CITY CODE

CITY OF BLUE EARTH

TABLE OF CONTENTS

CHAPTER 1 - CODE INTRODUCTION:

Section 100 - General Provisions:

100.01 Adoption of Code
100.02 Code Citation
100.03 Numbering
100.04 Title Headings; Cross References
100.05 Existing Rights and Liberties
100.06 Additions and Amendments
100.07 Separability
100.08 Payment into City Treasury of Fines and Penalties
100.09 Copies

Section 110 - Definitions and Rules of Construction:

110.01 Intent of Language
110.02 Definitions
110.03 Rules of Construction
110.04 Interpretations
110.05 Delegation of Authority

Section 120 - Violations and Penalties:

120.01 Petty Misdemeanor
120.02 Misdemeanor
120.03 Penalties for Each Offense
120.04 Court Costs and Prosecution Expenses
120.05 City Personnel Liability
120.06 Liability for Acts of Another
Section 130 – Administrative Offense Procedures:

130.01 Purpose
130.02 Administrative Offense Defined
130.03 Notice
130.04 Payment
130.05 Contested Case
130.06 Failure to Pay
130.07 Disposition of Penalties
130.08 Offenses and Penalties
130.09 Subsequent Offenses
CHAPTER 2 - OPERATIONS AND ADMINISTRATION

Section 200 - Meetings:

200.01 Public Meetings
200.02 City Council Meetings
200.03 Council Meeting Procedure
200.04 Order of Business at Meetings
200.05 Procedural Rules
200.06 Council to Set City Personnel Rules and Regulations

Section 210 - The Mayor and Councilmembers:

210.01 The Mayor
210.02 The Councilmembers
210.03 Compensation of Elected City Officials
210.04 Terms of Office
210.05 Elections
210.06 Polling Location
210.07 Facsimile Signatures
210.08 Interim Emergency Succession
210.09 Disbursement of Funds and Allowance of Accounts

Section 220 - Clerk-Administrator:

220.01 Position Created
220.02 Chief Administrative Officer
220.03 Appointment and Removal
220.04 Selection
220.05 Responsibilities
220.06 Bond
220.07 Deputy City Clerk (removed)

Section 230 - Public Hearings and Appeals:

230.01 Public Hearings
230.02 Right to an Administrative Appeal
230.03 Rule of Procedure for Hearings and Appeals
230.04 Applications and Other Filings
Section 240 - City Departments:

240.01 Departments Generally
240.02 Police Department
240.03 Fire Department
240.04 Legal Department
240.05 Engineering Department
240.06 Public Works Department
240.07 Building Department
240.08 Additional Departments

Section 250 - City Boards and Commissions:

250.01 Boards and Commissions Generally
250.02 Library Board
250.03 Planning Commission
250.04 Board of Zoning Adjustments and Appeals
250.05 Board of Building Appeals
250.06 Economic Development Authority
250.07 Blue Earth Airport Advisory Commission
250.09 Housing and Redevelopment Authority
250.10 Senior Center Board
250.11 Fitness Center Board
250.12 Joint Fire Service Advisory Board
250.13 Joint Planning Boards
250.14 Additional Boards, Commissions or Authorities

Section 260 - Abandoned and Excess Property:

260.01 Disposal of Abandoned, Junk and Unauthorized Motor Vehicles
260.02 Disposal of Unclaimed Property
260.03 Disposal of Excess Property
260.04 Persons Who May Not Purchase - Exception

Section 270 - Franchises:

270.01 Definition
270.02 Franchise Ordinances
270.03 Power of Regulation Reserved
270.04 Conditions in Every Franchise
270.05 Further Provisions of Franchises
270.06 Franchise Agreements in Effect

Section 280 – Deferment of Special Assessments:

280.01 Deferments for Persons Age 65 or Older
280.02 Deferments for National Guard or Reserve Members on Active Duty Status
CHAPTER 3 - MUNICIPAL REGULATION AND LICENSING

