

**TITLE III: ADMINISTRATION**

Chapter

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## CHAPTER 30: CITY ORGANIZATIONS

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### ***PARKS BOARD***

#### **§ 30.01 ESTABLISHMENT.**

There shall be established a Parks Board consisting of 3 members appointed by the City Council. The Board shall serve in an advisory capacity to the City Council in matters of the city's parks and recreational services. (Ord. 162, passed 12-5-2005)

#### **§ 30.02 RESIDENCY.**

No person shall be appointed to the Board unless at the time of the appointment resides on a full-time basis within the city limits of Avon. (Ord. 162, passed 12-5-2005)

#### **§ 30.03 TERM.**

The terms of the 3 voting members appointed by the Council shall be for a period of 3 years. A maximum of 2 consecutive terms may be served per member. Upon completion of the terms, a member may be eligible for reappointment after 1 year of non-membership. An appointed member shall continue to serve until a successor is appointed. Terms for ex officio members or designees are determined by the group the represent and are not limited by this subchapter. (Ord. 162, passed 12-5-2005)

**§ 30.04 ATTENDANCE.**

A member missing 3 meetings within a 1-year time frame shall be required to meet with the Board Chair, to review their duties and obligations as a member and may be removed from the Board.  
(Ord. 162, passed 12-5-2005)

**§ 30.05 VACANCY.**

Any vacancy in the appointment membership shall be filled by appointment by the City Council, and the appointee shall serve for the unexpired term so filled. The appointee may serve 2 additional 3-year terms pursuant to § 30.03.  
(Ord. 162, passed 12-5-2005)

**§ 30.06 BOARD OFFICERS.**

The Board shall elect from its members a Chair, Deputy Chair, and Secretary for a term of 1 year. The Chair shall preside over all meetings, represent the Board before the City Council, and undertake the responsibilities as may be delegated or authorized. The Deputy Chair shall assume the duties of the Chair in the Chair's absence. The Secretary shall prepare agendas and record the proceedings of the meetings and turn them in promptly to the City Clerk/Administrator for general distribution.  
(Ord. 162, passed 12-5-2005)

**§ 30.07 MEETINGS.**

The Parks Board shall hold at least 1 regular meeting during every 4-month period.  
(Ord. 162, passed 12-5-2005)

**§ 30.08 DUTIES AND RESPONSIBILITIES.**

(A) The Parks Board shall have the following duties and responsibilities.

(B) The following duties and responsibilities would be coordinated with and through the city's Parks Supervisor:

(1) To study and determine the park and recreational needs of the city and to make recommendations to the City Council in respect thereof, including general and specific matters of policies and of recreational programs;

(2) To make recommendations to the City Council in respect of the selection of a Parks Director;

(3) To submit to the City Council annually a park and recreation a program for the ensuing fiscal year, together with an estimate of the cost thereof;

(4) The Parks Board shall advise in the purchase of necessary materials, supplies, equipment, and services for the development and maintenance of parks as well as the implementation of recreational and educational programs;

(5) The Parks Board will oversee the maintenance and care of park property;

(6) The Parks Board shall promote public interest and understanding of the city's parks, programs, and activities;

(7) The Parks Board shall coordinate recreational park activities with other community organizations or groups;

(8) The Parks Board shall solicit contributions from other organizations and businesses to be used for the funding of park programs; and

(9) The Parks Board shall undertake the other responsibilities or duties as may be specifically delegated by the City Council.

(Ord. 162, passed 12-5-2005)

#### **§ 30.09 REPORTS.**

As per standard city budgetary procedure, the Parks Board, along with the Parks Supervisor, shall prepare and present a proposed operating budget for the upcoming calendar year. The budget shall be considered by the City Council for their approval prior to its implementation.

(Ord. 162, passed 12-5-2005)

## ***PLANNING COMMISSION***

### **§ 30.20 ESTABLISHMENT.**

A City Planning Commission for the City of Avon is hereby established pursuant to M.S. § 462.354, as it may be amended from time to time. The Planning Commission shall be the city's planning agency. (Ord. 156, passed 2-7-2005)

### **§ 30.21 COMPOSITION.**

(A) *Composition.* The City Planning Commission shall consist of 5 members appointed by the Avon City Council any of which may at any time be removed by a majority vote of the City Council. The Council shall annually select 1 ex officio member from among its own members to act as liaison to the Commission and report back to the City Council. The City of Avon Zoning Administrator shall act as Commission Secretary.

