

200 Administration

201. Administrative Code

201.01 Purpose and Effect. In conformity with the provisions of Section 2.02 of the Amended Charter of the City of Detroit Lakes, the council adopts this chapter as an administrative code providing for the organization, management, and administration of the city government.

202. Form of Government

202.01 Boards and Commissions.

Subdivision 1. Creation and Terms. The following boards/commissions are hereby established and made a part of the city government to advise the Council in matters relating to the operation and management for which the board/commission was created: Library Board, Park Board, Planning Commission, Police Civil Service Commission, and Airport Commission. All present members of boards/commissions shall continue to serve until their current term or re-appointment expires. The Council shall appoint members to the boards/commissions for three-year terms. A member of a board/commission shall not be eligible for re-appointment after having served three consecutive three year terms until after a lapse of one term, except that the Council, at it's discretion, may appoint one of it's members to a board or commission and such alderman shall be eligible for re-appointment as long as they remain on the Council. Each board/commission shall meet and elect its own chairman and serve without compensation. All boards/commissions shall meet regularly and submit a report of their activities to the City Administrator.

Amended: 01/07/92 Ord. No. 73, Amended: 09/13/06 Ord. No. 296

Subd. 2. Membership. The number of members appointed to each board/commission shall be as follows: Library board - seven members, one of which shall be appointed to serve as representative to the Lake Agassiz Regional Library Board; park board - five members; planning commission - nine members; sports arena commission - six members, one of which shall be a representative of the Becker County Agricultural Society and Fair Association; police civil service commission - three members; and airport commission - five members, two members to be appointed by the Becker County Commissioners. The appointments shall alternate so that the council would appoint three members and the county commissioners would appoint two members, etc.

202.02 City Administrator. The council, at the first meeting following the adoption of the charter, shall appoint a city administrator and delegate to that person whatever powers, ministerial or administrative, it deems necessary or proper for the administration of city affairs. The city administrator shall be appointed for an indefinite period and may be removed by the council at any time

in accordance with procedures set forth in Section 5.01 of the charter.

202.03 Other Officials. The council, at the first meeting following the adoption of the charter, shall, by resolution, appoint a city attorney, city engineer, health officer, and a building inspector. The appointments shall be for an indefinite period and may be terminated by the council at any time. Appointed officials shall work with and report to the city administrator in the carrying out of their duties. All appointive officers shall perform duties imposed by law for their respective offices and all other duties consistent with their respective offices as may be directed by council resolution or ordinance. The council is empowered to appoint or employ whatever personnel are necessary to enforce the provisions set forth in the charter.

203. City Council

203.01 Meetings.

Subdivision 1. Regular Meetings. The annual meeting of the City Council shall be held at 5:00 P.M. on the first Tuesday following the first Monday in January of each year. All other regular council meetings shall be held at 5:00 P.M. on the **second** Tuesday of each month. In the event the regularly scheduled council meeting falls on a holiday, primary, or general election day, the council shall, in the month preceding the conflicting date, select another day to meet. Any such change shall be duly publicized. **Amended: 09/05/95 Ord. No. 125, Amended: 09/05/00 Ord. No. 203 & Amended: 05/02/06 Ord. No. 290**

Subd. 2. Special Meetings. A special meeting of the council may be called at any time by the mayor or, in case of the mayor's absence or disability, by the vice-mayor by any three alderman on forty-eight hours written notice to each council member. No business shall be transacted other than that set forth in the meeting notice.

203.02 Committees. The mayor, at his discretion, may appoint such committees as may be deemed necessary to conduct the orderly business of the council. The committees may include, but are not limited to, the following: Finance, Public Utilities, Building, Streets-Parks-Sanitation, Liquor Control Gambling, Special Investigation-Public Health-Civil Defense, Fire Department, Ordinance-Charter, Community Development.

203.03 Procedure. The council shall, by resolution, determine its own rules and order of business.

203.04 Council Salaries. The compensation of the Mayor shall be \$7,050.00 per year, and the compensation of each Alderman shall be \$400.00 per month, said salaries to include attendance at any and all meetings of the

council or its committees. This salary schedule to take effect beginning with the month of January, 2005. **Amended: 10/05/04 Ord. No. 264**

204. Administration

204.01 Departments. The following departments are hereby established and made a part of the city government: Police Department, Fire Department, Public Works Department and Liquor Department. Each department shall be controlled by a department head. The department head shall be in control of and have supervision over all of the activities and personnel in their department. Department heads, with the exception of the Police Chief, shall report and be responsible to the City Administrator. The Police Chief shall be under the direct supervision of the Mayor but shall give reports to and work with the City Administrator in carrying out the duties of the office. Department heads shall have the duties and responsibilities as set forth in Chapter 5 of the charter and any other duties required by the council. All department heads shall be appointed for an indefinite term and may be dismissed from their office in accordance with the procedures set forth in Section 5.01 of the charter. **(Amended: 5/8/07, Ord. No. 310)**

204.02 City Administrator.

Subdivision 1. **Authority**. The council hereby delegates to the city administrator general administrative control over all departments and employees having managerial and operational authority and responsibility.

Subd. 2. **Personnel**. The council hereby delegates to the city administrator the responsibility to assist department heads to hire, promote discipline, and discharge all city employees, except department heads, to the extent that such performance is not inconsistent with either a collective bargaining agreement or civil service regulation in effect. In making these decisions, the city administrator shall consider recommendations of the heads of the departments affected.

Subd. 3. **Compensation**. The city administrator shall make recommendations to the council as to the employment of department heads, and as to the wages, salaries, and employee benefits of all city employees.

Subd. 4. **Committees**. The city administrator, in addition to taking an active part in the activities of all boards, shall assist board chairpersons in personal liaison work with the council.

Subd. 5. **City Administrator**. The city administrator shall act as clerk-treasurer where statutory reference is made to these positions in the absence of a duly appointed city clerk.

