



City of Sunfish Lake
City Council Agenda Report

7b

TO: Sunfish Lake City Council
FROM: Kori Land, City Attorney
DATE: December 9, 2025
RE: City Code Ordinance Amendments

BACKGROUND

As we have reviewed and revised the Zoning Ordinance, it became clear that many sections including in zoning are more appropriately placed in the City Code for administrative enforcement. Attached are several ordinance amendments for your consideration, which must be adopted simultaneously with the Zoning Ordinance repeal and replace so that the changes are seamless without a gap in time.

DISCUSSION

Land Alteration Permits – Section 1106.03

In the Site Plan Approval Process, there was a section on Land Alteration Permits that address Tree Removal, Site Grading and Hard Surface Permits. Since we eliminated the Site Plan Approval for single family residential, tree removal is now entirely included in the tree preservation ordinance (Zoning Section 1207.07), so we only needed to preserve earth-moving activity, which should be covered by a building permit issued by the Building Official. The words are verbatim from the old ordinance, with the exception of adding that soil erosion plans must comply with the new Zoning Section 1208.01 (Environmental Standards – Soil Erosion and Sedimentation Control)

Water Use Permits – Section 1107

This activity used to require an Interim Use Permit from the City Council. Instead, it will only require a permit from the City Engineer. No other changes were made to the existing ordinance.

Essential Services – Section 613

This is a new section in City Code for Essential Services that was formerly covered in Major Site Plan Approval. Essential services are for electric, phone and gas lines. Most cities address the placement of utilities through the right of way ordinance, which requires a permit from the City Engineer, which is what we will now do. Essential Services are considered a permitted use in zoning, so no CUP or Major Site Plan Approval will be needed and the City Engineer will ensure that proper placement, mapping and construction comply with all ordinances and regulations.

Fee Ordinance – Section 202

The existing City Code has three different sections that addressed fees, which are now consolidated into one fee table in Section 202. In addition, we have updated the escrow requirements, since they had not been increased in several years, and incorporated all new permits/terminology that is included in the Zoning Ordinance revisions, such as Tree Removal and Replacement Plan fee, Tree Replacement Fund, Diseased Tree Abatement fee, etc.)

Nuisances – Section 603

The Zoning Code regulated diseased trees and the City Code generally described nuisance activity, such as health (garbage, weeds, smoke), peace and safety (obstructions, vibrations, accumulation of unused items), animals (barking, destroying private property), deer feeding, junk vehicles, but the penalty for all was a criminal citation as a misdemeanor. The new nuisance section keeps the old nuisances and adds new nuisances that tend to annoy a considerable number of members of the public (chronic traffic, noisy parties, accumulation of junk, junk vehicles). We added a property maintenance section (603.06) that buildings, fences or other structures must be properly maintained, free of rotting boards, peeling paint, broken windows or screens. In addition, no temporary structures are allowed, RVs cannot be used for human habitation and parking must be on an approved surface.

The most significant change is in the penalty section (603.11). For certain violations, a notice of violation must be served with a compliance deadline. Failure to comply results in a hearing before the Council and if ordered, the City can abate the nuisance and assess the costs against the property. Nuisance violations are still a misdemeanor for those types of violations that the City is unable to abate.

Building Code – Section 1001

While the existing City Code has several sections on building permits, there were also provisions in Zoning for inspections and Certificates of Occupancy under the Major Site Plan process. Consolidating all of the Building Code sections into one Chapter makes the most sense for the residents and for the Building Official. New Section 1001 covers all of these Building Code-related issues and has been reviewed and approved by the Building Official. Escrows that were previously collected with Major Site Plan applications will be collected upon building permit application and will cover all consultant costs, including the Planner and Engineer. The most significant change from current code is the requirement that all building permits for new construction will require a Temp. Certificate of Occupancy escrow up front. If not needed, then the fee will be returned in full. If needed, we hold onto it until a permanent Certificate of Occupancy is issued. This fee has been added to the Fee Schedule in Section 202. In addition, we added a section on Plumbing Permits so that the City do not have to submit plans to the State and wait several months for their review. Instead, we can have them reviewed by the Building Official and processed more efficiently.

Signs – Section 1005

We moved the regulations regarding Signs from Zoning and are adding a new section to the City Code in order to avoid creating legal nonconforming signs or standards that would allow less desirable outcomes to continue to exist. Definitions were added to include Commercial and Noncommercial speech, as well as many other sign definitions. The PC reviewed the sign ordinance and offered input regarding the sizes, types and number of signs per lot, as well as other performance standards.

The ordinance is as constitutional as possible, not regulating the content, only time, place and manner of signs. (The general rule is that if you have to read the sign to know what type of sign it is, then your ordinance will not withstand judicial scrutiny)

Changes:

- There are no administrative permits for temporary signs, but instead, there are performance standards.
- R-1 district allows the following signs:
 - Up to 3 Flags with a max. height of 10' above the tallest structure with a setback at least equal to the height of the flagpole
 - One Home Occupation sign up to 2 ½ square feet mounted on the wall of the house
 - Up to 2 noncommercial speech yard signs that are no more than 6 square feet each and no more than 3' in height
 - Identification signs, government signs, emergency signs, etc.
- The INS district allows the following signs:
 - Wall signs up to 80 sq. ft. on the principal building only
 - Monument signs up to 100 sq. ft. with a max. height of 12 feet, including the base.
 - A dynamic display or electronic reader board sign, but it must be incorporated into a wall sign or a monument sign and comply with the size and height requirements above. Only one electronic sign is allowed per property. Other requirements around brightness, transitions, dimming of an electronic sign have been incorporated into the ordinance.
 - Flags and noncommercial speech yard signs are the same regulations as in the R-1
- Temporary Signs:
 - Election signs are allowed in both zoning districts and we have mirrored the state law.
 - Construction signs at active construction sites – up to 4, max of 10 sq. ft., 6' tall, but no more than an aggregate of 32 sq. ft. of signage
 - Event signs, up to 6 sq. ft., 3' tall, 10 days prior to the event and removed within 24 hours, and the signs will count toward the number of noncommercial speech signs allowed.
- Building permits are required for wall signs and monument signs in the INS district

Animals – Section 608

We created an animal permit section for chickens, horses and bees. No other farm animals are allowed, except for temporary removal of invasive species:

- Up to 2 horses, 10 chickens and 2 colonies for ½ acre lots, or 3 more colonies for each additional ½ acre, up to 5 colonies
- Planner will issue permits following notice to abutting property owners. Initial term is one year and if no complaints, additional terms are 3 years.
- Animal enclosures must be setback from the property line at least 25'
- Violations will result in administrative revocation of the permit, with an appeal process to be heard by the City Council
- Adopted the statutory dangerous dog regulations
- All violations are a petty misdemeanor, except for dangerous dogs

RECOMMENDATION

Discuss and provide direction.

ATTACHMENTS

Land Alteration Permits – Section 1106.03

Water Use Permits – Section 1107

Essential Services – Section 613

Fee Ordinance – Section 202

Nuisances – Section 603

Building Code – Section 1001

Signs – Section 1005

Animals – Section 608

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

ORDINANCE NO.

**AN ORDINANCE ENACTING SECTION 1106.03
OF THE SUNFISH LAKE CITY CODE RELATING
TO LAND ALTERATION PERMITS**

The City Council of the City of Sunfish Lake does hereby ordain as follows:

SECTION 1. ENACTMENT OF CITY CODE SECTION 1106.03. Section 1106.03 of the Sunfish Lake City Code is hereby enacted to read as follows:

1106.03 LAND ALTERATION PERMITS

Subd. 1. Purpose. Based upon the established Comprehensive Plan, it is the policy of the City of Sunfish Lake to preserve and promote an attractive, stable residential environment for its citizens which is in keeping with the open, natural character of the community. As a means to maintain and achieve this objective every property owner shall, before the alteration of land, make application for a land alteration permit pursuant to this section.

Subd. 2. Types of Permits.

A. Site Grading Permit.

1. Except as provided below, a grading permit shall be required for all earth disturbing activities and shall be issued by the City Building Official, who may confer with other City Staff and consultants regarding acceptability of the proposed grading or excavation activity.
2. Except as provided in the Shoreland Overlay District, the grading, excavation, removal and/or filling of less than fifty (50) cubic yards of dirt, sand, gravel/rock, mulch, or other natural material provided site drainage is not altered, including such activities commonly associated with gardening (e.g., soil amendments, tree/shrub planting, reseeding and rototilling) and grading associated with the resurfacing or top dressing of existing driveways, shall not require a permit.
3. When associated with building additions/alterations or other construction activities requiring a building permit, a separate grading permit shall not be required.

B. Hard Surfacing Permit.

1. Except as provided below, the hard surfacing of an area requires a building

permit from the City Building Official.

2. The hard surfacing of an area one thousand (1,000) square feet or less, or the hard surfacing of an existing driveway or a new driveway provided that, in any such case, the site drainage is unaltered and equal to that before construction does not require a permit, unless required by the Building Official.
3. The hard surfacing of an area not exceeding two hundred (200) square feet within any consecutive three (3) year period provided that the site drainage is unaltered does not require a permit, unless required by the Building Official.

Subd. 3. Procedures for all permits.

- A. Permit requests shall be filed on an official application form. Such application shall be accompanied by a fee as provided for by the City's fee schedule.
- B. The City staff shall prepare technical reports when deemed necessary and shall conduct a technical review and be responsible for the processing and approval or denial of the permit.
- C. The City staff shall have the authority to request additional information from the applicant concerning project details or operational factors, or to retain expert testimony with the consent, and at the expense of the applicant, concerning operational factors. Said information is to be declared necessary to evaluate the request and/or establish performance conditions in relation to processing the permit application. Failure on the part of the applicant to supply all necessary supportive information may be grounds for denial of the request.
- D. The City staff shall approve or deny the permit and may impose such conditions or requirements as may be deemed necessary to carry out the intent and purpose of this section.

Subd. 4. Evaluation Criteria. The City staff shall evaluate the effects of the proposed alterations and tree removal. This review shall include, but not be limited to, the following:

- A. Whether the proposed alterations are compatible and in harmony with the surrounding community.
- B. Whether the proposed alterations preserve the character and nature of the surrounding community, including the natural landscape and woodland characteristics of the community.
- C. Whether the proposed alterations will not materially adversely affect any natural resources in the community, except when there is no feasible and prudent alternative to the proposed location of the alterations. For purposes of this clause, "natural resources" shall include, but not be limited to, all mineral, animal,

botanical, air, water, land, timber, soil, quietude, recreational, historical, scenic and aesthetic resources.

D. Whether the proposed alterations shall have an appearance that will not have an adverse effect upon adjacent residential properties.

E. Whether the proposed alterations comply with drainage requirements in City Code.

Subd. 5. Information Requirement. The information required for all permit applications generally consists of the following items and shall be submitted when requested by the City.

A. Existing Information.

1. Names, addresses, and phone numbers of property owner(s), applicant, surveyor, architect, engineer, or other persons associated with the project.
2. Proof of title and the legal description of the property.
3. Property boundary lines in relation to a known section, quarter section, or quarter-quarter section line(s) comprising a legal description of the property and including bearings, distances, curve data, and total acreage of parcel.
4. Lot dimensions, including width as measured at the front building setback line.
5. Building setbacks, existing and proposed.
6. North arrow and scale no smaller than 1 inch = 100 feet.
7. Existing land uses.
8. Layout of buildings, old foundations, septic systems, wells, and other site elements which currently exist on the property and those on adjacent properties to within three hundred fifty (350) feet.
9. Adjacent streets and/or rights-of-ways (public or private), curb cuts, driveways, etc.
10. Existing topography, unless waived by the City Planner.
11. Location, size, species, and present condition of all significant trees/vegetation on site.
12. Shoreline, water elevation, 100-Year Floodplain and Ordinary High Water Mark (if applicable).

