



The City Council of the City of St. Charles welcomes you to its
 Regular Meeting of Tuesday, August 25, 2020 at 6:00 p.m.
 at 830 Whitewater Avenue, City Council Chambers, St. Charles, Minnesota.

ITEM	ACTION REQUESTED
1. Call to Order	
2. Pledge of Allegiance	
3. Approval of the Agenda	
4. Notices and Communications –	
5. Review of Financials	
6. Ordinance #625 Amending Chapter 92 (2 nd Reading)	APPROVE
7. Ordinance #626 Admin Fines and Fees (2 nd Reading)	APPROVE
8. Ordinance #624 C-3 Zoning Ordinance Amendments (2 nd Reading)	APPROVE
9. Resolution #26-2020 Authorization of COVID Funds by EDA	APPROVE
10. Electric Rate Study—Gary Price	APPROVE
11. Preliminary 2021 Budget	DISCUSS

UNSCHEDULED PUBLIC APPEARANCES: Members of the audience may address any item not on the agenda. State Statute prohibits the City Council from discussing an item that is not on the agenda, but the City Council does listen to your concerns and has staff follow up on any questions you raise.

ADJOURNMENT

Please Note: Some or all councilmembers may participate by telephone or other electronic means as permitted through Minn. Stat. 13D.021.

To attend the conference call please dial 1-320-460-1726 and the conference ID: 155 400 502#



MEMORANDUM for the CITY COUNCIL of St. Charles for
Tuesday, August 25, 2020

- 6. Ordinance #625 Amending Chapter 92 Animals (2nd Reading).** A second draft with changes to the proposed first reading will be highlighted during the meeting. The enclosed ordinance reflects many of the changes, but clarification was sought from legal counsel and will be presented Tuesday evening as a final copy if any additional changes were made.
- 7. Ordinance #626 Admin Fines and Fees (2nd Reading).** The enclosed ordinance is included for consideration for a second reading.
- 8. Ordinance #624 C-3 Zoning Ordinance Amendments (2nd Reading).** The enclosed ordinance is included for consideration for a second reading.
- 9. Resolution #26-2020 Authorization of COVID Funds by EDA.** The EDA reviewed the proposed resolution and business grant program and recommended approval of both items. Please see the enclosed resolution for consideration along with proposed business grant plan for distribution by the EDA through CEDA. Cris Gastner is continuing to develop the PPE program and guidelines that will be reviewed by the EDA in September.
- 10. Electric Rate Study—Gary Price.** Please see the enclosed Request For Council Action memo included for consideration.
- 11. Preliminary 2021 Governmental Budget.** A preliminary 2021 Governmental Budget will be presented at the Council meeting Tuesday evening.

CITY OF ST. CHARLES

ORDINANCE NO. 625

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA,
AMENDING CHAPTER 92 OF ITS CODE OF ORDINANCES TO ESTABLISH NEW
LIMITATIONS ON THE NUMBER OF PETS ALLOWED PER HOUSEHOLD AND
AMENDING LICENSING REGULATIONS

THE CITY OF ST. CHARLES DOES ORDAIN (deleted material is in ~~strikeout~~; new material is underlined; subsections which are not being amended are omitted):

Section 1. Title IX: General Regulations, Chapter 92: Animals, Sections 92.001 through 92.017: Dogs, is amended as follows:

§ 92.001 DEFINITIONS.

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

ANIMAL SHELTER or POUND means any premises designated by the City Council for the purpose or impounding or caring for animals held under the authority of this Section.

AT LARGE Off the owner's premises and not under the control of the owner or some person of suitable age and discretion, either by leash, cord or chain of not more than ~~(10)~~ 8 feet in length, or otherwise. A dog under the control solely by means of command or signal shall not be considered under control for the purpose of this part. A dog properly confined within a motor vehicle or properly confined within an enclosure, house or any other building, or retained within an enclosure, house or other building by leash, shall not be considered *AT LARGE*.

DOG Both male and female dogs.

DOMESTIC ANIMAL means any of various non-venomous animals domesticated so as to live and breed in a tame condition. Domestic animals do not include any animal considered "non-domestic" as defined by this ordinance section. Domestic animals are limited to:

- a. Dogs: *Canis lupus familiaris*
- b. Cats: *Felis catus*
- c. Rabbits: Order Lagomorpha
- d. Ferrets: *Mustela putorius furo*
- e. Any of the class of Aves (birds) that are caged and otherwise kept inside the residence;
- f. Any of the class of Aves (birds) kept under the owners or caretakers control and within properties that are zoned Rural Residential or Agricultural by the St. Charles Zoning Code, further providing that those birds are not free to leave the property.
- g. Any of the order of Rodentia such as mice, rats, gerbils, hamsters, chinchillas & guinea pigs;

- h. Any of the class of Reptilia such as snakes, lizards, and turtles excepting those meeting the non-domestic animal definition;
- i. Any of the class of Amphibian such as salamanders, frogs, toads excepting those meeting the non-domestic animal definition;
- j. Any of the order of Erinaceomorpha such as hedgehogs and moon rats
- k. Sugar gliders: *Petaurus breviceps*

KENNEL. Kennel means any place, building, tract of land, abode, or vehicle where three or more dogs are kept and maintained, with the exception of locations where the owners have been issued a Multiple Animal Permit. Kennel does not include a veterinarian licensed to practice in the State of Minnesota who keeps, congregates or confines dogs in the normal pursuit of the practice of veterinary medicine. Kennel does not include an animal shelter owned and operated by any political subdivision of the State or providing animal sheltering services under contract with any political subdivision of the State.

OWNER. Any person or persons, firm, association or corporation, owning, keeping, harboring or maintaining a dog within the city or permitting a dog to run at large within the city limits. (1987 Code, § 403.01)

OWNER means any person, keeper, custodian or legal entity owning, harboring or keeping an animal, whether temporary or permanent.

PET means a dog or cat to be licensed.

POLICE OR POLICE OFFICER The police officers of the City of St. Charles and/or any firm, agency or company hired by the City of St. Charles to assist the police in the performance of their duties with regard to enforcement of this subchapter.

PREMISES shall mean any building, structure, shelter or land whereupon animals are kept or confined.

PROVOCATION means an act that a person could reasonably expect may cause an animal to attack or bite.

NON-DOMESTIC ANIMAL Non-domestic animal means those animals considered to be naturally wild and not naturally trained or domesticated; or which are considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, non-domestic animals shall include:

- a. Any member of the cat family (felidae) including, but not limited to, lions, tigers, cougars, bobcats, leopards and jaguars, but excluding those recognized as domesticated house cats.
- b. Any naturally wild member of the canine family (canidae) including, but not limited to, wolves, foxes, coyotes, dingoes, and jackals, but excluding those recognized as domesticated dogs.

- c. Any hybrid or crossbreeds between an animal defined in clauses (a) or (b) and a domestic animal and offspring from all subsequent generations of those hybrids or crosses, such as the crossbreed between a wolf and a dog.
- d. Any member or relative of the rodent family including any skunk (whether or not descended), raccoon, or squirrel, but excluding those members otherwise defined or commonly accepted as domesticated pets.
- e. Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including, but not limited to, rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.
- f. Goats, ducks, peacocks, miniature or pot-belly pigs, poultry, horses, cattle, llama, bison, except as allowed by the City of St. Charles Land Development Code.
- g. Any other animal that is not explicitly listed above but which can be reasonably defined by the terms of this section including, but not limited to exotic animals, human primates, bear, deer, and game fish.

SUBSTANTIAL BODILY HARM means bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.