Subd. 6. Council Authority. Any authority or responsibility herein delegated is subject to the continuing authority of the council to reserve, modify, or revise any action by the city administrator, or to revoke the delegation.

204.03 Fire Department.

Subdivision 1. Established. In addition to the departments established in 204.01, there is hereby established a volunteer fire department which shall be under the general control of the council, of which the mayor shall have supervision. The present constitution and bylaws of the fire department shall be continued. Future changes shall be subject to confirmation and approval of the council. The members of the department shall continue to elect their own chief, assistant chief, and such other officers as they deem necessary to properly run their department. The fire chief shall report to and work with the city administrator in the administration of the department.

Subd. 2. Chief. The chief shall be in charge of the fire department and have custody of all property used and maintained for the purpose of said department. He shall see that the same are kept in proper order and that all rules and regulations and all provisions of the laws of the state and ordinances of the city relative to a fire department and to the prevention and extinguishment of fires are duly observed. He shall supervise the preservation of all property endangered by fire and shall have control and direction of all persons engaged in preserving such property. In case of the absence or disability of the chief for any cause, the assistant chief shall exercise all the powers, perform all the duties, and be subject to all the responsibilities of the chief.

Subd. 3. Outside Service. The units of the fire department and the dispatch of fire equipment and personnel to any community or area outside the city limits of the city shall be at the discretion of the chief of the department.

Subd. 4. Reports. The fire chief shall, on the first day of each month, file the city administrator a report as to all fires occurring during the previous month, stating the probable cause thereof and estimated fire loss.

204.04 Police Department. A Police Department, under control of the Mayor, shall consist of the Chief, three Sergeants, and such other personnel as determined by the City Council. They shall be appointed pursuant to the Civil Service Commission's rules and regulations in effect at the time of their appointment. The Chief of Police shall have general superintendence of the Police Department and custody of all properties used and maintained for the purpose of said Department, and it shall be his duty on or before the first day of each month to file with the City Administrator a report as to all arrests made by his department during the previous month. In addition, it shall be his duty on or before the tenth day of March in each year to file a detailed inventory with the

City Administrator on all properties used and maintained in the operation of said Department. The Chief of Police, in addition to his administrative duties, shall also perform the duties of a patrolman unless otherwise provided by the City Council. **(Amended: 2/13/07, Ord. No. 308A)**

204.05 Public Works Department. The Public Works Department shall be under the general control of the Council. The head of this department shall be known as the Public Works Director, who shall report to the City Administrator in the carrying out of the duties. The Public Works Director shall be appointed for an indefinite term and may be removed by the Council at any time. All streets, sidewalks, alleys, parks, storm sewers and sanitary sewer maintenance shall be under the direct supervision of the Public Works Director together with any other additional duties as may be assigned by the Council, and in addition to these it shall be the Public Works Director's duty as weed inspector to see that the laws relating to eradication and control of weeds are observed. The Public Works Director shall have supervision over all labor and custody over all properties used and maintained for the operation of such departments, and shall recommend to the City Administrator the hiring of all personnel necessary to properly fulfill the duties of the department. The Public Works Director shall, prior to December 31 of each year, file a report with the City Administrator, as to the condition of the streets, sidewalks, alleys, parks, and storm sewers., together with recommendations as to any necessary repairs or improvements. **(Amended: 5/8/07, Ord. No. 310)**

204.06 Liquor Department. The operation of the municipal liquor store shall be under the general control of the council. The department head shall be responsible for the operation and management of the liquor store, consistent with good responsible marketing techniques. He shall report to the city administrator in the carrying out of his duties. The department shall, before the first day of each month, file with the city administrator a report as to the operation of the liquor store. Such report shall be in a form as prescribed by the city administrator or council.

204.07 Library Board.

Subdivision 1. Organization. The present organization and administrative management shall be continued as provided by the Charter and Minnesota Statutes. Terms of the present members shall continue until re-appointed. All members thereof shall be residents and qualified electors of the city except that the council, at its discretion, may appoint three members thereof who are not residents of the city.

Subd. 2. Levy. Mr. Andrew Carnegie having donated the sum of \$10,000 to the city for the purpose of constructing and erecting a public library building in said city, which donation was conditioned upon said city securing a site for such public library building and appropriating at least the sum of \$1,000

annually for the maintenance of such library and levying an annual tax therefor, which proposition said city accepted, the council shall levy and appropriate a sum adequate to maintain and support such public library not to exceed the maximum levy allowable by the statutes.

204.08 Park Board. The mayor, with the approval of the council, shall appoint five residents and qualified electors of the city to act as members of the park board, except that the council, at its discretion, may appoint one member thereof who is not a resident of the city. They shall be appointed for terms of three years, and after three consecutive three-year terms will not be eligible for re-appointment until after a lapse of one term. Members of the present park board shall continue to serve until their current term expires. They shall elect their own chairman and shall serve without compensation. The park board shall submit to the city administrator all recommendations for the supervision of all city parks, bathing beaches, tourist camps, and other summer and winter recreational facilities except in matters relating to the Detroit Lakes Sports Arena.

204.09 Planning Commission.

Subdivision 1. **Appointment.** The mayor shall, with approval of the council, appoint nine residents and qualified electors of the city to serve as members of the planning commission, except that the council, at its discretion, may appoint three members thereof who are not residents of the city. They shall be appointed for three years and after three consecutive three-year terms, will not be eligible for re-appointment until after a lapse of one term. They shall elect their own chairman and secretary and serve without compensation.

Subd. 2. **Duties.** It shall be the function and duty of the planning commission to prepare and adopt a comprehensive city plan for the physical development of the city, including proposed public buildings, street arrangements and improvements, public utility services, parks, playgrounds, and other similar developments, the use of property, the density of population, and other matters relating to the physical development of the city.

Subd. 3. **Reports.** The planning commission shall work with the city planner in setting forth its goals and shall report to the city administrator all actions and recommendations of the planning commission for consideration and approval of the council.