Section 300 - General Licensing and Regulation Provisions:

300.01 Definitions
300.02 Applications
300.03 Action on Application for License
300.04 Carrying or Posting
300.05 Penalty for Property Owners
300.06 Responsibility of Licensee
300.07 Reasons for Denial of License
300.08 Conviction of Crime - Denial of License
300.09 Conditional Licenses

Section 310 - Peddlers, Solicitors and Transient Merchants:

310.01 Definitions
310.02 Exceptions to Definitions
310.03 Licensing
310.04 License Exceptions
310.05 Ineligibility for License
310.06 Suspension or Revocation
310.07 Transferability
310.08 Registration
310.09 Prohibited Activities
310.10 Exclusion by Placard

Section 320 - Retail Sale of Tobacco Products:

320.01 License
320.02 Application and Issuance
320.03 Sales Prohibited to Minors
320.04 Transfers
320.05 Restrictions
320.06 Administrative Penalties
320.07 Self-Service Sales
320.08 Vending Machine Sales
320.09 Compliance Checks
320.10 Suspension and Revocation
Section 330 - Gambling:

330.01 Adoption of State Law by Reference
330.02 City May Be More Restrictive Than State Law
330.03 Purpose
330.04 Definitions
330.05 Applicability
330.06 Lawful Gambling Permitted
330.07 Council Approval
330.08 Application and Local Approval of Premises Permits
330.09 Local Permits
330.10 Revocation and Suspension of Local Permit
330.11 License and Permit Display
330.12 Notification of Material Changes to Application
330.14 Designated Trade Area
330.15 Records and Reporting
330.16 Hours of Operation
330.17 Penalty
330.18 Severability

Section 340 - Garbage and Refuse Haulers:

340.01 Definitions
340.02 License Required
340.03 License Fees
340.04 Exception
340.05 Rates and Standards of Operation

Section 350 - Lodging:

350.01 Definitions
350.02 Imposition of Tax
350.03 Collection of Tax
350.04 Payment and Returns
350.05 Examination of Return, Adjustment, Notice and Demands
350.06 Failure to File a Return
350.07 Penalties
350.08 Administration of Tax
350.09 Examination of Records
350.10 Violations
350.11 Use of Proceeds
350.12 Appeals
Section 360 - Animals:

360.01 Definitions
360.02 Dogs and Cats
360.03 Non-Domestic Animals
360.04 Farm Animals
360.05 Kennels
360.06 Nuisances
360.07 Dangerous Animals
360.08 Diseased Animals
360.09 Basic Care
360.10 Pound
360.11 Impounding
360.12 Interference with Police Officer
360.13 Regulation of Dangerous and Potentially Dangerous Dogs
360.14 Penalties
360.15 Urban Chickens
360.16 Urban Honeybees

Section 370 - Burning of Leaves:

370.01 Burning of Leaves
370.02 Leaf Burning

Section 380 – Moving Buildings

380.01 Definitions
380.02 House Mover’s License
380.03 Building Moving Permit
380.04 Deposit for Expense
380.05 Duties of City
380.06 Conditions of Permit

Section 390 – Tattoo Establishments

390.01 Purpose
390.02 Definitions
390.03 License required: exception
390.04 Application for license
390.05 Fees
390.06 Consideration by city
390.07 Posting of license
390.08 Expiration
390.09 Ineligible persons
390.10 Ineligible locations
390.11 Restrictions; requirements
390.12 Health and sanitation requirements
390.13 Violations
CHAPTER 4 - LIQUOR, WINE AND BEER LICENSING AND REGULATIONS

Section 400 - General Regulation:

400.01 Definitions
400.02 Applications and Licenses - Procedures and Administration
400.03 Limitation on Ownership
400.04 Conditional Licenses
400.05 Closing Regulations
400.06 Sales to Obviously Intoxicated Persons

Section 410 - Beer Licenses and Regulations (Non-Intoxicating Malt Liquor):

