

**255.06 Preservation Program.** All decisions of the Commission with respect to this Section shall be in accordance with the approved program for the rehabilitation and preservation of each Heritage Preservation Site or District. The Secretary of the Interior Standards for Rehabilitation, as may be amended, shall be used to evaluate a Preservation Program.

**Subd. 1 Review of Permit Applications.** The Heritage Preservation Commission shall review and advise the City Council upon the issuance of City permits for work within a designated Heritage Preservation Site or sites considered by the Commission to be historically significant. The City Zoning Administrator shall immediately refer permit applications to the Commission for review in accordance with the following procedures.

**Subd. 1 Site Alteration Permit.** A Site Alteration Permit shall be required for any alteration of any designated Heritage Preservation Site or District. The Commission shall review and approve or disapprove the application for a Site Alteration Permit to do any of the following in a Heritage Preservation Site or District in the City. In addition to any other specifics the Zoning Administrator may require, the Site Alteration Permit application shall be accompanied by detailed plans including a property site plan, building elevations and design details and materials as necessary to evaluate the request. In addition to the Site Alteration Permit, all other applicable City permits shall be required. The following are subject to a Site Alteration Permit:

- a. Architectural details and other related exterior alterations.
- b. Addition or deletion of awnings, shutters, canopies, and similar appurtenances.
- c. Application or use of exterior materials of a different kind, type, or texture than those already in use which will substantially cover one or more sides of the structure. This provision applies to roofing as well as siding.
- d. Signs.
- e. Construction of a new building or accessory structure.
- f. Any addition to or alteration of an existing structure, which increases the square footage in the structure or otherwise alters its size, height, contour, or outline.

- g. Change or alteration of a structure's architectural style.
- h. Alteration of a roof line.
- i. Demolition in whole or in part. This does not apply to structures required to be demolished in accordance with Minnesota Statutes, Chapter 463 (Building Line easements; Building Regulations; and Hazardous Buildings).

**Subd. 2 Findings.** Before approving any site alteration permit application required in Section 6A of this Ordinance, the Commission shall make findings based on the program for rehabilitation and preservation of the Heritage Preservation Site or District in regard to the following:

1. In the case of a proposed alteration or addition to existing buildings, the Commission shall make written findings on how the structure may be architecturally or historically affected considering the existing exterior appearance, building height, building width, depth, or other dimensions, roof style, type of building materials, ornamentation, paving and setback.
2. In the case of the proposed demolition of a building prior to approval of the demolition, the Commission shall make written findings on the following: architectural and historic merit of the building, the effect on surrounding buildings, the effect of any new proposed construction on the remainder of the building (in case of partial demolition) and on surrounding buildings, the economic value or usefulness of the building as it now exists, or if altered or modified, in comparison with the value or usefulness of any proposed structures designated to replace the present building or buildings.
3. In the case of a proposed new building, the Commission shall make written findings on how the building will in itself, or by reason of its location on the property, materially affect the architectural or historic value of buildings on adjacent sites or in the immediate vicinity of the Heritage Preservation Site.

**255.07 Appeal To The City Council.** The applicant for a Site Alteration Permit or any other party aggrieved by the decision of the Commission relative to a site alteration Permit shall, within ten (10) working days of the date of the Commission's order and decision, have a right to appeal such order and decision to the City Council. The appeal shall be deemed perfected upon receipt by the City Clerk of a notice of appeal and statement setting forth the grounds for the appeal. The City Clerk shall transmit a copy of the notice of appeal and statement to the City Council and to the Commission. The City Council may overturn the Commission's order and decision by a two-thirds vote of all members of the City Council. The Commission, in any written order denying a permit application, shall advise the applicant of the applicant's right to appeal to the City Council and shall include this Section in all such orders.

**255.08 Municipal Actions.** The Commission shall be notified of and shall review and make recommendations with respect to any municipal activity by the City of Taylors Falls which would result in changing the nature or appearance of any Heritage Preservation Site or District either pending or established.

**255.09 Limitations.** If, within sixty (60) days from the filing of a Site Alteration Permit application, the Commission has neither approved nor denied the Site Alteration Permit application, the plans and permit application shall be deemed to have been approved by the Commission, and if all other requirements of the City have been met, the City shall authorize a permit for the proposed work. No permit shall be issued nor

work commenced in the event the Commission disapproves the Site Alteration Permit application in accordance with this Ordinance.

**255.10 Emergency Repair.** In emergency situations where immediate repair is needed to protect the safety of the structure and its inhabitants, the building official may without Commission action, approve the repair of only those items needed to insure safety.

**255.11 Additional Powers and Duties of the Commission.** The Commission shall have the following powers and duties in addition to those otherwise specified in this Ordinance:

- A. The Commission shall conduct a continuing survey of all areas, places, buildings, structures, lands or objects in the City of Taylors Falls which the Commission, on the basis of information available or presented to it, has reason to believe are significant to the cultural, social, economic, political or architectural history of Taylors Falls.
- B. The Commission shall recommend to the City Council areas, places, buildings, structures, lands, works of art or other objects having special historical cultural or architectural interest or value for the community to be designated as Heritage Preservation Sites.
- C. The Commission shall conduct general preservation planning to determine needed and desirable improvements of older buildings throughout Taylors Falls, acting in a resource and advisory capacity to owners of those buildings regarding their preservation, restoration and rehabilitation.
- D. The Commission shall work for the continuing education of the citizens of the City of Taylors Falls with respect to the civic and architectural heritage of the City. It shall keep current and public a register of designated and proposed Heritage Preservation Sites and areas along with the plans and programs that pertain to them.
- E. The Commission may accept the services, on a permanent or part-time basis of technical experts and such persons as may be required to perform its duties, subject to requirements of the City Council.
- F. The Commission may recommend to the City the acceptance of gifts and contributions to be made to the City and to assist the City staff in the preparation of applications for grant funds to be made through the City for the purpose of heritage preservation. Any contributions or gifts will be expended in the manner provided through the fiscal policy of the City of Taylors Falls.
- G. The Commission may on a continuing basis collect and review City planning and development records, documents, studies, models, maps, plans and drawings to be entered in the Taylors Falls or Chisago County Historical Society archives as a permanent record of City history and development.
- H. The Heritage Preservation Commission may recommend to the City Council that certain property eligible for designation as a Heritage Preservation Site be acquired by gift, by negotiation, or other legal means as provided for in Chapter 117 of Minnesota Statutes.

**255.12 Repository For Documents.** The office of the City Clerk is designated as the repository for at least one copy of all studies, reports, recommendations and programs required under this Section. These files will be maintained in accordance with Minnesota Statutes §138.17.

**255.13 Recording of Heritage Preservation Sites.** The office of the City Clerk shall record or file with the Chisago County recorder or registrar of titles the legal description of all properties designated as Heritage Preservation Sites by the City of Taylors Falls.

**255.14 Penalty for Violation.** An owner or occupant of any area, place, building, structure, or other object within a duly designated Heritage Preservation Site who violates the provisions of this ordinance shall, upon conviction, be guilty of a misdemeanor. Each day that a violation continues shall be construed to be a separate offense. The costs of prosecution may be charged to the violator.

**255.15 Severability.** If any Section or provision of this Ordinance is declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**255.16 Effective Date.** This Ordinance shall take effect immediately after passage, approval and publication.

Approved December 9, 2002, Published January 15, 2003  
Amended October 25, 2004, Published November 3, 2004