204.10 City Planner.

Subdivision 1. **Established.** In addition to the planning commission, as set forth in Section 204.10 hereof, there is hereby established the position of city planner. The city planner shall report to the city administrator in the carrying out of his duties.

Subd. 2. Duties. The city planner is in charge of the planning department, with specific responsibility for overall city planning, economic development, grants and aids.

204.11 Airport Commission.

Subdivision 1. Appointment. Members of the airport commission shall be appointed and serve in accordance with the provisions as set forth in 202.01. They shall elect their own chairman and secretary and serve without compensation.

Subd. 2. Duties. It shall be the duty of the airport commission to maintain and operate the Detroit Lakes Airport along the guidelines set forth in the Joint Powers Agreement with Becker County, such agreement having been entered into on October 1, 1969.

Subd. 3. Reports. The chairman of the airport commission (Detroit Lakes/Becker County Airport Commission) shall periodically report to the city administrator on the activities of the airport commission.

Subd. 4. Staff. The city administrator shall be designated as the city staff member responsible for the financial record keeping of the Detroit Lakes Airport.

204.12 Police Civil Service Commission.

Subdivision 1. Appointment. The mayor, with approval of the council, shall appoint three residents and qualified electors of the city to serve as members of the police civil service commission. They shall be appointed for three years and after three consecutive three-year terms, will not be eligible for re-appointment until after a lapse of one term. Members of the present police civil service commission shall continue to serve until their current term expires. They shall elect their own chairman and secretary and serve without compensation.

Subd. 2. Duties. The police civil service commission shall operate and perform the duties as set forth in the Police Civil Service Commission Rules and Regulations adopted by the city and appropriate state statutes.

204.13 Administrative Appeal. If any person shall be aggrieved by any decision of the city administrator, any board or commission, not having within its structure an appellate procedure, or any city employee, such aggrieved person is entitled to a full hearing before the council upon serving a written request therefor upon the mayor and city administrator at least five days prior to any regular council meeting. Such request shall contain a general statement setting forth the decision to be challenged by the appellant. At such hearing, the appellant may

request any evidence he deems pertinent to the appeal, but the city shall not be required to keep a verbatim record of the proceedings. The mayor, or other officer presiding at the hearing may, in the interest of justice or to comply with time requirements and on his own motion or the motion of the appellant, the city administrator, or a member of the council, adjourn the meeting to a more convenient time or place, but such time or place shall be fixed and determined before adjournment so as to avoid the necessity for formal notice of reconvening.

204.14 Rules of Procedure. The council may adopt, by resolution, certain written rules of procedure to be followed in all administrative appeals and other hearings to be held before the council or other bodies authorized to hold hearings and determine questions therein presented. Such rules of procedure shall be effective thirty days after adoption and shall be for the purpose of establishing and maintaining order and decorum in the proceedings

205. Taxation and Finance

205.01 Investment. The city administrator is hereby empowered and directed to invest all surplus funds of the city in securities, allowed by Minnesota Statutes, so as to earn the maximum interest available at the time of investment.

205.02 Audit. The fiscal year of the city shall be the same as the calendar year. The council shall provide for an annual audit of city records. A summary of the annual audited financial records shall be published once on the official newspaper of the city within six months of the close of the fiscal year.

205.03 Funds. All funds set forth in Section 6.08 of the charter are hereby established and shall be maintained for the purposes as stated. The council shall, by resolution, from time to time, establish and maintain such other funds or division of funds as required by law, ordinance, resolution, or the Charter.

205.04 Fines and Penalties. All fines, forfeitures and penalties recovered for the violation of any ordinance of the city shall be paid into the city treasury by the court or officer thereof receiving such moneys. Payment shall be made in the manner and at the time provided by law.

206. Utilities Commission

206.01 Commission Established. A public utilities commission consisting of five members is hereby established. The present members of the commission shall continue until re-appointed. After serving three consecutive three-year terms, a member may not be re-appointed until a lapse of one term. **(Amended 1-10-12 Ord. #357)**

206.02 Salary. The salary of the members of the public utilities commission shall remain as currently set, but may, by resolution of the council, be changed

from time to time; however, the salary of any commissioner shall not be diminished during the term for which he was appointed.

206.03 Jurisdiction. As set forth in Section 10.01 of the Amended Home Rule Charter, the control and operation of the Wastewater Treatment Plant, sanitary sewer lift stations, water production and distribution system, electric production and distribution system and a telecommunications system are hereby assigned to the Public Utilities Department. **Amended: 8/6/96 Ord. No. 141 (Amended 1-10-2012 Ord. #357)**

206.04 Appropriations. The public utilities commission shall, from time to time, upon request of the council, appropriate money from the public utility fund to the general fund of the city to be used in the operation of the city in general. The amount of appropriated money shall be agreed upon by mutual consent of the public utilities commission and council, but at no time shall be in amounts that would jeopardize the operation of the public utilities department.

207. Miscellaneous Administrative Provisions

207.01 Newspaper.

Section 1. The Council shall annually designate a legal newspaper of general circulation in the City as its official newspaper. Minutes of the Council meetings shall be mailed or emailed to any resident upon request and shall be posted on the City's website.

Amended: 09/06/05 Ord. No. 279

207.02 Resolutions. The enacting clause of all resolutions shall be as follows: "Be it Resolved By the Council of the City of Detroit Lakes, Minnesota." All resolutions shall be numbered and recorded apart from the minutes in a separate journal kept for that purpose. No resolution shall be published unless the charter provisions or Minnesota Statutes require it to be published or the council directs its publication.

207.03 Ordinances. All ordinances shall be numbered and recorded apart from the minutes and kept in such a manner so as to insure their safekeeping.