13. Formal delineation of wetlands, lakes, streams, and other waters on or immediately adjacent to the site, certified by a registered engineer, in accordance with the 1991 Wetland Conservation Act.
14. Location, dimension and purpose of all easements.
15. Location, size, and elevations of any existing utilities, drainage control devices, or other underground facilities on or adjacent to the property.
16. Subsurface conditions on tracts for subdivisions utilizing individual water and sewage disposal systems; location and results of tests to ascertain subsurface soil, rock and ground water conditions and availability; location and results of soil percolation tests; and proof that no hydric soils exist in the area of development.
17. Location and dimensions of existing storm water drainage systems and natural overland drainage patterns, including a calculation (by a qualified engineer) of storm water runoff before alterations.

B. For grading permits, the following additional information is required:

1. Grading plan with minimum two (2) foot contours which shall include the proposed grading and drainage of the site, including provisions for surface water ponding and drainage. Also to be stipulated are the garage floor, first floor, and basement elevations of all structures.
2. A plan for soil erosion and sediment control both during construction (erosion control fencing, hay bale checks, etc.) and following final grading, after development has been completed. All soil erosion plans must comply with City Code Section 1208.01.
3. A drainage plan of the developed site, prepared by a qualified engineer, delineating in which direction and at what rate storm water runoff will be conveyed from the site and setting forth the areas of the site where storm water will be allowed to collect.
4. Locations and dimensions of all temporary soil or dirt stockpiles.
5. Proposed fill, levees, channel modifications, and other methods to overcome flood or erosion hazard areas in accordance with the Zoning Ordinance and applicable state statutes.
6. A vegetation preservation and protection plan that shows those trees proposed to be removed, those to remain, the types and locations of trees and other vegetation that are to be planted may also be required.

7. A landscape plan showing the proposed species, number and sizes of trees and shrubs utilized for screening of the structure from neighboring properties and buffering of garage areas, lighting, fencing, mechanical equipment, and other utilitarian type elements. The plan should also show the types and locations of ground covers used to permanently stabilize areas disturbed during construction.
8. Applications, statements and supporting documentation and plans for rezoning, variances, conditional use permits or other requests being sought in association with the permit approval.
9. Such other applicable information as may be required by the City.

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 ordinance is being enacted under this new section to move the requirements for grading and hard surface permits from the existing Zoning Ordinance Section 1208 to the City Code.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of the City of Sunfish Lake this ____ day of _____, 20____.

CITY OF SUNFISH LAKE

Dan O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk

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

ORDINANCE NO.

**AN ORDINANCE AMENDING SUNFISH LAKE CITY CODE
SECTION 1107 REGARDING WATER USE PERMITS**

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

SECTION 1. AMENDMENT. That the Sunfish Lake City Code Section 1107 is hereby amended as follows:

SECTION 1107.01 Purpose and Intent: This ordinance is adopted for the purpose of and with the intent to:

1. Conserve and protect the natural resources of any lake, stream, wetland or pond;
2. Regulate alteration of such natural resources so as to protect ecological balance;
3. Control development in a manner that will be in harmony with the ecological systems.

SECTION 1107.02 Water Use Permit Required:

Subd. 1. Unless a water use permit is first obtained from the City Engineer, none of the following shall occur with respect to any lake, stream, wetland or natural or man-made pond:

- A. Dredging;
- B. Filling;
- C. Draining;
- D. Alteration of shoreline, banks or stream channel;
- E. Deposition of effluent of any kind or quality;
- F. Pumping;
- G. Extraction of water;
- H. Direct discharge of storm water by man-made devices; alteration of the natural storm water drainage routes;
- I. Alteration, diversion or accumulation of natural drainage;
- J. Any action that may affect the level or quality of any lake, stream, wetland or natural or man-made pond; and

K. Establishing or constructing any ponds.

Subd. 2. No pumping devices of any kind, whether activated or inactive, shall be placed in or shall remain in any body of water unless a water use permit has been issued and is in effect.

~~**SECTION 1107.03 Interim Use:** The uses set forth in Section 1107.02 above shall be deemed "interim use" under Minnesota Statute 462.3597. The application procedure for obtaining such an interim use permit shall be the same as required for a special use permit and public hearings on the granting of such interim use permit shall be held in the manner provided in Minnesota Statute 4621.357, subdivision 3.~~

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 amendment modifies the City Ordinance to remove the requirement for an interim use permit for water uses such as the alteration of natural drainage ways and constructing ponds, and instead requiring a water use permit from the City Engineer.

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 ____ day of _____, 20____.

CITY OF SUNFISH LAKE

Daniel O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk

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

ORDINANCE NO.

**AN ORDINANCE ENACTING SUNFISH LAKE CITY CODE SECTION 613
RELATING TO ESSENTIAL SERVICES**

The City Council of the City of Sunfish Lake does hereby ordain as follows:

SECTION 1. ENACTMENT OF CITY CODE SECTION 613. Section 613 of the Sunfish Lake City Code is hereby enacted to read as follows:

613. ESSENTIAL SERVICES

613.01 PURPOSE:

The purpose of this Section is to provide for the installation of essential services such as telephone lines, pipelines, electric transmission lines and substations in such a manner that the health, safety and welfare of the City will not be adversely affected. Essential services should also be installed in cognizance of existing and projected demands for such services.

613.02 SPECIAL PERMIT REQUIRED:

All underground telephone lines, pipelines for local distribution, underground electric transmission lines, and overhead utility lines and electric transmission lines and substations less than 33 KV, when installed in any public right-of-way in any zoning district, shall require a permit approved by the City Engineer, and shall be subject to conditions imposed by any applicable franchise agreement.

613.03 CITY APPROVAL REQUIRED:

All underground telephone lines, pipelines for local distribution, underground transmission lines, and overhead utility lines and electric transmission lines less than 33 KV, which are extended to serve more than one parcel and are proposed to be installed at locations other than in public right-of-way, shall require a special permit issued by the City after approval by the City Engineer. Approval by the City Engineer shall be based upon the information furnished in the following procedural requirements:

- A. Prior to the installation of any of the previous essential services, the owner of such service shall file with the City Planner, all maps and other pertinent information as deemed necessary for the City Engineer to review the proposed project.
- B. The City Planner shall transmit the map and accompanying information to the City Engineer for review and approval regarding the project's relationship to the Comprehensive Plan and parts thereof and/or City Code provisions.

- C. The City Engineer shall report the findings to the City Planner as to the compliance of the proposed project with the Comprehensive Plan and City Code provisions.
- D. In considering applications for the placement of essential services, as regulated in this Section, the City Engineer shall consider the effect of the proposed project upon the health, safety and general welfare of the City, as existing and as anticipated; and the effect of the proposed project upon the Comprehensive Plan.
- E. Upon receiving the approval of the City Engineer, the City Planner shall approve or deny the permit for the installation and operation of the applicant's essential services. If the permit is denied, the applicant may appeal said decision to the Board of Appeals and Adjustments pursuant to City Code Section 1203.010.

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 ordinance allows essential services utility lines to be installed in the rights of way with appropriate permits.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of Sunfish Lake this _____ day of _____, 2025.

Dan O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk

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

ORDINANCE NO.

**AN ORDINANCE AMENDING SECTION 202 OF THE
SUNFISH LAKE CITY CODE RELATING TO FEES**

The City Council of the City of Sunfish Lake does hereby ordain as follows:

SECTION 1. AMENDMENT. Section 202.03 is hereby amended as follows:

202.03 FEES:

The City Council by ordinance, shall establish a fee schedule for various permits, approvals and applications required by this Code and for legal, planning and engineering costs incurred by the City in reviewing applications. Such fees shall be deposited with the City Treasurer into the City General Fund unless the Council shall specify otherwise. The fees established by the Council shall be payable by the applicant in advance of the service to be performed and in advance of any application being made or at the time the application is made. The applicant is responsible for payment of all such fees. In addition, the applicant shall reimburse the City for all legal, planning, forestry and engineering costs incurred by the City in reviewing and processing the application, in inspecting the work performed, and in enforcing the permits and approvals given by the Council. The reimbursable costs shall be the actual costs incurred by the City based on the contracts for hourly rates that the city has for legal, planning, forestry and engineering services. Unless otherwise allowed by State Law, all application fees are non-refundable.

FEE SCHEDULE

<i>APPLICATION</i>	<i>APPLICATION FEE</i>	<i>ESCROW</i>
Subdivision – Minor	\$150	\$57 ,000
Subdivision – Major	\$300	\$57 ,000
Preliminary Plat	\$300	\$57 ,000
Final Plat	\$300	\$57 ,000
Conditional Use Permit/Variance	\$300	\$57 ,000
Zoning Text or Map Amendment	\$300	\$57 ,000
Comprehensive Plan Amendment	\$300	\$57 ,000
Request to Amend Prior Planning Approval	\$300	<u>\$7,000</u>
Appeal of City Planner's decision to Board of Appeals & Adjustments	\$300	<u>\$7,000</u>
Farm or Non-Domestic Animal Permit (<u>Chickens, Horses, Bees</u>)	\$200 (<u>initial application</u>) <u>\$100 (renewals)</u>	\$200
Appeal from denial or revocation	\$200	\$200

of Farm or Non-Domestic Animal Permit		
<u>Temporary Permit for Farm Animals for Invasive Species Removal</u>	<u>\$100</u>	<u>\$200</u>
<u>Site Inspections—required at Pre-Construction and Post-Construction</u>	<u>\$75 (per inspection)</u>	<u>n/a</u>
<u>Peddler License Fee</u>	<u>\$95</u>	<u>n/a</u>
<u>Peddler Background Investigation Fee</u>	<u>\$135 (new)</u> <u>\$100 (renewal)</u>	<u>n/a</u>
<u>Peddler Photo Identification Card Fee</u>	<u>\$14</u>	<u>n/a</u>
Penalty fee for early construction without land use approvals	\$250	\$5,000
Temporary certificate of occupancy security deposit	n/a	\$7,500 <u>10,000</u>
Water Use Permit	\$300	\$200
Burning Permit	<u>\$45 (valid for 3 days within 1-year)</u>	n/a
Permits for buildings, mechanical, plumbing, electrical, fire suppression systems, solar and environmental (grading, etc.) and State Surcharges	Sunfish Lake adopts the West St. Paul fee schedule as amended from time to time by the City of West St. Paul	
Building Permit review escrow		\$7,000
<u>Tree Removal permit & Replacement Plan</u>	<u>\$50</u>	<u>n/a</u>
Tree Preservation Plan escrow	n/a	<u>\$500</u>
<u>Tree Replacement Fund</u>	<u>\$200 per tree</u>	<u>n/a</u>
<u>Diseased Tree Abatement Admin. Fee</u>	<u>\$75</u>	<u>n/a</u>
Moving building security deposit	n/a	
Demolition Permit	\$25	n/a
Septic System Additional Inspections, Re-inspections, Special Inspections, and Special Analysis	\$55 per hour with one hour minimum	n/a
<u>Septic Plan review, Inspections</u>	<u>\$75</u>	<u>n/a</u>
<u>Septic Soil Verification</u>	<u>\$200</u>	<u>n/a</u>

Copies

Zoning Ordinance	\$35 per copy
Subdivision Ordinance	\$15 per copy
Comprehensive Plan	\$35 per copy

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 fee schedule was updated to list all of the City fees in one location in the Code. Escrows fees were increased to accurately reflect increased consultant costs. Some of the names of permits were revised to consistently name the permits actually issued.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of Sunfish Lake this _____ day of _____, 20__.