UNPROVOKED means the condition in which the animal is not purposely agitated or disturbed. It is a rebuttable presumption that any attack on a child fourteen years of age or younger for which a reasonable person connotes an intent to inflict bodily harm will be considered to be unprovoked unless the child is engaged in the commission of a crime or illegal activity, including activities classified under Minnesota Statute 343 as cruelty to animals.

§ 92.002 LICENSE REQUIRED.

(A) License required. It will be unlawful for any person to own, keep or harbor any pet over 12 months of age within the City, without having obtained a license, subject to the limitations of §§ 92.050et seq..

(1) Pet licenses. No license will be issued for any pet unless the applicant presents proof that the pet has been immunized against rabies as required.

(2) Information required. The owner is required to state the pet's name, sex, age (DOB if known), breed, color, and rabies vaccination manufacturer and rabies tag number on each license application.

(3) Date of Payment of License Fee. It is the duty of the owner of a pet required to be licensed to pay the license fee on or before the 30th day of September in each even year, or upon acquiring ownership or possession of an unlicensed pet, or upon establishing residence in the City. All licenses will expire on the 30th day of September in each even year following its issuance.

(4) Non-refundable. No refunds will be made on any pet license fee because of the removal of the pet from the City or because of the death of the pet before the expiration of the license period.

(5) Prorate. License fees will only be prorated 180 days (6 months) prior to license expiration.

(6) Other information as the Deputy City Clerk considers necessary.

(B) Tags.

(1) Upon approval of a pet license application, the applicant will be provided with a tag which shall be permanently fastened to the collar of the pet in such manner that the tag may be seen easily, and the tag will be worn constantly by such pet.

(2) Replacement Tags. When any pet tag is lost, a replacement may be issued, upon presentation of a receipt showing the payment of the license fee for the then current license term. Fees for duplicate tags will be established by City Council.

(3) Offenses Involving Tags. It is unlawful to counterfeit, or attempt to counterfeit, the tags provided for in this section or to remove from any pet a tag legally placed upon it with the intent of placing it upon another pet, or to place such tag upon another pet. It is unlawful for any person to transfer any tag issued, or to place a tag upon any pet other than the one for which it was issued, provided a tag may be transferred with the pet for which it was issued.

(C) The annual license fee shall be established by City Council ordinance.

(D) Public Notice. City Hall Personnel will cause a notice of the necessity of obtaining a pet license and paying such license fee to be published in the official newspaper of the City twice before the 30th day of September, in each even year, the last publication to be at least one week prior to such date. If any owner does not obtain a license for his/her pet by this date, a late license fee will be added onto the regular pet license fee.

(E) Limitations. Except for kennels licensed under this ordinance and/or animal owners who have been issued a Multiple Animal Permit as designated in the ordinance, the following limits on animals will apply:

(1) Properties with Single Family Homes and no other dwelling units.

(a) No more than three dogs over twelve months of age shall be owned, kept or harbored on the premises.

(b) No more than three cats over twelve months of age shall be owned, kept or harbored on the premises.

(c) Congregate limit. No more than 10 domestic animals may be kept or harbored on the premises.

~~(A) On or before August 31 of every even-numbered year, subject to the limitations of §§ 92.050 et seq., the city shall cause every dog that is at least 180 days old and is owned, kept, harbored or permitted to run, to be licensed.~~

~~(B) The City Administrator shall issue licenses for these dogs.~~

~~(C) License applications shall be made on forms provided by the Clerk Administrator and shall require the following:~~

~~(1) The name and address of the owner;~~

~~(2) The name, breed, age, color and sex of the dog; and~~

~~(3) Other information as the City Administrator considers necessary.~~

~~(D) The annual license fee for each dog shall be established by Council resolution. No reduction in the fee shall be made because part of the license year has expired and no refunds, in part or in whole, shall be made for any purpose.~~

~~(E) With each license issued, the City Administrator shall also issue a metal tag bearing the number of the dog. The owner shall promptly cause the dog to wear this tag on a collar around its neck during the term of the license.~~

~~(1987 Code, § 403.02) (Am. Ord. 577, passed 2-10-15)~~

☞ § 92.003 RECORDS KEPT.

The Deputy City Clerk (Administrator) shall prepare correct lists of all pets (dogs) licensed in accordance with § 92.002 above, setting forth the owner's name and address and the name, number and description of each pet (dog) licensed.

(1987 Code, § 403.03)

☞ § 92.004 RUNNING AT LARGE.

(A) It shall be unlawful for the dog or cat of any person who owns, harbors or keeps a dog or cat, to run at large. A person, who owns, harbors or keeps a dog or cat which runs at large shall be guilty of a misdemeanor.

(B) Dogs or cats on a leash and accompanied by a responsible person or accompanied by and under the control and direction of a responsible person, so as to be effectively restrained by command as by leash, shall be permitted in streets or on public land unless the city has posted an area with signs reading "Dogs or Cats Prohibited."

Penalty, see § 10.99

(C) Dogs are permitted to be unleashed in the off-leash dog park as designated by the City of St. Charles Park Department under the following conditions:

(1) The owner of the dog must be present; and

(2) The dog must be under the voice control of the owner at all times; and

(3) Feces must be properly removed and disposed of in a trash receptacle provided by the City within public parks or in a sanitary manner on private property.

☞ § 92.005 IMPOUNDMENT.

(A) Dogs. The St. Charles Police Department or any duly authorized assistants, or any peace officer, may impound any dog found in the City without the currently effective tag provided for in this ordinance; or any dog found at large at any time or found not to be kept, confined or licensed in the manner required by this chapter within the City.

(B) Cats. It will be lawful for the St. Charles Police Department or any of their duly authorized assistants, or any peace officer, to take up and impound any cat found in the City without a currently effective rabies vaccination provided for in this ordinance; or any cat found at large at any time within the City.

(C) Other animals. Any animal considered at large is subject to impoundment. Any unrestrained, unlicensed or unpermitted animal required to be restrained, licensed or permitted.

(D) Any owner shall produce for the inspection of the police his or her pet's tag and/or a receipt indicating payment of the license fee when requested by the official.

(E) No person shall interfere with, hinder or molest the police or any of their assistants in the performance of their duties hereunder.

(F) Animals impounded under this section shall be confined and disposed of in the following manner:

(1) Any dog or cat impounded under this subchapter shall be confined in the city animal shelter, in a private animal shelter or facility contracted with by the City, and in a humane manner for a period of not less than 5 regular business days of the impounding agency, as defined by state law, if not claimed prior thereto by its owner.

(2) Anytime thereafter the dog or cat shall become the property of the city and may be disposed of in a humane manner or may be sold to or placed in the custody of some other suitable person.

(3) If a dog or cat is destroyed pursuant to this subchapter, the license of the dog or cat shall expire.

(G) Immediately upon the impounding of a dog or cat wearing a current license tag, the police shall make every reasonable effort to notify the owner of the impoundment and of the conditions whereby the owner may regain custody of the dog or cat. Any verbal notices shall immediately be confirmed in writing by the police.

(1987 Code, § 404.09) Penalty, see § 10.99

~~(A) Dogs running at large or impounded under this part may be taken by the poundmaster as designated below, impounded in an animal shelter and confined in a humane manner.~~

~~(B) Impounded dogs shall be kept for not less than 5 regular business days unless reclaimed by their owner as provided in § 92.008 below.~~

~~(C) The poundmaster may be any city police officer or person designated to assist the police officer.~~

~~—(D) The poundmaster shall be paid by the city per dog impounded.
(1987 Code, § 403.05)~~

~~¶ § 92.006 OBLIGATION TO PREVENT NUISANCES.~~

~~—(A) The owner or custodian of any animal, whether permanently or temporarily in the city, shall be obligated to and responsible for preventing the animal from committing any act which is a nuisance.~~

~~—(B) A nuisance is any habitual or frequent barking or crying at night; frequenting school grounds, parks or public beaches; chasing vehicles; molesting or annoying any person not on the owner's or custodian's property; leaving fecal waste on public or private property; molesting, defiling or destroying any property, public or private.~~

~~—(C) If any owner or custodian does not prevent his or her animals from committing an act of nuisance, the owner or custodian shall be subject a penalty.~~

~~(1987 Code, § 403.06) Penalty, see § 10.99~~

~~¶ § 92.006 (92.007) NOTICE OF IMPOUNDMENT.~~

(A) Within 1 day of taking and impounding any dog or cat, the ~~poundmaster~~ Deputy City Clerk shall post an impoundment notice in ~~(3)~~1 or more conspicuous places in the city.

(B) If the owner of an impounded dog or cat is known, written notice of impounding, shall be given to the owner, in lieu of posted notice, either by mail or personal service. The date of sale or destruction of the dog or cat shall be the sixth day after the notice was posted or given unless that date falls on a Sunday or holiday, in which case the sale or destruction shall be the following day.

(1987 Code, § 403.07)

~~¶ § 92.007 (92.008) REDEMPTION.~~

(A) Any dog or cat may be reclaimed from the animal shelter by its owner within the time specified in the notice by paying the ~~(City Administrator)~~Deputy City Clerk the license fee (if not paid for the current year) and the cost of boarding ~~(and administration)~~, or presentation of a receipt showing payment of the boarding fee.

(B) Any animal that is not redeemed by the owner becomes the property of the City of St. Charles. Suitable animals may be placed for adoption. Animals may be euthanized or otherwise disposed of, as directed by the vet clinic.

~~(C)(B)~~ Notwithstanding this section, the owner shall remain subject to all other penalties contained in this code.

(1987 Code, § 403.08)

~~¶ § 92.008 (92.009) PROCEEDINGS FOR DESTRUCTION OF CERTAIN DOGS.~~

(A) *Basis of summons.*

(1) The Winona County District Court shall issue a summons to a dog owner commanding the owner to appear before the court to show cause why the dog should not be seized by a police

officer, or otherwise disposed of as authorized by this code upon receiving a complaint that any of the following conditions exist:

(a) A dog at any time has destroyed property or habitually trespassed, damaging property of persons other than the owner;

(b) A dog at any time has attacked or bitten a person off the owner's or custodian's premises;

(c) A dog is vicious or shows vicious habits or molests pedestrians or interferes with vehicles on public streets or highways;

(d) A dog is a public nuisance as defined in § 92.006 above; or

(e) A dog is running at large in violation of this code.

(2) A summons shall be returnable not less than 2 nor more than 6 days from the summons date and shall be served at least 2 days before the required appearance.

(B) *Order.*

(1) Upon a hearing and finding the complaint facts true, the court may order the dog destroyed, order the owner or custodian to remove the dog from the city or order the owner or custodian to keep the dog confined to a designated place.

(2) If the owner or custodian violates the order, a police officer may impound the dog. The provisions of this part are in addition to and supplement other provisions of this chapter.

(C) *Costs.* Costs of the proceeding specified by this subchapter shall be assessed against the owner or custodian, if the facts in the complaint are found to be true; otherwise, costs shall be assessed against the complainant.

(1987 Code, § 403.09)

☞ § 92.009 (92.010) SUMMARY DESTRUCTION OF CERTAIN DOGS.

When an officer has reasonable cause to believe that a particular dog presents a clear and immediate danger to city residents because it is infected with rabies (hydrophobia) or has a clearly demonstrated vicious nature, the officer may summarily destroy the dog after making reasonable attempts to impound the animal.

(1987 Code, § 403.10)

☞ § 92.011 DANGEROUS DOGS.

~~—(A) When the owner of a vicious, dangerous or destructive dog has forfeited bond or bail or had pleaded or been found guilty in permitting the dog to run at large contrary to this code, the court may order destruction of the dog or may order the dog confined in a specific manner on its owner's premises and fine or imprison the owner.~~

~~—(B) If the dog is found running at large thereafter, the poundmaster shall summarily destroy the dog upon apprehension.
(1987 Code, § 403.11)~~

§ 92.010 (92.012) BOARDING FACILITIES, BREEDING FACILITIES, AND KENNELS.

(A) No person, firm or corporation, shall maintain in the city a facility for boarding or breeding as a business without securing a license from the Council. The license fee shall be by City Council ordinance (resolution).

(B) No person will maintain a kennel within the City except in a location permitted by the zoning ordinance. The kennel license will be in addition to the license prescribed in preceding sections for each dog kept in such kennel, and the license fee will be fixed from time to time by the Council and will be obtained in the same manner as the dog license. The fee will be based upon the maximum number of dogs handled at the kennel. The license will expire annually on December 31st of each year.

(1987 Code, § 403.12) Penalty, see § 10.99

§ 92.011 (92.013) INTERFERENCE WITH OFFICERS (POUNDMASTER.)

It is unlawful for any unauthorized person to break open the animal shelter, or to attempt to do so, or to take or let out any animal, or to take, or attempt to take, from any officer any animal taken by them in compliance with this ordinance, or in any manner to interfere with or hinder such officer in the discharge of their duties under this ordinance.

~~(No unauthorized person shall take or attempt to take from the poundmaster or other authorized city representative any dog taken or apprehended in compliance with this code, or interfere in any manner with or hinder a representative in the discharge of duties under these ordinances.)~~

(1987 Code, § 403.13) Penalty, see § 10.99

§ 92.012 (92.014) OFFENSES INVOLVING TAGS.

No one shall counterfeit the metal tags described in § 92.002 above or take a tag from any dog or cat, or place a tag so taken upon another dog or cat.

(1987 Code, § 403.14) Penalty, see § 10.99

§ 92.013 (92.015) RABIES VACCINATION.

(A) Dogs and Cats Rabies Immunization Required. All dogs and cats over the age of 12 months harbored or maintained within the City shall be immunized against rabies by a licensed veterinarian. The vaccines used and their duration of immunity against rabies will be as recommended by the National Association of State Public Health Veterinarians (NASPHV) in their annual Compendium of Animal Rabies Prevention and Control.

(1) Exceptions. No dog or cat need be vaccinated when a licensed veterinarian has examined the animal and certified that, at such time, vaccination would endanger its health because of its age, infirmity, debility, illness, or other medical consideration; and such exception certificate is presented to the animal control officer. The animal shall be vaccinated against rabies as soon as its health and age permit.

(2) A veterinarian who vaccinates a dog or cat shall prepare and deliver to the owner a certificate of vaccination in duplicate, setting forth the name and address of the owner, information sufficient to identify the dog or cat vaccinated, and the type of vaccine used.

(3) In addition, the veterinarian shall issue to the owner a distinctive metal tag to be shown to the City Administrator or his designee, which sets forth the year of vaccination.

(4) The owner shall forthwith cause the dog or cat to wear this tag on a collar until the next vaccination.

(5) No dog or cat shall be licensed by the City Administrator or their designee which has not been vaccinated against rabies as provided in this code during the 2-year period immediately preceding the date application for license is made.

(1987 Code, § 403.15) Penalty, see § 10.99

(B) Dogs, cats or other animals known to have been bitten or exposed to a rabid animal must be euthanized immediately or the animal's owner must adhere to procedures as described in the NAHSPV Compendium of Animal Rabies Prevention and Control. Notification of exposure shall be made immediately to the St. Charles Police Department. Costs associated with exposure are incurred at the animal owner's expense.

(C) Disposition of Diseased Dogs, Cats or other Animals. If a dog, cat or other animal quarantined under this Chapter is found to be sick or diseased, the operator of the quarantine facility will immediately report in writing to City Hall the condition of the dog or animal. The City may then take possession of the dog, cat or animal for the purpose of submitting it to determine if it is suffering from rabies. A diseased dog, cat or animal may be euthanized, if it is determined such action necessary for the protection of public health and safety, as recommended by a licensed veterinarian. If a quarantined animal sickens or dies, it shall be sent to the Minnesota Department of Health for rabies testing. The owner of the animal is responsible for the cost of quarantine, veterinary fees and testing.

~~-(A) Every dog over the age of 180 days which is kept, harbored or maintained in the city shall be vaccinated at least every 2 years against rabies.~~

~~-(B) Vaccination shall be performed only by a doctor qualified to practice veterinary medicine in the state in which the dog or cat is vaccinated.~~

~~(C) A veterinarian who vaccinates a dog or cat shall prepare and deliver to the owner a certificate of vaccination in duplicate, setting forth the name and address of the owner, information sufficient to identify the dog or cat vaccinated, and the type of vaccine used.~~

~~(D) In addition, the veterinarian shall issue to the owner a distinctive metal tag to be shown to the City Administrator, which sets forth the year of vaccination.~~

~~-(E) The owner shall forthwith cause the dog to wear this tag on a collar until the next vaccination.~~

~~(F) No dog shall be licensed by the City Administrator which has not been vaccinated against rabies as provided in this code during the 2-year period immediately preceding the date application for license is made.~~

~~(1987 Code, § 403.15) Penalty, see § 10.99~~

~~§ 92.015 (92.016) PETS (DOGS) WHICH HAVE BITTEN.~~

~~(A) When a dog has bitten a person or there is good reason to believe that the dog has bitten a person, that fact shall be reported within 24 hours to the City Chief of Police (Health Officer) and thereafter the owner of the dog or cat shall comply with the City Chief of Police's (Health Officer's) instruction concerning the animal (dog).~~

~~(B) Whenever any animal capable of transmitting the rabies virus has bitten any person or domestic animal, the owner or custodian of the biting animal, upon being notified by the St. Charles Police Department, will immediately cause the animal to be quarantined at the City approved animal shelter or pound, or by a veterinarian licensed to practice in the State of Minnesota and approved by the Chief of Police, for a period of ten days after the bite incident. The St. Charles Police Department may allow the owner to quarantine the animal if proof of current rabies vaccination is provided.~~

~~(C) Release from quarantine. At the end of ten days, a veterinarian shall examine the animal to ascertain whether symptoms of rabies exist. If the veterinarian diagnoses the animal to be free of the signs of rabies, the animal shall be released from quarantine. If a quarantined animal sickens or dies, it shall be sent to the Minnesota Department of Health for rabies testing. The owner of the animal is responsible for the cost of quarantine, veterinary fees and testing.~~

~~(1987 Code, § 403.16) Penalty, see § 10.99~~

~~§ 92.016 (92.017) VIOLATION.~~

~~The city may impose a voluntary administrative penalty under § 10.90 rather than issuing a criminal summons.~~

~~(1987 Code, § 403.17) (Am. Ord. 515, passed 5-13-2008) Penalty, see § 10.99~~

Section 2. Title IX: General Regulations, Chapter 92: Animals, Sections 92.030 through 92.044: Cats, is amended as follows:

CATS

~~§ 92.030 DEFINITIONS.~~

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

~~**OWNER.** Any person, group of persons or corporation owning, keeping or harboring a cat or cats. The harborer of a cat is any person who has custody of any cat or permits the same to be kept or to stay on or about his or her premises.~~

~~**POLICE OFFICERS or POLICE.** The police officers of the City of St. Charles and/or any firm, agency or company hired by the City of St. Charles to assist the police in the performance of their duties with regard to enforcement of this subchapter.~~

~~**POUND.** The vet clinic of the City of St. Charles.~~

~~(1987 Code, § 404.01)~~

~~§ 92.031 LICENSING.~~

- ~~(A) (1) No owner of a cat shall own, keep or harbor any cat within the city limits unless the cat is licensed as herein provided, and subject to the limitations of §§ 92.050et seq.~~
 - ~~(2) Application for a license shall be made at the Deputy Clerk's office and shall state the name and address of the owner and the name, breed, color, age and sex of the cat.~~
 - ~~(3) The license fee shall be paid at the time of making the application. The license fee shall be as provided by resolution.~~
 - ~~(B) No license shall be required for newborn cats up to the age of 6 months.~~
 - ~~(C) (1) All cat licenses shall be issued for 2 years beginning with January 1 of each even-numbered year.~~
 - ~~(2) Application for licenses may be made 30 days prior to the start of the licensing period and thereafter during the licensing period. Any owner who secures a cat after the start of the license period shall be allowed 30 days after acquiring the cat to secure a license.~~
 - ~~(D) (1) Any owner upon first becoming a resident of the City of St. Charles shall be allowed 30 days from that time to obtain a cat license.~~
 - ~~(2) Any cat which may be impounded for lack of a license within the 30-day period provided for in this section may be reclaimed by the owner without paying the impoundment fee, but the owner shall be responsible for paying the cost of keeping the cat during its impoundment.~~
 - ~~(3) Any cat owner having a valid cat license from another municipality may, within 30 days after becoming a City of St. Charles resident, secure a City of St. Charles cat license for which the owner shall pay a fee of \$2 upon surrender of the license from the previous licensing municipality.~~
 - ~~(E) In the event that the license tag issued for a cat shall be lost or stolen, the owner shall, upon payment of \$1, obtain a duplicate tag by surrendering the receipt issued for the lost or stolen tag.~~
 - ~~(F) If there is a change of ownership of the cat during the year, the new owner may have a current license changed to his or her name upon the payment of a transfer fee of \$1, or may secure a new license.~~
 - ~~(G) The design of the license tag issued under this subchapter shall be changed each license period.~~
 - ~~(H) No license shall be granted for a cat which has not been vaccinated against rabies during the 24 month period immediately preceding the application. Each applicant for a cat license shall present a certificate of vaccination from a doctor qualified to practice veterinary medicine in the state in which the cat is vaccinated.~~
- ~~(1987 Code, § 404.02) (Am. Ord. 577, passed 2-10-15) Penalty, see § 10.99~~
- ~~§ 92.032 LICENSE TAG.~~
- ~~(A) Each applicant for a license shall, upon complying with the provisions of this subchapter, be issued a tag stamped with a number and the years for which the license is issued.~~
 - ~~(B) Every owner is required to keep a valid tag securely fastened to the cat in a way that will not endanger the cat's life or health. The tag shall be worn by the cat at all times.~~
 - ~~(C) No person shall make, sell, purchase or shall place or allow to be placed on his or her cat any tag of the same form, shape or intended to be like the official tag, or shall attempt in any way to counterfeit the design adopted for the official cat tag.~~

~~(D) Except as otherwise provided in this subchapter, cat tags shall not be transferable. No refund shall be made on any cat license fee to anyone who ceases to be a resident of the city, or to anyone whose cat dies before the expiration of the license.~~

~~(1987 Code, § 404.03) Penalty, see § 10.99~~

~~§ 92.017 (92.033) ABANDONMENT AND STRAY CATS.~~

~~(A) It shall be a violation of this subchapter for any person to abandon any cat or permit any cat to become a stray.~~

~~(B) For the purposes of this subchapter, an *ABANDONED CAT* is one which is left unattended off the premises of its owner for a period of 72 hours or more.~~

~~(C) For the purposes of this subchapter, a *STRAY CAT* is one having no known owner or custodian or known place of care and shelter.~~

~~(1987 Code, § 404.04) Penalty, see § 10.99~~

~~§ 92.018 (92.034) CONFINEMENT OF CERTAIN CATS.~~

~~(A) The owner of a cat shall confine within a building or secure enclosure every fierce, dangerous or vicious cat and not permit the cat out of the enclosure unless the cat is in the direct control of a competent person.~~

~~(B) Every female cat in heat shall be confined in a manner so that the female cat cannot come in contact with another cat except for planned breeding.~~

~~(1987 Code, § 404.05) Penalty, see § 10.99~~

~~§ 92.019 (92.035) KEEPING OF NUISANCE CATS PROHIBITED.~~

~~(A) The owner or custodian of any cat shall prevent the cat from committing in the city any act which constitutes a nuisance.~~

~~(B) It is a nuisance for any cat to habitually or frequently howl, cry or loudly mew at night, to frequent school grounds, or parks, to molest or annoy any person away from the property of its owner or custodian, or to damage, defile or destroy public or private property, plantings or structures.~~

~~(C) Failure of the owner of a cat to prevent the cat from committing a nuisance is a violation of this subchapter.~~

~~(1987 Code, § 404.06) Penalty, see § 10.99~~

~~§ 92.036 POUND.~~

~~The City Council of St. Charles may designate as the animal shelter of the city a suitable kennel or other animal facility, either within or without the city limits.~~

~~(1987 Code, § 404.07)~~

~~§ 92.037 POLICE ASSISTANTS.~~

~~(A) The City Council may designate persons as it may deem necessary to aid and assist the police in the performance of their duties with regard to enforcement of this subchapter.~~

~~—(B) All police, or police officers, as defined in this subchapter, shall be deemed to have, in addition to the power to impound cats, all police powers, necessary to enforce this subchapter and to cite owners of cats for violations of this subchapter.~~

~~(1987 Code, § 404.08)~~

~~☐ § 92.038 IMPOUNDING CATS.~~

~~—(A) The police, as defined in this subchapter, may take up and impound any cat found not to be kept, confined or licensed in the manner required by this subchapter.~~

~~—(B) Any owner shall produce for the inspection of the police his or her cat's tag and/or a receipt indicating payment of the license fee when requested by the official.~~

~~—(C) No person shall interfere with, hinder or molest the police or any of their assistants in the performance of their duties hereunder.~~

~~—(D) (1) Any cat impounded under this subchapter shall be confined in the city animal shelter in a humane manner for a period of not less than 5 regular business days of the impounding agency, as defined by state law, if not claimed prior thereto by its owner.~~

~~—(2) Thereafter the cat shall become the property of the city and may be disposed of in a humane manner or may be sold to or placed in the custody of some other suitable person.~~

~~—(3) If a cat is destroyed pursuant to this subchapter, the license of the cat shall expire.~~

~~—(E) Immediately upon the impounding of a cat wearing a current license tag, the police shall make every reasonable effort to notify the owner of the impoundment and of the conditions whereby the owner may regain custody of the cat. Any verbal notices shall immediately be confirmed in writing by the police.~~

~~(1987 Code, § 404.09) Penalty, see § 10.99~~

~~☐ § 92.020 (92.039) CATS WHICH CANNOT BE IMPOUNDED.~~

~~If a cat subject to impoundment pursuant to this subchapter is diseased, vicious, dangerous, rabid or exposed to rabies, and the cat cannot be impounded after reasonable effort, or cannot be impounded without serious risk to the persons attempting to impound, the cat may be immediately killed.~~

~~(1987 Code, § 404.10)~~

~~☐ § 92.040 REDEMPTION OF IMPOUNDED CATS.~~

~~—(A) Any cat impounded hereunder not being held for suspected disease may be reclaimed by the owner within 5 regular business days of the impounding agency, as defined by state law, upon payment by the owner to the city of an impounding fee of \$25, plus an additional sum equal to the cost to the city of keeping the cat in the city animal shelter.~~

~~—(B) If the cat so reclaimed requires a license under the provisions of this subchapter, the license shall be obtained before the cat is released.~~

~~(1987 Code, § 404.11) Penalty, see § 10.99~~

~~☐ § 92.021 (92.041) CRUELTY TO PETS (CATS).~~

~~The police may take possession of any dog or cat which is being kept in a cruel or inhumane manner, or when it is necessary to impound the dog or cat as herein provided by this subchapter and within the Minnesota Statute 343.20 through 343.40.~~

~~(1987 Code, § 404.12)~~

☞ § 92.022 (~~92.042~~) BITE CASES.

It shall be the duty of every physician or any other person to report to the police the names and addresses of persons treated for bites inflicted by animals within the City of St. Charles, together with other information as will be helpful in rabies control.

(1987 Code, § 404.13) Penalty, see § 10.99

☞ § 92.023 (~~92.043~~) PROTECTION FOR CATS.

It shall be unlawful for anyone to place upon the ground, or in any other manner, any poison, bait, ground glass or any other device or thing intended to harm a cat.

(1987 Code, § 404.14) Penalty, see § 10.99

☞ § 92.024 (~~92.044~~) KEEPING OR HARBORING OF NON-DOMESTIC ANIMALS PROHIBITED.

(A) No person shall own, care for, have custody or control of, within the city limits, any non-domestic animal as defined in this ordinance.

(1) Exceptions. An exception may be made to this prohibition for the following:

(a) non-domestic animals specifically trained for and actually providing assistance to the handicapped or disabled;

(b) animals permitted as provided by the Land Usage Code of the City of St. Charles

(c) for those non-domestic animals temporarily brought into the city as part of a licensed or permitted operating petting zoo,

(d) veterinarian clinics;

(e) licensed wildlife rehabilitators currently licensed by the Minnesota Department of Natural Resources;

(f) for traveling exhibitions which keep non-domestic animals for exhibition or show, provided that the person, traveling circus, zoo or show holds a valid USDA license, and has obtained a state permit, provided that such non-domestic animals are not kept in the city more than 14 days per year;

(h) for educational institutions.

☞ § 92.025 (~~92.044~~) VIOLATION; VALIDITY.

The city may impose a voluntary administrative penalty under § 10.90 rather than issuing a criminal summons.

(1987 Code, §§ 404.15, 404.16) (Am. Ord. 515, passed 5-13-2008) Penalty, see § 10.99

Section 3. Title IX: General Regulations, Chapter 92: Animals, Sections 92.050 through 92.052: Multiple Pets, is amended as follows:

Multiple Pets

§ 92.050 LIMITATION ON NUMBER OF DOGS AND CATS.

No household shall own, keep or harbor more than three dogs over ~~six~~twelve months of age or three cats over ~~six~~twelve months of age without first obtaining a multiple pet permit pursuant to § 92.051.

§ 92.051 MULTIPLE PET PERMIT.

(A) In order to own more than three dogs over ~~six~~twelve months of age, or three cats over ~~six~~twelve months of age, a multiple pet permit is required. Such permit shall be issued by the City Administrator upon receipt of a complete application from the owner on a form to be provided by the City and any additional information reasonably required by the City to evaluate the conditions in which the pets will be kept, payment of the permit fee pursuant to paragraph (B) of this Section, and a determination by the Chief of Police that adequate facilities exist and the owner is of sufficient character and means to ensure that such pets will be kept in clean, humane conditions free of contamination and disease and in such a manner as to minimize noise and odors. Such permit shall be valid ~~(for one calendar year, and shall be renewed)~~ upon payment of the ~~(annual)~~ multiple permit fee and a demonstration of continued compliance with the permit requirements.

(B) A multiple pet permit fee in an amount to be established by Council ordinance ~~resolution~~ shall be due and payable to the City at the time of permit application ~~(and annually thereafter)~~. This fee shall be in addition to the regular license fee established by the City Council pursuant to § 92.002.

(C) All owners granted multiple pet permits shall maintain the premises and areas where the permitted animals are kept in a clean and humane condition, free from all contamination and diseases and so as to minimize odors and noises, and if the permit is for more than three dogs, such premises shall be equipped with a fence that provides an enclosed area from which the animals may not exit without human assistance. Failure to meet such requirements will subject owners to revocation of the multiple pet permit by the City Administrator. The owner may appeal any such permit revocation by the City Administrator by requesting a formal hearing before the City Council. If necessary to protect the public health, safety and welfare, the City Animal Control Officer or law enforcement officer may impound the animals pending the results of the hearing. In this case, the owner shall tender with his or her request for the hearing, funds in an amount sufficient to defray expenses of the keeping of the animal(s) pending such hearing until the matter is eventually resolved.

§ 92.052 EXCEPTIONS TO MULTIPLE PET PERMIT REQUIREMENT.

A multiple pet permit shall not be required for premises on which (1) more than the allowed number of domestic animals are kept in a commercial breeding facility licensed pursuant to Minnesota Statutes, Sections 347.57 through 347.64, or (2) more than the allowed number of domestic animals are kept for the business of breeding dogs or cats or both for sale, and there are no more than a total of two litters of offspring (dogs or cats) per calendar year.

Section 4. This Ordinance shall take effect thirty days after its publication.

Adopted this 8th day of September, 2020 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Second Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Published:

Date: _____

**CITY OF ST CHARLES
ORDINANCE #626**

**AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE
SCHEDULE OF FEES FOR THE CITY OF ST. CHARLES
AND REPEALING ORDINANCE #615**

THE CITY OF ST. CHARLES DOES ORDAIN (deleted material is stricken and enclosed in brackets; new material is underlined; subsections which are not being amended are omitted):

WHEREAS, the administrative and public works operation of the City of St. Charles often requires fees to be charged for services rendered or for materials sold;

WHEREAS, the administrative and public works operation of the City of St. Charles often requires fees to be charged for services rendered or for materials sold;

THE CITY OF ST. CHARLES DOES ORDAIN:

Copy Machine

Interoffice	\$0.05	per copy
General Public	\$0.25	per copy

Faxes

Interoffice	\$0.25	per page
General Public	\$1.00	per page

Maps

Size: 1" = 800'	\$3.00
Size: 1" = 400'	\$5.00
Size: 1" = 200'	\$20.00

Books And Manuals

Comprehensive Plan	\$25.00	per copy
City Budget Documents	\$25.00	per copy
Capital Improvement Plan	\$10.00	per copy
Zoning Ordinance	\$10.00	per copy
Subdivision Regulations	\$10.00	per copy
City Charter	\$10.00	per copy
Police/Accident Reports	\$5.00	per copy
Digital Media Copy (DVD/CD)	\$30.00	per initial copy
- additional copy of DVD/CD		
\$5.00 each		

Zoning and Subdivisions

Conditional Use Permit; Home Occupation Permit; Variance & Zoning Amendments	\$50.00
A) Published Legal Notice	\$50.00
B) 0-10 Mailed Area Notices	\$45.00
C) 11-20 Mailed Area Notices	\$50.00
D) 21-30 Mailed Area Notices	\$55.00
E) Excess Mailed Area Notices	\$60.00

Preliminary Plat Application

A) Application	\$925.00
B) Each Lot in Subdivision	\$25.00

Final Plat Application

A) Application	\$925.00
B) Each Lot in Subdivision	\$25.00

City Day Labor and Equipment – Per Hour

Day Labor Per Person (Water Tank Fill Meeting- Minimum 1/2 hr. charge)	\$50.00
Day Labor Per Person (Nights/Weekends)	\$75.00
Equipment: Pickup, Water Tap	\$60.00
Equipment: Dump Truck, Flatbed, Tractor	\$80.00
Equipment: Grader, Loader, Sweeper, Boom Truck, Digger Derrick	\$90.00

Goods and Materials	Cost/Postage +10%
Copperhorn	\$72.00
Meter Spuds	\$15.00
Remote Water Meter	\$220.00
Water Valve Extension & Cover	\$30.00
	As set by Council through Ordinance
Water Usage (Per 1000 Gallons)	\$6.00
Meter Bottom	\$80.00/YD
Sand & Salt Mixture	

Mileage	
City Car Available	\$0.45
City Car Unavailable	\$0.575

Meal Per Diem	
Breakfast-	\$10.00
Lunch-	\$15.00
Dinner-	\$20.00

Pet License (2 Year)

<u>Regular License Fee</u>	<u>\$20.00</u>
<u>Neutered/Spayed</u>	<u>\$10.00</u>
<u>Late Fee</u>	<u>\$15.00</u>
<u>Multiple Pet</u>	<u>\$20.00</u>

~~(Dog Licenses (2 Year))~~

(Regular License Fee)	(\$18.00)
(Neutered/Spayed)	(\$9.00)
(Late Fee)	(\$10.00)
(Multiple Pet Permit)	(\$20.00)

Cat Licenses (2 Year)

(1) Regular License Fee)	(\$12.00)
(2) Neutered/Spayed)	(\$6.00)
(3) Late Fee)	(\$10.00)

Chicken License (1 Year)	\$25.00
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Subdivision Inspection Fees

Street & Utility Inspection Fee	\$4500.00	Up to 15 lots
	\$300.00	Per additional lot

Parkland Dedication Fee

Per Residential Lot	\$650.00
(Per Commercial/ Industrial Acre)	\$250.00

Hook-Up Fees

Sanitary District Connection Fee -Single Family	\$2,640.00
Sanitary District Connection Fee Multi-Family	\$2,115.00

Without Individual Laundry Sanitary District Connect Fee Multi-Family Without Garbage Disposal or Dishwasher	\$1,980.00	
Sanitary District Connect Fee Multi-Family Laundry Facilities, Without Garbage Disposals Or Dishwasher	\$1,580.00	
Water Hook-Up Fee	\$700.00	
Sewer Hook-Up Fee	\$800.00	
Temporary/Permanent Electric Hookup	\$50.00	\$50.00

Water & Sewer Impact Fee

Water \$1,350.00/Sewer \$2,500.00	\$3,850.00	per acre
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Specialty Licenses

ATV Permit Fee (2 year)	\$25.00	
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Solar Application Fee

<20 kW	\$100.00	
20 – 39.9 kW	\$250.00	

Dance Permit Fees

Dance	\$10.00	
Officer (4 Hours)	\$100.00	per officer
Additional Officer Hours	\$25.00	each additional hour

Community and Pavilion Center Rental

Monday-Friday	\$20.00/hour (\$15.00/hr. non-profit)	
Saturday - Sunday	\$200.00+	
	\$20.00/hour	

Kitchen Charge (weekend only <u>if available</u>)	\$20.00 (\$10 paid to Senior Center)
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Pavilion Rental Charge	\$25.00 5-hour increment (7-noon, noon-5 pm., 5 p.m.-10 p.m.)
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Building Permit Fees

Value	Fee
\$1 - \$500	\$25.00
\$501 - \$2,000	\$25.00 for the first \$500.00 plus \$1.75 for each additional hundred or fraction thereof, to and including \$2,000.00
\$2,001 - \$25,000	\$51.25 for the first \$2,000.00 plus \$4.30 for each additional thousand or fraction thereof, to and including \$25,000.00
\$25,001 - \$50,000	\$150.15 for the first \$25,000.00 plus \$3.65 for each additional thousand or fraction thereof, to and including \$50,000.00
\$50,001 - \$100,000	\$241.40 for the first \$50,000.00 plus \$2.45 for each additional thousand or fraction thereof, to and including \$100,000.00
\$100,001+	\$363.90 for the first \$100,000.00 plus \$1.75 for each additional thousand or fraction thereof.
Plan Check Fee:	75% of building permit fee.

State Surcharge:	Valuation multiplied by .0005
Water/Sewer Inspection Fee:	\$ 57.00
Plumbing Fee:	\$ 50.00
Mechanical Fee:	\$ 50.00

Miscellaneous Building Permit Fees:

Install New Fireplace/Woodstove	\$35.00	Install Gas Pipe Line	\$50.00
Replacement of Fireplace Gas Insert	\$25.00	Roof Top (HVAC)	\$95.00
Replace Furnace	\$50.00	Re-Roof	\$50.00
Install Air Conditioner	\$50.00	Re-Side	\$50.00
Install Water Heater	\$50.00	Pool/Spa/Hot Tub	\$50.00
Demolition	\$75.00	Reactivate permit	\$25.00
Sump Pump Inspection	\$50.00	Fence Permit	\$25.00
Windows (Up to 5)	\$65.00	Door Replacement	\$65.00
	\$15.00/window		
	After five (5)		

Administrative Fines/Fees

Statute/Ordinance	Description	Administrative Fine/Fee
	Building Code Violation (various)	\$50.00
	Failure to License animals	\$25.00
	Public Nuisance (various)	\$50.00
	Snowmobile Violations	\$50.00
	Failure to License ATV	\$50.00
	Garbage Refuse Scavenging	\$25.00
	Vehicle on Bike Path	\$25.00
	Various Offenses; animals	\$25.00
	Loud music/party (certain hours)	\$50.00
	Unauthorized service/meter tampering	\$50.00
	Snow Parking (§70.10)	\$25.00
	Storage of Seized Property	\$25.00/day-maximum of 30 days
	Firearms Storage	\$5/month
	Digital Video Evidence	\$25.00

2. Areas not covered herein may require a fee payment which shall be determined at the discretion of the City Administrator.

3. Ordinance (~~#607~~) #615 is hereby repealed.

4. This Ordinance shall take effect and be in force 30 days after its publication of summary.

Adopted this 25th day of August 2020 by the Council of the City of St. Charles, Minnesota.

Mayor John Schaber

Attest:

Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____

Second Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____

Published:

Date: _____

CITY OF ST. CHARLES

ORDINANCE #624

AN ORDINANCE OF THE CITY OF ST. CHARLES, MINNESOTA, AMENDING PORTIONS OF THE REGIONAL COMMERCIAL/INDUSTRIAL (C-3) ZONING DISTRICT

THE CITY OF ST. CHARLES DOES ORDAIN (deleted material is enclosed in brackets and lined out; new material is underlined; subsections which are not being amended are omitted):

Section 1. Title XV: Land Usage, Chapter 152: Zoning, Section 152.24 Districts of the City Code of St. Charles, Minnesota, be amended as follows:

(C) *Permitted principal uses*

(14) Lumberyards and construction material sales or equipment rental.

(F) *Conditional uses*. The following uses may be permitted subject to issuing a conditional use permit as provided in § 152.43:

(2) All industries that have outside or open storage of parts, products, or fuels, and displays of products for sale or rent, that exceeds 25 percent of the lot area, including principle and accessory structures. (~~which are not enclosed or screened within the confines of a 100% opaque wall or fence, excluding merchandise offered for direct sale, rental, or lease up to an area of 15% of the ground floor area of the principal-use building~~);

(K) *Regulations on screening, landscaping, lighting, storage and outdoor displays.*

(1) *Screening.*

(c) Ground mechanical equipment and fuel storage tanks shall be screened from adjacent properties and adjacent streets.

(d) The screening required in this section shall not extend within 15 feet of any street. The screening shall be at least ~~(80)~~ 90 percent opaque within ~~(two)~~ five years and not less than six feet ~~(or greater than eight feet)~~ in height.

(4) *Storage; Displays*

(a) All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user shall be stored within a completely enclosed building or screened to provide 90% opacity through fences or walls, berms, landscaping or any combination thereof. ~~(within the confines of a 100% opaque wall or fence not less than)~~ The plantings shall be a minimum of 3 feet in

height at installation and shall be 6 feet in height in 5 years. (not less than 5 feet or greater than 8 feet in height.)

(d) The height of all materials stored/displayed, shall not exceed the height of the perimeter fence or screening. Equipment on display for direct sale, rental or lease shall not exceed ¾ of the height of the principle building.

(e) All outdoor storage/display areas shall be hard-surfaced with either bituminous or concrete. Compacted bituminous millings or other comparable dust-free surface material may be used upon the recommendation of the Planning Commission and at the discretion of the City Council.

(f) Screening fences or walls, when utilized, shall be constructed of permanent finished materials, such as vinyl, composite lumber, brick, stucco, textured concrete, stone or chain link and shall be comparable with those used in the construction of the principle structure. Other materials may be used upon the recommendation of the Planning Commission and at the discretion of the City Council.

(L) Requirements for vehicular and pedestrian circulation

(1) All buildings or structures and their accessory uses shall be accessible from nearby public streets by driveways, parking areas, and walkways, and shall be hard-surfaced with either bituminous or concrete. ~~(all surfaced with hard, all weather resistant, dust free material.)~~ All surfaces shall have adequate drainage.

Section 2: This Ordinance shall take effect thirty days after its publication.

Adopted this 25th day of August, 2020 by the City Council of the City of St. Charles, Minnesota.

John Schaber, Mayor

Attest:

Nick Koverman, City Administrator

First Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Second Reading:

Date: _____

Ayes: _____

Nays: _____

Absent: _____

Abstain _____

Published:

Date: _____

City of St. Charles
Resolution #27-2020

**A RESOLUTION AUTHORIZING ADMINISTRATION OF
CORONAVIRUS RELIEF FUNDS BY ST. CHARLES ECONOMIC
DEVELOPMENT AUTHORITY FOR BUSINESS RELIEF PROGRAM**

WHEREAS, the City of St. Charles (“City”) has received Coronavirus Relief Funds (“Funds”) from the State of Minnesota, as authorized by Congress pursuant to the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”); and

WHEREAS, the CARES Act authorizes the City to transfer all or a portion of the Funds to other units of government; and

WHEREAS, the CARES Act authorizes Funds to be used for grants to small businesses to reimburse the costs of business interruption caused by required closures; and

WHEREAS, the St. Charles Economic Development Authority (the “Authority”) desires to administer a portion of the Funds pursuant to a business relief program to be established (the “Business Program”), the purpose of which is to help offset necessary costs for small businesses in the City that have been directly impacted by the COVID-19 pandemic; and

WHEREAS, the City Council has determined that transferring the administration of a portion of the Funds to the Authority for Business Program purposes is in the best interests of the City and that the Funds designated for Business Program uses will comply with federal and state guidelines for the use of the Funds under the CARES Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of St. Charles that the City Administrator and staff are authorized and directed to transfer the administration of a portion of the Funds to the St. Charles Economic Development Authority, in the following amounts and for the following purposes: \$100,000 to go towards Business Assistance Program Purposes and \$10,000 to go towards the Business Safety Program and providing grants and supplies to small businesses through the programs, all in accordance with federal and state guidelines for expending the Funds.

Adopted by the St. Charles City Council this 25th day of August, 2020.

John Schaber, Mayor

ATTEST:

Nick Koverman, City Administrator

St. Charles EDA CARES Act Small Business Relief Program

This program was created to provide economic support to small businesses to reimburse the costs of business interruption caused by the COVID-19 pandemic.

\$100,000 was allocated to this program; applications will be accepted and reviewed until 5 p.m. on Friday, October 2, 2020 or until funds are depleted (whichever occurs first).

All grant awards are intended to provide emergency relief for costs associated with critical business expenses that are unable to be paid as a direct result of the current health emergency.

Eligibility Requirements:

1. The business must have a physical location within the City of St. Charles City limits.
2. Any St. Charles business that experienced negative impacts as a result of COVID-19 and the Governor's Executive Orders is eligible to apply.
 - Special consideration will be given to businesses that were closed and/or limited in capacity by Governor's Order.
 - Priority will be given to businesses that DID NOT receive the DEED Small Business Relief Grant or Winona County Small Business Assistance Grant through SEMCHRA.
3. Business must have experienced business interruption from COVID-19 between March 15, 2020 to present.
4. Eligible businesses must be in good standing with the City of St. Charles and the State of Minnesota.
5. Business must have been in operation since March 1, 2020.
6. Business must employ between 1-50 employees (including ownership).

Eligible Expenses Include:

1. Commercial rent or mortgage payments
2. Utility payments
(Businesses with delinquent utility accounts will be required to use awarded funds to bring utility accounts current)

3. Inventory cost
4. Payroll
5. Other direct business-related bills
5. Costs incurred to purchase supplies including Personal Protective Equipment (PPE)
6. Technological improvements to online platforms essential to operations during COVID-19
7. Professional services acquired to create preparedness plans.
8. Outdoor business operations (incl. the cost of constructing of outdoor facilities either temporary or permanent to allow service to customers with proper social distancing)
9. Outdoor seating and seating areas established because of COVID-19 (incl. the cost of conversion of an area, parking lot or open area, adjacent to a dining facility to accommodate additional outdoor seating)
10. Signage and markings relating to the operation of the business in accordance with the Covid-19 guidelines (e.g. "masks required" signage, social distancing signage/markers, etc.)
11. Checkout counter modifications such as the installation of screens and buffers to allow for proper social distancing practices.
12. HVAC improvements/air purification systems/etc. purchased to prevent the spread of COVID-19.
13. Other necessary, non-payroll expenses.

(PLEASE NOTE: Funds may NOT be used for the same expenses for which your business received any other source of federal funds. Any expenses paid with SBA Paycheck Protection Program (PPP), SBA Economic Injury Disaster Loan (EIDL) or EIDL Advance, State of Minnesota Department of Employment and Economic Development (DEED) Small Business Relief Grant, Winona County Small Business Relief Grant through SEMCHRA, or other grant or forgivable loan are ineligible for these funds)

This program will function by:

1. Business owners will fill out this application in its entirety.
2. Business owners will be required to submit supporting documentation to cris.gastner@cedausa.com.
Applications will not be reviewed until all documentation has been received.
3. Maximum grant award is \$5,000. If funds remain after the deadline, additional funds may be awarded to applicants based on demonstrated financial need.

- 4. Approved businesses will receive reimbursement by check to the mailing address provided in their application.
- 5. Only one application per business will be accepted.

If you have any questions or would like to discuss this program, please contact us at cris.gastner@cedausa.com or 651-764-5745.

The EDA reserves the right of ultimate review and will determine approval of submitted applications. To receive funds from this program, businesses must be current on all obligations to the City.

*** Required**

- 1. Business Name *

- 2. Business Address *

- 3. Mailing Address (if different than business address above)

4. How many full time employees does your business currently have? *

Mark only one oval.

1

2

3

4

5

6-20

21-50

NA

5. How many part time employees does your business currently have? *

Mark only one oval.

1

2

3

4

5

6-20

21-50

NA

6. Contact Name *

First and last name

7. Contact Email *

8. Contact Phone number *

9. Do you certify that your business is in good standing with the State of MN and the City of St. Charles? *

Mark only one oval.

YES

NO

Other: _____

10. What is your business' estimated loss from March 15, 2020- present? *Please note, you will be required to provide profit and loss or revenue and expense statements to demonstrate this loss. *

11. Was your business ordered to close or reduce operations due to the 2020 State of Emergency Executive Orders? *

Mark only one oval.

Yes

No

Other: _____

12. Please describe how COVID-19 and the Governor's Executive Orders have negatively impacted your business' operations and revenue and how these grant funds are necessary. *

13. How much are you requesting from this program? (up to \$5,000) *

14. Which necessary expenses are you requesting grant funding to help cover? Please note that you will be required to provided documentation/proof of purchase between March 15, 2020-present : *

Check all that apply.

- Commercial Rent/Mortgage
- Utilities
- Inventory
- Payroll
- PPE supplies
- Technological improvements
- Outdoor business operation expenses
- Outdoor seating/seating areas
- Signage and markings
- Checkout counter modifications
- Professional services to create preparedness plans
- HVAC improvements/air purification systems/etc. purchased to prevent the spread of COVID-19
- Other necessary, non-payroll expenses

15. Below, provide information on each of the items you're requesting grant funding (up to \$5,000) to cover. Please note that you'll be required to submit documentation/proof of purchase between March 15, 2020-present. *

16. Is there any other information you would like us to be aware of regarding your business' impact or the potential use of grant funds?

17. Have you received economic relief funding from any of the following programs (please check all that apply): *

Check all that apply.

- Paycheck Protection Program (PPP)
- Economic Injury Disaster Loan (EIDL)/EIDL Advance
- MN Department of Employment and Economic Development (DEED) Business Relief Grant
- DEED Small Business Emergency Loan
- Winona County Business Relief Grant (Administered by SEMCHRA)

Other: _____

18. If you received funding from any of the above resource programs, please detail the amount for each below.

If you have questions, contact us at cris.gastner@cedausa.com or 651-764-5745.

In order for your grant application to receive consideration, you are required to submit:

- Supporting documentation/proof of purchase showing the purchase of the eligible items detailed above (purchase must be made between March 15, 2020-present).

and

- Profit and loss or revenue and expense statements to demonstrate loss/business interruption

You have options on how to submit this information:

1. Email the documentation to cris.gastner@cedausa.com
2. Drop the documentation off at City Hall (830 Whitewater Ave. St. Charles, MN)
3. Mail the documentation to City Hall (830 Whitewater Ave. St. Charles, MN)

By submitting this application, we hereby certify that the information included is true and accurate to the best of our knowledge, that we have read, understand, and that we will comply with the program guidelines. We agree to notify the City of any changes to our business that would make the information included in this application inaccurate.

We certify that the business expenses related to this grant application are the result of the hardship caused by public health emergency and the subsequent Executive Orders. The item(s) for which we are requesting reimbursement are necessary for our continued operation. The grant dollars received from this program would only be used to cover approved, eligible expenses as outlined above.

We confirm that if approved, the City may use the approved company's name and information in promotional/publicity materials, events, etc.

We understand that this application will be reviewed based on the information provided herein and that the City of St. Charles reserves the right to approve, partially approve, or deny an application at the discretion of its appropriate Board(s).

SUBMITTING
YOUR
ADDITIONAL,
REQUIRED
DOCUMENTATION

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**Request for City Council Action**

Date: August 20, 2020

Requested Council Date: August 25, 2020

Originating Department: Electric Department

Council Action Requested: Rate Study Review

Background Information: Following the 2019 audit, it was indicated that the electric fund revenues were continually decreasing and that the City utility may want to consider a potential rate increase. Staff has consulted with Gary Price, the financial consultant for the Upper Midwest Municipal Energy Group to conduct the rate study and a proposal was received to conduct the study for a cost not to exceed \$5,250.00 plus out of pocket expenses for travel time. A final report will be provided to the Council at the conclusion. The last rate study was conducted in 2012 by StarEnergy services.

Rates have remained unchanged since January of 2013 due to the ability of UMMEG to renegotiate its contract with Dairyland Power, which allowed all member utilities to take advantage of the open market pricing which has been very favorable over that time.