207.04 Vacation of Streets. Pursuant to Section 11.06 of the Charter, the following procedure shall be used for the vacation of streets, alleys, roadways, and public grounds: the council may, by resolution, vacate, without a petition of the owners of land abutting such street, alley, roadway or public ground all or any part thereof, which is proposed to be vacated. Prior to any such vacation, the council shall hold a public hearing on the matter at which hearing all interested parties may appear and present evidence and testimony relative to the proposed vacation. Such vacation may be made only after ten days mailed notice to abutting property owners and two weeks published notice in the official

newspaper of the city, with the last publication to be made at least ten days prior to such hearing. After such hearing has been held, the council may, if it finds that it would be in the best interest of the public to do so, declare, by resolution, such street, alley, roadway, or public ground, or any part thereof, vacated. The council may make such vacations subject to any conditions or limitations that the council may determine to be necessary or desirable. A notice of completion of such proceedings shall be filed with the proper county officers in accordance with Minnesota Statutes 117.19.

207.05 Board of Equalization. The mayor, who shall be chairman, and three council members appointed by him, shall constitute the board of equalization. They shall meet and perform their duties as provided by law. Each member of the board shall be paid a daily fee which shall be set by council resolution.

207.06 Depositories. The council shall annually designate depositories for city funds, as provided by Minnesota Statutes.

207.07 Purchasing. The city administrator shall be the chief purchasing agent of the city. All purchases on behalf of the city, except purchases made by the public utilities department, shall be made by the city administrator subject to approval of the council.

207.08 Bidding procedure. In all cases where bidding is required by statute, the city administrator shall advertise for bids by causing a notice to be published in the official newspaper, and such other publications as the council may decide. The advertisement shall specify the work to be done, or commodities to be furnished, and shall state the time when the bids will be publicly opened for consideration by the council, which shall not be less than ten days after publication. At the time and place mentioned in the advertisement for bids, the bids shall be opened publicly by two or more designated officers of the city and tabulated in advance of the meeting at which they are to be considered by the Council. No bids will be considered unless sealed and filed with the city administrator in advance of the meeting accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the city for an amount not less than 5 percent of the amount of the bid, which shall be forfeited to the city as liquidated damages if the bidder on letting of the contract to him shall fail to enter into the contract so let.

207.09 Execution of Documents. All contracts, deeds, and other legal documents of a like nature shall be executed by the mayor and city administrator/or city clerk under authority granted by the council.

207.10 Facsimile Signatures. The mayor and city administrator are hereby authorized to request a depository of city funds to honor an order for payment when such instrument bears a facsimile of their signatures.

207.11 Payment of Claims. No claims against the city, except fixed charges, wages, and salaries previously authorized by the council or the Charter shall be paid until audited and allowed by council resolution.

207.12 Payday. The council shall, by resolution, designate a regular payday for the mayor, council members, public utilities commission, and regular and part-time employees of the city.

207.13 Applicant Background Investigations. The Police Department is authorized to conduct a criminal history background investigation on applicants for certain positions with the City. This section applies only to applicants who are finalists for paid or volunteer positions with the City, where the City Administrator has determined that conviction of a crime may relate directly to the position sought. In no event, will a background investigation be performed without the written consent of the applicant. However, failure to provide a written consent may disqualify the applicant for the position sought.

Amended: 9/10/2002 Ord. No. 231

208. Unclaimed Property

208.01 Unclaimed Property Defined. "Unclaimed property" means any money or personal property, except motor vehicles, lawfully coming into the possession of the city and remaining unclaimed by the owner.

208.02 Procedure.

Subdivision 1. General. The chief of police shall make a reasonable and diligent effort to find the owner of any unclaimed property and restore the same to him.

Subd. 2. Motor Vehicles. Abandoned motor vehicles shall be disposed of as provided by Minnesota Statutes Chapter 168B.

208.03 Found Property. A receipt shall be issued to any person who finds lost or abandoned property or money and delivers it to the custody of the city. Such person may indicate in writing that he wishes to assert a claim to such property or money as a finder. If the finder so indicates, and the property or money remains unclaimed by the owner for sixty days, the property or money shall be delivered to the finders.

208.04 Perishable or Dangerous Property. Any unclaimed property which is perishable, or which would lose the greater part of its value by being retained for ninety days, or which determined by the chief of police to be dangerous shall be disposed of at the discretion of the chief of police in the manner deemed appropriate by him.

208.05 Money. Any money which is not claimed by the owner within ninety days or by a finder pursuant to 208.03, or which was seized from illegal gambling, shall be deposited in the city's general fund.

208.06 Property Seized As Evidence. Any property seized as evidence shall, when no longer needed as evidence, be returned to the owner, unless otherwise subject to lawful detention. Such property which is otherwise subject to lawful detention shall be destroyed or otherwise disposed of as directed by the court.

208.07 Disposal.

Subdivision 1. City Use. Any unclaimed property for which no other manner of disposal is provided by 208.01 - 208.06 and which is not claimed by the owner within ninety days may be appropriated to city use upon approval of such appropriation by the council.

Subd. 2. Sale. Any property described in Subdivision 1 which is not appropriated to city use shall be sold by the chief of police to the highest bidder at public auction. Notice shall be published for two successive weeks of the time, place, and manner of sale. The notice shall also describe the property to be sold.

Subd. 3. Proceeds. The proceeds from a sale of unclaimed property shall be deposited in the city general fund. A record shall be made of the sale price of each item sold, and the sale price shall be paid to the former owner, if claim is made within six months of the sale and satisfactory proof of ownership is presented.

Subd. 4. Unsold Property. Any unclaimed property remaining unsold after public auction shall be disposed of as directed by the council.

209. Escrow Deposits

209.01 Intent. Certain licensed and permitted activities carried on in the city require the assistance of the city engineer, city attorney, city planner, or other city personnel. As these activities primarily benefit private persons rather than the city as a whole, it is appropriate that the cost of these services be borne by those benefiting thereby. Sections 209.01 - 209.06 are intended to provide a method whereby this end will be furthered.