Dan O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk

City of Sunfish Lake
Dakota County, Minnesota

ORDINANCE NO.

**AN ORDINANCE REPEALING AND REPLACING THE SUNFISH
LAKE CITY CODE SECTION 603 REGARDING NUISANCES**

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

SECTION 1. REPEAL AND REPLACE. That the Sunfish Lake City Code Article VI, Section 603, Other Nuisances, is hereby repealed and replaced entirely with the following:

SECTION 603. NUISANCES

SECTION 603.01 DEFINITIONS; GENERAL PROVISIONS

Subd. 1. The following words, terms, and phrases when used in this Section shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning:

- A. Garbage. Organic refuse resulting from the preparation of food, and decayed and spoiled food from any source.
- B. Enforcement Official. The City Administrator/City Clerk or their designee.
- C. 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, except weeds as defined herein.
- D. Obstructions. Objects or conditions that interfere with, endanger, or prevent the ordinary or safe use of any property including public right-of-way.
- E. 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.
- F. Public Nuisance or Nuisance. Any substance, matter, emission or thing that creates a dangerous or unhealthy condition or that threatens the public peace, health, safety or sanitary condition of the City or that is offensive or has a blighting influence on the community and is found upon, in, being discharged or flowing from or onto any street, alley, highway, vehicle, water, excavation, building, erection, lot, grounds or other property located within the City or any offense that is deemed or declared to be a public nuisance by the City Code.
- G. Responsible Party. Any one (1) or more of the following:

1. Owner;
 2. Agent;
 3. Contract for Deed holder;
 4. Mortgagee or vendee in possession;
 5. Lessee; or
 6. Other person, firm or corporation exercising apparent control over a property.
- H. Rubbish. All inorganic refuse matter such as tin cans, glass, paper, ashes and the like.
- I. Noxious Weeds, Grasses, and Rank Vegetation. Includes but is not limited to the following:
1. Noxious weeds and rank vegetation shall include but not be limited to: alum (allium), Buckthorn, Bur Cucumber, Canada Thistle, Corncockle, Cress leaf Groundsel, Curly Dock, Dodder, Field Bindweed, French Weed, Hairy Whitetop, Hedge Bindweed, Hoary Cress, Horse nettle, Johnsongrass, Leafy Spurge, Mile-A-Minute Weed, Musk Thistle, Oxeye Daisy, Perennial Sow thistle, Poison Hemlock, Purple Loosestrife, Quack grass, Russian Knapweed, Russian Thistle, Serrated Tussock, Shatter Cane, Sorghum, Wild Carrot, Wild Garlic, Wild Mustard, Wild Onion, Wild Parsnip;
 2. Bushes of the species of tall, common, or European barberry, further known as *Berberis vulgaris* or its horticultural varieties;
 3. Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding eight inches;
 4. Rank vegetation includes the uncontrolled, uncultivated growth of annuals and perennial plants;
 5. The term weeds does not include shrubs, trees, cultivated plants or crops.
 6. Any other weed designated by Minn. Stat. § 18.77, Subd. 8 as noxious.

Subd. 2. General provisions. A person must not act, or fail to act in a manner that is or causes a public nuisance.

Subd. 3. Illustrative enumerations. Public nuisance includes, but is not limited to, the following:

A. Violations of Section 603.01. subd. 3.B.-K, or Sections 603.02-603.09.

B. Obstructions, which include, but are not limited to:

1. Water, ice or snow or wastewater falling or flowing from private property or buildings onto public property, except gutters, drainage ways and storm sewers.
2. Use of public street or sidewalk or use of property abutting a public street or sidewalk that causes large crowds of people to gather, blocking or obstructing traffic, streets or sidewalks, except in accordance with a lawful permit, or pursuant to law enforcement direction.
3. Signs, awnings, vegetation, or other objects located on private property that are not constructed and maintained as required by law that prevent persons from having a clear view of all traffic approaching an intersection, or that overhang and obstruct public property.
4. Tree limbs: All limbs or trees which are less than eight feet (8') above the surface of any public walkway or nine feet (9') above the surface of any street.
5. Utility wires: All utility wires which are strung less than fifteen feet (15') above the surface of the ground.
6. Digging, excavating, or doing any act that alters or effects the drainage of property or alters or effects flows of the public storm sewer and drainage ditch system, except in accordance with the regulations of the City.
7. Depositing snow onto a neighbor's property or into the right-of-way.

C. Animal nuisances. It shall be determined that an animal is a nuisance for the purposes of this ordinance to habitually or frequently bark or cry at night, to chase vehicles, to molest or annoy any person or other animal away from the property of his owner or custodian, or to damage, defile, or destroy public or private property. Failure of the owner or custodian of an animal to prevent the animal from committing such a nuisance is a violation of this ordinance.

D. Annoyances, which include, but are not limited to noises, odors, vibrations or emissions of smoke, fumes, gas, soot, cinders, dust, or ash;

1. Noises emanating from any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations NCP 7010, as amended.
2. The emission of odor by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

3. The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended
4. Smoke emission and open burning:
 - a. The emission of smoke by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7009, as amended.
 - b. The open burning of vegetative materials or other materials as allowed by Minnesota Statutes shall be in compliance with and regulated by the State of Minnesota Department of Natural Resources under Minnesota Statutes (Chapters 88.01 - 88.22, 88.75 and 88.76).
 - c. A burning permit shall be required for all open burning and must be obtained from the City Forester after payment of a fee as provided for by City Council resolution.
 - d. Property owners who fail to obtain a permit for purposes of open burning on land in the City or who otherwise violate Minnesota Statutes (Chapters 88.01 - 88.22, 88.75 and 88.76) shall be guilty of a misdemeanor and be liable to the state and any of its political subdivisions for all expenses incurred in fighting or preventing the spread of, or extinguishing, any fire caused by, or resulting from, any violation of this section.
- E. Direct sky-reflected glare directed into any adjoining property where the bare lightbulb is in view of adjacent property or public street;
- F. Engaging in any business, activity or conduct that is dangerous, hurtful, unwholesome, offensive or unhealthy to the neighborhood, or which constitutes an annoyance to considerable members of the public, or is detrimental to the property in the neighborhood or to the general public including but not limited to, chronic traffic congestion, noisy or late night parties or gatherings that disturb the repose of neighboring property owners, excessive or unreasonable amounts of otherwise lawful parking that causes the unsafe narrowing of traffic lanes and which parking is caused by crowds associated with parties or social gatherings; abusive or threatening language or gestures by residents of the property directed at adjacent or neighboring property owners; a property that is the location of gatherings of juveniles and residents or guests have received citations for underage consumption or the owner of the property has received a citation for allowing or aiding or abetting juvenile consumption; a property that has been allowed to physically deteriorate and has not been maintained and the neglect has measurably lessened the market value of nearby property in the opinion of an appraiser hired by the City for that purpose;

G. Permitting, suffering, maintaining, or failing to remove any offensive, nauseous, hurtful, dangerous or unhealthy condition resulting from a failure to properly dispose of garbage, sewage, waste, debris or any other unwholesome or offensive substance, liquid, or thing upon one's premises, or dropping, discharging, passing, depositing, or otherwise delivering the same upon the premises of another or public property;

1. Sewage disposal: The installation of on-site sewage treatment systems shall be in compliance with the provisions of the State Uniform Building Code, PCA 70-80 as may be amended, and other applicable state and city codes.
2. Bulk storage (liquid): All uses associated with the bulk storage of all gasoline, liquid fertilizer, chemical, flammable and similar liquids shall comply with requirements of the Minnesota State Fire Marshall's and Minnesota Department of Agriculture Offices and have documents from those offices stating the use is in compliance.

H. Signs, poster, or advertisement that are in violation of City Code Section 1005;

I. Any fence, wall, shed, deck, house, garage, building, structure, tree, pole, smokestack, excavation, hole, pit, basement, cellar, sidewalk, dock, lot, land, yard, premises, or location which by reason of the condition in which it is found or permitted to be or remain, does or may endanger the health, safety, life, limb or property, or cause any hurt, harm, inconvenience, discomfort, damage or injury to the public;

J. Graffiti; or

K. Any other activity, place or thing that is defined in this Code as a nuisance or public nuisance or any other violations of the City Code or zoning ordinance that are a danger to the health, safety, and general welfare of the citizens of the City.

SECTION 603.02 PUBLIC NUISANCES AFFECTING HEALTH

Subd. 1. The following are hereby declared to be nuisances affecting health:

A. Exposed accumulation of decayed or unwholesome food or vegetable matter, except within an enclosed compost pile that meets state and county regulations;

B. All diseased animals running at large;

C. Carcasses of animals not buried or destroyed within 24 hours after death;

D. Deer feeding:

1. Findings and Purpose: The City Council finds that feeding of deer contributes to a high deer density in the City which in turn causes a threat to the public health, safety and welfare. The high deer density has resulted in damage to

landscapes and damage to the understory of wooded areas. Further, the high deer density causes an increased potential for accidents between vehicles and deer and the increased potential for contact with deer ticks that could result in contacting Lyme disease.

2. Prohibition: No person shall feed deer within the City of Sunfish Lake. For purposes of this Section 603.02 subd. 1.D., feeding shall mean providing grain, fruits, vegetables, nuts, hay or other edible material, either on the ground or at a height of less than five feet (5') above the ground, in a manner that attracts or is designed to attract or is likely to attract deer on a regular basis. Living food sources, such as fruit trees, or other live vegetation, shall not be considered as deer feeding.
3. Exception: The prohibition contained in Section 603.02 subd. 1.D.2 shall not apply to veterinarians or governmental game officials, who in the course of their duties have deer in their custody or under their management. Further, the prohibition contained in Section 603.02, subd. 1.D.2 shall not apply to a Minnesota Department of Natural Resources deer management program approved by the City of Sunfish Lake.

- E. Accumulations of manure, refuse, or other debris;
- F. 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;
- G. The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste, or other substances;
- H. Diseased trees as defined by state law;
- I. All ponds or pools of stagnant water; and
- J. Any offensive trade or business as defined by statute or not operating under local license.

SECTION 603.03 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY

Subd. 1. The following are declared to be nuisances affecting public peace and safety:

- A. All trees, hedges, billboards or other obstructions which prevent persons from having a clear view of all traffic approaching an intersection;
- B. All wires and limbs of trees which are so close to the surface of street as to constitute a danger to pedestrians or vehicles;
- C. All unnecessary noises and annoying vibrations in violation of Minn. Rules Ch. 7030, which are hereby incorporated by reference into this Code;

- D. Obstructions and excavations affecting the ordinary use by the public of streets, or public grounds except under such conditions as are permitted by this ordinance or other applicable law;
- E. Radio aerials or television antennae erected or maintained in a dangerous manner;
- F. Any barbed wire fence less than six feet above the ground and within three feet of a public way;
- G. Accumulations in the open of discarded or disused machinery household appliances, automobile bodies or other material, in a manner conducive to the harboring of rats, mice, snake or vermin, or to fire, health or safety hazards from such accumulation or from the rank growth of vegetation among the items so accumulated;
- H. Any well, hole or similar excavation which is left uncovered or in such other condition as to constitute a hazard to anyone lawfully coming on the premises where it is located;
- I. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter or ditch with trash or other materials;
- J. The placing or throwing on any street, or other public property of any glass, tacks, nails, bottles, or other substance which may injure any person or animal or damage any pneumatic tire when passing over such substance;
- K. The depositing of garbage or refuse on a public right-of-way or private road or on adjacent private property;
- L. The existence of a dump site or debris pile on any private property; and
- M. All other conditions or things which are likely to cause injury to the person or property of citizens of the City.

