



**CITY COUNCIL REGULAR AGENDA
MONDAY, JULY 01, 2024**

ABLE PARK BUILDING, 8200 ABLE STREET NE AT 7:00 PM at 7:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADDITIONS OR CORRECTIONS TO AGENDA**
- 5. DISCUSSION FROM THE FLOOR**
- 6. CONSENT AGENDA**
 - [A.](#) Contractor's Request for Payment #1 - 2024 Seal Coat and Crack Repair Project - \$52,822.80
 - [B.](#) Contractor's Request for Payment #1 - 2024 Sanburnol Drive, Elm Drive and 83rd Ave Improvements - \$242,047.96
 - [C.](#) Pay Request #5 - City Hall Renovation/Expansion Project
 - [D.](#) Request from SBM for Authorization to Purchase New Fire Engine
 - [E.](#) Opt out of Ramsey County CDBG Entitlement
 - [F.](#) Contractor's Licenses
 - [G.](#) Sign Permits
- 7. DEPARTMENT REPORTS**
 - [A.](#) Public Works Report
 - [B.](#) Code Enforcement Report
- 8. ORDINANCES AND/OR RESOLUTIONS**
 - [A.](#) Ordinance 494 - Ordinance Amending Section 9.20 of the Spring Lake Park City Code Relating to Health and Safety; Nuisances
 - [B.](#) Resolution 2024-43, Authorizing Summary Publication of Ordinance 494, An Ordinance Amending Section 9.20 of the Spring Lake Park City Code Relating to Health and Safety; Nuisances
 - [C.](#) Ordinance 495, Amending Spring Lake Park Code Section 11.08 Relating to Liquor Regulations
 - [D.](#) Resolution 2024-44, Authorizing Summary Publication of Ordinance 495, An Ordinance Amending Spring Lake Park Code Section 11.08 Relating to Liquor Regulations
 - [E.](#) Resolution 2024-45, Denying Variance From Fencing Performance Standards at 697 79th Avenue NE
- 9. NEW BUSINESS**
 - [A.](#) Approval of Phase 1A Furniture Quote - Alternative Business Furniture
- 10. REPORTS**
 - A. Attorney Report
 - [B.](#) Engineer Report
 - C. Administrator Report
- 11. OTHER**
 - [A.](#) Correspondence

**SEE REVERSE SIDE FOR RULES FOR PUBLIC HEARINGS AND
DISCUSSION FROM THE FLOOR**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk at 1301 81st Avenue NE, Spring Lake Park, MN 55432. Ph.763-784-6491 at least 48 hours in advance.

- B. Close Meeting to Develop or Consider Offers or Counteroffers for the Purchase of Real or Personal Property Pursuant to M.S. § 13D.05, subd. 3(c)(3)

12. ADJOURN

RULES FOR DISCUSSION FROM THE FLOOR AND PUBLIC HEARINGS

DISCUSSION FROM THE FLOOR

- Discussion from the floor is limited to three minutes per person. Longer presentations must be scheduled through the Administrator, Clerk/Treasurer's office.
- Individuals wishing to be heard must sign in with their name and address. Meetings are video recorded so individuals must approach the podium and speak clearly into the microphone.
- Council action or discussion should not be expected during "Discussion from the Floor." Council may direct staff to research the matter further or take the matter under advisement for action at the next regularly scheduled meeting.

PUBLIC HEARINGS

The purpose of a public hearing is to allow the City Council to receive citizen input on a proposed project. This is not a time to debate the issue.

The following format will be used to conduct the hearing:

- The presenter will have a maximum of 10 minutes to explain the project as proposed.
- Councilmembers will have the opportunity to ask questions or comment on the proposal.
- Citizens will then have an opportunity to ask questions and/or comment on the project. Those wishing the comment are asked to limit their comments to 3 minutes.

In cases where there is a spokesperson representing a group wishing to have their collective opinions voiced, the spokesperson should identify the audience group he/she is representing and may have a maximum of 10 minutes to express the views of the group.

- People wishing to comment are asked to keep their comments succinct and specific.
- Following public input, Councilmembers will have a second opportunity to ask questions of the presenter and/or citizens.
- After everyone wishing to address the subject of the hearing has done so, the Mayor will close the public hearing.
- The City Council may choose to take official action on the proposal or defer action until the next regularly scheduled Council meeting. No further public input will be received at that time.



Stantec Consulting Services Inc.
733 Marquette Avenue, Suite 1000
Minneapolis, MN 55402
Tel: (612) 712-2000

June 18, 2024

Mr. Daniel Buchholtz, Administrator
City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432

Re: 2024 Street Seal Coat and Crack Repair Project
Project No. 193806748
Contractor's Request for Payment No. 1

Dear Dan:

Attached for city approval is Contractor's Request for Payment No. 1 for the 2024 Seal Coat and Crack Repair project. The prime Contractor on this project is Allied Blacktop Company.

This request includes payment for crack filling and pavement markings (no seal coat yet). George Linngren has been monitoring the construction progress.

We have reviewed the contractor's payment request and found it to be in order. We recommend approval. **If the City wishes to approve this request, then payment should be made to Allied Blacktop Company in the amount of \$52,822.80.**

Please execute the payment request document. Keep one copy for your records, forward a copy to Allied Blacktop Company, and return one copy to me.

Feel free to contact me if you have any questions.

Regards,
STANTEC

A handwritten signature in black ink that reads "Phil Gravel".

Phil Gravel
City Engineer

Enclosures

cc: Matt Dolecki, Allied Blacktop Company
Geroge Linngren, Public Works Director



Owner: City of Spring Lake Park, 1301 81st Ave. NE, Spring Lake Park, MN 55432	Date: June 18, 2024
For Period: 5/1/2024 to 6/18/2024	Request No: 1
Contractor: Allied Blacktop Co., 10503 89th Ave. N., Maple Grove, MN 55369	

CONTRACTOR'S REQUEST FOR PAYMENT
 2024 STREET SEAL COAT AND CRACK REPAIR
 STANTEC PROJECT NO. 193806748

SUMMARY

1	Original Contract Amount		\$	182,940.00
2	Change Order - Addition	\$	0.00	
3	Change Order - Deduction	\$	0.00	
4	Revised Contract Amount		\$	182,940.00
5	Value Completed to Date		\$	55,602.94
6	Material on Hand		\$	0.00
7	Amount Earned		\$	55,602.94
8	Less Retainage 5%		\$	2,780.14
9	Subtotal		\$	52,822.80
10	Less Amount Paid Previously		\$	0.00
11	Liquidated damages -		\$	0.00
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO.	1	\$	52,822.80

Recommended for Approval by:
STANTEC

Phil Gravel

6/18/24

Approved by Contractor:
ALLIED BLACKTOP COMPANY

Per invoices 874SPR 11526 and 11554.

Approved by Owner:
CITY OF SPRING LAKE PARK

Specified Contract Completion Date:

Date:

No.	Item	Unit	Contract Quantity	Unit Price	Current Quantity	Quantity to Date	Amount to Date
BASE BID							
1	MOBILIZATION	LS	1	12000.00	0.7	0.7	\$8,400.00
2	TRAFFIC CONTROL	LS	1	10000.00	0.7	0.7	\$7,000.00
3	ROUTE AND SEAL CRACK REPAIR	LBS	4500	2.60	1451	1451	\$3,772.60
4	CLEAN AND SEAL CRACK REPAIR	LBS	4500	2.60	5802	5802	\$15,085.20
5	SEAL COAT AGGREGATE, FA-2 (MOD)	TN	860	31.00			\$0.00
6	BITUMINOUS MATERIAL FOR SEAL COAT, CRS-2	GAL	22300	3.95			\$0.00
7	4" DOUBLE SOLID LINE, YELLOW - PAINT	LF	31000	0.28	27178	27178	\$7,609.84
8	4" SOLID LINE, YELLOW - PAINT	LF	10400	0.15	3643	3643	\$546.45
9	4" BROKEN LINE, YELLOW - PAINT	LF	1800	0.15	1825	1825	\$273.75
10	4" SOLID LINE, WHITE - PAINT	LF	44300	0.15	43834	43834	\$6,575.10
11	24" STOP BAR SOLID LINE, WHITE - PAINT	LF	180	8.00	365	365	\$2,920.00
12	LT., RT., or THRU ARROW PVMT. MARKING, WHITE - PAINT	EA	70	60.00	57	57	\$3,420.00
	TOTAL BASE BID						<u>\$55,602.94</u>
	TOTAL BASE BID						<u>\$55,602.94</u>
	WORK COMPLETED TO DATE:						<u>\$55,602.94</u>

PROJECT PAYMENT STATUS

OWNER CITY OF SPRING LAKE PARK
STANTEC PROJECT NO. 193806748
CONTRACTOR ALLIED BLACKTOP COMPANY

CHANGE ORDERS

No.	Date	Description	Amount
Total Change Orders			

PAYMENT SUMMARY

No.	From	To	Payment	Retainage	Completed
1	05/01/2024	06/18/2024	52,822.80	2,780.14	55,602.94

Material on Hand

Total Payment to Date		\$52,822.80	Original Contract	\$182,940.00
Retainage Pay No.	1	2,780.14	Change Orders	
Total Amount Earned		\$55,602.94	Revised Contract	\$182,940.00



Stantec Consulting Services Inc.
733 Marquette Avenue, Suite 1000
Minneapolis, MN 55402
Tel: (612) 712-2000

June 25, 2024

Mr. Daniel Buchholtz, Administrator
City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432

Re: 2024 Sanburnol Drive, Elm Drive and 83rd Avenue Improvements Project
Project No. 193806347
Contractor's Request for Payment No. 1

Dear Dan:

Attached for city approval is Contractor's Request for Payment No. 1 for the 2024 Street Project. The prime Contractor on this project is North Valley Inc.

This request includes payment for initial work on Sanburnol and Elm. The project is proceeding smoothly. The Contractor has lost about a week of time due to rain days. Also, there will be a delay of several weeks for paving of the final lift of bituminous because CenterPoint Energy will be doing some gas main relocation between Terrace and the east end of the project.

We have reviewed the contractor's payment request and found it to be in order. We recommend approval. **If the City wishes to approve this request, then payment should be made to North Valley Inc. in the amount of \$242,047.96.**

Please execute the payment request document. Keep one copy for your records, forward a copy to North Valley Inc., and return one copy to me.

Feel free to contact Zach Naslund or me if you have any questions.

Regards,
STANTEC

A handwritten signature in black ink that reads "Phil Gravel".

Phil Gravel
City Engineer

Enclosures

cc: Matt Echols, North Valley Inc.
Geroge Linngren, Public Works Director



City of Spring Lake Park
 1301 81st Avenue Northeast
 Spring Lake Park , MN 55432

Page 1 of 4
 Client Project Number:
 Payment Number: 1

Contract Number: 193806347
Contractor's Pay Request Number: 1

2024 85TH AVENUE/SANBURNOL DRIVE, ELM DRIVE, AND 83RD AVENUE IMPROVEMENTS

State Aid Project Numbers
106-115-007, 106-129-002, 183-103-001, 183-104-001, 183-107-002

Contractor: North Valley, Inc. 20015 Iguana St NW Nowthen, MN 55330	Up To Date: 06/25/2024
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Contract Amount		Funds Encumbered	
Original Contract	\$1,048,488.45	Original	\$1,048,488.45
Contract Changes	\$0.00	Additional	N/A
Revised Contract	\$1,048,488.45	Total	\$1,048,488.45

Work Certified To Date	
Base Bid Items	\$254,787.33
Contract Changes	\$0.00
Material On Hand	\$0.00
Total	\$254,787.33

Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount This Request	Total Amount Paid To Date
\$254,787.33	\$254,787.33	\$12,739.37	\$0.00	\$242,047.96	\$242,047.96
Percent: Retained: 5%					

I hereby certify that all items and amounts shown are correct for the work completed to date.
 Contractor: North Valley, Inc.

Approved by: _____ By e-mail _____ Date: _____

The Work on this project and application has been reviewed and the amount shown is recommended for payment.
 Stantec Engineer: Phil Gravel, PE

Approved by: _____ Date: 6/25/2024



Approved for Payment by Owner: City of Spring Lake Park

Approved by: _____ Date: _____



Payment Summary				
No.	Up To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	2024-06-25	\$254,787.33	\$12,739.37	\$242,047.96

Contract Item Status									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
1	2021.501	MOBILIZATION	LUMP SUM	\$39,120.85	1	0.55	\$21,516.47	0.55	\$21,516.47
2	2104.502	REMOVE CASTING	EACH	\$212.90	2	0	\$0.00	0	\$0.00
3	2104.502	REMOVE DRAINAGE STRUCTURE	EACH	\$632.93	6	4	\$2,531.72	4	\$2,531.72
4	2104.502	SALVAGE SIGN TYPE C	EACH	\$43.05	1	0	\$0.00	0	\$0.00
5	2104.502	SALVAGE SIGN TYPE SPECIAL	EACH	\$64.57	3	0	\$0.00	0	\$0.00
6	2104.503	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LIN FT	\$8.61	108	0	\$0.00	0	\$0.00
7	2104.503	SAWING BIT PAVEMENT (FULL DEPTH)	LIN FT	\$4.84	745	0	\$0.00	0	\$0.00
8	2104.503	REMOVE SEWER PIPE (STORM)	LIN FT	\$17.84	54	48	\$856.32	48	\$856.32
9	2104.503	REMOVE CURB & GUTTER	LIN FT	\$9.15	620	0	\$0.00	0	\$0.00
10	2104.518	REMOVE BITUMINOUS WALK	SQ FT	\$3.93	71	0	\$0.00	0	\$0.00
11	2104.518	REMOVE CONCRETE SIDEWALK	SQ FT	\$4.31	2877	0	\$0.00	0	\$0.00
12	2104.518	REMOVE BITUMINOUS PAVEMENT	SQ FT	\$2.53	991	0	\$0.00	0	\$0.00
13	2104.618	REMOVE CONCRETE VALLEY GUTTER	SQ FT	\$15.07	736	0	\$0.00	0	\$0.00
14	2106.507	EXCAVATION - COMMON (P)	CU YD	\$24.79	2505	1595	\$39,540.05	1595	\$39,540.05
15	2106.507	EXCAVATION - SUBGRADE	CU YD	\$19.37	222	0	\$0.00	0	\$0.00
16	2106.507	SELECT GRANULAR EMBANKMENT (CV)	CU YD	\$8.61	222	0	\$0.00	0	\$0.00
17	2211.507	AGGREGATE BASE (CV) CLASS 5 (P)	CU YD	\$12.31	3559	2211	\$27,217.41	2211	\$27,217.41
18	2215.504	FULL DEPTH RECLAMATION (P)	SQ YD	\$4.41	12988	12988	\$57,277.08	12988	\$57,277.08
19	2231.618	BITUMINOUS PATCH SPECIAL	SQ FT	\$6.19	1474	0	\$0.00	0	\$0.00



Contract Item Status									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
20	2232.504	MILL BITUMINOUS SURFACE (2.5")	SQ YD	\$1.72	3900	0	\$0.00	0	\$0.00
21	2360.509	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	\$95.56	1924	0	\$0.00	0	\$0.00
22	2360.509	TYPE SP 12.5 WEARING COURSE MIX (3,C)	TON	\$89.31	1743	0	\$0.00	0	\$0.00
23	2360.509	TYPE SP 12.5 NON WEAR COURSE MIX (3,C)	TON	\$87.98	1743	0	\$0.00	0	\$0.00
24	2503.503	12" RC PIPE SEWER DES 3006 CL V	LIN FT	\$60.42	819	700	\$42,294.00	700	\$42,294.00
25	2503.503	15" RC PIPE SEWER DES 3006 CL V	LIN FT	\$67.90	8	0	\$0.00	0	\$0.00
26	2503.602	CONNECT TO EXISTING STORM SEWER	EACH	\$1,122.01	7	3	\$3,366.03	3	\$3,366.03
27	2503.602	CONNECT INTO EXISTING DRAINAGE STRUCTURE	EACH	\$1,588.07	1	1	\$1,588.07	1	\$1,588.07
28	2504.602	ADJUST VALVE BOX	EACH	\$541.36	10	0	\$0.00	0	\$0.00
29	2506.502	CONST DRAINAGE STRUCTURE DESIGN SPECIAL	EACH	\$2,054.14	8	6	\$12,324.84	6	\$12,324.84
30	2506.502	CONST DRAINAGE STRUCTURE DESIGN SPEC 1	EACH	\$2,399.37	10	6	\$14,396.22	6	\$14,396.22
31	2506.502	CASTING ASSEMBLY	EACH	\$1,076.27	20	0	\$0.00	0	\$0.00
32	2506.502	ADJUST FRAME & RING CASTING	EACH	\$1,178.51	25	12	\$14,142.12	12	\$14,142.12
33	2506.602	CORE DRILLED HOLE	EACH	\$2,134.69	1	0	\$0.00	0	\$0.00
34	2521.518	4" CONCRETE WALK	SQ FT	\$7.00	2878	0	\$0.00	0	\$0.00
35	2521.518	6" CONCRETE WALK	SQ FT	\$16.14	1258	0	\$0.00	0	\$0.00
36	2531.503	CONCRETE CURB & GUTTER DESIGN B618	LIN FT	\$37.13	620	0	\$0.00	0	\$0.00
37	2531.604	7" CONCRETE VALLEY GUTTER	SQ YD	\$87.18	99	0	\$0.00	0	\$0.00
38	2531.618	TRUNCATED DOMES	SQ FT	\$75.34	183	0	\$0.00	0	\$0.00
39	2563.601	TRAFFIC CONTROL	LUMP SUM	\$10,224.55	1	0.81	\$8,281.89	0.81	\$8,281.89
40	2564.502	INSTALL SIGN TYPE C	EACH	\$215.25	1	0	\$0.00	0	\$0.00
41	2564.602	INSTALL SIGN TYPE SPECIAL	EACH	\$457.41	3	0	\$0.00	0	\$0.00
42	2573.601	EROSION CONTROL	LUMP SUM	\$10,277.29	1	0.92	\$9,455.11	0.92	\$9,455.11



City of Spring Lake Park
1301 81st Avenue Northeast
Spring Lake Park , MN 55432

Page 4 of 4
Client Project Number:
Payment Number: 1

Contract Item Status									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
43	2575.604	PERMANENT RESTORATION	SQ YD	\$13.43	713	0	\$0.00	0	\$0.00
44	2582.503	4" SOLID LINE MULTI COMP	LIN FT	\$0.59	547	0	\$0.00	0	\$0.00
45	2582.503	24" SOLID LINE MULTI COMP	LIN FT	\$11.83	298	0	\$0.00	0	\$0.00
46	2582.503	4" DBLE SOLID LINE MULTI COMP	LIN FT	\$1.18	4622	0	\$0.00	0	\$0.00
47	2582.518	CROSSWALK MULTI COMP	SQ FT	\$5.84	696	0	\$0.00	0	\$0.00
Base Bid Totals:							\$254,787.33		\$254,787.33

Less 5% retainage, amount due this request is **\$242,047.96**

Stantec Architecture Inc.

733 Marquette Avenue Suite 1000, Minneapolis MN 55402-2309
Phone: (612) 712-2000

To:	Dan Buchholtz	From:	Bruce Paulson
Company:	City of Spring Lake Park	<input type="checkbox"/>	For Your Information
Address:	1301 81st Avenue NE	<input checked="" type="checkbox"/>	For Your Approval
	Spring Lake Park, MN 55432	<input checked="" type="checkbox"/>	For Your Review
Phone:	(763) 792-7211	<input type="checkbox"/>	As Requested
Date:	June 27, 2024		
File:	193806049		
Delivery:	Email		

Reference: Spring Lake Park City Hall Renovation/Expansion Application and Certificate for Payment

Attachment:

Copies	Doc Date	Pages	Description
1	6/28/2023	12	Application and Certificate for Payment No. 5

Hi Dan,

Please have the attached copy signed and then it can be scanned and emailed to Heather Clay at heather.clay@constructionresults.com and to me. Thank you.

Respectfully yours,

Stantec Architecture Inc.**Bruce P. Paulson**

Senior Project Manager/Architect

Phone: (612) 712-2108

Cell: (651) 492-9089

Bruce.Paulson@stantec.com

c. File



Project: Spring Lake Park City Hall Renovation/Expansion	Date: June 27, 2024
For Period: 6/1/2024 to 6/30/2024	Request No 5
Contractor: Construction Results Corp., 5465 Hwy 169 North, Plymouth, MN 55442	

CONTRACTOR'S REQUEST FOR PAYMENT
 SPRING LAKE PARK CITY HALL RENOVATION/EXPANSION PROJECT
 CITY OF SPRING LAKE PARK
 SPRING LAKE PARK, MINNESOTA
 STANTEC FILE NO. 19386049

SUMMARY

1	Original Contract Amount		\$	<u>5,955,690.00</u>
2	Change Order - Addition	\$	<u>64,147.40</u>	
3	Change Order - Deduction	\$	<u>0.00</u>	
4	Revised Contract Amount		\$	<u>6,019,837.40</u>
5	Value Completed to Date		\$	<u>3,983,623.40</u>
6	Material on Hand		\$	<u>0.00</u>
7	Amount Earned		\$	<u>3,983,623.40</u>
8	Less Retainage 5%		\$	<u>199,181.17</u>
9	Subtotal		\$	<u>3,784,442.23</u>
10	Less Amount Paid Previously		\$	<u>3,123,308.73</u>
11	Liquidated damages -		\$	<u>0.00</u>
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. <u>5</u>		\$	<u><u>661,133.50</u></u>

Recommended for Approval by:
STANTEC ARCHITECTURE INC.

See attached for signature _____

Approved by Contractor:
CONSTRUCTION RESULTS CORPORATION

See attached for signature _____

Approved by Owner:
CITY OF SPRING LAKE PARK

Specified Contract Completion Date:
June 27, 2025

Date:



AIA Document G702 - 1992

Application and Certificate for Payment

TO OWNER: City of Spring Lake Park
1301 81st Avenue Northeast
Spring Lake Park, MN 55432

PROJECT: 7088-Spring Lake Park City Hall
Renovation - Expansion
1301 81st Avenue Northeast
Spring Lake Park, MN 55432

FROM: Construction Results Corp
5465 Hwy 169 North
Plymouth, MN 55442

VIA ARCHITECT: Stantec Consulting Services Inc.
13980 Collections Center Dr
Chicago, IL 60693

APPLICATION NO: 005
PERIOD TO: June 30, 2024

CONTRACT FOR: General Construction
CONTRACT DATE: February 01, 2024
PROJECT NOS: 7088 /

Distribution to:
OWNER:
ARCHITECT:
CONTRACTOR:
FIELD:
OTHER:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
AIA Document G703®, Continuation Sheet, is attached.

1. ORIGINAL CONTRACT SUM \$5,955,690.00
 2. NET CHANGE BY CHANGE ORDERS \$64,147.40
 3. CONTRACT SUM TO DATE (Line 1 ± 2) \$6,019,837.40
 4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$3,983,623.40
 5. RETAINAGE:
 - a. 5.00 % of Completed Work (Column D + E on G703) \$199,181.17
 - b. 0 % of Stored Material (Column F on G703) \$0.00
- Total Retainage (Lines 5a + 5b or Total in Column I of G703) \$199,181.17

By:  Date: June 28, 2024

State of: Minnesota

County of: Hennepin

Subscribed and sworn to before me this 28th day of June, 2024



6. TOTAL EARNED LESS RETAINAGE \$3,784,442.23
(Line 4 Less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$3,123,308.73
(Line 6 from prior Certificate)
8. CURRENT PAYMENT DUE \$661,133.50
9. BALANCE TO FINISH, INCLUDING RETAINAGE \$2,235,395.17
(Line 3 less Line 6)

AMOUNT CERTIFIED \$661,133.50
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:  Date: June 27, 2024

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month	\$64,147.40	\$0.00
TOTALS	\$64,147.40	\$0.00
NET CHANGES by Change Order		\$64,147.40



AIA Document G703[®] - 1992

Continuation Sheet

AIA Document G702[®], Application and Certification for Payment, or G732[™], Application and Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 005
 APPLICATION DATE: June 28, 2024
 PERIOD TO: June 30, 2024
 ARCHITECT'S PROJECT NO: #7088

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G		H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD			TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G+C)		
1	Mobilization	138,000.00	138,000.00	0.00	0.00	0.00	138,000.00	100.00%	0.00	6,900.00
2	Demobilization	30,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	30,000.00	0.00
3	Bonds & Insurance	85,000.00	85,000.00	0.00	0.00	0.00	85,000.00	100.00%	0.00	4,250.00
4	Procure	15,000.00	12,525.00	725.00	0.00	0.00	13,250.00	88.33%	1,750.00	662.50
5	Contracts	15,000.00	15,000.00	0.00	0.00	0.00	15,000.00	100.00%	0.00	750.00
6	Project Start up	26,000.00	26,000.00	0.00	0.00	0.00	26,000.00	100.00%	0.00	1,300.00
7	General Conditions	310,000.00	192,362.00	39,895.00	0.00	0.00	232,257.00	74.92%	77,743.00	11,612.85
8	Consumables	65,000.00	49,769.00	4,259.00	0.00	0.00	54,028.00	83.12%	10,972.00	2,701.40
9	Site Clean up/ General Clean up	10,000.00	6,320.00	1,250.00	0.00	0.00	7,570.00	75.70%	2,430.00	378.50
10	Equipment	35,550.00	31,123.00	1,256.00	0.00	0.00	32,379.00	91.08%	3,171.00	1,618.95
11	Site Survey / Staking	8,000.00	8,000.00	0.00	0.00	0.00	8,000.00	100.00%	0.00	400.00
12	Site Demolition	16,000.00	16,000.00	0.00	0.00	0.00	16,000.00	100.00%	0.00	800.00
13	Earthwork - Excavation	16,000.00	16,000.00	0.00	0.00	0.00	16,000.00	100.00%	0.00	800.00
14	Earthwork - Aggregate base Grading	13,000.00	11,400.00	1,600.00	0.00	0.00	13,000.00	100.00%	0.00	650.00
15	Earthwork - Final Grading	2,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	2,000.00	0.00
16	Earthwork - Equipment	10,256.00	10,256.00	0.00	0.00	0.00	10,256.00	100.00%	0.00	512.80
17	Bituminous Paving - Labor	11,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	11,000.00	0.00
18	Bituminous Paving - Materials	8,375.00	0.00	0.00	0.00	0.00	0.00	0.00%	8,375.00	0.00
19	Landscaping - Labor	2,481.00	0.00	0.00	0.00	0.00	0.00	0.00%	2,481.00	0.00
20	Landscaping - Materials	1,395.00	0.00	0.00	0.00	0.00	0.00	0.00%	1,395.00	0.00
21	Dust Protection - Labor	13,112.00	10,100.00	1,003.00	0.00	0.00	11,103.00	84.68%	2,009.00	555.15
22	Dust Protection -	7,250.00	5,990.00	0.00	0.00	0.00	5,990.00	82.62%	1,260.00	299.50

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	Material									
23	Demolition - Labor	137,000.00	122,019.00	0.00	0.00	0.00	122,019.00	89.06%	14,981.00	6,100.95
24	Demolition - Material	1,500.00	1,100.00	0.00	0.00	0.00	1,100.00	73.33%	400.00	55.00
25	Demolition - Equipment	2,500.00	1,900.00	0.00	0.00	0.00	1,900.00	76.00%	600.00	95.00
26	Cast in Place Curb & Gutter - Labor	5,000.00	0.00	5,000.00	0.00	0.00	5,000.00	100.00%	0.00	250.00
27	Cast in Place Curb & Gutter - Material	2,551.00	0.00	2,551.00	0.00	0.00	2,551.00	100.00%	0.00	127.55
28	Cast in Place Exterior Concrete - Labor	12,000.00	10,051.00	0.00	0.00	0.00	10,051.00	83.76%	1,949.00	502.55
29	Cast in Place Exterior Concrete - Material	5,000.00	3,675.00	0.00	0.00	0.00	3,675.00	73.50%	1,325.00	183.75
30	Cast in Place Interior Concrete - Mobilization	2,500.00	2,500.00	0.00	0.00	0.00	2,500.00	100.00%	0.00	125.00
31	Cast in Place Interior Concrete - Labor	96,300.00	96,300.00	0.00	0.00	0.00	96,300.00	100.00%	0.00	4,815.00
32	Cast in Place Interior Concrete - Material	53,200.00	53,200.00	0.00	0.00	0.00	53,200.00	100.00%	0.00	2,660.00
33	Concrete Reinforcement - Labor	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00	100.00%	0.00	150.00
34	Concrete Reinforcement - Material	9,174.00	9,174.00	0.00	0.00	0.00	9,174.00	100.00%	0.00	458.70
35	Architectural / Hollow Core Precast Concrete - Engineering	10,380.00	10,380.00	0.00	0.00	0.00	10,380.00	100.00%	0.00	519.00
36	Architectural / Hollow Core Precast Concrete - Labor	31,426.00	31,426.00	0.00	0.00	0.00	31,426.00	100.00%	0.00	1,571.30
37	Architectural / Hollow Core Precast Concrete - Material	41,806.00	41,806.00	0.00	0.00	0.00	41,806.00	100.00%	0.00	2,090.30
38	Architectural / Hollow Core Precast Concrete -	9,296.00	9,296.00	0.00	0.00	0.00	9,296.00	100.00%	0.00	464.80

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	Logistics									
39	Architectural / Hollow Core Precast Concrete - Erection	74,902.00	74,902.00		0.00	0.00	74,902.00	100.00%	0.00	3,745.10
40	Architectural / Hollow Core Precast Concrete - Caulking	5,190.00	5,190.00		0.00	0.00	5,190.00	100.00%	0.00	259.50
41	Masonry - Mobilization	18,500.00	18,500.00		0.00	0.00	18,500.00	100.00%	0.00	925.00
42	Masonry - Labor	267,900.00	230,562.00		8,956.00	0.00	239,518.00	89.41%	28,382.00	11,975.90
43	Masonry - Material	150,916.00	125,714.00		25,202.00	0.00	150,916.00	100.00%	0.00	7,545.80
44	Masonry - Equipment	12,513.00	11,645.00		868.00	0.00	12,513.00	100.00%	0.00	625.65
45	Structural Steel - Detailing / Submittals	2,880.00	2,880.00		0.00	0.00	2,880.00	100.00%	0.00	144.00
46	Structural Steel - Labor	19,000.00	16,795.00		2,205.00	0.00	19,000.00	100.00%	0.00	950.00
47	Structural Steel - Material	56,760.00	56,760.00		0.00	0.00	56,760.00	100.00%	0.00	2,838.00
48	Miscellaneous Metals - Labor	14,000.00	0.00		0.00	0.00	0.00	0.00%	14,000.00	0.00
49	Miscellaneous Metals - Material	52,680.00	15,952.00		21,569.00	0.00	37,521.00	71.22%	15,159.00	1,876.05
50	Structural Steel - Delivery	1,580.00	1,580.00		0.00	0.00	1,580.00	100.00%	0.00	79.00
51	Metal Fabrications / Mesh Guarding System - Labor	5,000.00	0.00		0.00	0.00	0.00	0.00%	5,000.00	0.00
52	Metal Fabrications / Mesh Guarding System - Material	21,469.00	0.00		0.00	0.00	0.00	0.00%	21,469.00	0.00
53	Rough Carpentry - Labor	65,000.00	53,030.00		3,569.00	0.00	56,599.00	87.08%	8,401.00	2,829.95
54	Rough Carpentry - Material	8,743.00	6,989.00		1,052.00	0.00	8,041.00	91.97%	702.00	402.05
55	Finish Carpentry -	40,000.00	0.00		0.00	0.00	0.00	0.00%	40,000.00	0.00

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	Labor									
56	Finish Carpentry - Materials	4,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	4,000.00	0.00
57	Solid Surface Fabrications / Casework - Labor	15,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	15,000.00	0.00
58	Solid Surface Fabrications / Casework - Material	56,005.00	0.00	0.00	0.00	0.00	0.00	0.00%	56,005.00	0.00
59	Bituminous Dampproofing - Labor	3,750.00	2,852.00	898.00	0.00	0.00	3,750.00	100.00%	0.00	187.50
60	Bituminous Dampproofing - Material	4,186.00	4,186.00	0.00	0.00	0.00	4,186.00	100.00%	0.00	209.30
61	Insulation - Labor	2,000.00	0.00	1,100.00	0.00	0.00	1,100.00	55.00%	900.00	55.00
62	Insulation - Material	1,200.00	0.00	1,200.00	0.00	0.00	1,200.00	100.00%	0.00	60.00
63	Joint Sealants - Labor	9,784.00	0.00	0.00	0.00	0.00	0.00	0.00%	9,784.00	0.00
64	Joint Sealants - Material	2,200.00	0.00	0.00	0.00	0.00	0.00	0.00%	2,200.00	0.00
65	Aluminum Composite Panels - Submittals	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00	100.00%	0.00	75.00
66	Aluminum Composite Panels - Labor	39,129.00	0.00	0.00	0.00	0.00	0.00	0.00%	39,129.00	0.00
67	Aluminum Composite Panels - Material	29,017.00	0.00	0.00	0.00	0.00	0.00	0.00%	29,017.00	0.00
68	Thermoplastic Polyolefin Roofing - Submittals	1,200.00	1,200.00	0.00	0.00	0.00	1,200.00	100.00%	0.00	60.00
69	Thermoplastic Polyolefin Roofing - Mobilization	4,150.00	4,150.00	0.00	0.00	0.00	4,150.00	100.00%	0.00	207.50
70	Thermoplastic Polyolefin Roofing - Labor	95,545.00	74,195.00	10,520.00	0.00	0.00	84,715.00	88.67%	10,830.00	4,235.75
71	Thermoplastic	273,250.00	260,207.00	13,043.00	0.00	0.00	273,250.00	100.00%	0.00	13,662.50

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87	Storefront - Material	109,867.00	109,867.00		0.00	0.00	109,867.00	100.00%	0.00	5,493.35
88	Bullet Resistant Framing - Material	42,918.00	42,918.00		0.00	0.00	42,918.00	100.00%	0.00	2,145.90
89	Storefront / Door Glazing - Labor	12,113.00	0.00		0.00	0.00	0.00	0.00%	12,113.00	0.00
90	Storefront / Door Glazing - Material	29,926.00	29,926.00		0.00	0.00	29,926.00	100.00%	0.00	1,496.30
91	Bullet Resistant Glazing - Labor	1,686.00	0.00		0.00	0.00	0.00	0.00%	1,686.00	0.00
92	Bullet Resistant Glazing - Material	1,028.00	1,028.00		0.00	0.00	1,028.00	100.00%	0.00	51.40
93	Aluminum Door Hardware / Auto Opener - Material	75,552.00	55,659.00		0.00	0.00	55,659.00	73.67%	19,893.00	2,782.95
94	Aluminum Storefront Equipment	7,566.00	0.00		0.00	0.00	0.00	0.00%	7,566.00	0.00
95	Metal Wall Louvers - Labor	2,050.00	2,050.00		0.00	0.00	2,050.00	100.00%	0.00	102.50
96	Metal Wall Louvers - Material	2,143.00	2,143.00		0.00	0.00	2,143.00	100.00%	0.00	107.15
97	Gypsum Board Assemblies - Summittals	1,000.00	1,000.00		0.00	0.00	1,000.00	100.00%	0.00	50.00
98	Cold Formed Metal Framing - Labor	10,000.00	7,500.00		0.00	0.00	7,500.00	75.00%	2,500.00	375.00
99	Cold Formed Metal Framing - Material	10,000.00	10,000.00		0.00	0.00	10,000.00	100.00%	0.00	500.00
100	Gypsum Drywall - Labor	190,200.00	72,589.00		55,242.00	0.00	127,831.00	67.21%	62,369.00	6,391.55
101	Gypsum Drywall - Material	126,700.00	48,951.00		41,259.00	0.00	90,210.00	71.20%	36,490.00	4,510.50
102	Ceramic Tile - Labor	61,464.00	0.00		0.00	0.00	0.00	0.00%	61,464.00	0.00
103	Ceramic Tile - Material	53,870.00	0.00		9,386.00	0.00	9,386.00	17.42%	44,484.00	469.30
104	Acoustical Ceilings -	28,990.00	0.00		0.00	0.00	0.00	0.00%	28,990.00	0.00