410.01 Beer License Required
410.02 Temporary Beer License
410.03 Beer License Fees
410.04 Insurance Required
410.05 Persons Eligible
410.06 License Restrictions and Regulations
410.07 Persons Under 21; Illegal Acts
410.08 Unlawful Acts

Section 420 - Intoxicating Liquor and Wine Licenses and Regulations:

420.01 Intoxicating Liquor Generally
420.02 Intoxicating Liquor License Fee
420.03 Brewer Malt Liquor License Fee
420.04 Persons Eligible
420.05 Intoxicating Liquor License Restrictions and Regulations
420.06 Places Ineligible for License
420.07 Intoxicating Liquor Sale Regulation
420.08 Hours and Days of Liquor Sale
420.09 Persons Under 21; Illegal Acts
420.10 On-Sale Wine Licenses
420.11 Temporary “On-Sale” Liquor Licenses
420.12 Administrative Penalties

Section 430 - Other Licenses and Regulations:

430.01 Clubs
430.02 Consumption and Display of Liquor
430.03 Municipal Liquor Store
430.04 2:00 A.M. Special License
430.05 Special Sunday Liquor License
430.06 Social Hosts
CHAPTER 5 - NUISANCES AND OFFENSES

Section 500 - Nuisances in General:

500.01 Public Nuisance Defined
500.02 Public Nuisances Affecting Health
500.03 Public Nuisances Affecting Morals and Decency
500.04 Public Nuisances Affecting Peace and Safety
500.05 Nuisances Affecting Public Property
500.06 Duties of City Officers
500.07 Abatement
500.08 Recovery of Cost

Section 510 - Specific Public Nuisances:

510.01 Shade Tree Disease Control and Removal
510.02 Unusable and Dangerous Furniture, Household Furnishing and Appliances Stored on Public or Private Property
510.03 Grass and Weeds
510.04 Air Pollution Control
510.05 Noise and Vibrations Affecting Peace and Safety

Section 520 - Offenses:

520.01 Unlawful Use and Furnishing of Tobacco
520.02 Curfew
520.03 Consumption of Beer, Wine or Liquor on Streets or Private Parking Lots
520.04 Obscenity Prohibited
520.05 Abandoned, Junk, Unauthorized and Illegally Parked Motor Vehicles
520.06 Obstruction of Legal Process or Arrest
520.07 Storage of Refuse and/or Garbage Within City Limits

Section 530 – Building Maintenance Standards

530.01 Purpose
530.02 Application
530.03 Responsibility of Owners
530.04 Maintenance Requirements
530.05 Commencement of Proceedings
530.06 Notice and Order
530.07 Enforcement
Section 540 – Vacant Building Registration

540.01 Definitions
540.02 Registration and Fees
540.03 Records on Property
540.04 Exemptions
540.05 Inspections
540.06 Inventory
540.07 Collection of Unpaid Fees
540.08 Violations
540.09 Severability
CHAPTER 6 - TRAFFIC, VEHICLE AND PARKING REGULATIONS

Section 600 - General Provisions:

600.01 Application
600.02 Scope and Orders of Peace Officer
600.03 Traffic and Parking Control
600.04 Minnesota Chapters 168, 169 and 171 Adopted by Reference
600.05 Presumption

Section 610 - Traffic Regulations:

610.01 Truck Route
610.02 Load Limits
610.03 U-Turns
610.04 Driving Through Private Property to Avoid Traffic Signal
610.05 Exhibition Driving
610.06 Regulation of Traffic on School Property
610.07 Regulation of Traffic on Fairgrounds Property

Section 620 - Vehicle Regulations:

620.01 Bicycles
620.02 Skateboards
620.03 In-Line Skating (Rollerblading)
620.04 (repealed)
620.05 Snowmobiles
620.07 Special Vehicles. Use on Roadways.