SECTION 603.04 GARBAGE AND RUBBISH

Subd. 1. Sanitation collection service required. Every person owning, managing, operating, leasing or renting any premises or any place where garbage or rubbish accumulates shall subscribe to a sanitation collection service.

Subd. 2. Container required; placement.

- A. It shall be the duty of every person whose garbage and refuse are collected by the sanitation collection service to provide a container or containers for garbage and refuse, sufficient in size and number to accommodate and securely keep all garbage and refuse that may accumulate between collections. Garbage containers shall be watertight and constructed of a solid and durable grade of metal, plastic, or paper material.

B. When awaiting collection, all garbage and rubbish must be properly placed in a container (including all loose contents), and stored in the front yard or driveway. It shall be the duty of every person whose garbage and refuse is collected by the sanitation collection service to place their garbage containers directly behind the curblineline of the street abutting their property or in the absence of a curb directly behind the ditch line abutting their property. In no event shall containers be placed in the street or on the sidewalk or in any manner placed where the containers will interfere with vehicular or pedestrian traffic.

1. Containers may be set out no sooner than two (2) days prior to collection day.

2. Containers (and any material not picked up by the garbage hauler) must be removed from the front yard, driveway or public boulevard by the end of the day following the collection day.

C. When not awaiting collection, garbage and rubbish must be properly stored in containers that are kept in rear yards, in accessory buildings or in garages. Containers may only be stored in a side yard if the setback of the home is at least fifty (50) feet from the boundary line and they are stored behind the front building line of the home. If the setback of the home is not fifty (50) feet from the boundary line, then the containers may only be stored in a side yard if they are screened by a hedge or enclosure so that they are not in immediate view of the public street.

D. Any accumulation of refuse on any premises not stored in containers which comply with City Code, or any accumulation of refuse including car parts on any premises which has remained thereon for more than one (1) week is hereby declared to be a nuisance and may be abated by order of the City Council, as provided by Minnesota Statutes and the cost of abatement may be assessed on the property where the nuisance was found, as provided by law.

Subd. 3. Containers to be kept sanitary and secure. All containers shall be kept clean and free from accumulation of any substance remaining attached to the inside of the container which would attract or breed flies, mosquitoes, or other insects. The area surrounding garbage containers shall be maintained in a clean and sanitary condition. The contents of all receptacles shall be protected so that the wind cannot scatter the contents over the streets, alleys or other property within the City. All containers shall be securely closed in a manner as to prevent the scattering of the contents and to make them inaccessible to insects, rodents and other animals. Failure to comply with this section shall be a public nuisance.

Subd. 4. Prohibited acts.

A. It shall be unlawful for any person to sweep, throw or deposit any garbage, trash, debris, stagnant water or dead animal into, upon or along any public property or private property of another, except as may be specifically provided by this Section.

- B. It shall be unlawful for any person owning or otherwise in control of any premises within the City to permit any of the conditions described in subdivision (1) to exist upon property owned or controlled by him or her after having actual or constructive notice thereof.
- C. It shall be unlawful for any person to place in any container any material other than as specifically provided in this Section.
- D. It shall be unlawful for any person to deposit or maintain garbage or trash except as provided for by this Section.
- E. It shall be unlawful for any person to deposit any burning match, charcoal, ember, or other material in any container used for the disposal of garbage.

Subd. 5. Nonresidential customers; container types; collection schedules. It shall be the duty of the owner or person otherwise in charge of multi-family, commercial, institutional or industrial premises within the City to cause all garbage and trash accumulated on the premises to be placed in disposable containers, or commercial-type containers. Commercial-type containers may be used and may be placed at a location on the premises as arranged between the customer and the collector, but subject to review by the City at any time.

Subd. 6. Manner of collection and transportation.

- A. Disposable containers shall be placed at a location on the premises which is readily accessible to the collector.
- B. The collection, removal and disposal of all garbage, trash and brush shall be carried on in a systematic, efficient manner to keep the City in a clean and sanitary condition.
- C. All vehicles used for the collection and transportation of garbage and trash shall be equipped with suitable covers which shall be used to prevent blowing or scattering of refuse while garbage and trash are being transported for disposal.

SECTION 603.05 EXTERIOR STORAGE

Subd. 1. General Prohibition: In all zoning districts, all materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties and local street rights-of-way, under the jurisdiction of the City of Sunfish Lake, except for the following:

- A. Side or rear yards (not including required setback area):
 - 1. Clothesline pole and wires.
 - 2. Wood piles for the burning supply of the property resident.
- B. Required front yards on an approved surface:

1. Off-street parking of passenger vehicles and non-commercial trucks not exceeding a gross weight of 12,000 pounds in residential areas (both on and off-street).
2. All yards. Construction and landscaping material currently and actively being utilized as part of a specific project being implemented on the site.

SECTION 603.06 BUILDING MAINTENANCE AND APPEARANCE

Subd. 1. Declaration of Nuisance. Buildings, fences and other structures that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they (1) are unsightly, (2) decrease adjoining landowners and occupants' enjoyment of their property and neighborhood, and (3) adversely affect property values and neighborhood patterns.

Subd. 2. Standards. A building, fence or other structure is a public nuisance if it does not comply with the following requirements:

- A. No part of any exterior surface may have deterioration, holes, breaks, gaps, loose or rotting boards or timbers.
- B. Every exterior surface that has had a surface finish such as paint applied must be maintained to avoid noticeable deterioration of the finish. No wall or other exterior surface may have peeling, cracked, chipped or otherwise deteriorated surface finish on more than 20% of:
 1. Any one wall or other flat surface; or
 2. All door and window moldings, eaves, gutters, and similar projections on any one side or surface.
- C. No glass, including windows and exterior light fixtures, may be broken or cracked, and no screens may be torn or separated from moldings.
- D. Exterior doors and shutters must be hung properly and have an operable mechanism to keep them securely shut or in place.
- E. Cornices, moldings, lintels, sills, bay or dormer windows and similar projections must be kept in good repair and free from cracks and defects that make them hazardous or unsightly.
- F. Roof surfaces must be tight and have no defects that admit water. All roof drainage systems must be secured and hung properly.
- G. Chimneys, antennae, air vents, and other similar projections must be structurally sound and in good repair. These projections must be secured properly, where applicable, to an exterior wall or exterior roof.

H. Decks, landings, platforms, porches, and other similar architectural elements and foundations must be structurally sound and in good repair.

Subd. 3. No temporary structures, trailers, campers, motor homes, storage containers shall be used for human habitation.

Subd. 4. No parking is allowed on unapproved surfaces pursuant to Section 1207.010. D.

SECTION 603.07 JUNK VEHICLES

Subd. 1. For purposes of this Section, the following terms shall have the following meanings:

- A. Junk Vehicle. Junk Vehicle means any Motor Vehicle or Implement of Husbandry or Trailer which is not in good and operable condition, or which is partially dismantled, or which is used for sale of parts, or as a source of repair or replacement parts for other vehicles, or which is kept for scrapping, dismantling, or salvage of any kind. The term Junk Vehicle also includes a Motor Vehicle, except a Farm Tractor, which is not properly licensed for operation by the State of Minnesota.
- B. Vehicle. Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.
- C. Motor Vehicle. Motor Vehicle means every Vehicle which is self-propelled and every Vehicle which is propelled by electric power obtained from overhead trolley wires. Motor vehicle does not include a vehicle moved solely by human power
- D. Farm Tractor. Farm Tractor means every Motor Vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other Implements of Husbandry.
- E. Trailer. Trailer means any Vehicle designed for carrying property or passengers on its own structure and for being drawn by a Motor Vehicle.
- F. Implement of Husbandry. Implement of Husbandry means every Vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

Subd. 2. Parking and storage. No person shall park, keep, place, or store, or permit the parking or storage of a junk vehicle on a public street or alley, or on any private easement or on any private lands or premises which he owns, occupies, or controls unless the junk vehicle shall be within a building on such private premises.

Subd. 3. Repair, service or maintaining. No person shall service, repair, replace parts or do maintenance work on a Junk Vehicle on a public street or alley, or on any private

easement or on any private lands or premises unless the junk vehicle shall be within a building on such private premises.

SECTION 603.08 WEEDS

Subd. 1. 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.

Subd. 2. Owners responsible for trimming, removal. 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 eight inches (8") in height.

Subd. 3. These provisions shall not apply to an area established with meadow vegetation or managed natural landscape if:

- A. The prior vegetation is eliminated, and the meadow vegetation or managed natural landscape is planted through transplanting or seed by human or mechanical means; and
- B. A sign is posted on the property in a location likely to be seen by the public, advising that a meadow or native landscape is being established. This sign must be no smaller than ten inches (10") square, no larger than one (1) square foot, and no higher than three feet (3') tall.
- C. For purposes of this section, meadow vegetation means grasses and flowering broad-leaf plants that are native to, or adapted to, the State, and that are commonly found in meadow and prairie plant communities, not including noxious weeds.
- D. For purposes of this section, managed natural landscape means 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. The term managed natural landscape does not include turf-grass lawns left unattended for the purpose of returning to a natural state. Managed natural landscapes may include plants and grasses that are in excess of eight inches in height and have gone to seed, but may not include any noxious weeds and must be maintained.
- E. As required under Minn. R. 6106.0150, subp. 3.C., the following areas, identified in the MRCCA plan, are exempt from the vegetation ground cover height restriction:
 - 1. Shore impact zone;
 - 2. Bluff impact zone;
 - 3. Within fifty feet (50') of a wetland or natural drainage way; or

4. Areas of native plant communities and significant vegetative stands.

SECTION 603.09 DISEASED TREES

Subd. 1. Finding: The City Council hereby finds and determines that hazardous conditions may now or in the future, exist within the city limits with respect to disease or insect infestations, or other factors resulting in the death or weakening of all or major parts of individual trees. These conditions will adversely affect the health and welfare of Sunfish Lake.

Subd. 2. Declaration of policy: The City Council has determined that trees within the municipal limits are currently or may in the future be subject to hazardous conditions resulting from insect infestation or disease; storm or mechanical damage; or other biotic or abiotic agents. It has further determined that such hazardous conditions resulting in the spread of disease or insect infestation, or in the potential danger of windfall (or other breakage) of significant, weakened or dead standing tree material situated in the vicinity of common property boundaries or travel lanes, would substantially depreciate the value of property within the City and impair the safety, good order, general welfare, and convenience of the public. It is declared to be the intention of the City Council to control and prevent the spread of any disease or insect infestation, and to control the potential danger posed by significant, weakened or dead standing tree material falling across common property boundaries or onto common travel lanes.

Subd. 3. City Forester:

- A. The position of City Forester is hereby created and the powers and duties of such office are hereby conferred upon the City Forester by the City Council of Sunfish Lake, Minnesota. Such powers and duties of the City Forester shall be designated from time to time by the City Council.
- B. It is the duty of the City Forester to coordinate, under the direction and control of the City Council, all activities of the City related to the control and prevention of tree disease or insect infestation, and the potential danger posed by significant, weakened or dead standing tree material, from any cause, situated in the vicinity of common property boundaries or travel lanes. The City Forester shall recommend to the City Council the details of a program for the control of said conditions and perform the duties incident to such a program as adopted by the City Council.