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	Labor									
105	Acoustical Ceilings - Material	36,700.00	0.00	0.00	0.00	0.00	0.00	0.00%	36,700.00	0.00
106	Vinyl Base - Labor	500.00	0.00	0.00	0.00	0.00	0.00	0.00%	500.00	0.00
107	Vinyl Base - Material	400.00	400.00	0.00	0.00	0.00	400.00	100.00%	0.00	20.00
108	Carpet - Labor	13,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	13,000.00	0.00
109	Carpet - Material	36,100.00	36,100.00	0.00	0.00	0.00	36,100.00	100.00%	0.00	1,805.00
110	Concrete Floor Sealer - Labor	1,100.00	0.00	0.00	0.00	0.00	0.00	0.00%	1,100.00	0.00
111	Concrete Floor Sealer - Material	5,950.00	0.00	0.00	0.00	0.00	0.00	0.00%	5,950.00	0.00
112	Painting - Labor	57,777.00	0.00	0.00	0.00	0.00	0.00	0.00%	57,777.00	0.00
113	Painting - Materials	8,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	8,000.00	0.00
114	Concrete Floor Coating - Labor	5,840.00	0.00	0.00	0.00	0.00	0.00	0.00%	5,840.00	0.00
115	Concrete Floor Coating - Material	3,150.00	0.00	0.00	0.00	0.00	0.00	0.00%	3,150.00	0.00
116	Signs - Labor	1,500.00	0.00	0.00	0.00	0.00	0.00	0.00%	1,500.00	0.00
117	Signs - Material	4,938.00	0.00	0.00	0.00	0.00	0.00	0.00%	4,938.00	0.00
118	Interior Way Finding Allowance	10,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	10,000.00	0.00
119	Operable Partitions - Labor	4,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	4,000.00	0.00
120	Operable Partitions - Material	15,950.00	0.00	0.00	0.00	0.00	0.00	0.00%	15,950.00	0.00
121	Stainless Steel Corner Guards - Labor	1,188.00	0.00	0.00	0.00	0.00	0.00	0.00%	1,188.00	0.00
122	Stainless Steel Corner Guards - Material	3,977.00	0.00	0.00	0.00	0.00	0.00	0.00%	3,977.00	0.00
123	Toilet Accessories - Labor	9,801.00	0.00	0.00	0.00	0.00	0.00	0.00%	9,801.00	0.00
124	Toilet Accessories - Material	7,408.00	0.00	0.00	0.00	0.00	0.00	0.00%	7,408.00	0.00

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125	Adult Changing Stations - Labor	1,188.00	0.00	0.00	0.00	0.00	0.00	0.00%	1,188.00	0.00
126	Adult Changing Stations - Material	9,731.00	0.00	0.00	0.00	0.00	0.00	0.00%	9,731.00	0.00
127	Fire Protection Specialties - Labor	2,645.00	0.00	0.00	0.00	0.00	0.00	0.00%	2,645.00	0.00
128	Fire Protection Specialties - Material	2,645.00	0.00	0.00	0.00	0.00	0.00	0.00%	2,645.00	0.00
129	Heavy Duty Personnel Lockers - Labor	4,250.00	0.00	0.00	0.00	0.00	0.00	0.00%	4,250.00	0.00
130	Heavy Duty Personnel Lockers - Material	55,337.00	0.00	0.00	0.00	0.00	0.00	0.00%	55,337.00	0.00
131	Entrance Floor Mats & Frames - Submittals	200.00	200.00	0.00	0.00	0.00	200.00	100.00%	0.00	10.00
132	Entrance Floor Mats & Frames - Labor	1,800.00	0.00	0.00	0.00	0.00	0.00	0.00%	1,800.00	0.00
133	Entrance Floor Mats & Frames - Material	4,773.00	4,773.00	0.00	0.00	0.00	4,773.00	100.00%	0.00	238.65
134	Fire Suppression - Engineered Design Submittals	13,568.00	13,568.00	0.00	0.00	0.00	13,568.00	100.00%	0.00	678.40
135	Fire Suppression - Labor	67,840.00	12,175.00	21,589.00	0.00	0.00	33,764.00	49.77%	34,076.00	1,688.20
136	Fire Suppression - Material	88,192.00	34,379.00	36,589.00	0.00	0.00	70,968.00	80.47%	17,224.00	3,548.40
137	Plumbing Insulation - Labor	31,330.00	0.00	12,587.00	0.00	0.00	12,587.00	40.18%	18,743.00	629.35
138	Plumbing Insulation - Material	17,700.00	0.00	9,568.00	0.00	0.00	9,568.00	54.06%	8,132.00	478.40
139	Facility Water Distribution - Labor	32,420.00	13,506.00	7,580.00	0.00	0.00	21,086.00	65.04%	11,334.00	1,054.30
140	Facility Water Distribution - Material	36,565.00	18,429.00	13,575.00	0.00	0.00	32,004.00	87.53%	4,561.00	1,600.20

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141	Facility Sanitary Sewage - Labor	92,260.00	65,869.00		10,252.00	0.00	76,121.00	82.51%	16,139.00	3,806.05
142	Facility Sanitary Sewage - Material	99,275.00	92,149.00		0.00	0.00	92,149.00	92.82%	7,126.00	4,607.45
143	Domestic Water Heaters - Labor	2,250.00	0.00		0.00	0.00	0.00	0.00%	2,250.00	0.00
144	Domestic Water Heaters - Material	15,000.00	0.00		0.00	0.00	0.00	0.00%	15,000.00	0.00
145	Plumbing Fixtures - Labor	14,630.00	2,850.00		0.00	0.00	2,850.00	19.48%	11,780.00	142.50
146	Plumbing Fixtures - Material	82,550.00	0.00		0.00	0.00	0.00	0.00%	82,550.00	0.00
147	HVAC Testing Adjusting & Balancing - Labor	8,900.00	0.00		0.00	0.00	0.00	0.00%	8,900.00	0.00
148	Facility Natural Gas Piping - Labor	6,700.00	0.00		1,851.00	0.00	1,851.00	27.63%	4,849.00	92.55
149	Facility Natural Gas Piping - Material	6,950.00	0.00		4,528.00	0.00	4,528.00	65.15%	2,422.00	226.40
150	HVAC Ducts & Casings - Labor	39,830.00	11,100.00		12,562.00	0.00	23,662.00	59.41%	16,168.00	1,183.10
151	HVAC Ducts & Casings - Material	87,525.00	35,289.00		26,894.00	0.00	62,183.00	71.05%	25,342.00	3,109.15
152	HVAC Fans - Labor	3,560.00	0.00		0.00	0.00	0.00	0.00%	3,560.00	0.00
153	HVAC Fans - Material	18,245.00	0.00		0.00	0.00	0.00	0.00%	18,245.00	0.00
154	Air Outlets & Inlets - Labor	14,300.00	2,550.00		3,158.00	0.00	5,708.00	39.92%	8,592.00	285.40
155	Air Outlets & Inlets - Material	19,350.00	15,892.00		0.00	0.00	15,892.00	82.13%	3,458.00	794.60
156	Gas Fired Unit Heaters - Labor	5,125.00	0.00		0.00	0.00	0.00	0.00%	5,125.00	0.00
157	Gas Fired Unit Heaters - Material	21,270.00	0.00		0.00	0.00	0.00	0.00%	21,270.00	0.00

A ITEM NO.	B DESCRIPTION OF WORK	C SCHEDULED VALUE	D WORK COMPLETED		E THIS PERIOD	F MATERIALS PRESENTLY STORED (NOT IN D OR E)	G		H BALANCE TO FINISH (C - G)	I RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD			TOTAL COMPLETED AND STORED TO DATE (D + E + F)	% (G+C)		
158	Packaged Outdoor HVAC Equipment - Labor	16,450.00	0.00	10,525.00	0.00	0.00	10,525.00	63.98%	5,925.00	526.25
159	Packaged Outdoor HVAC Equipment - Material	225,550.00	78,325.00	147,225.00	0.00	0.00	225,550.00	100.00%	0.00	11,277.50
160	Electrical Mobilization	35,000.00	35,000.00	0.00	0.00	0.00	35,000.00	100.00%	0.00	1,750.00
161	Electrical Demolition - Labor	15,000.00	12,550.00	0.00	0.00	0.00	12,550.00	83.67%	2,450.00	627.50
162	Electrical Demolition - Material	7,500.00	6,195.00	0.00	0.00	0.00	6,195.00	82.60%	1,305.00	309.75
163	Lighting Control - Labor	45,000.00	24,144.00	6,841.00	0.00	0.00	30,985.00	68.86%	14,015.00	1,549.25
164	Lighting Control - Labor	25,000.00	16,258.00	5,235.00	0.00	0.00	21,493.00	85.97%	3,507.00	1,074.65
165	Light Fixture - Labor	86,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	86,000.00	0.00
166	Light Fixture - Material	231,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	231,000.00	0.00
167	Mechanical Power - Labor	32,750.00	18,799.00	8,524.00	0.00	0.00	27,323.00	83.43%	5,427.00	1,366.15
168	Mechanical Power - Material	36,000.00	21,779.00	12,522.00	0.00	0.00	34,301.00	95.28%	1,699.00	1,715.05
169	Panels / Feeder - Labor	43,000.00	26,125.00	16,875.00	0.00	0.00	43,000.00	100.00%	0.00	2,150.00
170	Panels / Feeder - Material	122,000.00	70,271.00	51,729.00	0.00	0.00	122,000.00	100.00%	0.00	6,100.00
171	Branch Circuit Devices - Labor	65,000.00	40,695.00	0.00	0.00	0.00	40,695.00	62.61%	24,305.00	2,034.75
172	Branch Circuit Devices - Material	30,000.00	19,604.00	0.00	0.00	0.00	19,604.00	65.35%	10,396.00	980.20
173	Fire Alarm - Labor	23,000.00	0.00	8,524.00	0.00	0.00	8,524.00	37.06%	14,476.00	426.20
174	Fire Alarm - Material	17,000.00	0.00	12,589.00	0.00	0.00	12,589.00	74.05%	4,411.00	629.45
175	CO #1	64,147.40	64,147.40	0.00	0.00	0.00	64,147.40	100.00%	0.00	3,207.37
	GRAND TOTAL	\$6,019,837.40	\$3,287,693.40	\$695,930.00	\$0.00	\$0.00	\$3,983,623.40	66.17%	\$2,036,214.00	\$199,181.17

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User Notes: (9B9ADAAA)

Fire Department Memorandum

To: Daniel Bucholtz City Administrator, City of Spring Lake Park
Nyle Zikmund City Administrator, City of Mounds View
Michelle Wolfe City Manager, City of Blaine

From: Dan Retka, Fire Chief

Date: June 20, 2024

Re: New Fire Engine Purchase

Attached to this memo, you will find the most recent Capital Improvement Plan.

To continue keeping our apparatus on a realistic replacement schedule per our capital plan, SBMFD requests authorization to order a new fully equipped fire engine. This truck will replace the 2007 Rosenbauer.

NFPA recommends the replacement of front-line Fire Engines no later than 15 years. The truck being replaced is currently 17 years old and has exceeded its useful life serving our communities.

The staff has received bids from 3 different manufacturers and has selected Midwest Fire Apparatus, based in Lavern, MN. The truck is a smaller version of the latest Engine purchased in 2023. Once the contract is signed, the current build time is 36 months. Midwest had the lowest bid, with the shortest build time.

Because of the long build time and the upcoming emissions standards, we are requesting authorization to place the order ASAP to avoid a large increase in the chassis' cost. A \$10,000 deposit is required when the order is placed. The remaining balance is due at the time of delivery.

The current cost of the Truck: \$700,000

Associated equipment: \$200,000

Total cost: \$900,000

Thank you for your consideration.

Chief Retka



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: June 25, 2024

Subject: Opt out of Ramsey County CDBG Entitlement

The City of Spring Lake Park has received a letter from Ramsey County notifying us of the opportunity to participate in Ramsey County's Community Development Block Grant (CDBG) program. As the City has opted out of the program in the past, they are inquiring if that continues to be our position.

The City of Spring Lake Park accesses the CDBG program through the Anoka County Housing and Redevelopment Authority. As the entire City participates in Anoka County's program, funds are available to residents and organizations in the Ramsey County portion of the City.

Working with one program eases administration and burdens associated with accessing the funds. City staff is very comfortable working with Anoka County HRA and desires to continue the current arrangement.

Staff requests City Council authority to notify Ramsey County of its intent to opt-out of the Ramsey County program.

If you have any questions, please feel free to contact me at 763-784-6491.

City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432

Contractor's Licenses

July 1, 2024

General Contractor

Brandon Hovind

Diversified Construction

Mitchell Contracting, LLC.

Mechanical Contractor

C & M Heating and Air, Inc.

Dependable Heating & Cooling, Inc.

Hoffman Refrigeration & Heating

Modern Heating and Air, LLC.

Plumbing Contractor

Carlson Plumbing, Inc.

Good Heating and AC, Inc.

Modern Heating and Air, LLC.

TPC Northern, Inc. dba Northern Plumbing & Softening

Tree Contractor

North Woods Industries, LLC.

City of Spring Lake Park
1301 81st Avenue NE
Spring Lake Park, MN 55432

Sign Permits

July 1, 2024

Sign Permit

1440 85th Ave



CITY OF SPRING LAKE PARK
1301 81st Avenue NE
Spring Lake Park, MN 55432
763-784-6491

Sign Permit Application

DATE: 6-10-24
NAME OF APPLICANT: 1440 Partners LLC
ADDRESS OF APPLICANT: 1440 85th Ave NE
TELEPHONE NUMBER OF APPLICANT: 612-296-5483

NAME OF BUSINESS AND LOCATION of building structure, or lot to which or upon which the sign is to be attached or erected. It is two signs on east & west of building that tenants can put their names on. No business names on yet

New Construction: _____ Remodel: _____ Word Change Only: _____

Attach a drawing or sketch showing the position of the sign in relation to the nearest building, structures, public streets, right-of-way and property lines. Said drawing to be prepared to scale.

Attach two (2) blueprints or ink drawings of the plans and specifications and method of construction or attachment to the building or in the ground, including all dimensions. Show location of all light sources, wattage, type and color of lights and details of light shields or shades.

Attach a copy of stress sheets and calculations showing the structure is designed for dead load and wind velocity in the amount required by this and all other Ordinances of the City, if requested by the Building Inspection Department.

Name of person, firm or corporation erecting the structure: Mitchell Contracting LLC

Address: 4614 41st 1/2 Ave N Robbinsdale

Is an Electrical Permit required? NO

- I, the undersigned applicant, do further make the following agreement with the City of Spring Lake Park Mn:
- 1) To authorize and direct the City of Spring Lake Park to remove and dispose of any signs and sign structures on which a Permit has been issued but which was not renewed, if the owner does not remove the same within thirty (30) days following the expiration of the Permit.
 - 2) To authorize and direct the City of Spring Lake Park to remove said sign and sign structure, at the expense of the applicant, where maintenance is not furnished, but only after a hearing and after notice of sixty (60) days, specifying the maintenance required by the City.
 - 3) To provide any other additional information which may be required by the Building Inspection Department.

SIGNATURE OF APPLICANT

FOR OFFICE USE ONLY:*****

FEE: \$320 RECEIPT NUMBER: _____

DATE OF APPROVAL: _____ DATE OF ISSUE: _____

REASON FOR DENIAL: _____

ADDITIONAL REQUIREMENTS FOR SIGN PERMIT:

SQUARE FOOTAGE OF FRONT OF BUILDING: 2,800.00 2234

SQUARE FOOTAGE OF ALL EXISTING SIGNS: 80 sqft 16 sqft

SQUARE FOOTAGE OF PROPOSED SIGN OR SIGNS: 1 48 sqft 96 sqft 11 sqft 11 sqft - "r"
40 sqft x 2 = 80 sqft 176 sqft total

INCLUDE A DRAWING SHOWING LOCATION AND MESSAGE ON SIGN.

IF YOU ARE NOT THE OWNER OF THE PROPERTY, INCLUDE A SIGNED LETTER FROM THE OWNER GIVING PERMISSION TO ERECT THE SIGN.

NOTE: ALL APPLICATIONS ARE DUE BY NOON ON THE TUESDAY PRECEEDING THE COUNCIL MEETING.

DRAWING:

Proposed

2 48 sqft 75 + 1.25(8) = \$85
48 sqft 75 + 1.25(8) = \$85
40 sqft \$75
40 sqft \$75

\$ 320

670 sqft - 3070
16 sqft - Existing
176 sqft proposed

478 sqft Remaining

* Only charging for 7 signs. 2 signs have address on them.



Top Sign 6' x 8' 48 sq ft x 2 = 96 sq ft

Bottom sign
5' x 8' 40 sq ft x 2 = 80 sq ft

Signs on East & West Side of building



Memorandum

To: Mayor Nelson and Members of the City Council

Cc: Dan Buchholtz, City Administrator

From: George Linngren, Public Works Director

Date: June 27, 2024

Subject: June 2024 Public Works Report

As we find ourselves halfway through the year and just beginning summer, I would like to provide a summary of our work activities for the month of June.

1. Seal Coat Area Preparations:

- Our team has been diligently working in the seal coat areas to ensure all patching is completed before the contractors arrive in July. Despite a two-week delay due to rain, we are on track to finish just ahead of their arrival. Crack sealing has already been completed.

2. Acknowledgements:

- I want to extend my congratulations to Kay for an excellent Tower day. Being my first Tower Days, her thorough pre-work made the process seamless and efficient. Thank you, Kay, for your outstanding effort.

3. Sewer Line Jetting:

- With the seal coat area patching completed, we can now resume jetting the sewer lines this week. Patching will continue throughout the summer on an as-needed basis until we have additional personnel available.

4. Storm Manhole Repairs:

- The county has successfully repaired the leaking storm manhole structures on Old Central and 78th Street, with Valley Rich handling the work. Paving is scheduled for this week, and all signage will be removed accordingly.

5. Visu-Sewer Relining:

- Visu-Sewer has relined the problematic sections, and paving was completed last week. Both areas on Lakeview Lane and on 80th Avenue between Old Central and Buchanan are now finished.

6. Sanburnol Construction:

- The construction season has begun on Sanburnol Drive. Curb installation is planned for this week, followed by grading during the week of July 8th, and paving depending on the weather. If delayed by rain, paving will occur the week of July 15th. Concurrently, work will also commence on 83rd Avenue, with the start date yet to be determined.

7. New Mower Acquisition:

- We received our new mower on June 20. Since we did not receive any bids on the auction site, I am currently negotiating a fair trade-in offer.

8. Traffic Counting:

- Traffic counting has been completed and submitted to the state.

9. Parks Maintenance:

- Our Parks team has been working diligently to maintain cleanliness and prepare the parks for games. Hats off to our full-time and seasonal staff for managing these tasks while also installing new play equipment at Able Park. There has been some confusion regarding play pieces which has caused delays. The issues are being addressed.

10. Meetings and Community Engagement:

- I attended one council meeting and participated in weekly construction meetings for city hall.
- I met with several residents who are concerned about the installation of new fiber lines in Garfield and Hayes area. I am working with the contractor to resolve these issues and ensure proper ID tags for trucks and personnel.

This concludes my report for the month of June. I am available to answer any questions.



City of Spring Lake Park
Code Enforcement Division
1301 Eighty First Avenue Northeast
Spring Lake Park, Minnesota 55432
(763) 783-6491 Fax: (763) 792-7257

REPORT

TO: Spring Lake Park City Council
FROM: Jeff Baker, Code Enforcement Director
RE: Code Enforcement Monthly Report for June 2024
DATE: June 26, 2024

Inspections for June 2024, had a total of 19 building, 0 Fire, 3 Zoning, 13 mechanical, 7 plumbing and 1 Certificate of Occupancy for a total of 43 permits issued compared to a total of 62 in 2023. Code Enforcement conducted 259 inspections in the month of June including 55 building, 10 housing, 6 fire, 2 zoning and 186 nuisance inspections.

In June, 18 Administrative Offense tickets were issued for a range of different violations. This included over a dozen notices sent to address long grass issues, part of ongoing community maintenance efforts. Thankfully, only three of these cases escalated to the administrative citation level, showing that most residents took corrective action after receiving initial notices. This response highlights a general adherence to community standards and a willingness to address issues promptly when notified.

Letters have been sent to all rental properties, reminding landlords and property managers to schedule their initial inspections. This proactive step is crucial for ensuring that all rental units comply with safety and habitability standards. By addressing these inspections early, the city aims to prevent potential issues and maintain a high standard of living for tenants.

Construction Update:
Currently, there are no major renovations underway in the city.

In June of 2024, I also attended the following appointments:

- City Council meetings on June 3rd.
- BS&A Budget Training June 14th.
- Planning Commission Meeting June 24th.

This concludes the Code Enforcement Department monthly report for June 2024.



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: June 6, 2024

Subject: Nuisance Ordinance Review

In an effort to continue the update of the City's Code of Ordinances, staff has prepared an update to the Nuisance ordinance section. As much of the original code was based on the LMC model ordinance at the time, staff has reviewed the most recent version of the model to inform many of the proposed updates. This memo will provide an overview of the proposed amendments, by section:

- Section 1. 9.08.050 - Prerecorded Telephone Alarm Messages Prohibited

This proposed change updates the language to reflect present day technology.

- Section 2. 9.20.010 - General Provisions

The proposed change removes various subsections from this section. These subsections will become their own section for readability.

- Section 3. 9.20.020 - Public Nuisances

This proposed amendment updates language to match the League of Minnesota Cities' model public nuisance ordinance. It also reflects changes imposed by M.S. § 412.925, which sets the weed height standard to 8 inches unless part of a managed natural landscape.

The proposed amendment updates the abatement and assessment process to conform with State law

- Section 4. 9.20.030 - Weeds

The proposed amendment updates definitions to reflect changes due to the 2023 approval of M.S. § 412.925. These changes reduce the permitted heights of weeds, grasses, rank vegetation and other uncontrolled plant growth on the property to 8 inches in height. The

previous standard under this provision was 12 inches. It exempts managed natural landscapes, as defined under M.S. § 412.925 and the City Code from that provision.

- Section 5. 9.20.040 – Clandestine Drug Lab Sites and Chemical Dump Sites

Updates the controlled substance definition to not include adult use cannabis. Updates that the applicable county regulations will apply for household hazardous wastes.

- Section 6. 9.20.050 – Tree Management

Updates the City's Tree Management ordinance to align with the model LMC ordinance. Current ordinance is not being followed and could leave the City with a significant liability for tree removal. This ordinance outlines the inspection process, the enforcement process, abatement and assessment procedures and penalties.

- Section 7. 9.20.060 – Outdoor Storage of Wood

No changes to this language – code numbering changed.

- Section 8. 9.20.070 – Unsolicited Written Materials

No changes to this language – code numbering changed.

- Section 9. 12.08.010 – Licenses Required

Add tree care and tree trimming services as requiring a contractor's license. This is aligning code with current practice.

- Section 10. 12.36.020 – Revisions to International Property Maintenance Code

Reduce weed height from 9 inches to 8 inches.

Code Enforcement staff has reviewed the proposed ordinance and recommends approval.

If you have any questions, please do not hesitate to contact me at 763-784-6491.

**SPRING LAKE PARK
ORDINANCE DRAFT XXX**

**AN ORDINANCE AMENDING SECTION 9.20 OF THE SPRING LAKE PARK CITY
CODE RELATING TO HEALTH AND SAFETY; NUISANCES**

NOW THEREFORE, be it ordained by the Council of the Spring Lake Park, in the State of Minnesota, as follows:

SECTION 1: **AMENDMENT** “9.08.050 Prerecorded Telephone Alarm Messages Prohibited” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

9.08.050 Prerecorded Telephone Alarm Messages Prohibited

No person shall install, monitor, or use and possess an operative alarm which utilizes digital recordings or automated messages~~tapes or prerecorded messages which to~~ deliver ~~a telephone alarm message~~an emergency notification to the Police or Fire Department.

SECTION 2: **AMENDMENT** “9.20.010 General Provisions” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

9.20.010 General Provisions

A. *Assessable Current Services.*

1. *Definition.* For the purpose of this paragraph, the following definition shall apply unless the context clearly indicates or requires a different meaning.

CURRENT SERVICE. One or more of the following: snow, ice, or rubbish removal from sidewalks; weed elimination from street grass plots adjacent to sidewalks or from private property; removal or elimination of public health or safety hazards from private property, excluding any hazardous building included in M.S. §§ 463.15 - 463.26 (buildings; easements, regulations, hazards) as they may amended from time to time; installation or repair of water service lines; street sprinkling, street flushing, light street oiling, or other dust

treatment of streets; repair of sidewalks and alleys; trimming and care of trees and removal of unsound and insect-infected trees from the public streets or private property; and the operation of a street lighting system.

2. *Snow, ice, dirt, and rubbish.*

a. *Duty of owners and occupants.* The owner and the occupant of any property adjacent to a public sidewalk shall use diligence to keep the walk safe for pedestrians. No owner or occupant shall allow snow, ice, dirt, or rubbish to remain on the walk longer than 12 hours after its deposit thereon. Failure to comply with this paragraph shall constitute a violation.

b. *Removal by city.* The City Administrator, Clerk/Treasurer or other person designated by the City Council may cause removal from all public sidewalks all snow, ice, dirt, and rubbish as soon as possible beginning 12 hours after any matter has been deposited thereon or after the snow has ceased to fall. The Administrator, Clerk/Treasurer or other designated person shall keep a record showing the cost of removal adjacent to each separate lot and parcel.

3. *Public health and safety hazards.* When the city removes or eliminates public health or safety hazards from private property under the following provisions of this chapter, the administrative officer responsible for doing the work shall keep a record of the cost of the removal or elimination against each parcel of property affected and annually deliver that information to the Administrator, Clerk/Treasurer.

4. *Installation and repair of water service lines.* Whenever the city installs or repairs water service lines serving private property under SLPC 5.04, the Administrator, Clerk/Treasurer shall keep a record of the total cost of the installation or repair against the property.

5. *Repair of sidewalks and alleys.*

a. *Duty of owner.* The owner of any property within the city abutting a public sidewalk or alley shall keep the sidewalk or alley in repair and safe for pedestrians. Repairs shall be made in accordance with the standard specifications approved by the City Council and on file in the office of the Administrator, Clerk/Treasurer.

b. *Inspections; notice.* The City Council or its designee shall make inspections as are necessary to determine that public sidewalks and alleys within the city are kept in repair and safe for pedestrians or vehicles. If it is found that any sidewalk or alley abutting on private property is unsafe and in need of repairs, the Council shall cause a notice to be served, by registered or certified mail or by personal service, upon the record owner of the property, ordering the owner to have the sidewalk or alley repaired and made safe within 30 days and stating that if the owner fails to do so, the city will do so and that the expense thereof must be paid by the owner, and if unpaid it will be made a special assessment against the property concerned.

c. *Repair by city.* If the sidewalk or alley is not repaired within 30 days

after receipt of the notice, the Administrator, Clerk/Treasurer shall report the facts to the Council and the Council shall by resolution order the work done by contract in accordance with law. The Administrator, Clerk/Treasurer shall keep a record of the total cost of the repair attributable to each lot or parcel of property.

6. *Personal liability.* The owner of property on which or adjacent to which a current service has been performed shall be personally liable for the cost of the service. As soon as the service has been completed and the cost determined, the Administrator, Clerk/Treasurer, or other designated official, shall prepare a bill and mail it to the owner and thereupon the amount shall be immediately due and payable at the office of the Administrator, Clerk/Treasurer.
7. *Damage to public property.* Any person driving any vehicle, equipment, object, or contrivance upon any street, road, highway, or structure shall be liable for all damages which the surface or structure thereof may sustain as a result of any illegal operation, or driving or moving of the vehicle, equipment or object or contrivance; or as a result of operating, driving, or moving any vehicle, equipment, object, or contrivance weighing in excess of the maximum weight permitted by statute or this code. When the driver is not the owner of the vehicle, equipment, object, or contrivance, but is operating, driving, or moving it with the express or implied permission of the owner, then the owner and the driver shall be jointly and severally liable for any such damage. Any person who willfully acts or fails to exercise due care and by that act damages any public property shall be liable for the amount thereof, which amount shall be collectable by action or as a lien under M.S. § 514.67, as it may be amended from time to time.
8. *Assessment.* On or before September 1 of each year, the Administrator, Clerk/Treasurer shall list the total unpaid charges for each type of current service and charges under this paragraph against each separate lot or parcel to which they are attributable under this paragraph. The City Council may then spread the charges against property benefitted as a special assessment under the authority of M.S. § 429.101 as it may be amended from time to time and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments, not exceeding ten, as the City Council may determine in each case.

B. Tree Diseases:

1. ~~*City Forester; duties.* It shall be the duty of the City Forester to coordinate, under the direction and control of the Council, all activities of the municipality relating to the control and prevention of Dutch Elm disease and Oak Wilt disease and other epidemic diseases of shade trees.~~
2. ~~*Adoption of state law.* The Council hereby adopts by reference M.S. § 18G.16 relating to the control and prevention of shade tree disease, as they may be amended from time to time, together with the rules and regulations as promulgated from time to time by the Commissioner of Agriculture.~~
3. ~~*Trees constituting nuisance.* Any living or standing or fallen elm or oak tree or~~

~~part thereof infected to any degree with Dutch Elm disease or Oak Wilt disease or any other epidemic disease is declared to be a public nuisance when found within the city.~~

- ~~4. *Abatement.* It is unlawful for any person to permit any public nuisance as defined in Paragraph B,3 to remain on any premises owned or controlled by him or her within the city.~~
- ~~5. *Inspection and investigation.* As often as practicable, the Forester shall inspect all public and private premises within the city which might be infected by Dutch Elm fungus, elm bark beetles, Oak Wilt fungus, or any other epidemic disease of shade trees. The Forester shall take such steps as are necessary for positive diagnosis of any suspected diseased tree. The Forester may enter upon private premises at any reasonable time for the purpose of carrying out any of the duties assigned him or her by this paragraph.~~
- ~~6. *Procedure for removal.* Whenever the Forester finds that the infestation defined in Paragraph B,5 exists in any tree in any public or private place, he or she shall proceed as follows:
 - ~~a. Notify the owner of the property by certified mail that the nuisance has been diagnosed and that the nuisance must be abated within 20 days of the notice;~~
 - ~~b. If the nuisance is not abated by the owner within the time prescribed, the Forester shall notify the Council of these facts; and~~
 - ~~c. The Council shall by resolution order the nuisance abated. Notice of the Council's intention to abate the nuisance shall be sent by certified mail to the affected property owner advising that the city will cause removal of the diseased tree within ten days of receipt of the resolution.~~~~
- ~~7. *Reimbursement to owner.* If the diseased tree is removed by owner within the prescribed 20-day period, the city shall reimburse the owner in an amount as established by the city's fee schedule, provided:
 - ~~a. The tree was removed in the year 1975 or any year thereafter at the direction of the City Forester;~~
 - ~~b. Trees removed after January 1, 1977 were removed by a person, business, or corporation duly licensed by the city to remove these trees; and~~
 - ~~c. The trees removed were 12 inches or larger in diameter.~~~~
- ~~8. *Assessment.* The Council shall assess those costs for the removal of all diseased trees not voluntarily removed by the owner against the property as a special assessment under M.S. Ch. 429, as it may be amended from time to time.~~
- ~~9. *Licenses required.* It shall be unlawful for any person, business, or corporation to engage in the business of shade tree removal within the city without first obtaining a license. Licenses shall be obtained from the City Administrator, Clerk/Treasurer in the manner provided for the issuance of other contractor's licenses.~~

C. Outdoor Storage Of Wood:

1. *Policy.* ~~The City Council finds that the use of alternative energy sources such as wood is a viable alternative energy source. The Council also realizes that young children can become attracted to wood piles and the climbing of wood piles can result in injury to children. The Council also recognizes that to protect the public health and safety, wood piles must be kept and maintained in a safe and orderly manner.~~
2. *Scope.* ~~On property located within the city, no person shall keep or store wood or allow wood to be kept or stored on his or her property or on property under his or her control, unless that wood is kept or stored in compliance with the provisions of this paragraph.~~
3. *Conditions of storage.* ~~Wood stored or kept in the city which is not contained in an enclosure impervious to the elements shall be stored or kept as follows:~~
 - a. ~~In uniform lengths in neat and secure stacks no more than six feet high, as measured from the bottom of the stack; and~~
 - b. ~~No wood shall be stacked within the required area of setback from a public street right-of-way, and in any event no closer to the street than the front of the house.~~
4. *Persons exempt.* ~~This paragraph shall not apply to:~~
 - a. ~~Persons having property on which new construction is taking place and the wood on that property is being used for the construction, unless the wood has remained on the property for more than 30 days and it is not a permanent part of the new construction at the end of that time;~~
 - b. ~~Persons storing or keeping wood on property when the wood is stored or kept in a covered structure impervious to the elements;~~
 - c. ~~Temporary storage of logs for up to 30 days, outside of the required area of setback from a public street right-of-way, is allowed for the purpose of processing (cutting and splitting) the logs into cordwood; and~~
 - d. ~~Lumber companies.~~

D. *Unsolicited Written Materials.*

1. *Findings.* ~~The city finds that unsolicited written materials that are deposited on property in such a manner as to be exposed to the elements are a nuisance to the public health, safety and welfare as those unsolicited written materials can cause unsightly litter which detracts from the aesthetics of the neighborhood, can cause problems with snow removal or damage to snow removal equipment, and can create hazards for pedestrians or inhibit handicap accessibility.~~
2. *Definitions.* ~~For the purpose of this paragraph, the following definitions shall apply unless the context clearly indicates or requires a different meaning:~~

FRONT DOOR. ~~The street facing entrance or entrances to a principal building. In the event no door faces the street, then any other door of a principal building nearest the street shall be considered a front door for the~~

~~purposes of this paragraph.~~

~~**OCCUPANT.** One who has possessory rights in, or control over, the property or premises.~~

~~**PORCH.** An exterior appendage to a principal building leading to a doorway, including any stairway attached thereto.~~

~~**PRINCIPAL BUILDING.** The building or combination of buildings that house the primary use occurring on the premises.~~

~~**PRIMARY USE.** The main activity taking place on the premises.~~

~~**PUBLISHER.** The person publishing the unsolicited written materials, and the publisher's employees, agents and distributors.~~

~~**UNSOLICITED WRITTEN MATERIALS.** Any written materials, delivered to any premises, without the express invitation or permission, in writing or otherwise, by the occupant of such premises.~~

- ~~3. It shall be unlawful to place unsolicited written materials on any street, sidewalk or public right-of-way.~~
- ~~4. Unsolicited written materials delivered to a premises by a publisher shall be placed:
 - ~~a. Where permitted, in a distribution box located on or adjacent to the premises;~~
 - ~~b. On a porch, if one exists, nearest the front door of the principal building;~~
 - ~~c. So such materials are securely attached to the front door;~~
 - ~~d. Through a mail slot for the principal building, if existent, as permitted by the United States Postal Service Domestic Mail Manual § 508 Recipient Services, Subsection 3.1.2; Between the screen door or storm door to the front door, if existent and unlocked, and the interior front door; or~~
 - ~~e. Personally with the occupant of the premises.~~~~
- ~~5. Notwithstanding Paragraph D,4, an occupant retains the right to restrict entry to the occupant's premises.~~
- ~~6. This paragraph does not apply to the United States Postal Service.~~

SECTION 3: **AMENDMENT** “9.20.020 Public Nuisances” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

9.20.020 Public Nuisances

- A. *Public Nuisance Prohibition.* A person must not act, or fail to act, in a manner that is or causes a public nuisance. For purpose of this section, a person that does any of the following is guilty of maintaining a public nuisance~~A public nuisance is a thing, act, or use of property which shall:~~
1. Maintains or permits a condition which unreasonably ~~A~~annoys, injures, or endangers the health, safety, morals, comfort, or repose of any considerable number of members of the public;
 - ~~2. Offend public decency (for example, affect public morals or offend public decency);~~
 - ~~3. Unlawfully i~~Interferes with, ~~the use of, or~~ obstructs, ~~or tend to obstruct~~ or renders dangerous for passage any public waters used by the public, or ; public highway or right-of-way~~park, square, street, alley, or highway; or~~
 - ~~4. Depreciate the value of the property of the inhabitants of the city or of a considerable number thereof; or~~ Is responsible for any other act or omission declared by law or this ordinance to be a public nuisance.
 - ~~5. In any way render the inhabitants of the city, or a considerable number thereof, insecure in life or in use of property.~~
- B. *Public Nuisances Affecting Health, Safety, Comfort, Or Repose.* The following are hereby declared to be public nuisances affecting health, safety, comfort, or repose:
1. The exposed accumulation of ~~All~~ decayed or unwholesome food or vegetable matter~~offered for sale to the public;~~
 - All diseased animals running at large;
 3. All ponds or pools of stagnant water;
 - ~~4. Milk which is produced by cows which have not been tested and found free of tuberculosis within the year previous to the offering of that milk for sale to the public;~~
 - Carcasses of animals not buried or destroyed within twenty-four (24) hours after death;
 - Accumulations of manure, refuse or other debris~~or rubbish;~~
 - Privy vaults and garbage cans which are not rodent-free or fly-tight, or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;
 8. The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste, hazardous substances or other substances;
 9. Dumping the contents of any cesspool, privy vault, garbage or rubbish can (as definition of garbage is limited; see SLPC 5.08 for definition of “garbage”) except at places authorized by law; or~~allowing any cesspool or individual sewage system to overflow in any manner;~~
 - All noxious weeds, tall grasses defined as anything over nine~~eight~~ inches in height, and other rank growths upon public or private property, with the exception of managed natural landscapes pursuant to M.S. § 412.925, as may be amended from time to time, wetlands, and natural wooded areas.
 - ~~11. An accumulation of tin cans, bottles, or trash or debris of any nature or~~

~~description; and the throwing, dumping, or depositing of any dead animals, manure, garbage, waste, decaying matter, rubbish, tin cans, or other material or debris of any kind on private property;~~

12. Dense smoke, noxious fumes, gas, ~~and~~ soot, or cinders in unreasonable quantities;
13. ~~Any~~ Offensive trades ~~or~~ and businesses as defined by statute or ordinance ~~not operating under local license, licensed as provided by law;~~ For purpose of this provision, **OFFENSIVE TRADE OR BUSINESS** means a trade, employment or business that is hurtful to inhabitants within the city, dangerous to the public health, injurious to neighboring property or from which offensive odors arise.
- ~~14. All public exposure of persons having a contagious disease;~~
15. The distribution of samples of medicines or drugs unless those samples are placed in the hands of an adult person by someone properly licensed;
16. All other acts, omissions of acts, occupations, and uses of property which are deemed by the Board of Health to be a menace to the health of the inhabitants of the city or a considerable number thereof;
17. The keeping, maintaining, or harboring of chickens, cows, horses, and other domestic animals or fowl;
18. The keeping, maintaining, or harboring of live wild animals, whether native to this state or not, which in their wild state pose a threat to humans or domestic animals; and
19. The keeping, maintaining, or harboring of any combination of animals or fowl kept in numbers or under conditions that unreasonably annoy, injure, or endanger the health, safety, comfort, repose, or welfare of the public.

C. *Public Nuisances Affecting Morals And Decency.* The following are hereby declared to be public nuisances affecting public morals and decency:

1. All gambling devices, slot machines and punch boards, except as otherwise authorized and permitted by federal, state or local law;
2. Betting, bookmaking, and all apparatuses used in those occupations;
3. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses;
4. All places where intoxicating or 3.2 malt liquors are manufactured, ~~sold, bartered, or given away, or otherwise~~ disposed of in violation of law, or where persons are permitted to resort, for the purpose of drinking intoxicating or 3.2 malt liquor ~~as a beverage contrary to law,~~ or where intoxicating or 3.2 malt liquor ~~are~~ is kept for sale, ~~barter, or other disposition~~ distribution in violation of law, and all liquors, bottles, kegs, pumps, bars, and other property kept at and used for maintaining such a place;
5. Any vehicle used for the unlawful transportation of intoxicating or 3.2 malt liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose;
- ~~6. All indecent or obscene pictures, books, pamphlets, magazines and newspapers, and billboards;~~
- ~~7. The public use of profane and obscene language;~~

8. ~~The looking into or peeping through doors, windows, or openings of private homes by methods of stealth and without proper authority and by surreptitious methods, or what is commonly known as “window peeping;” and~~
9. ~~All other things, acts, commissions, or occupations that may be considered detrimental to the moral well-being of the inhabitants of the city or a considerable number thereof.~~

D. *Public Nuisances Affecting Peace And Safety.* The following are declared to be nuisances affecting public peace and safety:

1. All snow and ice not removed from public sidewalks ~~twenty-four (24)~~¹² hours after the snow has ceased to be deposited thereon;
2. All wires which are strung above the surface of any public street or alley;
3. All buildings, walls, and other structures which have been damaged by fire, decay, or otherwise to an extent exceeding one-half of their original value or which are so situated as to endanger the safety of the public;
4. All explosives, inflammable liquids, and other dangerous substances or materials stored or accumulated in any manner or in any amount other than that provided by law or ordinance;
5. All use or display of fireworks except as provided by law or ordinance;
6. All buildings and all alterations to buildings made or erected in violation of fire ordinance concerning manner and materials and construction;
7. Obstructions and excavations affecting the ordinary public use of ~~the public~~ streets, alleys, sidewalks, or public grounds, except under conditions as are provided by this ordinance or other applicable law;
8. Any excavation left unprotected or uncovered indefinitely or allowed to exist in a manner so as to attract minor children;
9. Radio aerials or television antennae ~~strung or~~ erected or maintained in a dangerous manner ~~any manner except that provided by law or ordinance~~;
10. The piling, storing, or keeping of old machinery, wrecked or junked vehicles, and other junk or debris;
11. ~~The~~Any use of property abutting on a public street or sidewalk, or any use of a public street or sidewalk, which causes large crowds of people to gather, obstructing traffic and the free use of ~~the public~~ streets or sidewalks;
12. All hanging signs, awnings, and other similar structures over public streets or sidewalks, ~~or~~ so situated as to endanger public safety, or not constructed and maintained as provided by law or ordinance, ~~or without proper permit~~;
13. The allowing of rain, ~~water, ice, or snow~~ to fall from any building or structure upon ~~on~~ any public street or sidewalk or to flow across any ~~public~~ sidewalk;
14. ~~All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public;~~
15. Wastewater cast upon or permitted to flow upon streets or other public properties;
16. Throwing, dropping, or releasing printed matter, paper, or any other material or objects over and upon the city from an airplane, balloon, or other aircraft, or in a manner so as to cause the material to fall on land in the city;
17. Placing entrance culverts, or doing any act which may alter or affect the

- drainage of public streets or alleys or the surface or grade of public streets, alleys, or sidewalks without proper permit;
18. Making repairs to motor vehicles or tires in public streets or alleys; excepting only emergency repairs when it will not unduly impede or interfere with traffic;
 19. Throwing, placing, depositing, or burning leaves, trash, lawn clippings, weeds, grass, or other material in the streets, alleys, or gutters;
 20. Erecting, painting, or placing of unauthorized traffic signs or advertising signs in streets or alleys or on sidewalks;
 21. All unnecessary interferences and disturbance of radios or television sets caused by defective electrical appliances and equipment or improper operation thereof;
 22. All other conditions, acts, or things which are liable to cause injury to the person or property of anyone;
 - ~~23. Exposed accumulation of decayed or unwholesome food or vegetable matter;~~
 24. All trees, hedges, billboards or other obstructions which prevent people from having a clear view of all traffic approaching an intersection;
 25. All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles;
 26. All unnecessary and annoying vibrations;
 27. The discharging of the exhaust or permitting the discharging of the exhaust of any stationary internal combustion engine, motor boat, motor vehicle, motorcycle, all terrain vehicle, snowmobile or any recreational device except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws and regulations;
 28. Any barbed wire fence less than six (6) feet above the ground and within three (3) feet of a public sidewalk or way;
 29. Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies or other materials in a manner conducive to the harboring of rats, mice, snakes or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health or other safety hazards from such accumulation;
 30. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter or ditch with trash or other materials;
 31. The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, bottles or other substances which may injure any person or animal or damage any pneumatic tire when passing over the substance; ~~and~~
 32. Any well, hole or similar excavation that is left uncovered or in such other condition as to constitute a hazard to any child or other person coming on the premises where it is located;
 33. Reflected glare or light from private exterior lighting exceeding 0.5 footcandles as measured on the property line of the property where the lighting is located when abutting any residential parcel and one (1) footcandle when abutting any commercial or industrial parcel.

34. The depositing of garbage or refuse on a public right-of-way; and

35. ~~The owner or occupant of any land within the city shall be deemed to have committed a public nuisance if the owner or occupant fails to maintain that land in a manner so as to prevent sand, soil, dirt, dust, or debris of any kind or nature from being transported by the wind or air currents from that land to the property of another in quantities so as to constitute a detriment to the property or so as to endanger the health, welfare, safety, or comfort of the public or any person. The owner or occupant of any land in the city is charged with the duty and responsibility of taking whatever steps may be necessary, such as seeding, sodding, paving, blacktopping, sprinkling, or other means as may be lawful to prevent sand, soil, dirt, dust, or debris from being transported by wind, air currents, or otherwise from his or her property to the property of another.~~ The maintenance of any other conditions that is likely to cause injury to the person or property of another.

E. Noise violations.

1. *Prohibited Noises.* The following are declared to be nuisances affecting public health, safety, peace or welfare:
 - a. Any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person, or precludes their enjoyment of property, or affects their property's value in such a manner as to be unreasonably and plainly audible at the boundary of the real property, building, structure, or residence from which the noise originates.
PLAINLY AUDIBLE is defined as sound that can be detected by a person using their unaided hearing faculties.
 - b. All obnoxious noises, motor vehicle or otherwise, in violation of Minn. Rules Ch. 7030, as they may be amended from time to time, are hereby incorporated into this ordinance by reference.
 - c. The use of any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling or other noise.
 - d. The discharging of the exhaust or permitting the discharge of the exhaust of any statutory internal combustion engine, motor vehicle, motorcycle, all-terrain vehicle (ATV), snowmobile, or any recreational device, except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws and regulations.
 - e. Any loud or excessive noise in the loading, unloading, or unpacking of any vehicle.
 - f. The use or operation, or permitting the use or operation, or any radio receiving set, television set, musical instrument, music device, paging system, machine, or other device for producing or reproduction of sound in a distinctly and loudly audible manner so as to disturb the peace, quiet, and comfort of any person nearby.

2. *Hourly Restriction of Certain Operations.*

a. *Domestic Power Equipment.* No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill or other similar domestic power equipment, except between the hours of 7:00am and 10:00pm. Snow removal equipment is exempt from this provision. All implements shall be effectively muffled so as to prevent the emission of loud and explosive noises that disturb the peace, quiet or repose of a person of ordinary sensibility.

b. *Refuse Hauling.* See SLPC 5.08.010, Paragraph I.

c. *Construction Activities.* No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas-powered machine or other power equipment, except between the hours of 7:00am and 8:00pm.

d. *Radios, Music Devices, Paging Systems, and the Like.* The operation of any device referred to in Paragraph E, 1, f between the hours of 10:00pm and 7:00am in a manner so as to be unreasonably and plainly audible at the property line of the structure or building in which it is located shall be prima facie evidence of a violation of this section.

e. *Noise Impact Statements.* The Council may require any person applying for a change in zoning classification or a permit or license for any structure, operation, process, installation, alteration, or project that may be considered a potential noise source to submit a noise impact statement on a form prescribed by the Council. The Council shall evaluate each such statement and takes its evaluation into account in approving or disapproving the license or permit applied for or the zoning change(s) requested.

3. *Participation in Noisy Parties or Gatherings.* No person shall participate in any party or other gathering of people giving rise to noise, disturbing the peace, quiet or repose of other persons. When a peace officer determines that a gathering is creating such a noise disturbance, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave after being ordered by a peace officer to do so. Every owner or tenant of such premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped.

4. *Exception for Emergency Work.* Noise created exclusively in the performance of emergency work to preserve the public health, safety or general welfare, or in the performance of emergency work necessary to restore a public service or eliminate a public hazard, shall be exempt from the provisions of this Section. Any persons responsible for such emergency work shall take all reasonable actions to minimize the amount of noise.

F. ~~*Enforcement Duties of City Officers.* It shall be the duty of the City Council to enforce the provisions of this section and the City Council may, by resolution, delegate to other~~

~~officers or agencies power to enforce particular provisions of this section, including the power to inspect private premises. The officers charged with the enforcement of this section shall take all reasonable precautions to prevent the commission and maintenance of public nuisances.~~ City officials may apply and enforce any provision of this ordinance relating to public nuisances within this jurisdiction. Any peace officer or other designated city official shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances. Except in emergency situations involving imminent danger to human life and safety or imminent and substantial damage to property, no peace officer or designated city official will enter private property for the purpose of inspecting or preventing public nuisances without the permission of the owner, resident, or other person in control of the property, unless the officer or person designated has obtained a warrant or order from a court of competent jurisdiction authorizing entry.

G. ~~Notice To Abate; Abatement By City; Recovery Of Costs~~ Abatement Procedure.

~~Whenever, in the judgment of the officer charged with enforcement, it is determined upon investigation that a public nuisance is being maintained or exists within the city, the officer shall notify in writing the person committing and maintaining the public nuisance and require him or her to terminate and abate the nuisance and to remove those conditions or remedy those defects:~~

1. Procedure. ~~Whenever the peace officer or other designated official determines that a public nuisance is being maintained or exists on the premises in the city, the official shall notify in writing the owner of record and occupant of the premises of such fact and order that the nuisance be terminated or abated. The notice of violation shall specify the steps to be taken to abate the nuisance and the time within which the nuisance is to be abated. If the notice of violation is not complied with within the time specified, the official shall report that fact forthwith to the City Council. Thereafter, the City Council may, after notice to the owner and occupant and an opportunity to be heard, determine that the condition identified in the notice of violation is a nuisance and further order that if the nuisance is not abated within the time prescribed by the City Council, the city may seek injunctive relief by serving a copy of the City Council order and notice of motion for summary enforcement or obtain an administrative warrant or other court order and abate the nuisance, or otherwise exercise the City's rights pursuant to applicable law..~~

2. ~~Service of n~~ Notice. ~~This written notice shall be served on the person committing or maintaining the nuisance in person or by U.S. mail. If the premises are not occupied and the address of the owner is unknown, service on the owner may be had by pasting a copy of the notice on the premises.~~ Written notice of the violation; notice of the time, date, place, and subject of any hearing before the City Council; notice of the City Council order; and notice of motion for summary enforcement hearing shall be delivered by a peace officer or designated official to the owner of record and occupant of the premises either in person or by certified or registered mail. If the premise is not occupied, the owner of record is unknown, or if the owner

of record or occupant refuses to accept notice, notice of the violation shall be served by positing it on the premises.

3. ~~*Contents of notice*~~*Emergency procedure; summary enforcement.* ~~The notice shall require the owner or occupant of the premises, or both, to take reasonable steps within a reasonable time to abate and remove the nuisance, the steps and time to be designated in the notice, but the maximum time for the removal of the nuisance after service of notice shall not in any event exceed 30 days.~~In cases of emergency, where delay in abatement required to complete the procedure and notice requirements as set forth in Paragraphs G,1 and G,2 will permit a continuing nuisance to unreasonably endanger public health, safety, or welfare, the City Council may order summary enforcement and abate the nuisance. To proceed with summary enforcement, the peace officer or other designated official shall determine that a public nuisance exists or is being maintained on premises in the city and that delay in abatement will unreasonably endanger public health, safety, or welfare. The officer or designated official shall notify in writing the occupant or owner of the premises of the nature of the nuisance, whether public health, safety, or welfare will be unreasonably endangered by delay in abatement required to complete the procedure set forth in subdivision (A) of this section and may order that the nuisance be immediately terminated or abated. If the nuisance is not immediately terminated or abated, the City Council may order summary enforcement and abate the nuisance.
4. ~~*Proof of service*~~*Immediate abatement.* ~~Service of notice may be proved by filing an affidavit of service in the office of the City Administrator, Clerk/Treasurer setting forth the manner and time thereof. When an order so given is not complied with, the matter may be referred to the City Attorney for criminal prosecution or may be reported forthwith to the City Council for such action as may be necessary and deemed advisable, in the name of the city, to abate and enjoin the further continuation of the nuisance.~~Nothing in this section shall prevent the city, without notice or other process, from immediately abating any condition that poses an imminent and serious hazard to human life or safety or an imminent and substantial threat to property.
5. ~~*Non-compliance with notice to abate*~~*Judicial remedy.* ~~If, after service of notice, the person served fails to abate the nuisance or make the necessary repairs, alterations, or changes in accordance with the direction of the Administrator, Clerk/Treasurer or City Council, the City Council may cause the nuisance to be abated at the expense of the city and recover the expenditure, plus an additional 25% of the expenditure, by civil action against the person or persons served; or, if service has been had upon the owner or occupant, by ordering the Administrator, Clerk/Treasurer to extend that sum, plus 25% thereof, as a special tax against the property upon which the nuisance existed and to certify the same to the County Auditor for collection in the same manner as taxes and special assessments are certified and collected.~~Nothing in this section shall prevent the city from seeking a judicial

remedy when no other adequate administrative remedy exists.

~~6. *Recovery of city's costs to abate.* In addition to the above, abatement of any nuisance relating to noxious weeds, tall grasses, and other rank growths shall be administered as follows: a certified letter shall be sent to the occupant or owner of the property demanding abatement of the nuisance within five days; thereafter, the city or a contractor will mow the premises and the actual cost, plus an administrative fee as set from time to time by Council resolution, shall be billed to the occupant or owner. In the event the amount billed is not paid, the charges shall be certified as a special tax against the property and certified to the County Auditor.~~

H. *Recovery of Cost.*

1. *Personal liability.* The owner of the premises on which a nuisance has been abated by the city, and/or a person who has caused a public nuisance on property not owned by that person, shall be personally liable for the cost to the city of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the Administrator, Clerk/Treasurer or other city official shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the Administrator, Clerk/Treasurer.
2. *Assessment.* After notice and hearing as provided in Minn. Stat. § 429.061, as it may be amended from time to time, if the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of weeds on private property or outside the traveled portion of streets, or unsound or insect-infected trees, the city clerk shall, on or before September 1 next following abatement of the nuisance, list the total unpaid charges along with all other such charges as well as other charges for current services to be assessed under Minn. Stat. § 429.101 against each separate lot or parcel to which the charges are attributable. The City Council may then spread the charges against the property under that statute and any other pertinent statutes for certification to the county auditor and collection along with current taxes the following year or in annual installments, not exceeding ten (10), as the City Council may determine in each case.

SECTION 4: AMENDMENT “9.20.030 Weeds” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

9.20.030 Weeds

A. *Short Title.* This section shall be cited as the “Weed Ordinance.”

B. *Definitions; Exclusions.*

1. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DESTRUCTION ORDER. The notice served by the City Council or designated city official, in cases of appeal, on the property owner of the ordinance violation.

MANAGED NATURAL LANDSCAPE. A planned, intentional, and maintained planting of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural landscapes does not include turf-grass lawns left unattended for the purpose of returning to a natural state.

MEADOW VEGETATION. Grasses and flowering broad-leaf plants that are native to, or adapted to, the state of Minnesota, and that are commonly found in meadow and prairie plant communities, not including noxious weeds.

ORNAMENTAL PLANTS. Grasses, perennials, annuals, and groundcovers purposely planted for aesthetic reasons;

RAIN GARDEN. A native plant garden that is designed not only to aesthetically improve properties, but also to reduce the amount of stormwater and accompanying pollutants from entering streams, lakes, and rivers.

PROPERTY OWNER. The person occupying the property, the holder of legal title, or a person having control over the property of another, such as a right-of-way, easement, license, or lease.

TURF-GRASS LAWN. A lawn composed mostly of grasses commonly used in regularly cut lawns or play areas, including but not limited to bluegrass, fescue, and ryegrass blends, intended to be maintained at a height of no more than eight inches.

WEEDS, GRASSES, and RANK VEGETATION. Include but are not limited to the following:

- a. **NOXIOUS**~~noxious~~ **WEEDS and RANK VEGETATION** shall include but not be limited to: Alum (allium), Buckthorn, Bur Cucumber, Canada Thistle, Corncockle, Cressleaf Groundsel, Curly Dock, Dodder, Field Bindweed, French Weed, Hairy Whitetop, Hedge Bindweed, Hoary Cress, Horsenettle, Johnsongrass, Leafy Spurge, Mile-A-Minute Weed, Musk Thistle, Oxeye Daisy, Perennial Sowthistle, Poison Hemlock, Purple Loosestrife, Quackgrass, Russian Knapweed, Russian Thistle, Serrated Tussock, Shatter Cane, Sorghum, Wild Carrot, Wild Garlic, Wild Mustard, Wild Onion, and

Wild Parsnip;

- b. Grapevines when growing in groups of 100 or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years;
- c. Bushes of the species of tall, common, or European barberry, further known as *Berberis vulgaris* or its horticultural varieties;
- d. Any weeds, grass, or plants, other than trees, bushes, flowers, meadow vegetation, rain gardens or other ornamental plants, growing to a height exceeding 42 inches;
- e. **RANK VEGETATION** includes the uncontrolled, uncultivated growth of annuals and perennial plants; and
- f. The term **WEEDS** does not include shrubs, trees, cultivated plants, or crops.

2. In no event shall cultivated plants or crops include plants which have been defined by state statute or administrative rule as being noxious or detrimental plants.

C. *Owners Responsible For Trimming, Removal, And The Like.*

1. All property owners shall be responsible for the removal, cutting, or disposal and elimination of weeds, grasses, and rank vegetation or other uncontrolled plant growth on their property, which, at the time of notice, is in excess of 42 inches in height.

2. Managed natural landscapes permitted under M.S. § 412.925, as it may be amended from time to time, is excepted from this provision.

D. *Filing Complaint.* Any person, including the city, who believes there is property located within the corporate limits of the city which has growing plant matter in violation of this section shall make a written complaint signed, dated, and filed with the City Administrator, Clerk/Treasurer. If the city makes the complaint, an employee, officer, or Councilmember of the city shall file the complaint in all respects as set out above.

E. *Notice Of Violations.*

1. Upon receiving notice of the probable existence of weeds in violation of this section, a person designated by the City Council shall make an inspection and prepare a written report to the City Council regarding the condition. The City Council, upon concluding that there is a probable belief that this section has been violated, shall forward written notification in the form of a “destruction order” to the property owner or the person occupying the property as that information is contained within the records of the City Administrator, Clerk/Treasurer or any other city agency. The notice shall be served in writing by certified mail. The notice shall provide that within seven regular business days after the receipt of the notice the designated violation shall be removed by the property owner or person occupying the property.

a. All notices are to be in writing and all filings are to be with the City Administrator, Clerk/Treasurer.

b. Certified mailing to the Administrator, Clerk/Treasurer or others is deemed filed on the date of posting to the U.S. Postal Service.

F. *Appeals.*

1. The property owner may appeal by filing written notice of objections with the City Council within 48 hours of the notice, excluding weekends and holidays, if the property owner contests the finding of the City Council. It is the property owner's responsibility to demonstrate that the matter in question is shrubs, trees, cultivated plants, or crops or is not otherwise in violation of this section, and should not be subject to destruction under the section.
2. An appeal by the property owner shall be brought before the City Council and shall be decided by a majority vote of the Councilmembers in attendance and being at a regularly scheduled or special meeting of the City Council.

G. *Abatement By City.* In the event that the property owner shall fail to comply with the "destruction order" within seven regular business days and has not filed a notice within 48 hours to the City Administrator, Clerk/Treasurer of an intent to appeal, the City Council may employ the services of city employees or outside contractors and remove the weeds to conform to this section by all lawful means.

Cross-reference:

~~Notice to abate; abatement by city; recovery of costs~~ Abatement procedure, see SLPC 9.20.020 Paragraph GF.

H. *Liability.*

1. The property owner is liable for all costs of removal, cutting, or destruction of weeds as defined by this section.
2. The property owner is responsible for all collection costs associated with weed destruction, including but not limited to court costs, attorney's fees, and interest on any unpaid amounts incurred by the city. If the city uses municipal employees, it shall set and assign an appropriate per hour rate for employees, equipment, supplies, and chemicals which may be used.
3. All sums payable by the property owner are to be paid to the Administrator, Clerk/Treasurer and to be deposited in a general fund as compensation for expenses and costs incurred by the city.
4. All sums payable by the property owner may be collected as a special assessment as provided by M.S. § 429.101 (local improvements: unpaid special charges may be special assessments), as it may be amended from time to time.

Cross-reference:

~~Notice to abate; abatement by city; recovery of costs~~ Abatement procedure, see SLPC 9.20.020 Paragraph GF.

Recovery of cost, see SLPC 9.20.020 Paragraph H.

SECTION 5: AMENDMENT “9.20.040 Clandestine Drug Lab Sites And Chemical Dump Sites” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

9.20.040 Clandestine Drug Lab Sites And Chemical Dump Sites

- A. *Purpose And Intent.* The purpose of this section is to reduce public exposure to health risks where public safety personnel have determined that hazardous chemicals from a suspected clandestine drug lab site or associated dump site may exist. The City Council finds that sites may contain suspected chemicals and residues that place people, particularly children or adults of childbearing age, at risk when exposed through inhabiting or visiting the site, now and in the future.
- B. *Interpretation And Application.*
 - 1. The provisions of this section shall be construed to protect the public health, safety and welfare.
 - 2. Where the conditions imposed by any provisions of this subchapter are either more or less restrictive than comparable provisions imposed by any other law, ordinance, statute, or regulation of any kind, the regulations which are more restrictive or which impose higher standards of requirements shall prevail.
 - 3. Should any court of competent jurisdiction declare any paragraph or subpart of this section to be invalid, the decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the provision declared invalid.
- C. *Fees.* Fees for the administration of this section may be established and amended periodically by resolution of the City Council.
- D. *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CHILD. Any person under 18 years of age.

CHEMICAL DUMP. Any place or area where chemicals or other waste materials used in a clandestine drug lab site have been located.

CLANDESTINE DRUG LAB. The unlawful manufacture or attempt to manufacture controlled substances.

CLANDESTINE DRUG LAB SITE. Any place or area where public safety personnel has determined that conditions associated with the operation of an unlawful clandestine drug lab exist. A “clandestine drug lab site” may include dwellings, accessory buildings, accessory structures, vehicles, trailers, a chemical dump site or any land.

CONTROLLED SUBSTANCE. A drug, substance or immediate precursor in M.S. § 152.02, Schedules I through V. The term shall not include distilled spirits, wine, malt beverages, intoxicating liquors, adult use cannabis or tobacco.

HOUSEHOLD HAZARDOUS WASTES. Waste generated from a clandestine drug lab. The wastes shall be treated, stored, transported or disposed of in a manner consistent with the Minnesota Department of Health, Minnesota Pollution Control, and Anoka County Public Health and Environmental Services Department rules and regulations for areas within Anoka County, and Ramsey County Public Health Department, rules and regulations for areas within Ramsey County.

MANUFACTURE, IN PLACES OTHER THAN A PHARMACY. The production, cultivation, quality control, and standardization, by mechanical, physical, chemical or pharmaceutical means, packing, repacking, tableting, encapsulating, labeling, re-labeling, filling, or by other process, of drugs.

OWNER. Any person, firm or corporation who owns, in whole or in part, the land, buildings, or structures associated with a clandestine drug lab site or chemical dump site.

PUBLIC HEALTH NUISANCE. All dwellings, accessory structure, vehicles, trailers and buildings or adjacent property associated with a clandestine drug lab site are potentially unsafe due to health hazards and are considered a public health nuisance.

- E. *Law Enforcement Notice To Other Authorities.* Public safety personnel that identify conditions associated with a clandestine drug lab site or chemical dump site that places neighbors, visiting public, or present and future occupants of the dwelling at risk for exposure to harmful contaminants and other associated conditions must promptly notify the appropriate municipal, child protection, and public health authorities of the property location, property owner if known, and conditions found.
- F. *Declaration Of Property As Public Health Nuisance.* If public safety personnel determines the existence of a clandestine drug lab site or chemical dump site, the property shall be declared a public health nuisance.
- G. *Notice Of Public Health Nuisance To Concerned Parties.* Upon notification by public safety personnel, the ~~City~~ Building Official shall promptly issue a declaration of public health notice for the affected property and post a copy of the declaration at the probable entrance to the dwelling or property. The Building Official shall also notify the owner of the property by mail and notify the following parties:
 - 1. Occupants of the property;
 - 2. Neighbors at probable risk;
 - 3. The ~~city~~ Police Department; and
 - 4. Other state and local authorities, such as MPCA and MDH, that are known to have public and environmental protection responsibilities that are applicable to the situation.

H. *Property Owner's Responsibilities.*

1. *Responsibility to act.* The Building Official shall also issue an order to abate the public health nuisance, including a specified time to complete each of the following:
 - a. Vacate those portions of the property, including building or structure interiors, that may place the occupants or visitors at risk.
 - b. Contract with appropriate environmental testing and cleaning firms to conduct an on-site assessment, complete clean-up and remediation testing and follow-up testing, and determine that the property risks are sufficiently reduced to allow safe human occupancy of the dwelling.
 - c. Provide written documentation of the clean-up process, including a signed, written statement that the property is safe for human occupancy.
2. *Responsibility for costs.* The property owner shall be responsible for all costs of vacation or clean-up of the site, including contractors' fees and public costs for services that were performed in association with a clandestine drug lab site or chemical dump site clean-up. Public costs may include, but are not limited to:
 - a. Posting of the site;
 - b. Notification of affected parties;
 - c. Expenses related to the recovery of costs, including the assessment process;
 - d. Laboratory fees;
 - e. Clean-up services;
 - f. Administrative fees; and
 - g. Other associated costs.

I. *Recovery Of Public Costs.*

1. If, after service of notice of the declaration of public health nuisance, the property owner fails to arrange appropriate assessment and clean-up, the City Building Official is authorized to proceed in a prompt manner to initiate the on-site assessment and clean-up.
2. The city may abate the nuisance by removing the hazardous structure or building, or otherwise, according to M.S. Ch. 463.
3. If the city abates the public health nuisance, in addition to any other legal remedy, the city shall be entitled to recover all costs plus an additional 25% of the costs for administration. The city may recover costs by civil action against the person or persons who own the property or by assessing the costs as a special tax against the property in the manner as taxes and special assessments are certified and collected pursuant to M.S. § 429.101.

J. *Authority To Modify Or Remove Declaration Of Public Health Nuisance.*

1. The Building Official is authorized to modify the declaration conditions or remove the declaration of public health nuisance.
2. The modifications or removal of the declaration shall only occur after documentation from a qualified environmental or cleaning firm stating that the

health and safety risks, including those to neighbors and potential dwelling occupants, are sufficiently abated or corrected to allow safe occupancy of the dwelling.

K. *Penalty.*

1. Whoever violates any provision of this chapter for which no other penalty has been established shall be subject to penalties as provided in SLPC 1.04.200.
2. Any person violating any provision of Paragraphs A through J is guilty of a misdemeanor and upon conviction shall be subject to the penalties set forth in M.S. § 609.02, Subd. 3.

SECTION 6: **ADOPTION** “9.20.050 Tree Management” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

9.20.050 Tree Management(*Added*)

- A. *Policy.* The City Council finds that trees provide a public benefit including cleaner air, cleaner water, retention and filtration of storm water, improved energy conservation, decreased soil erosion, and increased property values. The City Council also finds that the health of trees within the City is threatened by tree diseases and pests. The City Council further finds that the loss of trees growing upon public and private property would impair the safety, good order, general welfare and health of the public and substantially depreciate the value of property within the City. It is the intent of the City Council to maintain a resilient urban forest by preventing the spread of tree diseases and pests.
- B. *Forester position created.* The powers and duties of the City Forester as set forth in this Chapter are hereby conferred upon the Director of Public Works and all designated representatives. It is the duty of the Forester, under the direction of the Administrator, Clerk/Treasurer, to coordinate all activities of the City relating to the management of trees on City property, the control and prevention of tree pests that would threaten the integrity of the City's urban forest, and the elimination of nuisance trees.
- C. *Nuisances declared.* The following are declared to be public nuisances whenever or wherever they may be found within the City:
 1. Any tree or shrub that, in the opinion of the City Forester, has become or threatens to become a hazard so as to adversely affect the public health, safety or welfare, whether such tree or shrub shall be on public or private property.
 2. Any trees or shrubs with epidemic diseases, insect or other pests that threatens the health of trees within the City.
- D. *Inventory, Inspection and Investigation.*

1. The City Forester or designee thereof may inspect all premises and places within the City as often as deemed appropriate to determine any condition described in Paragraph C. The City Forester shall investigate all reported incidents of nuisance trees.
2. The City Forester or designee thereof may enter upon private premises at any reasonable time for the purpose of carrying out any of the duties assigned under this Section.
3. The City Forester or designee thereof shall make a field diagnosis according to generally accepted field diagnosis procedures.

E. Abatement; Procedure.

1. It is unlawful for any person to allow a public nuisance as defined in Paragraph C to remain on any premises owned or controlled by that person within the City. Such nuisances may be abated in the manner prescribed by this article.
2. Standard abatement procedure. Except as provided in Paragraphs E.3 or E.4, whenever the City Forester determines with reasonable certainty that a public nuisance as described in Paragraph C is being maintained or exists on premises in the city, the City Forester is authorized to abate a public nuisance according to the following procedure:
 - a. The City Forester or designee will notify in writing the owner of record or occupant of the premises of such fact and order that the nuisance be terminated or abated. The notice may be given in person or by mail. Failure of any party to receive the mail does not invalidate the service of the notice. A copy of the notice shall be filed with the Administrator, Clerk/Treasurer.
 - b. The notice of abatement shall state that unless the public nuisance is abated by the owner or occupant, it will be abated by the city at the expense of the owner or occupant. The notice shall specify the control measures to be taken to abate the nuisance, and provide a reasonable amount of time to abate the nuisance. The notice will state that the owner or occupant has the right to appeal the determination that a public nuisance exists by submitting a request in writing to the Administrator, Clerk/Treasurer within seven days after service of the notice, or before the date by which abatement must be completed, whichever comes first.
 - c. If no timely appeal is submitted, and the notice of abatement and its prescribed control measures are not complied within the time provided by the notice or any additional time granted, the City Forester or designee shall have the authority to enter the property and carry out abatement in accordance with the notice of abatement.
3. High cost abatement. If the City Forester determines that the cost of abating the nuisance will exceed \$5,000 based on a reasonable, good faith estimate, the written notice referred to in Paragraph E.2,b must provide that if the nuisance is not abated within the reasonable amount of time provided, the

matter will be referred to the City Council for a hearing. The date, time and location of the hearing must be provided in the notice.

4. Appeal procedure. If the Administrator, Clerk/Treasurer receives a written request for a hearing on the question of whether a public nuisance in fact exists, the City Council shall hold a hearing at the next regularly scheduled City Council meeting following receipt by the Administrator, Clerk/Treasurer of the written request. At least three days notice shall be given to the individual who made the written request for the hearing. The Council may modify the abatement notice or extend the time by which abatement must be completed. Each owner, agent of the owner, occupant and lienholder of the subject property or properties in attendance, if any, shall be given the opportunity to present evidence at the hearing. After holding the hearing, the City Council may issue an order requiring abatement of the nuisance.

5. Recovery of cost of abatement; liability and assessment.

a. The owner of the premises on which a nuisance has been abated by the city shall be personally liable for the cost to the city of the abatement, plus an additional 10% of the expenditure for administrative costs. As soon as the work has been completed and the cost determined, the Administrator, Clerk/Treasurer or designee shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the Administrator, Clerk/Treasurer.

b. After notice and hearing as provided in M.S. § 429.061, as it may be amended from time to time, the Administrator, Clerk/Treasurer may list the total unpaid charges along with all other charges as well as other charges for current services to be assessed under M.S. § 429.101 against each separate lot or parcel to which the charges are attributable. The City Council may then certify the charges against the property under that statute and other pertinent statutes to the County Auditor for collection along with current taxes the following year or in annual installments as the City Council may determine in each case.

F. Interference prohibited. It shall be unlawful for any person to prevent, delay or interfere with the City Forester or designee thereof while they are engaged in the performance of duties imposed by this Section.

G. License requirements. It shall be unlawful for any individual, firm or corporation to conduct as a business the cutting, trimming, pruning, removing, spraying or otherwise treating of trees or shrubs in the city without first having obtained a contractor's license pursuant to SLPC 12.08.

H. Penalties. Any violation of this Section is a misdemeanor and is subject to penalties provided for such violations under SLPC 1.04.200. In addition to the penalties provided for in Paragraph H, if any person, firm, or corporation fails to comply with any provision of this Section, the City Council or any official designated by it, may institute appropriate proceedings at law or at equity to restrain, correct or abate the violation.

SECTION 7: **ADOPTION** “9.20.060 Outdoor Storage Of Wood” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

9.20.060 Outdoor Storage Of Wood(*Added*)

- A. Policy. The City Council finds that the use of alternative energy sources such as wood is a viable alternative energy source. The Council also realizes that young children can become attracted to wood piles and the climbing of wood piles can result in injury to children. The Council also recognizes that to protect the public health and safety, wood piles must be kept and maintained in a safe and orderly manner.
- B. Scope. On property located within the city, no person shall keep or store wood or allow wood to be kept or stored on his or her property or on property under his or her control, unless that wood is kept and stored in compliance with the provisions of this paragraph.
- C. Conditions of storage. Wood stored or kept in the city which is not contained in an enclosure impervious to the elements shall be stored or kept as follows:
 - 1. In uniform lengths in neat and secure stacks no more than six feet high, as measured from the bottom of the stack; and
 - 2. No wood shall be stacked within the required area of setback from a public street right-of-way, and in any event no closer to the street than the front of the house.
- D. Persons exempt. This paragraph shall not apply to:
 - 1. Persons having property on which new construction is taking place and the wood on that property is being used for the construction, unless the wood has remained on the property for more than 30 days and it is not a permanent part of the new construction at the end of that time;
 - 2. Persons storing or keeping wood on property where the wood is stored or kept in a covered structure impervious to the elements;
 - 3. Temporary storage of logs for up to 30 days, outside of the required area of setback from a public street right-of-way, is allowed for the purpose of processing (cutting and splitting) the logs into cordwood; and
 - 4. Lumber companies operating in compliance with city code.