209.02 Escrow Deposit Required. Applications for subdivision approval, rezonings, conditional use permits, planned unit developments, zoning variances, sewer connection permits, liquor licenses, building permits, and other municipal considerations may require a cash deposit which shall be placed in an applicant's escrow account in an amount sufficient to pay all engineering, legal, and planning fees incurred by the city, and such other costs as may be made the applicant's

responsibility, in connection with the application and the supervision, inspection and investigation of the permitted activity. The deposit shall be held in the account and shall be credited to the applicant making the deposit. All engineering, legal, and planning fees, and such other costs as may be made the applicant's responsibility, incurred in connection with an application shall be charged to the applicant's escrow account and credited to the city.

209.03 Fee Schedule. The council shall establish fees for services rendered by the city attorney, city engineer, city planner, and other city personnel. The fee schedule shall be provided to all persons making applications listed in 209.02 upon request.

209.04 Individual Fees. Based on the fee schedule adopted pursuant to 209.03, the city administrator shall determine the amount of the escrow deposit required after consultation with the city attorney, city engineer, city planner, and other city personnel whose services may be required. All time, services, and materials to be billed to an escrow account shall be itemized.

209.05 Enforcement.

Subdivision 1. Application. The application listed in 209.02 shall not be accepted or processed by the city unless accompanied by an escrow deposit as provided in this chapter.

Subd. 2. Deficits. If at any time it appears that a deficit will occur in any escrow account, the city administrator may then require an additional deposit in the escrow account sufficient to cover the additional expenses. Failure to make such additional deposits, or to pay to the city money owed for legal, engineering or other services for which the applicant is by ordinance made responsible in connection with an application in 209.02, shall be grounds for denial or revocation of the permit or license, or cessation of work on a particular project. Such permit or license shall be revoked only after a hearing preceded by ten days written notice.

209.06 Refund. Any money remaining in an applicant's escrow account after payment of all required engineering, legal, and other fees shall be returned to the applicant.

210. Fees

210.01 Fees. Fees for licenses, permits, and services are listed below and shall be as follows:

Section 302 – Excavations

License Fee \$175.00

Section 306 – Emergency Fire Protection Services Fees

\$800/hour plus expenses – Hazardous Materials
\$600/hour plus expenses – Fire Call
\$500/hour plus expenses – Extraction
\$400 – 1st hour – Grass Fires
\$125/hour after 1st hour for Pumper (3 firefighters)
\$100/hour after 1st hour for Tanker (3 firefighters)
\$150/hour after 1st hour for Grass Rig (2 firefighters)
\$ 20/hour for additional firefighters
Plus cost of foam and supplies

Section 402 – Sewer Connection Fee

\$100.00 per connection/inspection
After normal working hours, an additional \$75.00 will be charged

Section 403 – Water Connection Fee

\$100.00 per connection/inspection
After normal working hours, an additional \$75.00 will be charged

Section 403.14 – Abandoned Water Service Lines Added: 06/01/04

\$1,500.00 Fee for abandoned water service lines

Section 404, Storm Water Drainage Utility

\$ 7.27 per month Non Residential Basic System Rate
\$ 2.34 per month Non Residential Surcharge
\$ 4.35 per month Non Residential Minimum Charge
\$ 4.35 per month Residential Minimum Charge

Section 405, Street Light Fee

\$1.50 per month

Section 502- Animal Fee

\$ 16.00 per Animal

Section 502 – Impounding Fees

\$ 30.00 Fine + board to redeem dog or cat for First Offense
\$ 55.00 Fine + board to redeem dog or cat for Second Offense
\$110.00 Fine + board to redeem dog or cat for Three or more Offenses

Section 503A – Keeping of Farm Animals, Poultry and Non-Domestic Animals
\$50/animal annual fee (Permits more than 2 animals per household per year)

Section 505 – Noise Permit
\$55.00 per day

Section 507 – Commercial Lawn Fertilizer Applicator License
\$32.50 per year

Section 603 – Pawnbroker
\$185.00 per year

Section 604 – Hawker
\$250.00 plus \$30/day with a maximum of \$610.00 per license and a \$2000.00 surety Bond

Section 604 – Peddler
\$250.00 plus \$30/day with a maximum of \$610.00 per license and a \$2000.00 surety Bond

Section 604 – Solicitor
\$250.00 plus \$30/day with a maximum of \$610.00 per license and a \$2000.00 surety Bond

Section 604 – Transient Merchant
\$250.00 plus \$25/day with a maximum of \$600.00 per license, providing that the fee shall be \$150.00 for transient merchants selling ice cream products, frozen treats or bottled water from non-motorized bicycles and a \$2000.00 surety Bond.

Section 605 – Plumbing
\$52.00 + \$25,000 State Compliance Bond

Section 606 – Solid Waste Collection
\$260.00 per year

Section 607- Tobacco
\$210.00 per year from effective date

Section 609 – Building Moving
\$150.00 Permit Fee

Section 610 – Taxi
\$80.00 one vehicle
\$25.000 each additional vehicle

Section 612- Rental Unit Registration
\$42.50 per building/per year \$50.00 Late Charge

Section 614 – Public Gathering License
\$150.00 Per Gathering

Section 615 – Fireworks License Fee

\$350.00 Annual License Fee for a Retail Seller that is in the business of selling only fireworks

