

**CITY OF MAHTOMEDI
CITY CODE
ADOPTED MAY 4, 2010
TABLE OF CONTENTS**

CHAPTER 1 – GENERAL PROVISIONS

1.01	Codification	1
1.02	Code Amendments.....	1
1.03	Ordinances Prior to Codification	1
1.04	Publication and Availability of Code	1
1.05	Severability	1
1.06	Preservation of Existing Rights	2
1.07	Construction	2
1.08	Minnesota Law	2
1.09	Incorporation	2
1.10	Number and Gender.....	3
1.11	Code Library	3
1.12	Inconsistent Provisions	3
1.13	Ordinance Integration	3
1.14	Definitions	4
1.15	Violation of Code Provisions.....	5

CHAPTER 2 – ADMINISTRATION

2.01	Board of Health	1
2.02	Building Code Enforcement	1
2.03	City Administrator	2
2.04	City Office – Hours/Filing/Records	3
2.05	City Council	3
2.06	Consultants	4
2.07	Elective Officers and Terms	4
2.08	Fire Department	4
2.09	Animal Control Officer	6
2.10	Park Commission	6
2.11	Planning Commission	8
2.12	Public Accountant	11
2.13	Sewer Disposal Utility	12
2.14	City Forester	12
2.15	Water System Utility	12
2.16	Weed Inspector	12
2.17	Finance Commission	12
2.18	Environmental Commission	14
2.19	Police Department	15
2.20	Background Investigations for City Employment	15
2.21	Background Investigations for City Licenses	16

CHAPTER 3 – ANIMALS

3.01	Definitions	1
3.02	Keeping of Certain Animals Prohibited	3
3.03	Dogs and Cats	3
3.04	Rabies Control	7
3.05	Potentially Dangerous and Dangerous Dogs	9
3.06	Prohibitions	12
3.07	Investigation.....	12
3.08	Enforcement.....	12
3.09	Impound Facility.....	12
3.10	Feeding of Deer Prohibited.....	12
3.11	Keeping of Bees.....	13

CHAPTER 4 – BUILDING CODE

4.01	Building Codes Adopted by Reference	1
4.02	Application, Administration and Enforcement	1
4.03	Permits and Fees	1
4.04	Adoption of Optional Provisions of the Building Code	3
4.05	Violations and Penalties	3
4.06	Schedule of Permit Fees	3
4.07	City Electrical Inspections Program.....	3

CHAPTER 5 – ELECTIONS

5.01	Compliance with Statutory Requirements	1
5.02	Candidates and Filing	1
5.03	City Elections	1
5.04	Election Dates	1
5.05	Voting Hours	1
5.06	Voter Registration	2
5.07	Absentee Ballot Board.....	2

CHAPTER 6 – FIRE CODE

6.01	Definitions	1
6.02	Minnesota State Fire Code	1
6.03	Emergency Service Charge Collection.....	1

CHAPTER 7 – LICENSES AND BUSINESS

7.01	General Provisions	1
7.02	Gambling	3
7.03	Gasoline Filling Stations.....	7
7.04	Heating and Air Conditioning Contractors	8
7.05	Peddlers	9
7.06	Sewer Contractors	13
7.07	Tree Trimming Contractors	13
7.08	Rental Dwelling Licensing	14
7.09	Pawnbrokers	18

7.10 Adult Oriented Businesses..... 31

CHAPTER 8 – LIQUOR

8.01 Sale and Consumption of Intoxicating Liquor 3.2 Percent
Malt Liquor and Wine 1
8.02 Consumption and Possession on Public Property 14
8.03 Entertainment Restrictions 14

CHAPTER 9 – MISCELLANEOUS OFFENSES

9.01 Firearms, Weapons and Ammunition 1
9.02 Open Burning Restrictions and Permitting Requirements 3
9.03 Fireworks 4
9.04 Loitering with Intent to Commit Crime 5
9.05 Targeted Residential Picketing 5
9.06 Sexual Offenders and Sexual Predators 5