SECTION 8: **ADOPTION** “9.20.070 Unsolicited Written Materials.” of the Spring Lake Park Municipal Code is hereby *added* as follows:

ADOPTION

9.20.070 Unsolicited Written Materials.(*Added*)

- A. Findings. The city finds that unsolicited written materials that are deposited on property in such a manner as to be exposed to the elements are a nuisance to the public health, safety and welfare as those unsolicited written materials can cause unsightly litter which detracts from the aesthetics of the neighborhood, can cause problems with snow removal or damage to snow removal equipment, and can create hazards for pedestrians or inhibit handicap accessibility.
- B. Definitions. For the purpose of this paragraph, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

FRONT DOOR. The street facing entrance or entrances to a principal building. In the event no door faces the street, then any other door of a principal building nearest to the street shall be considered the front door for the purposes of this paragraph.

OCCUPANT. One who has possessory rights in, or control over, the property or premises.

PORCH. An exterior appendage to a principal building leading to a doorway, including any stairway attached thereto.

PRINCIPAL BUILDING. The building or combination of buildings that house the primary use occurring on the premises.

PRIMARY USE. The main activity taking place on the premises.

PUBLISHER. The person publishing the unsolicited written materials, and the publisher's employees, agents and distributors.

UNSOLICITED WRITTEN MATERIALS. Any written materials, delivered to any premises, without the express invitation or permission, in writing or otherwise, by the occupant of such premises.

- C. It shall be unlawful to place unsolicited written materials on any street, sidewalk, or public right-of-way.
- D. Unsolicited written materials delivered to a premises by a publisher shall be placed:
1. Where permitted, in a distribution box located on or adjacent to the premises;
 2. On a porch, if one exists, nearest the front door of the principal building;
 3. So such materials are securely attached to the front door;
 4. Through a mail slot for the principal building, if existent, as premitted by the United States Postal Service Domestic Mail Manual § 508 Recipient Services, Subsection 3.1.2;
 5. Between the screen door or storm door to the front door, if existent and unlocked, and the interior front door; or
 6. Personally with the occupant of the premises.
- E. Notwithstanding Paragraph D,4, an occupant retains the right to restrict entry to the occupant's premises.

E. The United States Postal Service, while engaged in its official business, shall be exempt from the provisions of SLPC 9.20.070.

SECTION 9: AMENDMENT “12.08.010 Licenses Required” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

12.08.010 Licenses Required

Before any person, firm, or corporation shall engage in the business of doing or performing any of the various types of work listed in this section, he or she shall first obtain a license to do so as hereinafter provided:

- A. Cement work, cement block work, cement block laying, or brick work;
- B. General construction, including erection, alteration, or repair of buildings;
- C. The moving or wrecking of buildings;
- D. Plastering, outside stucco work, or lathing;
- E. Plumbing, including installation of outside sewage disposal plants;
- F. Heating, gas piping, ventilating, or air conditioning;
- G. Gas installation, including heating appliances, devices, or machinery, and the like;
- H. Well drilling;
- I. Roofing, siding, gutter, and other specialty work such as trim;
- J. Sign and billboard erecting;
- K. Excavators (for basements, foundations, grading of lots, and the like); ~~and~~
- L. Blacktop driveways and parking lots; and
- M. Tree care and tree trimming

SECTION 10: AMENDMENT “12.36.020 Revisions To International Property Maintenance Code” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

12.36.020 Revisions To International Property Maintenance Code

The following sections are hereby revised: Section 101.1. Title. Insert: *City of Spring Lake Park* Section 103.5. Fees. Insert: *City of Spring Lake Park Permit Fee Schedule* Section 302.4. Weeds. Insert: ~~Nine (9)~~ Eight (8) inches Section 304.14. Insect Screens. Insert: *April 16, October 16* Section 602.3. Heat Supply. Insert: *October 15, April 15* Section 602.4. Occupiable Space. Insert: *October 15, April 15*

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Wendling	_____	_____	_____	_____
Councilmember Goodboe-Bisschoff	_____	_____	_____	_____
Councilmember Dircks	_____	_____	_____	_____
Councilmember Moran	_____	_____	_____	_____
Mayor Nelson	_____	_____	_____	_____

Presiding Officer

Attest

Robert Nelson, Mayor, Spring Lake
Park

Daniel R. Buchholtz, Administrator,
Clerk/Treasurer, Spring Lake Park

CITY OF SPRING LAKE PARK

RESOLUTION NO. 2024-43

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 494,
AN ORDINANCE AMENDING SECTION 9.20 OF THE SPRING LAKE PARK CITY
CODE RELATING TO HEALTH AND SAFETY; NUISANCES**

WHEREAS, as authorized by Minnesota Statutes, Section 412.191, subd. 4, the City Council has determined that publication of the title and summary of Ordinance 494 will clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, a printed copy of the Ordinance is available for inspection during regular office hours in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota that the following summary of Ordinance No. 494 is approved for publication:

“On July 1, 2024, the Spring Lake Park City Council approved Ordinance No. 494, entitled ‘An Ordinance Amending Section 9.20 of the Spring Lake Park City Code Relating to Health and Safety; Nuisances

The following is a summary of Ordinance No. 494, a copy of which is available in its entirety for review during regular office hours at the City of Spring Lake Park, 1301 81st Avenue NE, Spring Lake Park, MN, or for review on the City’s website, www.slpmn.org.

The Ordinance amends Section 9.20 of the City Code concerning health, safety, and nuisances. Key amendments to the City Code include prohibiting prerecorded telephone alarm messages, defining assessable current services, regulating the storage and removal of snow, ice, and rubbish, managing public health hazards, and clarifying public nuisance definitions and abatement procedures. Additionally, it introduces new regulations for tree management, and renumbers provisions relating to outdoor storage of wood, and unsolicited written materials, ensuring public health, safety, and welfare are upheld.

The Ordinance takes effect upon publication in the City’s newspaper of record.”

The foregoing Resolution was moved for adoption by Councilmember .

Upon Vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereon the Acting Mayor declared said Resolution duly passed and adopted the 1st day of July, 2024.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: June 25, 2024

Subject: Liquor Ordinance Amendments

Attached are proposed amendments to the City's liquor ordinance.

Many of the proposed amendments are bringing the City's liquor regulations into conformance with State Law. These include 1) adding resorts as an establishment able to be issued an on-sale intoxicating liquor license; 2) adding political committees registered under state law and state universities as entities able to obtain a temporary on-sale intoxicating liquor license; 3) adding various types of liquor licenses which are authorized under State Law; and 4) authorizing a reduction in annual license fee for off-sale intoxicating liquor licensees if they follow certain criteria outlined in State law regarding training for underage drinkers. The ordinance also provides the City Council with greater flexibility in imposing suspensions and/or civil fines for liquor regulation and State Law violations.

Staff recommends approval of the proposed amendments.

If you have any questions, please do not hesitate to contact me at 763-784-6491.

**SPRING LAKE PARK
ORDINANCE 495**

**AN ORDINANCE AMENDING SPRING LAKE PARK CODE 11.08 RELATING TO
LIQUOR REGULATIONS**

NOW THEREFORE, be it ordained by the Council of the Spring Lake Park, in the State of Minnesota, as follows:

SECTION 1: **AMENDMENT** “11.08.010 License Regulations” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

11.08.010 License Regulations

- A. *Adoption Of State Law By Reference.* The provisions of M.S. Ch. 340A as they may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2% malt liquor are hereby adopted by reference and are made a paragraph of this section as if set out in full. It is the intention of the City Council that all future amendments to M.S. Ch. 340A are hereby adopted by reference or referenced as if they had been in existence at the time this section is adopted.
- B. *City May Be More Restrictive Than State Law.* The Council is authorized by the provisions of M.S. § 340A.509 as it may be amended from time to time, to impose, and has imposed in this section, additional restrictions on the sale and possession of alcoholic beverages within its limits beyond those contained in M.S. Ch. 340A as it may be amended from time to time.
- C. *Definitions.* In addition to the definitions contained in M.S. § 340A.101 as it may be amended from time to time, the following terms are defined for purposes of this section:

LIQUOR. As used in this section, without modification by the words an "intoxicating" or a "3.2% malt," includes both intoxicating liquor and 3.2% malt liquor.

RESTAURANT. An eating facility, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus and where the main food course is served and consumed while seated at a single location. To be a restaurant as defined by this paragraph, an establishment shall have a license from the state as required by M.S. § 157.16, as it may be amended from

time to time, and meet the definition of either a "small establishment," "medium establishment" or "large establishment" as defined in M.S. § 157.16, subd. 3(d), as it may be amended from time to time. An establishment which serves prepackaged food that receives heat treatment and is served in the package or frozen pizza that is heated and served, shall not be considered to be a restaurant for purposes of this section unless it meets the definitions of a "small establishment", "medium establishment" or "large establishment".

D. *Nudity On The Premises Of Licensed Establishments Prohibited.*

1. The City Council finds that it is in the best interests of the public health, safety, and general welfare of the people of the city that nudity is prohibited as provided in this paragraph on the premises of any establishment licensed under this section. This is to protect and assist the owners, operators, and employees of the establishment, as well as patrons and the public in general, from harm stemming from the physical immediacy and combination of alcohol, nudity, and sex. The Council especially intends to prevent any subliminal endorsement of sexual harassment or activities likely to lead to the possibility of various criminal conduct, including prostitution, sexual assault, and disorderly conduct. The Council also finds that the prohibition of nudity on the premises of any establishment licensed under this section, as set forth in this paragraph, reflects the prevailing community standards of the city.
2. It is unlawful for any licensee to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material. It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material.
3. A violation of this paragraph is a misdemeanor punishable as provided by law, and is justification for revocation or suspension of any liquor, wine, or 3.2% malt liquor license or any other license issued under this section or the imposition of a civil penalty under the provisions of Paragraph W,2.

E. *Consumption In Public Places.*

1. No person shall consume intoxicating liquor or 3.2% malt liquor on any public street, sidewalk, parking lot or alley, or in any public place other than on the premises of an establishment licensed under this section, ~~in a municipal liquor dispensary if one exists in the city;~~ or where the consumption and display of liquor is lawfully permitted.
2. No person shall consume or possess intoxicating liquor or 3.2% malt liquor in any city park unless specifically approved by the City Council. This prohibition shall include parking areas connected with the park.

F. *Number Of Licenses Which May Be Issued.* The number of licenses which may be granted under this paragraph, is limited to the number of licenses authorized under M.S. § 340A.413. The number of off-sale intoxicating liquor licenses which may be granted by the Council shall be further limited to one license until January 1, 2026. The Council is not required to issue the full number of licenses that it has available.

G. *Term And Expiration Of Licenses.* Each license shall be issued for a maximum period

of one year. All licenses, except temporary licenses, shall expire on December 31 of each year unless another date is provided by ordinance. All licenses shall expire on the same date. Temporary licenses expire according to their terms. Consumption and display permits issued by the Commissioner of Public Safety, and the accompanying city consent to the permit, shall expire on March 31 of each year.

H. *Kinds Of Liquor Licenses.* The Council is authorized to issue the following licenses and permits, up to the number specified in Paragraph F.

1. 3.2% malt liquor on-sale licenses, which may be issued only to golf courses, restaurants, hotels, clubs, bowling centers, and establishments used exclusively for the sale of 3.2% malt liquor with the incidental sale of tobacco and soft drinks.
2. 3.2% malt liquor off-sale license.
3. Temporary 3.2% malt liquor licenses which may be issued only to a club, charitable, religious, or nonprofit organization.
4. Off-sale intoxicating liquor licenses, which may be issued only to exclusive liquor stores or drug stores that have an off-sale license which was first issued on or before May 1, 1994. The fee for an off-sale intoxicating liquor license established by the Council under section 10 shall not exceed \$240 or a greater amount which may be permitted by M.S. § 340A.408, subd. 3, as it may be amended from time to time.
5. On-sale intoxicating liquor licenses, which may be issued to the following establishments as defined by M.S. § 340A.101, as it may be amended from time to time, and this section: hotels, restaurants, bowling centers, theaters, clubs or congressionally chartered veterans organizations, theaters, resorts as defined by M.S. § 157.15, subd. 11 and exclusive liquor stores. Club licenses may be issued only with the approval of the Commissioner of Public Safety. The fee for club licenses established by the Council under Paragraph I shall not exceed the amounts provided for in M.S. § 340A.408, subd. 2(b) as it may be amended from time to time. The following license classifications are established:
 - a. *Class A.* For establishments which are conducted in such a manner that the business of serving food for a license year is a minimum of 55% of the total business of serving food and intoxicating liquor.
 - b. *Class B.* For establishments which are conducted in such a manner that the business of serving food for a license year which is less than 55% of the total business of serving food and intoxicating liquor.
 - c. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at a community festival held within the city under the provisions of M.S. § 340A.404, subd. 4(b) as it may be amended from time to time. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at any convention, banquet, conference, meeting, or social affair conducted on the premises of a sports, convention, or cultural facility owned by the city, under the provisions of M.S. § 340A.404, subd. 4(a) as it

may be amended from time to time; however, the licensee is prohibited from dispensing intoxicating liquor to any person attending or participating in an amateur athletic event being held on the premises.

6. Sunday on-sale intoxicating liquor licenses, only after authorization to do so by voter approval at a general or special election as provided by M.S. § 340A.504, subd. 3, as it may be amended from time to time. Sunday on-sale intoxicating liquor licenses may be issued only to a restaurant as defined in Paragraph C, club, bowling center, or hotel which has a seating capacity of at least 30 persons, which holds an on-sale intoxicating liquor license, and which serves liquor only in conjunction with the service of food. The maximum fee for this license, which shall be established by the Council under the provisions of Paragraph I, shall not exceed \$200, or the maximum amount provided by M.S. § 340A.504, subd. 3(c) as it may be amended from time to time.
7. Temporary on-sale intoxicating liquor licenses, with the approval of the Commissioner of Public Safety, which may be issued only in connection with a social event sponsored by a club, charitable, religious or other nonprofit corporation that has existed for at least three years, a political committee registered under state law, or a state university. No license shall be for longer than four consecutive days and the city shall issue no more than 12 days worth of temporary licenses to any one organization in one calendar year.
8. On-sale wine licenses, with the approval of the Commissioner of Public Safety to: theaters, restaurants that have facilities for seating at least 25 guests at one time and meet the criteria of M.S. § 340A.404, subd. 5, as it may be amended from time to time, and which meet the definition of restaurant in Paragraph C; to licensed bed and breakfast facilities which meet the criteria in M.S. § 340A.401, subd. 1, as it may be amended from time to time and to theaters that meet the criteria of M.S. § 340A.404(b) as it may be amended from time to time. The fee for an on-sale wine license established by the Council under the provisions of Paragraph I, shall not exceed one-half of the license fee charged for an on-sale intoxicating liquor license. The holder of an on-sale wine license who also holds an on-sale 3.2% malt liquor license is authorized to sell malt liquor with a content over 3.2% (strong beer) without an additional license.
9. Approval of the issuance of a consumption and display permit by the Commissioner of Public Safety. The maximum amount of the additional fee which may be imposed by the Council on a person who has been issued a consumption and display permit under the provisions of Paragraph I shall not exceed \$300, or the maximum amount permitted by M.S. § 340A.414, subd. 6, as it may be amended from time to time. Consumption and display permits shall expire on March 31 of each year.
10. One day consumption and display permits with the approval of the Commissioner of Public Safety may be issued to a nonprofit organization in conjunction with a social activity in the city sponsored by the organization.
11. Culinary class limited on-sale licenses may be issued to a business

establishment not otherwise eligible for an on-sale intoxicating liquor license that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, up to a maximum of six ounces of wine or 12 ounces of intoxicating malt liquor, during and as part of the class, for consumption on the licensed premises only.

12. Temporary off-sale wine licenses, with the approval of the Commissioner of Public Safety, may be issued for the off-sale of wine at an auction. A license issued under this subdivision authorizes the sale of only of only vintage wine of a brand and vintage that is not commonly being offered for sale by any wholesaler in Minnesota. The license may authorize the off-sale of wine for not more than three consecutive days provided not more than 600 cases of wine are sold at any auction. The licenses are subject to the terms, including license fee, imposed by Paragraph (I).
13. Brew pub on-sale intoxicating liquor or on-sale 3.2% malt liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to brewers who operate a restaurant in their place of manufacture and who meet the criteria established at M.S. § 340A.24, as it may be amended from time to time. Sales under this license at on-sale may not exceed 3,500 barrels per year. If a brew pub licensed under this paragraph possesses a license for off-sale under Paragraph H,12, the brew pub's total combined retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than ~~500~~750 barrels.
14. Brewer off-sale malt liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to a brewer that is a licensee under Paragraph H,11 and otherwise meets the criteria established at M.S. § 340A.24, as it may be amended from time to time. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the city. Malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. All malt liquor sold under this license shall be packaged in the manner required by M.S. § 340A.285 as it may be amended from time to time. Sales under this license may not exceed ~~500~~750 barrels per year. If a brewer licensed under this paragraph possesses a license under Paragraph H,11, the brewer's total retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than ~~500~~750 barrels. Brewer off-sale malt liquor licenses may also be issued, with approval of the Commissioner, to a holder of a brewer's license under M.S. § 340A.301. subd. 6(c), (i) or (j) and meeting the criteria established by M.S. § 340A.28, as it may be amended from time to time. The amount of malt liquor sold at off-sale may not exceed 750 barrels annually. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the jurisdiction in which the brewer is located, and the malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing

time at exclusive liquor stores. Packaging of malt liquor for off-sale under this license must comply with M.S. § 340A.285, as it may be amended from time to time. Notwithstanding any law to the contrary and in addition to the authority provided in M.S. § 340A.28, a Brewer off-sale malt liquor license may be issued, with the approval of the Commissioner, to a holder of a brewer's license under M.S. § 340.301, subd. 6(c), (i) or (j) and meeting the criteria established by Minn. Stat. § 340A.29 as may be amended from time to time, for off-sale of up to 128 ounces per customer per day of malt liquor produced and packaged by the holder. Packaging of malt liquor for off-sale under this license must comply with Minnesota Rules, parts 7515.1080 to 7515.1120.

15. Brewer temporary on-sale intoxicating liquor licenses may be issued, with the approval of the Commissioner of Public Safety, to brewers who manufacture fewer than 3,500 barrels of malt liquor in a year for the on-sale of intoxicating liquor in connection with a social event within the municipality sponsored by the brewer.
16. A brewer taproom license, may be issued to the holder of a brewer's license under M.S. § 340A.301 subd. 6(c), (i) or (j) as it may amended from time to time. A brewer's taproom license authorizes on-sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. A brewer may have only one taproom license and may not have an ownership interest in a brewer licensed under M.S. § 340A.301 subd. 6(d) as it may be amended from time to time. A brewer taproom license may not be issued to a brewer that brews more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually. Within ten days of issuing a brewer taproom license the Administrator, Clerk/Treasurer will inform the Commissioner of Public Safety of the licensee's name, address, trade name and the effective date and expiration date of the license. The Administrator, Clerk/Treasurer will inform the Commissioner of Public Safety of a license transfer, cancellation, suspension, or revocation during the license period.
17. A cocktail room license may be issued to the holder of a state microdistillery license if at least 50% of the annual production of the licensee is processed and distilled on premises. A microdistillery cocktail room license authorizes on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller. The holder of a microdistillery cocktail room license may also hold a license to operate a restaurant at the distillery. No more than one cocktail room license may be issued to any distiller and a microdistillery cocktail room license may not be issued to any person having an ownership interest in a distillery licensed under M.S. § 340A.301 subd. 6(a). No single entity may hold both a microdistillery cocktail room and taproom license and a microdistillery cocktail room and taproom license may not be co-located. Within ten days of the issuance of a microdistillery cocktail room license, the city shall inform the Commissioner of Public Safety of the licensee's name and address and trade

name, and the effective date and expiration date of the license. The city shall also inform the Commissioner of Public Safety of a microdistillery cocktail room license transfer, cancellation, suspension, or revocation during the license period.

18. A microdistiller off-sale license may be issued to the holder of a state microdistillery license if at least 50% of the annual production of the licensee is processed and distilled on premises. A microdistiller off-sale license authorizes off-sale of ~~one 375 milliliter bottle~~ up to 750 milliliters per customer per day of product manufactured on-site provided the product is also available for distribution to wholesalers. A microdistiller temporary on-sale intoxicating liquor license may be issued to the holder of a state microdistillery license.
19. A microdistiller temporary on-sale intoxicating liquor license may be issued to the holder of a state microdistillery license. A microdistillery temporary on-sale intoxicating liquor license authorizes on-sale of intoxicating liquor in connection with a social event within the city sponsored by the microdistillery.

I. *License Fees; Pro Rata.*

1. No license or other fee established by the city shall exceed any limit established by M.S. Ch. 340A, as it may be amended from time to time, for a liquor license.
2. The Council may establish from time to time in the ordinance establishing fees and charges the fee for any of the liquor licenses it is authorized to issue. The license fee may not exceed the cost of issuing the license and other costs directly related to the enforcement of the liquor laws and this section. No liquor license fee shall be increased without providing mailed notice of a hearing on the proposed increase to all affected licensees at least 30 days before the hearing.
3. The fee for all licenses, except temporary licenses, granted after the commencement of the license year shall be prorated on a monthly basis.
4. All license fees shall be paid in full at the time the application is filed with the city. If the application is denied, the license fee shall be returned to the applicant.
5. A refund of a monthly pro rata share of an annual license fee may be refunded, less the cost of issuance as determined by the Administrator, Clerk/Treasurer, if:
 - a. The license is transferred to a new licensee in accordance with Paragraph N and the city receives a license fee for the remainder of the license term from the transferee; or
 - b. A premises licensed to sell wine receives an on-sale intoxicating liquor license prior to the expiration of the wine license. In this instance, a pro rata share of the wine license may be refunded.

6. Off-sale intoxicating liquor licensees may request a reduction in their annual license fee by the amount specified in M.S. § 340A.408 if at the time of initial application or renewal they:

- a. Agree to have a private vendor approved by the city train all employees within 60 days of hire and annually thereafter in laws

- pertaining to the sale alcohol, the rules for identification checks, and the responsibilities of establishments serving intoxicating liquors;
- b. Post a policy requiring identification checks for all persons appearing to be 30 years old or less;
 - c. Establish a written cash award and incentive program to award employees who catch underage drinkers and a written penalty program to punish employees in the event of a failed compliance check;
 - d. Failure to abide by the provisions of this paragraph may result in suspension of the license until the conditions of the fee reduction are met and may result in suspension and/or revocation of the license pursuant to Paragraph V of this ordinance.

J. Council Discretion To Grant Or Deny A License.

1. The Council in its sound discretion may either grant or deny the application for any license or for the transfer or renewal of any license. No applicant has a right to a license under this section.
2. The Council may take into consideration any nuisance call or calls relating to the premises when considering the operation of the premises, application, transfer, modification or renewal of any license. For the purposes of this paragraph, **NUISANCE CALL** shall be defined as follows: any activity, conduct, or condition occurring on or related to the licensed premises which results in a call or report to the Spring Lake Park Police Department, other law enforcement agency or the Spring Lake Park Code Enforcement Department, including, but not limited to, calls and reports related to the following:
 - a. Any conduct, activity or condition alleged to constitute disorderly conduct, pursuant to M.S. § 609.72.
 - b. Any conduct, activity or condition alleged to constitute a public nuisance, pursuant to M.S. § 609.74 and/or §§ 94.15-94.18.
 - c. Any conduct, activity or condition alleged to constitute an assault pursuant to M.S. § 609.224.
 - d. Any conduct, activity or condition alleged to constitute a violation of Minnesota Statutes relating to prostitution, controlled substances, use of firearms, criminal sexual conduct, and gambling.
 - e. Any conduct, activity or condition alleged to constitute a disorderly house pursuant to M.S. § 609.33.
 - f. Any conduct, activity or condition alleged to constitute a violation of this paragraph.
 - g. A failure to meet the minimum criteria for a restaurant or license holder.
3. Any violation of any provision of this paragraph, or any nuisance call, regardless whether or not a criminal charge has been brought or a criminal conviction has been obtained, may be used by the Council, at its discretion, when considering the granting, denying, suspension, revocation, transfer, modification, or renewal of any license.

K. Application For License.

1. *Form.* Every application for a license issued under this section shall be on a form provided by the city. Every application shall state the name of the applicant, the applicant's age, representations as to the applicant's character, with references as the Council may require, the type of license applied for, the business in connection with which the proposed license will operate and its location, a description of the premises, whether the applicant is owner and operator of the business, how long the applicant has been in that business at that place, and other information as the Council may require from time to time. An application for an on-sale intoxicating liquor license shall be in the form prescribed by the Commissioner of Public Safety and shall also contain the information required in this paragraph. The form shall be verified and filed with the city. No person shall make a false statement in an application.
 2. *Responsible party.* Such application must identify a responsible party relative to each license. If the responsible party for a licensee will change, an application for the change shall be provided to the Administrator, Clerk/Treasurer at least 30 days prior to such change and shall be treated the same as an application for a new license. In the event that a 30-day prior notice is not feasible, a written explanation will be submitted to the Administrator, Clerk/Treasurer within one week of the known change documenting the reason(s) for the deviation; this is subject to approval by the police chief or his/her designee. Failure to file a timely application or explanation for a change in responsible party shall be grounds for revocation, suspension or nonrenewal of any license.
 3. *Financial responsibility.* Prior to the issuance of any license under this section, the applicant shall demonstrate proof of financial responsibility as defined in M.S. § 340A.409, as it may be amended from time to time, with regard to liability under M.S. § 340A.801, as it may be amended from time to time. This proof will be filed with the city and the Commissioner of Public Safety. Any liability insurance policy filed as proof of financial responsibility under this paragraph shall conform to M.S. § 340A.409, as it may be amended from time to time. Operation of a business which is required to be licensed by this section without having on file with the city at all times effective proof of financial responsibility is a cause for revocation of the license. The licensee shall name the city as a certificate holder on the insurance policy or bond.
- L. *Description Of Premises.* The application shall specifically describe the compact and contiguous premises within which liquor may be dispensed and consumed. The description may not include any parking lot or sidewalk. An application for the proposed enlargement, alteration or extension of any premises previously licensed shall be provided to the Administrator, Clerk/Treasurer at least 30 days prior to such proposed enlargement, alteration or extension and shall be treated the same as an application for a new license. Failure to file an application for such enlargement, alteration or extension shall be grounds for revocation, suspension or non-renewal of any license. All premises licensed under this paragraph shall be in compliance with all federal, state, municipal, building, zoning, and fire regulations. Failure to comply with

any such federal, state, municipal, building, zoning and fire regulations shall be grounds for revocation, suspension or non-renewal of any license.

- M. *Application For Renewal.* At least 60 days before a license issued under this section is to be renewed, an application for renewal shall be filed with the city. If, in the judgment of the Council, good and sufficient cause is shown by the applicant for his/her failure to file for a renewal within the time provided, the Council may, if the other provisions of this section are complied with, grant the application. The decision whether or not to renew a license rests within the sound discretion of the Council. No licensee has a right to have the license renewed.
- N. *Transfer Of License.* No license issued under this section may be transferred without the approval of the Council. Any transfer of stock of a corporate licensee is deemed to be a transfer of the license, and a transfer of stock without prior Council approval is a ground for revocation of the license. An application to transfer a license shall be treated the same as an application for a new license, and all of the provisions of this code applying to applications for a license shall apply.
- O. *Investigation.*
1. *Preliminary background and financial investigation.* On an initial application for a license, on an application for transfer of a license and, in the sound discretion of the Council that it is in the public interest to do so, on an application for renewal of a license, the city shall conduct a preliminary background and financial investigation of the applicant or it may contract with the Commissioner of Public Safety for the investigation. The applicant shall pay with the application an investigation fee set forth under SLPC 3.16.030 Paragraph A which shall be in addition to any license fee. The unused balance of the escrow shall be returned to the applicant. The results of the preliminary investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.
 2. *Comprehensive background and financial investigation.* If the results of a preliminary investigation warrant, in the sound discretion of the Council, a comprehensive background and financial investigation, the Council may either conduct the investigation itself or contract with the Commissioner of Public Safety for the investigation. The investigation fee for this comprehensive background and financial investigation to be paid by the applicant shall be the amount set forth under SLPC 3.16.030 Paragraph A. The unused balance of the escrow shall be returned to the applicant whether or not the application is denied. The fee shall be paid in advance of any investigation and the amount actually expended on the investigation shall not be refundable in the event the application is denied. The results of the comprehensive investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.
- P. *Hearing And Issuance.* The Council shall investigate all facts set out in the application and not investigated in the preliminary or comprehensive background and financial investigations. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Council shall in its

sound discretion grant or deny the application. No license shall become effective until the proof of financial security has been approved by the Commissioner of Public Safety.

Q. *Restrictions On Issuance.*

1. Each license shall be issued only to the applicant for the premises described in the application.
2. Not more than one license shall be directly or indirectly issued within the city to any one person.
3. No license shall be granted or renewed for operation on any premises on which taxes, assessments, utility charges, service charges, or other financial claims of the city are delinquent and unpaid. In the event an action has been commenced pursuant to the provisions of M.S. Ch. 278, as it may be amended from time to time, questioning the amount of validity of taxes, the Council may, on application by the licensee, waive strict compliance with this paragraph. No waiver may be granted, however, for taxes or any portion thereof which remain unpaid for a period exceeding one year after becoming due.
4. No license shall be issued for any place or any business ineligible for a license under state law.
5. No license shall be granted if the applicant, responsible party, owner, manager or any other person involved with the licensee:
 - a. Is under 21 years of age;
 - b. Who is not of good moral character and repute;
 - c. Who, if an individual, is not a U.S. citizen or resident alien, or upon whom it is impractical to conduct a background and financial investigation due to the lack of availability of information.
 - d. Who has been convicted, within five years prior to the application of such license, of any violation of any law of the United States, this state or any other state or territory, or of any local ordinance regarding the manufacture, sale or distribution of intoxicating liquor or whose liquor license has been revoked for any violation of any law or ordinance;
 - e. Who is a manufacturer or wholesaler of intoxicating liquor; and no manufacturer or wholesaler shall either directly or indirectly own or control or have any financial interest in any retail business selling intoxicating liquor;
 - f. Who is directly or indirectly interested in any other establishment in the city to which an on-sale liquor license has been issued under this section;
 - g. Who, if a corporation, does not have a manager who is eligible pursuant to the provisions of this paragraph; or
 - h. Who is the spouse or a person ineligible for a license pursuant to this paragraph or who, in the judgment of the Council, is not a real party in interest or beneficial owner of the business operated, or to be

operated, under the license.

- i. For the purpose of this paragraph, the following definition shall apply unless the content clearly indicates or requires a different meaning.

INTEREST. Any pecuniary interest in the ownership, operation, management or profits of a retail liquor establishment, but does not include bona fide loans, bona fide rental agreements, bona fide open accounts, or other obligations arising out of the ordinary and regular course of the business of selling or leasing merchandise, fixtures or supplies to the establishment.

6. No license, other than a temporary 3.2% malt liquor license or temporary on-sale intoxicating license, shall be granted within 500 feet of any school or church. The distance is to be measured from the closest side of the school or church to the closest side of the structure on the premises within which liquor is to be sold.
7. No license shall be issued for a premises owned, operated or managed by a person or by the spouse of a person, who is the holder of a sexually oriented business special use permit pursuant to SLPC 11.44.

R. *Conditions Of License.* The failure of a licensee to meet any one of the conditions of the license specified below shall result in a suspension of the license until the condition is met.

1. Within 90 days after employment, every person selling or serving liquor in an establishment which has an on-sale license shall receive training regarding the selling or serving of liquor to customers. The training shall be provided by an organization approved by the Council. Proof of training shall be provided by the licensee.
2. Every licensee is responsible for the conduct of the place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this section and the law equally with the employee.
3. Every licensee shall allow any peace officer, health officer, city employee, or any other person designated by the Council to conduct compliance checks and to otherwise enter, inspect, and search the premises of the licensee during business hours and after business hours during the time when customers remain on the premises without a warrant.
4. No on-sale establishment shall display liquor to the public during hours when the sale of liquor is prohibited.
5. Compliance with financial responsibility requirements of state law and of this section is a continuing condition of any license.
6. Failure by an off-sale intoxicating liquor license who has received a fee reduction pursuant to Paragraph I,6 to abide by the provisions of Paragraph I.6.

S. *Hours And Days Of Sale.*

1. The hours of operation and days of sale shall be those set by M.S. §

340A.504, as it may be amended from time to time, except that the City Council may, by resolution or ordinance, provide for more restrictive hours than state law allows.

2. No person shall consume nor shall any on-sale licensee permit any consumption of intoxicating liquor or 3.2% malt liquor in an on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.
3. No on-sale licensee shall permit any glass, bottle, or other container containing intoxicating liquor or 3.2% malt liquor to remain upon any table, bar, stool, or other place where customers are served, more than 30 minutes after the time when a sale can legally occur.
4. No person, other than the licensee and any employee, shall remain on the on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.
5. Any violation of any condition of this paragraph may be grounds for revocation or suspension of the license.

T. *Minors On Premises.*

1. No person under the age of 18 years shall be employed in any rooms constituting the place in which intoxicating liquors or 3.2% malt liquor are sold at retail on sale, except that persons under the age of 18 may be employed as musicians or to perform the duties of a bus person, host or dishwashing services in places defined as a restaurant, hotel, motel or other multi-purpose building serving food in rooms in which intoxicating liquors or 3.2% malt liquor are sold at retail on sale.
2. No person under the age of 21 years may enter a licensed establishment except to work, consume meals, or attend social functions that are held in a portion of the premises where liquor is not sold.

U. *Restrictions On Purchase And Consumption.* No person shall mix or prepare liquor for consumption in any public place of business unless it has a license to sell on-sale, or a permit from the Commissioner of Public Safety under the provisions of M.S. § 340A.414, as it may be amended from time to time, which has been approved by the Council, and no person shall consume liquor in any such place.

V. *Suspension And Revocation.*

1. The Council shall either suspend for a period not to exceed 60 days or revoke any liquor license and/or assess a civil fine not exceeding \$2,000 upon finding that the licensee has failed to comply with any applicable statute, regulation, or provision of this section relating to liquor. Except in cases of lapse of proof of financial responsibility, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to the Administrative Procedures Act, M.S. §§ 14.57 to 14.70, as it may be amended from time to time. The Council may act as the hearing body under that act, or it may contract with the Office of Administrative Hearings~~Hearing Examiners~~ for a hearing officer.
2. The following are the minimum presumptive periods of suspension or revocation ~~which shall be imposed by the Council~~ for violations of the

provisions of this section or M.S. Ch. 340A, as it may be amended from time to time or any rules promulgated under that section as they may be amended from time to time:

- a. For commission of a felony related to the licensed activity, sale of alcoholic beverages while the license is under suspension, sale of intoxicating liquor where the only license is for 3.2% malt liquor, or violation of Paragraph D, the license shall be revoked.
 - b. The license ~~shall~~ may be suspended by the Council after a finding under Paragraph V,1 that the licensee has failed to comply with any applicable statute, rule, or provision of this section for at least the minimum periods as follows:
 - (1) For the first violation within any three-year period, at least one day suspension in addition to any criminal or civil penalties which may be imposed.
 - (2) For a second violation within any three-year period, at least three consecutive days suspension in addition to any criminal or civil penalties which may be imposed.
 - (3) For the third violation within any three-year period, at least seven consecutive days suspension in addition to any criminal or civil penalties which may be imposed.
 - (4) For a fourth violation within any three-year period, the license shall be revoked.
 - c. The periods listed in Paragraph V,2,b are presumptive penalties only. The Council is free to depart from the guidelines where it determines aggravating or extenuating circumstances exist.
 - d. The Council shall select the day or days during which the license will be suspended.
3. Lapse of required proof of financial responsibility shall effect an immediate suspension of any license issued pursuant to this section or state law without further action of the Council. Notice of cancellation or lapse of a current liquor liability policy shall also constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or of suspension or revocation of a license may request a hearing thereon and, if a request is made in writing to the Clerk, a hearing before the Council shall be granted within ten days. Any suspension under this Paragraph V,2 shall continue until the Council determines that the financial responsibility requirements of state law and this section have again been met.
- ~~4. The provisions of Paragraph W pertaining to administrative penalty may be imposed in addition to or in lieu of any suspension or revocation under this section.~~

W. Penalties.

1. Any person violating the provisions of this chapter or M.S. Ch. 340A as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time is guilty of a misdemeanor

- and upon conviction shall be punished as provided by law.
2. The Council shall impose a civil penalty of up to \$2,000 for each violation of M.S. Ch. 340A, as it may be amended from time to time, and of this section. Conviction of a violation in a court of law is not required in order for the Council to impose the civil penalty. A hearing under the Administrative Procedures Act, M.S. §§ 14.57 to 14.70, as it may be amended from time to time, is not required before the penalty is imposed, but the Council shall hold a hearing on the proposed violation and the proposed penalty and hear any person who wishes to speak. Nonpayment of the penalty is grounds for suspension or revocation of the license. The following is the minimum schedule of presumptive civil penalties which must be imposed in addition to any suspension unless the license is revoked:
 - a. For the first violation within any three-year period: \$500.
 - b. For the second violation within any three-year period: \$ 1,000.
 - c. For the third and subsequent violations within any three-year period: \$2,000.
 3. The term **VIOLATION** as used in Paragraph V includes any and all violations of the provisions in this paragraph, or of M.S. Ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time. The number of violations shall be determined on the basis of the history of violations for the preceding three-year period. Revocation shall occur within 60 days following a violation for which revocation is imposed.