(B) *Membership.* Five members shall make up this Planning Commission. Appointments shall be made annually by the Avon City Council. Vacancies during the term shall be filled by appointment by the Avon City Council. Every member appointed shall, before entering upon the discharge of his or her office, take an oath that he or she will faithfully discharge the duties of the office. Members shall serve without compensation except as determined by the Avon City Council. (Ord. 156, passed 2-7-2005)

### **§ 30.22 ORGANIZATION; MEETINGS; DUTIES OF OFFICERS.**

(A) *Officers.* The Commission shall annually elect a Chairperson and a Vice Chairperson from among its appointed members and the Commission may create and fill the offices as it may determine necessary. The ex officio position of Secretary shall be held by the City of Avon Zoning Administrator.

(B) *Quorum.* Three members of the Commission shall constitute a quorum to transact business.

(C) *Regular meetings.* The Commission shall hold at least 1 regular meeting each month. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, and findings, which shall be a public record.

(D) *Special meetings.* The Secretary (Zoning Administrator), Chairperson, or any 2 members of the Commission may call special meetings of the Commission at any time by giving notice thereof, in any manner, to the members at any time before the hour called. The failure to notify any member who is absent from the city or is unable to receive notice, shall in no way invalidate the proceedings at the special meeting if a quorum is present.

(E) *Duties of officer.* The Chairperson, or if absent, the Vice Chairperson, shall preside over meetings of the Commission. In the absence of both the Chair and the Vice Chair, the members present shall elect a temporary presiding officer. The Secretary shall keep a record of all proceedings of the Commission, transmit its recommendations to the Council, and perform the other duties as are usually performed by the secretary of a deliberative body. In the absence of or temporary vacancy in the position of Secretary, an Interim Secretary shall be elected by the Commission to carry out the secretarial duties until the position has been filled. (Ord. 156, passed 2-7-2005)

### § 30.23 POWERS AND DUTIES.

(A) *Generally.* The Planning Commission shall be the planning agency and shall have the powers and duties given the agencies generally by M.S. § 462.354, as it may be amended from time to time. It shall also exercise the duties conferred upon its members by this subchapter.

(B) *Purposes and functions.*

(1) *Physical development and planning.* The Planning Commission is charged with the duty of formulating, preparing, and proposing for adoption, plans, programs, and policies relative to the present or future physical development and planning of the city and relative to any other planning and development activities authorized by Minnesota Statutes. This includes but is not limited to zoning ordinances, subdivision regulations, and other related policies related to physical development and planning.

(2) *Comprehensive Plan.* The Planning Commission shall formulate, develop, and, from time to time, revise a comprehensive plan covering all matters, including zoning, essential to the orderly development and physical improvement of the city, its suburban areas and environs, and shall submit the same to the Council for its consideration as developments or changes indicate.

(3) *Other planning matters.* The Council shall refer to the Planning Commission all petitions for annexations, all petitions for zone changes, all concept plans, plats, and replats of lands in the city, all petitions for the vacating of streets and alleys, and other related planning matters prior to final approval by the Avon City Council.

(4) *Coordination.* The Planning Commission shall coordinate with all of the city boards and departments and other governmental agencies and private utilities with respect to needs for public lands, easements, and streets and coordinate other planning and zoning matters before making a recommendation to the Council.

(C) *Limits of authority.* The function of the Commission shall be advisory only, except in those instances where it is given specific authority to act by the Council.  
(Ord. 156, passed 2-7-2005)

### § 30.24 PROCEDURES.

All applications or petitions for plat and replat approval, annexations, zone changes, vacating of streets, alleys, or other public grounds, and all applications or petitions relating to other planning matters, shall be filed with the Zoning Administrator in the office of the City Clerk/Administrator together with all supporting data and information required by state law or policy, procedure, or ordinance of the city. Upon the filing of any such application or petition, the Zoning Administrator shall immediately forward a copy of the same together with the supporting data and information to the Planning Commission for processing, review, and recommendation. Subsequently, the Zoning Administrator shall submit a copy, along with the recommendation of the Planning Commission, to the Council at subsequent meeting. To allow adequate time for processing, an application or petition must be filed with the Zoning Administrator at least 20 days before the meeting of the Planning and Zoning Commission.

(Ord. 156, passed 2-7-2005)

## CHAPTER 31: GENERAL PROVISIONS

### Section

- 31.01 Stearns County Housing and Redevelopment Authority authorized to exercise powers on behalf of the city
- 31.02 Elections
- 31.03 Voter registration

### **§ 31.01 STEARNS COUNTY HOUSING AND REDEVELOPMENT AUTHORITY AUTHORIZED TO EXERCISE POWERS ON BEHALF OF THE CITY.**

(A) The Stearns County Housing and Redevelopment Authority (the “HRA”) has been duly organized pursuant to, and has all of the powers and duties of a housing and redevelopment authority under, the provisions of the Municipal Housing and Redevelopment Act, being M.S. Chapter 462C, as it may be amended from time to time.

(B) The legislature has enacted M.S. Chapter 462C (the Act), as it may be amended from time to time, to regulate the planning and implementation of single-family housing programs and multi-family housing developments and has provided for the financing of the programs and developments pursuant to its terms only.