\$100.00 Annual License Fee for All Other Retail Sellers

Section 802 – Parking Fine

\$ 12.00 Parking Fine

\$ 20.00 Fines not paid within 10 days of the violation

Section 1001- Docks

\$ 300.00 Private Dock

\$ 200.00 Private & Semi-Commercial Lift, per lift

\$ 400.00 Semi-Commercial Dock

\$ 400.00 Commercial Base Fee

\$ 20.00 Commercial Dock Slip Fee, per slip

Section 1007- Erosion Control Ordinance

\$ 750.00- Land Disturbance Permit

Miscellaneous Fees

\$ 5.00 Notary Fee

\$ 30.00 Returned Check Fee

\$100.00 Lot Division Fee

\$ 50.00 Pervious Surface Maintenance Agreement Fee

Section 1004, Building Permits

\$1.00 to \$500.00	\$24.25
\$501.00 to \$2,000.00	\$24.25 for the first \$500.00 plus \$3.15 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$71.50 for the first \$2,000.00 plus \$14.50 for each additional \$1000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$ 50,000.00	\$405.00 for the first \$25,000.00 plus \$10.40 for each additional \$1000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$665.00 for the first \$50,000.00 plus \$7.25 for each additional \$1000.00 or fraction thereof, to and including \$100,000.00
\$100,001 to \$500,000.00	\$1027.50 for the first \$100,000.00 plus \$5.75 for each additional \$1000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,327.50 for the first \$500,000.00 plus \$4.90 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00

\$1,000,001.00 and up \$5,777.50 for the first \$1,000,000.00 plus \$3.25 for each additional \$1,000.00 or fraction thereof

Other Inspections and Fees:

1. Inspections outside of normal business hours.....\$47.00 per hour*
2. Re-inspection fees assessed under provisions of Section 305.8.....\$47.00 per hour*
3. Inspections for which no fee is specifically indicated..... \$47.00 per hour*
(minimum charge – one-half hour)

4. Additional plan review required by changes, additions or revisions to plans.....\$47.00 per hour*
5. For use of outside consultants for plan checking and inspections, or both..... Actual costs**

* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

** Actual costs include administrative overhead costs.

Other Building Code Fees:

\$ 50.00 – Demolition

\$ 25.00 – Septic tanks

\$ 25.00 – Mobile Home Park

*65% of Building Permit Fee is the Commercial Plan Review Fee

Zoning Ordinance Fees

Section 20, Amendments and Conditional Use Permits

\$250.00 Conditional Use Permit Fee

\$250.00 Rezoning Fee

Section 21, Administration Variances and Appeals

\$250.00 Variance Fee

Section 24, Regulating and Controlling Use of Signs

Commercial Sign Permit – Use Building Permit Fee Schedule

\$20.00 Temporary Sign Permit

City Code Appendix C Subdivision Regulations

\$50/Lot, Minimum \$500.00 Plat Approval Fee

Other Fees and Charges

The City Administrator shall, from time to time, establish fees for various items and services for which fees are not established by ordinance or statute. The amount of each such fee shall be set so as to recover the City's costs. Items and services for which fees shall be established include, but are not limited to, the following:

Ordinance book	Special assessment searches
Maps	Summer recreation fees
Printed forms	Street Department service charges
Police Service Charges	Council Commission, Committee minutes
Photocopies	Community Center fees
Certified copies	Fire Hall rental Charge

2015 PAVILION RENTAL FEES:

½ day rate until 4:00 P.M.	\$ 450.00
Daily Rate	\$ 1050.00
2-Consecutive Days	\$1,800.00
Non-profit ½ day (until 4:00 P.M.)	\$ 200.00
Non-profit daily rate	\$ 300.00
For profit events with admission charge	\$1,325.00
Heat	\$ 110.00
Pavilion after 1:00 A.M. (per hour)	\$ 100.00

2016 PAVILION RENTAL FEES:

½ day rate until 4:00 P.M.	\$ 475.00
Daily Rate	\$ 1,100.00
2-Consecutive Days	\$ 2,000.00
Non-profit ½ day (until 4:00 P.M.)	\$ 250.00
Non Profit daily rate	\$ 350.00
For profit events with admission charge	\$ 1375.00
Heat	N/C
Pavilion after 1:00 A.M. (per hour)	N/C

Pavilion Deposit/Cancellation Policy:

\$600.00/day deposit is non-refundable, effective January 1, 2015. The deposit will be refunded only if we are able to rent all of the cancelled time to another party.

2015 SPORTS ARENA RENTAL FEES:

Daily rate	\$ 500.00
½ day rate until 4:00 P.M.	\$ 350.00
Non-profit daily rate	\$ 300.00

2016 SPORTS ARENA RENTAL FEES

Daily Rate	\$ 600.00
½ day rate until 4:00 P.M.	\$ 400.00
Non-profit daily rate	\$ 300.00

Sports Arena Deposit/Cancellation Policy:

\$600.00/day deposit is non-refundable, effective January 1, 2015. The deposit will be refunded only if we are able to rent all of the cancelled time to another party.

Long Lake Shelter

\$75 per day

People's Park Shelter

\$75 per day (summer)

\$30 per day (winter/kitchenette only)

Band Shell

\$75 per day

Long Lake Shelter/ People's Park Shelter/ Band Shell Cancellation Policy

\$25 deposit is non-refundable, effective January 1, 2015. The deposit will be refunded only if we are able to rent all of the cancelled time to another party.

Pages 29-30 Reserved for changes

211. Civil Defense

211.01 Policy and Purpose. Because of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage, or other hostile action, and in order to insure that preparations of this city will be adequate to deal with such disasters, and generally to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of this city, it is hereby found and declared to be necessary:

- (1) To establish a local civil defense agency.
- (2) To provide for the exercise of necessary powers during civil defense emergencies.
- (3) To provide for the rendering of mutual aid between the city and other political subdivisions of this state and of other states with respect to the carrying out of civil defense functions, and to assist in carrying out the purpose of the Minnesota Civil Defense Act of 1951.

211.02 Definitions.

Subdivision 1. Civil Defense. "Civil defense" shall mean and carry the same definition as set forth in Minnesota Statutes Ch. 12.

Subd. 2. Civil Defense Emergency. "Civil defense emergency" shall mean an emergency declared by the governor under Minnesota Statutes Ch. 12.

Subd. 3. Civil Defense Forces. "Civil defense forces" shall mean any personnel employed by the city and any other volunteer or paid member of the local civil defense agency engaged in carrying on civil defense functions in accordance with the provisions of this chapter or any rule or order thereunder.