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect upon approval and publication according to law.

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Wendling	_____	_____	_____	_____
Councilmember Goodboe-Bisschoff	_____	_____	_____	_____
Councilmember Dircks	_____	_____	_____	_____
Councilmember Moran	_____	_____	_____	_____
Mayor Nelson	_____	_____	_____	_____

Presiding Officer

Attest

Robert Nelson, Mayor, Spring Lake
Park

Daniel R. Buchholtz, Administrator,
Clerk/Treasurer, Spring Lake Park

CITY OF SPRING LAKE PARK

RESOLUTION NO. 2024-44

**A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 495,
AN ORDINANCE AMENDING SPRING LAKE PARK CODE 11.08 RELATING TO
LIQUOR REGULATIONS**

WHEREAS, as authorized by Minnesota Statutes, Section 412.191, subd. 4, the City Council has determined that publication of the title and summary of Ordinance 495 will clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, a printed copy of the Ordinance is available for inspection during regular office hours in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota that the following summary of Ordinance No. 495 is approved for publication:

“On July 1, 2024, the Spring Lake Park City Council approved Ordinance No. 495, entitled ‘An Ordinance Amending Spring Lake Park Code 11.08 Relating to Liquor Regulations’.

The following is a summary of Ordinance No. 495, a copy of which is available in its entirety for review during regular office hours at the City of Spring Lake Park, 1301 81st Avenue NE, Spring Lake Park, MN, or for review on the City’s website, www.slpmn.org.

The Ordinance amends Section 11.08.010 to conform with changes in State Law, adds authorized licenses for one day consumption and display permits, temporary off-sale wine licenses and a microdistiller temporary on-sale liquor license. The ordinance allows for a license fee reduction for off-sale intoxicating liquor licenses so long as they meet specific criteria. The ordinance amends the license suspension and revocation policy to provide the City Council with greater discretion in addressing violations of the City’s liquor regulations.

The Ordinance takes effect upon publication in the City’s newspaper of record.”

The foregoing Resolution was moved for adoption by Councilmember .

Upon Vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereon the Acting Mayor declared said Resolution duly passed and adopted the 1st day of July, 2024.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator

Memorandum

To: Mayor Nelson and Members of the City Council
From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer
Date: June 25, 2024
Subject: Variance Request at 697 79th Avenue NE

Hamza Refaya, 697 79th Avenue NE, has submitted an application for a variance from the City Code to allow them to install a 6 foot tall fence in the front yard.

The property is a corner lot on the 600 block of 79th Avenue NE. The property is bordered by Monroe Street NE to the north. The property is guided for low density residential in the 2040 Comprehensive Plan. The property is zoned R-1, Single Family Residential – allowed uses include single family homes and duplexes. Property records show that the property was constructed in 1956.

The applicant is seeking a variance from SLPC 16.28.030 (F), which states that “no fence may exceed four feet in height above ground level in front of the front line of the residential structure, along any street or highway right-of-way, or in the front yard as defined by this title.”

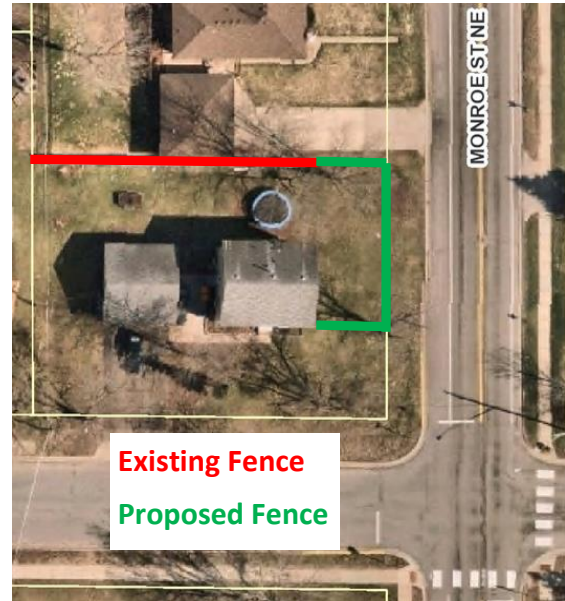


The term “Yard, Front” is defined under SLPC 16.04.070 as “a yard extending across the front of the lot between the side yard lines and lying between the front street line of the lot and the nearest line of the building. The term “Lot Line, Front” is defined as the “boundary of a lot abutting the street. On a corner lot, the shortest street lot line shall be the **FRONT LOT LINE.**” Further, SLPC 16.20.080(B) states that “except for driveways, the front yard shall extend along the entire frontage of the lot and along both streets in the case of a double frontage or corner lot.” SLPC 16.20.080(E) states that “the required front yard of a corner lot shall contain no wall, fence or other structure, tree, shrub, or growth which may cause danger to traffic on a street or public road by obscuring the view.”

Current Condition

The property currently has a 6 foot tall white vinyl privacy fence along the northern property line, running from the western property line to the start of the front yard setback. The property owner is seeking to continue that 6 foot vinyl privacy fence to the right of way line and install a 6 foot tall privacy fence along the right-of-way line on Monroe Street, ending at a point in line with the south east corner of the house. The fence will continue to the west to terminate at the southwest corner of the house.

The sidewalk along Monroe Street is on the east side of the street, opposite of the fence. There is a parking lane on the west side of Monroe Street. No parking is allowed on the east side of Monroe Street.



Variance

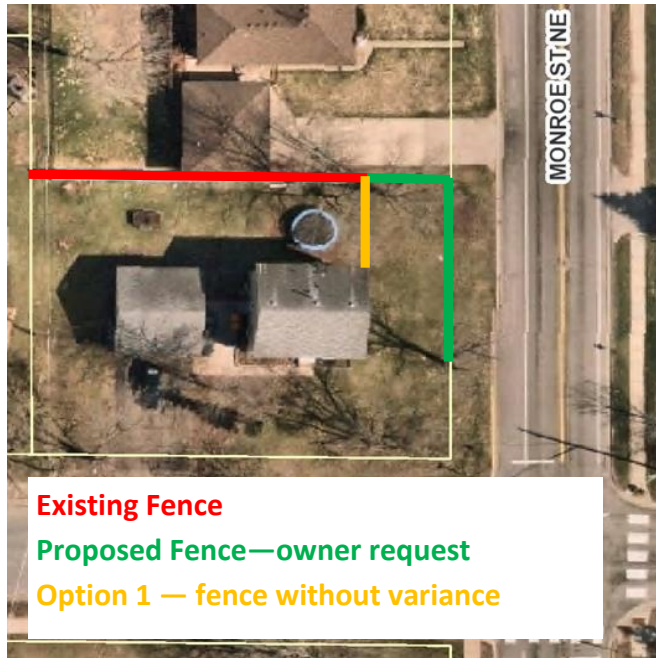
Section §16.60.040 of the City of Spring Lake Park’s zoning code outlines the criteria for considering variances:

“The City Council may grant a variance from the strict application of this title and impose conditions and safeguards on the variance so granted only in instances where their strict enforcement would cause practical difficulties in complying with the official control because of circumstances unique to the individual property under consideration, and may grant a variance only when it is demonstrated that such actions will be in harmony with the general purposes and intent of this title and when the variances are consistent with the Comprehensive Plan. “Practical difficulties” as used in connection with granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by an official control, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties also includes, but is not limited to, direct sunlight for solar energy systems. A variance shall not be granted to allow a use that is not allowed in the zoning district involved.”

Analysis

The zoning code includes regulations about fence heights in front yards for several reasons. The primary reason is for safety and visibility. Lower fences improve visibility for drivers and pedestrians, reducing the risk of accidents at driveways, street intersections and crosswalks. The lower fence height helps ensure that site lines are clear, which is especially important in areas with high foot or vehicle traffic, such as Monroe Street. A secondary reason is for aesthetic appeal.

Lower fences can contribute to a neighborhood’s visual appeal by maintaining a more open and welcoming appearance, thereby helping create a sense of community and cohesion.



There is no fencing parallel Monroe Street on this block, or on the adjacent blocks. This fence would impact the neighborhood aesthetic and could possibly lead to additional requests for front yard fencing along this busy street.

The garage for 7906 Monroe Street NE is located within 2 feet of the existing fence. The driveway is located approximately 5 feet from the property line. If the fence was to be constructed, it could impair the sight triangle when the occupants of 7906 Monroe Street back out of their driveway. With the traffic counts on this section averaging 1,000 cars per day, a 6 foot fence along the property line and Monroe Street right-of-way could reduce the safety of those backing out of this

driveway.

Recommendation

Staff recommends denial of the variance, with the following findings of fact:

1. A six foot fence in the front yard along the right-of-way line is not reasonable under the circumstances as it would impair visibility for drivers and pedestrians, increasing the risk of accidents, particularly for residents backing out of nearby driveways.
2. The proposed fence would disrupt the consistent and open visual appeal of the neighborhood, thereby impacting the essential character of the neighborhood.
3. The property can continue to be used as a residential property without granting the variance. A fence can be constructed in conformance with the City Code while still providing backyard privacy to the owner of the property.
4. The variance request does not meet the criteria set forth in SLPC 16.60.040 or State Law for the practical difficulties test in that there are numerous corner lots within the City that currently comply with the City Code and insufficient unique circumstances exist on the property to support the deviation from Code standards.

The Planning Commission held a public hearing on the variance request at its meeting on June 24, 2024. After reviewing the request and public comment, the Planning Commission recommended denial of the variance and recommended adoption of the findings of fact listed above in support of the denial.

Staff recommends approval of Resolution 2024-45, denying the variance request.

If you have any questions regarding this application, please don't hesitate to contact me at 763-784-6491.

RESOLUTION NO. 2024-45

A RESOLUTION APPROVING VARIANCES FROM FENCING PERFORMANCE STANDARDS AT 697 79TH AVENUE NE

WHEREAS, Hamza Refeya (“Applicant”) has made application for a variance from SLPC 16.28.030(C), which establishes performance standards for fencing in residential districts; and

WHEREAS, the property, 697 79th Ave NE, is legally described as follows:

Lot 19 Block 1 Clearview Heights Addition, subject to easement of record; and

WHEREAS, mailed and published notice of a public hearing to consider the proposed variance was given; and

WHEREAS, a public hearing to consider the proposed variance was held on June 25, 2024; and

WHEREAS, the request was made for a variance allowing the applicant to construct a 6 foot tall fence in the front yard as defined by the Code; and

WHEREAS, SLPC 16.20.080 states that “except for driveways, the front yard shall extend along the entire frontage of the lot and along both streets in the case of a double frontage or corner lot;” and

WHEREAS, the Planning Commission has considered the application against the practical difficulties test as outlined in Section 16.60.040 of the Spring Lake Park Zoning Code; and

WHEREAS, the Planning Commission has recommended denial based on the following findings of fact:

1. A six foot fence in the front yard along the right-of-way line is not reasonable under the circumstances as it would impair visibility for drivers and pedestrians, increasing the risk of accidents, particularly for residents backing out of nearby driveways.
2. The proposed fence would disrupt the consistent and open visual appeal of the neighborhood, thereby impacting the essential character of the neighborhood.
3. The property can continue to be used as a residential property without granting the variance. A fence can be constructed in conformance with the City Code while still providing backyard privacy to the owner of the property.
4. The variance request does not meet the criteria set forth in SLPC 16.60.040 or State Law for the practical difficulties test in that there are numerous corner lots within the City that currently comply with the City Code and insufficient unique circumstances exist on the property to support the deviation from Code standards.

WHEREAS, the Spring Lake Park City Council has reviewed the application and hereby accepts the findings and recommendations of the Spring Lake Park Planning Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spring Lake Park, Minnesota that the City Council hereby denies the request of Hamza Refeya, 697 79th Ave NE, for a variance from the residential fence performance standards as outlined in SLPC 16.28.030(F).

The foregoing Resolution was moved for adoption by Councilmember .

Upon Vote being taken thereon, the following voted in favor thereof:

And the following voted against the same:

Whereon the Mayor declared said Resolution duly passed and adopted the 1st day of July 2024.

APPROVED BY:

Robert Nelson, Mayor

ATTEST:

Daniel R. Buchholtz, City Administrator

OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park Planning Commission was held on June 24, 2024 at the Able Park Building, 8200 Able Street NE at 7:00 PM.

1. CALL TO ORDER

Chair Hansen called the meeting to order at 7:00 PM.

2. ROLL CALL

MEMBERS PRESENT

Commissioner Rick Cobbs
Commissioner Brad Delfs
Commissioner Sharon Weighous
Chair Hans Hansen

MEMBERS ABSENT

Commissioner Kelsey Hollihan
Commissioner Eric Julien

STAFF PRESENT

Building Official Jeff Baker, Administrator Daniel Buchholtz, Deputy City Clerk Brown

VISITORS

Hamza Refaya	697 79 th Avenue NE	Spring Lake Park MN
Vicki Wazwaz	697 79 th Avenue NE	Spring Lake Park MN

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Approval of Minutes – May 28, 2024 Meeting

Motion made by Commissioner Delfs, seconded by Commissioner Cobbs, to approve the minutes from May 28, 2024 Planning Commission meeting.

Voting Aye: Commissioner Weighous, Commissioner Delfs, Commissioner Cobbs, Chair Hansen. Motion carried.

5. PUBLIC HEARING

A. Public Hearing – Variance Request for a Privacy Fence at 697 79th Avenue NE – Hamza Refaya

Building Official Baker gave an overview of the variance request for 697 79th Avenue NE. He stated that the applicant is requesting to install a six-foot privacy fence in the front yard. He stated that the property is zoned R-1 and was constructed in 1956.

Building Official Baker stated that the applicant is seeking a variance from SLPC 16.28.030 (F), which states that “no fence may exceed four feet in height above ground level in front of the front line of the residential structure, along any street or highway right-of-way, or in the front yard as defined by this title. He stated that the term “Yard, Front” is defined under SLPC 16.04.070 as “a yard extending across the front of the lot between the side yard lines and lying between the front street line of the lot and the nearest line of the building.

Building Official Baker said that the on a corner lot, both sides adjacent to the street are considered the front yard, though the shortest street lot line shall be considered the front lot line. He stated that the although their front door is on 79th Avenue, the front of the applicant’s home is on Monroe Street NE because it is the short side of the property.

Building Official Baker stated that the property currently has a 6-foot-tall white vinyl privacy fence along the northern property line, running from the western property line to the start of the front yard setback. He stated that the property owner is seeking to continue that 6-foot vinyl privacy fence to the right of way line and install a 6-foot-tall privacy fence along the right-of-way line on Monroe Street, ending at a point in line with the south east corner of the house. He said that there is no fencing along Monroe Street Ne.

Building Official Baker stated that staff is recommending denial of the variance due to the following conditions:

- A six-foot fence in the front yard along the right-of-way line is not reasonable under the circumstances as it would impair visibility for drivers and pedestrians, increasing the risk of accidents, particularly for residents backing out of nearby driveways.
- The proposed fence would disrupt the consistent and open visual appeal of the neighborhood, thereby impacting the essential character of the neighborhood.
- The property can continue to be used as a residential property without granting the variance. A fence can be constructed in conformance with the City Code while still providing backyard privacy to the owner of the property.
- The variance request does not meet the criteria set forth in SLPC 16.60.040 or State Law for the practical difficulties test in that there are numerous corner lots within the City that currently comply with the City Code and insufficient unique circumstances exist on the property to support the deviation from Code standards.

Chair Hansen opened the public hearing at 7:05 PM

Vicki Wazwaz, 697 79th Avenue NE gave an overview of the request. She explained where the fence would be placed and why they needed the additional privacy fence. She stated that the variance would allow them to have a fence flushed with the house.

Commissioner Weighous asked for clarification on the placement of the existing fence, and the distance of the fence to the street. Ms. Wazwaz stated that the fence is in back of the house. Building Official Baker clarified that the right of way is 12-14 feet off of the curb.

Commissioner Hansen inquired about a 4-foot fence instead of a 6-foot fence. Ms. Wazwaz stated that a 4-foot fence would not give them the privacy they want.

Commissioner Weighous asked Ms. Wazwaz if the proposed fence line coming flush to the house would be ample room in the backyard. Ms. Wazwaz stated that there would not be enough room to accommodate them.

Commissioner Delfs clarified with Ms. Wazwaz that she was just asking for a privacy fence for the side yard, since she considers Monroe Street NE the side.

Administrator Buchholtz informed the Commission that a letter was received opposing the variance request by Harold Mattie and Mr. Matti requested that the letter be included as part of the record.

Chair Hansen closed the public hearing at 7:24 PM

Motion made by Commissioner Cobbs seconded by Commissioner Delfs to recommend denial of the variance request for a 6-foot privacy fence to Hamza Refaya, 697 79th Avenue NE, subject to the following conditions:

- A six-foot fence in the front yard along the right-of-way line is not reasonable under the circumstances as it would impair visibility for drivers and pedestrians, increasing the risk of accidents, particularly for residents backing out of nearby driveways.
- The proposed fence would disrupt the consistent and open visual appeal of the neighborhood, thereby impacting the essential character of the neighborhood.
- The property can continue to be used as a residential property without granting the variance. A fence can be constructed in conformance with the City Code while still providing backyard privacy to the owner of the property.
- The variance request does not meet the criteria set forth in SLPC 16.60.040 or State Law for the practical difficulties test in that there are numerous corner lots within the City that currently comply with the City Code and insufficient unique circumstances exist on the property to support the deviation from Code standards.

Voting Aye: Commissioner Weighous, Commissioner Delfs, Commissioner Cobbs. Voting Nay: Chair Hansen. Motion carried.

6. OTHER

None

7. ADJOURN

Motion made by Commissioner Delfs, seconded by Commissioner Cobbs to adjourn.

Voting Aye: Commissioner Weighous, Commissioner Delfs, Commissioner Cobbs, Chair Hansen.
Motion carried.

Meeting adjourned at 7:28 PM.



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: June 18, 2024

Subject: Phase 1A Furniture Quote

City staff has been working with Alternative Business Furniture on a design for new office furniture for City Hall. The City Council approved the purchase of furniture for the Police Department addition at its March 18, 2024 meeting. That furniture is in production and will be ready when the Police Department addition is completed in July.

Staff has now learned that additional areas of the building will be completed at the end of Phase 1 of the construction, including the Recreation front counter, and offices for our recreation supervisor staff. The front conference room will also be ready. We asked Alternative Business Furniture to develop a Phase 1A quote to order furniture for these areas as well as to order the office chairs for the Police Department addition.

Alternative Business Furniture is on the State Contract.

Phase 1, which does not include office chairs, is proposed at \$ 34,897.03. This includes delivery and install. Staff has included the proposed design with the quotation.

Staff recommends approval of the Phase 1A quote. Funds for the furniture will come out of the Furniture, Fixtures and Equipment (FFE) budget for the project.

If you have any questions, please do not hesitate to contact me at 763-784-6491.



PROJECT PROPOSAL

Project: City of Spring Lake Park Phase 1A
Contact: Wanda Brown
Salesperson: Brad Bruhn
Designer: Madelyn Mitchell / Barb Perry
System: Herman Miller AO2 / OTG
Date: June 14, 2024

PRODUCT SPECIFICATIONS

105 Front Desk and Waiting

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
1	53 x 24" Non-Powered Fabric Covered Panel	161.92	161.92
2	53 x 48" Non-Powered Fabric Covered Panel	246.28	492.56
5	60" Wall Track - (Cut to Fit - 25")	38.00	190.00
33	Toggle	2.23	73.59
33	Wall Fastener, Machine Screw	0.20	6.60
2	48" Wall Start	46.40	92.80
3	48" Draw Rod	10.34	31.02
2	53" Finished End, Metal	44.42	88.84
1	24 x 48" Worksurface	139.59	139.59
1	Box / Box / File Pedestal - B Front	264.38	264.38
1	File / File Pedestal - B Front	254.74	254.74
1	Via Run II high back medium seat, single rotation synchro - Model #: 981-81CSS-51A - Features: Adjustable Lumbar, Seat Slider, 8D Black Arms - Glides: Standard black soft/carpet floor casters - Frame Finish: Black - Back & Seat Fabric: Grade A Origin Sapphire	597.60	597.60

105 Front Desk Subtotal: 2,393.64

Recreation 107 Huddle

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
4	Global VION, Side Chair w/ Casters, Mesh Back, Armless, Std 4 Legged Base - Model #: 6324C - Glides: 2" Dual Wheel Carpet Caster - Frame Finish: Black - Back Fabric: Black Dimension Mesh Back - Seat Fabric: Grade 2 Crescent Cobalt Blue 790	350.98	1,403.92

Reception 107 Huddle Subtotal: 1,403.92

108 Office

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
4	60" Wall Track - (Cut to Fit - 25")	38.00	152.00
20	Toggle	2.23	44.60
20	Wall Fastener, Machine Screw	0.20	4.00
1	24 x 30" Worksurface	117.97	117.97
2	24 x 60" Worksurface	177.66	355.32
1	Box / Box / File Pedestal - B Front	264.38	264.38
1	Via Run II high back medium seat, single rotation synchro - Model #: 981-81CSS-51A - Features: Adjustable Lumbar, Seat Slider, 8D Black Arms - Glides: Standard black soft/carpet floor casters - Frame Finish: Black - Back & Seat Fabric: Grade A Origin Sapphire	597.60	597.60

2	Global VION, Side Chair w/ Casters, Mesh Back, Armless, Std 4 Legged Base - Model #: 6324C - Glides: 2" Dual Wheel Carpet Caster - Frame Finish: Black - Back Fabric: Black Dimension Mesh Back - Seat Fabric: Grade 2 Crescent Cobalt Blue 790	350.98	701.96
1	HAT L-Unit 3 Leg Adjustable Hi Height Table Base - Model #: HAT3-HI-L - Finish: <u>Standard Finish - TBD</u>	708.38	708.38
1	HAT Envoy Dual Articulating Arm - Model #: ENVOY-2 - Finish: Silver	252.45	252.45
1	Humanscale NeatTech Mini Wire Management - Model #: NTIMGG - Finish: <u>Standard Finish - TBD</u>	77.66	<u>77.66</u>
		108 Office Subtotal:	<u><u>3,276.32</u></u>

109 Office

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
3	60" Wall Track - (Cut to Fit - 25")	38.00	114.00
15	Toggle	2.23	33.45
15	Wall Fastener, Machine Screw	0.20	3.00
1	24 x 30" Worksurface	117.97	117.97
1	24 x 72" Worksurface	201.63	201.63
1	Box / Box / File Pedestal - B Front	264.38	264.38
1	Via Run II high back medium seat, single rotation synchro - Model #: 981-81CSS-51A - Features: Adjustable Lumbar, Seat Slider, 8D Black Arms - Glides: Standard black soft/carpet floor casters - Frame Finish: Black - Back & Seat Fabric: Grade A Origin Sapphire	597.60	597.60
2	Global VION, Side Chair w/ Casters, Mesh Back, Armless, Std 4 Legged Base - Model #: 6324C - Glides: 2" Dual Wheel Carpet Caster - Frame Finish: Black - Back Fabric: Black Dimension Mesh Back - Seat Fabric: Grade 2 Crescent Cobalt Blue 790	350.98	701.96
1	HAT L-Unit 3 Leg Adjustable Hi Height Table Base - Model #: HAT3-HI-L - Finish: <u>Standard Finish - TBD</u>	708.38	708.38
1	HAT Envoy Dual Articulating Arm - Model #: ENVOY-2 - Finish: Silver	252.45	252.45
1	Humanscale NeatTech Mini Wire Management - Model #: NTIMGG - Finish: <u>Standard Finish - TBD</u>	77.66	<u>77.66</u>
		109 Office Subtotal:	<u><u>3,072.48</u></u>

Police 158 Lisa

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
1	Via Run II high back large seat, single rotation synchro and slider, roll back arms - Model #: 982-81CSS-39A - Glides: Standard black soft/carpeted floor casters - Frame Finish: Black - Back & Seat Fabric: Grade A Momentum Origin Sapphire - Seat Fabric: Grade 2 Crescent Cobalt Blue 790	611.52	611.52
		Police 158 Lisa Subtotal:	<u><u>611.52</u></u>

Police 160 Tony

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
2	Global VION, Side Chair w/ Casters, Mesh Back, Armless, Std 4 Legged Base - Model #: 6324C - Glides: 2" Dual Wheel Carpet Caster - Frame Finish: Black - Back Fabric: Black Dimension Mesh Back - Seat Fabric: Grade 2 Crescent Cobalt Blue 790	350.98	701.96
1	Via Brisbane HD extra-large D seat, synchro, roll back arms - Model #: 1703-67C-39A - Features: Adjustable mechanical lumbar support, Seat Slider, Ballistic nylon option - Glides: Standard black soft/carpeted floor casters - Frame Finish: Black - Back & Seat Fabric: Grade A Momentum Origin Sapphire	1,192.32	<u>1,192.32</u>

Police 160 Seating Subtotal: 1,894.28

Police 161 Huddle

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
4	Global VION, Side Chair w/ Casters, Mesh Back, Armless, Std 4 Legged Base - Model #: 6324C - Glides: 2" Dual Wheel Carpet Caster - Frame Finish: Black - Back Fabric: Black Dimension Mesh Back - Seat Fabric: Grade 2 Crescent Cobalt Blue 790	350.98	1,403.92

Police 161 Huddle Subtotal: 1,403.92

Police 162 Josh

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
3	Global VION, Side Chair w/ Casters, Mesh Back, Armless, Std 4 Legged Base - Model #: 6324C - Glides: 2" Dual Wheel Carpet Caster - Frame Finish: Black - Back Fabric: Black Dimension Mesh Back - Seat Fabric: Grade 2 Crescent Cobalt Blue 790	350.98	1,052.94
1	Via Brisbane HD extra-large D seat, synchro, roll back arms - Model #: 1703-67C-39A - Features: Adjustable mechanical lumbar support, Seat Slider, Ballistic nylon option - Glides: Standard black soft/carpeted floor casters - Frame Finish: Black - Back & Seat Fabric: Grade A Momentum Origin Sapphire	1,192.32	1,192.32

Police 162 Josh Subtotal: 2,245.26

Police 163 Karen & Richard

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
1	Global VION, Side Chair w/ Casters, Mesh Back, Armless, Std 4 Legged Base - Model #: 6324C - Glides: 2" Dual Wheel Carpet Caster - Frame Finish: Black - Back Fabric: Black Dimension Mesh Back - Seat Fabric: Grade 2 Crescent Cobalt Blue 790	350.98	350.98
1	Via Run II high back large seat, single rotation synchro and slider, roll back arms - Model #: 982-81CSS-39A - Features: Adjustable mechanical lumbar support, Seat Slider - Glides: Standard black soft/carpeted floor casters - Frame Finish: Black - Back & Seat Fabric: Grade A Momentum Origin Sapphire	611.52	611.52

1	Via Brisbane HD extra-large D seat, synchro, roll back arms - Model #: 1703-67C-39A - Features: <i>Adjustable mechanical lumbar support, Seat Slider, Ballistic nylon option</i> - Glides: <i>Standard black soft/carpeted floor casters</i> - Frame Finish: <i>Black</i> - Back & Seat Fabric: <i>Grade A Momentum Origin Sapphire</i>	1,192.32	1,192.32
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Police 163 Karen & Richard Subtotal: 2,154.82

Police Squad Room

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
3	Via Genie Flex extra-large D seat, body balance, roll back arms - Model #: 443-74C-39A - Features: <i>Seat Slider</i> - Glides: <i>Grey hard floor and soft/carpeted floor casters</i> - Frame Finish: <i>Black</i> - Back Fabric: <i>Black TPU Mesh</i> - Seat Fabric: <i>Grade A Momentum Origin Sapphire</i>	787.68	2,363.04
4	Via Brisbane HD extra-large D seat, synchro, roll back arms - Model #: 1703-67C-39A - Features: <i>Adjustable mechanical lumbar support, Seat Slider, Ballistic nylon option</i> - Glides: <i>Grey hard floor and soft/carpeted floor casters</i> - Frame Finish: <i>Black</i> - Back & Seat Fabric: <i>Grade A Momentum Origin Sapphire</i>	1,211.04	4,844.16

Police Squad Room Subtotal: 7,207.20

Police 166 Interview Room

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
2	Global VION, Side Chair w/ Casters, Mesh Back, Armless, Std 4 Legged Base - Model #: 6324C - Glides: <i>Black, 2.5" Dual-Wheel Urethane Caster</i> - Frame Finish: <i>Black</i> - Back Fabric: <i>Black Dimension Mesh Back</i> - Seat Fabric: <i>Grade 2 Crescent Cobalt Blue 790</i>	394.22	788.44

Police 166 Interview Room Subtotal: 788.44

Herman Miller Pricing per Contract # 144482
State Contract Release F-464(5)
Global Pricing per U of M Contract U42.112
HAT Pricing Per TIPS Contract #230301
Humanscale Pricing per E&I Contract #CNR01511

Product Subtotal: 26,999.96

Finishes:

Finishes: *TBD*
Basecovers: *TBD*
Panel Fabric: *Grade 1 TBD*
Laminate: *CAT 3 TBD*
Edge: *CAT 3 TBD*

Non-Contract Product

105 Front Desk

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
1	24 x 48 x 76 x 24" Extended Corner Worksurface - Right, Square End	357.90	357.90

105 Front Desk Subtotal: 357.90

107 Reception Huddle Room

Qty.	Description	Unit Price	Total Price
1	42 x 72" Round End Peninsula with 2 Stiffeners and Brackets	361.66	361.66
1	42" End Panel	185.82	185.82
1	Gibraltar H-Leg, 24" Spread, 6 x 26" Top Plate - Model #: 3324 - Finish: <u>Standard Finish - TBD</u>	132.09	<u>132.09</u>

Phase 3 Conf 107 Subtotal: 679.57

108 Office

Qty.	Description	Unit Price	Total Price
1	30 x 72 x 36 x 24" Extended Corner Worksurface - Left, Square End, Mount on HiLo	265.82	265.82
1	Great Openings 42" Double Door Storage Cabinet 1 Adjustable Shelf - Model #: CG-03F4 - Pull Style: <u>Standard Pull Style - TBD</u> - Finish: <u>Standard Finish - TBD</u>	568.69	568.69
1	Workrite Worksurface Joining Kit - Model #: AWC-JOINKIT-B - Finish: <u>Standard Finish - TBD</u>	54.81	<u>54.81</u>

108 Office Subtotal: 889.32

109 Office

Qty.	Description	Unit Price	Total Price
1	24 x 36 x 72 x 30" Extended Corner Worksurface - Right, Square End, Mount on HiLo	265.82	265.82
1	Workrite Worksurface Joining Kit - Model #: AWC-JOINKIT-B - Finish: <u>Standard Finish - TBD</u>	54.81	<u>54.81</u>

109 Office Subtotal: 320.63

PD Casework

Qty.	Description	Unit Price	Total Price
1	Custom cabinet per your drawings provided 927-58 Folkstone HPL inside and out. Interior structures for phone, phonebook and general storage per drawing. (2) 2" grommet openings with trims by Interiors Interface. Keyboard tray by others. 8" high stainless steel adjustable legs.	1,377.50	<u>1,377.50</u>

PD Casework Subtotal: 1,377.50

Non-Contract Product Subtotal: 3,624.92

Install & Service Costs:

Regular Hours, Non-Prevailing Wage Installation	3,120.00
Delivery, State of MN Remanufactured Contract	No Charge
Delivery, Non-State Contract	<u>450.00</u>

NOTE:

-Quote Valid for 30 Days

Services Subtotal: 3,570.00

Product Total: 30,624.88

Services Total: 3,570.00

Gibraltar Freight: 22.20

Great Openings Surcharge: 31.59

HAT Freight: 170.01

Humanscale Freight: 6.21

PROJECT TOTAL: 34,424.90

Applicable Sales Taxes will be added at time of invoicing.
Pricing Subject to Unannounced Tariff Surcharges.

Option - 105 Front Desk

<u>Qty.</u>	<u>Description</u>	<u>Unit Price</u>	<u>Total Price</u>
1	HAT 2 Leg Adjustable Hi Height Table Base - Model #: <i>x</i> - Pull Style: <u>Standard Pull Style - TBD</u> - Finish: <u>Standard Finish - TBD</u>	472.13	472.13



TERMS & CONDITIONS

FINISHES:

Fabric, Laminate & Paint: Standard selections included in pricing, unless noted otherwise.

(Customer Choice from ABF selection).

***Please note:** Many commercial fabrics are subject to what is termed *moisture regain*. This is a process by which the fibers within a particular fabric absorb moisture from the surrounding environment resulting in temporary relaxing (or sagging) of a fabric's appearance. This sagging is not the result of misapplication, but rather the fabric's natural reaction to fluctuations in ambient humidity levels.

PRODUCT:

*Pricing valid for 30 days from proposal date.

*Pricing subject to unforeseen manufacturer imposed tariffs, price changes, and fuel surcharges

*Products quoted are based upon most current field dimensions available. ABF will attempt to verify field dimensions as construction progress and circumstances allow. Should it be necessary to place orders prior to the availability of verified field dimensions, customer may be responsible for associated costs.

*All sales are final. Unwanted product may not be returnable, or subject to re-stock charges.

*Charges may be applicable should storage of purchased product be necessary beyond initially scheduled timeframes.

LABOR & EQUIPMENT:

*ABF will be responsible for supplying all necessary labor & equipment to perform the installation.

*Labor is quoted as non-union labor.

*Labor is quoted for regular working hours (Monday-Friday; 8:00 A.M. - 5:00 P.M.).

*Customer will be responsible to have all miscellaneous items cleared out prior to installation.

*Delays created by customer or other contractors may create additional labor charges.

*Labor is quoted as a one phase project. (split dates will require additional charges).

*Install and delivery quote is based on first floor delivery and install with clear access without steps.

ELECTRICAL:

*Customer will be responsible to have a qualified electrician to perform all electrical connections including hardwiring, panel-to-panel and receptacles.