CHAPTER 10 – PARKS AND RECREATION

10.00 Purpose 1
10.01 Definitions 1
10.02 Hours of Operation 1
10.03 General Conduct 2
10.04 Swimming..... 3
10.05 Boating 4
10.06 Fishing 4
10.07 Equestrian 4
10.08 Bicycling 4
10.09 Vehicles 5
10.10 Snowmobiling..... 5
10.11 Winter Activities 5
10.12 Park Operation 6

CHAPTER 11 – PLANNING AND DEVELOPMENT

11.01 ZONING ORDINANCE

1.0 Title.....1
2.0 Statement of Legislative Intent1
3.0 Relationship to the Comprehensive Plan1
4.0 Scope.....2
5.0 Servability.....2
6.0 Interpretation and Application2
7.0 Definitions3
8.0 Application, Review, and Approval Procedures39
8.1 General Provisions.....39
A. Intent39
B. General Types of Development.....39
1. Development Defined.....39
2. Exempt Activities40

	C. Types of Development Review and Approvals.....	40
	1. Public Hearing	40
	2. Informational Meetings.....	40
	3. Administrative Review and Approval	40
	D. Development Review and Elements and Procedures	41
	1. Pre-Application Meeting.....	41
	2. Application Forms and Fees	41
	3. Application Deadline	42
	4. Application Completeness	42
	5. Limit of Time Relating to Final Action	42
	6. Limit on Reapplication	42
	7. Review and Approval Criteria	43
	E. Procedures Associated with Administrative Review and Approval.....	43
	F. Procedures Associated with Public Informational Meetings and Noticing Requirements	43
	G. Procedures for Public Hearing and Noticing Requirements.....	44
	<u>Applications Requiring Administrative Approval</u>	
8.2	Zoning Permit	46
8.3	Building Permit.....	48
8.4	Sign Permit	50
8.5 – 8.10	Reserved	
	<u>Applications Requiring a Public Informational Meeting</u>	
8.11	Site Plan Approval	52
8.12	Determination of Substantially Similar Use	58
8.13 – 8.15	Reserved	
	<u>Applications Requiring a Public Hearing</u>	
8.16	Comprehensive Plan Amendment.....	60
8.17	Zoning Map Amendment (Rezoning)	63
8.18	Zoning Ordinance Text Amendment	65
8.19	Creation of a Planned Unit Development (PUD) Overlay District...68	
8.20	Variance.....	74
8.21	Conditional Use Permit (CUP)	77
8.22	Interim Use Permit (IUP).....	82
8.23	Discontinuance or Vacation of Streets, Alleys, Public Ways, Public Grounds, and Utility Easements	85
8.24	Appeal of an Administrative Decision.....	88
9.0	Specific Use Standards	91
9.1	Residential Uses.....	91
	A. Convent, Rectory, or Monastery	91
	B. Home Occupation	91
	C. Modular Home	93
	D. Dwelling Units Prohibited	93
9.2	Commercial Uses	94
	A. Day Care Center: Commercial.....	94
	B. Outdoor Merchandise Sales	94
9.3	Industrial Uses	94
9.4	Utilities and Communication Uses	95

	A.	Wind Energy Conversion Systems (WECS).....	95
	B.	Solar Equipment and Solar Rights	99
9.5		Temporary or Seasonal Uses	100
	A.	Model Home	100
	B.	Temporary Construction Building	100
	C.	Temporary Real Estate Office.....	100
	D.	Seasonal Market.....	100
9.6		Accessory Uses and Other Uses	101
	A.	Accessory Buildings	101
	B.	Adult Oriented Uses.....	102
	C.	Animals: Keeping of.....	105
	D.	Outdoor Mechanical Equipment	105
	E.	Patio, Deck, Terrace, and Similar Use	105
	F.	Sport Court, Play Equipment, and Similar Uses	105
	G.	Swimming Pool.....	105
	H.	Relocated Structure.....	108
	I.	Bulk Storage (Liquid)	108
10.0		General Development Standards.....	110
10.1		General Standards	110
	A.	Lots	110
	B.	Setbacks	111
	C.	Building Height.....	112
	D.	Building and Site Design	113
	E.	Impervious Surface Coverage.....	114
	F.	Location and Number of Principal Building on a Parcel	114
	G.	Vision Triangle	114
	H.	Grading, Filling, and / or Excavation.....	115
10.2		Nonconformities	117
	A.	Intent	117
	B.	Prior Construction Approved.....	117
	C.	Nonconformities Due to Governmental Acquisition of Right-of-Way	117
	D.	Certificate of Occupancy	117
	E.	Relief from Nonconforming Status.....	117
	F.	Nonconforming Uses	117
	G.	Nonconforming Lots.....	118
	H.	Nonconforming Structures.....	119
	I.	Nonconforming Site Features	120
	J.	Nonconforming Signs	120
10.3		Parking and Loading.....	121
10.4		Landscaping, Buffers, and Screening	130
10.5		Slopes / Woodland Protection, Preservation and Replacement	136
10.6		Fences	138
10.7		Signs	142
10.8		Exterior Lighting.....	165
10.9		Outdoor Storage.....	167
11.0		Zoning Districts.....	169
11.1		Zoning District Regulations.....	169
	A.	Intent	169