211.03 Civil Defense Agency.

Subdivision 1. Creation. There is hereby created within the city government a civil defense agency, which shall be under the supervision and control of a director of civil defense, hereinafter called the director. The director shall be appointed by the mayor for an indefinite term and may be removed by him at any time. He shall serve without salary, but shall be paid his necessary expenses. The director shall have direct responsibility for the organization, administration and operation of the civil defense agency, subject to the direction and control of the mayor. The civil defense agency shall be organized into such

division and bureaus, consistent with state and local civil defense plans, as the director deems necessary to provide for the efficient performance of local civil defense functions during a civil defense emergency.

Subd. 2. Committee. There is hereby created within the civil defense agency a civil defense advisory committee, hereinafter called the committee. Members of the committee shall be appointed by the mayor to represent city departments and other groups concerned with civil defense. The mayor shall be chairman and the director shall be secretary of the committee. The committee shall advise the director and the council on all matters pertaining to civil defense. Each member shall serve without compensation and shall hold office at the pleasure of the mayor.

211.04 Director.

Subdivision 1. Intergovernmental. The director, with the consent of the mayor, shall represent the city on any regional or state organization for civil defense. He shall develop proposed mutual aid agreements with other political subdivisions within or outside the state for reciprocal civil defense aid and assistance in a civil defense emergency too great to be dealt with unassisted, and he shall present such agreements to the council for its action. Such arrangements shall be consistent with the state civil defense plan and during a civil defense emergency; it shall be the duty of the civil defense agency and civil defense forces to render assistance in accordance with the provisions of such mutual aid arrangements. Any mutual aid arrangement with a political subdivision of another state shall be subject to the approval of the governor.

Subd. 2. Surveys. The director shall make such studies and surveys of the manpower, industries, resources, and facilities of the city as he deems necessary to determine their adequacy for civil defense and to plan for their most efficient use in time of a civil defense emergency.

Subd. 3. Coordination. The director shall coordinate the civil defense activities of the city to the end that they shall be consistent and fully integrated with the civil defense plan of the federal government and the state, and correlated with civil defense plans of other political subdivisions within the state.

Subd. 4. Training. In accordance with the state and city civil defense plan, the director shall institute such training programs and public information programs and shall take all other preparatory steps, including the partial or full mobilization of civil defense forces in advance of actual disaster, as may be necessary to the prompt and effective operation of the city civil defense plan in time of a civil defense emergency. He may, from time to time, conduct such practice air-raid alerts or other civil defense exercises as he may deem necessary.

Subd. 5. Personnel. The director shall utilize the personnel, services, equipment, supplies and facilities of existing departments and agencies of the city to the maximum extent practicable. The officers and personnel of all such departments and agencies shall, to the maximum extent practicable, cooperate with and extend such services and facilities to the local civil defense agency and to the governor upon request. The head of each department and agency, in cooperation with and under the direction of the director, shall be responsible for the planning and programming of such civil defense activities as will involve the utilization of the facilities of his department or agency.

Subd. 6. Volunteers. The director shall, in cooperation with existing city departments and agencies affected, organize, recruit, and train air-raid wardens, auxiliary police, auxiliary firemen, emergency medical personnel, and any other personnel that may be required on a volunteer basis to carry out the civil defense plans of the city and the state. To the extent that such emergency personnel is recruited to augment a regular city department or agency for civil defense emergencies, it shall be assigned to such department or agency for purposes of administration and command. The director may dismiss any civil defense volunteer at any time and require him to surrender any equipment and identification furnished by the city.

Subd. 7. Facilities. Consistent with the civil defense plan, the director shall provide and equip emergency hospitals, casualty stations, ambulances, evacuation centers, canteens, and other facilities or conveyances for the care of injured or homeless persons.

Subd. 8. Governor. The director shall carry out all orders, rules and regulations issued by the governor with reference to civil defense.

Subd. 9. Authority. The director shall direct and coordinate the general operations of all local civil defense forces during a civil defense emergency in conformity with controlling regulations and instructions of state civil defense authorities. The heads of departments and agencies shall be governed by his orders in respect thereto.

Subd. 10. Headquarters. Consistent with the civil defense plan, the director shall provide and equip at some suitable place in the city a control center and, if required by the state civil defense plan, an auxiliary control center to be used during a civil defense emergency as headquarters for direction and coordination of civil defense forces. He shall arrange for representation at the control center by municipal departments and agencies, public utilities and other agencies authorized by federal or state authority to carry on civil defense activities during a civil defense emergency. He shall arrange for the installation at the control center of necessary facilities for communication with and between heads of civil defense divisions, the stations and operating units of municipal

services and other agencies concerned with civil defense and for communication with other communities and control centers within the surrounding area and with the federal and state agencies concerned.

Subd. 11. Powers. During the first thirty days of a civil defense emergency, if the legislature is in session or the governor has coupled his declaration of the emergency with a call for a special session of the legislature, the director may, when necessary to save life or property, require any person, except members of the federal or state military forces and officers of the state or any other political subdivision, to perform services for civil defense purposes as he directs, and he may commandeer, for the time being, any motor vehicle, tools, appliances or any other property, subject to the owner's right to just compensation as provided by law.

211.05 Civil Defense Workers.

Subdivision 1. Oath. Each person who is appointed to serve in the civil defense agency shall, before entering upon his duties, take an oath in writing as prescribed by Minnesota Statutes Ch. 12.

Subd. 2. Service. Civil defense volunteers shall be called into service only in case of a civil defense emergency for which the regular municipal forces are inadequate or for necessary training and preparation for such emergencies. All volunteers shall serve without compensation.

Subd. 3. Identification. Each civil defense volunteer shall be provided with such suitable insignia or other identification as may be required by the director. Such identification shall be in form and style approved by the federal government. No volunteer shall exercise any authority over the persons or property of others without his identification. No person except an authorized volunteer shall use the identification of a volunteer or otherwise represent himself to be an authorized volunteer.