TERMS:

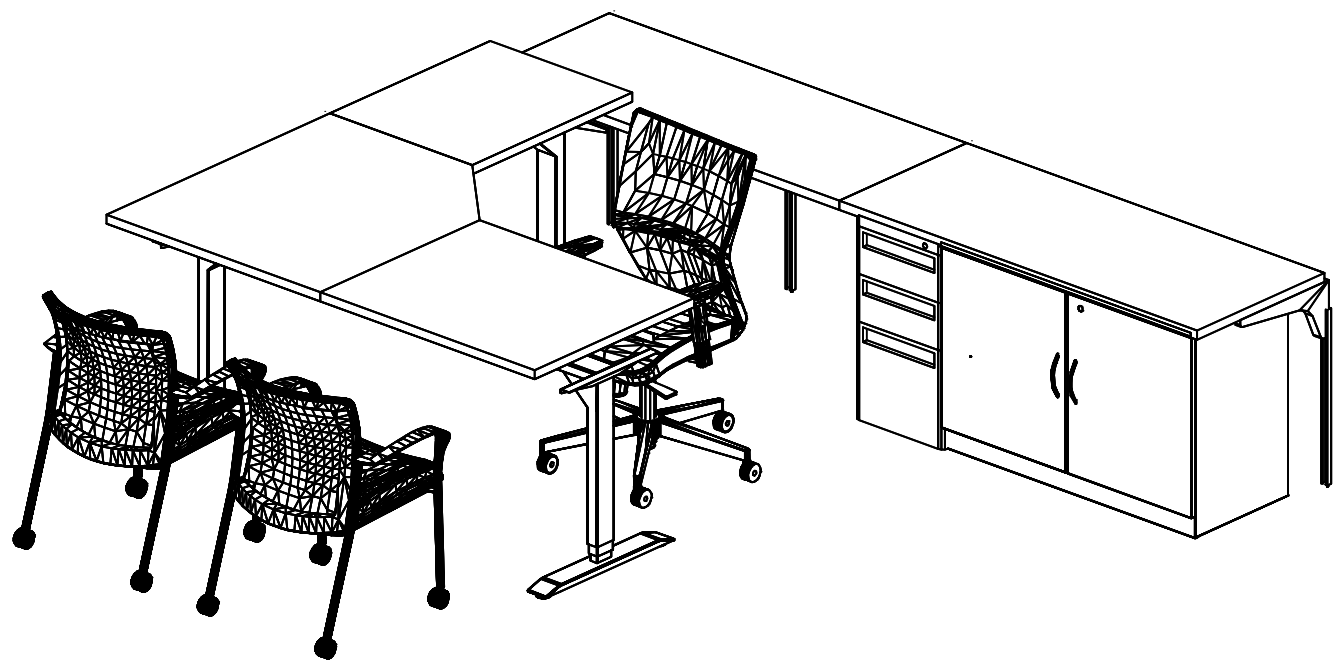
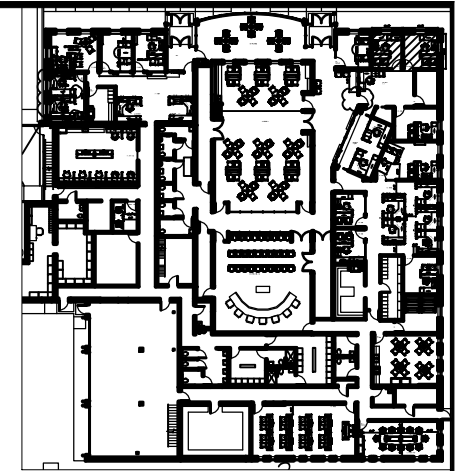
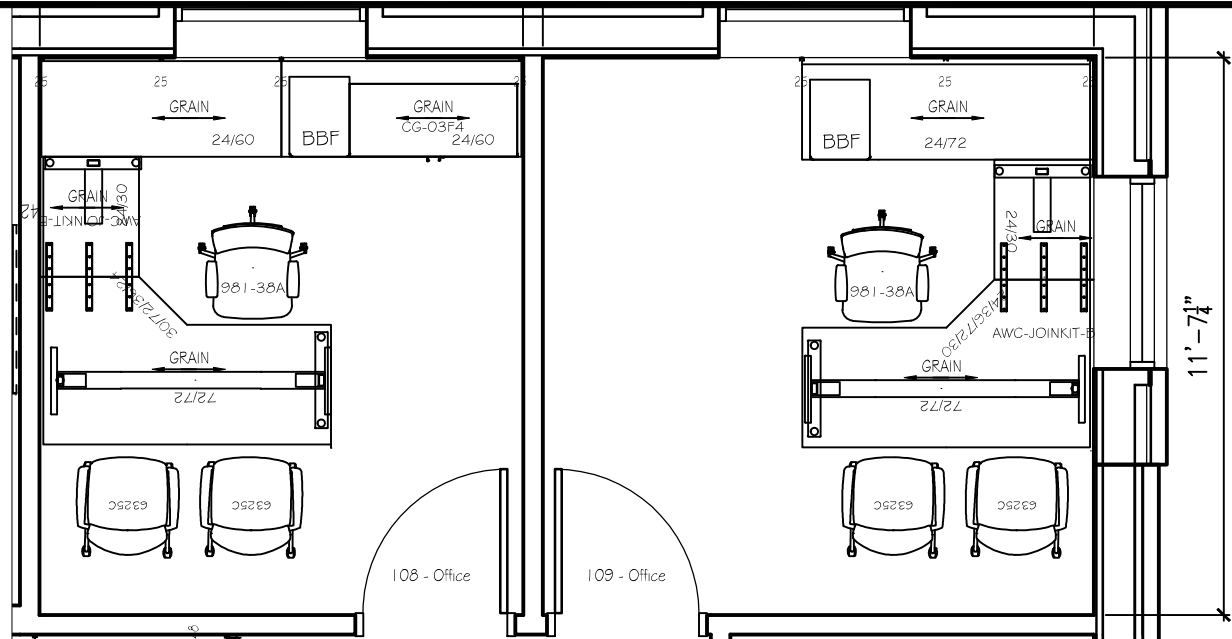
Net 15 days unless other arrangements made with Seller. A 50% deposit may also apply. Buyer understands and agrees to pay a service charge of 1.33% per month (16% per annum) after 15 days of receipt of goods.

Buyer further agrees to pay ALL costs of reasonable collections and attorneys fees. Buyer acknowledges Seller's retention and hereby grants to Seller a purchase money security interest in all merchandise purchased or described herein unless and until Seller receives payments as described above. Buyer agrees to execute a standard UCC Financing Statement to perfect any such security interest. In the event Buyer fails to execute UCC financing statement, this Sales Agreement shall suffice and may be filed by Seller to perfect the security interest.

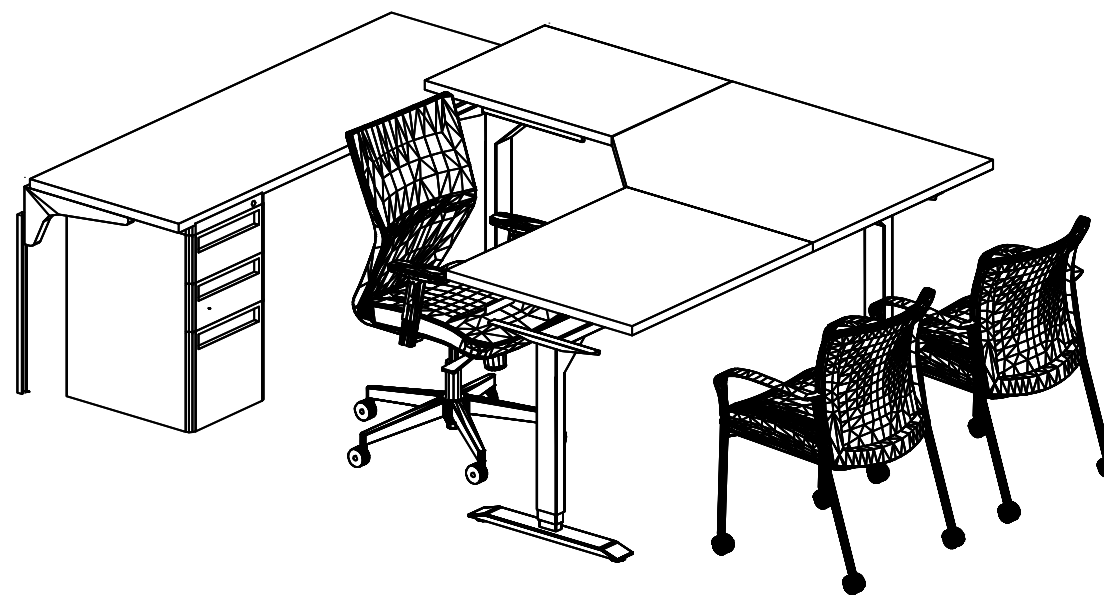
Signature: _____

Title _____

Date: _____



OFFICE 108



OFFICE 109

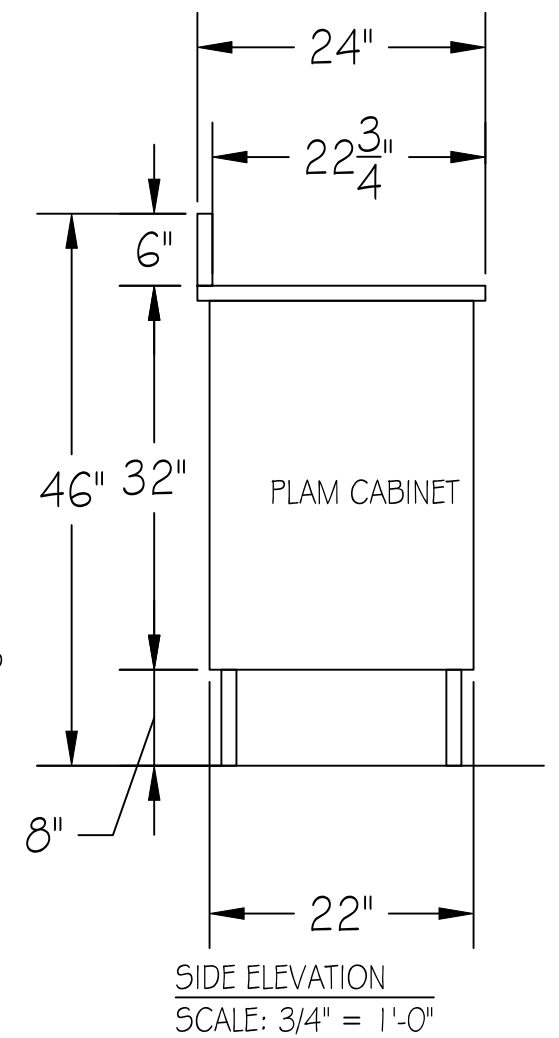
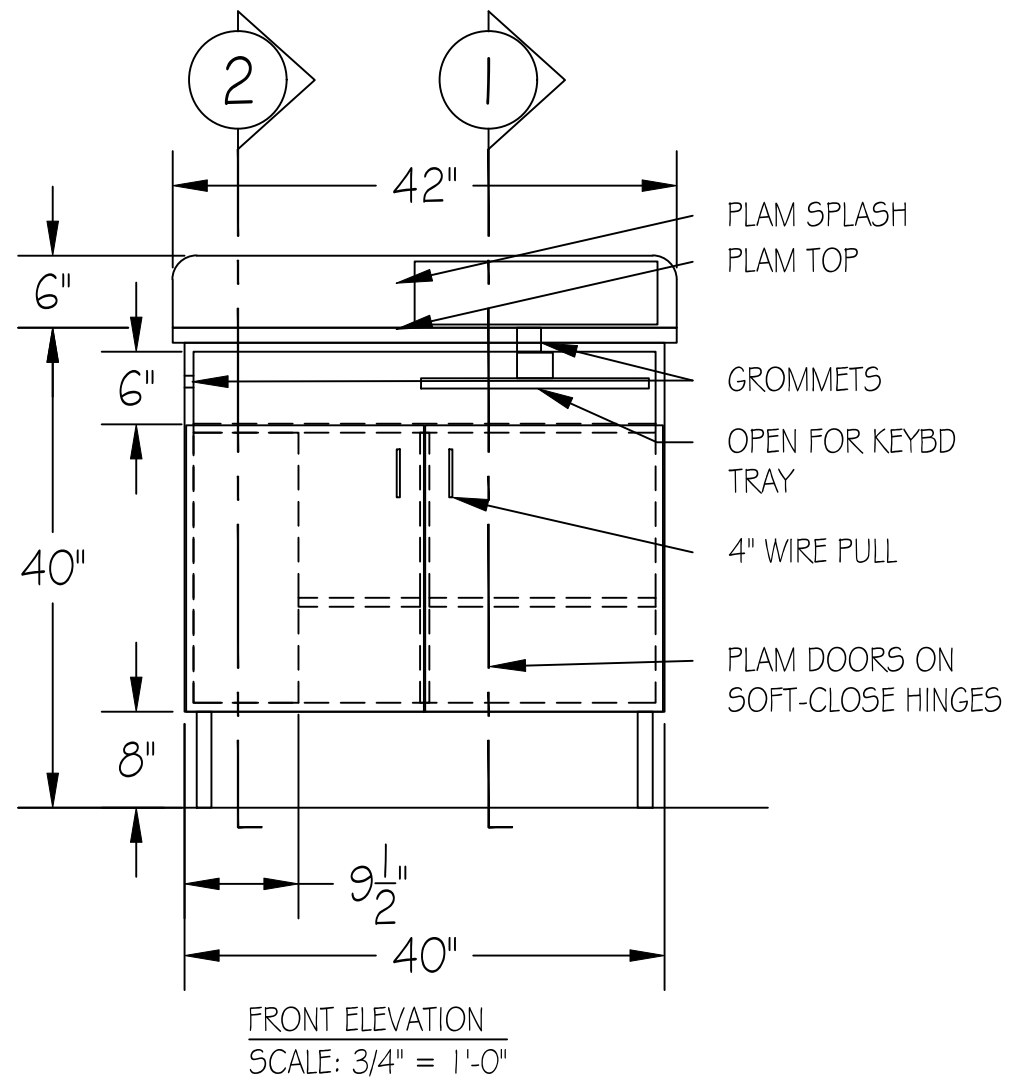
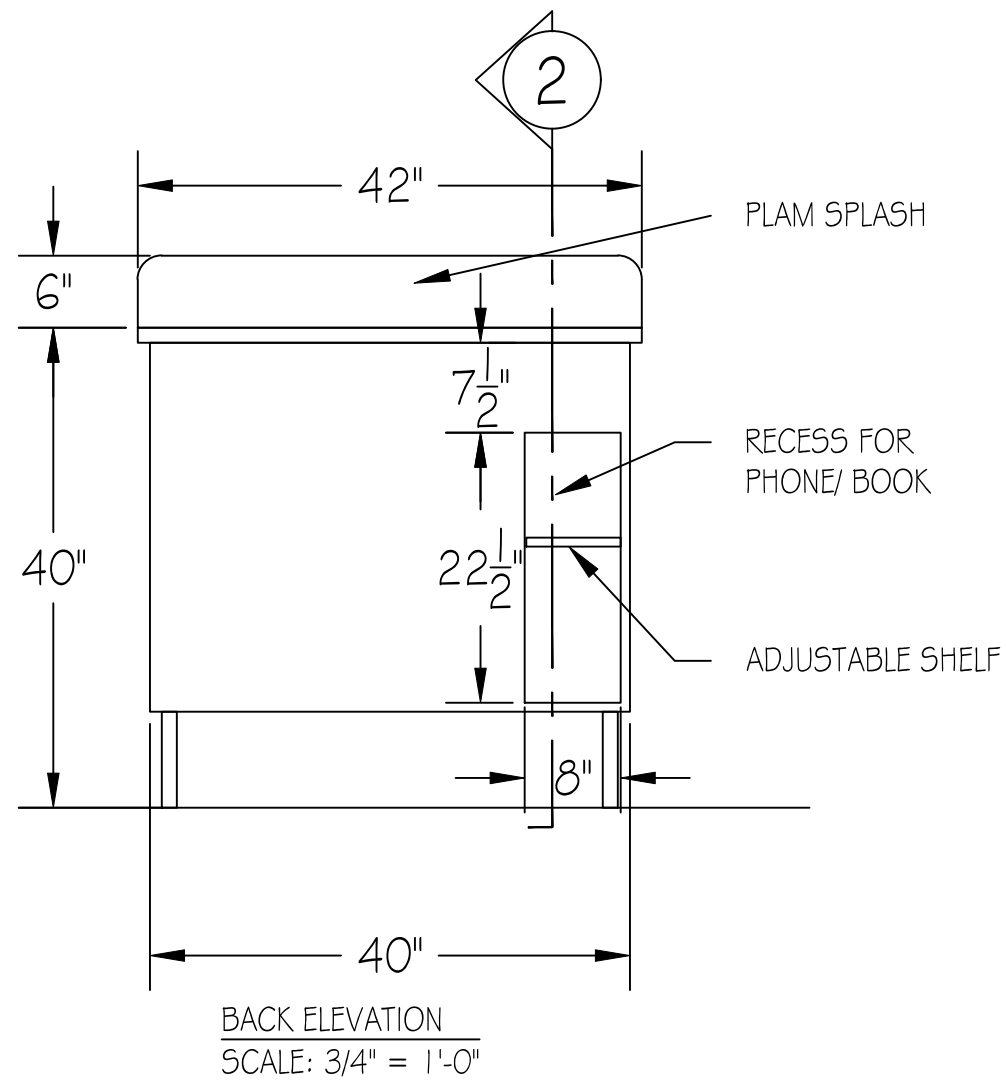
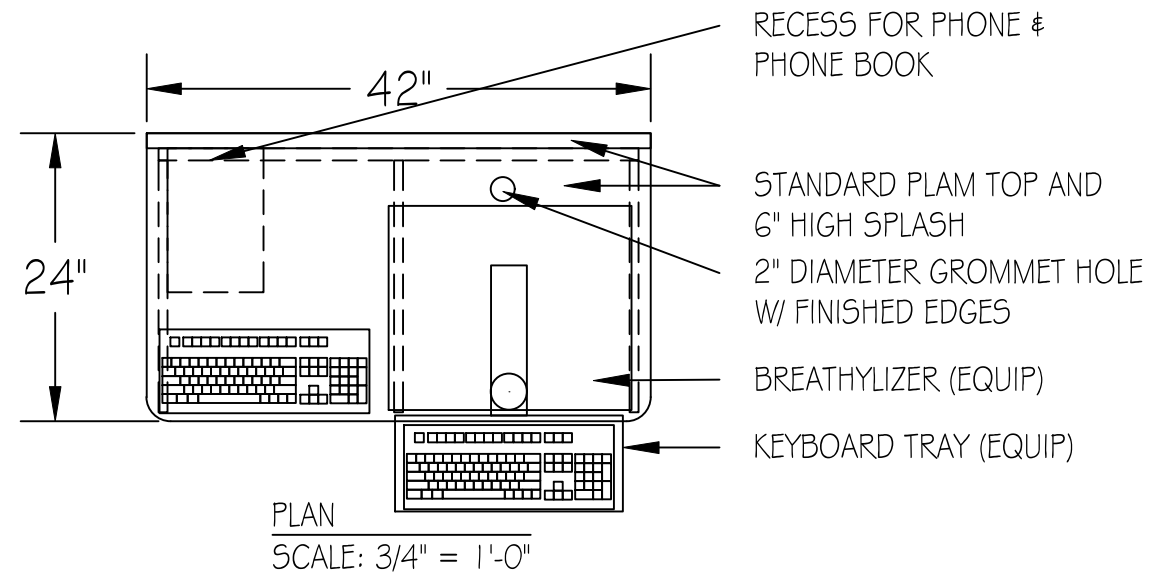
All measurements need to be verified



ALTERNATIVE BUSINESS FURNITURE, INC.
 6533 FLYING CLOUD DRIVE, SUITE 800
 EDEN PRAIRIE, MN 55344
 PHONE: 952.937.7688 FAX: 952.937.7691

City of Spring Lake Park
 PHASE 1A - CONFERENCE, OFFICE 108, OFFICE 109, WORKSTATION 105
 CONTACT: WANDA BROWN

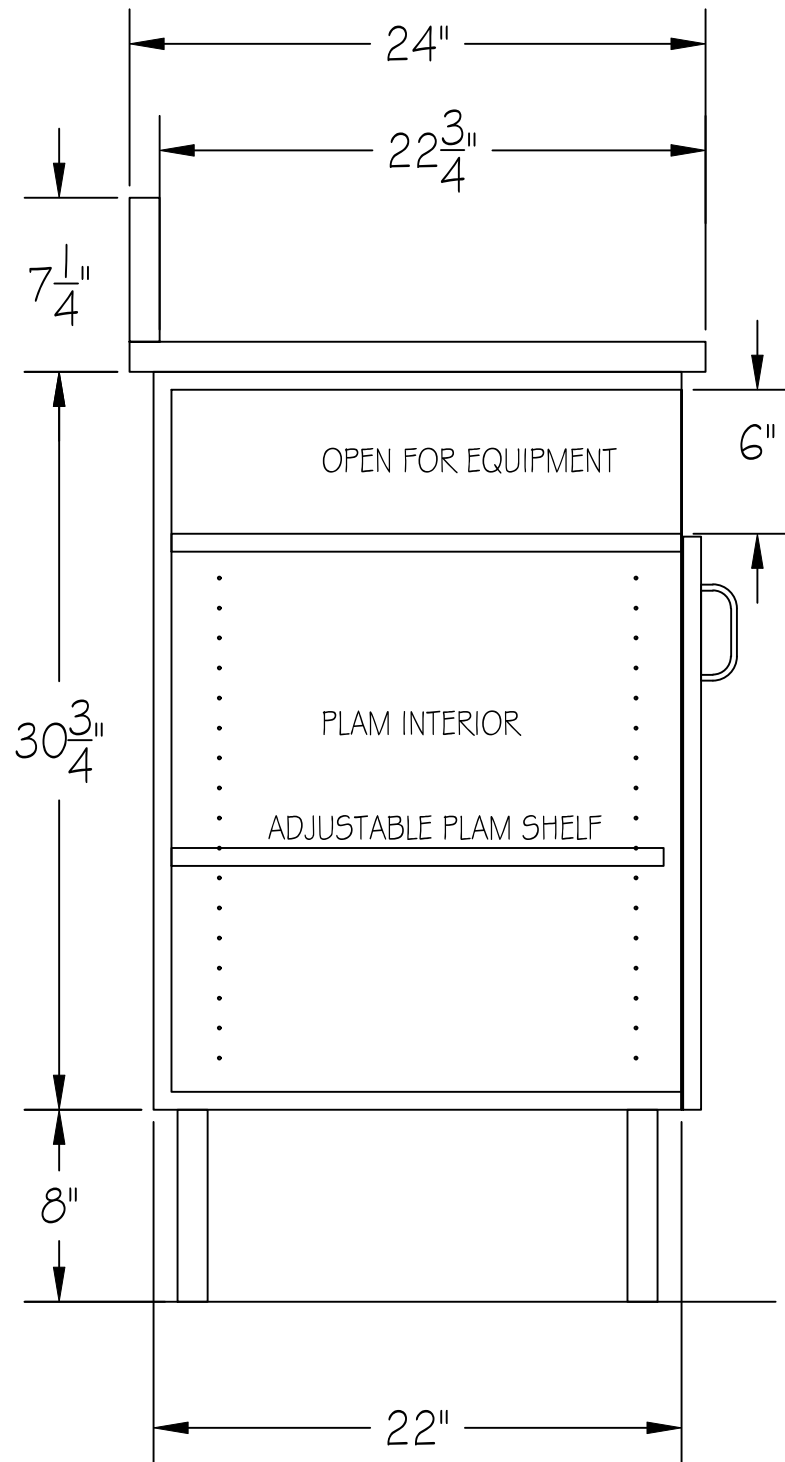
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 MGMTS. VERIFIED: 6.5.24



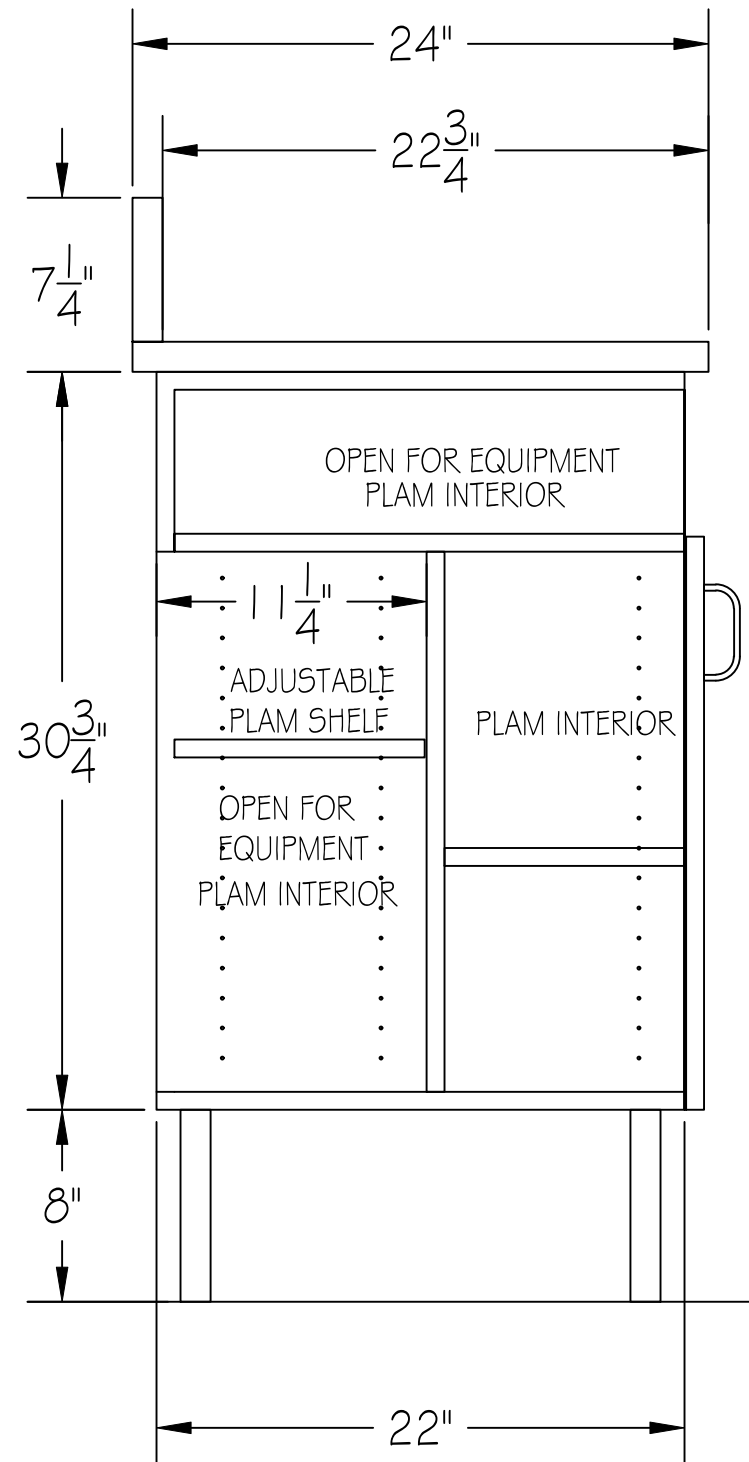
ALTERNATIVE BUSINESS FURNITURE, INC.
6533 FLYING CLOUD DRIVE, SUITE 800
EDEN PRAIRIE, MN 55344
PHONE: 952.937.7688 FAX: 952.937.7691

ABF - SPRING LAKE PARK
REMODEL
SPRING LAKE PARK, MN
CONTACT: BARB PERRY

SCALE: AS NOTED
DATE: 3.14.24
REVISIONS: 4.10.24
DRAWN BY: BP
M&M'S. VERIFIED :



1 SECTION
SCALE: 1 1/2" = 1'-0"



2 SECTION
SCALE: 1 1/2" = 1'-0"



ALTERNATIVE BUSINESS FURNITURE, INC.
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PHONE: 952.937.7688 FAX: 952.937.7691

ABF - SPRING LAKE PARK
REMODEL

SPRING LAKE PARK, MN
CONTACT: BARB PERRY

SCALE: AS NOTED
DATE: 3.14.24
REVISIONS: 4.10.24
DRAWN BY: BP
MGMTS. VERIFIED:



City of Spring Lake Park
Engineer's Project Status Report

To: Council Members and Staff
From: Phil Gravel

Re: **Status Report for 07.01.24 Meeting**
File No.: R-18GEN

Note: Updated information is shown in *italics*.

2024 MS4 Permit and SWPPP Update (193801776 Task 450). Pond, structural BMP, and outfall inspections are due by July 31st. Program analysis and annual training is due by December. Annual meeting is usually held in June but can be held anytime. Annual Reports to the MPCA are generally due in June (MPCA is not requiring a report in 2024). Per 5-15-23 message: MPCA has put their requested review/audit of the city's 2022 information on hold until further notice. *We are preparing an outline of the MS4 requirements for 2024.*

2023-2024 Sewer Lining Project (193805871). This project includes lining the remaining sanitary sewers in the city that have not been previously lined (approximately 35,710-feet). The Contractor is Visu-Sewer Inc with a low bid amount of \$1,047,746. Lining work has been completed. The contractor cleaned about 65 selected service wyes. *Re-lining of two sewer segments and street patching has been completed. The project is substantially complete – project close-out process has started. George Linngren is overseeing construction.*

City Hall Building (193806049). Design started in January 2023. City Council updated at workshops (including Sept. 11, 2023). Public Open House was held on May 8th. Plans were approved by Council on October 16, 2023. Bids were opened on November 20, 2023. Contract was awarded on February 5, 2024. *Construction is on schedule.*

2024 Sanburnol Drive NE, Elm Drive NE, and 83rd Avenue NE (193806347). Sanburnol Drive (AKA 85th Ave. NE) is a shared road between Spring Lake Park and Blaine. Spring Lake Park is the lead agency on this project, but it is a cooperative project between Blaine and Spring Lake Park.

Construction on Sanburnol and Elm started on June 10th. Minor storm sewer work continues. Preparation of the aggregate surface and curb replacement work will occur this week. Paving should take place in early July. Work on 83rd Avenue will follow.

2024 Seal Coat and Crack Repair Project (193806748). Project includes maintenance on the streets in the area north of 81st Avenue and west of Terrace Street. Bids were received on February 27th. Project awarded on March 4th. Construction Contracts have been signed. A precon was held on May 30th. *Crack repair work and pavement markings have been completed. Chip seal work was delayed by rain but will begin in early July.*

Geographic Information System (GIS) and Mapping (193806747). Staff developed a process for implementing an online ArcGIS system to maintain public works documents and mapping of infrastructure. The system is now active. Training continues as requested. *System updates can be completed later this summer if any issues are identified.*

Please contact Phil Carlson, Bruce Paulson, Jeff Preston, Zach Naslund, or me if you have questions or require additional information.

CORRESPONDENCE

North Metro Telecommunications Commission Meeting Talking Points

June 13, 2024

- The NMTV Sports team completed their documentary celebrating the Centennial Cougar's thrilling state championship season. The video features stunning cinematography and interviews with Cougars players and the coaching staff. It is available to watch On Demand at northmetrotv.com and on YouTube.
- Municipal Producer Trevor Scholl completed his long in the works Community Outreach video for the Blaine Police Department. Fourteen months in the making, Trevor attended multiple police sponsored events and conducted more than a dozen interviews. The video is designed to encourage volunteerism amongst new BPD recruits. Trevor is already hard at work on a similar video for the Centennial Lakes Police Department.
- TJ Tronson once again recorded the annual Guns 'N Hoses hockey game. The popular event, which sees local police personnel take the ice against local fire personnel, is an annual programming highlight. This year, TJ also created a special highlight reel that proved popular on social media.
- Danika Peterson and the News team pioneered a whole new video series with Student of the Month. Each installment focuses on an exceptional student from one of our three school districts. The videos are already proving popular with the schools, the students, and their families.
- Eric Houston teamed with the Anoka County Historical Society to produce The Norwegian Church, a special program presenting a tour of Ham Lake's historic Glen Cary Cemetery. The special offers a fascinating look at life in Ham Lake from the 1850s to the 1960s via stories, letters, and photographs.
- Trevor Scholl recently completed another long term project with a brand new recruitment video for the Lino Lakes Fire Department. Featuring almost a dozen interviews with and impressive action footage, the video is sure to inspire the next group of dedicated and talented fire fighters.

- North Metro TV's recent emphasis on short form videos is continuing to see great success. Since NMTV began concentrating on producing these shorter stories and posting them across all of their social media feeds, they have seen a dramatic increase in viewers. In March, they received 4,811 views. In April, that number rose to 28,498 views. That number more than doubled in May with new NMTV short form videos receiving 84,374 views.
- The Commission received the first quarter gross revenue, franchise, and PEG fee reports and payments from Comcast. PEG fees were a bit lower than expected, while franchise fees were right around expectations.
- North Metro TV made the final payments on the 2017 HD Bond at the end of April. The commission is now debt free.
- The Commission approved an agreement between North Metro TV and the City of Fridley. Beginning in July, NMTV will provide a limited service of directing and recording Fridley city meetings. The agreement also allows for hourly, ad hoc work. The Commission will revisit the agreement in February to ensure that it proves profitable.
- Following the tie vote at the May 1 Special Meeting and on the recommendation of the Operations Committee, the Commission revisited the matter of possible merger discussions. The Commission considered two motions.
 - o The Commission unanimously approved a motion to allow staff to organically look for any opportunity that may benefit North Metro TV and its member cities.
 - o The Commission approved a motion to direct staff to have an informal discussion with NWSCCC and other organizations to discuss the possibility of a merger and explore and define benefits and risks. This motion passed with a vote of four cities for (Blaine, Circle Pines, Lexington, and Lino Lakes) and three against (Centerville, Ham Lake, and Spring Lake Park). NMTV Staff will meet with the Operations Committee in July to discuss next steps.
- The Commission approved a new Code of Conduct and Rules of Decorum to govern both commission members and public comment.
- The 2025 Cable Commission budget was approved.

**Please encourage your council members to call us if they have any questions you cannot answer.
We are happy to answer any questions they may have.**

Eric Houston – 763-231-2803 – eric@northmetrotv.com

Danika Peterson – 763-231-2810 – danika@northmetrotv.com

Bond Yields Fall on Soft Retail Sales Report

Consumer spending unexpectedly slowed last month as an increasing number of Americans adjusted their purchases in response to dwindled savings and higher debt burdens. Retail sales rose by just +0.1% in May, below the +0.4% median forecast, while previously reported April sales were revised downward from *unchanged* to -0.2%. Motor vehicle sales, which account for nearly 20% to the overall number, were one of just a few strong categories last month as the +0.8% increase added 0.16 percentage points. When the volatile auto category is excluded, *sales were negative for the second straight month.*

Sales at eating and drinking establishments were down -0.4% in May, reversing a +0.4% April rise, while sales at gasoline stations fell -2.2 following a +1.9% increase. Since the report is not adjusted for inflation, the drop in gas station sales simply reflects lower gas prices, but falling restaurant and bar sales are meaningful.

Control group sales, which exclude food services, autos, building materials and gasoline stations (and are used to calculate GDP) rose by +0.4% in May, slightly below the +0.5% median forecast. More importantly, the April control group number was revised downward from -0.3% to -0.5%.

This morning's report suggests consumers may finally be feeling the strain of higher prices and mounting debt. The personal savings rate in April was 3.6%, less than half the 7.7% pre-pandemic rate in February 2020, while total outstanding credit card balances remain well above \$1.1 trillion. In theory, reduced spending should eventually result in slower economic growth, an easing of price pressures and lower lending rates. Thus, bond yields are down (slightly) in early trading as investors consider the possibility that Fed officials may be able to begin rate cuts a little earlier.

Scott McIntyre, CFA
HilltopSecurities Asset Management
Senior Portfolio Manager
Managing Director
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scott.mcintyre@hilltopsecurities.com

Greg Warner, CTP
HilltopSecurities Asset Management
Senior Portfolio Manager
Managing Director
512.481.2012
greg.warner@hilltopsecurities.com

Since the report is not adjusted for inflation, the drop in gas station sales simply reflects lower gas prices, but falling restaurant and bar sales are meaningful.

Market Indications as of 8:50 A.M. Central Time

DOW	Down Up 89 to 38,868 (HIGH: 40,004)
NASDAQ	Down -14 to 17,8943 (HIGH: 17857)
S&P 500	Up 10 to 5,483 (NEW HIGH)
1-Yr T-bill	current yield 5.09%; opening yield 5.10%
2-Yr T-note	current yield 4.72%; opening yield 4.76%
3-Yr T-note	current yield 4.45%; opening yield 4.49%
5-Yr T-note	current yield 4.26%; opening yield 4.29%
10-Yr T-note	current yield 4.25%; opening yield 4.27%
30-Yr T-bond	current yield 4.39%; opening yield 4.40%

This morning's report suggests consumers may finally be feeling the strain of higher prices and mounting debt.

The paper/commentary was prepared by Hilltop Securities Asset Management (HSAM). It is intended for informational purposes only and does not constitute legal or investment advice, nor is it an offer or a solicitation of an offer to buy or sell any investment or other specific product. Information provided in this paper was obtained from sources that are believed to be reliable; however, it is not guaranteed to be correct, complete, or current, and is not intended to imply or establish standards of care applicable to any attorney or advisor in any particular circumstances. The statements within constitute the views of HTS and/or HSAM as of the date of the document and may differ from the views of other divisions/departments of affiliates Hilltop Securities Inc. In addition, the views are subject to change without notice. This paper represents historical information only and is not an indication of future performance. Sources available upon request.