	B. Relationship of Zoning Districts to the Comprehensive Plan ..	169
	C. Establishment of Zoning Districts	169
	D. Zoning Map	170
	E. Zoning for Newly Annexed Land	171
	F. Land Use Table	171
	G. Zoning as it Relates to Utilities	171
	<u>Predominantly Residential Districts</u>	
11.2	A – Agricultural District	172
11.3	RR – Rural Residential District	175
11.4	R1-A, R1-B, R1-C, R1-D – Low Density Residential District.....	178
11.5	R1-E – Historic Mahtomedi Zoning District	189
11.6	R2 – Medium Density Residential District	191
11.7	R3 – Medium Density Single – Family Attached Residential District	194
11.8	R4 – High Density Multiple – Family Residential District	198
11.9 – 11.10	Reserved	
	<u>Predominantly Commercial Districts</u>	
11.11	B1 – Office Business District	201
11.12	B2 – Limited Business District	204
11.13	B3 – Downtown Business District	207
11.14	B4 – General Business District	216
11.15	B5 – Interstate and General Business District	219
11.16 – 11.20	Reserved	
	<u>Predominantly Industrial Districts</u>	
11.21	IB – Industrial / Business Park District.....	222
11.22 – 11.25	Reserved	
	<u>Other Districts</u>	
11.26	MU – PUD – Mixed Use – Planned Unit Development	226
11.27	P – Park Land / Public	228
11.28	PB – Public Buildings.....	230
11.29	C- Conservation District	232
11.30 – 11.34	Reserved	
	<u>Overlay Zoning Districts</u>	
11.35	Planned Unit Development (PUD) Overlay District	233
11.36	Shoreland Overlay District	236
11.37	Antenna and Tower Overlay District.....	255
	Land Use Table.....	261
11.02	SUBDIVISION REGULATIONS	
1.0	Intent	263
2.0	Scope.....	263
3.0	Definitions	263
4.0	Types of Land Division	274
5.0	Compliance	274
6.0	Platting Procedures	275
	A. Preliminary Plat	275
	B. Final Plat	279
	C. Certified Survey Map.....	283

7.0	Design Standards Relating to the Division of Land.....	284
	A. Land Requirements	284
	B. Street Plan	284
	C. Cul – de – sac Streets	285
	D. Street Design.....	285
	E. Alley Design	287
	F. Public Utilities	287
	G. Drainage.....	287
	H. Easements	287
	I. Street Trees	288
	J. Street Names	288
	K. Block Design.....	288
	L. Lot Requirements.....	289
8.0	Engineering Standards	290
	A. Monuments	290
	B. Streets.....	290
	C. Public Utilities	290
	D. Sanitation	291
	E. Water Supply	291
	F. House Plumbing.....	291
	G. Drainage.....	291
	H. Street Signs	291
	I. Street Trees	291
	J. Utilities Location	291
	K. Inspection.....	291
9.0	Required Improvements and Financial Arrangements.....	292
	A. Improvements Required.....	292
	B. Payment for Installation of Improvements.....	292
	C. Agreement Providing for the Installation of Improvements	292
	D. Financial Guarantee	293
	E. Construction Plans and Inspection.....	293
	F. Improvements Completed Prior to Approval of the Final Plat	294
	G. Trunk Facilities	294
	H. Alternate Installation and Incomplete Improvements	294
10.0	General Provisions	294
	A. Protection of Natural Features	294
	B. Public Sites and Open Spaced (Park Land Dedication).....	294
	C. Complete Neighborhoods	296
	D. Planned Unit Developments	296
	E. Minor Subdivision	296
	F. Registered Land Surveys	296
	G. Metes and Bounds.....	296
	H. Unapproved Subdivisions	296
	I. Variances.....	297
11.03	LAND DEVELOPMENT CHARGES AND PAYMENT OF SPECIAL ASSESSMENTS	
1.0	Expenses	298
2.0	Special Assessments	298