Subd. 4. The following things are public nuisances whenever they may be found within the City:

- A. Any living or standing tree or part thereof infected to any degree with a plant pest as defined by Minn. Stat. § 18G.02.
- B. Any diseased or dead elm, oak, ash or part thereof, including logs, branches, stumps, firewood or other material, from which the bark has not been removed, chipped or burned.

- C. Any insect, nest, or egg mass of an insect that threatens the health of the shade trees, including, but not limited to, elm bark beetle, spongy moth, Asian long-horned beetle, emerald ash borer, and spotted lanternfly.
- D. Weakened or dead standing tree material, from any cause, situated in the vicinity of common property boundaries or travel lanes.

Subd. 5. Inspection and investigation:

- A. Between April 15 and November 1 of each year, the Forester or his duly appointed agents shall maintain a continuous survey of the City to ascertain the location of trees having disease or insect infestation, or else posing potential danger from significant, weakened or dead standing tree material falling across common property boundaries or onto common travel lanes. Each affected tree shall be properly marked, and its owner shall be notified of the existence of such affected trees pursuant to Section 603.11 and provided with notice to abate the nuisance.
- B. In addition to regular inspections, the City Forester shall, whenever deemed it necessary, conduct additional emergency inspections, report the results of such inspections to the City Council, and take such further action authorized by this section.

Subd. 6. Abatement of nuisances by property owners:

- A. An owner of real property in the City who is notified of the existence of a diseased trees or insect infestation, or else posing potential danger from significant, weakened or dead standing tree material falling across common property boundaries or onto common travel lanes shall remove or direct the removal of all such public nuisance and dispose of all associated material thereof in a manner satisfactory to the City Forester, so as to insure safe elimination of the public nuisance.
- B. All disease prevention activities shall be approved by the City Forester prior to such implementation.

Subd. 7. Abatement by City: In the event the owner fails or refuses to abate the public nuisance as required, the City Forester shall abate the public nuisances pursuant to section 603.11.

Subd. 8. Interference prohibited: It is unlawful for any person to prevent, delay or interfere with the City Forester or designees while they are engaged in the performance of duties imposed by this section.

Subd. 9. Request for laboratory testing of diseased tree material: Any owner of real property in the City who receives any notice as provided herein, may request the City Forester to obtain a laboratory test of one or more of such trees. Such request shall be made to the City Forester within five (5) days after the date of said notice. Upon receipt of such request, the City Forester shall promptly engage the services of a qualified

laboratory to make such tests. If the test confirms the original analysis that the tree is diseased, notice of such results shall be sent to the owner by the City Forester, and the owner shall remove such tree or trees within seven (7) days after the date of said notice.

Subd. 10. Limitation on power of City of Forester: Notwithstanding anything to the contrary contained in this Ordinance, the City Forester shall not be required or authorized to inspect or direct the removal of uninfested major dead, or otherwise weakened, standing tree material located along property boundaries or private travel lanes provided, however, that the Council may authorize the City Forester to make such inspections or removal.

SECTION 603.10 DUTIES OF CITY OFFICERS

For purposes of Section 603, the person designated by the City Council may enforce the provisions relating to nuisances. Any peace officer or designated person 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 of imminent danger to human life and safety, no police officer or designated person shall 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 the entry.

SECTION 603.11 NOTICE; ABATEMENT PROCEDURE

Subd. 1. Notice.

- A. Service of Notice of Violation. Written notice of violation shall be served on the owner of record and occupant of the premises either in person or by mail or personal service. If the premises is not occupied, the owner of record is unknown, or the owner of record or occupant refuses to accept notice of violation, notice of violation shall be served by posting it on the premises.
- B. Service of Notice of City Council Hearing. Written notice of any City Council hearing to abate a nuisance shall be served on the owner of record and occupant of the premises either in person or by mail or personal service. If the premises is not occupied, the owner of record is unknown, or the owner of record or occupant refuses to accept notice of the City Council hearing, notice of City Council hearing shall be served by posting it on the premises.
- C. Service of Notice of City Council Order. Written notice of any City Council order shall be served in person or by registered or certified mail.

Subd. 2. Content of Notice. Whenever a peace officer or designated person determines that a public nuisance is being maintained or exists on the premises in the City, the officer or person designated may 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 and shall be served as provided in Section 603.11.A. If the notice of violation is not complied with within the time specified, the officer or designated person shall report to the City Council. Thereafter, the City Council may, after

notice to the owner and occupant, hold a hearing and determine that the condition identified in the notice of violation is a nuisance. Upon a finding of a nuisance, the City has the authority to enter upon the property and abate the public nuisance. In abating the nuisance, the City may go to whatever extent necessary to complete the abatement of the public nuisance, including obtaining a court order. The City may by private contract cause the abatement of the public nuisance. If any material derived from the abatement is salvageable, the City may treat the property as abandoned.

Subd. 3. If the City performs the work pursuant to this section, the City will maintain a record showing the cost of the work attributable to each separate lot and parcel, including administrative costs. Abatement costs shall include, but are not limited to, the cost of abatement, the cost of investigation, such as title searches, inspection and testing, the cost of notification, filing costs, consultant costs, attorneys' fees and administrative costs, including an overhead charge of up to 25% for administrative costs.

Subd. 4. Emergency Procedure; Summary Enforcement. In cases of emergency, where delay in abatement required to complete the notice and procedure requirements set forth in Sections 603.11 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 officer or designated person shall determine that a public nuisance exists or is being maintained on premises in the City and that delay in abatement of the nuisance will unreasonably endanger public health, safety or welfare. The officer or designated person shall notify in writing the occupant and owner of the premises of the nature of the nuisance and of the City's intention to seek summary enforcement and the time and place of the City Council meeting to consider the question of summary enforcement. The City Council shall determine whether or not the condition identified in the notice to the owner and occupant is a nuisance, whether public health, safety or welfare will be unreasonably endangered by delay in abatement required to complete the procedure set forth in this Section 603.11 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.

Subd. 5. Immediate Abatement. Nothing in this section shall prevent the City, without notice or other process, from immediately abating any condition which poses an imminent and serious hazard to human life or safety.

SECTION 603.12 RECOVERY OF COST

Subd. 1. Personal Liability. The owner of premises on which a nuisance has been abated by the City or a person who has caused a public nuisance on a 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 City Clerk or other 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 City Clerk.

Subd. 2. Assessment. After notice and hearing as provided in Minn. Stat. § 429.061, if the nuisance is a public health or safety hazard on private property, 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 November 1 following abatement of the nuisance, list the total unpaid charges along with all other 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 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.

SECTION 603.13. PENALTY

Unless otherwise stated herein, violation of this Section 603 shall be a misdemeanor.

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 amendment repeals and replaces Section 603 of the City Code to define public nuisances and provide for abatement and recovery costs.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of the City of Sunfish Lake this __ day of _____, 2025.

CITY OF SUNFISH LAKE

Dan O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk

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

ORDINANCE NO.

**AN ORDINANCE REPEALING AND REPLACING SUNFISH LAKE
CITY CODE SECTION 1001 THE BUILDING CODE, REPEALING SECTION 1003
BUILDING PERMITS, REPEALING SECTION 1004 BUILDING FEES AND
ENACTING SECTION 1003 PLUMBING, PLANS AND SPECIFICATIONS, AND
INSPECTIONS**

The City Council of the City of Sunfish Lake does hereby ordain as follows:

SECTION 1. REPEAL AND REPLACE. Section 1001 is hereby repealed and replaced as follows:

SECTION 1001. THE BUILDING CODE

SECTION 1001.01 STATE BUILDING CODE ADOPTED:

Subd. 1. The mandatory provisions of the Minnesota State Building Code, as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes Sections 326B.101 through 326B.16, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Labor and Industry, through the Building Codes and Standards Units, are hereby adopted by reference. The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein.

SECTION 1001.02 OPTIONAL ENFORCEMENT PROVISIONS:

Subd. 1. The following optional provisions are hereby adopted and incorporated without change as part of the building code for the City.

A. Grading, IBC appendix chapter J, 2006 International Building Code.

SECTION 1001.03 ADMINISTRATION, LICENSES, PERMITS, FEES AND SURCHARGES:

Subd. 1. Application, Administration and Enforcement: The application, administration, and enforcement of the Minnesota State Building Code shall be in accordance with Minnesota Rule Chapter 1300. The Minnesota State Building Code shall be enforced within the incorporated limits of the City and within the exterritorial limits permitted by Minnesota Statutes §16B.62. The City Council shall appoint a Building Official who shall attend to all aspects of Minnesota State Building Code administration. A copy of the State Building Code shall be kept available for public use in the office of the Building Inspector.

Subd. 2. Licensed Activities: Except as otherwise provided in this Code, it is unlawful for any person to perform any work subject to the provisions of the Building Code unless he

is currently licensed to do so under the applicable provisions of the Minnesota State Building Code or other State Law.

SECTION 1001.04 BUILDING PERMITS REQUIRED:

Subd. 1. A building permit shall be required for construction, alteration, moving, demolition, repair or use of any building or structure within the City if the Minnesota State Building Code applies to such construction, alteration, moving, demolition, repair or use.

Subd. 2. All building permits shall include a certified survey showing the location and dimensions of existing and proposed buildings, locations of easements, encroachments and other information deemed necessary by the Building Official. All permits for exterior building construction, including new building additions, shall include a complete landscape plan.

Subd. 3. Escrow and Performance Security.

- A. Upon submission of a building permit application and payment of the appropriate application fees, the applicant shall also be required to pay all cash escrows, including a Temporary Certificate of Occupancy escrow if relevant, in the amounts stated in the City's fee schedule, unless a lesser amount is approved by the City Planner. Said escrows shall cover review of the City Planner, City Engineer and Building Official or other City Staff or consultants, as may be applicable and any remediation by the City that might be required throughout the permit process as well as the costs of any action necessary to ensure completion of unfinished issues for a Temporary Certificate of Occupancy. Upon approval or denial of the building permit, any balance of the escrow shall be returned to the applicant, with the exception of the Temporary Certificate of Occupancy escrow, which shall be held until a permanent Certificate of Occupancy is issued. If the escrows are insufficient to cover the relevant costs, the City will cease work on the permit until additional escrow is submitted. The applicant is responsible for all City Staff and Consultant costs associated with the building permit process.
- B. In addition to other penalties that may be imposed, failure to comply with the conditions of the building permit or the ordinances of the City shall result in forfeiture of the security.
- C. Failure to pay the applicable fees may result in the City assessing any unpaid costs against the real property pursuant to Minn. Stat. §429.101.

SECTION 1001.05 ADMINISTRATION INSPECTION AND CERTIFICATE OF OCCUPANCY:

Subd. 1. Inspection and Project Compliance. Following the approval of a request processed pursuant to this Ordinance, the City Building Official shall monitor the project, review all permits issued and construction undertaken, and compare the actual development to the approved plans and time limits established by the City Council. If the

City Building Officials finds that the project is not proceeding in accordance with specified time limits, or that it substantially deviates or fails to comply with the approved project plans, the City Council and the landowner shall be notified immediately in writing. Within thirty (30) days of such written notice, the City Council shall either by ordinance or resolution, as may be applicable, revoke the project approval, take such steps as deemed necessary to compel compliance with the approved plan, or require the landowner or applicant to seek an amendment to the approved plan.