Section 630 - Parking Regulations:

630.01 Parking Presumption
630.02 General Parking Prohibitions
630.03 Boat, Trailer and Recreational Vehicle Parking.
630.04 Unauthorized Removal
630.05 Direction to Proceed
630.06 Parallel Parking
630.07 Angle Parking
630.08 Streets Without Curb
630.09 Parking Hours
630.10 Emergency
630.11 Truck Parking
630.12 Parking Rules in Municipal Parking Lots
630.13 Impounding and Removing Vehicles
630.14 Loading Zones
630.15 Unattended Vehicle
630.16 Parking for the Purpose of Advertising or Selling Merchandise
630.17 Physically Handicapped Parking
630.18 Winter Parking Ban
630.19 Parking Penalties
630.20 Parking Permits

Section 640 - Snow Removal/Ice Control:

640.01 Policy Statement
640.02 Snow Removal and Ice Control Operations
640.03 Priorities and Schedule for Which Streets Will be Plowed
640.04 Snow Removal
640.05 Snow Emergency
640.06 Work Schedule for Snowplow Operators
640.07 Weather Conditions
640.08 Use of Sand, Salt and Other Chemicals
640.09 Sidewalks
640.10 Mailboxes
640.11 Responsibility
640.12 Penalties
CHAPTER 7 - MUNICIPAL UTILITIES

Section 700 - General Provisions:

700.01 Definitions
700.02 Contractual Contents
700.03 Deferral of Special Assessments
700.04 Underground Utility Construction

Section 710 - Municipal Utilities:

710.01 Board of Public Works
710.02 Franchise Fee Payment from Board of Public Works
710.03 Fixing Rates and Charges for Municipal Utilities
710.04 Connection or Tapping Prohibited - Delinquent Assessment or Charges
710.05 Rules and Regulations Relating to Municipal Utilities
710.06 Municipal Utility Service Outside the City
710.07 Rules and Regulations Relating to Electricity
710.08 Rules and Regulations Relating to Steam Heat

Section 720 - Municipal Sewer and Water Services:

720.01 Administration of Sewer and Water Services
720.02 Rules and Regulations Relating to Sewer Services
720.03 Rules and Regulations Relating to Water Services
720.04 Prohibition of New Private Water Wells

Section 730 – City Storm Water Utility:

730.01 Establishment
730.02 Findings and Determination
730.03 Storm Water Drainage Fees
730.04 Penalties and Remedies for Delinquencies
730.05 Exemptions
730.06 Certification of Past Due Fees on Taxes
730.07 Establishment of a Fund

Section 740 – City Dumpster Service Utility:

740.01 Establishment
740.02 Findings and Determination of Need
740.03 Establishment of a Fund
740.04 Dumpster Service Fees
740.05 Exemptions
CHAPTER 8 - RIGHT-OF-WAYS, STREETS AND SIDEWALKS

Section 800 - Right-of-Way Regulations:

800.01 Street Openings and Excavations
800.013 Revocation of Permits
800.015 Right-of-Way Patching and Restoration
800.017 License to Replace Bituminous or Concrete Materials in a Public Right-of-Way
800.02 Construction and Reconstruction of Roadway Surfacing, Sidewalk, Curb and Gutter
800.03 Requirement of Sewer and Water Main Lateral Installation
800.04 Curb Set-Back

Section 810 - Street and Sidewalk Regulations:

810.01 Sidewalk Maintenance and Repair
810.02 Obstructions, Fire, Dumping, Signs and Other Structures
810.03 Private Use of Public Streets and Parking Lots
810.04 Curb and Gutter, Street and Sidewalk Painting or Coloring

Section 820 - Boulevard Regulation:

820.01 Boulevard Planting
820.02 Permits
820.03 Areas Not Applicable
820.04 Prohibitive Obstructions
820.05 Trimming of Trees
820.06 Tree Ordinance Fees
820.07 Emergencies

Section 830 - Violations:

830.01 Violations
830.02 Misdemeanors
830.03 Petty Misdemeanors
CHAPTER 9 - BUILDING AND CONSTRUCTION LICENSING AND REGULATION

Section 900 - Building and Construction:

900.01 Codes Adopted by Reference
900.02 Application, Administration and Enforcement
900.03 Permits, Inspections and Fees
900.035 Violations and Penalties
900.04 Surcharge
900.05 Powers and Duties of Building Inspector
900.06 Unsafe Buildings
900.07 Building Code Optional Chapters

Section 910 - Miscellaneous Building Regulations:

910.01 Uniform Housing Code Adopted
910.02 Toilet Installation Required
910.03 Remote-Type Water Meters Required
910.04 Open Pits, Basements, and Other Excavations
910.05 Mobile Home Foundation Requirements

Section 920 - Fire Regulations:

920.01 Adoption of Minnesota Uniform Fire Code
920.02 Fire Zones Established
920.03 Fire Key Lock Box System Required
920.04 Residence and Business Address Numbering
920.05 External Solid Fuel-Fired Heating Devices
CHAPTER 10 - LAND USE REGULATION (ZONING)

Section 1000 - General Provisions:

1000.01 Title
1000.02 Intent and Purpose
1000.03 Legal Authority
1000.04 Supremacy
1000.05 Remedies
1000.06 Definitions

Section 1010 - Administration:

1010.01 Enforcing Officer
1010.02 Board of Adjustment and Appeals
1010.03 Planning Commission
1010.04 Zoning Amendments
1010.05 Fees
1010.06 Existing Lots
1010.07 Non-Conforming Uses and Structures
1010.08 Conditional Use Permits
1010.09 Variances

Section 1020 - District Regulations:

1020.01 District Boundaries
1020.02 District for Annexed and Unzoned Areas
1020.03 District Regulations
1020.04 Opt-Out of Minnesota Statutes, Section 462.3593

Section 1030 - Zoning Districts:

1030.01 Establishment of Districts
1030.02 Agricultural Preservation Districts (AG)
1030.03 Residential Districts (R-1)
1030.04 Suburban Residential Districts (R-2)
1030.05 General Business Districts (B-1)
1030.06 Highway Business Districts (B-2)
1030.07 Limited Industry Districts (L-1)
1030.08 Floodplain Districts (FP)
1030.09 Shoreland Zoning Districts (S)
1030.10 General Industrial (GI)
1030.11 Central Business District (CBD)
Section 1040 - Performance Standards:

1040.01 Purpose
1040.02 Exterior Storage
1040.03 Refuse
1040.04 Screening
1040.05 Landscaping Maintenance
1040.06 Glare
1040.07 Parking
1040.08 Traffic Control
1040.09 Tree and Woodland Preservation
1040.10 Soil Erosion and Sediment Control
1040.11 Explosives
1040.12 Guest Houses
1040.13 Drive-In Business Development Standards
1040.14 Auto Service Stations
1040.15 Manufactured Homes
1040.155 Manufactured Home Parks
1040.16 Bulk Storage (Liquids)
1040.17 Accessory Buildings and Structures
1040.18 Land Reclamation
1040.19 Dwelling Units Prohibited
1040.20 Farming Operations
1040.21 Vacated Streets
1040.22 Platting
1040.23 Permitted Encroachments
1040.24 Access Drives and Access
1040.25 Commercial Feedlots
1040.26 Irrigation Systems
1040.27 Cluster Development
1040.28 Signs
1040.29 Apartments and Other Multiple Family Uses
1040.30 Wind Energy Conservation Systems (WECS)
1040.31 Garages
1040.32 Solar Systems

Section 1050 - Planned Unit Development:

1050.01 Purpose
1050.02 Designation of PUD
1050.03 Permitted Uses
1050.04 General Requirements
1050.05 Concept Plan
1050.06 Final Plan
1050.07 Development
1050.08 Non-Conforming Uses and Structures
Section 1060 - Floodplain Management:

1060.01 Statutory Authorization, Findings of Fact and Purpose
1060.02 General Provisions
1060.03 Establishment of Zoning Districts
1060.04 Floodway Districts (FW)
1060.05 Flood Fringe Districts (FF)
1060.06 Subdivisions
1060.07 Public Utilities, Railroads, Roads and Bridges
1060.08 Manufactured Homes and Manufactured Home Parks and Placement of Travel Trailers and Travel Vehicles
1060.09 Administration
1060.10 Non-Conforming Uses
1060.11 Penalties for Violation of Section
1060.12 Amendments to Section
CHAPTER 11 - SUBDIVISION REGULATION (PLATTING)

Section 1100 - General Provisions:

1100.01 Title
1100.02 Intent and Purpose
1100.03 Scope and Legal Authority
1100.04 Compliance
1100.05 Required Approvals of Subdivision Plats
1100.06 Definitions

Section 1110 - Platting Procedures:

1110.01 Pre-Application Meeting
1110.02 Preliminary Plat
1110.03 Final Plat
1110.04 Data for Preliminary and Final Plats

Section 1120 - Subdivision Design Standards:

1120.01 General Requirements
1120.02 Streets
1120.03 Blocks
1120.04 Lots
1120.05 Tree Removal and Conservation of Vegetation
1120.06 Erosion and Sediment Control
1120.07 Drainage
1120.08 Utilities
1120.09 Easements
1120.10 Steep Slopes
1120.11 Monuments

Section 1130 - Improvements:

1130.01 General Requirement
1130.02 Payment for Installation of Improvements
1130.03 Contract for Installation of Improvements
1130.04 Financial Guarantee
1130.05 Construction Plans

Section 1140 - Conveyance by Metes and Bounds:

1140.01 Prohibition
1140.02 Exceptions.
Section 1150 - Land Division for Small Subdivisions:

1150.01 General
1150.02 Simple Lot Split
1150.03 Minor Subdivisions

Section 1160 - Parks, Open Space and Natural Features:

1160.01 Identified Park Areas
1160.02 Suitable Park Sites
1160.03 Required Land for Public Use
1160.04 Dedication During First Plat

Section 1170 - Administration and Enforcement:

1170.01 Administration
1170.02 Zoning, Compliance Permits
1170.03 Modifications, Exceptions and Variances
1170.04 Fees
1170.05 Other Provisions
CHAPTER 12 – EMERGENCY SERVICES

Section 1200

1200.01 Charges for Emergency Services
1200.02 Collection of Fees
1200.03 Assessment Against Holders of Real Property
1200.04 Scope of Power
CHAPTER 13 – LOCAL SALES AND USE TAX

13.01 Authority
13.02 Definitions
13.03 Local sales and use tax imposed; amount of tax; coordination with state sales and use tax laws and rules
13.04 Effective date of tax; transitional sales
13.05 Tax Clearance; Issuance of Licenses
13.06 Deposit of revenues; costs of administration; termination of tax
13.07 Agreement with the commissioner
13.08 Summary publication
13.09
CHAPTER 20 - APPENDIXES - LISTING OF UNCODED ORDINANCES
IN EFFECT:

General Statement

Appendix A - Authorizations, Bond Issuances and Grants
   Section A - Authorizes Construction of Telephone Lines
   Section B - Bond Issuance
   Section C - Grant to Chicago and Northwestern Railway

Appendix B - Charter Amendments

Appendix C - Vacations of Streets and Alleys

Appendix D - Annexations

Appendix E - Conveyances of Real Property Made By City

Appendix F - Franchises
   Section A - Cable Franchise
   Section B - Gas Franchise

Appendix G – (repealed)

Appendix H – Zoning and Zoning Permit Fees

Appendix I – Subdivision Fees

Appendix J – Re-zoning Ordinances

Appendix K - Airport Zoning

Appendix L – Miscellaneous Ordinances