11.04 MOBILE HOME CODE

1.0	Definitions	299
2.0	Permit Required	299
3.0	Permitted Uses	299
4.0	Application for Mobile Home Park Permit.....	299
5.0	Inspection and Enforcement	303

11.05 FLOOD PLAIN MANAGEMENT

1.0	Statutory Authorization, Findings of Fact, and Purpose.....	304
2.0	General Provisions	304
3.0	Establishment of Zoning Districts	307
4.0	Reserved for Future Use	309
5.0	Standards for Flood Fringe Permitted Uses	309
6.0	Reserved for Future Use	310
7.0	Subdivisions.....	310
8.0	Public Utilities, Railroads, Roads, and Bridges.....	310
9.0	Manufactured Homes and Manufactured Home Parks and Placement of Recreational Vehicles	311
10.0	Administration	312
11.0	Nonconformities	314
12.0	Penalties for Violation	315
13.0	Amendments	316

**11.06 UNIFORM SYSTEM OF NAMING AND NUMBERING STREETS,
PROPERTIES, AND BUILDINGS**

1.0	Uniform System.....	317
2.0	Maps	317
3.0	Compliance	317
4.0	Enforcement.....	317
5.0	The Elimination of Public Safety Hazard	318
6.0	Notice.....	318

11.07 WETLAND BUFFER ORDINANCE

1.0	Council Findings, Purpose, and Means.....	319
2.0	General Provisions and Definitions	319
3.0	Wetland Management Classification	322
4.0	Wetland Buffer Standards.....	323

CHAPTER 12 – PUBLIC HEALTH, SAFETY AND WELFARE

12.01	Emergency Management	1
12.02	Solid Waste	3
12.03	Public Nuisances	10
12.04	Trees	17
12.05	Minimum Housing Standards	20
12.06	Noise Pollution Control and Limits on Hours of Construction Activity ...	38
12.07	Removal of Snow and Ice – Commercial & Industrial Zoning Districts.....	42

CHAPTER 13 – STREETS AND OTHER PUBLIC WAYS

13.01	Miscellaneous Restricted Parking	1
13.02	No-Parking Zones	2
13.03	Limited Parking Zones	3
13.04	One-Way Streets	3
13.05	Turns	4
13.06	Stop Intersections	4
13.07	General Provisions	4
13.08	Temporary Maintenance and Safety Parking Restrictions	4
13.09	Obstruction and Encroachment	5
13.10	Right of Way Management	6

CHAPTER 14 – TRAFFIC CODE

14.01	The Minnesota Highway Traffic Regulation Act	1
14.02	Miscellaneous Offenses	1
14.03	Speed Restrictions	1
14.04	Passing Restrictions	2
14.05	Seasonal Road Restrictions	2
14.06	Snowmobiles, Off-Highway Motorcycles, Off-Road Vehicles and All-Terrain Vehicles	2
14.07	Stop Signs and Other Traffic Control Devices	4

CHAPTER 15 – UTILITIES

15.01	Electrical Franchise	1
15.011	Electric Franchise Fee Implementation	10
15.02	Gas Franchise	11
15.03	Adoption of Standards	19
15.04	Sewer Code	20
15.05	Water Code	38
15.06	Cable Commission Franchise	46
15.07	Storm Drainage Utility	50
15.08	Storm Water Management	52