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MINNESOTA

OFFICE OF CANNABIS MANAGEMENT



A Guide for Local Governments on Adult-Use Cannabis



Version 1 - June 2024

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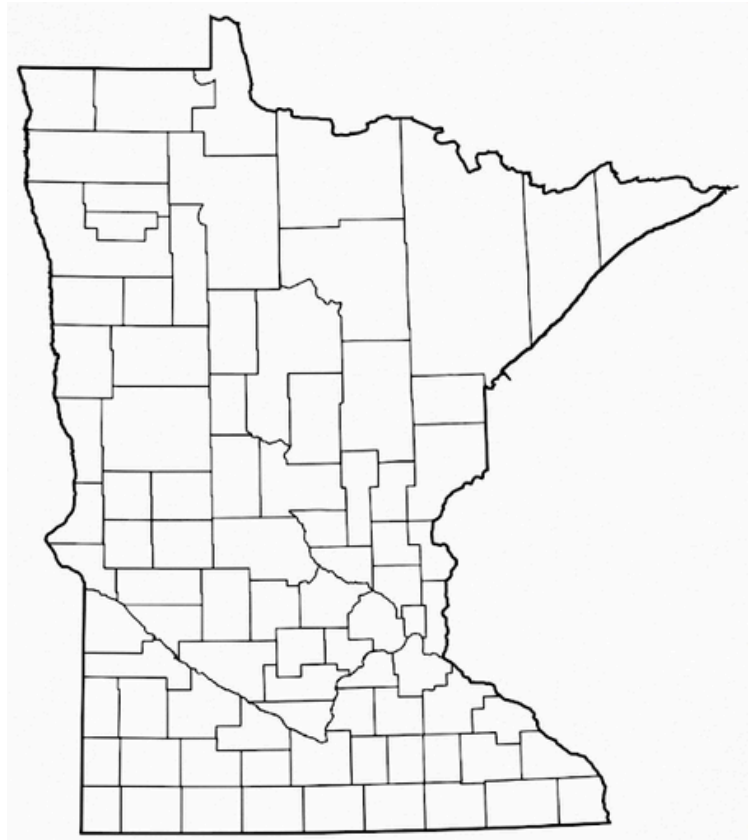
Introduction

This guide serves as a general overview of **Minnesota’s new adult-use cannabis law**, and how **local governments** can expect to be involved. The guide also provides important information about Minnesota’s new Office of Cannabis Management (OCM), and the office’s structure, roles, and responsibilities. While medical cannabis continues to play an important role in the state’s cannabis environment, this guide is primarily focused on the adult-use cannabis law and marketplace.

The following pages outline the variety of cannabis business licenses that will be issued, provide a broad summary of important aspects of the adult-use cannabis law, and cover a wide range of expectations and authorities that relate to local governments. This guide also provides best practices and important requirements for developing a local cannabis ordinance.

Chapter 342 of Minnesota law was established by the State Legislature in 2023 and was updated in 2024. Mentions of “adult-use cannabis law” or “the law” throughout this guide refer to Chapter 342 and the changes made to it.

As of this guide’s date of publication, state regulations governing the adult-use cannabis market have not yet been published—**this document will be updated** when such regulations become effective.



This guide is not a substitute for legal advice, nor does it seek to provide legal advice. Local governments and municipal officials seeking legal advice should consult an attorney.

About OCM

Minnesota's **Office of Cannabis Management** is the state regulatory office created to oversee the implementation and regulation of the adult-use cannabis market, the medical cannabis market, and the consumer hemp industry. Housed within OCM are the **Division of Medical Cannabis** (effective July 1, 2024), which operates the medical cannabis program, and the **Division of Social Equity**, which promotes development, stability, and safety in communities that have experienced a disproportionate, negative impact from cannabis prohibition and usage.



OCM, through Chapter 342, is tasked with establishing rules and policy and exercising its regulatory authority over the Minnesota cannabis industry. In its duties, OCM is mandated to:

- Promote public health and welfare.
- Protect public safety.
- Eliminate the illicit market for cannabis flower and cannabis products.
- Meet the market demand for cannabis flower and cannabis products.
- Promote a craft industry for cannabis flower and cannabis products.
- Prioritize growth and recovery in communities that have experienced a disproportionate, negative impact from cannabis prohibition.

OCM governs the application and licensing process for cannabis and hemp businesses, specific requirements for each type of license and their respective business activities, and conducts enforcement and inspection activities across the Minnesota cannabis and hemp industries.

License Types

Minnesota law allows for **13** different types of business licenses, each fulfilling a unique role in the cannabis and hemp supply chain. In addition to license types below, OCM will also issue endorsements to license holders to engage in specific activities, including producing, manufacturing, and sale of medical cannabis for patients.

Microbusiness

Microbusinesses may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Microbusiness may also operate a single retail location.

Mezzobusiness

Mezzobusinesses may cultivate cannabis and manufacture cannabis products and hemp products, and package such products for sale to customers or another licensed cannabis business. Mezzobusiness may also operate up to three retail locations.

Cultivator

Cultivators may cultivate cannabis and package such cannabis for sale to another licensed cannabis business.

Manufacturer

Manufacturers may manufacture cannabis products and hemp products, and package such products for sale to a licensed cannabis retailer.

Retailer

Retailers may sell immature cannabis plants and seedlings, cannabis, cannabis products, hemp products, and other products authorized by law to customers and patients.

Wholesaler

Wholesalers may purchase and/or sell immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from another licensed cannabis business.

Wholesalers may also import hemp-derived consumer products and lower-potency hemp edibles.

License Types (continued)

Transporter

Transporters may transport immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products to licensed cannabis businesses.

Testing Facility

Testing facilities may obtain and test immature cannabis plants and seedlings, cannabis, cannabis products, and hemp products from licensed cannabis businesses.

Event Organizer

Event organizers may organize a temporary cannabis event lasting no more than four days.

Delivery Service

Delivery services may purchase cannabis, cannabis products, and hemp products from retailers or cannabis business with retail endorsements for transport and delivery to customers.

Medical Cannabis Combination Business

Medical cannabis combination businesses may cultivate cannabis and manufacture cannabis and hemp products, and package such products for sale to customers, patients, or another licensed cannabis business. Medical cannabis combination businesses may operate up to one retail location in each congressional district.

Lower-Potency Hemp Edible Manufacturer

Lower-potency hemp edible manufacturers may manufacture and package lower-potency hemp edibles for consumer sale, and sell hemp concentrate and lower-potency hemp edibles to other cannabis and hemp businesses.

Lower-Potency Hemp Edible Retailer

Lower-potency hemp edible retailers may sell lower-potency hemp edibles to customers.

Each license is subject to further restrictions on allowable activities. Maximum cultivation area and manufacturing allowances vary by license type. Allowable product purchase, transfer, and sale between licensees are subject to restrictions in the law.

The Adult-Use Cannabis Law

Minnesota's new adult-use cannabis law permits the personal use, possession, and transportation of cannabis by those 21 years of age and older, and allows licensed businesses to conduct cultivation, manufacturing, transport, delivery, and sale of cannabis and cannabis products.

For Individuals

- **Possession limits:**
 - Flower - 2 oz. in public, 2 lbs. in private residence
 - Concentrate - 8 g
 - Edibles (including lower-potency hemp) - 800 mg THC
- **Consumption** only allowed on private property or at licensed businesses with on-site consumption endorsements. Consumption not allowed in public.
- **Gifting** cannabis to another individual over 21 years old is allowed, subject to possession limits.
- **Home cultivation** is limited to four mature and four immature plants (eight total) in a single residence. Plants must be in an enclosed and locked space.
- **Home extraction** using volatile substances (e.g., butane, ethanol) is not allowed.
- **Unlicensed sales** are not allowed.



For Businesses

- **Advertising:**
 - May not include or appeal to those under 21 years old.
 - Must include proper warning statements.
 - May not include misleading claims or false statements.
 - Billboards are not allowed.
- The flow of all products through the supply chain must be tracked by the state-authorized **tracking system**.
- All products sold to consumers and patients must be **tested for contaminants**.
- **Home delivery** is allowed by licensed businesses.



The Cannabis Licensing Process

An applicant will take the following steps to proceed from application to active licensure. As described, processes vary depending on social equity status and/or whether the type of license being sought is capped or uncapped in the general licensing process.

License Preapproval: Early Mover Process for Social Equity Applicants

The license preapproval process is a one-time application process available for verified social equity applicants. State law requires OCM to open the application window on July 24, 2024, and close the window on August 12, 2024. The preapproval process is available for the following license types, and all are capped in this process: microbusiness, mezzobusiness, cultivator, retailer, wholesaler, transporter, testing facility, and delivery service.

Preapproval steps:

1. Applicant's social equity applicant (SEA) status verified.
2. Complete application and submit application fees.
3. Application vetted for minimum requirements by OCM.
4. Application (if qualified) entered into lottery drawing.
5. If selected in lottery, OCM completes background check of selected applicant and issues license preapproval.
6. Applicant with license preapproval* submits business location and amends application accordingly.
7. OCM forwards completed application to local government.
8. Local government completes certification of zoning compliance.
9. OCM conducts site inspection.
10. When regulations are adopted, license becomes active, operations may commence.

*For social equity applicants with license preapproval for microbusiness, mezzobusiness, or a cultivator license, they may begin growing cannabis plants prior to the adoption of rules if OCM receives approval from local governments in a form and manner determined by the office. This is only applicable to cultivation and does not authorize retail sales or other endorsed activities of the licenses prior to the adoption of rules.

The Cannabis Licensing Process (cont.)

The general licensing process will align with the adoption of rules and OCM will share more information about the timing of general licensing process. The general licensing process includes social equity applicants and non-social equity applicants.

General Licensing: Cultivator, Manufacturer, Retailer, Mezzobusiness

1. Complete application and submit application fees.
2. Application vetted for minimum requirements by OCM.
3. Application (if qualified) entered into lottery drawing.
4. If selected in lottery, OCM completes background check of selected applicant and issues preliminary approval.
5. Applicant with preliminary approval submits business location and amends application accordingly.
6. OCM forwards completed application to local government.
7. Local government completes certification of zoning compliance.
8. OCM conducts site inspection.
9. License becomes active, operations may commence.*

General Licensing: Microbusiness, Wholesaler, Transporter, Testing Facility, Event Organizer

1. Complete application and submit application fees.
2. Application vetted for minimum requirements by OCM.
3. For qualified applicants, OCM completes background check of vetted applicant and issues preliminary approval.
4. Selected applicant submits business location and amends application accordingly.
5. OCM forwards completed application to local government.
6. Local government completes certification of zoning compliance.
7. OCM conducts site inspection.
8. License becomes active, operations may commence.*

*For businesses seeking a retail endorsement (microbusiness, mezzobusiness, and retailer), a valid local retail registration is required prior to the business commencing any retail sales. See Page 16 for information on the local retail registration process.

General Authorities

Local governments in Minnesota have various means of oversight over the cannabis market, as provided by the adult-use cannabis law. Local governments may not issue outright bans on cannabis business, or limit operations in a manner beyond what is provided by state law.

Cannabis Retail Restrictions (342.13)

Local governments may limit the number of retailers and microbusiness/mezzobusinesses with retail endorsements allowed within their locality, as long as there is **at least one retail location per 12,500 residents**. Local units of government are not obligated to seek out a business to register as cannabis business if they have not been approached by any potential applicants, but cannot prohibit the establishment of a business if this population requirement is not met. Local units of government may also issue more than the minimum number of registrations. Per statutory direction, a municipal cannabis store (Page 19) cannot be included in the minimum number of registrations required. For population counts, the state demographer estimates will likely be utilized.

Tribal Governments (342.13)

OCM is prohibited from and will not issue state licenses to businesses in Indian Country without consent from a tribal nation. Tribal nations hold the authority to license tribal cannabis businesses on tribal lands – this process is separate than OCM’s licensing process and authority. Subject to compacting, Tribal nations may operate cannabis businesses off tribal lands. There will be more information available once the compacting processes are complete.

Taxes (295.81; 295.82)

Retail sales of taxable cannabis products are subject to the state and local sales and use tax and a 10% gross receipts tax. Cannabis gross receipts tax proceeds are allocated as follows: 20% to the local government cannabis aid account and 80% to the state general fund. Local taxes imposed solely on sale of cannabis products are prohibited.

Cannabis retailers will be subject to the same real property tax classification as all other retail businesses. Real property used for raising, cultivating, processing, or storing cannabis plants, cannabis flower, or cannabis products for sale will be classified as commercial and industrial property.

General Authorities (cont.)

Retail Timing Restrictions (342.13)

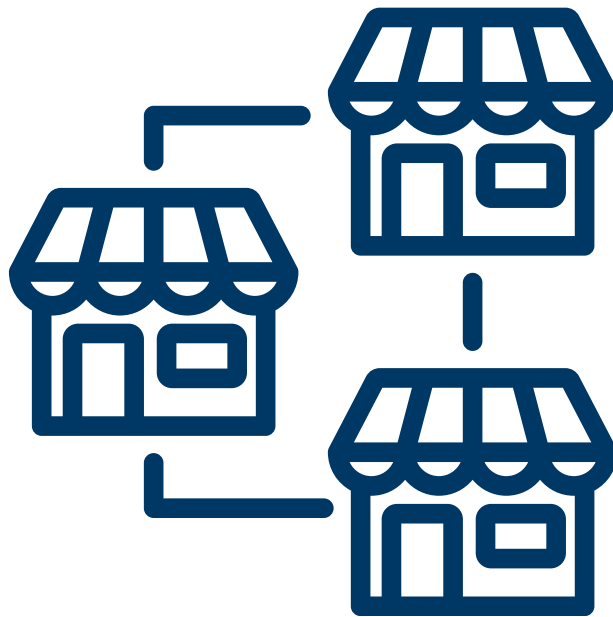
Local governments may prohibit retail sales of cannabis between the hours of 8 a.m. and 10 a.m. Monday-Saturday, and 9 p.m. and 2 a.m. the following day.

Operating Multiple Locations with One License

Certain cannabis licenses allow for multiple retail locations to be operated under a single license, with the following limitations:

- **Retailers:** up to five retail locations.
- **Mezzobusinesses:** up to three retail locations.
- **Microbusinesses:** up to one retail location.
- **Medical cannabis combination businesses:** one retail location per congressional district. Additionally, medical cannabis combination businesses may cultivate at more than one location within other limitations on cultivation.

For all other license types, one license permits the operation of one location. Each retail location requires local certification and/or registration.



Zoning and Land Use

Buffer Guidelines (342.13)

State law does not restrict how a local government conducts its zoning designations for cannabis businesses, except that they may prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including playgrounds and athletic fields.

Zoning Guidelines

While each locality conducts its zoning differently, a few themes have emerged across the country. For example, cannabis manufacturing facilities are often placed in industrial zones, while cannabis retailers are typically found in commercial/retail zones. Cannabis retail facilities align with general retail establishments and are prohibited from allowing consumption or use onsite, and are also required to have plans to prevent the visibility of cannabis and hemp-derived products to individuals outside the retail location. Industrial hemp is an agricultural product, and should be zoned as such.

Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business. Note that certain types of licenses may be able to perform multiple activities which may have different zoning analogues. In the same way municipalities may zone a microbrewery that predominately sells directly to onsite consumers differently than a microbrewery that sells packaged beer to retailers and restaurants, so too might a municipality wish to zone two microbusinesses based on the actual activities that each business is undertaking. Table 1, included on Pages 13 and 14, explains the types of activities that cannabis businesses might undertake, as well as, some recommended existing zoning categories.

Zoning and Land Use (cont.)

Table 1: Cannabis and Hemp Business Activities

Endorsed Activity	License Type Eligible to Do Endorsed Activity	Description of Activity	Comparable Districts	Municipal Considerations
Cultivation	Cultivator Mezzobusiness Microbusiness Medical Cannabis Combination	"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts.	Indoor: Industrial, Commercial, Production Outdoor: Agricultural	Odor Potential need for transportation from facility Waste, water, and energy usage Security
Cannabis Manufacturing, Processing, Extraction	Manufacturer Mezzobusiness Microbusiness Medical Cannabis Combination	This group of endorsed activities turn raw, dried cannabis and cannabis parts into other types of cannabis products, e.g. edibles or topicals.	Industrial, Commercial, Production	Odor Potential need for transportation from facility Waste, water, and energy usage Security
Hemp Manufacturing	Lower-Potency Hemp Edible (LPHE) Manufacturing	These business convert hemp into LPHE edible products.	Industrial, Commercial, Production	Odor Waste, water, and energy
Wholesale	Wholesale Cultivator Manufacturer Mezzobusiness Microbusiness Medical Cannabis Combination	This activity and license type allows a business to purchase from a business growing or manufacturing cannabis or cannabis products and sell to a cannabis business engaged in retail.	Industrial, Commercial, Production	Need for transportation from facility Security

Zoning and Land Use (cont.)

Table 1: Cannabis and Hemp Business Activities (continued)

Endorsed Activity	License Type Eligible to Do Endorsed Activity	Description of Activity	Comparable Districts	Municipal Considerations
Cannabis Retail	Retail Mezzobusiness Microbusiness Medical Cannabis Combination	This endorsed activity and license types allow a business to sell cannabis and cannabis products directly to consumers.	Retail, Neighborhood Shopping Districts, Light Industrial, Existing districts where off-sale liquor or tobacco sales are allowed.	Micros may offer onsite consumption, similar to breweries. Micros and Mezzos may include multiple activities: cultivation, manufacture, and/or retail.
Transportation	Cannabis Transporter	This license type allows a company to transport products from one license type to another.		Fleet based business that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.
Delivery	Cannabis Delivery	This license type allows for transportation to the end consumer.		Fleet based business that will own multiple vehicles, but not necessarily hold a substantial amount of cannabis or cannabis products.
Events	Event Organizer	This license entitles license holder to organizer a temporary event lasting no more than four days.	Anywhere that the city permits events to occur, subject to other restrictions related to cannabis use.	On site consumption. Retail sales by a licensed or endorsed retail business possible.

Local Approval Process

Local governments play a critical role in the licensing process, serving as a near-final approval check on cannabis businesses nearing the awarding of a state license for operations. Once an applicant has been vetted by OCM and is selected for proceeding in the verification process, they are then required to receive the local government's certification of zoning compliance and/or local retail registration before operations may commence.



Local Certification of Zoning Compliance (342.13; 342.14)

Following OCM's vetting process, local governments must **certify** that the applicant with preliminary approval has achieved **compliance with local zoning ordinances** prior to the licensee receiving final approval from OCM to commence operations.

During the application and licensing process for cannabis businesses, OCM will notify a local government when an applicant intends to operate within their jurisdiction and request a certification as to whether a proposed cannabis business complies with local zoning ordinances, and if applicable, whether the proposed business complies with state fire code and building code.

According to Minnesota's cannabis law, a local unit of government has 30 days to respond to this request for certification of compliance. If a local government does not respond to OCM's request for certification of compliance within the 30 days, the cannabis law allows OCM to issue a license. OCM may not issue the final approval for a license if the local government has indicated they are not in compliance.

OCM will work with local governments to access the licensing software system to complete this zoning certification process.

Local Approval Process (cont.)

Local Retail Registration Process (342.22)

Once the licensing process begins, local government registration applies to cannabis retailers or other cannabis/hemp businesses seeking a retail endorsement. Local governments must issue a retail registration after verifying that:

- The business has a valid license or license preapproval issued by OCM.
- The business has paid a registration fee or renewal fee to the local government;
 - Initial registration fees collected by a local government may be \$500 or half the amount of the applicable initial license fee, whichever is less, and renewal registration fees may be \$1,000 or half the amount of the applicable renewal license fee, whichever is less.
- The business is found to be in compliance with Chapter 342 and local ordinances.
- If applicable, the business is current on all property taxes and assessments for the proposed retail location.

Local registrations may also be issued by counties if the respective local government transfers such authorities to the county.

Determining a Process for Limiting Retail Registrations

If a local government wishes to place a limitation on the number of retailers and microbusiness/mezzobusinesses with retail endorsements allowed within their locality (as long as there is at least one retail location per 12,500 residents, see Page 10), state law does not define the process for a local government's selection if there are more applicants than registrations available. A few options for this process include the use of a lottery, a first-come/first-serve model, a rolling basis, and others. Local governments should work with an attorney to determine their specific process for selection if they wish to limit the number of licensed cannabis retailers per 342.13. Local governments are not required to limit the number of licensed cannabis retailers.

Local Approval Process (cont.)

Local governments are permitted specific authorities for registration refusal and registration suspension, in addition to—and not in conflict with—OCM authorities.

Registration and Renewal Refusals

Local governments may refuse the registration and/or certification of a license renewal if the license is associated with an individual who, within five years of the license application, has been convicted of a felony or willful violation of a federal or state law or local ordinance related to the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage.



Local Registration Suspension (342.22)

Local governments may suspend the local retail registration of a cannabis business or hemp business if the business is determined to not be operating in compliance with a local ordinance authorized by 342.13 or if the operation of the business poses an immediate threat to the health and safety of the public. The local government must immediately notify OCM of the suspension if it occurs. OCM will review the suspension and may reinstate the registration or take enforcement action.

Expedited Complaint Process (342.13)

Per state law, OCM will establish an expedited complaint process during the rulemaking process to receive, review, read, and respond to complaints made by a local unit of government about a cannabis business. Upon promulgation of rules, OCM will publish the complaint process.

At a minimum, the expedited complaint process shall require the office to provide an initial response to the complaint within seven days and perform any necessary inspections within 30 days. Within this process, if a local government notifies OCM that a cannabis business poses an immediate threat to the health or safety of the public, the office must respond within one business day.

Inspections & Compliance Checks

Local governments are permitted specific business inspection and compliance check authorities, in addition to—and not in conflict with—OCM authorities.

Inspections and Compliance Checks (342.22)

Local governments must conduct **compliance checks** for cannabis and hemp businesses holding retail registration **at least once per calendar year**. These compliance checks must verify compliance with age verification procedures and compliance with any applicable local ordinance established pursuant to 342.13. OCM maintains inspection authorities for all cannabis licenses to verify compliance with operation requirements, product limits, and other applicable requirements of Chapter 342.



Municipal Cannabis Stores

As authorized in Chapter 342.32, local governments are permitted to apply for a cannabis retail license to establish and operate a municipal cannabis store.

State law requires OCM issue a license to a city or county seeking to operate a single municipal cannabis store if the city or county:

- Submits required application information to OCM,
- Meets minimum requirements for licensure, and
- Pays applicable application and license fee.

A municipal cannabis store will not be included in the total count of retail licenses issued by the state under Chapter 342.

A municipal cannabis store cannot be counted as retail registration for purposes of determining whether a municipality's cap on retail registrations imposed by ordinance.



Creating Your Local Ordinance

As authorized in 342.13, a local government may adopt a local ordinance regarding cannabis businesses. Establishing local governments' ordinances on cannabis businesses in a timely manner is critical for the ability for local cities or towns to establish local control as described in the law, and is necessary for the success of the statewide industry and the ability of local governments to protect public health and safety. The cannabis market's potential to create jobs, generate revenue, and contribute to economic development at the local and state level is supported through local ordinance work. The issuance of local certifications and registrations to prospective cannabis businesses is also dependent on local ordinances.

- Local governments may not prohibit the possession, transportation, or use of cannabis, or the establishment or operation of a cannabis business licensed under state law.
- Local governments may adopt reasonable restrictions on the time, place, and manner of cannabis business operations (see Page 8).
- Local governments may adopt interim ordinances to protect public safety and welfare, as any studies and/or further considerations on local cannabis activities are being conducted, until January 1, 2025. A public hearing must be held prior to adoption of an interim ordinance.
- If your local government wishes to operate a municipal cannabis store, the establishment and operation of such a facility must be considered in a local ordinance.



Model Ordinance

For additional guidance regarding the creation of a cannabis related ordinance, please reference the addendum in this packet.

Additional Resources

OCM Toolkit for Local Partners

Please visit OCM webpage (mn.gov/ocm/local-governments/) for additional information, including a toolkit of resources developed specifically for local government partners. The webpage will be updated as additional information becomes available and as state regulations are adopted.

These resources are also included in the addendum of this packet.

Toolkit resources include:

- Appendix A: Model Ordinance
- Appendix B: Hemp Flower and Hemp-Derived Cannabinoid Product Checklist
- Appendix C: Enforcement Notice from the Office of Cannabis Management
- Appendix D: Notice to Unlawful Cannabis Sellers

Local Organizations

There are several organizations who also have developed resources to support local governments regarding the cannabis industry. Please feel free to contact the following for additional resources:

- League of Minnesota Cities
- Association of Minnesota Counties
- Minnesota Public Health Law Center

Appendix A: Model Ordinance

Cannabis Model Ordinance

The following model ordinance is meant to be used as a resource for cities, counties, and townships within Minnesota. The italicized text in red is meant to provide commentary and notes to jurisdictions considering using this ordinance and should be removed from any ordinance formally adopted by said jurisdiction. Certain items are not required to be included in the adopted ordinance: 'OR' and (optional) are placed throughout for areas where a jurisdiction may want to consider one or more choices on language.

Section 1	Administration
Section 2	Registration of Cannabis Business
Section 3	Requirements for a Cannabis Business (Time, Place, Manner)
Section 4	Temporary Cannabis Events
Section 5	Lower Potency Hemp Edibles
Section 6	Local Government as a Retailer
Section 7	Use of Cannabis in Public

AN ORDINANCE OF THE (CITY/COUNTY OF _____) TO REGULATE CANNABIS BUSINESSES

The (city council/town board/county board) of (city/town/county) hereby ordains:

Section 1. Administration

1.1 Findings and Purpose

(insert local authority) makes the following legislative findings:

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes (insert local authority) to protect the public health, safety, welfare of (insert local here) residents by regulating cannabis businesses within the legal boundaries of (insert local here).

(insert local authority) finds and concludes that the proposed provisions are appropriate and lawful land use regulations for (insert local here), that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

1.2 Authority & Jurisdiction

A county can adopt an ordinance that applies to unincorporated areas and cities that have delegated authority to impose local zoning controls.

(insert local authority) has the authority to adopt this ordinance pursuant to:

- a) Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of

a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.

- b) Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- c) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
- d) Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.

Ordinance shall be applicable to the legal boundaries of (insert local here).

(Optional) (insert city here) has delegated cannabis retail registration authority to (insert county here). However, (insert city here) may adopt ordinances under Sections (2.6, 3 and 4) if (insert county here) has not adopted conflicting provisions.

1.3 Severability

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

1.4 Enforcement

The elected body of a jurisdiction can choose to designate an official to administer and enforce this ordinance.

The (insert name of local government or designated official) is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

1.5 Definitions

1. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.
2. Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
3. Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, (and/excluding) lower-potency hemp edible retailers.

4. Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
5. Daycare: A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.
6. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
7. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
8. Place of Public Accommodation: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.
9. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
10. Public Place: A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.
11. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
12. Retail Registration: An approved registration issued by the (insert local here) to a state-licensed cannabis retail business.
13. School: A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.
14. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

Section 2. Registration of Cannabis Businesses

A city or town can delegate authority for registration to the County. A city or town can still adopt specific requirement regarding zoning, buffers, and use in public places, provided said requirements are not in conflict with an ordinance adopted under the delegated authority granted to the County.

2.1 Consent to registering of Cannabis Businesses

No individual or entity may operate a state-licensed cannabis retail business within (insert local here) without first registering with (insert local here).

Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of (up to \$2,000) for each violation.

Notwithstanding the foregoing provisions, the state shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.

2.2 Compliance Checks Prior to Retail Registration

A jurisdiction can choose to conduct a preliminary compliance check prior to issuance of retail registration.

Prior to issuance of a cannabis retail business registration, (insert local here) (shall/shall not) conduct a preliminary compliance check to ensure compliance with local ordinances.

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, (insert local here) shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

2.3 Registration & Application Procedure

2.3.1 Fees.

(insert local here) shall not charge an application fee.

A registration fee, as established in (insert local here)'s fee schedule, shall be charged to applicants depending on the type of retail business license applied for.

An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.

Any renewal retail registration fee imposed by (insert local here) shall be charged at the time of the second renewal and each subsequent renewal thereafter.

A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

2.3.2 Application Submittal.

The (insert local here) shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

(A) An applicant for a retail registration shall fill out an application form, as provided by the (insert local here). Said form shall include, but is not limited to:

- i. Full name of the property owner and applicant;
- ii. Address, email address, and telephone number of the applicant;
- iii. The address and parcel ID for the property which the retail registration is sought;
- iv. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.
- v. (Insert additional standards here)

(B) The applicant shall include with the form:

- i. the application fee as required in [Section 2.3.1];
 - ii. a copy of a valid state license or written notice of OCM license preapproval;
 - iii. (Insert additional standards here)
- (C) Once an application is considered complete, the (insert local government designee) shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.
- (D) The application fee shall be non-refundable once processed.

2.3.3 Application Approval

- (A) (Optional) A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 2.6.
- (B) A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
- (C) A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

2.3.4 Annual Compliance Checks.

The (insert local here) shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under [Minn. Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24] and this/these [chapter/section/ordinances].

The (insert local here) shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.

Any failures under this section must be reported to the Office of Cannabis Management.

2.3.5 Location Change

A jurisdiction may decide to treat location changes as a new registration, or alternatively treat a location change as allowable subject to compliance with the rest of the registration process.

A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 2.3.2 if it seeks to move to a new location still within the legal boundaries of (insert local here).

or

If a state-licensed cannabis retail business seeks to move to a new location still within the legal boundaries of (insert local here), it shall notify (insert local here) of the proposed location change, and submit necessary information to meet all the criteria in this paragraph.

2.4 Renewal of Registration

The (insert local here) shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.

A state-licensed cannabis retail business shall apply to renew registration on a form established by (insert local here).

A cannabis retail registration issued under this ordinance shall not be transferred.

2.4.1 Renewal Fees.

The (insert local here) may charge a renewal fee for the registration starting at the second renewal, as established in (insert local here)'s fee schedule.

2.4.2 Renewal Application.

The application for renewal of a retail registration shall include, but is not limited to:

- Items required under Section 2.3.2 of this Ordinance.
- Insert additional items here

2.5 Suspension of Registration

2.5.1 When Suspension is Warranted.

The (insert local here) may suspend a cannabis retail business's registration if it violates the ordinance of (insert local here) or poses an immediate threat to the health or safety of the public. The (insert local here) shall immediately notify the cannabis retail business in writing the grounds for the suspension.

2.5.2 Notification to OCM.

The (insert local here) shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide (insert local here) and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

2.5.3 Length of Suspension.

A jurisdiction can wait for a determination from the OCM before reinstating a registration.

The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. The business may not make sales to customers if their registration is suspended.

The (insert local here) may reinstate a registration if it determines that the violations have been resolved.

The (insert local here) shall reinstate a registration if OCM determines that the violation(s) have been resolved.

2.5.4 Civil Penalties.

Subject to Minn. Stat. 342.22, subd. 5(e) the (insert local here) may impose a civil penalty, as specified in the (insert local here)'s Fee Schedule, for registration violations, not to exceed \$2,000.

2.6 Limiting of Registrations

A jurisdiction may choose to set a limit on the number of retail registrations within its boundaries. The jurisdiction may not however, limit the number of registrations to fewer than one per 12,500 residents.

(Optional) The (insert local here) shall limit the number of cannabis retail businesses to no fewer than one registration for every 12,500 residents within (insert local legal boundaries here).

(Optional) If (insert county here) has one active cannabis retail businesses registration for every 12,500 residents, the (insert local here) shall not be required to register additional state-licensed cannabis retail businesses.

(Optional) The (insert local here) shall limit the number of cannabis retail businesses to (insert number <= minimum required).

Section 3. Requirements for Cannabis Businesses

State Statutes note that jurisdictions may “adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business.” A jurisdiction considering other siting requirements (such as a buffer between cannabis businesses, or a buffer from churches) should consider whether there is a basis to adopt such restrictions.

3.1 Minimum Buffer Requirements

A jurisdiction can adopt buffer requirements that prohibit the operation of a cannabis business within a certain distance of schools, daycares, residential treatment facilities, or from an attraction within a public park that is regularly used by minors, including a playground or athletic field. Buffer requirements are optional. A jurisdiction cannot adopt larger buffer requirements than the requirements here in Section 3.1. A jurisdiction should use a measuring system consistent with the rest of its ordinances, e.g. from lot line or center point of lot.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-1,000] feet of a school.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a day care.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of a residential treatment facility.

(Optional) The (insert local here) shall prohibit the operation of a cannabis business within [0-500] feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

(Optional) The (insert local here) shall prohibit the operation of a cannabis retail business within [X] feet of another cannabis retail business.

Pursuant to Minn. Stat. 462.367 subd. 14, nothing in Section 3.1 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a (school/daycare/residential treatment facility/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.

3.2 Zoning and Land Use

For jurisdictions with zoning, said jurisdiction can limit what zone(s) Cannabis businesses can operate in. As with other uses in a Zoning Ordinance, a jurisdiction can also determine if such use requires a Conditional or Interim Use permit. A jurisdiction cannot outright prohibit a cannabis business. A jurisdiction should amend their Zoning Ordinance and list what zone(s) Cannabis businesses are permitted in, and whether they are permitted, conditional, or interim uses. While each locality conducts its zoning differently, a few themes have emerged across the country. For example, cannabis manufacturing facilities are often placed in industrial zones, while cannabis retailers are typically found in commercial/retail zones. Cannabis retail facilities align with general retail establishments and are prohibited from allowing consumption or use onsite and are also required to have plans to prevent the visibility of cannabis and hemp-derived products to individuals outside the retail location. Cannabis businesses should be zoned under existing zoning ordinances in accordance with the license type or endorsed activities held by the cannabis business.

3.2.1. Cultivation.

Cannabis businesses licensed or endorsed for cultivation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Manufacturer.

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Hemp Manufacturer.

Businesses licensed or endorsed for low-potency hemp edible manufacturers permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Wholesale.

Cannabis businesses licensed or endorsed for wholesale are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Retail.

Cannabis businesses licensed or endorsed for cannabis retail are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Transportation.

Cannabis businesses licensed or endorsed for transportation are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.2.1. Cannabis Delivery.

Cannabis businesses licensed or endorsed for delivery are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

3.3 Hours of Operation

A jurisdiction may adopt an ordinance limiting hours of operation between 10 a.m. and 9 p.m., seven days a week, and that State statute prohibits the sale of cannabis between 2 a.m. and 8 a.m., Monday through Saturday, and between 2 a.m. and 10 a.m. on Sundays.

(Optional) Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of (insert time here) and (insert time here).

3.4 (Optional) Advertising

Cannabis businesses are permitted to erect up to two fixed signs on the exterior of the building or property of the business, unless otherwise limited by (insert local here)'s sign ordinances.

Section 4. Temporary Cannabis Events

Any individual or business seeking to obtain a cannabis event license must provide OCM information about the time, location, layout, number of business participants, and hours of operation. A cannabis event organizer must receive local approval, including obtaining any necessary permits or licenses issued by a local unit of government before holding a cannabis event.

4.1 License or Permit Required for Temporary Cannabis Events

4.1.1 License Required.

A cannabis event organizer license entitles the license holder to organize a temporary cannabis event lasting no more than four days. A jurisdiction should determine what type of approval is consistent with their existing ordinances for events.

A license or permit is required to be issued and approved by (insert local here) prior to holding a Temporary Cannabis Event.

4.1.2 Registration & Application Procedure

A registration fee, as established in (insert local here)'s fee schedule, shall be charged to applicants for Temporary Cannabis Events.

4.1.3 Application Submittal & Review.

The (insert local here) shall require an application for Temporary Cannabis Events.

- (A) An applicant for a retail registration shall fill out an application form, as provided by the (insert local here). Said form shall include, but is not limited to:
 - i. Full name of the property owner and applicant;
 - ii. Address, email address, and telephone number of the applicant;
 - iii. (Insert additional standards here)
- (B) The applicant shall include with the form:
 - i. the application fee as required in (Section 4.1.2);
 - ii. a copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.

The application shall be submitted to the (insert local authority), or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

(C) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.

(D) The application fee shall be non-refundable once processed.

(E) The application for a license for a Temporary Cannabis Event shall meet the following standards:

A jurisdiction may establish standards for Temporary cannabis events which the event organizer must meet, including restricting or prohibiting any on-site consumption. If there are public health, safety, or welfare concerns associated with a proposed cannabis event, a jurisdiction would presumably be authorized to deny approval of that event.

- **Insert standards here**

(G) A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.

(H) A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The (insert city/town/county) shall notify the applicant of the standards not met and basis for denial.

(Optional) Temporary cannabis events shall only be held at **(insert local place)**.

(Optional) Temporary cannabis events shall only be held between the hours of **(insert start time)** and **(insert stop time)**.

Section 5. (Optional) Lower-Potency Hemp Edibles

A jurisdiction can establish different standards or requirements regarding Low-Potency Edibles. A jurisdiction can consider including the following section and subsections in their cannabis ordinance.

5.1 Sale of Low-Potency Hemp Edibles

The sale of Low-Potency Edibles is permitted, subject to the conditions within this Section.

5.2 Zoning Districts

If sales are permitted, a jurisdiction can limit what zone(s) the sales of Low-Potency Edibles can take place in. A jurisdiction can also determine if such activity requires a Conditional or Interim Use permit.

