



## **ORDINANCE NO.27**

**v1.0**

### **Establishing a City Fee Schedule and Repealing All Fee References in Existing Ordinances**

Whereas, the City Council of the City of Pine Springs desires to provide a single and convenient location for a list of fees and penalties charged by the City of Pine Springs; and

Whereas, such a list will repeal and replace all existing fees and penalties in conflict with the fee schedule shown in Exhibit A and incorporated as part of this Ordinance,

Therefore, the City Council of the City of Pine Springs, Washington County, Minnesota, Ordains:

#### **SECTION 1. Purpose**

The purpose of this ordinance is to establish a single schedule for fees, charges, and penalties, including expenses incurred by the City on behalf of permit applicants, license renewals, and other City services.

#### **SECTION 2. Fees and Charges**

There are specific fees and penalties as shown in Exhibit A and other charges that may be incurred when the City processes an application or provides a service.

These costs shall include, but are not limited to: parcel searches, publication and mailing of notices, engineering review, inspection, planning, legal costs, recording fees, and other services related to the processing of applications. The Council may also establish charges for public hearings, special meetings, or other such Council or Planning Commission actions as are necessary to process applications.

The acting Zoning Administrator shall have discretion to increase the amount of the escrow for any application at any time if the city's costs are reasonably expected to exceed the minimum amount. The acting Zoning Administrator shall also have discretion to require an escrow deposit even where no minimum amount is specified by this ordinance, if authorized by the Code of Ordinances.

#### **SECTION 3. Penalty Charges**

In any case in which a party (property owner, contractor, developer, or applicant, etc.) has moved forward with a project involving work that requires approval of the City and fee payment, such as grading, filling, construction, etc., prior to obtaining the required permit, conditional use permit, special use permit, variance, or other regulatory approval, the penalty associated with the project will be assessed as shown in the Penalty section of the Fee Schedule under "Starting work without an approved permit".

Payment of any penalty shall not exempt any person from compliance with all other provisions of the City Code nor from any prescribed by law.

#### **SECTION 4. Fee and Charge Processing**

Application fees are due when an application is submitted and are not refundable except as shown in the Fee Schedule. Further charges, as mentioned above, may be incurred as an application is being processed. Those fees and charges are due as shown in Exhibit A. All funds collected by the City Clerk will be deposited in the City's accounts.

The preferred form of payment is in the form of a cashier's check, certified check, or personal check payable to the City of Pine Springs. The City does not accept cash, credit or debit card payments. If a check is returned by a

bank for any reason, then any application, permit, or license will be considered null and void, and a returned check fee will be charged to the party submitting the payment.

Unused escrow amounts, if any, will be returned to the applicant when all conditions and approvals of the process are met. No interest shall be paid on escrow deposits.

#### SECTION 5. Amendment of Prior Ordinances

Wherever fees have been specified in prior ordinances or resolutions, those fees are hereby to be deleted and all references to fees in those ordinances will now reference, as amended below, the appropriate fee in the fee schedule provided in Exhibit A of this ordinance.

Subdivision 1. Ordinance No.2 is amended as follows:

In Section 1, delete the phrase "not exceeding \$100" and replace it with this text:

"as defined in the "PENALTIES – Disorderly Conduct, breach of peace" section of the City Ordinance Fee Schedule".

Subdivision 2. Ordinance No.3 is amended as follows:

Delete Section 4. "PENALTY FOR FALSE ALARM" and replace it with this text:

#### "SECTION 4. PENALTY FOR FALSE ALARM

Any person who violates the provisions of this ordinance by falsely reporting a fire shall be guilty of a misdemeanor and punishable by a fine as defined in the "PENALTIES – false alarm" section of the City Ordinance Fee Schedule or imprisonment of not more than thirty (30) days or both."

Subdivision 3. Ordinance No.4 is amended as follows:

Delete Section 2. "PENALTY" and replace it with this text:

#### "SECTION 2. PENALTY.

Any violation of the statutes adopted by reference in Section 1 is a violation of this ordinance when it occurs within the City of Pine Springs. Any person thus violating any provision of this ordinance shall be guilty of a misdemeanor and shall be punishable by a fine as defined in the "PENALTIES – traffic regulations" section of the City Ordinance Fee Schedule, or by imprisonment for a period of not to exceed ninety (90) days; but if a minimum fine or imprisonment is prescribed by the State highway traffic act for an offense, such penalty shall apply to a person convicted of the same offense under this ordinance."

Subdivision 4. Ordinance No.6 is amended as follows:

A.Delete the first paragraph in Section 6. "FEE FOR PERMIT" and replace it with this text:

#### "SECTION 6. FEE FOR PERMIT

The fees for building permits shall be as defined in the "RESIDENTIAL ZONE BUILDING CONSTRUCTION PERMITS and FEES" section of the City Ordinance Fee Schedule,"

B.Delete SECTION 7 "PENALTY" and replace it with this text:

#### "SECTION 7. PENALTY

Any building altered or erected in violation of this ordinance shall be removed or made to conform thereto. The erection or alteration hereafter of any building in violation thereof shall be a misdemeanor, and any person convicted thereof shall be fined by a fine as defined in the "PENALTIES – Working without a permit" section of the City Ordinance Fee Schedule, and costs of prosecution, and shall be confined to the county jail until such payment is made for a period of not to exceed ninety (90) days in any case."