(C) Pursuant to the Act, a city is authorized to develop and administer programs of making or purchasing mortgage or rehabilitation loans to finance the acquisition or rehabilitation of single-family housing by low and moderate income persons and families anywhere within its boundaries, or making or purchasing loans to finance multi-family housing developments or the rehabilitation of multi-family housing developments, upon certain conditions set forth in the Act.

(D) Pursuant to § 462C.06 of the Act, the City of Avon (the “City”) has the power to authorize a county housing and redevelopment authority to exercise, on behalf of the city, the powers conferred by M.S. §§ 462C.01 through 462C.14, as they may be amended from time to time.

(E) Accordingly, the HRA is hereby authorized to exercise on behalf of the City of Avon all of the powers conferred by M.S. §§ 462C.01 through 462C.14, as they may be amended from time to time, provided that the City Council of the city shall hold public hearings required under the Act with respect to housing plans or programs adopted pursuant to the Act, and the City Council must approve any housing plan or program prior to its submission to the regional development commission or the Minnesota Housing and Finance Agency, respectively.

(F) The City Clerk/Administrator is directed to cause this section to be published once in the official newspaper of the city and posted in the Stearns County Courthouse and City Hall.  
(Ord. 102, passed 7-1-1985)

### **§ 31.02 ELECTIONS.**

(A) Pursuant to M.S. § 205.07, as it may be amended from time to time, commencing with the 1980 election, the regular election of the City of Avon shall be held annually on the first Tuesday after the first Monday in November of each even-numbered year.

(B) The Office of the City Mayor shall run for a 2-year term and the Mayor shall be elected in each even-numbered year hereafter. The term for the Mayor elected in each even-numbered year shall begin on the first day of January following the date of the Mayor’s election.

(C) The term of office for each Councilor shall run for a period of 4 years. There shall be 2 Councilors elected in each even-numbered year hereafter. Each Councilor's term shall begin on the first day of January following each Councilor's election.

(D) The City Clerk/Administrator is hereby directed to file a copy of this section with the Stearns County Auditor and the Secretary of State of the State of Minnesota evidencing the change of date of the elections in the City of Avon.

(E) This section shall take effect upon its passage and its publication.  
(Ord. 85A, passed 12-3-1979)

### **§ 31.03 VOTER REGISTRATION.**

(A) *Registration system adopted.* The system for permanent registration of voters provided for by the M.S. Chapter 201, as it may be amended from time to time, is hereby adopted for the City of Avon.

(B) *Voters must be registered.* No person shall be permitted to vote at any election in the City of Avon unless he or she is registered as provided by Minnesota Statutes.

(C) *Effective date.* This section shall take effect and be in force from and after its passage, approval, and publication; except that the requirements herein adopted shall not effect any election held prior to adoption of this section.  
(Ord. 62, passed 8-17-1972)

## CHAPTER 32: FINANCE AND REVENUE

### Section

32.01 Fee schedules  
Appendix A: Fee Schedule

### **§ 32.01 FEE SCHEDULES.**

The Fee Schedule in Appendix A at the end of this chapter shall amend any previously enacted rates, including those previously identified in certain individual ordinances, as they apply to the services and items identified on the Fee Schedule.

(Ord. 140, passed 12-2-2002; Am. Ord. passed 7-7-2003)

**APPENDIX A: FEE SCHEDULE**

**CONCEPT PLAN SUBDIVISION PLAT PERMIT**

\$100 filing fee + \$25/lot and all applicable attorney fees and meeting fees

**PRELIMINARY PLAT APPLICATION FEE**

\$300 + \$10/lot AND \$5,000 Escrow (+ additional \$5,000 Escrow as needed)

**FINAL PLAT APPLICATION FEE**

\$100 +all applicable attorney fees, meeting fees

**ADMINISTRATIVE AND LEGAL FEES FOR DEVELOPMENT RELATED WORK**

Administrative=1% of total project cost

Legal=1% of total project cost

**ZONING PERMIT**

\$15

**VARIANCE**

\$225 + all applicable attorney fees and meeting fees

**TEXT AMENDMENT**

\$350 + all applicable attorney fees and meeting fees

**ZONE CHANGE PERMIT**

\$250 + all applicable attorney fees and meeting fees

**SPECIAL or CONDITIONAL USE PERMIT**

\$275 + all applicable attorney fees and meeting fees

**PUD FILING**

\$300 + applicable recording fees, attorney fees, engineering fees and meeting fees

**ANNEXATION FILING**

\$100/lot (not to exceed \$1,000 for any 1 annexation) + state filing fees + all legal fees, engineering fees, and notices/publications related to the annexation + \$75 recording fee