Low-Potency Edibles businesses are permitted as a (type of use) in the following zoning districts:

- (Insert zoning districts use is permitted in here)
- (Insert zoning districts use is permitted in here)

5.3 (Optional) Additional Standards

5.3.1 Sales within Municipal Liquor Store.

A jurisdiction that already operates a Municipal Liquor Store may sell Low-Potency Edibles within the same store.

The sale of Low-Potency Edibles is permitted in a Municipal Liquor Store.

5.3.2 Age Requirements.

A jurisdiction is able to restrict the sale of Low-Potency Edibles to locations such as bars.

The sale of Low-Potency Edibles is permitted only in places that admit persons 21 years of age or older.

5.3.3 Beverages.

The sale of Low-Potency Hemp Beverages is permitted in places that meet requirements of this Section.

5.3.4 Storage of Product.

A jurisdiction is able to set requirements on storage and sales of Low-Potency Edibles.

Low-Potency Edibles shall be sold behind a counter, and stored in a locked case.

Section 6. (Optional) Local Government as a Cannabis Retailer

(insert local here) may establish, own, and operate one municipal cannabis retail business subject to the restrictions in this chapter.

The municipal cannabis retail store shall not be included in any limitation of the number of registered cannabis retail businesses under Section 2.6.

(insert local here) shall be subject to all same rental license requirements and procedures applicable to all other applicants.

Section 7 Use in Public Places

No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult-use.

Appendix B: Hemp Flower and Hemp-Derived Cannabinoid Product Checklist



Office of Cannabis Management
 Department of Health

Hemp Flower and Hemp-Derived Cannabinoid Product Checklist

Minnesota Statute 18K.02, Definitions
 Minnesota Statute 152.01, Subdivision 9
 Minnesota Statute 151.72, Sale of Certain Cannabinoid Products

Minnesota Statute 152.0264, Cannabis Sale Crimes
 Minnesota Statute 342.09, Personal Adult Use of Cannabis

Question	Yes	No	Comments	Additional Information
Business License and Registration Compliance				
Is the business registered with the Minnesota Department of Health?				All businesses selling hemp-derived cannabinoid products must be registered. See Hemp-Derived Cannabinoid Products (www.health.state.mn.us/people/cannabis/edibles/index.html)
If the business offers on-site consumption, do they have a liquor license?				Local authorities issue on-site consumption licenses. These are required for all businesses permitting on-site consumption of THC.
Product Compliance – All Products				
Does the business ensure that all sales are made to persons 21 years old or older?				Only persons 21 years of age or older may purchase hemp-derived cannabinoid products, with the exception of topicals. These products may be sold to anyone.
Does the business have all edible cannabinoid products, except beverages, behind the counter or in a locked cabinet?				Businesses must ensure all edible cannabinoid products are secure and inaccessible to customers.

Question	Yes	No	Comments	Additional Information
Only delta-8 and delta-9 are allowed for human consumption. Does the business sell edibles or beverages with any other intoxicating cannabinoids?				MDH has identified products containing many different intoxicating cannabinoids, such as HHC, THC-O, THC-P, PHC, delta-10, delta-11, delta-8p, delta-9p, etc. The product must contain only delta-8 and/or delta-9.
Does the business sell any edible products that are similar to a product marketed to or consumed by children?				Edible products that appear similar to candy or snacks marketed toward or consumed by children are not allowed.
Does the label on the edible or beverage state “Keep out of reach of children”?				All products must include the warning label “Keep out of reach of children.”
Is the manufacturer’s name, address, website, and contact phone number included on the label or provided through a QR code?				If not, the product is not in compliance.
Does the QR code on the product bring the user to a Certificate of Analysis on the website, which includes the name of the independent testing laboratory, cannabinoid profile, and product batch number?				All products must be tested by batch in an independent, accredited laboratory. The results must include the cannabinoid profile.
Does the label on the product indicate the cannabinoids by serving and in total?				The label must indicate the potency by individual serving as well as in total.

Question	Yes	No	Comments	Additional Information
Does the label on the product make any claim the product offers any kind of health benefit?				Health claims are not permitted on hemp or cannabis products unless approved by the FDA. At this time, there is not an approved statement.
Does the label on the product state that the product does not claim to diagnose, treat, cure or prevent any disease?				The manufacturer cannot claim the product will provide any health benefit unless the product has been formally approved by the FDA.
Does the business sell CBD (or other forms of cannabidiol) in the form of a softgel, tablet, or tincture?				Non-intoxicating cannabinoids may only be sold in the form of an edible, beverage, or topical. Therefore, softgels and tablets cannot be sold. Tinctures must be labeled as either an edible or beverage and comply with the edible or beverage requirements.
Product Compliance – Edibles				
Does the edible product contain more than 5 mg delta-8 and/or delta-9 per serving?				Edibles may not exceed 5 mg delta-8 and/or delta-9 per serving.
Does the edible product package/container contain more than 50 mg total THC (delta-8 and/or delta-9)?				Edibles may not exceed 50 mg total delta-8 or delta-9 per package. The edible cannot contain any other form of THC or intoxicating cannabinoid.
Are all the edible product's servings clearly marked, wrapped, or scored <u>on</u> the product?				Edible product servings must be clearly distinguished on the product. Bulk products that require the consumer to measure are not allowed.

Question	Yes	No	Comments	Additional Information
Does the business sell any edible products in the shape of bears, worms, fruits, rings, ribbons?				Edibles in shapes that appeal to children are not allowed.
Is the edible product in a child-proof, tamper-evident, opaque container?				All edibles must be in a container that is child-resistant and tamper evident. If the container is clear, the business must place the edible into an opaque bag at the point of sale. Clear bags are not allowed.
Product Compliance - Beverages				
Does the beverage product contain more than 5 mg delta-8 or delta-9 per serving?				Beverages may not exceed 5 mg delta-8 and/or delta-9 per serving.
Does the beverage product contain more than 2 servings?				Beverages cannot exceed two servings, regardless of the THC potency.
Is the beverage product in an opaque container?				If the beverage is in a clear container, the business must place the beverage in an opaque bag at the point of sale.
Product Compliance – Smokables (non-flower)				
Does the business sell vapes, pre-rolls, dabs, or other smokable products which contain more than 0.3% THC?				<p>A product’s certificate of analysis will show the concentration of THC the product contains. The certificate typically is found through the QR code on the product package. In MDH’s experience, most vapes contain 50% - 90%+ THC.</p> <p>Pre-rolls may consist of raw hemp flower. These products are not regulated by 151.72. However, if a pre-roll is labeled as “infused” or “coated” have additional cannabinoids applied to the material, of which the product typically exceeds the 0.3% THC limit.</p>

Question	Yes	No	Comments	Additional Information
Does the business sell vapes, pre-rolls, dabs, or other smokeable products that contain other intoxicating cannabinoids, such as HHC?				MN Statutes do not allow any cannabinoid, other than delta-8 or delta-9, to be sold if the cannabinoid is intended to alter the structure or function of the body. HHC is a cannabinoid known to have potency greater than THC.
Does the business sell vapes, pre-rolls, dabs, or other smokable products which contain CBD?				Non-intoxicating cannabinoids cannot be smoked, vaped, or inhaled.
Product Compliance – Flower				
Does the business sell raw hemp flower?				<p>Raw hemp flower must contain 0.3% or less of delta-9 on a dry weight basis. Products exceeding 0.3% delta-9 dry weight are marijuana, and are illegal for sale.</p> <p>THC-A is the non psychoactive precursor to delta-9. Once heated THC-A converts to delta-9. In that process some amount of THC-A is lost.</p> <p>To determine whether, once heated, the hemp flower will exceed the allowable 0.3% of delta-9, one can use a decarboxylation formula which takes into account the conversion of THC-A into delta-9.</p> <p>That formula is as follows: Total THC = (0.877 X THC-A) + d-9 THC)</p> <p>Raw flower must include a certificate of analysis to show testing below 0.3% delta-9.</p> <ul style="list-style-type: none"> • A lack of a certificate of analysis would constitute an illegal sale.

Question	Yes	No	Comments	Additional Information
				<ul style="list-style-type: none"> A certificate of analysis showing that under the decarboxylation formula that delta-9 would exceed the 0.3% threshold would also indicate the flower is cannabis and not hemp and therefore being sold illegally.
Product Compliance – On-Site Consumption				
If the business offers on-site consumption, do they serve the edible or beverage in its original packaging?				The business may not pour out or remove an edible from its original packaging.
If the business offers on-site consumption, do they mix a cannabis-infused beverage with alcohol?				The business may not mix cannabis-infused products with alcohol.
If the business offers on-site consumption, do they permit customers to remove from the premises products which have been removed from their original packaging?				Products which have been removed from their original packaging cannot be removed from the premises by the customer.

NOTE: If a person suspects that a hemp-derived cannabinoid product is being sold in violation of Minnesota law, they can use the complaint form at [Submitting Hemp-Derived Cannabinoid Product Complaints \(www.health.state.mn.us/people/cannabis/edibles/complaints.html\)](http://www.health.state.mn.us/people/cannabis/edibles/complaints.html).

Appendix C: Enforcement Notice from the Office of Cannabis Management

Enforcement Notice from the Office of Cannabis Management

Dear Registered Hemp Derived Cannabinoid Business:

The Office of Cannabis Management (OCM), established in 2023, is charged with developing and implementing the operational and regulatory systems to oversee the cannabis industry in Minnesota as provided in Minnesota Statutes Chapter 342.

When Minnesota legalized the sale of adult-use of cannabis flower, cannabis products, and lower-potency hemp edibles/ hemp-derived consumer products, the Minnesota Legislature included statutory provisions, [Minnesota Statutes, chapter 152.0264](#), making the sale of cannabis illegal until a business is licensed by OCM. The Office of Cannabis Management has not yet issued licenses for the cultivation, manufacture, wholesale, transportation or retail sale of cannabis, therefore any retail sales of cannabis products, including cannabis flower, are illegal.

The Office of Cannabis Management has received complaints of retailers selling cannabis flower under the label of hemp flower. Under an agreement between The Minnesota Department of Health (MDH) and OCM, inspectors from MDH will begin to examine any flower products being sold during their regular inspections to determine whether they are indeed hemp flower or cannabis flower.

In distinguishing between hemp and cannabis flower, OCM, consistent with federal rules and regulations related to hemp under 7 CFR 990.1, will consider the total concentration of THC post- decarboxylation, which is the process by which THC-A is converted into Delta-9 to produce an intoxicating effect. The examination of raw flower products will include reviewing the certificate of analysis for compliance in several areas, including:

Compliance with the requirement that raw flower listed for sale includes a Certificate of Analysis (COA). Products for sale without a COA will constitute an illegal sale.

A COA that affirms concentrations of 0.3% or less of Delta-9 on a dry weight basis. Products exceeding 0.3% Delta-9 dry weight are considered marijuana and are therefore illegal to sell.

A COA that confirms that the total levels of Delta-9 and THC-A after the decarboxylation process do not exceed 0.3%. A COA that indicates the raw flower will exceed 0.3 percent Delta-9 post-decarboxylation, or a subsequent test conducted by an independent laboratory utilized by OCM that confirms Delta-9 in excess of 0.3 percent will be considered illegal.

[Minnesota Statutes, Chapter 342](#) governs Minnesota’s cannabis market, and empowers OCM to ensure regulatory compliance. [Minnesota Statutes, chapter 342.09, subdivision 4](#) prohibits the retail sale of cannabis flower and cannabis products “without a license issued under this chapter that authorizes the sale.”

To date, the Office of Cannabis Management has not issued any cannabis licenses, applications for licenses are expected to be available in the first half of 2025. As such, selling cannabis is a clear violation of law. Be aware that under [Minnesota Statutes, 342.09, subdivision 6](#), OCM may assess fines in excess of a \$1 million for violations of this law. Likewise, under [Minnesota Statutes, chapter 342.19](#), OCM is empowered to embargo any product that it has “probable cause to believe . . . is being distributed in violation of this chapter or rules adopted under this chapter[.]” Furthermore, violations of law may be considered in future licensing decisions made by OCM.

As inspectors enter the field, we encourage you to review the products you are currently selling to ensure they fall within the thresholds outlined above. If you have any questions related to the products you are selling, please send an email to cannabis.info@state.mn.us.

Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read "Charlene Briner", with a long horizontal flourish extending to the right.

Charlene Briner
Interim Director
Office of Cannabis Management

Appendix D: Notice to Unlawful Cannabis Sellers

Notice to Unlawful Cannabis Sellers

This notice is to inform you that your current course of action may run afoul of Minnesota law, and continuing this course of action may result in civil actions and potential criminal prosecution. To avoid such outcomes, you should immediately cease and desist any plans to engage in the unlicensed sale of cannabis and cannabis products.

[Minnesota Statutes, Chapter 342 \(www.revisor.mn.gov/statutes/cite/342\)](http://www.revisor.mn.gov/statutes/cite/342) governs Minnesota's cannabis market, and empowers OCM to ensure regulatory compliance. [Minnesota Statutes, chapter 342.09, subdivision 4 \(www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.4\)](http://www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.4) prohibits the retail sale of cannabis flower and cannabis products “without a license issued under this chapter that authorizes the sale.” To date the Office of Cannabis Management has not issued any retail, or other, cannabis licenses. As such, your plan to sell cannabis in a retail setting at this date would be in flagrant violation of the law. Be aware that under [Minnesota Statutes, 342.09, subdivision 6 \(www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.6\)](http://www.revisor.mn.gov/statutes/cite/342.09#stat.342.09.6), OCM may assess fines in excess of a \$1,000,000 for violations of this law.

Likewise, under [Minnesota Statutes, chapter 342.19 \(www.revisor.mn.gov/statutes/cite/342.19\)](http://www.revisor.mn.gov/statutes/cite/342.19), OCM is empowered to embargo any product that it has “probable cause to believe . . . is being distributed in violation of this chapter or rules adopted under this chapter[.]” It is believed that products attempted to be sold at your retail location might be distributed in violation of the law, and would therefore be subject to embargo by OCM. Under [Minnesota Statutes, chapter 342.19, subd. 2 \(www.revisor.mn.gov/statutes/cite/342.19#stat.342.19.2\)](http://www.revisor.mn.gov/statutes/cite/342.19#stat.342.19.2), once embargoed OCM “shall release the cannabis plant, cannabis flower, cannabis product, artificially derived cannabinoid, lower-potency hemp edible, or hemp-derived consumer product when this chapter and rules adopted under this chapter have been complied with or the item is found not to be in violation of this chapter or rules adopted under this chapter.”

While Minnesota has legalized the sale of adult-use of cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products, the legislature did add new statutory provisions, [Minnesota Statutes, chapter 152.0264 \(www.revisor.mn.gov/statutes/cite/152.0264\)](http://www.revisor.mn.gov/statutes/cite/152.0264), making illegal the unlawful sale of cannabis. As there are not yet any licenses issued by OCM for the cultivation, manufacture, wholesale, transportation, or retail of cannabis, any sales of cannabis products in excess of the limits in 152.0264 is illegal.

If you are only planning to sell cannabinoid products that are derived from hemp, you should ensure that the sale of those products is consistent with [Minnesota Statutes, chapter 151.72 \(www.revisor.mn.gov/statutes/cite/151.72\)](http://www.revisor.mn.gov/statutes/cite/151.72), including but not limited to the requirement that your business be registered with the Commissioner of Health, and that all products are in compliance with the relevant statutes.

Finally, in addition to the state laws outlined above, please be aware that any retail location must be in compliance with local government ordinances and zoning requirements.

OCM takes seriously its charge to enforce Minnesota Statutes, Chapter 342, and its responsibility to ensure a safe and legal cannabis market. In order to avoid the above-described actions, all attempts to open a cannabis retail dispensary in Minnesota without the appropriate license should be ceased.



COON CREEK
WATERSHED DISTRICT

2025 Proposed Cost-Share Budgets

6/13/2024



Cost Share Revenue

- Total cost share for each completed subwatershed plan
 - Ham Lake and Andover have no completed plans for 2025 budgets
- Costs split by % contribution of subwatershed land
- Subwatershed Plan implementation tables will be distributed on the TAC resources webpage that have detailed project costs and contribution %'s



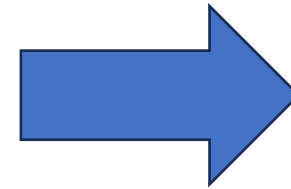
2025 Revenue Summary

Ditch 39	
MS4	2025 Revenue
ACHD	\$ 48,797
Blaine	\$ 878,342
CCWD	\$ 421,044
C. Rapids	\$ 207,386

Pleasure Creek	
MS4	2025 Revenue
ACHD	\$ 19,500
Blaine	\$ 66,000
CCWD	\$ 126,370
C. Rapids	\$ 51,000

Springbrook Creek	
MS4	2025 Revenue
ACHD	\$ 9,600
Blaine	\$ 76,800
CCWD	\$ 27,670
C. Rapids	\$ 17,600
Fridley	\$ 89,030
SLP	\$ 11,200

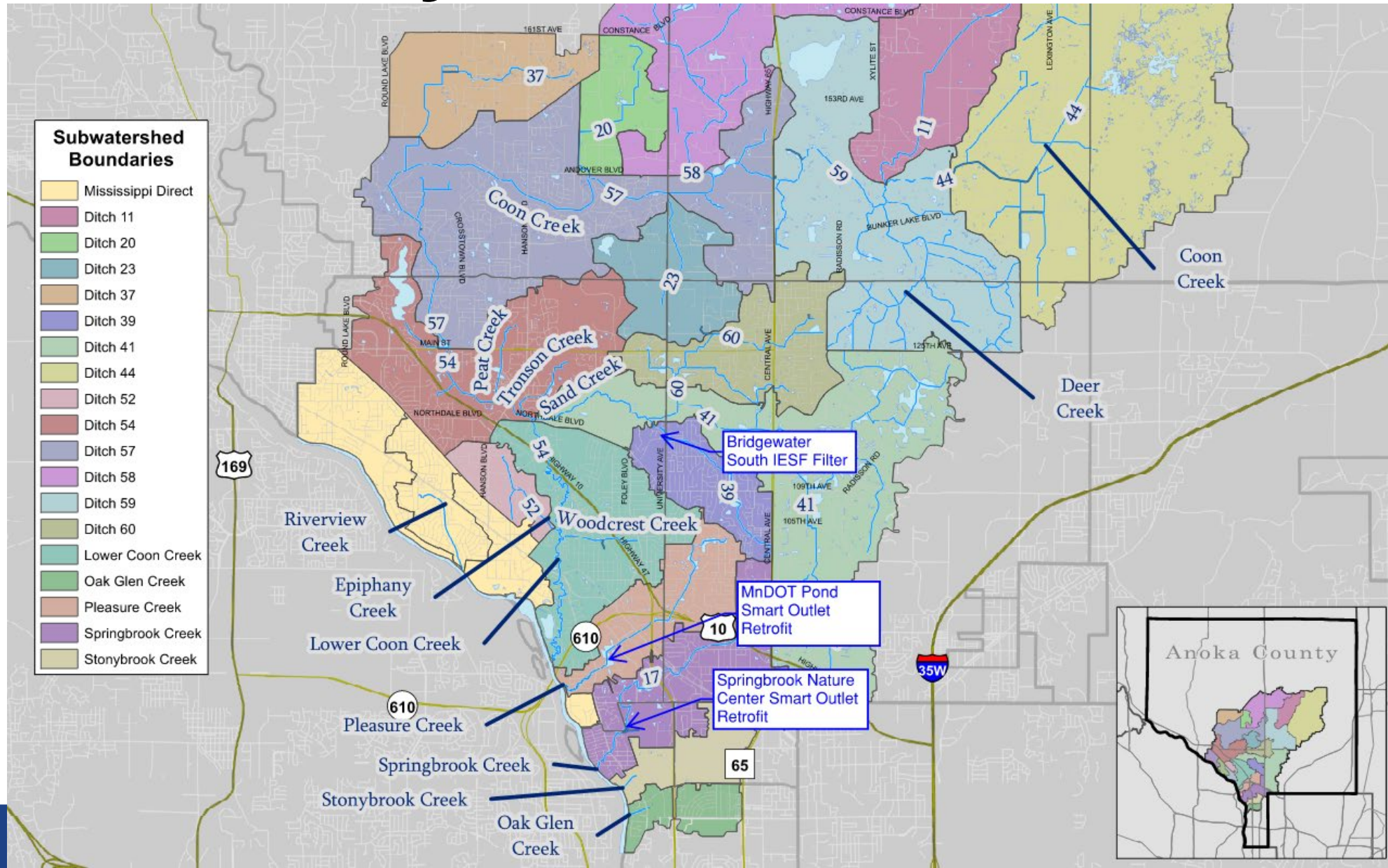
Oak Glen Creek	
MS4	2025 Revenue
ACHD	\$ -
CCWD	\$ -
Fridley	\$ 180,000



TOTALS	
MS4	2025 Revenue
ACHD	\$ 77,897
Andover	-
Blaine	\$ 1,021,142
CCWD	\$ 468,214
C. Rapids	\$ 275,986
Fridley	\$ 269,030
Ham Lake	-
SLP	\$ 11,200



2025 Joint Projects





Phone: 763-780-2332
24-Hour Help Line/TTY: 763-780-2330
Fax: 763-780-9696
www.alexandrahouse.org

10065 – 3rd Street NE
Blaine, MN 55434

June 20, 2024

Daniel Buchholtz
City Administrator
City of Spring Lake Park
1301 81st Ave NE
Spring Lake Park, MN 55432

Dear Daniel,

Alexandra House respectfully requests that the City of Spring Lake Park allocate funds to support services provided to Spring Lake Park residents by our Community Programs. Alexandra House responds 24/7 to calls from the Spring Lake Park Police Department, Anoka County Sheriff's Office and Mercy Hospital-Unity Campus as part of your community's public safety and public health infrastructure. In addition, our Youth Services Program offers school-based advocacy, support groups, and prevention education at high schools throughout the Spring Lake Park School District.

Each year, we assist victims/survivors of domestic and sexual violence from the City of Spring Lake Park and beyond. We are the only agency providing these services in Anoka County. Our advocates assist Spring Lake Park residents to address their immediate crisis and safety needs and support them in moving beyond the violence to achieve long-term safety and independence.

While our services are free to those we serve, they are not without costs. Our 2024 Case Statement and 2023 Year-In-Review are attached. As you review these, please consider the rising need for our services in Anoka County and the resulting need to secure additional revenue to fund those services fully. Your support means so much to us, now more than ever.

We are grateful for your continued support of our work. We could not do it without you! Please do not hesitate to contact me with any questions. I would welcome the opportunity to attend a city council meeting to discuss this funding request and respond to any questions you may have.

Thank you very much for your consideration.

Connie Moore
Executive Director

Alexandra House

Working to end domestic and sexual violence.



Stephanie is bruised... afraid... alone...

Together, we can help her rebuild her life.

On a typical day, local domestic violence hotlines receive around **19,159** calls, approximately **13 calls every minute**. In Minnesota, over **68,000** people experiencing rape and abuse reach out to domestic and sexual violence programs for safety each year. Many are turned away because there are not enough resources to help everyone in need. **One in three Minnesota women** will experience sexual or domestic violence in her lifetime.

In 2023, at least **39** people lost their lives to domestic violence in Minnesota - the highest number in more than a decade. **Nationally, 50% of female homicide victims are killed by an intimate partner**. According to the 2018 Wilder Homelessness study, 10,233 people experienced homelessness in MN – a 10% increase from 2015. Violence is a common experience for those who lack housing. **35% of homeless women are homeless because of domestic abuse**. Females ages 16-19 are **four times** more likely than the general population to be victims of rape, or sexual assault. **54% of students** experience dating violence prior to entering high school.

Domestic and sexual violence has a far-reaching impact that touches us and our communities, often in ways we may not realize. These issues are both a cause and a result of numerous societal problems, including homelessness, economic instability, health inequities, and gender inequality. Yet, their connected effect often remains unrecognized.



We need our entire community to join together in this work, to be part of the solution towards ending violence and supporting survivors in this community. - Connie Moore



How It All Began...

Alexandra House began as a grassroots movement in 1976 when one of our founders, Lexi Selvig heard Jeff Janacek, a Columbia Heights Police Officer, speak about the number of women and families he witnessed in Anoka County struggling to leave their abusers. Upon learning that some women and children were not safe in their own homes, she decided she had to do something about it. From there she and a group of concerned citizens formed the Anoka County Task Force for Battered Women. The program started as a 24-hour helpline, but due to the pressing needs of victims of domestic abuse and the passion and commitment of those who wanted to help them, the organization grew and opened its first emergency shelter in 1980.

We are now one of the largest domestic and sexual violence organizations in Minnesota and the only domestic and sexual violence program in Anoka County. While we are located in the cities of Blaine, Andover, and Anoka, we work with victims of domestic and sexual violence throughout the metro area, and the State. Our services include: 24-hour emergency shelter; support groups, follow up support and personal advocacy services; food shelf; youth services program; community education and professional training.

The work of Alexandra House promotes safety from domestic, sexual, and relationship violence and provides supportive services such as: helping people find affordable housing, offering violence prevention education in the schools, providing support groups, helping participants meet personal goals of obtaining a job or continuing their education—things that do provide a pathway out of poverty. Through the continuum of services we offer, we are consistently working to prevent violence from occurring and to intervene and provide meaningful, ongoing support to those who have already experienced it. This includes helping victims/survivors access basic needs while providing life-saving programming.

Our primary goals are:

1. to help keep individuals and families safe;
2. change the perception and acceptance of domestic and sexual violence among victims, professionals, and community members, and;
3. prevent violence from occurring and intervene and provide meaningful, ongoing support to those who have already experienced it.

OUR MISSION...OUR VISION

The mission of Alexandra House is to empower victims of domestic and sexual violence, and inspire social change, through education, support, and advocacy.

We envision a world where abuse and violence are unacceptable.

HOW WE SERVE:

The work of Alexandra House promotes safety from domestic, sexual, and relationship violence and provides supportive services such as: helping people find affordable housing, offering violence prevention education in the schools, providing support groups, helping participants meet personal goals of obtaining a job or continuing their education—things that do provide a pathway out of poverty. Through the continuum of services we offer, we are consistently working to prevent violence from occurring and to intervene and provide meaningful, ongoing support to those who have already experienced it. This includes helping victims/survivors access basic needs while providing life-saving programming.

24-hour Emergency Shelter and Helpline offer crisis intervention, safety planning, support groups, transportation to safety and appointments, childcare, and assistance in obtaining needed medical, housing, legal, financial and other community assistance, information and referral.

Civil Legal Advocacy assists in filing protective orders, hearing support, free legal representation, and legal advice.

Criminal Justice Intervention/Lethality Assessment Program provides advocacy following a domestic assault and throughout court proceedings.

Healthcare Advocacy offers in-person support and follow-up to victims of domestic and sexual violence and elder abuse to patients 24-hours/day at Mercy Hospital - Unity Campus, and local affiliated Allina clinics.

Support Groups offer topics on recovery, domestic and sexual violence, women's issues, self-esteem, restorative parenting, and concerned persons.

Housing and Supportive Services offer case management; housing assistance and subsidies; assistance with goal setting, navigating systems and accessing community resources, employment and educational services, and personal support networks; and financial and basic needs assistance to include application fees, damage deposits, utilities, food shelf, household/personal care items, and transportation.

Youth Services offer individual advocacy and support groups in 15 high schools/alternative programs in six school districts; healthy relationship classroom education; summer youth and family outreach; and support/education groups.

“ *It's harder to leave and stay gone than it is to go back to the abuse. You need a true support system if you're going to make it. If I didn't have the support of Alexandra House, I wouldn't have been able to do it myself.* ”

- Stephanie

COUNTING THE COSTS:

Providing Alexandra House's services to a victim/survivor currently costs about **\$700** beyond our government funding streams. This includes the cost to operate our 24-hour emergency shelter, provide ongoing victim advocacy and support services to the survivor and their family, conduct community education, professional trainings, and outreach, and provide intervention and prevention services to high school students.

HOW YOU CAN HELP STOP ABUSE...AND LET SURVIVORS KNOW THEY ARE NOT ALONE:

Alexandra House provides direct services to **1,500 - 2,000** victims/survivors (unduplicated) and impacts the lives of nearly **16,000** people annually. But we need your help to reach our goal of serving every victim/survivor of domestic, sexual, and relationship violence, as well as elder abuse in Anoka County. We are merely scratching the surface of the community need. **In 2023, Anoka County Dispatch received 13,526 domestic-related and 810 criminal sexual conduct radio calls.** While the number of victims/survivors we serve grows every year, it still isn't enough—Alexandra House simply does not have the resources to serve every person impacted by domestic, sexual, and relationship violence - and elder abuse in Anoka County. To accomplish that goal, we will need to expand both our facilities and staff.

You can be part of the solution. Your philanthropy can affect countless lives in positive ways. While your gift to Alexandra House will depend on your own financial situation, we would be pleased to help you make a gift that meets both your needs and those of the survivors and their family who walk through our doors.



2023...A YEAR IN REVIEW

Each year, Alexandra House provides . . .

A Safe Haven. 423 victims/survivors and their children received 6,947 nights of safety; with an average shelter stay of 19 days. 26 households were served in hotels due to reduced capacity for COVID-19 safety precautions.

A Lifeline. 3,500+ calls were answered on our 24-hour emergency helpline and online chat.

A Voice. 544 clients were supported by our civil and criminal justice advocacy services including: filing of protection orders, support during civil and criminal court proceedings and legal representation. 583 referrals from local law enforcement as a result of the Lethality Assessment Program were received, of those 505 victims were screened as high-risk and were connected to an advocate from the scene of the incident.

A First Responder. 194 referrals were received from local hospitals and clinics; 187 victims of sexual and domestic violence received crisis intervention, safety planning, and support at local hospitals and clinics.

A Community. 115 victims/survivors and their children began their healing process at weekly support groups; 757 support group sessions were provided; and 66 participants were referred to our partner, Conscious Healing, to receive ongoing therapy.

An Advocate. 73 families received personal ongoing support services and housing and financial assistance through our Rapid Rehousing & Parent Support Outreach Program; 13 households benefited from ongoing housing subsidies critical to achieving violence-free lives.

A Role Model. 5,039+ students learned about healthy relationships through 264 classroom presentations. 377+ children, youth, and parents were touched through school-based 1-1 advocacy and support groups, on-site groups at Lino Lakes Juvenile Correctional Facilities, and summer programming.

A Mentor. 5,550+ community members increased their awareness and knowledge through 103 in-person or virtual community education presentations, professional trainings, and community events.

A Promise. 46 older adult victims of abuse, neglect, and financial exploitation received participant-centered advocacy services specifically for adults 50+ through our Elder Abuse Services.

A Helping Hand. 385+ volunteers contributed 7,211+ hours of their time and talent to our programs; equal to 5 full-time employees and a value of over \$248,572.

Across all of our programs, Alexandra House impacted the lives of over 16,000 people.



2023 Highlights



4%
from 2022

Legal Advocacy

583 referrals from local law enforcement as a result of the Lethality Assessment Program were received, of those 505 victims were screened as high-risk and were connected to an advocate from the scene of the incident.



19%
from 2022

Emergency Shelter

The average shelter stay is now 19 days. The lack of obtaining safe, affordable housing has had a direct impact on how long a survivor stay in shelter.



24%
from 2022

Hospital Based Advocacy

187 victims of sexual and domestic violence received crisis intervention, safety planning, and support at local hospitals and clinics.



38%
from 2022

Housing & Supportive Services

73 families received personal ongoing support services and housing and financial assistance through our Rapid Rehousing and Parent Support Outreach Program.



63%
from 2022

Community Education

5,550+ community members increased their awareness and knowledge through 103 in-person or virtual community education presentations, professional trainings, and community events.



50%
from 2022

Youth Services

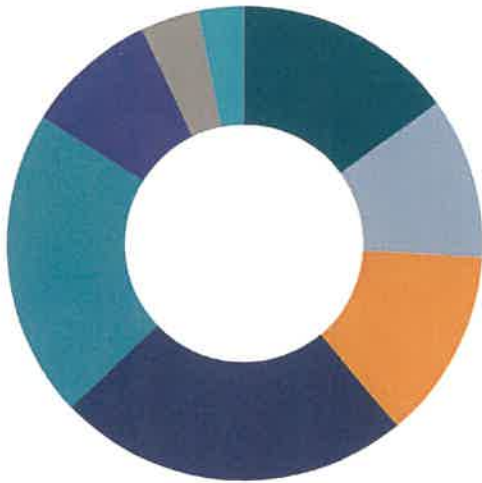
375+ children, youth, and parents were touched through school-based 1-1 advocacy and support groups.



Who We Serve

January 1 - December 31, 2023

Individuals Served by Age and Gender



- 0-12 (15%)
- 13-17 (11%)
- 18-24 (13%)
- 25-34 (24%)
- 35-44 (21%)
- 45-54 (9%)
- 55-64 (4%)
- 65+ (2%)
- Unreported (0.03%)



69% of adults served identified as female



4% of adults served identified as male



14% of children & youth served identified as female



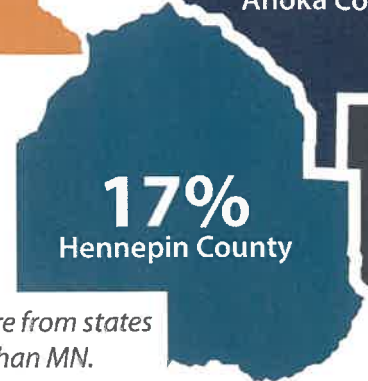
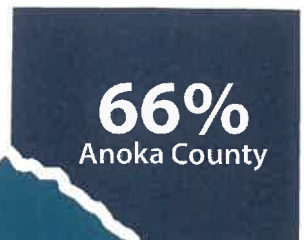
10% of children & youth served identified as male

3% of the adults and youth identified as transgender, non-binary/non-conforming, other, or chose not to identify.

Individuals Served by Ethnicity and County



- Native American (2%)
- Asian/Pacific Islander (3%)
- Other Race (2%)
- Hispanic/Latino (2%)
- Unreported (3%)
- Multiracial (10%)
- Multiracial/Hispanic Latino (9%)
- African American/Black (26%)
- White (44%)



2% were from states other than MN.

Alexandra House is committed to providing services that are comprehensive, victim-centered, and culturally relevant. Interpreter services are available through our 24-hour help line and for our ongoing participants. Written materials about our services are available in Spanish, Arabic, Hmong, and Somali. We serve individuals of all genders in all of our programs. All services are provided free, confidentially, and regardless of immigration status.

Daniel Buchholtz

From: Kay Okey
Sent: Monday, June 24, 2024 9:27 AM
To: Anne Scanlon; Daniel Buchholtz
Subject: FW: Lake Superior Loop

From: GARY WAX <garywax@msn.com>
Sent: Monday, June 24, 2024 9:24 AM
To: Kay Okey <kokey@slpmn.org>
Cc: Anne Scanlon <AScanlon@slpmn.org>
Subject: Lake Superior Loop

This message was sent from outside of the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Hi Kay

We just returned from the bus tour around Lake Superior. This was our first bus tour and it exceeded our expectations.

It wasn't just a drive around the lake. It was a trip of experiences.

Anne included so many interesting stops and exhibits. We experienced the culture and scenery that we would not have known or taken time to do if we made the drive ourselves. We feel so enriched. She included stops every one to two hours for breaks which were valuable to stretch and move around.

We not only saw a lot, we learned a lot.

We want to let you know how much we appreciated Anne.

Anne is such a natural tour guide and thought of so many details.

We watched movies and played games with prizes. She even brought S'mores for our first night's bonfire. She included tour guides for Thunder Bay and Madeline Island and museum. She even had an ice pack available for Linda's knee.

Anne is very approachable and has a personality that helped us feel welcome and comfortable.

We appreciated Anne for all her thoughtful planning.

Sincerely

Gary and Linda Wax

Daniel Buchholtz

From: Kay Okey
Sent: Tuesday, June 25, 2024 8:55 AM
To: Daniel Buchholtz
Subject: FW: Kudos

Another nice note from a participant on the recent trip.

From: Anne Scanlon <AScanlon@slpmn.org>
Sent: Tuesday, June 25, 2024 8:52 AM
To: Kay Okey <kokey@slpmn.org>
Subject: Fw: Kudos

Anne

Anne Scanlon
City of Spring Lake Park
Recreation Supervisor
1301 81st Ave NE
Spring Lake Park, MN 55432
(763)792-7231

From: Leon Motz <motzbigr@gmail.com>
Sent: Tuesday, June 25, 2024 8:48 AM
To: Anne Scanlon <AScanlon@slpmn.org>
Subject: Kudos

This message was sent from outside of the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

I trust you have had a few well deserved days off before returning to the daily grind. Kristy and I want to thank you again for all your hard work making the Circle Tour a memorable event. We plan to explore it more in the future. We felt very much included and not the outsiders at all. Please enjoy the rest of your Summer.

Leon and Kristy Motz