Subdivision 5. Ordinance No.7 is amended as follows:

Delete Section 3 and replace it with this text:

“SECTION 3.

Any person who violates the provisions of this ordinance shall be guilty of a misdemeanor punishable by a fine as defined in the “PENALTIES – Setting/controlling fires” section of the City Ordinance Fee Schedule or imprisonment up to 30 days or both.”

Subdivision 6. Ordinance No.9 is amended as follows:

Delete Section 10. “PENALTIES” and replace it with this text:

“SECTION 10. PENALTIES

Any person, firm or corporation who shall do any forbidden act or fail to perform any act required by this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine as defined in the “PENALTIES – Firearms/Weapons Violations” section of the City Ordinance Fee Schedule, or by imprisonment for not more than 30 days.”

Subdivision 7. Ordinance No.10 is hereby repealed because all penalty amounts are now defined in the new schedule adopted in this ordinance.

Subdivision 8. Ordinance No.12 is amended as follows:

Delete Section 9. “VIOLATIONS” and replace it with this text:

“SECTION 9. VIOLATIONS

Every person convicted of a violation of any of the provisions of this Ordinance shall be punished by a fine as defined in the “PENALTIES – Operation of snowmobiles, mini-bikes, all terrain vehicles” section of the City Ordinance Fee Schedule or by imprisonment for a period of not more than ninety (90) days, or both but in either case the costs of prosecution may be added.”

Subdivision 9. Ordinance No.13 is amended as follows:

Delete Section 7. “PENALTY” and replace it with this text:

“SECTION 7. PENALTY

Any person violating any provisions of this Ordinance shall be subject to a fine as defined in the “PENALTIES – Burning trash/refuse” section of the City Ordinance Fee Schedule or imprisonment for a period not to exceed ninety (90) days, or both”.

Subdivision 10. The Zoning Code is amended as follows:

1, Change the phrase “a fee of fifty (\$50.00) dollars” in Section 412.03 Procedures 1. Form and Treatment of Application, A. Application Procedure – Concept Plan, (1) to “the PUD Permit – Concept Plan fee as shown in the City Ordinance Fee Schedule”

2. Change the phrase “a fee of one hundred (\$100.00) dollars” in Section 412.03 Procedures 1. Form and Treatment of Application, B. Application Procedure – General Plan of Development, (1) Complete Plans to “the PUD Permit – Complete Plans fee as shown in the City Ordinance Fee Schedule”

3. Change the phrase “the fee shall be seventy-five (\$75.00) dollars.” in Section 412.03 Procedures 2. Action on Application, D. Method of Amending a PUD Permit to “the fee shall be as shown for the PUD Permit – Amending Permit fee as shown in the City Ordinance Fee Schedule.”

4. Change the phrase “A fee of one hundred (\$100.00) dollars” in Section 414 Townhouses, 414.01. (19) to “A fee, as shown for the Townhouse Building Permit fee in the City Ordinance Fee Schedule,”

5. Delete Section 510. “Fees”, subsection 510.01 and replace it with this text:

“510.01. The City Ordinance Fee Schedule contains a fee schedule for application, conformance, and penalties to the provisions of this Ordinance for rezoning, special use permits, variances,

conditional use permits, planned unit developments, and expenses for zoning administrators and any other professional consultants.”

6. Change the phrase “a fee of ten (\$10.00) dollars or ten cents (10¢) per square foot of sign area, whichever amount is larger.” in Section 724 Signs, 724.36 Permit Fee to “a fee as shown for Signs (permanent) in the City Ordinance Fee Schedule,”

7. Replace the first two sentences in Section 727 Mobile Homes and Mobile Home Parks, subsection 727.08 with the following text “The applicant shall pay to the City of Pine Springs an application fee as shown for Mobile Home Park Applications in the City Ordinance Fee Schedule at the time the application is filed. When a permit is issued hereunder, the applicant shall pay an amount equal to the amount shown as Mobile Home Park Permit in the City Ordinance Fee Schedule.”

**SECTION 6. Effective Term**

The fee schedule is effective with the adoption of this ordinance. The standard effective date for the fee schedule shall be Jan 1<sup>st</sup> of each year. The fee schedule in effect on Jan 1<sup>st</sup> shall be the schedule for the year unless revised by the City Council by Resolution.

**SECTION 7. Fee Schedule Availability**

The fee schedule shall be available from the City Clerk at City Hall during normal business hours. It may also be available on the City internet website.

**SECTION 8. Severability**

In the event that a court of competent jurisdiction adjudges any part of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included within that judgment.

**SECTION 9. Effective Date**

This Ordinance shall be and is hereby declared to be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of Pine Springs, Washington County, Minnesota, this 8<sup>th</sup> day of December, 2020.

Frank Bastyr (signature)  
Mayor

Attest: Victoria Keating (signature)  
City Clerk

**Revision History**

<b>Ver.</b>	<b>Changes</b>	<b>Date Changed</b>
1.0	Adopted by the City Council	Dec 8, 2020