



City of Sunfish Lake
City Council Agenda Report

7-A

TO: Mayor O’Leary and Members of the Sunfish Lake City Council
FROM: Kori Land, City Attorney
DATE: October 14, 2025
RE: Ordinance Adopting State Fire Code and Resolution Appointing the Mendota Heights Fire Department as the City Fire Department

BACKGROUND

Minnesota State Statutes Chapter 299F was enacted as the official State Fire Code of Minnesota. Minnesota Statutes, Section 299F.011 Subd. 4 requires each political subdivision (cities and counties) to enforce the provisions of the State Fire Code. The City Council is authorized under Minnesota Statutes Section 412.221 Subd. 17 to establish a fire department, appoint its officers and members, and prescribe their duties.

DISCUSSION

The City Attorney’s Office has prepared draft Ordinance No. 2025-X amending Article VII of the City Code of Sunfish Lake to add Section 702 titled “Fire Department; Fire Prevention and Protection” to the Sunfish Lake City Code. The Ordinance adopts the State Fire Code and authorizes the City Council to appoint a Fire Department and Fire Marshal.

RECOMMENDATION

Review and approve the (1) Ordinance adopting the Minnesota State Fire Code; and (2) Resolution declaring Mendota Heights as the City Fire Department

ATTACHMENTS

- Ordinance No. 2025-3, Amending Article VII of the City Code of the City of Sunfish Lake to adopt the State Fire Code
- Resolution No. 2025-11, Appointing Mendota Heights as the City Fire Department

**CITY OF SUNFISH LAKE
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 2025-3

**AN ORDINANCE AMENDING ARTICLE VII OF THE CITY CODE OF THE CITY OF
SUNFISH LAKE BY ADDING FIRE DEPARTMENT SECTION 702 ADOPTING THE
MINNESOTA STATE FIRE CODE**

The City Council of the City of Sunfish Lake does ordain:

SECTION 1. AMENDMENT. That the Sunfish Lake, Minnesota City Code Article VII, is hereby amended by adding Section 702 as follows:

SECTION 702: FIRE DEPARTMENT; FIRE PREVENTION AND PROTECTION

SECTION 702.01 Adoption of Minnesota State Fire Code:

The current edition of Chapter 299F of the Minnesota Statutes (the Minnesota State Fire Code) and any amendments thereto established and promulgated by the Minnesota Commissioner of Public Safety, is hereby adopted as the Fire Code of the City of Sunfish Lake.

SECTION 702.02 Definitions:

For this Part, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

FIRE CHIEF and/or FIRE MARSHAL. The Fire Chief and Fire Marshal of the Fire Department providing fire protection services to the City.

SECTION 702.03 Fire Department:

The City of Sunfish Lake shall have a Fire Department with such duties and qualifications as authorized and required by Minnesota law and this Code. In fulfilling this mandate, the City may hire and support appropriate staff to conduct the Fire Department functions, or the City may contract with one or more governmental entities maintaining qualified firefighters to fulfill these duties and provide Fire Department services to the City.

The approach decided upon shall be determined by the City Council, and if these functions are to be provided through a contract with another governmental entity, all references in the City Code and the ordinances of the City of Sunfish Lake to the "Fire Department," "Sunfish Lake Fire Department," or the "Fire Department of the City of Sunfish Lake" shall mean the Fire Department designated by the City Council, and references to the Fire Chief, Fire Marshal, and other Fire Department personnel shall

mean the Fire Chief, Fire Marshal, and other Fire Department personnel of said designated Fire Department.

SECTION 702.04 Enforcement:

The Fire Marshal, the Fire Marshal's designees, or the City's Police Department shall be responsible for the enforcement of this Part. The Fire Chief, Fire Marshal, and the designees of the Fire Chief and Fire Marshal are authorized to issue citations for violations of the Minnesota State Fire Code and any provisions of this Part.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minn. Stat. 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The text amendment modifies the City Code to adopt the Minnesota State Fire Code and authorizes the City to contract with another government entity to perform the services of a Fire Department.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective after its passage and publication according to law.

Adopted by the City Council of the City of Sunfish Lake this 14th day of October, 2025.

CITY OF SUNFISH LAKE

Daniel O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk

**CITY OF SUNFISH LAKE
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 2025-11

**RESOLUTION APPOINTING THE CITY OF MENDOTA HEIGHTS FIRE
DEPARTMENT AS THE FIRE DEPARTMENT AND FIRE MARSHAL FOR THE CITY
OF SUNFISH LAKE**

WHEREAS, Minnesota Statutes, Section 299F.011 requires the City of Sunfish Lake to enforce the Minnesota Fire Code within the City; and

WHEREAS, the City Council has the authority to establish a fire department, appoint its officers and members, and prescribe their duties under Minnesota Statutes Section 412.221; and

WHEREAS, the City has contracted with the City of Mendota Heights to perform these Fire Department services for many years and desires to officially acknowledge the relationship and appoint the Fire Department of the City of Mendota Heights to serve as the official Fire Department and Fire Marshal of the City of Sunfish Lake.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNFISH LAKE that the Fire Department of the City of Mendota Heights is hereby appointed as the Fire Department and Fire Marshal of the City of Sunfish Lake.

Adopted by the City Council of the City of Sunfish Lake this 14th day of October, 2025.

CITY OF SUNFISH LAKE

Daniel O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk