

**PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
FEBRUARY 4, 2013  
6:30 P.M.**

**AGENDA**

- I. CALL TO ORDER
- II. CONSENT AGENDA
  - A. Minutes (page 1)
- III. NEW BUSINESS
  - A. Election of Officers/Terms (page 4)
  - B. Meeting Schedule (page 5)
  - C. Re-Zoning Request – Pay Del Co – Valley Industries Building (page 5A)
- IV. OLD BUSINESS
  - A. Chicken Ordinance (page 6)
- V. INFORMATIONAL
  - A. Next Meeting – Monday, March 4, 2013
  - B. Building Inspection Services Invoices – Not available at the time this agenda was published.
  - C. Building Permit Report – Not available at the time this agenda was published.
  - D. CCLD Review Newsletter (page 13)
- VI. ADJOURN

**Please contact Renee Eckerly at 320-243-3714 ext. 227 or at [reneeE@paynesvillemn.com](mailto:reneeE@paynesvillemn.com) if you can't attend the meeting.**

**Members: Dan Roberts, Darlene Loven, Ron Mehr, Bob McDaniel, and Don Mayer.  
Advisory Member: Renee Eckerly**

This agenda has been prepared to provide information regarding an upcoming meeting of the Paynesville Planning Commission. This document does not claim to be complete and is subject to change.

**BARRIER FREE:** All Paynesville Planning Commission meetings are accessible to the handicapped. Attempts will be made to accommodate any other individual need for special services. Please contact City Hall (320) 243-3714 early, so necessary arrangements can be made.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME: Planning Commission**

Committee/Council Meeting Date: February 4, 2013

Agenda Section: Consent

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Originating Department: Administration

Item Number: II - A

**ITEM DESCRIPTION: Minutes**

Prepared by: Staff

**COMMENTS:**

Please review the minutes from the December 3, 2012 Planning Commission meeting.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to approve the minutes from the December 3, 2012 Planning Commission meeting.

**MINUTES  
PLANNING COMMISSION**

**DECEMBER 3, 2012**

Chairperson Dan Roberts called the meeting to order at 6:30 p.m. Members present were Darlene Loven and Donovan Mayer. Also present were Renee Eckerly, City Administrator; Ashley Alsum, Cable Coordinator; Bill Spooner, City Attorney; and Bob Wolfe, Indigo Signs. Absent were Bob McDaniel and Jeff Bertram.

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**Motion was made by Loven to approve the minutes of the November 5, 2012 Planning Commission Meeting. Seconded by Mayer and unanimously carried.**

**SIGN ORDINANCE AMENDMENT**

Roberts closed the Regular Planning Commission meeting at 6:35 p.m. for the Sign Ordinance Amendment Public Hearing.

Wolfe mentioned the 300 foot impact on residential areas that have home businesses. Spooner commented that this is a good suggestion and that the Commission may want to address it when the Commission reviews the ordinance for the other zones. Commercial and Industrial will be 30 feet from intersections. Those are the zones that are currently being affected.

Wolfe discussed with the Commission the 7 foot minimum on intersection corners of State Highway. Spooner noted that this language was in the draft, but was removed at this time to reduce confusion.

There being no further comments or questions, Roberts closed the Public Hearing at 6:44 p.m. and re-opened the Regular Planning Commission meeting.

**Motion was made by Mayer to approve the Sign Ordinance No. 145, 2<sup>nd</sup> Series and recommend such to the City Council. Seconded by Loven and unanimously carried.**

**CHICKEN ORDINANCE**

Eckerly read McDaniel's opinion to approve the Ordinance and let people try it and see what happens. Loven agreed. Mayer agreed and liked this draft of the Ordinance better. Eckerly noted that this permit can be put into the new animal software also.

**Motion was made by Loven to approve Ordinance No. 146, 2<sup>nd</sup> Series and recommend such to the City Council. Seconded by Mayer and unanimously carried.**

## **REPORTS**

Eckerly reported that now three bills are being verified (over charged) and she will be sending a certified letter to Ron Wasmund, Inspectron, Inc. The letter will also include the property on Minnie Street.

## **NEXT MEETING**

The next meeting will be held Monday, January 7, 2013.

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There being no further business the meeting was adjourned at 6:54 p.m.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** Planning Commission

Committee/Council Meeting Date: February 4, 2013

Agenda Section: New Business

Originating Department: Administration

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Item Number: III - A

**ITEM DESCRIPTION:** Election of Officers/Terms

Prepared by: Staff

**COMMENTS:**

Nominations for Chairperson.  
Nominations for Vice Chairperson.  
Nominations for Secretary.

**ADMINISTRATOR COMMENTS:**

According to the City Ordinance the Commission Members shall serve three year staggered terms. The proposed 2013 terms are:

Dan Roberts – term expires December 31, 2014  
Darlene Loven – term expires December 31, 2015  
Ron Mehr (for Donovan Mayer) – term expires December 31, 2016  
Bob McDaniel – term expires December 31, 2015  
Donavan Mayer (Council Member) – term expires December 31, 2013

**COMMITTEE/COUNCIL ACTION:**

Motion to elect \_\_\_\_\_ as Chairperson.  
Motion to elect \_\_\_\_\_ as Vice Chairperson.  
Motion to elect \_\_\_\_\_ as Secretary.

Motion to set the following terms \_\_\_\_\_.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME:** Planning Commission

Committee/Council Meeting Date: February 4, 2013

Agenda Section: New Business

Originating Department: Administration

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Item Number: III - B

**ITEM DESCRIPTION:** Meeting Schedule

Prepared by: Staff

**COMMENTS:**

In the past the Planning Commission has met the first Monday of each month (Oct. – April) and the first and third Monday of each month (May – Sept.) at 6:30 p.m.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

A motion to set the Planning Commission meetings for the first Monday of each month (Oct. – April) and the first and third Monday of each month (May – Sept.) at 6:30 p.m.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME: Planning Commission**

Committee/Council Meeting Date: February 4, 2013

Agenda Section: New Business

Originating Department: Administration

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Item Number: III - C

**ITEM DESCRIPTION: Re-Zoning Request – Pay De Co - Valley Industries Building**

Prepared by: Staff

**COMMENTS:**

Please review the attached Re-Zoning Application from Pay Del Co requesting to re-zone Lot 1, Block 1, River Park Estates from A-1 Agriculture to I1 Light Industrial so that Valley Industries may construct a warehouse on this property.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to set the Re-Zoning Public Hearing for Monday, March 4, 2013 at 6:35 p.m.

5R

CITY OF PAYNESVILLE  
RE-ZONING APPLICATION

221 Washburne Ave. ~ Paynesville, MN 56362  
Phone: 320-243-3714 ~ Fax: 320-243-3713

List All Property Owners: Ray Del Co

Contact Person: Patrick Flanders

Address: 207 Washburne Ave

Telephone No.: 243-8484 Parcel No.:

Legal Description: Lot: 1 Block: 1 Addition: River Park Estates

CURRENT ZONE: AGG A1  
EXISTING USE: AGG

PROPOSED ZONE: I-1  
PROPOSED USE: INDUSTRIAL

**Application Fee: \$200.00**  
(non-refundable) These are the fees incurred per document: Advertising \$48.00 (average), Recording \$46.00 (actual), Postage \$33.00 (average), Legal \$123.00 (average), totaling \$260.00.

WILL THIS RE-ZONE REQUIRE A CONDITIONAL USE? No  
WILL THIS RE-ZONE REQUIRE A VARIANCE? No

DESCRIPTION OF REQUEST: (use separate sheet if needed)

RE-ZONE LOT 1 Block 1 From AGRICULTURE TO INDUSTRIAL

Application Must Include:

- Legal description from abstract.
- Statement containing all the circumstances, factors, and arguments that the applicant offers in support of the proposed re-zone.
- Any written or graphic data required by the City Administrator.

Patrick Flanders  
All Property Owners Must Sign This Application

1/24/13  
Date

For office use only:

Application Fee: \$200.00 (non-refundable)  
For office use only: Cash \_\_\_\_\_ Check No. 3083 Date Paid 1.24.13

Present To Planning Commission Date: 2.4.13 Planning Set Public Hearing Date: 2.4.13  
Planning Public Hearing Date: 3.4.13 Council Makes Determination Date: 3.13.13

PLANNING COMMISSION ACTION:

Recommended to Council Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_  
CITY COUNCIL ACTION: Approved \_\_\_\_\_ Denied \_\_\_\_\_ Date: \_\_\_\_\_

Date Received In Office: \_\_\_\_\_ (Stamp)

50

CITY OF PAYNESVILLE

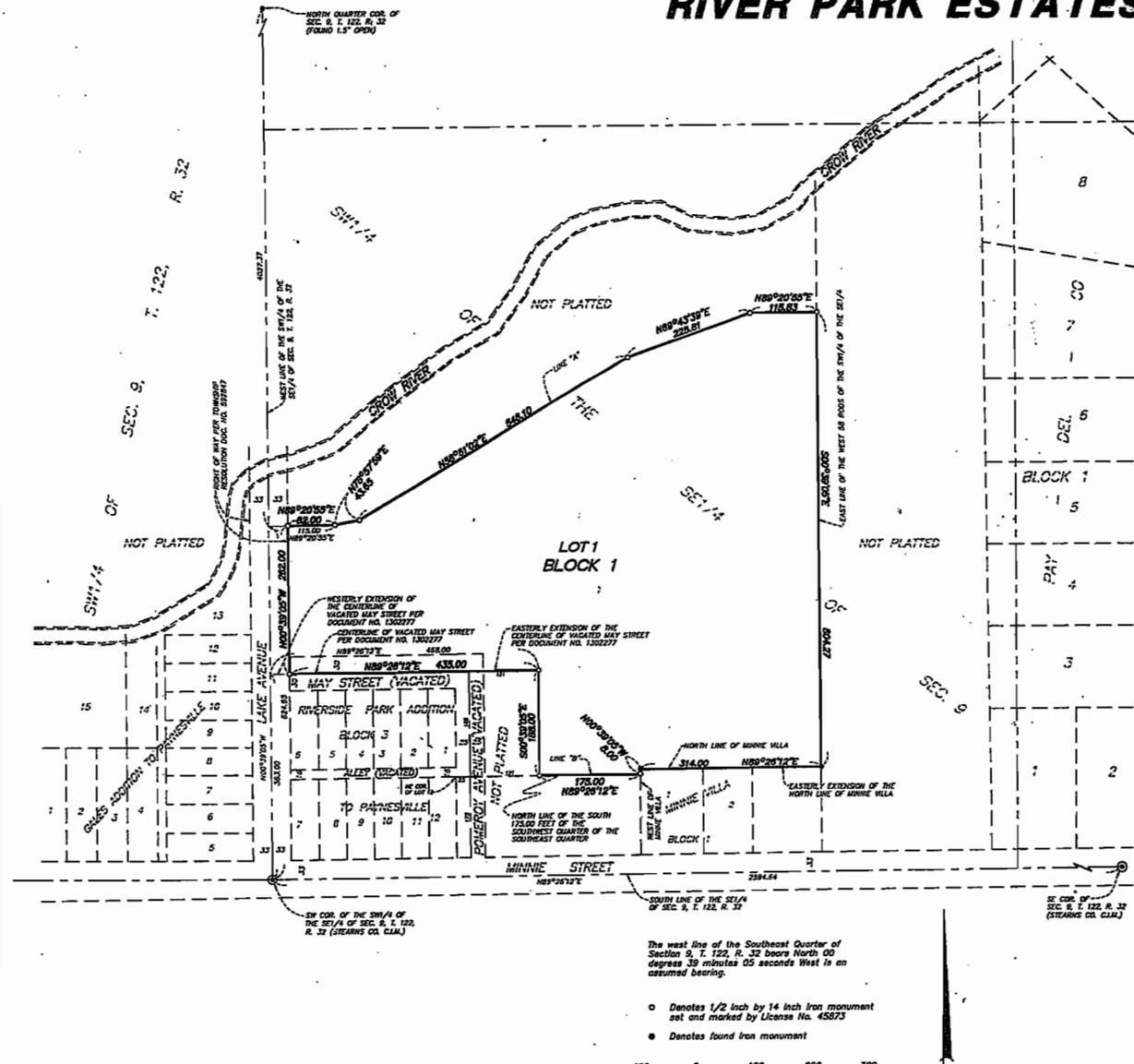
RECH: 00027644 1/24/2013 3:58 PM  
OPER: FRONT TERM: 001  
REF#: 3083

TRAN: 10.0020 REZONING FEE  
VALLEY INDUSTRIES - SAVAGE  
ZONING FEES 200.00CR

TENDERED: 200.00 CHECK  
APPLIED: 200.00-

CHANGE: 0.00

# RIVER PARK ESTATES



KNOW ALL PERSONS BY THESE PRESENTS, That FERDIE FAMILY LIMITED PARTNERSHIP, a Minnesota Limited Partnership, for one of the following described parcels, situated in the County of Stearns, State of Minnesota, to-wit:

That part of the West 58 rods of the Southwest Quarter of the Southeast Quarter of Section 9, Township 122 North, Range 32 West, Stearns County, Minnesota, (4th portion of Line A and easterly of Line B, said lines described as follows:

Line A: Commencing at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 39 minutes 05 seconds West, measured bearing along the west line of said Southwest Quarter of the Southeast Quarter, a distance of 624.85 feet to the point of beginning of the line to be described; thence North 00 degrees 20 minutes 05 seconds East, a distance of 118.63 feet; thence North 28 degrees 02 minutes 02 seconds East, a distance of 425.51 feet; thence North 00 degrees 01 minutes 05 seconds East, a distance of 642.10 feet; thence North 09 degrees 43 minutes 39 seconds East, a distance of 223.81 feet; thence North 08 degrees 30 minutes 05 seconds East, a distance of 114.63 feet to the east line of said West 58 rods of the Southwest Quarter of the Southeast Quarter and said line there terminating.

Line B: Commencing at the southwest corner of said Southwest Quarter of the Southeast Quarter; thence North 00 degrees 39 minutes 05 seconds West, measured bearing along the west line of said Southwest Quarter of the Southeast Quarter, a distance of 245.00 feet to the intersection of the westerly extension of the centerline of May Street, as located by Document Number 1302277, on the land of record in the Office of the County Recorder, in said Stearns County, and the point of beginning of the line to be described; thence North 03 degrees 28 minutes 12 seconds East, along said centerline and its westerly and easterly extensions, a distance of 455.00 feet; thence South 00 degrees 39 minutes 05 seconds East, a distance of 186.00 feet to the north line of the South 175.00 feet of said Southwest Quarter of the Southeast Quarter; thence North 09 degrees 28 minutes 02 seconds East along said north line, a distance of 175.00 feet to the east line of LOT 1, according to the recorded plat thereof; in said Stearns County; thence North 00 degrees 39 minutes 05 seconds West along said west line a distance of 6.00 feet to the north line of said 175.00 feet; thence North 09 degrees 28 minutes 12 seconds East along said north line and its westerly extension, a distance of 214.00 feet to the west line of said West 58 rods and said line there terminating.

LESS AND EXCEPT  
The West 33.00 feet of said West 58 rods.  
Has caused the same to be surveyed and platted as RIVER PARK ESTATES.

In witness whereof said FERDIE FAMILY LIMITED PARTNERSHIP, a Minnesota Limited Partnership has caused these presents to be signed by its proper officer this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

FERDIE FAMILY LIMITED PARTNERSHIP  
BY: \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_  
by \_\_\_\_\_ of FERDIE FAMILY LIMITED PARTNERSHIP, a Minnesota Limited Partnership, on behalf of the partnership.

NOTARY SIGNATURE \_\_\_\_\_ NOTARY PRINTED NAME \_\_\_\_\_  
NOTARY PUBLIC, COUNTY, MINNESOTA  
MY COMMISSION EXPIRES \_\_\_\_\_

I hereby certify that this plat of RIVER PARK ESTATES is a correct representation of the boundary survey; that all metes and measurements and data and labels are correctly indicated on the plat; that all monuments specified on the plat have been or will be correctly set within one year as indicated on the plat; that all water boundaries and wet lands, if any, of the date of the surveyor's certification are shown and labeled on the plat; that all public ways are shown and labeled on this plat; I further certify that this plat was prepared by me or under my direct supervision and that I am a duly licensed land surveyor under the laws of the State of Minnesota.

NATHAN H. CARLSON, LICENSED LAND SURVEYOR, MINNESOTA LICENSE NUMBER 45873  
STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_  
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by Nathan H. Carlson, Licensed Land Surveyor, Minnesota License Number 45873.

NOTARY SIGNATURE \_\_\_\_\_ NOTARY PRINTED NAME \_\_\_\_\_  
NOTARY PUBLIC, COUNTY, MINNESOTA  
MY COMMISSION EXPIRES \_\_\_\_\_

Approved by the Planning Commission of the City of Poppeville this \_\_\_\_ day of \_\_\_\_\_, 20\_\_  
SIGNED: \_\_\_\_\_ CHAIRMAN ATTEST: \_\_\_\_\_ SECRETARY

Approved by the City Council of Poppeville, Minnesota, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_  
SIGNED: \_\_\_\_\_ MAYOR ATTEST: \_\_\_\_\_ CITY ADMINISTRATOR

I hereby certify that this plat has been examined and recommended for approval this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

STEARNS COUNTY SURVEYOR, MINNESOTA LICENSE NUMBER \_\_\_\_\_

I hereby certify that the taxes on the land described herein are paid for the year \_\_\_\_\_ and all years prior to the year \_\_\_\_\_ and transfer entered.

Date: \_\_\_\_\_

STEARNS COUNTY AUDITOR/TREASURER \_\_\_\_\_ TAX PARCEL NUMBER \_\_\_\_\_  
DEPUTY AUDITOR/TREASURER \_\_\_\_\_

I hereby certify that this instrument was filed for record in the Office of the County Recorder in and for Stearns County, Minnesota on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ of the day as Document No. \_\_\_\_\_ in Plat Cabinet No. \_\_\_\_\_.

STEARNS COUNTY RECORDER \_\_\_\_\_ DEPUTY RECORDER \_\_\_\_\_

The west line of the Southeast Quarter of Section 9, T. 122, R. 32 bears North 00 degrees 39 minutes 05 seconds West in an assumed bearing.

- Denotes 1/2 inch by 1/4 inch iron monument set and marked by License No. 45873
- Denotes found iron monument

Scale: 0 100 200 300 feet  
in

Vacated streets and alleys are shown per the Notice of Completion of Proceeding for Vacation of Streets and Alleys filed as Document No. 1302277.

River Park Estates Final  
Plat  
Drawer 10  
Map 20

5D

Westwood  
Professional Services, Inc.

**REQUEST FOR COMMITTEE/COUNCIL ACTION**

**COMMITTEE/COUNCIL NAME: Planning Commission**

Committee/Council Meeting Date: February 4, 2013

Agenda Section: Old Business

Originating Department: Administration

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Item Number: IV – A

**ITEM DESCRIPTION: Chicken Ordinance**

Prepared by: Staff

**COMMENTS:**

Please review the attached Chicken Ordinance No. 146, 2<sup>nd</sup> Series. This is being sent back from the City Council.

**ADMINISTRATOR COMMENTS:**

**COMMITTEE/COUNCIL ACTION:**

Motion to \_\_\_\_\_.

## ORDINANCE NO. 146, 2<sup>ND</sup> SERIES

AN ORDINANCE OF THE CITY OF PAYNESVILLE, MINNESOTA, AMENDING CITY CODE CHAPTER 10 ENTITLED "PUBLIC PROTECTION, CRIMES & OFFENSES" BY AMENDING SECTION 10.03 THREOF ENTITLED "ANIMALS AND FOWL – KEEPING, TRANSPORTING, TREATMENT, HOUSING" BY ADDING THERETO A SUBDIVISION 7 ENTITLED "EXCEPTION FOR THE KEEPING OF CHICKENS FOR THE LAYING OF EGGS AND CONSUMPTION"; AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 10.99, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

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THE CITY COUNCIL OF PAYNESVILLE, MINNESOTA ORDAINS:

**Section 1.** City Code, Chapter 10, Section 10.03, is hereby amended to a Subdivision 7 as follows:

**SECTION 10.03. ANIMALS AND FOWL – KEEPING, TRANSPORTING, TREATMENT, HOUSING.**

**Subd. 7. Exception for the Keeping of Chickens for the Laying of Eggs and Consumption.** The keeping of chickens for the laying of eggs and consumption is an exception to the prohibitions of Section 10.03, Subd. 2, when the person so keeping such chickens complies with the requirements of this Subdivision.

**a) Limitations on Exception & Permit Requirements.** i) Any person who keeps chickens under this exception shall first obtain an annual permit by submitting an application, which shall be accompanied by a site plan drawn to scale depicting the property proposed to be permitted for this purpose, showing all existing structures, all proposed structures including fences, and the adjacent streets or alleys.

ii) The location for which a permit for the keeping of chickens may be issued is limited to those areas zoned "R-1" – Single & Two Family Residential District.

iii) Persons applying for a permit shall submit, along with the permit application, a petition signed by abutting property owners evidencing consent to the issuance of the permit. If the applicant has the consent of 100% of the owners of abutting properties, the permit shall be issued without a public hearing. If the applicant has the consent of less than 100% of the owners of abutting properties, the permit may not be issued without a public hearing before the Planning Commission at which interested parties shall be given the opportunity to be heard. Notice of such hearing shall be sent by mail to the applicant, all owners of abutting property, and shall be published at least once in the legal newspaper of the City of Paynesville not more than 30 days prior to the public hearing and not less than five (5) days prior to the public hearing. The Planning Commission shall conduct the public hearing and then make the decision regarding the issuance of the permit.

iv) Permits shall be issued annually and shall commence on January 1 and expire on December 31. Renewal of an existing permit shall not require the signed consent of abutting property owners.

v) Fees for the issuance of permits and for the holding of public hearings related to permit applications shall be fixed and determined by the City Council, adopted by Resolution, and uniformly enforced. A copy of the Resolution setting forth the currently effective fees shall be kept on file in the office of the City Administrator and shall be open to public inspection during regular business hours.

vi) A decision by the Planning Commission to deny issuance of a permit may be appealed to the Board of Adjustment.

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**b) Rules Related to the Keeping of Chickens.** ~~Every person keeping~~ chickens in an area zoned "R-1" – Single & Two Family Residential District shall comply with the following rules:

i) No person shall keep more than six (6) chickens.

ii) No person shall keep a rooster.

iii) No person shall keep any chicken inside the family dwelling.

iv) The floors and walls of any roofed structure shall be kept in a clean, sanitary and healthy condition with all manure and bodily excretions collected daily and placed in a covered container until applied as fertilizer, composted or transported off the premises.

v) Chickens shall at all times be kept in a roofed structure or within a fenced area adjacent to a roofed structure.

vi) All structures for the keeping of chickens shall meet the rear and side yard setback requirements of Chapter 11 of the City Code.

vii) Building permits are not required for accessory buildings 120 square feet or less. Placement permits must be obtained for all structures.

viii) All structures and fenced areas for the keeping of chickens shall be in the rear yard area.

ix) If fencing is to be used as part of the area for the keeping of chickens, a placement or building permit may be required.

x) Chickens are not to be slaughtered on the permitted premises and the area in which chickens are kept is to be maintained so as to remove manure from the open areas on a regular basis.

**c) Administrative Violation.** i) Upon discovery of a suspected violation, the alleged violator may be issued, either personally or by mail, a citation that sets forth the alleged violation and informs the alleged violator of his or her right to be heard on the accusation.

ii) If a person accused of a violation of this Section so requests, a

hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator.

iii) The Administrative Fine Hearing Board shall serve as the Hearing Officer.

iv) If the Hearing Officer determines that a violation of this Ordinance did occur, that decision, along with the Hearing Officer's reasons for finding a violation and the penalty to be imposed shall be recorded in writing, a copy of which shall be provided to the accused violator. ~~Likewise, if the Hearing Officer finds that no violation occurred, or finds grounds for not imposing a penalty, such finding shall be recorded and a copy provided to the accused violator.~~

v) Appeals of any decision made by the Hearing Officer shall be filed in District Court for the district in which the alleged violation occurred.

vi) Nothing in this Section shall prohibit the City from seeking prosecution as a misdemeanor for any alleged violation of this Ordinance. However, if the City seeks misdemeanor criminal prosecution, no administrative penalty may be imposed.

vii) Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

viii) In cases where the administrative process is used, the administrative penalty shall be set by the Hearing Officer based upon the facts of the violation, the number of prior violations, and the administrative penalty may include termination of the permit for the keeping of chickens.

**Section 2.** City Code Chapter 1 entitled "General Provisions and Definitions Applicable to the Entire City Code, Including Penalty Provision for Violation" and Section 10.99 entitled "Violation a Misdemeanor", are hereby adopted in their entirety by reference as though repeated verbatim herein.

**Section 3.** This amendment to Chapter 10 of the City Code shall take effect and be in force from its passage, adoption and publication.

Adopted by the City Council of the City of Paynesville this 12<sup>th</sup> day of December, 2012.

\_\_\_\_\_  
Jeff Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Renee Eckerly, City Administrator

*Published in the Paynesville Press on December 19, 2012.*

**RESOLUTION 2012-35  
SETTING FEES RELATED TO PERMITS FOR THE KEEPING  
OF CHICKENS IN "R-1" - SINGLE & TWO FAMILY RESIDENTIAL  
DISTRICTS PURSUANT TO CHAPTER 10, SECTION 10.03**

WHEREAS, the City Council of the City of Paynesville has adopted a City Code recited in the text of Chapters 1 through 20 of Ordinance No. 1, 2<sup>nd</sup> Series; and

WHEREAS, Chapter 10, Section 10.03, as amended by the addition of a new Subdivision 7 thereto, provides an exception to the prohibition of keeping of chickens within the City limits of the City of Paynesville in "R-1" - Single & Two Family Residential Districts and allows for residents in such district to apply for a permit; and

WHEREAS, said Chapter 10, Section 10.03, Subd. 7, provides for the setting of a fee for the issuance of permits, and provides for a differential between the fee to be set where a permit is issued with the consent of 100% of the owners of abutting properties, and for the cost of a permit where there is not consent of 100% of the abutting property owners and there must be a public hearing; and

WHEREAS, it is provided in said Section 10.03, Subd. 7, that the fee for the issuance of permits shall be fixed and determined by the City Council, adopted by Resolution and uniformly enforced;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PAYNESVILLE AS FOLLOWS:

1) The permit fee for the issuance of a permit for the keeping of chickens in "R-1" – Single & Two Family Residential Districts where a petition has been signed by 100% of the abutting property owners shall be \$20.00.

2) The permit fee for the issuance of a permit for the keeping of chickens in "R-1" – Single & Two Family Residential Districts where there is not a petition signed by 100% of the abutting property owners shall be \$200.00 to offset the costs of posting, publishing and mailing notice to interested parties and conducting a public hearing.

IT IS FURTHER RESOLVED, that the foregoing permit fees shall remain in effect until changed by Resolution of the City Council of the City of Paynesville. These fees shall be effective upon passage of this Resolution.

Adopted by the City Council this 12<sup>th</sup> day of December, 2012.

\_\_\_\_\_  
Jeff Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Renee Eckerly, City Administrator

**CERTIFICATE OF ADMINISTRATION**

I, Renee Eckerly, the duly appointed, qualified and acting Administrator of the City of Paynesville, do hereby certify that the records of the City Council indicate that the attached Resolution is a true and correct copy of said Resolution of the City of Paynesville.

That present at the meeting were the following council members:

Jeff Thompson, Jean Soine, Dennis Zimmerman, Gene Beavers, and Jeff Bertram.

\_\_\_\_\_  
\_\_\_\_\_

The following members were absent: None

\_\_\_\_\_

The vote with respect to the Resolution was as follows:

All in favor of the Resolution.

None against the Resolution.

None abstained from voting.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 12<sup>th</sup> day of December, 2012.

\_\_\_\_\_  
Renee Eckerly, City Administrator  
City of Paynesville

ATTEST:

\_\_\_\_\_  
Jeff Thompson, Mayor  
City of Paynesville

# CCLD REVIEW

CONSTRUCTION CODES AND LICENSING DIVISION WINTER 2012/13  
MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY

## Online licensing, renewals show positive results

New license applications and license renewals for all CCLD license types can now be submitted online, reducing the time it takes to process applications and issue licenses.

In 2012, 36 percent of all license renewals were submitted online, compared to about 12 percent in 2011. Two-thirds of all plumbing licenses were renewed online this year.

Personal licenses renewed online are automatically and immediately renewed without the submission of supporting documents as long as the licensee has completed required continuing education prior to going online to submit the renewal.

Continuing education information is now submitted directly to CCLD by the continuing education providers, eliminating the need for licensees to submit course completion certificates with license renewals. Licensees who try to renew a license without completing the required continuing education are subject to license suspension or revocation and a fine of up to \$10,000.

Currently, business license applicants are still required to complete paper application forms, yet these forms can be uploaded to DLI's website and the license fee

### BY THE NUMBERS

New license applications and license renewals for all CCLD license types can now be submitted online. Some recent statistics about the move to the online system:

**12%** – License renewals submitted online in 2011.

**36%** – License renewals submitted online in 2012.

**67%** – Plumbing licenses renewed online in 2012.

paid electronically. Similarly, individual license exam applicants will have to upload work experience verification forms yet can pay exam and license fees electronically. Once an individual has passed the license exam, they can submit a license application and pay the fees online, resulting in the immediate issuance of a license.

CCLD's online license application page is at <https://secure.doli.state.mn.us/license/intro.aspx>. Questions about business licenses can be directed to (651) 284-5034 and questions about personal licenses can be directed to (651) 284-5031. Questions can also be emailed to [DLI.license@state.mn.us](mailto:DLI.license@state.mn.us).

### Locate inspectors quickly

## Find code requirements and code inspectors online

DLI has built a one-stop "Local Code Lookup" – online at <http://workplace.doli.state.mn.us/jurisdiction> – to help contractors and homeowners find local code requirements and code inspectors in one place.

The online search tool helps users find which code authority has local jurisdiction for permits, plan review and inspection in the areas of boilers, building codes, electrical, elevators, high-pressure piping, plumbing or other Minnesota construction codes and licensing disciplines.



DLI's Local Code Lookup helps homeowners and contractors find local code requirements and inspectors in one place.

3

## Strategic plan will guide DLI's program areas

DLI has conducted a review of its priorities and operations and prepared a strategic plan to guide it in carrying out its mission during the next five years.

DLI administers seven specific program areas:

- Apprenticeship
- Construction Codes and Licensing
- General Support
- Labor Standards
- Occupational Safety and Health (Minnesota OSHA)
- Workers' Compensation
- Office of Combative Sports

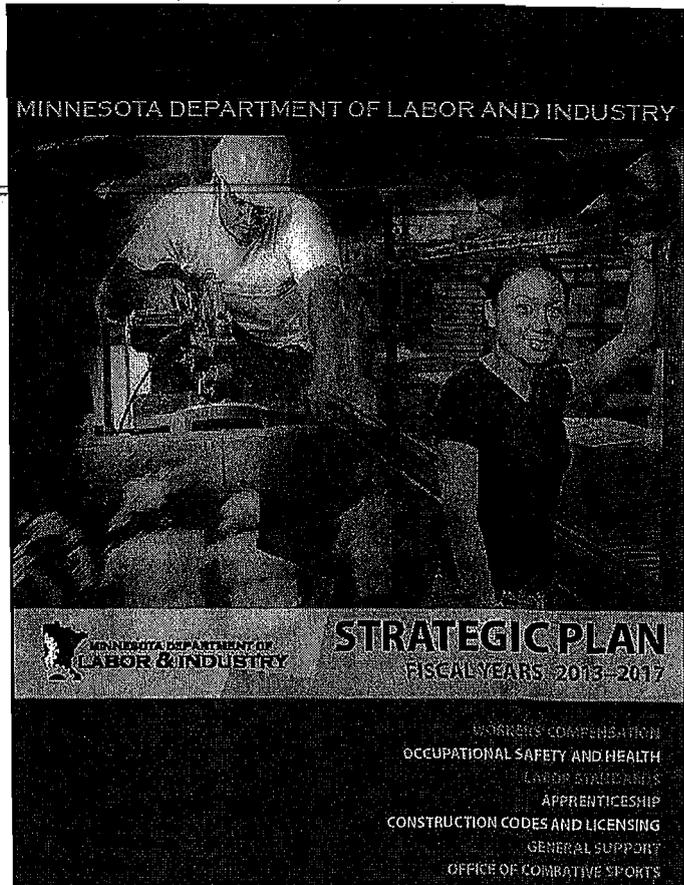
This strategic plan does not describe all of the agency's functions. Instead, it identifies areas where DLI staff members and stakeholders believe focus and innovation can improve the services provided by the agency.

Mindful of the need to use its resources wisely, DLI first identified the core objective of each of its units, requiring an answer to the basic question "Why is DLI's work important to the citizens of the state of Minnesota?" It then identified specific, targeted strategies to carry out each of the objectives. Finally, outcome measurements were established to determine whether DLI is successful in the strategies and initiatives it undertakes.

The following terms are used throughout the strategic plan:

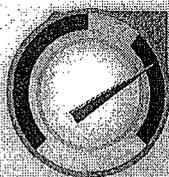
- Objective: The goal DLI wants to accomplish.
- Strategy: Explains what DLI does to meet the objective.
- Initiative: Describes how DLI will implement the strategy.
- Outcome measure: Gauges DLI's success.

As part of its strategic planning process, DLI took a close look at the work it performs and considered how to measure the results of its efforts. In addition, areas were



identified where DLI didn't currently collect the data necessary to measure success. In those situations, DLI will identify and monitor available information so appropriate baselines can be established.

DLI is committed to fair and firm enforcement of the laws it administers and to being a responsive and reliable resource for its stakeholders, including employers, workers, insurers and licensees. This strategic plan will help DLI continue to improve the services it provides. It is available on the DLI website at [www.dli.mn.gov/PDF/strategic\\_plan.pdf](http://www.dli.mn.gov/PDF/strategic_plan.pdf).



### DLI Dashboard shows agency performance indicators

The DLI Dashboard tracks the agency's progress in key areas. Stakeholders can see where the agency is on track and where it needs to improve.

View the dashboard at [www.dli.mn.gov/Dashboard.asp](http://www.dli.mn.gov/Dashboard.asp).

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## Plumbing code

# Possible model code adoption would replace the State Plumbing Code

Changes to the Minnesota Plumbing Code, Chapter 4715, are being considered.

The Minnesota Plumbing Board is proposing to adopt a national model code. The Request for Comments about the proposed rules was published in the Nov. 13, 2012, edition of the State Register. The Plumbing Board is requesting comments about the possibility of replacing the Minnesota Plumbing Code with the 2012 Uniform Plumbing Code (UPC) by reference, with amendments.

All submitted written comments will be reviewed by the Plumbing Board's National Code Review Committee and reported to the full board. The comment period will end March 4, 2013.

» For more information, see the rulemaking docket at [www.dli.mn.gov/PDF/docket/4715docket3.pdf](http://www.dli.mn.gov/PDF/docket/4715docket3.pdf)

## Workforce changes

# New inspectors begin work at DLI

A handful of new employees have started working at DLI recently, filling vacancies left by retirements and related staffing changes. Some of the newest workers include:

### Electrical (view inspector map)

- Steven Dudley – Electrical representative in DLI's Mankato office.

### Elevators - (view inspector map)

- John Bennett – Metro area elevator inspector.
- Maris Cinis – Metro area elevator inspector.
- Larry Churchill – Northeast Minnesota elevator inspector.

### Manufactured structures

- Dennis Lass – Consumer complaints, modular plan review/inspections.
- Jason Kelzer – Modular plan review/inspections.

### Plumbing - (view inspector map)

- John Roehl – Plumbing inspector in the west central district office.

View the full Construction Codes and Licensing Division's contact directory online at [www.dli.mn.gov/CCLD/CCLDContactUs.asp](http://www.dli.mn.gov/CCLD/CCLDContactUs.asp).

*CCLD Review* is a quarterly publication of the Minnesota Department of Labor and Industry.

Receive email notification when an issue is available by subscribing online.

## Contact information

### CCLD main contact info

Phone: (651) 284-5012  
Toll-free: 1-800-657-3944  
Fax: (651) 284-5749  
TTY: (651) 297-4198

### Visit the Contact Us page

### Licensing information

[DLI.License@state.mn.us](mailto:DLI.License@state.mn.us)

### Business/Contractor Licenses and Bonds: (651) 284-5034

(Including: Electrical, HPP, Plumbing, Residential, Manufactured Structures, Mechanical Bonds, Technology System, Water Conditioning)

### Personal Licenses and

**Certificates: (651) 284-5031**

(Including: Boiler Engineers, Electricians, Plumbers, Power Limited Technicians, Pipefitters, Unlicensed Individuals, Building Officials)

### Electrical information

Phone: (651) 284-5026  
Fax: (651) 284-5749  
[DLI.Electricity@state.mn.us](mailto:DLI.Electricity@state.mn.us)

### Boiler, High-Pressure Piping, Boats-for-Hire inspection

Phone: (651) 284-5544  
Fax: (651) 284-5737  
[DLI.Code@state.mn.us](mailto:DLI.Code@state.mn.us)

### Plumbing information

Phone: (651) 284-5063  
Fax: (651) 284-5748  
[DLI.Plumbing@state.mn.us](mailto:DLI.Plumbing@state.mn.us)

### License enforcement details

Phone: (651) 284-5069  
Fax: (651) 284-5746  
[DLI.Contractor@state.mn.us](mailto:DLI.Contractor@state.mn.us)

### Contractor registration program

Phone: (651) 284-5074  
[DLI.register@state.mn.us](mailto:DLI.register@state.mn.us)

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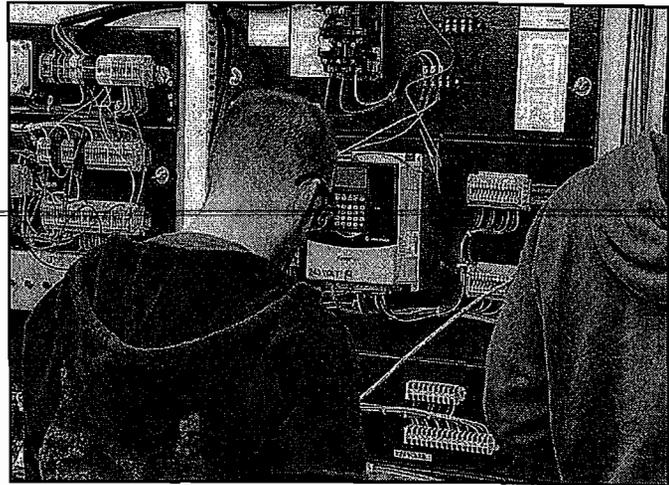
## Two-year construction electrical programs reviewed

In August 2012, DLI initiated a detailed review of construction electrician programs offered by nearly 20 technical and community colleges in Minnesota, North Dakota and Iowa.

Minnesota Statute §326B.33 allows an applicant for a ~~journeyman electrician, maintenance electrician or power-limited-technician~~ license examination to receive experience credit equivalent to one year for the successful completion of a two-year, post-high-school electrical course approved by DLI.

Minnesota Rules 3801.3820 through 3801.3885 provides the minimum qualifications for instructors and strict criteria for program content and delivery. To be approved, these programs must offer a minimum of 2,000 hours of education with at least 1,600 hours of comprehensive electrical technical lessons through lecture or lab and enforce a 95-percent attendance policy.

A full review of each construction electrician program, the technical content of the individual courses and the credentials of the instructors is required every five years to maintain approval status. In addition, each approved



DLI is reviewing construction electrician programs offered by technical and community colleges in Minnesota, North Dakota and Iowa.

technical college is required to submit an annual report detailing any instructor or curriculum changes.

The final determinations are expected to be completed prior to the statewide electrical instructors meeting Feb. 21, 2013, at DLI's office in St. Paul.

## Solar visit

### DLI electrical representatives and contract inspectors visit solar project



CCLD electrical area representatives and contract electrical inspectors visited a large solar project Dec. 18, 2012, near Slayton, Minn. The solar farm is provides about two megawatts of power into the electrical grid.

A contingent of CCLD's electrical area representatives and contract electrical inspectors visited a large solar project Dec. 18, 2012, near Slayton, Minn.

The massive solar farm has started operation and will provide about two megawatts of green solar power into the electrical grid.

More than 7,000 solar panels are installed on racking that is supported by hundreds of steel pilings that are each driven 9 feet into the ground. The electrical output power from the individual solar panels is only 35 volts at 8.5 amperes of direct current (DC). However, the 7,040 individual solar panels are connected together in such a way that the resulting total power output measures approximately 600 volts DC. The 600 volt DC power is inverted into 480 volt alternating current (AC) power. The 480 volt AC power is then transformed into 13,800 volts AC where it is routed underground to a nearby electrical utility substation. At the substation the electrical utility has interconnected the power from the solar photovoltaic system to the regional electrical grid.

## Enforcement actions

### Contractor fined \$10,000 for unlicensed activity

Some recent CCLD enforcement actions include:

- In October 2012, DLI revoked the license of a residential building contractor who was found to have submitted a license application that contained false or misleading information. The contractor was also fined \$5,000.
- Also in October 2012, an unlicensed residential building contractor from Golden Valley was ordered to cease and desist unlicensed activity and fined \$10,000. And another unlicensed contractor from Winona was fined \$7,000 and ordered to cease and desist unlicensed activity.
- A St. Louis Park electrical contractor agreed to be censured and to file all future requests for electrical inspection electronically using CCLD's eTRAKiT system. The contractor was also fined \$5,000 with \$4,500 of the fine stayed on the condition of no future violations.



#### Enforcement actions

View enforcement and license actions taken against licensees.

Summaries of all final CCLD enforcement actions are available at [www.dli.mn.gov/CCLD/Enforcement.asp](http://www.dli.mn.gov/CCLD/Enforcement.asp). Questions about specific enforcement actions should be directed to (651) 284-5069 or [DLI.contractor@state.mn.us](mailto:DLI.contractor@state.mn.us).

## Permits

### Online permit system saves time for users and DLI

Since its launch in October, 2011, DLI's online permit system – eTRAKiT – has cut in half the amount of staff time required to issue electrical permits and cut by 90 percent the time to process permits.

eTRAKiT, online at [www.dli.mn.gov/CCLD/etrakit.asp](http://www.dli.mn.gov/CCLD/etrakit.asp), enables electrical contractors and homeowners to apply for permits, track current and historical permits, review inspection results and pay fees – all in a matter of minutes.

More recently, high-pressure-piping contractors have also been able to apply for permits using eTRAKiT.

Before its launch, approval of electrical permits filed by mail could take up to six weeks and the process

Start using  
eTRAKiT now

eTRAKiT

Visit [www.dli.mn.gov/CCLD/etrakit.asp](http://www.dli.mn.gov/CCLD/etrakit.asp) for how-to videos, tip sheets and instructions detailing how contractors can use eTRAKiT to obtain electrical and HPP permits

was staffed by seven workers. Today, paper permits average a three-day turnaround – eTRAKiT permits are issued instantly – with only three staff

members now overseeing the approval of paper applications.

Since June 2012, nearly 70,000 electrical permits totaling about 60 percent of all applications have been created online using eTRAKiT. DLI averages about 100,000 requests for electrical permits each year.

“Providing Minnesotans with efficient electronic service continues to be a top priority for our agency,” said Ken Peterson, DLI commissioner.

With the success of using eTRAKiT to apply for electrical permits, DLI is now working to implement the online permit service for all construction codes and licensing disciplines, such as building, elevators, mechanical and plumbing.

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