Subd. 2. Permanent Certificate of Occupancy Required. No building or structure hereafter erected or moved, or that portion of an existing structure or building erected or moved shall be occupied or used in whole or in part for any purpose whatsoever until a certificate of occupancy shall have been issued by the Building Official stating that the building, structure, and/or site improvement complies with all of the provisions within this Ordinance and applicable state building code sections. No certificate of occupancy shall be issued until all outstanding bills owed to the City which were generated through application review, approval, and inspection of the project by City Consultants have been paid in full.

Subd. 3. Temporary Certificate. In those cases deemed appropriate and acceptable to the City Building Official, a temporary certificate of occupancy permit may be issued. No temporary certificate of occupancy shall be issued until all outstanding bills owed to the City have been paid in full.

Subd. 4. Expiration of Building Permit. Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void, if the building work authorized by such permit is not commenced within one hundred and eighty (180) days from the date of issuance of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty (180) days' time. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one-half the original fee which was charged before commencement of any portion of the work.

SECTION 1001.06 BUILDING RELOCATION:

Subd. 1. Review Process. The relocation of any building or structure on a lot or onto another lot within the City shall be subject to review and approval by the City Council after a public hearing.

Subd. 2. Performance Standards.

- A. Upon relocation, the building shall comply with the applicable requirements of the State Uniform Building Code.
- B. The proposed relocated building shall comply with the character of the neighborhood in which it is being relocated as determined by the City Planner.
- C. If the relocated structure is a principal structure, the relocated structure must

be similar to the market valuation of adjacent principal structures as determined by the County Assessor.

Subd. 3. Occupancy. The relocated structure shall be ready for occupancy within eight (8) months from the date of location on the site.

Subd. 4. Security Deposit. A security deposit shall be provided to the city as specified in the City's fee schedule.

SECTION 1001.07 TEMPORARY STRUCTURES:

Temporary accessory structures including tents that consist of metal or fiberglass poles, metal hoops and PVC, cotton or nylon fabric covering materials are prohibited except as permitted in conjunction with a special event. No tent, trailer, camper, motor home, storage container or accessory building shall at any time be used as a habitable building.

SECTION 1001.08 PENALTY:

Any violation of this ordinance shall be a misdemeanor and, upon conviction, shall be punished by a fine, or imprisonment, or both, but in each case including the costs of prosecution thereof.

SECTION 2. ENACTMENT. Section 1003 PLUMBING, PLANS AND SPECIFICATIONS, AND INSPECTIONS is hereby enacted as follows:

SECTION 1003.01 PLUMBING, PLANS AND SPECIFICATIONS, AND INSPECTONS:

Subd. 1. Compliance required. All plumbing on private property within the City must comply with the provisions of the Minnesota State Plumbing Code (MSPC), latest revision, pursuant to Minn. Rules Ch. 4714. The MSPC is hereby fully incorporated in this section. All plumbing on private property within the City must comply with the provisions of the state building code and this section.

Subd. 2. Plans and specifications. Prior to the installation of a system of plumbing other than for a single-family dwelling, complete plans and specifications, together with any additional information that the building official may require, must be submitted in duplicate and approved by the Building Official appointed by the City Council. Construction cannot proceed except in accordance with approved plans and specifications. Any alteration, extension, or repair of an existing system is subject to these same requirements, unless waived by the building official in accordance with Minn. Rules, part 1300.0215.

Subd. 3. Exceptions. Pursuant to Minn. Stat. § 326B.43, subd. 2(n), plumbing plans and specifications for the following projects must be submitted to the Minnesota Department of Labor and Industry for a full plan review:

- A. State-licensed facilities as defined in Minn. Stat. § 326B.103, subd. 13;
- B. Public buildings as defined in Minn. Stat. § 326B.103, subd. 11; and

- C. Projects of a special nature for which department review is requested by either the municipality or the state.

Subd. 4. Inspections. New plumbing systems or parts of existing plumbing systems that have been altered, extended, or repaired shall be inspected, tested, and approved by the Building Official in accordance with Minn. Rules, part 1300.0215 before the plumbing system is put into use. The Building Official shall perform the final inspection and witness the test. The building official shall approve the plumbing system if the system complies with the requirements of this City Code, any permit requirements, and the requirements of any approved plans and specification. Plumbing system tests shall comply with Minn. Rules, Chapter 4714.

Subd. 5. Covering of work. No building drainage or plumbing system or part thereof shall be covered until it has been inspected, tested, and approved as herein prescribed.

SECTION 3. REPEAL SECTION 1003 BUILDING PERMITS. Section 1003 regarding Building Permits is repealed and incorporated into Section 1001.

SECTION 4. REPEAL SECTION 1004 PERMIT FEES. Section 1004 regarding Building Permit Fees is repealed and incorporated into Section 202.03.

SECTION 5. 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 ordinance repeals and replaces the existing sections of the Code and consolidates the building permit process into one Chapter. It also aligns the review process with the new Zoning Ordinance which eliminated the single-family site plan requirement. All building permits for single-family residential property will only need building permit approval.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of Sunfish Lake this _____ day of _____, 20____.

CITY OF SUNFISH LAKE

Dan O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk

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

ORDINANCE NO.

**AN ORDINANCE ENACTING SECTION 1005 OF THE
SUNFISH LAKE CITY CODE RELATING TO SIGNS**

The City Council of the City of Sunfish Lake does hereby ordain as follows:

SECTION 1. Enactment of City Code Section 1005. Section 1005 of the Sunfish Lake City Code is hereby enacted to read as follows:

1005. SIGNS

1005.01 GENERAL PROVISIONS.

A. Findings. The City Council hereby finds as follows:

1. Exterior signs have a substantial impact on the character and quality of the environment.
2. Signs provide an important medium through which individuals may convey a variety of messages.
3. Signs can create public safety hazards, aesthetic concerns and detriments to property values, that threaten the public health, safety, or welfare.
4. The regulation of signs within the City has had a positive impact on traffic safety and the appearance of the community.
5. The City Code includes the regulation of signs in an effort to provide an adequate means of expression and to promote the economic viability of the business community, while protecting the City and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulations of the physical characteristics of signs within the City have had a positive impact on traffic safety and the appearance of the community.

B. Purpose and Intent. It is not the purpose of this Section to regulate the message displayed on any sign; nor is it the purpose of this Section to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose of this chapter is to:

1. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and welfare.
 2. Maintain, enhance and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community.
 3. Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics.
- C. Substitution. The owner of any sign that is otherwise allowed by this Section may substitute noncommercial speech in lieu of any other commercial speech or noncommercial speech. This substitution of copy may be made without any additional approval or permitting. The purpose of this "substitution" provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial speech over any other noncommercial speech. This provision prevails over any more specific provision to the contrary.

1005.02 DEFINITIONS.

The following words, terms, and phrases wherever they occur in this Ordinance, shall be interpreted as herein defined, except where the context clearly indicates a different meaning.

- A. Abandoned Sign. A sign located on a property which is vacant and/or unoccupied for a period of ninety (90) days; or a sign which is damaged, in disrepair, or vandalized and not repaired within ninety (90) days.
- B. Billboard. Any structure or portion thereof on which lettered, figured, or pictorial matter is displayed that has an area of one hundred (100) square feet or more.
- C. Changeable Reader Board, manual. A sign or portion thereof with characters, letters or illustrations that are changed or rearranged manually without altering the face or the surface of the sign.
- D. Changeable Reader Board, electronic. A sign or portion thereof with characters, letters or illustrations that are changed or rearranged electronically. An electronic reader board is not a dynamic display sign.
- E. Commercial Speech. Speech advertising a business, profession, commodity, service or entertainment and that promotes at least some type of commerce.
- F. Directional Sign. A sign which is erected for the purpose of guiding vehicles and pedestrian traffic in finding locations on the property where the sign is located.

- G. **Dynamic Display Sign.** Any characteristic of a Sign that appears to have movement or that appears to change, caused by any method other than manually removing and replacing the Sign or its components, whether the apparent movement or change is in the display, the Sign structure itself, or any other component of the Sign. This includes a display that incorporates a technology or method allowing the Sign face to change the image without having to physically or mechanically replace the Sign face or its components. This also includes any rotating, revolving, moving, flashing, blinking, or animated display or structural element and any display that incorporates rotating panels, LED lights manipulated through digital input, “digital ink” or any other method of technology that allows the Sign face to present a series of images or displays. This type of sign includes electronic changeable copy signs and electronic graphic display signs.
- H. **Enforcement Official.** The City Administrator/City Clerk or their designee.
- I. **Illuminated Sign.** A sign which is illuminated by an artificial light source.
- J. **Monument Sign.** A freestanding sign that contains a solid or enclosed base and where the sign support post(s) are not visible. Base shall be constructed of materials that are consistent with and complementary to the building. Width of base to be minimum of two-thirds (2/3) the width of the sign face. These signs usually have two faces back-to-back, which shall be considered one sign.
- K. **Monument Sign, V-Shaped.** A monument sign which would typically be a two-faced monument sign but instead, is shaped in the form of a V, with only two (2) sign faces. The maximum sign area for V-Shaped Monument Sign shall be calculated using a single face of the V-Shaped Monument Sign.
- L. **Noncommercial Speech.** Speech that is not commercial speech as defined herein.
- M. **Off-premises Sign.** A commercial speech sign which directs the attention of the public to a business that is not on the same premises where such business sign is located.
- N. **Portable Sign.** A sign so designed as to be movable from one location to another and which is not permanently attached to the ground or any structure, including those on wheels.
- O. **Projecting Sign.** A sign in which all or any part of it extends perpendicular to and projects from a building face, wall or structure and which its primary purpose is other than the support of the sign.
- P. **Pylon Sign.** A sign erected on a post or posts, or freestanding shafts, walls or piers which is solidly affixed to the ground and not attached to a building.

- Q. Roof Sign. A sign erected upon the roof of a structure to which it is affixed or a sign painted on the roof of a structure.
- R. Sign. Any letter, word, symbol, device, poster, picture, statuary, reading matter, or representation in the nature of an advertisement, announcement, message, or visual communication, whether painted, posted, printed, affixed, or constructed which is displayed outdoors for informational or communicative purposes.
- S. Sign Area. That area within the marginal lines of the sign surface which bears the announcement, name, advertisement or other message, or, in the case of letters, figures, or symbols attached directly to any part of a building or wall, that area which is included in the smallest rectangle which can be made to circumscribe all letters, the figures, or symbols displayed thereon. The maximum Sign Area for a free-standing sign refers to a single surface.
- T. Temporary Sign. A sign which is erected or displayed for a limited period of time, is not illuminated and not of a permanent nature including banners, pennants, stringers, balloons or portable signs.
- U. Wall Sign. A sign affixed to the exterior wall, awning or canopy of a building or structure with the exposed face of the sign in a plane approximately parallel to the face of said wall, not to project more than twelve (12) inches from the surface to which it is attached.
- V. Window Sign. A sign that is affixed to and not painted on the interior or exterior of a window or glass door or inside a building within three feet (3') back from the building's window or glass door with its message intended to be visible to and readable by the public.

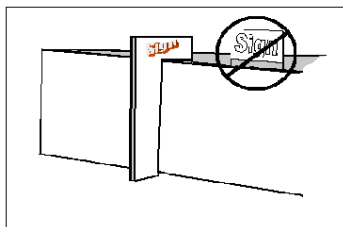
1005.03 PROHIBITED SIGNS.