**MISCELLANEOUS FEES**

**Copies** - \$.25 per copied side; audio tapes \$5 each; video tape \$30; DVD \$10 each, CD \$5 each

**Dog License** - \$5

	<i>Licensed Dogs</i>	<i>Unlicensed Dogs</i>
<b>Dog Pickups</b>		
- First Offense	\$10	\$20 + license fee if required
- Second Offense	\$15	\$25 + license fee if required
- Third Offense +	\$20	\$30 + license fee if required

<b>Overnight Dog Kenneling</b>	\$20/night + pickup fee	\$30/night + pickup fee
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**Meeting Room**

w/kitchen - \$75/day  
w/o kitchen - \$50/day

**Picnic Shelter**

w/kitchen - \$75/day  
w/o kitchen - \$50/day

**Assessment Search - \$20**

Expedited Search—same day turnaround \$30

**Public Works Services**

Street sweeping, mowing, snow removal, meter installation, branch trimming, and the like - \$55/hour or fraction thereof

**Trunk Sanitary Sewer Fees (new development)**

Industrial - \$3,000/acre or fraction thereof  
Commercial - \$2,000/acre or fraction thereof  
Residential - \$1,500/acre or fraction thereof

**Trunk Water Charge (new development)**

Industrial - \$3,000/acre or fraction thereof  
Commercial - \$2,000/acre or fraction thereof  
Residential - \$1,500/acre or fraction thereof

**Water Rates** - \$5.78/month + \$1.93 per 1,000 gallons used

**Sewer Rates** - \$9.70/month + \$3.95 per 1,000 gallons used

**Sewer Only Rate** - \$40.00/month

**Violation of SW or WA Ordinance**

First offense - warning  
Second offense - petty misdemeanor + water shutoff/turn on fee (\$50)  
Third offense - misdemeanor + water shutoff/turn on fee (\$50)

**Significant Industrial Users** - (defined as any user who contributes >5% of wastewater plant's pollutant or flow load)

**Annual Industrial Discharge Permit** - \$500

**Construction water from hydrant** - \$10 per 1,000 gallons

**Sewer Rates** - Actual cost of wastewater treatment or residential rate, whichever is greater

**Water Rate** - Same as residential

**Violations of Discharge Permit** - Misdemeanor: \$1,000 + cost of cleanup, treatment, and damages

**Septage Dumping** - \$50/load

**Water shut off then turn on**

**Delinquent** - \$50 + delinquency  
**Snow Bird** - \$35

**Penalty for violation of watering ban** - \$50 + applicable fees for water shut off/turn on

**Water Meters**

- 5/8 inch by 3/4 inch meter with connection - \$350
- 3/4 inch by 1 inch meter with connection - \$475
- Larger meters - \$350 + cost of meter
- Radio read devise for existing connections - \$100
- Existing 5/8 inch meter upsize to 3/4 inch - \$125
- Testing of water meters - non-certified \$15, certified \$15 + cost of the test

**Standpipe Raising/Lowering** - \$10

**Water Main Tapping** - \$300 + materials/labor

**Sewer Main Tapping** - \$300 + materials/labor

**SAC AND WAC SHALL BE CALCULATED PURSUANT TO THE MOST CURRENT MET COUNCIL SAC PROCEDURE MANUAL:****SAC**

- Commercial - \$4,160/unit + inspection fee of \$100
- Industrial - \$4,160/unit + inspection fee of \$100
- Residential - \$4,160/unit + inspection fee of \$100

**WAC**

- Commercial - \$1,560/unit + inspection fee of \$100
- Industrial - \$1,560/unit + inspection fee of \$100
- Residential - \$1,040/unit + inspection fee of \$100

**Golf Cart Permit** - \$20 Annually

**Storage of forfeited/confiscated vehicles** - \$25 first day, \$10/day thereafter

**Fingerprinting** - \$5 per card

**Liquor/Cigarette Licenses**

- Cigarette License - \$200
- Off Sale Intoxicating - \$100
- On Sale Intoxicating - \$1,700
- Consumption and display - \$450
- Wine License - \$850
- On Sale 3.2% - \$200
- Sunday License - \$200
- Temporary 1-4 day - \$25

**Parking Violations (Ordinance 141)**

- Improper parking - \$20 (double parking, no parking zones, wrong side, and the like)
- Blocking alley - \$30
- Parking in fire lane - \$30
- Parking by hydrant - \$30
- Illegal parking during snow removal - \$30
- Illegal parking in handicap zone - \$150
- Vehicle impound fee - \$25 initial impound, \$10/day storage

(Ord. 140, passed 12-2-2002; Am. Ord. passed 7-7-2003; Am. Ord. passed 9-2-2003; Am. Ord. passed 3-1-2004; Am. Ord. passed 10-4-2004; Am. Ord. passed 5-2-2005)