Subd. 4. Firearms. No civil defense volunteer shall carry any firearm while on duty except on written order of the chief of police.

Subd. 5. Personnel Policy. Personnel procedures of the city applicable to regular employees shall not apply to volunteer civil defense workers but shall apply to paid employees of the civil defense agency.

211.06 Emergency Regulations.

Subdivision 1. Proclamation. Whenever necessary to meet a civil defense emergency or to prepare for such an emergency for which adequate regulations have not been adopted by the governor or the council, the mayor may, by proclamation, promulgate regulations, consistent with applicable federal

or state law or regulation, respecting: protection against air-raids; the sounding of air-raid alarms; the conduct of persons and the use of property during alarms; the repair, maintenance, and safeguarding of essential public services; emergency health, fire, and safety regulations; trial drills or practice periods required for preliminary training; and all other matters which are required to protect public safety, health, and welfare in civil defense emergencies. No regulation governing observation of enemy aircraft, air attack, alarms, or illumination during air attacks shall be adopted or take effect unless approved by the state director of civil defense.

Subd. 2. Notice. Every proclamation of emergency regulations shall be in writing and signed by the mayor, shall be dated, shall refer to the particular civil defense emergency to which it pertains, if so limited, and shall be filed in the office of the city administrator, where a copy shall be kept posted and available for public inspection during business hours. Notice of the existence of such regulations and its availability for inspection at the city administrator's office shall be conspicuously posted at the front of city hall or other headquarters of the city and at such other places in the affected area as the mayor shall designate in the proclamation. Thereupon, the regulation shall take effect immediately or at such later time as may be specified in the proclamation. By like proclamation, the mayor may modify or rescind any such regulation.

Subd. 3. Term. The council may rescind any such regulation by resolution at any time. If not sooner rescinded, every such regulation shall expire at the end of thirty days after its effective date or at the end of the civil defense emergency to which it relates, whichever occurs first. Any ordinance, rule or regulation inconsistent with an emergency regulation promulgated by the mayor shall be suspended during the period of the time and to the extent that such conflict exists.

211.07 Procedure.

Subdivision 1. Accounting. Regular accounting, disbursement and other financial procedures of the city shall apply to civil defense insofar as practicable.

Subd. 2. Reports. The director shall make such reports to the council as requested by it.

211.08 Federal and State Authority. Every officer and agency of the city shall operate with the federal and state authorities and with authorized agencies engaged in civil defense and emergency measures to the fullest possible extent consistent with the performance of their duties. The provisions of this chapter and of all regulations made there under shall be subject to all applicable and controlling provisions of federal and state laws and of regulations and orders issued there under and shall be deemed to be suspended and inoperative as far

as there is any conflict therewith. The mayor, with the approval of the council, may appoint any qualified person holding a position in any agency created under federal or state authority for civil defense purposes as a special policeman of the city, with such police powers and duties within the city incident to the functions of his position, not exceeding those of a regular policeman of the city, as may be prescribed in the appointment. Every such special policeman shall be subject to the supervision and control of the chief of police and such other police officers of the city as the chief may designate.

211.09 Illumination. Any illumination within the city contrary to the provisions of this chapter or any other ordinance pertaining to civil defense or of any regulation adopted there under or of any federal or state law, regulation, or order, shall be deemed a public nuisance. Any regular, or auxiliary policeman, or air-raid warden, may abate such nuisance summarily or may take any other action necessary to enforce such provisions, including entry on private property and the use of whatever reasonable force is necessary.

212. Ward and Precinct Boundaries

212.01 The following described areas are designated as the election precincts within the City of Detroit Lakes for any election:

FIRST WARD – FIRST PRECINCT

All that area east of the westerly corporate limits line from the shoreline of Long Lake and north of the north line of Brainard Beach Third Addition, Northeast of the center line of Brainard Circle to Brainard Blvd east of Brainard Blvd to Long Lake Road north of the center line of Long Lake Road from Brainard Boulevard to Highway 59 Northwest of the center line of Highway 59 to the center line of Main Street, north of the center line of Main Street to the center line of the west bound track of the Burlington Northern Railroad, north of the Burlington Northern Railroad from the center line of Main Street to the center line of Highland Drive.

SECOND WARD – FIRST PRECINCT

All that area that lies east of the center line of Minnesota Avenue from the shore line of Little Detroit Lake to the center line of Frazee Street, south of the center line of Frazee Street from Minnesota Avenue to Roosevelt Avenue, east of the center line of Roosevelt Avenue from Frazee Street, to the center line of the west bound track of Burlington Northern Railroad; southwesterly of the center line of the Burlington Northern Railroad to the center line of Highland Drive north to the corporate limits, west of the City limits from Highland Drive to Sucker Creek, north of Sucker Creek from the east City limits to the shore line of Big Detroit Lake.

THIRD WARD – FIRST PRECINCT

All that area within the corporate limits of Detroit Lakes that lies south of the north line of Brainard Beach Third Addition, south of the center line of Brainard Circle to Brainard Blvd west of Brainard Blvd to the center line of Long Lake Road south of the center line of Long Lake Road from Brainard Blvd to Highway 59, southeast of the center line of Highway 59 to the center line of Main Street, south of the center line of Main Street to the center line of the west bound track of the Burlington Northern Railroad, south of the Burlington Northern Railroad from the center line of Main Street to the center line of Roosevelt Avenue, west of the center line of Roosevelt to the center line of Frazee Street, south of Frazee Street to the center line of Minnesota Avenue, west of Minnesota Avenue to the shore of Little Detroit Lake, and all that area that lies west and south of Sucker Creek from the shore line of Big Detroit Lake to the east City limits.

Amended: 04/06/04 Ord. No. 250

Amended: 04/04/06 Ord. No. 286

Amended: 05/13/08 Ord. No. 286

Amended: 03/28/12 Ord. No. 360

(pages reserved 38-50)