- A. The following signs shall be prohibited in all zoning districts:
1. Any sign, signal, marking or device which purports to be, is an imitation of, or resembles any official traffic control device, railroad sign or signal, emergency vehicle signs, or which attempts to direct the movement of traffic or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal shall be prohibited.
 2. Signs within a public right-of-way, except for signs installed by authorized governmental agencies.
 3. Signs within the site distance triangle on corner lots.
 4. Signs within an easement, except for signs installed by authorized governmental agencies or approved by the owner of the easement.

5. Signs that resemble any official marker erected by a governmental agency or that displays such words as "Stop" or "Danger," which are not erected by legal authority.
6. Sign or sign structures that obstruct any window, door, fire escape, stairway or opening intended to provide ingress or egress for any building structure.
7. Sign posters, that are tacked, painted, posted or affixed to trees, rocks, fences, bridges, towers, similar public structures, utility posts, or other such supports.
8. Signs with rotating or moving parts.
9. Signs which have become rotted, unsafe or unsightly, torn, or are not properly maintained.
10. Abandoned signs.
11. Billboards.
12. Content classified as "obscene" as defined by Minn. Stats. § 617.241.
13. Inflatable signs.
14. Neon signs.
15. Off premises signs.
16. Projecting signs.
17. Pylon signs.



18. Roof signs.

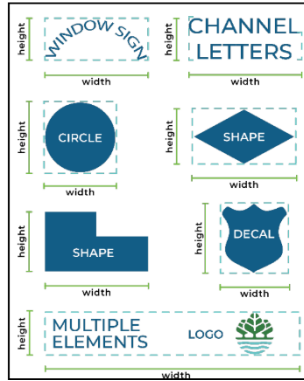


19. Searchlights or beacons.

20. All other signs not expressly permitted by this Ordinance.

1005.04 GENERAL REQUIREMENTS.

- A. No part of any sign shall be closer than ten feet (10') from any lot line, or from the public right-of-way.
- B. Electrical service to any sign shall be buried.
- C. Signs and sign structures shall be properly maintained and kept in a safe condition. Sign or sign structures which are rotted, unsafe, deteriorated, or defaced shall be reprinted, repaired, or replaced by the owner or agent of the building upon which the sign stands. All signs which are unsafe, dangerous, and/or unsightly shall be repaired or removed. Every sign and the immediate surrounding premises shall be maintained by the owner or person in charge thereof in a clean, sanitary, and inoffensive condition and free and clear of all obnoxious substances, rubbish, and weeds.
- D. The construction of all signs that require a building permit shall be in conformance with the provisions of the Minnesota State Building Code.
- E. A sign and/or its structural components shall not move as a result of wind pressure.
- F. The design of wall and monument signs shall be compatible with the design of the building.
- G. The sign height shall be measured from the normal grade of the lot as approved by the Building Official.
- H. All temporary signs must be maintained and shall be removed if material shows signs of wear, including but not limited to fraying, fading, chipping, or physical damage to the sign structure.
- I. The area of a sign or area within a sign frame shall be used to calculate the square footage of the sign area. Should letters or graphics be mounted directly on a wall or fascia or in such a way as to be without a frame, the dimensions for calculating the square footage shall be as in the definition of sign area, as found in Section 1005.02. Any symbols, flags, pictures, working figures or other forms of graphics printed on or attached to windows, walks, awnings, freestanding structures, suspended by balloons or kites or on persons, animals or vehicles shall be considered as a sign.



1005.05 SIGNS ALLOWED IN THE R-1 ZONING DISTRICT

- A. Personal identification signs for single-family dwellings, provided that such signs are less than two (2) square feet in area. This does not include fire address identification signs.
- B. Traffic control signs, non-commercial governmental signs, government notices, and temporary non-advertising safety or emergency signs.
- C. Official Flags or insignia of any government or governmental agency and noncommercial flags and commercial flags are allowed, subject to the following regulations:
 1. Flagpoles shall be no taller than ten feet (10') above the highest point of the tallest building on the lot or site;
 2. Flagpoles must maintain a side and rear yard setback not less than the height of the flagpole;
 3. Flagpoles must be set back a minimum of fifteen feet (15') from any public right-of-way;
 4. Maximum of three (3) flags per property.
- D. Home Occupation Signs:
 1. Maximum of one (1) wall sign which must be located on the principal residential structure.
 2. Maximum size is two and a half (2 ½) square feet.
 3. Must comply with Section 1207.08.
- E. Noncommercial Yard Signs, except during an election season pursuant to Section 1005.07.B.:

1. Maximum of two (2) signs per property.
2. Each sign shall be no larger than six (6) square feet.
3. Signs shall not be located in the right-of-way.

1005.06 SIGNS ALLOWED IN THE INS DISTRICT

A. Wall Signs subject to the following requirements:

1. Maximum of one (1) wall sign for each principal building (except for a building on a corner lot, then up to two (2) signs, with one (1) sign per side of building).
2. Maximum size is eighty (80) square feet.
3. No signs are allowed on accessory buildings.
4. Building permit is required.

B. Monument Signs, subject to the following requirements:

1. Maximum of one (1) monument sign per property.
2. Maximum size is one hundred (100) square feet.
3. Maximum height of sign and base is twelve feet (12').
4. Sign cannot be located within ten feet (10') of the lot lines and cannot block the clear view triangle at an intersection.
5. Building permit is required.

C. Dynamic Display Signs or Electronic Reader Board Signs subject to the following requirements:

1. A dynamic display or electronic reader board sign shall be incorporated into a wall sign or monument sign and must comply with the appropriate regulations in Section 1005.06.A or 1005.06.B.
2. Maximum of one (1) dynamic display sign or one (1) electronic reader board sign per property.
3. The sign shall be located at least 60 feet from an R-1 Zoning District, as measured in a straight line from the base of the sign to the nearest lot line of the R-1 Zoning District.

4. No part of a display shall change more than once every eight seconds.
 5. Display transitions shall be limited to one second. Transitions such as slideshow and fade/dissolve may be used.
 6. The difference between the off and solid-message measurements using the electronic sign measurement criteria shall not exceed 0.3 footcandles above ambient levels. Measurement should be taken according to the procedures outlined by the International Sign Association.
 7. All signs shall be equipped with a sensor or other device that automatically determines the ambient illumination and shall be programmed to automatically dim adjusting to ambient light conditions, or that can be adjusted to comply with the 0.3 footcandle measurements. These signs must also be equipped with a means to immediately turn off the display or lighting if it malfunctions, and the sign owner or operator must immediately turn off the sign or sign lighting when notified by the City that the sign is not complying with the standards in this section.
- D. Pedestrian, vehicular-traffic, and parking directional signs in parking lots, provided such signs are less than eight (8) square feet in area and less than five feet (5') in height, unless located on the building, provided such sign does not constitute a traffic hazard.
- E. Traffic control signs, non-commercial governmental signs, government notices, and temporary non-advertising safety or emergency signs.
- F. Official Flags or insignia of any government or governmental agency and noncommercial flags and commercial flags, subject to the following regulations:
5. Flagpoles shall be no taller than ten feet (10') above the highest point of the tallest building on the lot or site;
 6. Flagpoles must maintain a side and rear yard setback not less than the height of the flagpole;
 7. Flagpoles must be set back a minimum of fifteen feet (15') from any public right-of-way;
 8. Maximum of three (3) flags per property.
- G. Noncommercial Yard Signs that are not governed by temporary events or elections:
1. Maximum of two (2) signs per property.

2. Each sign shall be no larger than six (6) square feet in area and three feet (3') in height.
3. Signs shall not be located in the right-of-way.

1005.07 TEMPORARY SIGNS. In the R-1 and INS Zoning Districts, the following temporary signs are allowed without a building permit:

A. On construction sites, temporary signs are permitted in accordance with the following regulations:

1. Maximum of four (4) non illuminated signs are allowed per property.
2. Each sign shall not exceed ten (10) square feet in area or six feet (6') in height. All signs shall not exceed an aggregate of thirty-two (32) square feet in area.
3. Signs shall be set back at least ten feet (10') from the property lines.
4. Signs must be removed within one (1) year of the date of issuance of a building permit or when the project is completed, whichever occurs first.

B. Noncommercial Signs during Election Season:

1. In a state general election year, all noncommercial signs of any size may be posted in any number within or outside the public right-of-way on private property from forty-six (46) days before the state primary in a state general election year until ten (10) days following the state general election. Noncommercial signs may be placed in a City right-of-way on private property only if they are located more than ten feet (10') from the back of the curb or more than two feet (2') from the edge of a sidewalk or trail, whichever is farthest from the street curb.
2. If there is a primary for any office in a year that is not a state general election year, noncommercial signs may be posted within or outside the public right-of-way on private property twenty-one (21) days before the primary election. When there is no primary, noncommercial signs may be posted twenty-one (21) days before the general election.
3. All noncommercial signs except those otherwise permitted by this Chapter must be removed within ten (10) days following the general election.
4. The City shall not be responsible for damage to any signs placed in the right-of-way.

- C. Noncommercial Event Signs such as garage/yard sales, community events, graduations, youth sports registration, and similar type signs.
1. The maximum size of signs shall be six (6) square feet in area and no more than three feet (3') in height.
 2. The sign shall only be displayed no more than ten (10) days prior to the event and must be removed within twenty-four (24) hours after the event is completed.
 3. Signs shall not be located in the right-of-way.
 4. The person responsible for the sign's placement must have the permission of the property owner where the sign is erected.
 5. Any temporary noncommercial event sign counts towards the allotted number of permitted yard signs identified in Section 1005.05.E.
- D. On properties that are for sale or lease, "for-sale" or "for-lease" signs, subject to the following regulations:
1. Signs must be less than twelve (12) square feet in the R-1 Zoning District and thirty-two (32) square feet in the INS Zoning District.
 2. Signs shall have a maximum height of ten feet (10'), unless located on the building.
 3. Maximum of one (1) sign per property.
 4. Signs must be removed within seven (7) days following the lease or sale.
- E. Temporary portable signs, subject to the following regulations:
1. Maximum one (1) sign per property.
 2. Each sign may be no larger than six (6) square feet.
 3. Signs shall not be located in the right-of-way.
 4. Signs shall be displayed no more than ten (10) days per calendar year.
- F. Banners, pennants, balloons, or stringers which may be displayed no more than ten (10) total days per calendar year.

1005.08 PERMIT REQUIREMENTS.

A. For all signs where a building permit is required, no sign shall be erected, re-erected or altered, unless a permit for each sign has been obtained, unless no permit is required pursuant to Section 1001.03. Application for a sign permit shall be made in writing on forms furnished by the Building Official. Such application shall contain the location by street and number of the proposed sign structure, the erector, a scale drawing of the sign indicating material copy, and color location. Routine maintenance of signs without changing the size, building materials composition or minor nonstructural repairs, (except electrical repairs) shall not require a permit.

1. Sign Permit Fees. Permit fees shall be in accordance with a fee schedule.

2. Revocation of Permit. The Building Official is authorized to revoke a sign permit upon failure of the holder thereof to comply with any provision of this Section.

1005.09 REPAIR OR REMOVAL OF SIGNS.

A. The Enforcement Official shall remove any sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety of the public.

B. If the sign is not an immediate threat to the safety of the public, but is in violation of this Section, then the Enforcement Official shall provide notice and thirty (30) days to remove or correct a sign. Failure to correct the violations may result in the removal of the sign by the City.

C. Any cost of removal incurred by the City shall be assessed to the owner of the property on which such sign is located or may be collected in appropriate legal proceedings.

D. Signs in violation of this Ordinance placed on public property or in the public right-of-way are subject to immediate removal.

1005.010 ENFORCEMENT.

A. It shall be the responsibility of the Enforcement Official to administer and enforce the provisions of this Section.

B. It shall be unlawful for any person, firm, or corporation, to erect, alter, repair, move, equip, or maintain any sign or sign structure or cause or permit the same to be done in violation of any of the provisions of this Ordinance.

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 ordinance amendment moves the Sign regulations from the Zoning Ordinance Section 1222 to the City Code. It adopts clear rules for commercial and noncommercial speech and establishes regulations for zoning districts regarding the types of signs, size, setbacks and number of signs allowed per lot.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of Sunfish Lake this _____ day of _____, 20__.

Dan O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk

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

ORDINANCE NO.

**AN ORDINANCE REPEALING AND REPLACING SUNFISH LAKE
CITY CODE SECTION 608 RELATING TO ANIMALS**

The City Council of the City of Sunfish Lake does hereby ordain as follows:

SECTION 1. REPEAL AND REPLACE. Section 608 of the Sunfish Lake City Code is hereby repealed and replaced to read as follows:

608. ANIMALS

608.01 KEEPING ANIMALS:

Subd. 1. Definitions. The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- A. Domestic Animals: For purposes of this Chapter, domestic animal shall be defined as house pets such as dogs, cats, traditional and typical animal pets, and birds (not including pigeons, chickens, geese, turkeys or other domestic fowl) which can be contained within a principal structure throughout the entire year, provided that the containment can be accomplished without special modification to the structure requiring a building permit from the City. Animals normally classified as wild which have been domesticated are not included as a domestic animal
- B. Farm Animals: Cattle, hogs, bees, sheep, goats, chickens, turkeys, horses, and other animals traditional and commonly accepted as farm animals in the State of Minnesota.

Subd. 2. The following regulations apply to the keeping of animals in the City:

A. Permitted animals:

- 1. Domestic animals.
- 2. Animals being kept as part of the Minnesota Zoological Gardens, St. Paul Como Zoo, or similar institutional docent programs. Before such animals are allowed, however, the participant in the program must notify immediately abutting property owners and the City Planner in writing of their participation in the program and identify the animals being kept.
- 3. Chickens, horses and bees, with a permit as provided herein.

B. Prohibited animals: Except chickens, horses and bees, no farm animals or other non-domestic animals are allowed within the City.

1. Exception: Farm animals for purposes of removal of buckthorn or other invasive species are allowed by temporary permit from the City Forester. The applicant shall pay a permit fee as required in the fee schedule and submit a plan specifying the area in which the animals will be allowed, how the animals will be contained, where they will be kept and a timeframe for the permit, as well as any other information deemed necessary by the City Forester. The City Forester shall approve or deny the temporary permit within fourteen (14) days of receipt of the application. Temporary permits may be revoked at any time by the City Forester if the applicant violates the terms and conditions of the temporary permit.

C. Chickens, horses and bees may not be kept for commercial purposes.

Subd. 3. Chickens, horses and bees general permit requirements. Chickens, horses and bees are allowed by permit from the City Planner pursuant to the requirements of this Section. The consideration involving the approval or denial of a permit shall include, but is not limited to:

- A. The notification of immediately abutting property owners and an evaluation of the possible negative impacts upon such properties.
- B. The adequacy of the site and buildings to accommodate the animals.
- C. The public health, safety, and general welfare concerns posed by the animals.
- D. Except as otherwise stated for chickens, the animal enclosure must maintain setbacks set forth in this section and must be in compliance with the Accessory Building requirements in City Code Section 1207.014 (where setback or location standards conflict, the more restrictive requirements shall apply):
 1. The animal enclosure shall not be located closer to the lot line of an adjacent property than to the principal structure on the animal owner's property, but in no event shall it be less than twenty-five feet (25') from any lot line.
 2. The animal enclosure shall not be located closer than twenty-five feet (25') from wetlands or public waters.
- E. No property owner may obtain a permit for more than two (2) horses or ten (10) chickens.

- F. Performance standards for chickens are regulated in Section 608.02 and bees are regulated in Section 608.03.

Subd. 4. Permit application process for chickens, horses and bees.

- A. Upon submission of a complete application for a permit on forms provided by the City and payment of the permit fee pursuant to the City fee schedule, the City Planner shall provide written notice of the request to the immediately abutting property owners within seven (7) business days of the receipt of the complete application.
- B. Notice. The notice shall specify that any written objections be received by the City Planner within seven (7) days of mailing. If any written objection of a substantive nature is received within seven (7) days and is unresolved between the objector and the City Planner, the review of the permit may be forwarded to the City Council for approval or denial.
- C. Unless referred to the City Council for a decision, the City Planner shall approve or deny the permit within thirty (30) days from the date of submission of a complete application.
- D. A written notification shall be issued by the City Planner on the approval or denial of the permit. If approved, specific conditions to assure compliance with applicable evaluation criteria, codes, ordinances, and the standards of this Section shall be attached to the notification which shall serve as the permit.

Subd. 5. Permit Term. The initial term of a permit shall be for a period of one (1) year. After the initial term, a renewal application must be submitted using the same process as the initial term. In cases where complaints from neighbors have been received during a term or where there has been a change in conditions or violations, a renewal application shall require City Council approval. If there are no changes in conditions and no violations or complaints, subsequent renewal terms shall be for a period of three (3) years.

Subd. 6. Denial and Revocation of permit. Appeals.

- A. The permit may be revoked by the City Planner if the animals or bees cause a nuisance or endanger the health or safety of the community or if the permit holder is non-compliant with applicable codes, ordinances, and the standards. Determination of non-compliance shall be communicated to the permit holder in writing and the permit shall be considered revoked unless, within ten (10) days of such notice, the permit holder takes corrective action to the satisfaction of the City Planner.
- B. Denial or revocation of a permit may be appealed to the City Council by filing a written notice to the City Clerk within ten (10) business days of the decision, paying the applicable fee and stating the grounds upon which the appeal is

made. The permit holder will be sent notice of a hearing date at least fourteen (14) days prior to the hearing. The City Council shall hold a hearing and render a decision, which shall be final.

608.02 REGULATION OF CHICKENS:

Subd. 1. Purpose. Recognizing the desire for some residents to raise chickens, the City wishes to allow that within the community, while establishing requirements to protect the health, safety and welfare of neighboring properties.

Subd. 2. Performance Standards:

- A. An owner of residential property who resides at the property may keep up to 10 chickens with an approved permit.
- B. No roosters are allowed.
- C. No person may allow chickens to range freely without fencing or without a mobile pen unless supervised, unless the lot is five (5) acres or more.
- D. No person may keep any chickens inside the house.
- E. No person may slaughter any chickens within the City.
- F. Chickens must be provided a secure and well-ventilated, windowed, roofed structure (coop) that is:
 - 1. No larger than 100 square feet;
 - 2. Not closer than 150 feet from any lot line;
 - 3. Is located in a rear or side yard;
 - 4. The floors and walls of the roofed structure shall be kept in a clean, sanitary and healthy condition with all droppings placed in a fireproof covered container until applied as fertilizer, composted or transported off the premises;
 - 5. Attached to a chicken run area that is enclosed with fencing or in a mesh-type material that is no greater than 200 square feet.
- G. Chicken feed products must be stored in such a way as to prevent mice, rats or other scavengers from becoming a nuisance.
- H. Selling of eggs is prohibited.

Subd. 3. Violations.

- A. First violation for free ranging outside of the permit-holder's property shall result in a warning;
- B. Any subsequent violation may result in revocation of the permit unless the permit holder agrees to keep the chickens in a fully enclosed run area.

608.03 REGULATIONS OF BEES

Subd. 1. Purpose. Recognizing the importance of pollinators, the City wishes to encourage beekeeping within the community while establishing requirements to protect the health, safety and welfare of the public.

Subd. 2. Number of colonies. A person may establish an apiary on residential zoned property that has one dwelling unit with the following number of colonies of honeybees:

- A. Two (2) colonies for parcels that are one-half (1/2) acre lot or less;
- B. Three (3) additional colonies allowed per every additional one-half (1/2) acre;
- C. No person may have more than five (5) colonies.

Subd. 3. Performance standards.

- A. Location of colonies. Colonies must be located on the lot as follows:
 - 1. In a rear yard not adjacent to a street;
 - 2. At least twenty-five feet (25') from any residence on the lot or any adjacent lot;
 - 3. Set back at least ten feet (10') from any lot line.
- B. Fencing. Colonies must be fenced to prevent or deter unauthorized access. Fencing need not be permanent and may be made of wire or mesh fencing or netting.
- C. Water and food supply. A convenient source of water must be readily available on the premises at all times. All materials used to feed bees must be stored in sealed containers or placed within a building unless it is inside the hive.

Subd. 4. Sales of products. Public sales of bee products may occur on the premises pursuant to the following requirements:

- A. Food products and packaging of all bee products must comply with State and federal laws.
- B. The permit-holder must comply with home occupation requirements pursuant to Section 1207.08.
- C. One sign may be placed on the premises, not to exceed six (6) square feet in size that complies with Section 1005.05.

Subd. 5. City inspections. The City, upon the receipt of a complaint, shall be allowed to inspect any structure or premises and issue any order as may be necessary to carry out the provisions of this section.

608.04 REGULATION OF DOGS:

Subd. 1. Definitions. The following definitions shall apply in the interpretation and enforcement of this Ordinance:

- A. Dog Owner. Any person or persons, firm, association, or organization or department possessing, harboring, keeping, having an interest in or having care, custody or control of a domestic animal..
- B. Running At Large Or Run At Large: An dog is running at large if it:
 - 1. Is not effectively contained within a fenced area; or
 - 2. Is on any unfenced area or lot abutting a street, alley, public park, public place or upon any other private land without being effectively restrained by chain, leash, or an electronic pet containment device from moving beyond such unfenced area or lot; or
 - 3. Is on any street, public park, school grounds or public place without being effectively restrained by chain or leash, except for a dog within the boundaries of the public off leash dog park and the owner has verbal or physical command over the dog.

Subd. 2. Vaccinations, Tags and Violations.

- A. Vaccination Required. The owner of every dog in the City shall cause such dog to be currently vaccinated for rabies. A certificate of vaccination or other statement of the same effect executed by a licensed veterinarian shall constitute prima facie proof of the required vaccination.
- B. Affixation of Tag Required. The owner of every dog in the City shall affix a tag to the collar of the dog in such a manner that the tag may be easily seen. The tag shall contain information of the current rabies vaccination, and identifying

the owner, the owner's address and telephone number.

- C. It shall be unlawful to permit a dog to run at large, whether or not the owner is present, within the limits of the City. Dogs must be continuously under restraint on a leash and accompanied by a person reasonably able and effectively restraining the dog or cat. The City may charge the owner for all costs incurred in capturing, impounding, and maintaining of a dog running at large.

608.05 REGULATION OF DANGEROUS DOGS:

Minn. Stat. §§ 347.50 through 347.565 regulating Dangerous Dogs are hereby adopted.

608.06 Penalty.

Other than violations of City Code Section 608.05 which penalties shall be prescribed pursuant to state law, any person found guilty of violating the provisions of this Section 608 shall be guilty of a petty misdemeanor.

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 animal regulations were removed from Zoning Ordinance Section 1225 and moved to this section. The City will only allow chickens, horses and bees by permit.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted by the City Council of Sunfish Lake this _____ day of _____, 20__.

CITY OF SUNFISH LAKE

Dan O'Leary, Mayor

ATTEST:

Christy Wilcox, City Clerk