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**ORDINANCE 1**

Resolution to hold Village Elections under Australian System.

At a regular meeting of the Village officers in said Village shall be held and conducted under the so called
"Australian Ballot System" until otherwise determined by ordinance or resolution by the said Village Council and after the adoption of such resolution all elections of the Village Officers in said Village shall thereafter be held and conducted under "Australian Ballot System" as provided by law for Village Elections in this state.

Passed by the Verndale City Council on October 4, 1932.

(15c. 31514 l)

C. P. Pettit
Mayor

W. H. Fox
Clerk

ORDINANCE 2

AN ORDINANCE RELATING TO THE SALE OF NON INTOXICATING MALT LIQUOR.

The village Council of the village of Verndale, Minnesota do ordain as follows:
SECTION I

Non-intoxicating malt liquor within the meaning of this Ordinance shall be held to be any malt liquor or beverage which contains more than one-half of one percent alcohol by volume and not more than three and two-tenths per cent alcohol by weight.

SECTION II

No person shall vend, deal in, or dispose of, by gift, sale or otherwise, any non-intoxicating malt liquor without first having obtained a license to do so from the Village Council.

SECTION III

The annual license for "on sale" license shall be seventy-five and no\$100 ($75.00) dollars and for "off sale" license, Fifteen and no\$100 ($15.00) dollars.

SECTION IV

No person shall sell non-intoxicating malt liquor to any person not of legal age, as defined by Minnesota Statutes.

SECTION V

No person who is less than legal age, as defined by Minnesota Statute, shall serve, sell or vend nonintoxicating Malt liquor in the city of Verndale.

SECTION VI

The Village Council may grant or deny any such application, and if the same be granted may be revoked by the Village Council at anytime without a hearing and without notice to the Licensee.

SECTION VII

No "On Sale" license shall be issued to any applicant unless he/she be the actual owner or proprietor of the place where he/she intends to sell such malt liquor.

SECTION VIII

It shall be unlawful for the applicant to make any false or misleading statement in his/her written application.

SECTION IX

The license of any person who shall be found guilty of any violation of the prohibition law, whether the offense be committed on the premises named in his/her licence or elsewhere, and the license of any person who shall have, keep, sell, manufacture or possess intoxicating liquor at or upon the premises named in his/her license, contrary to said prohibition law, shall be revoked by the Village Council.
SECTION X

No such malt liquor shall be sold, served, or consumed at or in any theater, picture show, ball park, dance hall, streets, alleys or any place of public gathering for the purpose of entertainment or amusement.

SECTION XI

No manufacturer or distributor of malt liquor shall, wholesale, distribute or sell malt liquor in the Village of Verndale, to anyone except a licensed vendor.

SECTION XII

The premises named in any license shall at all times while open to the public be also open to the inspection and examination by any police or health officer of the Village of Verndale.

SECTION XIII

Licenses granted under this ordinance shall be of two kinds, vis:

A. "On Sale" licenses shall permit the licensee to sell non-intoxicating malt liquor for consumption of the premises of the licensee described in the license. The liquors so sold shall be served and consumed at tables in the dining, café, or eating place maintained by the licensee and shall not be consumed or served at bars.

B. An "Off Sale" license shall permit the licensee to sell such non-intoxicating liquor in original packages are not to be consumed on the premises described in such licenses. Original packages as use herein shall mean the bottle or sealed container in which the liquor is placed at the place of manufacture.

SECTION XIV

Any person desiring to sell non-intoxicating malt liquors under a licenses as hereinafter defined shall make application in writing to the Village Council through the office or the Village Recorder, which written application shall be on the form as the Village Council shall prescribe and furnish to applicant therefor.

SECTION XV

A conviction in any court for violating any of the provisions of this ordinance, or of the prohibition law, shall in and of itself render null and void the license of the soft drink dealer and of the soft drink place, who, by or wherein such violation takes place and the Village Council in its discretion revoke any license at any time.

SECTION XVI

All license shall expire on the 7th day of April after issuance, and shall not be transferable.

SECTION XVII
"On Sale" licenses shall be granted only to restaurants, hotels and clubs, and no manufacture of non-intoxicating malt liquors shall have any ownership in whole or part, directly or indirectly, in the business of any licensee holding an "On Sale" license.

SECTION XVIII

All ordinances or parts of ordinances of the Village of Verndale inconsistent herewith are hereby repealed.

Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine of not to exceed $100.00 or by imprisonment not to exceed three (3) months.

This ordinance shall take effect and be in force from and after its publication. Passed April 4th, 1933.

Published in the Verndale Sun, a newspaper printed in Verndale, MN in October 6th and 13th editions 1933.

C.P. Pettit
Mayor

W.H. Fox
Clerk

AMENDMENT TO ORDINANCE 2 AND 5

(AMENDMENT FOR ORDINANCE 2 IS REPEALED BY ORDINANCE 44)

Amendment to Village Beer Ordinance 2 and Village Liquor Dispensary Ordinance 5 are hereby amended to conform with Minnesota Statutes Section 340.021, 340.022 and 340.14 Subdivision I of Chapter 654 uniform closing hour law of 1949.

Passed 16th day of May, 1949.
ORDINANCE 3

AN ORDINANCE TO REGULATE AND LICENSE ENTERTAINMENTS, EXHIBITIONS AND THE HAWKING OR PEDDLING OF MERCHANDISE WITHIN THE VILLAGE OF VERNADELE, MINNESOTA, AND PROVIDING PENALTIES FOR VIOLATION THEREOF

The Village Council of the Village of Verndale Minnesota, do ordain as follows:

SECTION I
It shall be unlawful for any person at any time within the corporate limits of the Village of Verndale, Minnesota, to operate a circus, tent show, merry-go-round, or any street exhibition without a license from the Village Council.

SECTION II

It shall be unlawful for any person within the corporate limits of the Village of Verndale, Minnesota, to sell or offer for sale as a hawker or peddler any kind of goods or merchandise, machinery, books, fruits, vegetables, meats, or other articles of value without first having procured a license therefor as hereinafter provided.

SECTION III

No person shall be exempt from the provisions of this ordinance because of service in the American Army during the war.

SECTION IV

Any person who shall violate any provision of this ordinance shall upon conviction thereof, for each offense be punished by a fine of not more than $100.00 for less than $25.00, or by imprisonment for not to exceed three (3) months.

SECTION V

Solicitor, per day.......................... $ 5.00
Hawkers, on foot, per day............ $ 5.00
Hawkers with vehicle, per day...... $ 10.00
Peddlers, on foot, per day........... $ 5.00
Peddlers, with vehicle, per day.... $ 10.00
Transient merchants, per day...... $ 10.00

SECTION VI

This ordinance shall take effect and be in force from and after the date of its publication.

SECTION VII

Any person violating any provision hereof shall be guilty of a misdemeanor punishable by a fine of not less than $5.00 (Five Dollars) not more than $100.00 (One Hundred Dollars) or 10 (ten) days nor more than 90 (ninety) days in the County Jail.

SECTION VIII
All ordinances or parts of ordinances of the Village of Verndale, Minnesota, inconsistent with the provisions of this ordinance, are hereby repealed.

Passed October 2, 1933.

Published October 5th and October 12th, 1933 in the Verndale Sun, a newspaper published in Verndale, Minnesota

C. P. Pettit
Mayor

W. H. Fox
Clerk

ORDINANCE 4

AN ORDINANCE DEFINING AND PROHIBITING DISORDERLY CONDUCT AND PROVIDING A PENALTY FOR VIOLATION THEREOF

The Village Council of Verndale do ordain as follows:

SECTION 1

DISORDERLY CONDUCT  The doing of any of the following acts without authority of law by any persons is hereby declared to be disorderly conduct:
A. Willfully disturbing any assembly or meeting not lawful in its character, or the peace and quiet of any family or neighborhood;

B. Willfully and lewdly exposing his/her person or the private parts thereof, or procuring another to do so expose himself/herself, and any open and gross lewdness or lascivious behavior, or any act of public indecency;

C. Using profane, vulgar or indecent language in or about any public building, store or place of business, or upon any of the streets, alleys or sidewalks of the village so as to be audible and offensive;

D. Appearing upon any public streets or other public place in an intoxicated condition.

SECTION II

DISORDERLY CONDUCT PROHIBITED AND DECLARED A MISDEMEANOR Disorderly conduct is hereby prohibited and anyone doing any of the above acts shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not to exceed $100.00 (One Hundred Dollars) or by imprisonment in the County Jail for not to exceed 90 (ninety) days, or by both, together with the cost of prosecution in addition.

SECTION III

REPEAL All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION IV

This ordinance shall be in force and effect from and after its publication according to law. Passed by the Council this 2nd day of April, 1934. Published April 5, 1934 in the Verndale Sun, a newspaper in Verndale, Minnesota.

__________________________
J. M. Weber
Mayor

__________________________
L. H. Pettit
Clerk

ORDINANCE 5

(See Resolution 90-0820)

AN ORDINANCE ESTABLISHING A LIQUOR DISPENSARY AND PROVIDING CERTAIN REGULATIONS THEREFOR.

The Council of the Village of Verndale does ordain:

SECTION I

DISPENSARY ESTABLISHED A municipal liquor dispensary is hereby established to be operated within this municipality for the sale of liquor potable as a beverage and containing more than 3.2 per cent of alcohol
by weight, both for consumption at such dispensary on such premises by the drink and in the sealed or closed receptacle or retainer for the removal from the premises. No person shall sell, barter or otherwise dispose of intoxicating liquor, nor shall a sale be made by any one outside said dispensary or not employed in and by said dispensary. It shall be unlawful for any person to mix or prepare liquor for consumption in outside of the dispensary. No liquor shall be sold or consumed on a public highway or in an automobile.

SECTION II

LOCATION AND OPERATION  The said dispensary shall be at such place as the Council shall determine by motion and may be either leased or owned by a municipality. It shall be in charge of a person known as an operator, who shall also be selected by the Village Council and who shall be paid such compensation as the council shall determine. Said Operator authority to purchase supplies as are necessary and compensation to be approved by the council and under the rules to be determined by the council. All employed including the operator shall hold their positions at the pleasure of the council. No minor person shall be employed in the municipal dispensary.

SECTION III

DISPENSARY FUND CREATED  A liquor dispensary fund is hereby created into which all revenues received from the operation of the dispensary shall be paid and from which all operating expenses shall be paid, provided that the initial costs of rent, fixtures and stock may be paid for out of the general fund of the municipality, but such amounts shall be reimbursed to the said of the general fund out of the first moneys coming into the liquor dispensary fund not needed for carrying on the said of business. Any surplus accumulating in this fund may be transferred to the general fund by resolution of the Council and expanded for any municipal purpose.

SECTION IV

HOURS OF OPERATION  The municipal dispensary shall at all times observed the following restrictions upon the hours of operation. No sale of intoxicating liquor shall be made on Sunday nor before three o'clock P.M. on any Memorial Day nor before eight o'clock P.M., on any election day in the Village.  No “on” sale shall be made before eight o'clock A.M. or after twelve o'clock midnight of any day.  No “off” sale shall be made before eight A.M. or after eight o'clock P.M. of any day except Saturday, on which day “off” sale may be made until ten o'clock P.M.

SECTION V

CONDITIONS OF OPERATION AND RESTRICTIONS ON CONSUMPTION

A.  No pool or billiard shall be kept in the dispensary or any rooms connected therewith; nor shall any one on such premises keep, possess or operate on such premises or in any rooms adjoining or connected therewith any slot machine, dice or any other gambling device or permit the same to be so kept or used. No gambling shall be permitted on such premises, nor shall any person of a known immoral character or any disorderly person be permitted on such premises.

B.  No other business than the sale of liquors shall be carried on the dispensary or by any person
employed therein during the time so employed.

C. No liquor shall be sold either for consumption upon the premises or for removal therefrom to a person in an intoxicating condition.

D. No liquor shall be sold to a minor.

E. The premises occupied by the dispensary shall be duly inspected by the health officer of the Village at least once a month and as many other times as he/she sees necessary to see that said premises is in a sanitary condition.

F. No person shall be permitted to loaf or loiter about the dispensary habitually.

SECTION VI

REPEAL   All ordinances of the Village or any provisions thereof in conflict with this ordinance or any of its provisions are hereby repealed. No provision hereof shall affect Ordinance No. 2, licensing regulating the sale of non-intoxicating Malt Liquor adopted pursuant to Chapter 116, Laws of Minnesota 1933, or any license granted thereunder.

SECTION VII

ENFORCEMENT AND PENALTY   It shall be the duty of all police officers and constables of the Village to enforce the provisions of this ordinance and to search premises and seize evidence of law violation and preserve the same as evidence against any person alleged to be violating this ordinance, and to prepare the necessary processes and papers therefore.

Any person violating any provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $100.00 (one hundred dollars) or in default of such payments shall be imprisoned in the Village lockup or County Jail for not to exceed 90 (ninety) days, plus the costs of prosecution in any case.

SECTION VIII

EFFECT   This ordinance shall take effect and be enforced from and after its passage and publication.

Passed by the Council this 2nd day of April, 1934.

Published in the Verndale Sun, a newspaper printed in Verndale, MN on   April 5th, 1934.

J.M. Weber
Mayor

L.H. Pettit
Clerk
ORDINANCE 6

AN ORDINANCE RELATIVE TO THE RIDING OF BICYCLES ON THE WALKS IN ANY PART OF THE VILLAGE OF VERNDAL AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

SECTION I

Any boy or girl caught riding his or her bicycle on the walks will be punished by not being able to use his or her bicycle for one month.

SECTION II

If the same boy or girl is caught the second time, same is punishable by a fine of $10.00 (ten dollars).

SECTION III
This ordinance shall take effect and be in force after its passage and publication thereof.

Passed and adopted November 5th, 1954.

Published November 7th, 1934, in the Verndale Sun, a newspaper published in Verndale, Minnesota.

John Weber  
Mayor

L.H. Pettit  
Clerk

ORDINANCE 6A

AN ORDINANCE TO PROHIBIT SKATEBOARDS, ROLLER SKATES AND BICYCLES ON CERTAIN STREETS

SECTION I

Definitions.

A. “Skateboards” - A wheeled, self-propelled device designed to transport a rider in a standing position, which device is not otherwise secured to a rider’s foot or shoes.

B. “Roller Skates” - A shoe with wheels attached or a device with wheels which is designed to be attached to a shoe. For purposes of this Sections, the term “roller skates” shall include “roller blades”.

C. “Downtown Area” - The following names streets: First Avenue South, Second Avenue South and Third Avenue South between Brown Street and Farwell Street; South Brown Street between First
Avenue South and Third Avenue South; and South Farwell Street between First Avenue South and Third Avenue South.

SECTION II

SKATEBOARD AND ROLLER SKATE REGULATIONS

A. It is unlawful for any person to operate, propel or ride a skateboard or roller skates upon any public sidewalk, street or parking lot in the “Downtown Area” of the City.

B. It is unlawful for any person to operate, propel or ride a skateboard or roller skates on or within that portion of any State trunk highway, County State-aid highway or County highway designed for vehicular traffic.

C. The operation of bicycles will be enforced according to Minnesota State Statute 169.222.

SECTION III

PENALTIES

A. First offense is punishable by a fine of $10.00 (ten dollars).

B. Second offense is punishable by not being able to use his or her bicycle for one month.

Adopted this 5th day of September, 1995.

Roger Anderson
Mayor

Rhonda Lupkes
Clerk

ORDINANCE 7

(REPEALED BY ORDINANCE 44)

AN ORDINANCE RELATIVE TO ANY PERSON OR PERSONS MOVING INTO THE VILLAGE OF VERDALE

Published October 9th, 1935, in The Verndale Sun, a newspaper published in Verndale, Minnesota.

The Village Council of Verndale, Minnesota to ordain as follows:

SECTION I

Any person or persons (who have received aid in any form from any Township or Village) shall before moving into the Village get permission from the Village Council.
This ordinance shall take effect and be in force after its passage and publication thereof.

Passed and adopted October 7th, 1935.

_________________________  J.M. Weber
                      Mayor

_________________________  L.H. Pettit
                      Clerk

ORDINANCE 8

(REPEALED BY ORDINANCE 41)

AN ORDINANCE ESTABLISHING A DOG LICENSE IN THE VILLAGE OF VERNDALE

SECTION I

The license fee per year shall be $1.50 for male dogs and $4.00 for female dogs.

SECTION II

The license fee shall be due on or before the 1st of April each year.

SECTION III

All dogs running at large after April 1st, without a license tag will be disposed of by the Village.
This ordinance shall take effect and be in force after it’s passage and publication thereof.

Passed and adopted March 3rd, 1936.

J.M. Weber
Mayor

L.H. Pettit
Clerk

ORDINANCE 9

(REPEALED BY ORDINANCE 66)

AN ORDINANCE RELATIVE TO A 9:30 CURFEW IN THE VILLAGE OF VERNADE

The Village Council of the Village of Verndale do ordain as follows:

SECTION 1

All children under the age of 16 unless they are with their parents shall go to their homes when the bell rings at 9:30 o’clock P.M.

This ordinance shall take effect and be in force from and after it’s passage and publication.

Passed by the Village Council the 16th day of July 1936.

J.M. Weber
ORDINANCE 10

(REPEALED BY ORDINANCE 25)

AN ORDINANCE GRANTING TO MINNESOTA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CONSTRUCT AND MAINTAIN AN ELECTRIC DISTRIBUTION SYSTEM WITHIN THE VILLAGE OF VERNDALE

The Village Council of the Village of Verndale, Wadena County, Minnesota, does hereby ordain as follows:

SECTION I

The City of Verndale hereby grants to Minnesota Power & Light Company, its successors and assigns, for the period of twenty (20) years from and after passage of this Ordinance, the right to enter upon and construct, operate and maintain upon the streets, highways and public grounds of said Village, poles, wires, cross arms, braces, lamps, conduits and other usual appurtenances and appliances for transmitting and distributing electricity for light, heat and power purposes.

SECTION II
All poles, wires and other appliances constructed or maintained by Minnesota Power & Light Company, its successors or assigns, shall be constructed in a safe and secure manner and so as not unnecessarily to interfere with the public use of the said streets, and public grounds, and shall at all times be subject to the reasonable regulation of the Village Council, and clearance for the moving of buildings and other objects shall be made immediately by the Minnesota Power & Light Company when permission to move through the streets is given anyone by the Village Council provided the cost to the Minnesota Power & Light Company is guaranteed to the satisfaction of the Company.

SECTION III

The Village shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation and maintenance by the Company of its lines and appurtenances hereunder unless caused by the City. The acceptance of this Ordinance shall be deemed an agreement on the part of the Company to indemnify the City and hold it harmless against any and all liability, loss, damage or expense which may accrue to the City by reason of the neglect, default or misconduct of the Company in the construction, operation and maintenance of its lines and appurtenances hereunder.

SECTION IV

This Ordinance shall not be considered as granting to Minnesota Power & Light Company, its successors and assigns, any exclusive privilege of erecting poles and stringing wires in the streets or public grounds of said Village.

SECTION V

Minnesota Power & Light Company shall be prepared to and shall furnish from acceptance hereof, 24 (twenty-four) hours, continuous electrical service from its electrical system to consumers in said Village including said Village unless prevented by causes not within its reasonable control and shall furnish such service to all desiring the same at reasonable rates provided that these obligations to furnish electric service shall terminate if and when said Village grants to any other person or corporation, a franchise for supplying electric service within said Village or itself engages in the business of supplying electric service herein.

SECTION VI

This Ordinance shall be void in all respects unless within 30 (thirty) days after its passage and publication said Minnesota Power & Light Company shall by written acceptance filed with the Village Recorder, accept the provisions hereof and this ordinance when so accepted shall constitute a contract between said Village of Verndale and said Minnesota Power & Light Company, its successors and assigns.

SECTION VII

This Ordinance supersedes and cancels Ordinance 37, passed April 13, 1916, entitled "An ordinance granting to Frank H. Parsons of New York City, New York, John L. McCagur of Omaha, Nebraska, and T. C. Gordon of Little Falls, Minnesota, their heirs, executors, administrators, successors, and assigns and easement and
right-of-way in the streets, avenues, bridges and public ways in the Village of Verndale, Minnesota, to erect and maintain necessary poles, masts and towers and lay conduits and string wires for the transmission of electricity for the supply and sale of light, heat and power.

SECTION VIII

This Ordinance also supersedes and cancels Ordinance 52, passed October 7, 1929, amending above mentioned said Ordinance 37.

This Ordinance shall take effect from and after its passage and publication. Passed and approved by the Village Council of the Village of Verndale May 4, 1936.

J. M. Weber
Mayor

L. H. Pettit
Clerk

The provisions of the foregoing Ordinance are hereby accepted. Dated May 12, 1936.

MINNESOTA POWER & LIGHT COMPANY

ORDINANCE 11

AN ORDINANCE PROVIDING FOR THE REGULATION, VACCINATION, IMPOUNDING AND KENNELING OF DOGS

The City of Verndale ordains:

SECTION I

DOG REGULATION

Definitions

A. The term “running at large” means off or away from the premises of the owner and not on a leash and under the control of the owner, or a member of his immediate family.

B. The term “leash” means a cord, thong, rope, or chain not exceeding six feet in length.

C. The term “control” means use of a leash, one end of which is securely fastened to a collar or other harness on a dog, and the other end of which is held securely or fastened to a person of sufficient age and discretion, unless otherwise specified, to maintain control.
D. The term “owner” means any person who owns, harbors, feeds, boards, keeps, or otherwise possesses a dog, and who is the head of the household of the residence, or the owner or manager in charge of the establishment or premises at which a dog remains, or to which it returns.

E. The term “vicious dog” means a dog with a propensity to attack or bite human beings or other animals, which propensity is known or ought reasonably to be known to the owner.

Impounding and Release

A. Any dog found in the City running at large or in violation of any other provision of this Section or required to be impounded hereunder may be placed in the Dog Pound, and an accurate record of the time of such placement shall be kept on each dog. Every dog so placed in the Pound shall be held for redemption by the owner for a period of not less than five regular business days. A “regular business day” is one during which the Pound is open for business to the public for at least four hours between 8:00 a.m. and 7:00 p.m.

B. Upon the impounding of any dog, the owner shall be notified if known. If unclaimed, such dog shall be humanely destroyed and the carcass disposed of.

C. Dogs shall be released to their owners, or persons previously in possession of them, upon a sworn statement of ownership and payment of impounding fees as established by City Council resolution. Provided, however, that if the owner of an impounded dog does not redeem such dog during the five regular business day period, any other person may, upon complying with the provisions of this Section, redeem such dog from the Pound and be the lawful owner thereof.

D. Any impounded dog shall not be released from the Pound to a person until such dog has been vaccinated against rabies; provided, however, that no dog so impounded shall be vaccinated if the owner can present a certificate of current vaccination.

Killing of Dogs

All City police officers are hereby authorized and empowered to destroy any dog in violation of this Section whenever such dog cannot be safely taken up and impounded. No impounding or destruction of any dog shall exempt the owner or keeper of such dog from the penalties and fees provided by this Section.

Enforcement

It is unlawful for any owner or other person to refuse to allow a police officer to examine a dog or the rabies tag on a dog under the control of said owner or other person. Each day that said owner or other person refuses to permit a police officer to examine said dog or rabies tag on a dog shall be a separate violation of this Section.

Offenses Involving Tags

It is unlawful to counterfeit or attempt to counterfeit the tags provided for herein, or to take from any dog a tag legally placed upon it by its owners with the intention of placing it upon another dog, or to place such tag
upon another dog.

Rabies Vaccination Required

Every dog six months of age and older shall be vaccinated against rabies. Young dogs shall be vaccinated within thirty days after they have reached six months of age. Unvaccinated dogs acquired or moved into the City must be vaccinated within thirty days after purchase or arrival, unless under six months of age, as specified above. Every dog shall be revaccinated at not more than 24-month intervals thereafter. A metal or durable plastic tag, serially numbered, shall be securely attached to the collar or harness of the dog. Whenever the dog is out-of-doors, whether on or off the owner’s premises, the collar or harness with the vaccination tag shall be worn. The cost of rabies vaccination shall be borne by the owner of the dog.

Exception of Vaccination Requirement

The Vaccination Requirements listed above shall not apply to any dog owned by a person temporarily remaining within the City for less than thirty days, or any dog brought into the City for the field trial or show purposes, nor for hunting dogs in the City for less than thirty days. Such dogs shall be kept under strict supervision of the owner. However, it is unlawful to bring any dog into the City which does not comply with the animal health laws and import regulations of the State of Minnesota, which are applicable to dogs.

Rabies Control

A. When any owner of a dog has been notified that such dog has, or is suspected to have, bitten or attacked any person, he shall immediately place the dog under the care and observation of the City or a licensed veterinarian for a period of not less than ten days except in those cases when a dog has bitten or attacked while on the premises of the owner and the owner has a current rabies vaccination for said dog, in which case, the City may, if it feels the facilities are adequate and if the owner is a responsible person, quarantine the dog on the owner’s premises. In this case the owner must sign a statement and understand the responsibility and assume the liability that is involved with the quarantine of a dog that has bitten. The quarantined dog must at all times be available for inspection during the quarantine. At the end of the ten days observation period, the dog shall be examined by the City and, if cleared, may be reclaimed by the owner and the owner must pay the expense incurred incident thereto. Any dog impounded or placed for observation, showing active signs of rabies, suspected of having rabies or known to have been exposed to rabies, shall be confined under competent observation for such time as may be deemed necessary to determine a diagnosis. Any dog that has bitten or attacked that cannot be captured may be destroyed in such a manner that the head is not damaged and can be submitted for a rabies examination to a laboratory.

B. Any person who shall suspect that a dog in the City is infected with rabies shall report said dog to the Police Department describing the dog and giving the name and address of the owner, if known.

C. Any rabid dog may be destroyed by the Police Department or a veterinarian upon written authorization of a licensed veterinarian.
Unlawful Acts and Remedies Therefor

A. It is unlawful for the owner of a dog to permit such dog to run at large in the City. Whenever a dog is found running at large, the same shall constitute prima facie evidence that the owner permitted it to run at large.

B. It is unlawful for the owner of any vicious dog to allow such dog off his premises unless it is muzzled, on a leash, and under the control of the owner or a member of his immediate family over sixteen years of age. Any vicious dog which is found off the premises of its owner other than as provided herein, may be seized and impounded. Provided, that if the dog cannot be captured, it may be destroyed; provided, further, that if the dog has been seen running at large or bites a person, the owner shall forthwith deliver the dog to the Pound and he may be ordered to appear in Court to show cause why such dog should not be destroyed.

C. It is unlawful for the owner of a dog to suffer or permit it to disturb the peace and quiet of the City by howling, crying, barking or making any other loud or unusual noise.

D. It is unlawful for any person to maltreat, abuse or neglect, in a cruel or inhumane manner, any dog.

E. It is unlawful for any person to harbor or keep any stray dog. Dogs known to be strays shall be immediately reported to the Police Department.

F. It is unlawful for any person, not acting under instructions from the owner or the City, to willfully or maliciously administer or cause to be administered, poison of any sort whatsoever to any dog, with the intent to injure or destroy such dog, or to willfully or maliciously place any poison or poisoned food where the same is accessible to any such dog.

G. It is unlawful for the owner, caretaker or attendant of any dog to allow it to defecate on public or private property other than his own. If such dog does defecate on public or private property other than his own it shall not be a violation of this provision if such owner, caretaker or attendant shall immediately and thoroughly clean the fecal material from such property, and properly dispose thereof.

H. It is unlawful for any person to abandon a dog owned by him.

I. It is unlawful for any person to give any false statement or information concerning the owner, keeper or attendant of any dog, or concerning any dog brought into the Pound or impounded therein.

Injured Dogs

A. When a dog without identification is injured and the owner cannot be found, it is the duty of the Police Department to determine, in consultation with a veterinarian, if the dog for humane reasons and due to the extent of the injury and suffering should be destroyed. If the dog is destroyed, neither the City nor its agent shall be held liable for its humane act. If the owner of such dog is subsequently identified, such owner shall pay all expenses of the City and veterinarian’s fees and charges.

B. When a dog with identification is injured, it shall be delivered to a licensed veterinarian and the owner notified. All expenses of the City and veterinarian’s fees and charges shall be paid by the
Keeping Dogs

It is unlawful for any person or household to harbor more than two (2) dogs at their residence.

Any violation of Section I shall be a petty misdemeanor.

SECTION II

KENNELS

Definition

For the purpose of this Section, the term “kennel” means any place, building, tract of land, abode or vehicle, wherein or whereon three or more dogs, over six months of age, are kept, kept for sale, or boarded.

License Required

It is unlawful for any person to operate or maintain a kennel without a license therefor from the City.

License Fee

The annual fee for a kennel license is $________. 

Exception

Hospitals and clinics operated by licensed veterinarians exclusively for the care and treatment of animals are exempt from the provisions of this Section.

Zoning

No license shall be issued to a person for operation of a kennel in the residential zoning districts of the City.

SECTION III

With the passage by the City Council and its publication, Ordinance 48 regarding dogs shall be repealed.

This ordinance shall be in full force and effect from and after its publication according to law.

Passed by the City Council this 1st day of June, 1998.

Dale Paulsen
Mayor
ORDINANCE 14

(See Resolution 90-0820)

AN ORDINANCE TO REGULATE THE SELLING OF 3.2 BEER PARLORS IN THE VILLAGE OF VERNDALE

The Village Council of the Village of Verndale do ordain as follows:

SECTION I

On Saturdays and Dance Nights all 3.2 beer parlors shall quit selling beer at 1 (one) o'clock.

SECTION II

All other days of the week they shall quit selling beer at 12 (twelve) o'clock.

SECTION III

Any person or persons violating the above ordinance shall be subjected to having their license revoked.

This ordinance shall take effect and be enforced from and after its passage and publication.

Passed by the Village Council this 7th day of December 1936.
ORDINANCE 15

AN ORDINANCE LICENSING THE MAINTENANCE AND OPERATION OF PIN BALL GAME MACHINES WITHIN THE VILLAGE OF VERNDALE, MINNESOTA, AND PROVIDING PENALTIES FOR VIOLATION THEREOF

The Village Council of the Village of Verndale, Minnesota, do ordain as follows:

SECTION I

That it shall hereafter be unlawful for any person, partnership or corporation to maintain or operate a pin ball game machine within the corporate limits of the Village of Verndale, Minnesota, without first securing a license to maintain and operate such pin ball game machine as hereafter provided.

SECTION II

Any person, partnership or corporation obtaining a license to maintain and operate a pin ball game machine within the corporate limits of the Village of Verndale, Minnesota shall pay a license of $12.00 which sum shall pay license fee to May 15th, 1938, and thereafter shall pay such license as the Council may by resolution direct.

SECTION III

(REPEALED)

Not more than one pin ball game machine shall be maintained or operated by any person, partnership or corporation within the corporate limits of the village of Verndale, Minnesota.
SECTION IV

(REPEALED)

It shall be unlawful for the operator or keeper of any pin ball game machine to permit any minor under the age of 18 years to play or operate said machine.

SECTION V

It shall be unlawful for any person, partnership or corporation to maintain or operate a pin ball game machine which shall pay out money or chips redeemable in trade within the corporate limits of Verndale, Minnesota.

SECTION VI

Nothing contained in this ordinance shall be constructed as in any way permitting or licensing the maintenance or operation of slot machines within the corporate limits of the Village of Verndale, Minnesota.

SECTION VII

Any person, partnership or corporation maintaining or operating a pin ball game machine within the corporate limits of the Village of Verndale, Minnesota, and any person, partnership or corporation violating any of the provisions of this ordinance, shall upon conviction thereof, be punished by a fine of not more than $100.00 (One Hundred Dollars) and the costs of prosecution or by imprisonment for not more than 3 (three) months.

SECTION VIII

All ordinances or parts of ordinances of the Village of Verndale, Minnesota, inconsistent herewith are hereby repealed.

This ordinance shall take effect and be in force from and after the date of its publication.

Passed May 4th, 1937.

J. M. Weber
Mayor

L. H. Pettit
Clerk
ORDINANCE 16

(Repealed by Ordinance 44??) (Title shows this being repealed but no mention of it in the body of Ordinance 44))

AN ORDINANCE RELATIVE TO ANY PERSON OR PERSONS RETAILING MILK OR CREAM WITHIN THE VILLAGE LIMITS

The Village Council of the Village of Verndale, Minnesota do ordain as follows:

SECTION I

Any person or persons selling milk or cream within the Village limits of Verndale, Minnesota, must have their herds T.B. and Bang’s tested before selling.

This ordinance shall take effect and be in force after its passage and publication thereof.

Passed and adopted June 6th, 1938.

J.M. Weber
Mayor

L.H. Pettit
Clerk
ORDINANCE 17

(REPEALED BY ORDINANCE 44)

AN ORDINANCE RELATING TO THE SALE OF FIRECRACKERS WITHIN THE VILLAGE LIMITS

The Village Council of the Village of Verndale, Minnesota, do ordain as follows:

SECTION I

There shall be no sale of firecrackers until June 21st and no firing of firecrackers until July 1st and not after July 5th.

This ordinance shall take effect and be in force after its passage and publication thereof.

Passed and adopted 1940.

__________________________________________  J.M. Weber
Mayor

L.H. Pettit
Clerk
ORDINANCE 18

(REVISED IN 1997)

AN ORDINANCE LICENSING AND REGULATING THE RETAIL SALE OF CIGARETTE WRAPPERS

The Village Council of Verndale do ordain as follows:

SECTION I

LICENSE REQUIRED  After December 31, 1941, no person directly or indirectly or by means of any device keep for retail sale, sell at retail or otherwise dispose of any cigarette wrapper at any place in the Village of Verndale unless a license therefore shall first have been obtained as provided in this ordinance.

SECTION II

APPLICATION AND ISSUANCE  Application for such license shall be made to the Village Clerk on a form supplied by the Village.  Such application shall state the full name and address of the applicant, the location of the building and the part intended to be used by the applicant under such license, the kind of business conducted at such location, and such other information as shall be required by the application form.  Upon the filing of such application with the Clerk, it shall be presented to the Village Council for its consideration, and if granted by the Council, a license shall be issued by the Village Clerk upon payment of the required fee.

SECTION III

LICENSE FEE  The fee for such license shall be $12.00 per annum.  Every such license shall expire December 31 next after its issuance.  For any license issued after January 31 in any year, the fee shall be computed at the rate of $1.00 for each month or fractional part of a month covered by the license.  Licenses shall not be transferable from one person to another.
SECTION IV

LICENSE SHALL BE DISPLAYED   Every such license shall be kept conspicuously posted about the place for which the license issued and shall be exhibited to any person upon request.

SECTION V

RESTRICTIONS    No license shall be issued except to a person of good moral character. No license shall be issued to an applicant for sale of cigarettes at any place other than his/her established place of business. No license shall be issued for the sale of cigarettes at a movable place of business, nor shall by license be issued for the sale of cigarettes at more than one place of business. No person shall sell or give away any cigarette, cigarette paper or cigarette wrapper to any person below the age of 18 years. No person shall keep for sale, sell, or dispose of any cigarette containing opium, morphine, jimpson weed, Bella donna, strychinia, cocain, marijuana, or any other deleterious or poisonous drug except nicotine.

SECTION VI

REVOCATION    Every such license may be revoked by the Council for a violation of any provision of this ordinance if the licensee has been given a reasonable notice and an opportunity to be heard.

SECTION VII

PENALTY    Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not to exceed $100.00 or by imprisonment for not to exceed ninety (90) days.

Passed this 6th day of October, 1941.

Published October, 1941, in the Verndale Sun, a newspaper in Verndale, Minnesota.

J.J. Waterhouse
Mayor

Clayton Kopp
Clerk
AN ORDINANCE RELATING TO THE SALE, POSSESSION, AND USE OF TOBACCO PRODUCTS, AND TOBACCO RELATED DEVICES IN THE CITY AND TO REDUCE THE ILLEGAL SALE, POSSESSION, AND USE OF SUCH ITEMS TO AND BY MINORS

The City Council of the City of Verndale Ordains:

SECTION I

PURPOSE

Because the City recognizes that many persons under the age of 18 years purchase or otherwise obtain, possess, and use tobacco, tobacco products, and tobacco related devices, and such sales, possession, and use are violations of both State and Federal laws. This ordinance shall be intended to regulate the sale, possession, and use of tobacco, tobacco products, and tobacco related devices for the purpose of enforcing and furthering existing laws, to protect minors against the serious effects associated with the illegal use of tobacco, tobacco products, and tobacco related devices, and to further the official public policy of the State of Minnesota in regard to preventing young people from starting to smoke as stated in Minn. Stat. 144.391.

SECTION II

DEFINITIONS AND INTERPRETATIONS

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The singular shall include the plural and the plural shall include the singular. The masculine shall include the feminine and neuter, and vice-versa. The term “shall” means mandatory and the term “may” means permissive. The following terms shall have the definitions given to them:

Subd. 1 TOBACCO OR TOBACCO PRODUCTS “Tobacco” or “Tobacco Products” shall mean any
substance or item containing tobacco leaf, including but not limited to, cigarettes; cigars; pipe tobacco; snuff; fine cut or other chewing tobacco; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready-rubbed, and other smoking tobacco; snuff flowers; cavendish; shorts; plug and twist tobaccos; dipping tobaccos; refuse scraps, clippings, cuttings, and sweepings of tobacco; and other kinds and forms of tobacco leaf prepared in such manner as to be suitable for chewing, sniffing, or smoking.

Subd. 2  
**Tobacco Related Devices** “Tobacco related devices” shall mean any tobacco product as well as a pipe, rolling papers, or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing, or smoking of tobacco or tobacco products.

Subd. 3  
**Self-Service Merchandising** “Self-Service Merchandising” shall mean open displays of tobacco, tobacco products, or tobacco related devices in any manner where any person shall have access to the tobacco, tobacco products, or tobacco related devices, without the assistance or intervention of the licensee or the licensee’s employee. The assistance or intervention shall entail the actual physical exchange of the tobacco, tobacco product, or tobacco related device between the customer and the licensee or employee. Self-service merchandising shall not include vending machines.

Subd. 4  
**Vending Machine** “Vending Machine” shall mean any mechanical, electric or electronic, or other type of device which dispenses tobacco, tobacco products, or tobacco related devices upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the tobacco, tobacco product or tobacco related device.

Subd. 5  
**Individually Packaged** “Individually packaged” shall mean the practice of selling any tobacco or tobacco product wrapped individually for sale. Individually wrapped tobacco and tobacco products shall include, but not be limited to, single cigarette packs, single bags or cans of loose tobacco in any form, and single cans or other packaging of snuff or chewing tobacco. Cartons or other packaging containing more than a single pack or other container as described in this subdivision shall not be considered individually packaged.

Subd. 6  
**Loosies** “Loosies” shall mean the common term used to refer to a single or individually packaged cigarette.

Subd. 7  
**Minor** “Minor” shall mean any natural person who has not yet reached the age of eighteen (18) years.

Subd. 8  
**Retail Establishment** “Retail Establishment” shall mean any place of business where tobacco, tobacco products, or tobacco related devices are available for sale to the general public. Retail establishments shall include, but not be limited to, grocery stores, convenience stores, and restaurants.

Subd. 9  
**Moveable Place of Business** “Moveable Place of Business” shall refer to any form of business operated out of a truck, van, automobile, or other type of vehicle or transportable
section 34.0301 TACTICAL SALE, COMPLIANCE CHECKS, LICENSES

SALE  A “sale” shall mean any transfer of goods for money, trade, barter, or other consideration.

COMPLIANCE CHECKS  “Compliance Checks” shall mean the system the city uses to investigate and ensure that those authorized to sell tobacco, tobacco products, and tobacco related devices are following and complying with the requirements of this ordinance. Compliance checks shall involve the use of minors as authorized by this ordinance. Compliance Checks shall also mean the use of minors who attempt to purchase tobacco, tobacco products, or tobacco related devices for educational, research and training purposes as authorized by State and Federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate Federal, State, or local laws and regulations relating to tobacco, tobacco products, and tobacco related devices.

SECTION III

LICENSE

No person shall sell or offer to sell any tobacco, tobacco products, or tobacco related device without first having obtained a license to do so from the City.

APPLICATION  An application for a license to sell tobacco, tobacco products, or tobacco related devices shall be made on a form provided by the city. The application shall contain the full name of the applicant, the applicant’s residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the city deems necessary. Upon receipt of a completed application, the city clerk shall forward the application to the council for action at its next regularly scheduled council meeting. If the clerk shall determine that an application is incomplete, he/she shall return the application to the applicant with notice of the information necessary to make the application complete.

ACTION  The council may either approve or deny the license, or it may delay action for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the council shall approve the license, the clerk shall issue the license to the applicant. If the council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant’s right to appeal the council’s decision.

TERM  All licenses issued under this ordinance shall be valid through December 31 of the same year it is issued.

REVOCATION OR SUSPENSION  Any license issued under this ordinance may be revoked or suspended as provided in the Violations and Penalties section of this ordinance.

TRANSFERS  All licenses issued under this ordinance shall be valid only on the premises for
which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person shall be valid without the prior approval of the city council.

Subd. 6 MOVEABLE PLACE OF BUSINESS. No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this ordinance.

Subd. 7 DISPLAY All licenses shall be posted and displayed in plain view of the general public on the licensed premise.

Subd. 8 RENEWALS The renewal of a license issued under this section shall be handled in the same manner as the original application. The request for a renewal shall be made at least thirty days but no more than sixty days before the expiration of the current license.

SECTION IV

FEES No license shall be issued under this ordinance until the appropriate license fee is paid in full. The fee for a license under this ordinance shall be $20.00.

SECTION V

BASIS FOR DENIAL OF LICENSE The following shall be grounds for denying the issuance or renewal of a license under this ordinance; however, except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the city must deny the license. If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this Section:

A. The applicant is under the age of 18 years.

B. The applicant has been convicted within the past five years of any violation of a Federal, State, or local law, ordinance provision, or other regulation relating to tobacco or tobacco products, or tobacco related devices.

C. The applicant has had a license to sell tobacco, tobacco products, or tobacco related devices revoked within the preceding twelve months of the date of application.

D. The applicant fails to provide any information required on the application, or provides false or misleading information.

E. The applicant is prohibited by Federal, State or other local law, ordinance, or other regulation, from holding such a license.

SECTION VI

PROHIBITED SALES It shall be a violation of this ordinance for any person to sell or offer to sell any tobacco, tobacco product, or tobacco related device:
A. To any person under the age of eighteen (18) years.

B. By means of any type of vending machine, except as may otherwise be provided in this ordinance.

C. By means of self-service methods whereby the customer does not need to make a verbal or written request to an employee of the licensed premise in order to receive the tobacco, tobacco product, or tobacco related device and whereby there is not a physical exchange of the tobacco, tobacco product, or tobacco related device between the licensee or the licensee’s employee, and the customer.

D. By means of Loosies as defined in SECTION II of this ordinance.

E. Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process.

F. By any other means, to any other person, or in any other manner or form prohibited by Federal, State, or other local law, ordinance provision, or other regulation.

SECTION VII

VENDING MACHINES It shall be unlawful for any person licensed under this ordinance to allow the sale of tobacco, tobacco products, or tobacco related devices by the means of a vending machine unless minors are at all times prohibited from entering the licensed establishment.

SECTION VIII

SELF-SERVICE SALES It shall be unlawful for a licensee under this ordinance to allow the sale of tobacco, tobacco products, or tobacco related devices by any means whereby the customer may have access to such items without having to request the item from the licensee or the licensee’s employee and whereby there is not a physical exchange of the tobacco, tobacco product, or the tobacco related device between the licensee or his or her clerk and the customer. All tobacco, tobacco products, and tobacco related devices shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public. Any retailer selling tobacco, tobacco products, or tobacco related devices at the time this ordinance is adopted shall comply with this Section within 30 days.

SECTION IX

RESPONSIBILITY All licensees under this ordinance shall be responsible for the actions of their employees in regard to the sale of tobacco, tobacco products, or tobacco related devices on the licensed premises, and the sale of such an item by an employee shall be considered a sale by the license holder. Nothing in this section shall be construed as prohibiting the City from also subjecting the clerk to whatever penalties are appropriate under this ordinance, State or Federal law, or other applicable law or regulation.

SECTION X

COMPLIANCE CHECKS AND INSPECTIONS All licensed premises shall be open to inspection by the
city police or other authorized city official during regular business hours. From time to time, but at least once per year, the city shall conduct compliance checks by engaging with the written consent of their parents or guardians, minors over the age of fifteen (15) years but less than eighteen (18) years, to enter the licensed premise to attempt to purchase tobacco, tobacco products, or tobacco related devices. Minors used for the purpose of compliance checks shall be supervised by city designated law enforcement officers or other designated city personnel. Minors used for compliance checks shall not be guilty of unlawful possession of the compliance check. No minor used in compliance checks shall attempt to use a false identification misrepresenting the minor’s age, and all minors lawfully engaged in a compliance check shall answer all questions about the minor’s age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this Section shall prohibit compliance checks authorized by State or Federal laws for educational, research, or training purposes, or required for the enforcement of a particular State or Federal law.

SECTION XI

OTHER ILLEGAL ACTS  Unless otherwise prohibited, the following acts shall be a violation of this ordinance.

Subd. 1  ILLEGAL SALES  It shall be a violation of this ordinance for any person to sell or otherwise provide any tobacco, tobacco product, or tobacco related device to any minor.

Subd. 2  ILLEGAL POSSESSION  It shall be a violation of this ordinance for any minor to have in his or her possession any tobacco, tobacco product, or tobacco related device. This subdivision shall not apply to minors lawfully involved in a compliance check.

Subd. 3  ILLEGAL USE  It shall be a violation of this ordinance for any minor to smoke, chew, sniff, or otherwise use any tobacco, tobacco product, or tobacco related device.

Subd. 4  ILLEGAL PROCUREMENT  It shall be a violation of this ordinance for any minor to purchase or attempt to purchase or otherwise obtain any tobacco, tobacco product, or tobacco related device, and it shall be a violation of this ordinance for any person to purchase or otherwise obtain such items on behalf of a minor. It shall further be a violation for any person to coerce or attempt to coerce a minor to illegally purchase or otherwise obtain or use any tobacco, tobacco product, or tobacco related device. This subdivision shall not apply to minors lawfully involved in a compliance check.

Subd. 5  USE OF FALSE IDENTIFICATION  It shall be a violation of this ordinance for any minor to attempt to disguise his or her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

SECTION XII

VIOLATIONS

Subd. 1  NOTICE  Upon discovery of a suspected violation, the alleged violator shall be issued, either
personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged violator of his or her right to be heard on the accusation.

Subd. 2  HEARINGS  If a person accused of violating this ordinance so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator.

Subd. 3  HEARING OFFICER  The City Council shall serve as the hearing officer.

Subd. 4  DECISION  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 under SECTION III of this ordinance, 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 any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator.

Subd. 5  APPEALS  Appeals of any decision made by the hearing officer shall be filed in the district court for the city in which the alleged violation occurred.

Subd. 6  MISDEMEANOR PROSECUTION  Nothing in this Section shall prohibit the City from seeking prosecution as a misdemeanor for any alleged violation of this ordinance. If the City elects to seek misdemeanor prosecution, no administrative penalty shall be imposed.

Subd. 7  CONTINUED VIOLATION  Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

SECTION XIII

PENALTIES

Subd. 1  LICENSEES AND EMPLOYEES  Any licensee, and any employee of a licensee, found to have violated this ordinance shall be charged an administrative fine of $75 for a first violation of this ordinance; $200 for a second offense at the same licensed premises within a twenty-four month period; and $250 for a third or subsequent offense at the same location within a twenty-four month period. In addition, after the third offense, the license shall be suspended for not less than seven days.

Subd. 2  OTHER INDIVIDUALS  Other individuals, other than minors regulated by subdivision 3 of this Subsection, found to be in violation of this ordinance shall be charged an administrative fee of $50.

Subd. 3  MINORS  Minors found in unlawful possession of, or who unlawfully purchase or attempt to purchase tobacco, tobacco products, or tobacco related devices shall be charged with the offense, referred to the Community Concern for Youth Program, or released at the discretion of the law enforcement officer.

Subd. 4  MISDEMEANOR  Nothing in this Section shall prohibit the City from seeking prosecution as
a misdemeanor for any violation of this ordinance.

SECTION XIV

EXCEPTIONS AND DEFENSES Nothing in this ordinance shall prevent the providing of tobacco, tobacco products, or tobacco related devices to a minor as part of a lawfully recognized religious, spiritual, or cultural ceremony. It shall be an affirmative defense to the violation of this ordinance for a person to have reasonably relied on proof of age as described by State law.

SECTION XV

SEVERABILITY AND SAVINGS CLAUSE If any section or portion of this ordinance shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as an invalidation or effect the validity and enforceability of any other section or provision of this ordinance.

SECTION XVI

EFFECTIVE DATE This ordinance shall take effect the day following publication in the city’s official newspaper.

Adopted this 1st day of December, 1997.

Dale Paulsen
Mayor

Michelle Branstner
Clerk
ORDINANCE 19

MUNICIPAL WAR EMERGENCY ORDINANCE

An ordinance providing for civilian defense and for protection and promotion of Public Safety, Health, and Welfare in the Village of Verndale during War Emergencies.

Where as a state of war exists between the United States of America and certain other nations requiring the adoption of adequate measures in every community to provide for civilian defense and for the protection and promotion of public safety, health, and welfare during war emergencies.

The Village Council of Verndale do ordain as follows:

SECTION I

WAR EMERGENCY DEFINED   A war emergency for the purposes of this ordinance shall be deemed to exist whenever the Village or any part thereof is threatened by or involved in an enemy air raid or other attack, or a blackout conflagration, sabotage, or other contingency and endangering public safety, health, or welfare in the Village.

SECTION II

WAR EMERGENCY SERVICE   The head of each village department which may be directly affected by any war emergency or concerned with civilian defense or with the protection or promotion by public safety, health, or welfare during any such emergency shall act as chief of emergency service of his/her department. In that capacity he/she shall have charge of providing for such service as may be required of his/her department in any war emergency, and may call for and accept volunteers for the purposes of such service, and dismiss any volunteer at any time and require him/her to surrender his/her equipment and insignia of identification furnished by the city village. Every volunteer for any such emergency service shall take the same oath, if any, as is required of the regular forces performing corresponding services, subject to the other provisions hereof:

Every such volunteer shall be under the direction and subject to the orders of the chief of the service to which he/she belongs, and shall perform such duties as the chief may require within the scope of the functions of such service. The several chiefs of the emergency services may make and enforce all necessary and proper rules or orders, conforming with the provisions hereof, to regulate the operation of their respective services, to define the duties of the regular or volunteer members thereof, and to secure efficiency and discipline therein. The chiefs shall provide suitable instruction and training for the members of their services. Volunteers shall be called into active service only in case of a war emergency for which the regular municipal forces are
inadequate, or for necessary training and preparation for such emergencies. All volunteers shall serve without compensation. No volunteer in any such service shall carry any firearm while on duty except on written order of the chief of police.

SECTION III

IDENTIFICATION Each volunteer for any emergency service under this ordinance shall be provided with suitable insignia or other identification as may be specified by his/her chief. No volunteer shall exercise any authority over the persons or property of others without his/her insignia or identification. No person except an authorized volunteer shall use the insignia or identification of such volunteer or otherwise represent himself/herself to be an authorized volunteer.

SECTION IV

EMERGENCY REGULATIONS Whenever necessary to meet any actual or eminent war emergency for which adequate regulations have not been adopted by the Village Council, the Mayor may by proclamation promulgate regulations respecting: protection against air raids, the sounding of air raid alarms, the conduct of persons and the use of property during alarm periods, the repair, maintenance, and the safeguarding of essential public services; emergency health, fire and safety regulations, trial drills and practice periods required for preliminary training, and all other matters which are required to protect public safety, health, and welfare in war emergencies. In framing regulations the Mayor shall consider suggestions and proposals made by the Federal and State agencies concerned. No regulation governing observation of enemy aircraft, air attack alarms, or illumination during air attacks or other war emergencies shall be adopted or take effect unless approved by the proper Federal or State authority. Every proclamation of emergency regulations shall be in writing, shall be dated, shall refer to the particular war emergency to which it pertains, and shall be filed in the office of the Village Clerk, where a copy shall be kept posted and available for public inspection during business hours.

A copy of every such proclamation shall also be conspicuously posted at the front of the Village Hall or other headquarters of the municipal government and at such other places in the affected area as the mayor shall designate in the proclamation. Thereupon the regulation shall take effect immediately or at such later time as may be specified in the proclamation. By like proclamation the Mayor may notify or rescind any regulation. The Village Council may rescind any such regulation shall expire any time. If not sooner rescinded, every such regulation by resolution shall expire at the end of thirty days after its date except so far as its provision may be embraced in ordinance regulations adopted by the Village Council.

SECTION V

CONTROL CENTER There shall be established at some suitable place in the Village a control center to be used during war emergencies as headquarters for direction and coordination of the emergency services herein provided for, with facilities for communication with and between the several chiefs of emergency services, the stations and operating units of such services, and with American Red Cross and other agencies concerned with civilian defense and relief in the Village during war emergencies and for communication with other control centers within the surrounding area and with the Federal and State agencies concerned. The center shall be in charge of a director of war emergency services, who shall be appointed by the City Council and may be removed by it at any time. The director shall receive such compensation as the Council may allow. Subject to the approval of the Village Council by resolution the director shall secure and equip a place for the control
center for use in case the regular center is disabled. The director shall select and train necessary personnel for the operation of the control center.

If the Village is included in any plan for a superior or joint control center established under Federal or State authority or by agreement with any other municipality or other governmental agency, the local control center and all other agencies of the Village shall cooperate with and submit to the direction of the authority in charge of such superior or joint control center in all matters consistent with the performance of their duties hereunder. The mayor, director of the local control center, chiefs of emergency services, and other officers and agencies of the Village may be authorized by resolution of the Village Council to participate in the establishment and operation of such superior or joint control center and to attend or be represented thereat, if required by the authority in charge thereof, and to suspend or dispense with the operation of a local control center if the functions thereof can be effectively performed through such superior or joint control center.

SECTION VI

EMERGENCY SERVICE STATIONS AND EQUIPMENT The several chiefs of the emergency service shall establish stations therefor where needed in the Village and shall provide at such stations and at the control centers such personnel and equipment as may be necessary.

SECTION VII

CONFORMITY AND COOPERATION WITH THE FEDERAL AND STATE AUTHORITY Every officer and agency of the Village shall cooperate with the Federal and State authorities and with the American Red Cross and other authorized agencies in the administration of civilian defense and war emergency measures to the fullest possible extent consistent with the performance of their duties. The provisions of this ordinance and of all regulations made thereunder shall be subject to all applicable and controlling provisions of Federal and State laws and of regulations and orders issued thereunder from time to time, and shall be deemed to go suspended and inoperative so far as there is any conflict therewith. The Village Council may appoint any person holding a position in any agency created under Federal or State authority for civilian defense or war emergency purposes as a special policeman of the Village, with such police powers and duties with the Village incident to the functions of his position, not exceeding those of a regular policeman of provided such person is otherwise qualified to exercise such powers and perform such duties. Every such special policeman shall be subject to the supervision and control of the chief of police and such police officers of the Village as the chief may designate.

SECTION VIII

PENALTY Any person who violates any provisions of this ordinance or of any regulation adopted thereunder relating to acts of Village Officers or employees shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than $100.00 or by imprisonment for not more than 90 days.

SECTION IX

EFFECTIVE TIME. This ordinance shall take effect upon its passage and publication. This ordinance and every regulation adopted thereunder shall expire on the termination of a state of war unless sooner repealed or rescinded.
ORDINANCE 20

(REPEALED BY ORDINANCE 49)

AN ORDINANCE ESTABLISHING RATES AND REGULATIONS FOR WATER SERVICE AND PROVIDING FOR COLLECTION THEREOF

The Council of the Village of Verndale, Minnesota do ordain as follows:

SECTION I

From and after January 1, 1949, water rents shall be payable quarterly on or before the 15th day of January, April, July, and October at the following rates for water used for each quarter as indicated by the meter supplying each service.

SECTION II

SEPARATE CONNECTIONS    Unless special permission is granted in writing by the Council of the Village, every premise served by any utility owned by the municipality shall have a separate and distinct service connection and a separate meter. All service connections shall be made and installed according to regulations established therefor.

SECTION III

METERS    Every customer shall provide a suitable place where a meter can be installed, the municipality shall install and maintain the same. For the purpose of reading, checking and repairing meters duly authorized employees of the water department of the Village shall have authority legally to enter upon any such premises at a reasonable hour. A deposit shall be made with the Village Recorder to guarantee payment of water bills as follows: The sum of Ten and no/100 ($10.00) Dollars for each 3/4 inch service, and the sum of Forty and no/100 ($40.00) Dollars on all 2 inch services, for other classes of service such amount as may be fixed by the Village Council. Said deposit shall be refunded user on disconnection of service, providing all bills rendered or due for water used to time of discontinuing service have been fully paid.

SECTION IV
TAKING WATER WITHOUT AUTHORITY        It is hereby declared a misdemeanor punishable upon conviction thereof by a fine not to exceed One Hundred and no/100 ($100.00) Dollars and costs, or in default therein, by imprisonment for not to exceed ninety (90) days, for any person, firm or corporation to take any service described herein without authority therefor.

SECTION V

RIGHT TO DISCONTINUE SERVICE RESERVED       The municipality reserves the right to discontinue services of water without notice when the same is necessary in the repair of the system, or any part thereof, or for the non-payment of bills.

Passed January 24, 1949.

Published in the Verndale Sun, a newspaper published in Verndale, Minnesota, January 27, 1949.

_________    L. G. Marquardt
            Mayor

_________    Clayton Kopp
            Clerk
ORDINANCE 21

(SEE ORDINANCE 21 AMENDMENT)

AN ORDINANCE PROVIDING FOR FIRE PROTECTION AND FIRE PREVENTION IN THE VILLAGE OF VERNADE, MINNESOTA

Be it ordained by the Council of the Village of Verndale, Minnesota as follows:

SECTION I

FIRE LIMITS

The following shall be and is hereby declared to be the fire limits area: Blocks 1 (one) and 7 (seven) in Smith's First Addition, Blocks 2 (two) and 3 (three) in the Original Town, and all that portion of the Northern Pacific Railway Company right-of-way between Clark and Brown Streets and Butler Street, if extended northerly across said right-of-way, in the Village of Verndale, Minnesota.

Amended August 14, 1950.

That N. W. Quarter of Block One (1) in Smith's First Addition, consisting of Lots 19, 20, 21, 22, 23, and 24 be set off from the Village Fire Ordinance 21.

SECTION II

PERMITS

No wall, structure, building or part thereof, shall hereafter be built, enlarged, or altered, within the fire limits described herein, until a plan of the proposed work shall have been submitted to the Village Council, which shall if in accordance with the provisions herein contained, issue a permit, or not in conformity with this ordinance shall be removed.

SECTION III

LIMITATIONS WITHIN FIRE LIMITS

No building or structure of frame wall, or of unprotected metal wall construction or which has a wooden cornice shall hereafter be erected in the fire limits except the following: Building of frame construction or of unprotected metal construction occupied exclusively as a private garage or stable, not more than one story in height nor more than three hundred square feet in area, located on the same lot with a dwelling; frame dwellings not exceeding two stories in height and separated by at least five feet from lot line of adjoining property. Buildings of ordinary (wood joist and masonry wall) construction shall not exceed fifty feet in height and 7,500 square feet in area.

SECTION IV

WALL

The thickness of masonry bearing walls shall not be less than twelve (12) inches except that reinforced
concrete walls may have a minimum thickness of eight (8) inches. Parapets shall be provided on all fire walls, party walls and exterior wall of masonry or reinforced concrete. Such parapets shall not be less than twelve inches in thickness for masonry and eight inches for reinforced concrete construction and carried not less than eighteen inches above the roof.

SECTION V

ROOF COVERING  Every roof hereinafter placed on a building shall be covered with a roofing of brick, concrete, tile, slate, metal, asbestos or built up roofing finished with asphalt, slag or gravel.

SECTION VI

CHIMNEYS  All chimneys shall be built of masonry not less than four inches thick. Every such chimney shall be lined with a flue lining and shall be built on a solid foundation of masonry or concrete.

SECTION VII

REMOVAL OR REPAIR OF UNSAFE BUILDINGS  A building or structure or part thereof declared structurally unsafe or hazardous by duly constituted authority, may be restored to safe condition; provided that if the damage or cost of restoration and reconstruction is in excess of fifty percent of the value of the building or structure, if reconstructed or restored, such building or structure shall be made to conform to the requirements for buildings and structures contained in this ordinance.

SECTION VIII

INSPECTIONS

A. It shall be the duty of the Chief of the Fire Department to inspect or cause to be inspected by the fire department members, annually, all buildings and premises, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire.

B. Whenever the inspector shall find in any building or upon any premises or other place, combustible of explosive matter or dangerous accumulating of rubbish, or any highly inflammable materials, and so situated as to endanger property, he shall order the same to be removed or remedied.

SECTION IX

ELECTRICAL INSTALLATIONS  All electrical wiring, apparatus, or appliances for furnishing light, heat or power shall be in strict conformity with the statutes of Minnesota and with approved methods of construction for safety to life and property. The regulations in the National Electrical Code shall be prima facie evidence of such approved methods.

SECTION X

PENALTIES FOR VIOLATION  Every person, firm or corporation that violates any of the provisions of
this ordinance shall be guilty of a penal offense and shall be punished to a fine of not less than $25.00 (twenty-five dollars).

SECTION XI

VALIDITY    If any section or part of section or paragraph of this ordinance is declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

SECTION XII

CONFLICTING ORDINANCES REPEALED    All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall take effect and be in force from and after its passage and legal publication.

Passed January 24, 1949.

Published January 27, 1949 in the Verndale Sun, a newspaper published in Verndale, Minnesota.

_________   L. G. Marquardt
           Mayor

_________   Clayton Kopp
           Clerk
ORDINANCE 21 AMENDMENT

SECTION I Amended as follows:

That N. W. Quarter of Block One (1) in Smith’s First Addition, consisting of Lots 19, 20, 21, 22, 23, and 24 be set off from the Village Fire Ordinance 21.

Passed the 14th day of August, 1950.

___________________________
James J. Thompson
Mayor

___________________________
Clayton Kopp
Clerk
ORDINANCE 22

AN ORDINANCE REGULATING THE STORAGE OF GASOLINE, KEROSENE, AND OIL WITHIN
THE FIRE LIMITS AREA IN THE VILLAGE OF VERNDALE, AND PROVIDING A PENALTY
THEREFOR

Be it ordained by the Council of the Village of Verndale, Minnesota, as follows:

SECTION I

No person, firm or corporation shall store, or permit to be stored, on premises owned, leased or occupied by
him/her, within the fire limits area, viz., Blocks One (1) and Seven (7) in Smith's First Addition, Blocks Two
(2) and Three (3) in the Original Town, and all that portion of the Northern Pacific Railway Company
right-of-way between Clark and Brown Streets, and Butler Street, if extended northerly across said
right-of-way, in the Village of Verndale, Minnesota, according to clause A & B listed as fol

Clause A ---- Gasoline in tanks on, or above, the ground surface, in quantities of more
than Fifty (50) gallons.

Clause B ---- Kerosene, oils and fuel oil in tanks on, or above, the ground surface, in
quantities of more than Three Hundred (300) gallons.

SECTION II

Any person, firm or corporation violating any of the provisions of this ordinance shall upon conviction thereof
be punished by a fine of not more than $100.00 and the costs of prosecution, or by imprisonment for not more
than three (3) months. Such violation shall be remedied within a reasonable time and each five days that
such violation is permitted to exist after notice to offender shall constitute a separate offense.

This Ordinance shall take effect and be in force from an
d after its passage and legal publication.

Passed January 24, 1949.

Published January 27, 1949, in the Verndale Sun, a newspaper published in Verndale Minnesota.

L. G. Marguardt
Mayor

Clayton Kopp
Clerk
ORDINANCE 23

AN ORDINANCE PROVIDING REGULATIONS FOR THE INSTALLATION OF PLUMBING SYSTEMS

Be it ordained by the Council of the Village of Verndale, Minnesota, as follows:

SECTION I

Regulations as set forth in the "Minnesota Plumbing Code" amended to January 14, 1947. Must apply on all plumbing installation what are to be connected to the Verndale Municipal Water System.

SECTION II

Water service to be in not less than 3 3/4 inch type K copper water tubing. Curb stop and curb box to be Minneapolis Pattern, copper tubing to be used continuous from water main to water meter.

SECTION III

Penalties for Violation. Every person, firm or corporation that violates any of the provisions of this ordinance shall be guilty of a penal offense and shall be punished by a fine of not less than twenty-five dollars ($25.00) nor more than One Hundred Dollars ($100.00) and cost of prosecution and in default in the payment of said fine shall be confined in jail until such fine and costs are paid but such imprisonment shall not exceed the period of three (3) months. Such violation shall be remedied within a reasonable time and each ten days that such violation is permitted to exist shall constitute a separate offense.

This ordinance shall take effect and be in force and after its passage and legal publication.

Passed May 2nd, 1949.

Published in the Verndale Sun, May 19, 1949, a newspaper published in Verndale, Minnesota.

L. G. Marguardt
Mayor

Clayton Kopp
Clerk
ORDINANCE 24

AN ORDINANCE REGULATING THE OPERATION OF MOTOR VEHICLES WITHIN THE VILLAGE OF VERNADEL, MINNESOTA, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

The Village Council of the Village of Verndale do ordain as follows:

SECTION I

No person shall operate a motor vehicle within the Village of Verndale, Minnesota, who is under the age of fifteen (15) years, unless accompanied at the time by a duly licensed chauffeur, the owner, or by a competent person over 15 years of age authorized by the owner of the motor vehicle being operated, provided that such owner must be 15 years of age or over.

SECTION II

Any person who drives any motor vehicle within the Village limits of the Village of Verndale, Minnesota, in willful and wanton disregard of the rights or safety of others, and in a manner so as to endanger or be likely to endanger any person, shall be guilty of a violation of this ordinance.

SECTION III

Any person driving a motor vehicle within the Village Limits of the Village of Verndale, Minnesota, shall drive the same at a speed not greater than is reasonable and proper, having due regard to the traffic, the surface and width of the highway, and of any other existing circumstances.

SECTION IV

No person shall operate a motor vehicle within the Village limits of the Village of Verndale, Minnesota, at speeds exceeding those hereinafter specified:

A. Fifteen miles an hour when passing a school during the school recess or while children are going to or leaving school during opening or closing hours;

B. Fifteen miles an hour on all streets within the Village of Verndale, Minnesota, where traffic is congested;

C. Twenty miles an hour on all streets within the Village limits of the Village of Verndale, Minnesota, except on Truck Highways;

D. The maximum speed on Truck Highways permitted by State Law as posted on said Truck Highways within the Village limits of the Village of Verndale, Minnesota.
SECTION V

No person shall operate a motor vehicle on any paved street within the Village limits of the Village of Verndale, Minnesota, and no person shall operate a motor vehicle over and across any concrete cross-walk within the Village of Verndale, Minnesota, which vehicle is equipped with a tire which shall have on its periphery any block, stud, flange, cleat, spike or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except that it shall be permissible to use farm machinery with tires having protuberances which will not materially injure the said street or cross-walk, and also that it shall be permissible to use tires with chains of reasonable proportions upon any vehicle when required for safety because of snow, ice or other conditions tending to cause a vehicle to skid or slide. Persons operating a motor vehicle over pavement which conflict with this ordinance may place planks upon pavement to protect the same.

SECTION VI

Any person violating any of the provisions of this ordinance shall, upon conviction thereof be punished by a fine of not more than $100.00 and the costs of prosecution, or by imprisonment for not more than three months.

Passed July 20, 1953.

Published in the Verndale Sun 1955, a newspaper published in Verndale, Minnesota.

Arnold Voelk
Mayor

Clayton Kopp
Clerk

ORDINANCE 25
AN ORDINANCE GRANTING TO MINNESOTA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CONSTRUCT AND MAINTAIN AN ELECTRIC DISTRIBUTION SYSTEM WITHIN THE VILLAGE OF VERNADE

The Village Council of Verndale, Wadena County, Minnesota, ordains:

SECTION I

There is hereby granted to Minnesota Power & Light Company, its successors and assigns, for the period of twenty (20) years from and after passage of this Ordinance, the right to enter upon and construct, operate and maintain upon the streets, highways and public grounds of said Village, poles, wires, cross arms, braces, lamps, conduits and other usual appurtenances and appliances for transmitting and distributing electricity for light, heat and power purposes.

SECTION II

All poles, wires and other appliances constructed or maintained by Minnesota Power & Light Company, its successors or assigns, shall be constructed in a safe and secure manner and so as not unnecessarily to interfere with the public use of the said streets, and public grounds, and shall at all times be subject to the reasonable regulation of the Village Council, and clearance for the moving of buildings and other objects shall be made immediately by the Minnesota Power & Light Company when permission to move through the streets is given anyone by the Village Council provided the cost to the Minnesota Power & Light Company is guaranteed to the satisfaction of the Company.

SECTION III

The Village shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation and maintenance by the Company of its lines and appurtenances hereunder, and the acceptance of this Ordinance shall be deemed an agreement on the part of the said Minnesota Power & Light Company, its successors or assigns to indemnify said Village and hold it harmless against any and all liability, loss, damage or expense which may accrue to said Village by reason of the neglect, default or misconduct of the Company in the construction, operation and maintenance of its lines and appurtenances hereunder.

SECTION IV

This Ordinance shall not be considered as granting to Minnesota Power & Light Company, its successors and assigns, any exclusive privilege of erecting poles and stringing wires in the streets or public grounds of said Village.

SECTION V
Minnesota Power & Light Company shall be prepared to and shall furnish from acceptance hereof, 24 (twenty-four) hours, continuous electrical service from its electrical system to consumers in said Village including said Village unless prevented by causes not within its reasonable control and shall furnish such service to all desiring the same at reasonable rates provided that these obligations to furnish electric service shall terminate if and when said Village grants to any other person or corporation, a franchise for supplying electric service within said Village or itself engages in the business of supplying electric service herein.

SECTION VI

This Ordinance supersedes and cancels Ordinance 10, (new series) passed May 4, 1936, granting a permit to Minnesota Power & Light Company, its successors and assigns, which Ordinance was entitled, “an Ordinance granting to Minnesota Power & Light Company, its successors and assigns, the right to construct and maintain an electric distribution system within the Village of Verndale”.

SECTION VII

This Ordinance shall be void in all respects unless within 30 (thirty) days after its passage and publication said Minnesota Power & Light Company shall by written acceptance filed with the Village Recorder, accept the provisions hereof and this ordinance when so accepted shall constitute a contract between said Village of Verndale and said Minnesota Power & Light Company, its successors and assigns.

This Ordinance also supersedes and cancels Ordinance 52, passed October 7, 1929, amending above mentioned said Ordinance 37.

This Ordinance shall take effect from and after its passage and publication.

Passed and approved by the Village Council of the Village of Verndale November 2, 1953.

A. J. Voelk
Mayor

Clayton Kopp
Clerk

ORDINANCE 26

(AMENDED BY ORDINANCES 31,42 AND 47)
AN ORDINANCE PRESCRIBING RATES, CHARGES AND REGULATIONS FOR OPERATION OF THE MUNICIPAL SEWER SYSTEM OF THE VILLAGE OF VERNDALE

Be it ordained by the Council of the Village of Verndale, Minnesota, as follows:

SECTION I

Forthwith upon the completion of the sanitary sewer improvement presently being constructed in the Village, said improvement shall be operated as a public utility of the Village, and the rates, charges, regulation and provisions of this Ordinance shall be and remain applicable thereto until duly amended. The Village reserves the right an power to amend this ordinance from time to time as the need therefor propriety thereof arises, and the rates and charges herein specified may be thereby increased or decreased.

SECTION II

Any party desiring sewage service from said utility for premises not thereto for connection on a form provided by the Village. Such application shall give an exact description of the premises to be served and the source of water to be used. The application shall be filed with the City Clerk, and the applicant shall thereupon pay the Clerk, or shall deliver a written agreement to pay, the connection charge in accordance with the schedule set forth below. The charge for connection of any premises not abutting upon streets or alley where municipal mains have been laid, shall be determined by resolution, is refused, the payment or written agreement accompanying the same shall be returned to the applicant.

SECTION III

Any party other than the original applicant desiring sewerage service for premises where a connection has been made pursuant to Section 2 hereof shall make written application therefor in the same manner as provided in Section 2, and if the connection charge for such premises has not been fully paid at such time, the applicant shall pay or agree to pay the remainder thereof in like manner and time as provided in Section 2 thereof.

SECTION IV

The cost of the original installation of all plumbing between the property line and all service devices maintained by the owner or occupant of the premises, and all extensions and repairs made to such plumbing and service devices shall at all reasonable times be subject to inspection by duly authorized representatives of the Village. Any repairs found to be necessary by such representatives shall be made promptly, or the Village reserves the right to cause the same to be made and to charge the cost thereof to the owner or occupant of the premises and to collect the cost thereof by suit or action or by assessment against the premises to the extent and in the manner now or hereafter permitted by laws of the State of Minnesota.

SECTION V

Every person applying for sewer service from the municipal system, and every owner and occupant of
property for which such application to consent to all of the rules, regulations and rates contained in the resolutions and ordinances of the Village and to any modification thereof, and to all new rules, regulations and rates duly adopted.

SECTION VI

Until otherwise provided by action of the Village Council the rates and charges for sewerage service supplied by the Village shall be as follows:

A. The owner or occupant of each residential premises connected with the system shall pay for sewerage service and the availability thereof a charge of $4.50 per quarter.

B. The owner or occupant of each commercial premises connected with the system shall pay for sewerage service and the availability thereof a charge of $6.00 per quarter except filling stations and restaurants which shall pay a charge of $7.00 per quarter. Any combination of commercial and residence shall pay the combined residence and commercial rate applying to each case per quarter.

C. As used herein the term "residential" applies to all premises occupied as a dwelling by not more than two families, and the term "commercial" applies to all other premises, except provided below.

D. The Sewer Superintendent shall prepare duplicate statements of sewerage charges for each customer and file thereof with the Village Treasure, and shall mail or deliver the other to the customer. All sewerage charges shall be due and payable at the office of the Village Treasure on the 1st day of each quarter, viz., January 1, April 1, July 1, and October 1, of each year, for sewerage service rendered and made available during the preceding three month period.

E. In the event of nonpayment of any sewerage charge within 15 days after the due date a penalty of 5% shall be added thereto. As to all premises the Village reserves the right of collect sewerage charges by suit or action or by assessment against the premises to the extent or in the manner now or hereafter permitted by the laws of the State of Minnesota.

F. Churches connected to the sewerage system shall pay for Sewerage service at the same rate as residential customers. For sewerage service to school premises a special charge of $45.00 per quarter shall be lieu of all other charges. For sewerage service to creameries a special charge of $60.00 per quarter shall be paid in lieu of all other charges. The Village of Verndale and any other public corporation shall pay the commercial rate for sewerage service to any and all premises owned or occupied by them. In addition hereto the Village of Verndale shall pay the sum of $_______ per quarter for service rendered and made available by the sewerage system in the maintenance of sanitary conditions in streets and other public places.

SECTION VII

From and after the placing of said system in operation there shall be created and maintained a special Village Fund to be known as the "Sewerage Revenue Fund." Into said fund, the Village Treasure shall pay all
collections of the rates and charges specified in this Ordinance, or any amendment there of, and such other moneys as may from time to time appropriated or directed by the Village Council. There shall be maintained in said fund and account designated as the "Operation and Maintenance Account," and a separate account designated as the "Net Revenue Account." So much of the income of said fund as may be found necessary for the payment of reasonable and proper charges of operation and maintenance of the sewerage system shall be credited to the Operation and Maintenance Account and used only for such charges. All of the remaining income of said fund shall be credited to the Net Revenue Account, and any money remaining in said Net Revenue Account, remaining after meeting the foregoing requirements may from time to time be used and appropriated by the Village Trustees for any lawful purpose.

SECTION VIII

A Sewer Superintendent shall be appointed for the performance of the duties herein above set forth and for the operation and maintenance of the sewerage system, who shall hold office at the pleasure of the Village Council. Said Superintendent may be a part time employee and if he is also a Village employee in some other capacity, all of his duties in such other capacity shall be paid for out of funds other than the Sewerage Revenue Fund, but to the extent that said Superintendent's compensation is payable for services respecting the sewerage system, it shall be deemed an operating charge of the system.

This Ordinance shall be in full force and effect from and after its final passage and approval.

Passed first reading November 6, 1961.


Published December 14, 1961, in the Wadena Pioneer Journal, a newspaper published in Wadena, Minnesota.

________________________
Alfred Grewe
Mayor

________________________
Clayton Kopp
Clerk

ORDINANCE 27

AN ORDINANCE REQUIRING THE INSTALLATION OF INSIDE TOILET FACILITIES AND CONNECTION WITH THE SEWER SYSTEM PROVIDING FOR THE ASSESSMENT OF THE COST OF INSTALLATION IN CERTAIN CASES, AND DECLARING CERTAIN OUTSIDE TOILETS, CESS
POOLS, AND SEPTIC TANKS A NUISANCE

The Village of Verndale, Minnesota Ordains;

SECTION I

INSIDE TOILET REQUIRED   The owner of every residence of building abutting upon any street or alley in which Village sewer mains are maintained shall install a toilet in the building and connect it with the sewer mains within thirty (30) days after written notice to do so has been served by the Village Clerk on order of his authorized agent personally or by mail so addressed, service may be made to occupant.

SECTION II

INSTALLATION BY VILLAGE   Whenever the notice provided for in Section I is not complied with, the Council shall be resolution direct the installation of a toilet and connection with the sewer system. The cost of installation shall be paid initially from the general fund and then assessed by the Council against the property benefitted. If the assessment is not paid to the Village Treasurer within ten (10) days after the Clerk has served written notice in the same manner as provided for the notice referred to in Section I, the Clerk shall certify the amount of the assessment to the County Auditor for collection in the same manner as other special assessments. The Council, by resolution, may provide for payment of the assessment in five annual installments bearing interest at six percent (6%) per annum from the expiration of such ten (10) day period.

SECTION III

CERTAIN OUTSIDE TOILETS, SEPTIC TANKS ETC DECLARED NUISANCES   The Village of Verndale, Minnesota further ordains that every owner of every residence or building abutting upon any street or alley in which Village sewer main are maintained must install a toilet and sewer system by not later than October 1st, 1962. When a toilet connected with the Village sewer system has been installed in any residence or business building on any parcel of land, any outside toilet, cess pool, or septic tank on that parcel is declared a nuisance and shall be removed from use by the owner within ten days after the connection to the sewer system has been made.

SECTION IV

PENALTY   Any person who shall interfere with the execution of this ordinance or who shall maintain a nuisance contrary to Section 3 shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $25.00 nor more than $100.00 or by imprisonment in the County or Village jail for not more than ninety (90) days, plus the costs of prosecution in either case. A conviction shall not bar a later conviction for subsequent violation of this section.

Passed by the Council this 4th day of December, 1961.
ORDINANCE 28

(REPEALED BY ORDINANCE 33)

AN ORDINANCE CHANGING COUNCIL SALARIES

Whereas, under the 1959 amendment of Subdivision 10 authorizes the Council to increase or decrease the
salaries of the Mayor and Trustees in the Village, and whereas the Council deems the present salary of the Mayor and Trustees inadequate to compensate them for the work incident to these offices and to attract qualified candidates to run for such offices.

The Council of the Village of Verndale, Minnesota ordains:

SECTION I

Commencing January 1, 1963, the salary of the Mayor is fixed at $180.00 per year and the salary of each Trustee is fixed at $120.00 per year.

Adopted by the Village Council of Verndale, Minnesota December 3, 1962.

Published in the Wadena Pioneer Journal, a newspaper published in Wadena, Minnesota.

Alfred Grewe
Mayor

Clayton Kopp
Clerk

ORDINANCE 29

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A VOLUNTEER FIRE DEPARTMENT, AND PROVIDING FOR THE GOVERNMENT THEREOF

The Village Council of the Village of Verndale, Minnesota does ordain as follows:
SECTION I

FIRE DEPARTMENT ESTABLISHED There is hereby established in this Village a Volunteer Fire Department, consisting of a membership of not less than twelve (12) nor more than twenty-two (22) including the following officers: Chief, Assistant Chief, Secretary, Treasurer, and Fire Marshal.

SECTION II

ELECTION (APPOINTMENT) The Chief of the Fire Department, the Assistant Chief, the Secretary, the Treasurer, and the Fire Marshal shall be elected annually from the membership and by the members of the Fire Department subject to confirmation by the Council. The office of Secretary and Treasurer may be held by the same member. Each shall hold office for one year and until his successor has been duly elected, provided however, that any officer may be removed during his/her term of office by the Council for cause and after a public hearing. New firemen may be appointed to the department on passing a satisfactory mental and physical examination, and the appointment confirmed by the Council. Firemen may continue as members of the department during good behavior and may be removed by the Council only for cause and after a public hearing.

SECTION III

DUTIES OF FIRE MARSHAL The Fire Marshal shall be charged with the enforcement of all ordinances aimed at fire prevention. He/she shall have full authority to inspect all premises and to cause the removal or abatement of all fire hazards.

SECTION IV

DUTIES OF CHIEF The Chief shall be custodian of all equipment and shall have control over all the fire fighting apparatus, and he/she shall be solely responsible for its care and condition. He/she shall make a report, annually, and at such other times as requested, to the Council. The annual report shall be submitted to the Council for its September meeting, and shall show the condition of all equipment and needs of the fire department. The Chief may submit such additional reports and recommendations at any meeting of the Council, and he/she shall report each suspension of any member by him/her, the duration of the suspension, and his/her recommendations as to reinstatement or for removal for such, at the first meeting of the Council following such disciplinary action. The Chief shall be responsible for the proper training and discipline of the members of the fire department, and may suspend any member for refusal or neglect to obey orders pending final action by the Council on his/her report retention or discharge.

SECTION V

RECORDS The Chief and the Secretary shall each keep in convenient form a complete record of all fires.
Such record shall include the time of the alarm, location of the fire, cause of the fire, type of building, value of contents, members of the department responding to the alarm, the name of the acting Chief and such other information as he/she may see advisable, or as may be required from time to time by the Council or State Insurance Department.

SECTION VI

PRACTICE DRILLS  It shall be the duty of the Chief, when the weather permits, to hold a monthly practice drill of at least one hour duration for the fire department and to give the firemen instruction in approved methods for fighting and fire prevention.

SECTION VII

ASSISTANT CHIEF  In the absence or disability of the Chief, the Assistant Chief shall perform all the functions and exercise all of the authority of the Chief.  Additional Assistant's may be named in the discretion of the members of the fire department if seen advisable.  In such case, Assistant's shall take charge in order of rank.

SECTION VIII

FIREMEN  All firemen, including officers, who are presently serving on the fire department shall be members of the fire department created by this ordinance.  All shall retire on attaining their (60) sixtieth birthday or after twenty (20) years of service whichever shall be sooner.  Any new members joining the fire department shall be of a minimum age of twenty-one (21) years and a maximum of forty (40) years at time of joining the department.  All members shall retire after twenty (20) years active service.  The service shall be continuous.  No new members shall be considered for appointment without first passing a satisfactory mental and physical examination.

SECTION IX

The members and officers of the fire department receive compensation as the Council may from time to time, by resolution authorize and direct.

SECTION X

Ordinances or parts of Ordinances of the Village of Verndale inconsistent with the provisions of this Ordinance are hereby repealed.

This Ordinance shall take effect and be in force from and after the date of its publication. Passed and approved this 6th day of May, 1963.
ORDINANCE 30

AN ORDINANCE OF THE VILLAGE OF VERNDALE OF WADENA COUNTY, MINNESOTA, GRANTING TO THE NORTH STAR NATURAL GAS COMPANY, A MINNESOTA CORPORATION, ITS LESSEES, SUCCESSORS, AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE TO OPERATE A GAS SYSTEM WITHIN THE VILLAGE OF VERNDALE AND TO SUPPLY GAS TO THE INHABITANTS THEREOF: AND TO OTHERWISE REGULATE SUCH BUSINESS OPERATIONS

The Village council of the Village of Verndale do ordain:
SECTION I

The North Star Natural Gas Company, a Minnesota Corporation, its lessees, successors and assigns, hereinafter referred to as the Grantee, is hereby granted the non-exclusive right and authority for a period of twenty-five (25) years, but subject hereto, to erect, construct, operate and maintain a gas plant system and any and all necessary mains, pipes, service and other appliances, hereunto appertaining in, upon, over, across and along the streets, alleys, bridges and public places within the present and future corporate limits of the Village of Verndale, Minnesota, for the manufacture and transmission and distribution and sale of gas, whether artificial, natural, mixed or otherwise, for heating, domestic, industrial and all other uses and purposes, in and beyond said Village: and the Grantee hereby agrees to operate said system and to supply gas for the period of time covered by this franchise.

SECTION II

The Grantee, its lessors, successors or assigns shall make such reasonable extensions of the mains from time to time as may be necessary thereto; provided, however, that the Grantee, its lessees, successors or assigns shall not be required to make any extensions of its mains for the purpose of serving any new consumer or consumers which shall necessitate the installation of more than 100 feet of main for each consumer to be served, nor where the estimated revenue to be derived from serving such new consumer or consumers is insufficient to show an adequate return upon the total investment required to serve such new consumer or consumers.

SECTION III

The Grantee agrees for and in behalf of itself, its lessees, successors and assigns that all authority and right in this Franchise contained shall at all times be subject to all rights, power and authority now and hereafter possessed by the said Village of Verndale, or any other regulatory tribunal having jurisdiction there over to regulate, fix and control just, reasonable, and compensatory gas rates, and regulate control and direct the manner in which the Grantee, its lessees, successors and assigns shall use the streets, alleys, bridges and public places in said Village of Verndale.

SECTION IV

When the Grantee, its lessees, successors or assigns shall do work of construction, maintenance or repair of its system in any street, alley, highway, bridge or other public place in said Village of Verndale, or any pavement, curbing, or gutter therein shall be excavated in the course of such work, the Grantee, its lessees, successors, and assigns shall promptly and at its or their own expense make all repairs and restorations made necessary thereby; so that, said alley, highway, bridge or any other public place, shall, as far as practicable, be restored to a good a condition as it was before the said work was done.

SECTION V

The Grantee, for itself and its lessees, successors and assigns, agrees that while the term hereof continues, it will at all time save, protect, indemnify and hold harmless the said Village of Verndale from any claims, obligations, liabilities or judgments, legally established, arising, growing out or flowing from the construction,
operation and maintenance of the said gas plant and gas system by the Grantee, its lessees, successors or assigns, and due to or caused by the fault or negligence of the Grantee.

SECTION VI

The right and authority herein granted shall be nonexclusive and shall be subject to all regulatory powers which the said Village of Verndale possesses and shall continue for the period of twenty-five (25) years, except as herein otherwise stated, from and after the date of this franchise goes into effect under Section II hereof.

SECTION VII

The Village Council of the Village of Verndale at the end of any period of five (5) years from the effective date of this ordinance, when authorized so to do by a two-thirds (2/3) majority of the votes cast upon the question, may acquire and thereafter operate said gas plant and gas system, and all mains, pipes, services and other appliances hereunto appertaining which shall have been constructed, installed, operated and maintained by said grantee, its lessees, successors or assigns, upon paying to said grantee, its lessees, successors, or assigns, the value of said property, to be ascertained in the manner provided by law for acquiring property under the right of eminent domain, upon petition of its governing body. Such vote shall be taken at a special election called for that purpose, and held within three (3) months next preceding the expiration of said five (5) year period. The consideration for such works or property shall first be applied to the payment of any encumbrance thereon, and the remainder, if any, shall be paid to said grantee, its lessees, successors or assigns.

SECTION VIII

No sale, assignment or lease of this franchise shall be effective until the Council shall have approved the same and until the vendee, assignee or lessee shall have filed in the office of the Village Clerk an instrument, duly executed, reciting the fact of such sale, assignment or lease, accepting the terms of the franchise and agreeing to perform all the conditions thereof.

SECTION IX

The violation by the grantee, its vendee, assignee, lessee or successor of the provisions of the franchise or any material portions thereof, or the failure promptly to perform any of the provisions thereof, shall be cause for the forfeiture of this franchise and all rights hereunder by resolution of the municipality after reasonable written notice to the company, and continuation of such violation, failure or default.

SECTION X

All other ordinances or portions of ordinances inconsistent herewith are hereby repealed.

SECTION XI

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and upon the written acceptance hereof by the North Star Natural Gas Company, a Minnesota Corporation and
thereafter shall be binding on the North Star Gas Company, its successors and assigns. The North Star Gas Company, shall within thirty (30) days after the passage of this Ordinance, file with the Village Clerk of the Village of Verndale, Minnesota its acceptance in writing signed by its proper officers, and attested by the corporate seal. The Grantee may terminate this Ordinance at any time after such acceptance by filing a written surrender thereof with the Village Clerk of said Village.

SECTION XII

This franchise shall be void if facilities are not constructed, and gas is not ready for distribution in the Village of Verndale within five (5) years after the date of this ordinance is accepted by North Star Natural Gas Company, however such time shall be added which is lost due to conditions beyond the control of North Star, such as lawsuits, strikes and so forth.

Passed and approved this 2nd day of March, 1964.

______ Alfred Grewe
Mayor

______ Clayton Kopp
Clerk

ACCEPTANCE OF FRANCHISE

The undersigned, UtiliCorp United Inc., for itself, its successors and assigns, hereby accepts the terms of and agrees to perform the conditions of that certain franchise granted by the City of Verndale, Minnesota designated as Ordinance No. 30, which was assigned by Inter-City Gas Corporation to UtiliCorp United Inc. on December 5, 1986.

Dated at Cloquet, Minnesota this 23 day of December, 1986.
ORDINANCE 31

AN ORDINANCE AMENDING ORDINANCE 26 OF THE VILLAGE OF VERNDAL, MINNESOTA, AND PROVIDING FOR THE COLLECTION OF DELINQUENT SEWER RENTAL CHARGES

Be it ordained by the Village Council of the Village of Verndale that Ordinance 26 of the Village of Verndale be amended by adding the following sections thereto:

SECTION I
The Village Council shall have the power to increase, decrease or change the amount and basis of the sewer rental charges provided for in Ordinance 26 as the same may be reasonably required.

SECTION II

Each sewer rental charge levied by and pursuant to Ordinance 26 is hereby made a lien upon the lot, land of premises served and all such charges which on September 30 of each year are six (6) months or more past due, having been properly billed the occupant of the premises served, shall be certified by the Village Recorder to the County Auditor between the 1st day and 10th day of October of each year; the Village Recorder in so certifying such charges to the County Auditor shall specify the amount thereof, the description of the premises served, and the name of the owner thereof. The amount so certified shall be extended by the County Auditor on the Tax rolls against such premises in the same manner as other taxes and collected by the County Treasurer and paid the Village Treasurer of the Village of Verndale in the same manner as other taxes, pursuant to Minnesota Statutes 444.075 and the laws amendatory thereof and supplemental thereto.

SECTION III

Any charges levied by and pursuant to Ordinance 26, as hereby amended, and which have been properly billed to the occupant of any premises served and not paid, may also be recovered from the occupant in a civil action by the Village of Verndale in any court of competent jurisdiction.

This amendment to Ordinance 26 shall take effect and be in force from and after its passage and publication.


Alfred Grewe
Mayor

Clayton Kopp
Clerk

ORDINANCE 32

AN ORDINANCE REGULATING THE PARKING OF VEHICLES DURING WINTER MONTHS SO AS NOT TO INTERFERE WITH SNOW REMOVAL OPERATIONS AND PROVIDING PENALTIES FOR VIOLATION THEREOF

The Village Council of the Village of Verndale, Minnesota, do ordain as follows:

SECTION I

No person shall park any vehicle on any street so as to obstruct or hinder or interfere in any way with the
plowing of snow. No person shall park any vehicle on any street where signs are in place indicating snow removal operations are about to begin or are in progress. Any vehicle parked on any street in the Village of Verndale, Minnesota, in violation of the above provisions, may under the direction of any police officer, or the street commissioner, be removed to another parking location, or to a garage. If said vehicle is moved to a garage, the cost of moving and storage shall be paid by the owner.

SECTION II

Any person violating any provision of the above ordinance shall upon conviction thereof, be punished by a fine not to exceed $100.00 and the costs of prosecution, or by imprisonment for not more than three (3) months.

Passed this 13th day of January, 1969.

____________________
Robert Schultz
Mayor

____________________
Patrick O. Cassidy
Clerk

ORDINANCE 33

(REPEALED BY ORDINANCE 54)

AN ORDINANCE GRANTING TO MINNESOTA POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CONSTRUCT AND MAINTAIN AN ELECTRIC DISTRIBUTION SYSTEM WITHIN THE VILLAGE OF VERNDALE

The Village Council of Verndale, Wadena County, Minnesota, ordains:

SECTION I
There is hereby granted to Minnesota Power & Light Company, its successors and assigns, for the period of twenty (20) years from and after passage of this Ordinance, the right to enter upon and construct, operate and maintain upon the streets, highways and public grounds of said Village, poles, wires, cross arms, braces, lamps, conduits and other usual appurtenances and appliances for transmitting and distributing electricity for light, heat and power purposes.

SECTION II

All poles, wires and other appliances constructed or maintained by Minnesota Power & Light Company, its successors or assigns, shall be constructed in a safe and secure manner and so as not unnecessarily to interfere with the public use of the said streets, and public grounds, and shall at all times be subject to the reasonable regulation of the Village Council, and clearance for the moving of buildings and other objects shall be made immediately by the Minnesota Power & Light Company when permission to move through the streets is given anyone by the Village Council provided the cost to the Minnesota Power & Light Company is guaranteed to the satisfaction of the Company.

SECTION III

The Village shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation and maintenance by the Company of its lines and appurtenances hereunder, and the acceptance of this Ordinance shall be deemed an agreement on the part of the said Minnesota Power & Light Company, its successors or assigns to indemnify said Village and hold it harmless against any and all liability, loss, damage or expense which may accrue to said Village by reason of the neglect, default or misconduct of the Company in the construction, operation and maintenance of its lines and appurtenances hereunder.

SECTION IV

This Ordinance shall not be considered as granting to Minnesota Power & Light Company, its successors and assigns, any exclusive privilege of erecting poles and stringing wires in the streets or public grounds of said Village.

SECTION V

Minnesota Power & Light Company shall be prepared to and shall furnish from acceptance hereof, 24 (twenty-four) hours, continuous electrical service from its electrical system to consumers in said Village including said Village unless prevented by causes not within its reasonable control and shall furnish such service to all desiring the same at reasonable rates provided that these obligations to furnish electric service shall terminate if and when said Village grants to any other person or corporation, a permit for supplying electric service within said Village or itself engages in the business of supplying electric service herein.

SECTION VI

This Ordinance supersedes and cancels Village Ordinance 25, passed November 2, 1953, granting a permit to
Minnesota Power & Light Company, its successors and assigns, which Ordinance was entitled, “an Ordinance granting to Minnesota Power & Light Company, its successors and assigns, the right to construct and maintain an electric distribution system within the Village of Verndale”.

SECTION VII

This Ordinance shall be void in all respects unless within 30 (thirty) days after its passage and publication said Minnesota Power & Light Company shall by written acceptance filed with the Village Clerk, accept the provisions hereof and this ordinance when so accepted shall constitute a contract between said Village of Verndale and said Minnesota Power & Light Company, its successors and assigns.

This Ordinance shall take effect from and after its passage and publication.

Passed and approved by the Village Council of the Village of Verndale this 7th day of April, 1969.

Robert Schultz
Mayor

Patrick O. Cassidy
Clerk

ORDINANCE 34

(REPEALED BY ORDINANCE 46)

AN ORDINANCE CHANGING COUNCIL SALARIES

Whereas, Minnesota Statutes, Chapter 412.181 authorizes the Village Council to increase the salaries of the Mayor and Councilmen by Ordinance subject to the right of the voters to petition for a referendum of the Ordinance within a period of thirty (30) days after publication of the Ordinance;

And whereas, the Council deems the present salary of the Mayor and Councilmen inadequate to compensate them for the work incident to these offices and to attract qualified candidates to run for such offices.
The Council of the Village of Verndale, Minnesota ordains:

SECTION I

Commencing January 1, 1970, the salary of the Mayor is fixed at Three Hundred Sixty and no/100 Dollars ($360.00) per year and the salary of each Councilman is fixed at Two Hundred forty and no/100 Dollars ($240.00) per year.


Robert Schultz
Mayor

Patrick Cassidy
Clerk

ORDINANCE 35

(REPEALED BY ORDINANCE 49)

(Copy of Ordinance 36)

AN ORDINANCE AMENDING ORDINANCE 20, ENTITLED AN ORDINANCE ESTABLISHING RATES AND REGULATIONS FOR WATER SERVICE AND PROVIDING FOR COLLECTION THEREOF

The Village Council of the Village of Verndale, Minnesota ordains:

A. SECTION VI: Collection of Unpaid Water Bills. The Village Council may assess charges for the construction, reconstruction, repair, enlargement, improvement or other obtainment and the
maintenance, operation, use of such facilities and the use of water, against the owner, lessee, occupant or all of them and shall have the authority to certify the unpaid charges to the county auditor with taxes against the property served for collection as other taxes are collected.

A. All ordinances or parts of ordinances inconsistent herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Adopted by the Village Council this 5th day of October, 1970.

Robert Schultz
Mayor

Patrick O. Cassidy
Clerk

ORDINANCE 35B

AN ORDINANCE REGULATING AND CONTROLLING THE USE OF SNOWMOBILES WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF VERNADE, MINNESOTA

The Village Council of the Village of Verndale ordains:

SECTION I

For the purposes of this Ordinance the terms defined herein shall have the meaning ascribed to them.

A. "Person" includes an individual, partnership, corporation, the state and its agencies and subdivision, and an body of persons, whether incorporated or not.

B. "Snowmobile" means a self-propelled vehicle designed for travel on snow or ice or natural terrain
steered by wheels, skies, or runners.

C. "Owner" means a person, other than a lien holder, having the property in or title to a snowmobile and is entitled to the use or possession thereof.

D. "Operate" means to ride in or on and control the operation of a snowmobile.

E. "Operator" means every person who operates or is in actual physical control of a snowmobile.

SECTION II

Except as herein specifically permitted and authorized, it is unlawful for any person to operate a snowmobile within the limits of the Village of Verndale:

A. On the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel, except the most right hand lane (except in passing) which is used for vehicle traffic in the same direction, other than on freeways, interstate, trunk, county state-aid or county highways. Snowmobiles may also be operated upon the ditch bottom or outside of trunk, county state-aid and county highways are so configured within the corporate limits.

B. On public sidewalk provided for pedestrian travel.

C. On private property of another without specific permission of the owner or person in control of said property.

D. Within a one block radius on any Verndale Public School from 8:00 A.M. until 4:00 P.M. on any day that school is in session.

E. Within a one block radius of any church on Sunday mornings from 7:00 A.M. until 12:00 noon.

F. Within the Village limits between the hours of 10:00 P.M. until 7:00 A.M. unless returning from an out of town area or unless an emergency exists.

G. On Farwell Street from First Avenue to Second Avenue from 8:00 A.M. until 6:00 P.M.

H. On any Village Park except Anderson Baseball Park, on the football field or school grounds east of the school building. On any other public place except as may be specifically permitted by other provisions of the Village Ordinance.

SECTION III

A Snowmobile may make a direct crossing of a street or highway except an interstate highway or freeway, provided:

A. The crossing is made at an angle of approximately 90 degrees to the direction of the street or highway and at a place where no obstruction prevents a quick and safe crossing.

B. The snowmobile is brought to a complete stop before crossing the shoulder or main traveled way.
C. The drive yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.

D. If the crossing is made between the hours of one-half (½) hour after sunset to one-half (½) hour before sunrise or in conditions of reduced visibility, only if both front and rear lights are on.

SECTION IV

The Village traffic ordinance shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application.

SECTION V

No person under 14 years of age shall operate on streets of the roadway surface of highways or make a direct crossing of a trunk, county state-aid, county highway, or city street as the operator of a snowmobile. A person 14 years of age or older but less than 18 years of age, may operate a snowmobile on streets and highways as permitted under this ordinance and make a direct crossing of such streets and highways only if he/she has in his/her immediate possession a valid snowmobile safety certificate issued by the commissioner, as provided by M.S.A. Section 84. 872. It shall be unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provisions of this Section.

SECTION VI

It is unlawful for any person to operate a snowmobile within the limits of the Village of Verndale:

A. At any place, while under the influence of alcohol or drugs as defined in M.S.A. Section 169.121 which is hereby incorporated by reference.

B. At any place in a careless, reckless, or negligent manner or heedless in disregard of the rights of safety of others, or in a manner so as to endanger or be likely to endanger of cause injury or damage to any person or property.

C. So as to tow any person or thing in a public street or highway except through the use of a rigid tow bar attached to the rear of the snowmobile.

SECTION VII

It is unlawful for any person to operate a snowmobile any place within the limits of the Village of Verndale unless it is equipped with the following:

A. Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, bypass, straight pipe or similar device on a snowmobile motor.

B. Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operation.

C. When operated between the hours of one-half (½) hour after sunset to one-half (½) hour before sunrise
or at time of reduced visibility, at least one clear lamp attached to the front with sufficient intensity to
reveal person and vehicles at a distance of at least 100 feet ahead during the hours of darkness under
normal atmospheric conditions. It shall also be equipped with at least one red tail lamp having a
minimum candlepower of sufficient intensity to exhibit a red light plainly visible from a distance of
500 feet to the rear during the hours of darkness.

D. Running light of reflective material at least 16 square inches on each side, forward of the handlebars,
so as to reflect or beam light at a ninety degree angle.

SECTION VIII

Notwithstanding any prohibitions in this ordinance, a snowmobile may be operated on a public thoroughfare
in an emergency during the period of time when and at locations where snow upon the roadway renders travel
by automobile impractical. SECTION IX

Every person convicted of a violation of any of the provisions of this ordinance shall be punished by a fine of
not more than Three Hundred and no/100 ($300.00) Dollars or by imprisonment for a period of not more than
ninety (90) days or both, but in either case the costs of prosecution may be added.

This ordinance shall take effect and be in force from and after its passage and publication. Adopted by the
Village Council of Verndale, Minnesota this 30th day of December, 1969.

Robert Schultz
Mayor

Pat Cassidy
Clerk

ORDINANCE 36

(REPEALED BY ORDINANCE 49)

(Copy of Ordinance 35)

AN ORDINANCE AMENDING ORDINANCE 20, ENTITLED AN ORDINANCE ESTABLISHING
RATES AND REGULATIONS FOR WATER SERVICE AND PROVIDING FOR COLLECTION
THEREOF

The Village Council of the Village of Verndale, Minnesota ordains:

A. SECTION VI: Collection of Unpaid Water Bills. The Village Council may assess charges for the
construction, reconstruction, repair, enlargement, improvement or other obtainment and the
maintenance, operation, use of such facilities and the use of water, against the owner, lessee, occupant
or all of them and shall have the authority to certify the unpaid charges to the county auditor with taxes
against the property served for collection as other taxes are collected.

A. All ordinances or parts of ordinances inconsistent herewith are hereby repealed. This ordinance shall
take effect from and after its passage and publication.
ORNIDANCE 37

AN ORDINANCE REGULATING THE USE OF HIGHWAYS WITHIN THE VILLAGE OF VERNALE, MINNESOTA, INCORPORATING PROVISIONS OF THE STATE HIGHWAY TRAFFIC REGULATION ACT AND IMPOSING A PENALTY FOR THE VIOLATION THEREOF

The Village Council of the Village of Verndale, Minnesota do ordain as follows:

SECTION I

Highway Traffic Regulation Act Incorporate by reference. The regulatory provisions of Minnesota Status Chapter 169, as amended, known as the Highway Traffic Regulation Act, are hereby adopted as traffic ordinance regulating the use of highways, streets, and alley, withing the Village of Verndale, Minnesota, and are hereby incorporated in and made a part of this ordinance as completely as if set out here in full.

SECTION II

Angle Parking shall be required on the following Streets:

Farwell Street between First Avenue and Second Avenue.

On the South side of First Avenue between Farwell and Brown.
SECTION III

TRUCK PARKING  No person shall park a commercial vehicle of more than one ton capacity upon the following street:

On Farwell Street between First Avenue and Second Avenue provided that this shall not prohibit the parking of such vehicles for a period of not more than thirty (30) minutes along any such street for the purposes of having access to any property abutting thereon.

SECTION IV

U-TURNS  No vehicle shall be turned so as to proceed in the opposite direction upon any highway or street except within an inter-section. An intersection means the area embraced within the prolonged or connection of the lateral curb homes, or, if none, then the lateral boundary lines of the roadways of two highways which join one another, at, or approximately at, right angles.

PENALTY  Any violation of the statutes adopted by reference in Section I is a violation of this Ordinance when it occurs within the Village of Verndale, Minnesota. Any person, thus violating any provision of this ordinance shall be guilty of a misdemeanor and shall be punished by a fine not to exceed Three Hundred and no/100 ($300.00) Dollars or imprisonment for a period not to exceed 90 days; State Highway Traffic Regulation Act for an offense, such penalty shall apply to a person convicted of the same offense under this ordinance.

SECTION V

All ordinances or parts of ordinances of the Village of Verndale inconsistent herewith are hereby repealed.

This ordinance shall take effect and be enforced from and after its publication.

Adopted by the Village Council this 19th day of July, 1971.

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Robert Schultz
Mayor

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Patrick Cassidy
Clerk
ORDINANCE 38

AN ORDINANCE REGULATING THE CARRYING OR DISCHARGING OF FIREARMS IN THE VILLAGE OF VERNDALE

The Village Council of the Village of Verndale, Minnesota ordains:

SECTION I

The term “firearms” as used herein shall mean any gun, including pistol, from which shot or a projectile is discharged by means of an explosive, gas or compressed air.

SECTION II

No person or persons shall fire or discharge any firearm of any description within the corporate limits of the Village of Verndale.

SECTION III

No person or persons shall carry any firearm within the corporate limits of the Village of Verndale unless the same is unloaded and dismounted or broken apart or carried in a case in such a manner that it cannot be discharged.

SECTION IV
This ordinance shall not prohibit the carrying and use of firearms by duly authorized policemen and law-enforcement officers within the Village of Verndale, or the carrying and use of firearms by any person at any rifle range or trap shooting area, a permit for which has been issued by the Chief of Police.

SECTION V

Any person violating any provision of this ordinance shall upon conviction thereof be punished by a fine of not more than $300.00 or in default thereof by imprisonment for a term not exceeding 90 days.

All ordinances or parts of ordinances of the Village of Verndale inconsistent herewith are hereby repealed.


R. L. Neuerberg
Mayor

Patrick Cassidy
Clerk

ordinance

The Village Council of the Village of Verndale, Minnesota, does ordain as follows:

SECTION I

Unreasonable acceleration of any motor vehicle on any public or private road, street, alley or way within the Village of Verndale, as unreasonable acceleration is hereafter defined, is hereby declared to be a public nuisance and is prohibited.

SECTION II

Unreasonable acceleration of a motor vehicle is hereby defined as acceleration without apparent reason, and accomplished in such a manner as to cause squealing or screeching sounds by the tires or the throwing of sand or gravel by the tires of said vehicle or both.

The throwing of sand or gravel or the squealing or screeching sound emitted by the tires shall be prima facie evidence of such unreasonable and unnecessary acceleration.

SECTION III

No person shall operate any motor vehicle in such a manner as to cause unnecessary engine noise, tire squeal,
skid or slide upon acceleration or stopping; of in such manner as to simulate sway or turn abruptly, or to impede traffic.

SECTION IV

PENALTY Any person violating any provision of this ordinance shall be guilty of a misdemeanor shall be punished by a fine of not to exceed $300.00 or by imprisonment in the County Jail for a period not to exceed ninety (90) days, or both.

This ordinance shall become effective upon its passage and publication.

Passed by the Council this 5th day of November, 1973.

R.L. Neuerberg
Mayor

Patrick Cassidy
Clerk

ORDINANCE 40

AN ORDINANCE ESTABLISHING A MUNICIPAL CEMETERY IN THE CITY OF VERNDALE TO BE CALLED THE GREEN LAWN CEMETERY

The City Council of Verndale ordains:

SECTION I

A cemetery has been established and is continued upon land owned by the City of Verndale and describes as follows, to-wit

East 667 feet of the North 424.5 feet of Northwest Quarter (NE 1/4 MW 1/4) and The West 338 feet of the North 424.5 feet of the North east Quarter (NE 1/4 NW 1/4), All in section Thirty (30), Township One Hundred Thirty-four (134), Range Thirty-four (34).

SECTION II

The prices of cemetery lots and other services as determined by Council resolution, shall be filed with the City Clerk. Any person paying the price thus fixed for any lot and perpetual care shall be entitled to a deed conveying the same, executed by the Mayor and Clerk. The purchaser shall expressly agree in the deed that his rights are adopt relative to the use of the cemetery.

SECTION III

All money received from the sale of lots, for perpetual care and other services, shall be paid to the City
A. A permanent care and improvement fund is hereby established as a separate fund for use in maintaining, caring for, and improving the cemetery and cemetery lots in Green Lawn Cemetery. No portion of the principal of this fund shall be used for the aforementioned purposes, but shall remain as a permanent fund, and all sums received for deposit to the credit of this fund shall be kept, managed, and administered by the City Treasurer.

B. The portion of the lot price to be allocated to the permanent care and improvement fund shall be determined by Council resolution and filed with the City Clerk.

C. Subject to any disposition otherwise authorized by law, all income received by the City from the permanent care and improvement fund shall be used solely for the purpose of defraying the cost of caring for maintaining, and improving the cemetery lots for which permanent care has been provided, pursuant to the amount necessary to pay for care and improvement of the lots, or any income not spent in any year for this purpose shall remain in the cemetery fund.

D. A report showing in detail how the income received by the city from the permanent care and improvement fund during the preceding calendar year has been expended shall be included in the annual financial report of the City.

SECTION IV

The management of the City Cemetery and the direction and control of the operation, care and maintenance thereof, shall be vested in a custodial and a committee of three, who shall be appointed annually by the City Council. Additionally, the Mayor and City Treasurer shall be ex-officio members of this committee.

SECTION V

Before any interment shall be made in the cemetery, a burial permit shall be provided to the custodian or a member of the cemetery committee. No interment shall be made in the cemetery except upon at least twenty-four hours notice given in advance of the time set for the funeral service, given to the custodian or other person in charge of the cemetery, for the city. No casket shall be interred in said cemetery unless the same is enclosed in a vault.

SECTION VI

General Regulations:

A. No person may discharge any firearm or have possession of any firearm within the cemetery grounds without the permission of the superintendent.

B. No person may remove any object from any place in the cemetery or make any excavation without the consent of the custodian.

C. No person may obstruct any drive or path in the cemetery or in any way injure, deface or destroy any
structure, grave, flower, tree or anything in the cemetery.

D. No person may drive any vehicle faster than a walk within the cemetery nor drive over any path or roadway not authorized by the custodian.

E. No person may disturb the quiet of the cemetery by noise or improper conduct of any kind, nor use the cemetery grounds or any road therein as a public thoroughfare, nor drive any vehicle through the cemetery grounds except for purposes relating to the cemetery.

F. No person may loiter at any time, nor be in the cemetery without permission of the cemetery custodial at any time between the hours of sunset to 6 o'clock A.M.

SECTION VII

Any person violating any provision of this Ordinance is guilty of a misdemeanor and shall be punished by a fine of not to exceed 90 days.

This ordinance shall take effect upon passage and publication.
Passed by the City Council of Verndale, Minnesota this 4th day of August, 1975.

Robert Schultz
Mayor

Patrick Cassidy
Clerk
ORDINANCE 41

(REPEALED BY ORDINANCE 11)

AN ORDINANCE PROVIDING FOR THE REGULATION, VACCINATION, IMPOUNDING OF DOGS, AND PENALTIES FOR VIOLATIONS

SECTION I

Effective August 1, 1976, all dogs within the city limits of Verndale, Minnesota, six months of age or older, are required to be vaccinated against rabies, and to have a booster shot every two years thereafter.

SECTION II

It shall be the responsibility of the dog owner, to record the certification of vaccination, along with a complete description of the dog.

SECTION III

No dog shall be permitted to run at large within the city limits of Verndale, Minnesota. No person shall keep or harbor a dog that habitually barks or cries, so as to disturb the peace and order between the hours of 10:00 P.M. and 6 A.M.

SECTION IV

All dogs running at large without a rabies tag, will be impounded for a period not to exceed 5 days. All dogs not claimed after the 5 day period will be destroyed. Owners may claim their dog by posting a fee of $2.00 for each day the dog is impounded. The owner will then be required to comply with Sections 1 and 2 of this ordinance within 15 days from the time the dog is claimed by it's owner.
SECTION V

Dogs running at large, that are wearing a rabies tag, will be returned to their owner, if possible. The owner will be issued a verbal warning and presented with a copy of this ordinance. Dogs running at large, that are wearing a rabies tag, that are picked up for the second time, will be returned to their owner, at which time a written warning will be issued to the dogs owner. Dogs running at large, that are wearing a rabies tag, that are picked up for the third time, will be impounded, and the dogs’ owner will be issued a citation.

Penalties. Failure to comply with the mandatory rabies vaccination ordinance part 1 and 2, the fine will be $100.00.

Failure to comply with SECTION III, SECTION IV, OR SECTION V of this ordinance:

1st offense .................. Verbal warning
2nd offense.................. written warning
3rd offense....................$5.00 fine plus $2.00 per day that the dog is impounded.

This ordinance superseded any and all other ordinances pertaining to dogs, for the city of Verndale, Minnesota.

Passed by the Council this 1st day of July, 1976.

Louise A. Otremba
Mayor

Patrick Cassidy
Clerk
ORDINANCE 42

AN ORDINANCE AMENDING SECTION II OF ORDINANCE 26: RULES AND RATES FOR CONNECTING TO MUNICIPAL SEWER MAIN

SECTION I

Any party desiring sewage service from said utility for premises not there-to-for connected with the system shall apply for a connection of a form as provided by the City. Such application shall give exact description of the premises to be served and the source of water to be used. The application shall be filed with the Clerk, and the applicant shall thereupon pay the Clerk. In the event that any application is refused, the payment or written agreement accompanying the same shall be returned to the applicant.

SECTION II

The applicant shall pay $10.00 for the permit to tap into the municipal sewer main adjacent to the premises to be served. The applicant will pay all costs from the sewer main to his or her premises. Tapping into the municipal sewer main must be done or approved by a licensed plumber.

SECTION III

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall take effect and be in force from and after publication.

Adopted this 3rd day of October, 1977.

_____________________________________________
Louise A. Otremba
Mayor
ORDINANCE 43

AN ORDINANCE TO PROVIDE REGULAR CITY ELECTIONS FOR VERNALE, MINNESOTA

The City Council of the City of Verndale, Minnesota ordains:

SECTION I

As provided by M. S. 205.07, the regular City election shall be held biannually on the first Tuesday after the first Monday in November in every even-numbered year, beginning with the election to be held in 1978.

SECTION II

Pursuant to Minnesota Statute 412.023, the terms of the Mayor and the Councilman whose terms would otherwise expire in 1977 when no election will be held, are hereby extended one year, and those offices shall be filled at the election to be held in 1978.

SECTION III

Pursuant to Minnesota Statute 412.023, the term of the Councilman whose term would otherwise expire in 1979 when no election will be held, is hereby extended one year, and this office shall be filled at the election to be held in 1980.

This Ordinance shall take effect and be in force from and after the date of its publication.

Passed and approved December 22, 1977.

Louise A. Otremba
Mayor
ORDINANCE 44

AN ORDINANCE AMENDING AN ORDINANCE 2, 15, AND REPEALING ORDINANCES 7, 16, AND 17

The City Council of the City of Verndale, Minnesota ordains:

SECTION I

Ordinance 2 entitled “AN ORDINANCE RELATING TO THE SALE OF NON-INTOXICATING MALT LIQUOR” is hereby amended to read as follows:

A. SECTION III. The annual license for “On Sale” license shall be Seventy-five and no/100 ($75.00) Dollars and for “Off Sale” license, Fifteen and no/100 ($15.00) Dollars.

B. SECTION IV. No person shall sell non-intoxicating Malt Liquor to any person not of legal age, as defined by Minnesota Statutes.

C. SECTION V. No person who is less than legal age, as defined by Minnesota Statute, shall serve, sell of vend non-intoxicating Malt Liquor in the City of Verndale.

D. SECTION XX. Repealed.

E. The amendment to Ordinance 2 adopted April 22, 1935, is hereby repealed.

SECTION II

Ordinance 15 entitled “AN ORDINANCE LICENSING THE MAINTENANCE AND OPERATION OF PIN BALL GAME MACHINES WITHIN THE VILLAGE OF VERNDALE” is hereby amended as follows:
SECTION III and IV are hereby repealed.

SECTION III

Ordinance 7 entitled “AN ORDINANCE RELATIVE TO ANY PERSON OR PERSONS MOVING INTO THE VILLAGE LIMITS” is hereby repealed.

SECTION IV

Ordinance 17 entitled “AN ORDINANCE RELATING TO THE SALE OF FIRECRACKERS WITHIN THE VILLAGE LIMITS” is hereby repealed.

SECTION V

All Ordinances or parts of Ordinances of the City of Verndale, Minnesota inconsistent herewith are hereby repealed.

This Ordinance shall take effect and be in force from and after its publication.


__________________________  Louise A. Otremba
Mayor

__________________________  Madonna Desrocher
Clerk
ordinance 45

(repealed by ordinance 49)

an ordinance amending city of verndale ordinance 20 section iii, adopted january 24, 1949, and entitled “an ordinance establishing rates and regulations for water service and providing for collection therefor”

the amendment is as follows:

section i

water rates shall be paid quarterly, and from and after october 1, 1978 at the following rates as indicated.

a. following the date on enactment of this ordinance, all present residential water users and churches from and after october 1, 1978 will be charged an additional one and no/100 ($1.00) dollar per month, or be charged a total of two and no/100 ($2.00) dollars per month for water services.

a. due to proportionally higher water use, from and after october 1, 1978 the following structures will be charged an additional four and no/100 ($4.00) dollars per month for services rendered:

   4. laundromat
   5. school
   6. beauty shop
   7. cafes
   8. liquor store
   9. tomlinson lumber
   10. filling stations
   11. public rest rooms
   12. senior citizen’s building
   13. fire department

thus the monthly charge for water use for the laundromat will be fourteen and no/100 ($14.00) dollars per month, for the school will be thirty-seven and 33/100 ($37.33) dollars per month, and for the remaining facilities listed above will be five and no/100 ($5.00) dollars per month.
C. From and after October 1, 1978 all commercial, business, and non-residential users other than indicated above shall be charged an additional Two and no/100 ($2.00) Dollars per month, or charged a total of Three and no/100 ($3.00) Dollars per month for water services.

This Ordinance becomes effective from and after its passage and publication. Passed by the City Council this 7th day of September, 1978.

Louise A. Otremba
Mayor
Madonna Desrocher
Clerk

ORDINANCE 46

(REPEALED BY ORDINANCE 60)

ORDINANCE CHANGING COUNCIL SALARIES

WHEREAS, Minnesota Statutes, Chapter 412.181 authorizes the City Council to increase the salaries of the Mayor and Councilmen by Ordinance subject to the right of the voters to petition for a referendum of the Ordinance within a period of thirty (30) days after publication of the Ordinance:

AND WHEREAS, The Council deems the present salary of the Mayor and Councilmen inadequate to compensate them for the work incident of these offices and inadequate to attract qualified candidates to run for such offices:

The Council of the City of Verndale Ordains:

SECTION I

Commencing January 1, 1981, the salary of the Mayor is fixed at Four Hundred Eighty and no/100 Dollars ($480.00) per year, and the salary of each Councilmen is fixed at Three Hundred Sixty and no/100 Dollars ($360.00) per year.

SECTION II

Subject to the referendum provisions of Minnesota Statute, Section 412.181, this Ordinance is effective from and after its passage and publication and all prior Ordinances inconsistent with these provisions are hereby revoked.

Adopted by the City Council of Verndale, Minnesota this 7th day of July, 1980.

Louise Otremba
Mayor

______ Madonna Desrocher
ORDINANCE 47

(REPEALED BY ORDINANCE 49)

AN ORDINANCE AMENDING SECTION VI OF ORDINANCE 26

SECTION I

Fixing rates for sewerage service.

All rates and charges for sewerage service shall be fixed, determined and amended by the City Council and adopted by resolution. Such resolution containing the effective date thereof shall be kept on file and open to inspection in the office of the City Clerk, and shall be uniformly enforced.

SECTION II

This ordinance shall be in full force and effective from and after its final passage and approval.

Passed August 5, 1985

Roger Anderson
Mayor

Madonna Desrocher
Clerk
ORDINANCE 48

(REPEALED BY ORDINANCE 11)

AN ORDINANCE PROVIDING FOR THE REGULATION, VACCINATION AND IMPOUNDING OF DOGS

The City of Verndale ordains

SECTION I

DEFINITION

A. Rabies vaccination shall mean vaccination with a state approved rabies vaccine by a licensed veterinarian and boosters administered as recommended by the veterinarian or manufacturer of the vaccine.

B. Running at large shall mean any dog not under the control of the owner, confined, tied, chained or leashed.

SECTION II

A. RABIES VACCINATION

1. All dogs kept within the city of Verndale, six months of age or older are required to be vaccinated against rabies in accordance with Section I.

2. It shall be the responsibility of the owner or keeper of the dog to present proof of vaccination or age upon request of a police officer of the City of Verndale.

3. Owners or keepers found in violation of Section II A. shall have fifteen days to comply.

B. KEEPING

It is unlawful for any person to keep or harbor more than two (2) dogs at their residence. All dogs must be licensed with the City of Verndale and have required vaccinations as set out in SECTION II A. (Effective date: 9-5-95).

SECTION III
DOGS CAUSING A NUISANCE

A. No dog shall be permitted to run at large in the City of Verndale.

B. No person shall keep a dog that habitually barks, cries or disturbs the peace and order within the City of Verndale.

SECTION IV

IMPOUNDING OF DOGS

A. Any dog picked in violation of SECTION III A. shall be returned to the owner if known or impounded for a period not to exceed five days. While the dog is impounded a reasonable attempt shall be made to notify the owner.

B. It shall be the responsibility of the owner to pay the impound fee prior to release of the dog.

C. Any dog not claimed in five days will be destroyed.

D. The impound fee will be set by resolution of the Council.

SECTION V

PENALTIES

A. Any owner or keeper of a dog found in violation of SECTION II A. And B. may be fined up to $25.00.

B. Any owner or keeper of dog found in violation of SECTION II C. may be fined up to $100.00.

C. Any owner or keeper of a dog observed in violation of SECTION III A. and B. shall be given a copy of this ordinance and a verbal warning for the first offense.

D. Any owner or keeper of a dog observed in violation of SECTION III A. and B. for a second time within six months may be fined up to $100.00.

E. Any owner or keeper of a dog observed in violation of SECTION III A. and B. for a third or subsequent time within six months may be fined up to $100.00.

SECTION VI

With the passage by the City Council and its publication, Ordinance 41 regarding dogs shall be repealed.

This ordinance shall be in full force and effect from and after its publication according to law. Passed by the City Council, this 4th day of May, 1981.

Louise A. Otremba
ORDINANCE 49

(SEE ORDINANCE 49 AMENDMENT)

ORDINANCE OF RULES AND REGULATIONS RELATING TO WATER SERVICE

The city of Verndale ordains:

All persons now receiving water service, and all persons who shall make an application for water service from the city shall, upon making such application, be deemed to consent to all of the rules, regulations and rates as may thereafter be set forth and adopted by the City Council, pursuant to this Ordinance.

SECTION I

DISCONTINUANCE OF SERVICE     The City may discontinue service to any water consumer without notice for necessary repairs or, upon notice as provided for in Section IV, for nonpayment of charges or for violation of rules and regulations affecting utility service.

SECTION II

SUPPLY FROM ONE SERVICE    No more than one house or dwelling shall be supplied from one service connection except by special permission of the City Council. Whenever two or more parties are supplied from one pipe connecting with a service main, each building or part of building separately supplied shall have a separate billing.

SECTION III

TURNING WATER, CAPPING MAINS    No person except an authorized city employee shall turn on any water supply at the stop box or tap any distributing main or pipe of the water supply system, or insert a stop cork or other appurtenance therein.

SECTION IV

REPAIR OF LEAKS  The consumer or owner shall be responsible for maintaining the service pipe from the curb box into the building served. If he/she fails to repair any leak in such service pipe within twenty-four hours notice by the City, the City may turn the water off. When the waste of water is great or damage is likely to result from the leak, the City shall turn the water off immediately. The consumer or owner shall be responsible for keeping the service pipe from freezing in the winter and no adjustment of rates shall be made for the period of time that a service pipe is inoperable because of freezing.
SECTION V

PRIVATE WATER SUPPLY  No water pipe of the City water supply system shall be connected with any pump, well or tank that is connected with any other source of water supply. When any such connection is found, the water superintendent shall notify the owner to turn off the connection, and if this is not done immediately the City shall turn off the water supply forthwith. Before any new connection to the City system is permitted, the water superintendent shall be certain that no cross connection will exist when the new connection is made.

SECTION VI

RESTRICTED HOURS  Whenever the City shall determine that a shortage of water threatens the city, it may limit the times and hours during which water may be used from the city water system for lawn and garden sprinkling, irrigation, car washing, air conditioning and other uses, or either or any of them. It is unlawful for any water consumer to cause or permit water to be used in violation of such determination after public announcement thereof has been made through the news media, specifically indicating the restrictions thereof.

SECTION VII

CODE REQUIREMENTS  All piping, connections and appurtenances shall be installed and performed strictly in accordance with the Minnesota Plumbing Code. Failure to install or maintain the same in accordance therewith, or failure to have or permit required inspections shall, upon discovery by the City, be an additional ground for termination of water service to any consumer.

SECTION VIII

APPLICATION FOR WATER SERVICE  Application shall be made to the City on an application form provided by the City. Service shall be served only after proper application has been made and the connection fee paid in full.

SECTION IX

FIXING RATES AND CHARGES FOR WATER SERVICE  All rates and charges for municipal water service, including, but not by the way of limitation, rates for service, connection fees, removal of any unlawful device, disconnection fee, reconnecting fees, including penalties for non-payment, if any, shall be fixed, determined and amended by the City Council and adopted by Resolution. Such Resolution containing the effective date thereof shall be kept on file and open to inspection in the office of the City Clerk, and shall be uniformly enforced.

SECTION X

(Section X amended March 6, 2000)  STATEMENTS FOR WATER USED  Statements for water used by consumers shall be sent out on the first week day of the month. All utilities charges shall be delinquent if they are unpaid at the close of business on the 15th of the month provided that if the 15th day shall fall on a Saturday, Sunday, or legal holiday, the
time shall be extended to the close of business on the next succeeding day on which business is normally transacted. A penalty, as provided by resolution of the City, shall be added to and become due to delinquency, service shall not be restored at that location until a reconnection charge has been paid for each utility reconnected, in addition to amounts owed for service and penalties. The water service may be shut off or discontinued whenever a bill remains unpaid after the 23rd of the month.

SECTION X

(This SECTION Deleted by amendment March 6, 2000)

STATEMENTS FOR WATER USED

Statements for water used by consumers shall be sent out quarterly on the 1st of January, April, July, and October. All utilities charges shall be delinquent if they are unpaid at the close of business on the 30th day following such billing, provided that if the 30th day shall fall on a Saturday, Sunday, or legal holiday, the time shall be extended to the close of business on the next succeeding day on which business is normally transacted. A penalty, as provided by resolution of the City, shall be added to and become due to delinquency, it shall not be restored at that location until a reconnecting charge has been paid for each utility reconnected, in addition to amounts owed for service and penalties. The water service may be shut off or discontinued whenever a bill remains unpaid for sixty (60) days after billing.

SECTION XI

RIGHT OF ENTRY

The City shall have the right to enter in and upon private property, including buildings and dwelling houses, in or upon which is installed a city water service for connection there with, at all times reasonable under the circumstances, for the purpose of inspection and repair of the water system or any part thereof, and for the purpose of connecting and disconnecting service.

SECTION XII

SUPERVISION OF WATER SYSTEM

The city water system and all installation, addition, changes or repairs, shall be under the supervision of a water superintendent designed by the City Council.

SECTION XIII

REPEAL OF PRIOR ORDINANCES

The following ordinances of the City of Verndale are hereby repealed: Ordinance No. 20; Ordinance No. 35A; Ordinance No. 36; Ordinance No. 45; and Ordinance No. 47.

This ordinance shall be in full force and effect following passage and publication according to law.

Passed by the City Council of the City of Verndale the 2nd day of August, 1982.

Louise A. Otremba
Mayor

Madonna Desrocher
Clerk
ORDINANCE 49 AMENDMENT

SECTION X

STATEMENTS FOR WATER USED Statements for water used by consumers shall be sent out on the first week day of the month. All utilities charges shall be delinquent if they are unpaid at the close of business on the 15th of the month provided that if the 15th day shall fall on a Saturday, Sunday, or legal holiday, the time shall be extended to the close of business on the next succeeding day on which business is normally transacted. A penalty, as provided by resolution of the City, shall be added to and become due to delinquency, service shall not be restored at that location until a reconnection charge has been paid for each utility reconnected, in addition to amounts owed for service and penalties. The water service may be shut off or discontinued whenever a bill remains unpaid after the 23rd of the month.

This amendment shall take effect and be enforced from and after its passage and publication.

Passed by the City Council this 6th Day of March 2000.

Roger Anderson
Mayor

Michelle Branstner
Clerk
ORDINANCE 50

AN ORDINANCE PERMITTING THE BURNING OF LEAVES AND GRASS

The City of Verndale ordains:

SECTION I

The City of Verndale will permit the residents to burn leaves and grass with the following restrictions:

A. Burning may be done only between the hours of 6:00 p.m. and 9:00 p.m.
B. The weather must be favorable for burning.
C. The fire must be attended at all times.

SECTION II

This Ordinance shall be in force and effect from and after its publication according to the law.

Passed by the City Council this 7th day of September, 1982.

__________________________
Louise A. Otremba
Mayor

__________________________
Madonna Desrocher
Clerk
ORDINANCE 51

AN ORDINANCE LICENSING AND REGULATING THE CONDUCT OF BINGO AND RAFFLES AND THE USE OF PADDLE WHEELS, TIPBOARDS, PULL-TABS OR TICKET JARS

The Council of the City of Verndale ordains:

SECTION I

PROVISIONS OF STATE LAW ADOPTED

The provisions of Minnesota Statues, Sections 349.11 through 349.23 regulating to the game of bingo and Section 349.26 regulating to paddle wheels, tipboards, pull-tabs or ticket jars and lotteries are adopted and made a part of this ordinance as if set out in full. In addition the regulations of this ordinance shall apply to the conduct of bingo and lotteries and the use of such gambling devices within the city.

SECTION II

LICENSES

A. LICENSE REQUIRED The conduct of bingo and lotteries and the use of gambling devices within the city without a license is prohibited. Any organization authorized by law to conduct bingo occasions, use gambling devices or conduct lotteries may do so only after receiving a license so authorizing from the council.

B. APPLICATIONS An application for a license to use gambling device and conduct raffles or a combination license shall state what gambling devices will be used and the dates and hours when they will be used or lotteries conducted. Each application shall be made to the City Clerk on a form prescribed by him/her and shall be sufficient to show that the applicant is eligible for a license and that the operations describe conform to the law and this ordinance.

C. DURATION OF LICENSES All licenses issued under this ordinance shall be for a period of one year and shall expire on December 31.

D. FEES The annual license fee for a bingo license shall be $1.00. The annual fee for a license to use gambling devices shall be $1.00. The annual fee for a combination license shall be $2.00.

E. TRANSFER No license issued under this ordinance shall be transferred to any other person or organization. No such license shall be transferred to any location other than that specified in the license without the prior approval of the council.

SECTION III

SUSPENSION AND REVOCATION No license shall have a vested right in any license issued under this ordinance. Any such license may be suspended for a period not exceeding 60 days or revoked by the
council at any time for violation of any provision of this ordinance or applicable state law. The licensee shall
be granted an opportunity for a hearing upon at least ten days' notice before revocation or suspension is
ordered. The notice shall state the time and place of the hearing and the nature of the charges against the
licensee.

SECTION IV

PENALTY Any person violating any provision of this ordinance is guilty of a misdemeanor and upon
conviction thereof shall be subject to a fine of not more than $500 or more imprisonment for not to exceed 90
days or both, plus in either case the costs of prosecution.

SECTION V

EFFECTIVE DATE This ordinance takes effect after publication.

Passed by the City Council this 2nd day of July, 1984.

Louise Otremba
Mayor

Madonna Desrocher
Clerk
ORDINANCE 52

AN ORDINANCE REGULATING GRASS AND WEEDS ON PRIVATE PROPERTY

SECTION I

It is unlawful for any owner, occupant or agent of any lot or parcel of land in the City to allow any weeds or grass growing upon any such lot or parcel of land to grow to a greater height than eight (8) inches or to allow such weeds or grass to go to seed.

SECTION II

If any such owner, occupant or agent fails to comply with this height limitation and after notice given by the City Clerk, has not within seven (7) days of such notice complied, the City shall cause such weeds or grass to be cut and the expenses thus incurred shall be a lien upon such real estate. The City Clerk shall certify to the County Auditor of Wadena County, a statement of the amount of the cost incurred by the City. Such amount together with interest shall be entered as a special assessment against such lot or parcel of land and be collected in the same manner as real estate taxes.

SECTION III

Effective date. This ordinance takes effect after publication.

Passed by the City Council this 4th day of September, 1984.

Louise G. Otremba
Mayor

Madonna Desrocher
City Clerk
 Ordinance 53

(See Ordinance 58)

Initial - An ordinance creating and awarding a cable communications franchise in Verndale, MN.

Renewal - An ordinance renewing and amending a cable communications franchise, etc.

Amending - An ordinance amending Ordinance #_______ creating and awarding, etc.

Definition

1. "Franchiser" is the City of Verndale, MN.

2. "Franchisee" is Central Lakes Cable TV.

3. "Board" is the Minnesota Cable Communications Board.

4. "FCC" is the Federal Communications Commission of the United States.

5. "Class IV Channel" means a signaling path provision of appropriate system design techniques with the installation of cable and amplifiers suitable for the subsequent insertion of necessary non-voice communications electronic modules.

6. "Non-voice return communications" means the provision of appropriate system design techniques with the installation of cable and amplifiers suitable for the subsequent insertion of necessary non-voice communications electronic modules.

7. The words "shall" and "must" are mandatory.

8. The word "may" is permissive.

9. The words "may not" are unconditionally prohibitive.

Grant of Authority

The City (or township) Council of Verndale, MN authorizes that a cable communications franchise for the installation, operation and maintenance of a cable communications system within the city limits and surrounding area of Verndale is granted to the Central Lakes Cable TV provided, however, that the franchise shall be subject to the following terms and performance conditions:

Section I
COMPLIANCE WITH MINNESOTA CABLE COMMUNICATIONS BOARD’S FRANCHISE STANDARDS The franchise shall at all times be in compliance with the franchise standards of the Minnesota Cable Communications Board.

SECTION II

COMPLIANCE WITH STATE AND FEDERAL LAWS The franchise and the franchising authority shall conform to all state laws and rules regarding cable communications not later than one (1) year after they become effective unless otherwise stated and to all federal laws and regulations regarding cable communications as they become effective.

SECTION III

CERTIFICATE OF CONFIRMATION The franchise shall cease to be in force and effect if the franchisee fails to obtain either a regular certificate of confirmation or renewal of a certificate of confirmation from the Board, provided, however, that the franchisee may operate the cable communications system while the Board is considering the application for the renewal of the certificate of confirmation.

SECTION IV

FRANCHISE TERMS The franchise shall have an initial franchise term of 15 years effective from July 15, 1985, and any renewal term if granted by the franchising authority, shall be 15 years.

SECTION V

RENEGOTIATION OF FRANCHISE TERMS renegotiation between the franchiser and franchisee shall occur 1 year before the end of the franchise term unless franchising authority determines not to reissue the franchise to the franchisee or desires to consider additional applications for a franchise. Such renegotiation periods must be specified and must be mutually agreed upon by the franchiser and franchisee.

SECTION VI

FRANCHISE EXCLUSIVELY This franchise is non-exclusive.

SECTION VII

SALE OR TRANSFER OF THE FRANCHISE, SALE OR TRANSFER OF STOCK Sale or transfer of this franchise or sale or transfer of stock so as to create a new controlling interest is prohibited except at the approval of the franchising authority, which approval shall not be unreasonably withheld, and except that such sale or transfer is completed pursuant to Board rules, Chapter 2310.2200-.2300.

SECTION VIII
ACCESS TO FINANCIAL RECORDS____The franchising authority is granted the authority to audit the franchisee's accounting and financial records upon reasonable notice. The franchisee shall file annually with the franchising authority reports of gross basic subscriber revenues and other information as the franchising authority deems appropriate. The franchise fee shall be 3% of the gross basic subscriber revenues.

SECTION IX

RATES, RATE CHANGE PROCEDURE AND RESIDENTIAL SUBSCRIBER CONTRACTS
The rates and charges to the subscribers of the Company shall be no greater than stated in the application of the Company for a franchise on file with the city auditor. No increase in such rates or charges to subscribers shall be allowed except as authorized by the Commission of the City of Verndale, Minnesota, and then only after an appropriate public hearing affording due process; provided, however, that at no time during the term hereof shall the monthly rates to subscribers exceed the sum of $10.00 with additional outlets in each dwelling unit to be at the rate of $1.00 per month. The Pay Channel will be an extra $9.50 per month.

SECTION X

FRANCHISE ADMINISTRATOR__Verndale City Council shall be responsible for the continuing administration of this franchise.

SECTION XI

LIABILITY INSURANCE The franchisee shall indemnify and hold harmless the franchising authority at all times during the term of the franchise and shall maintain throughout the term of the franchise liability insurance in the amount of: 500,000 DOLLARS, insuring both the franchising authority and the franchisee with regard to all damages and penalties which they may legally be required to pay as a result of the exercise of the franchise.

SECTION XII

LIABILITY FOR INJURY TO FRANCHISEE'S FACILITIES Nothing in this franchise shall relieve any person from liability arising out of the failure to exercise reasonable care to avoid injuring the franchisee's facilities while performing any work connected with grading, regrading or changing the line of any street or public place or with the construction or reconstruction of any sewer or water system.

SECTION XIII

PUBLIC HEARING RE: FRANCHISEE'S CREDENTIALS_____The franchisee's technical ability, financial condition and legal qualification were considered and approved by the franchising authority in a full public proceeding pursuant to Minnesota Rules 2310.0500, Subp. I which afforded reasonable notice and reasonable opportunity to be heard.

SECTION XIV
CHANNEL CAPACITY  
The franchisee shall construct a cable system with a channel capacity available for immediate or potential use, equal to a minimum of 72 MHz of bandwidth (the equivalent of 12 television broadcast channels).

SECTION XV

CONSTRUCTION SCHEDULE  
Within 90 days of the granting of the franchise, the franchisee shall apply for all necessary permits, licenses, certificates and authorizations; that energized trunk cable shall be extended substantially throughout the authorized area within one year after receipt of all necessary governmental permits, licenses, certificates and authorizations; and that persons along the route of the energized cable will have individual "drops" as desired during the same period of time; the requirement of this provision may be waived by the franchising authority only upon occurrence of unforeseen events or acts of God.

SECTION XVI

AUTHORIZATION TO COMMENCE CONSTRUCTION  
The franchisee shall meet the following construction standards:

A. All construction of the Company, including installation, shall conform to the National Electric Safety Code, the statutes of the State of Minnesota and ordinances of the City. The Company shall provide the City with a map designating the location of cable television facilities and said map shall be available for public inspection.

B. All transmission and distribution structures, lines and equipment erected by the Company within the City shall be so located as to cause minimum interference with the proper use of streets, alleys and other public ways, and places and to cause minimum interference with the right and reasonable convenience of property owners who adjoin any of the said streets, alleys or other public ways and places.

C. In case of any disturbance of pavement, sidewalk, driveway or any other surfacing, Company shall, at its own cost and expense, and in a manner approved by the City Engineer, replace and restore all such disturbed areas in as good as condition as before said work was commenced and shall maintain the restoration in an approved condition for a period of one year thereafter.

D. In the event that at any time during the period of this Franchise the City shall lawfully elect to alter or change the grade of any street, alley or other public way, the Company upon reasonable notice by the City, shall remove, relay and relocate its' poles, wires, cables, underground conduits, manholes and other fixtures at its own expense in locations to be approved by the City Engineer.

E. The Company shall not place poles or other fixtures where the same will interfere with any gas, electric or telephone fixtures, water hydrant or main and all such poles or other fixtures place in any street shall be places at the outer edge of the sidewalk, and inside the curb line, and those placed in alleys shall be placed close to the line of the lot abutting on said alley, and then in such a manner as ways: provided, however, that the company will place all wires, cables, fixtures and other equipment underground when other telephone, telegraph or other electrical utilities services are so located in such
area unless the company is specifically, by action of the commission, permitted to do otherwise where extreme hardship would result or where an underground installation is not workable. It is the intention of this section to require that any company granted a franchise hereunder use a portion of other utility poles already erected for the development of the company's above ground distribution system, and no company shall be permitted to erect its own poles, except where existing utility poles are inadequate to handle the additional load and where the placing of such additional poles is specifically authorized by the commission or the duly authorized representatives. Locations are to be approved by the City Engineer.

F. The Company shall, on the request of any person holding a building moving permit issued by the City, temporarily raise or move its wires to permit the moving of buildings. The expense of same shall be paid by the person requesting same and the Company shall have authority to require payment in advance and not less than forty-eight hours in advance notice.

G. The Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks, and public places of the City so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. All such trimming to be done with the approval of the under and supervision of the Park Board and at the expense of the Company.

SECTION XVII

COMPLIANCE WITH APPLICABLE CODES

All wires, conduits, cable and other property and facilities of the franchise shall be located, constructed, installed, and maintained in compliance with applicable codes. The franchisee shall keep and maintain all of its property so as not to unnecessarily interfere with the usual and customary trade, traffic or travel upon the streets and public places of the franchise area or endanger the lives or property of any person.

SECTION XVIII

RELOCATION OF WIRES, ETC.

The following procedure shall be used by the franchisee and franchising authority for the relocation or removal of the franchisee's wires, conduits, cables and other property located in said street, right-of-way or public place whenever the franchising authority undertakes public improvements which affect the cable equipment.

The company shall have 30 day notice on major construction.

SECTION XIX

TECHNICAL STANDARDS

The rules of the Federal Communications Commission relating to cable communications systems contained in subpart K of part 76 of the Federal Communications Commission's rules and regulations relating to cable communications systems are incorporated herein by reference. The results of any tests required by the Federal Communication Commissions shall be filed within 10 days of the conduct of such tests with the franchising authority and the Board.

SECTION XX

SPECIAL TESTING

In the event that special testing is required to determine the source of technical
difficulties, Central Lakes Cable TV is responsible for the costs of special testing.

SECTION XXI

NON-VOICE RETURN CAPABILITY

The franchisee shall construct and maintain a cable communications system having the technical capacity for non-voice return communications.

When a franchise is being renewed, sold or transferred and is served by a system which does not have the technical capacity for non-voice return communications, the franchising authority shall determine when and if the technical capacity for non-voice return communications is needed after consulting the appropriate regional development commission and the Minnesota Cable Communications Board, and after appropriate public proceedings at the municipal level giving reasonable notice and a reasonable opportunity to be heard. Such determination shall then be placed in the franchise.

SECTION XXII

SUBSCRIBER PRIVACY

No signals of a Class IV cable communications channel may be transmitted from a subscriber terminal for purposes of monitoring individual viewing patterns or practices without the express written permission of the subscriber. The request for such permission shall be contained in a separate document with a prominent statement that the subscriber is authorizing the permission in full knowledge of its provisions. Such written permission shall be for a limited period of time not to exceed one year which shall be renewable at the option of the subscriber. No penalty shall be invoked for subscriber's failure to provide or renew such authorization. The authorization shall be revoked at any time by the subscriber without penalty of any kind whatsoever. Such permission shall be required for each type or classification of Class IV cable communications activity planned for the purpose.

A. No information or data obtained by monitoring transmission of a signal from a subscriber terminal, including but not limited to lists of the names and addresses of the subscribers or any lists that identify the viewing habits of subscribers may be sold or otherwise made available to any party other than to the company and its employees for internal business use, or to the subscriber subject to that information, unless the company has received specific written authorization from the subscriber to make the data available.

B. Written permission from the subscriber shall not be required for the systems conducting system wide or individually addressed monitoring for the purpose of billing. Confidentiality of such information shall be subject to the provision set forth in Minnesota Rules 2315.0300 W. (1).

SECTION XXIII

SUBSCRIBER COMPLAINTS

All complaints by the franchiser, subscribers, or other citizens regarding the quality of service, equipment malfunction, billing disputes, and any other matters relative to the cable communications system shall be investigated and resolved by the franchisee. The company shall have 24 hours to investigate and 24 hours to resolve any complaints.

SECTION XXIV
REPAIRS AND COMPLAINTS

The franchisee shall provide to the subscriber at least a toll-free or collect telephone number for the reception of subscriber complaints and the franchisee shall maintain a repair service capable of responding to subscriber complaints or requests for service within 24 hours after receipt of the complaint or request. Costs included in making repairs, adjustments and installations shall be borne by Central Lakes Cable TV.

SECTION XXV

TERMINATION

The franchising authority shall have the right to terminate and cancel the franchise and all rights and privileges of the franchise if the franchisee substantially violates any provision of the franchise ordinance, attempts to evade any of the provisions of the franchise ordinance or practices any fraud or deceit upon the franchising authority.

The municipality shall provide the franchisee with a written notice of the cause for termination and its intention to terminate the franchise and shall allow the franchisee a minimum of thirty days after service of the notice in which to correct the violation.

The franchisee shall be provided with an opportunity to be heard at a public hearing before the governing body of the municipality prior to the termination of the franchise. In the event that the municipality determines to terminate the franchise, the franchisee has thirty days from the date of the conclusion of the public hearing at which the termination of the franchise is considered, within which to file an appeal with the Board, pursuant to Minn. Stat. 238.14. During the thirty day period and until the Board determines the appeal, if an appeal is taken, the franchise remains in full force and effect, unless the term of the franchise ends sooner. If the Board approves of the action of the municipality, the franchise remains in full force and effect during its term unless sooner terminated in accordance with law or Minnesota Rules 2300.0200-2350.0500. Any appeal to the Board is a contested case to which the Board is not a party.

SECTION XXVI

ABANDONMENT

The franchisee may not abandon any portion of the cable communications service provided hereunder without having given three (3) months prior written notice to the franchising authority and the Board. No cable communications company may abandon any cable communications service or any portion thereof without compensating the franchising authority for damages resulting to it from such abandonment.

SECTION XXVII

MUNICIPAL RIGHT TO PURCHASE SYSTEM

If the franchise or cable system is offered for sale, the franchising authority shall have the right to purchase the system.

SECTION XXVIII

ACCESS CHANNELS
A. The franchisee shall provide to each of its subscribers who receive some or all of the services offered on the system, reception on at least one specially designated access channel. The specially designated access channel may be used by local educational authorities and local government on a first-come, first-served nondiscriminatory basis. During those hours that the specially designated access channel is not being used by the local educational authorities or local government, the franchisee shall lease time to commercial or noncommercial users on a first-come, first-served nondiscriminatory basis if the demand for that time arises. The franchisee may also use this specially designated access channel for local origination during those hours when the channel is not in use by local educational authorities, local government, or commercial or non-commercial users who have leased time. The VHF spectrum (Channels 2-13) must be used for the specially designated access channel required in Minnesota Rules 2315.0300 DD.

B. The franchisee shall establish rules for the administration of the specially designated access channel. The operating rules governing the specially designated access channel shall be filed by the franchisee with the Minnesota Cable Communications Board within 90 days after any access channel is put into use.

C. Franchisees providing only alarm services or only data transmission services for computer-operated functions do not need to provide access channel reception to alarm and data service subscribers.

Passed the Verndale Council the 24th day of May, 1985.

Dale Carr
Mayor

Madonna Desrocher
Clerk

ORDINANCE 54

AN ORDINANCE GRANTING TO MINNESOTA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CONSTRUCT AND MAINTAIN AN ELECTRIC DISTRIBUTION AND TRANSMISSION SYSTEM WITHIN THE CITY OF VERNDALE, MINNESOTA
SECTION I

The City of Verndale hereby grants to Minnesota Power & Light Company, its successors and assigns, (hereinafter referred to as "Company") the right to enter upon and construct, operate and maintain upon the streets, alleys, highways and public grounds of the City, poles, wires, cross arms, braces, lamps, conduits and other usual appurtenances and appliances for transmitting and distributing electric power and energy and for other compatible uses and applications including telecommunications, electric load dispatch and control. This Ordinance shall remain in effect for the period of twenty (20) years from and after passage of this Ordinance.

SECTION II

All poles, wires and other appliances shall be constructed and maintained by Company in a safe and secure manner and so as not unnecessarily to interfere with the public use of the said streets, alleys, highways and public grounds, and which shall at all times be subject to the reasonable regulation of the City. Clearance for the moving of buildings and other objects shall be made immediately by Company when permission to move through the streets is given anyone by the City provided payment for the Company's cost is guaranteed to the Company's satisfaction.

SECTION III

The City shall in no way be liable or responsible for any accident or damage that may occur in the construction, operation and maintenance by the Company of its lines and appurtenances hereunder unless caused by the City. The acceptance of this Ordinance shall be deemed an agreement on the part of the Company to indemnify the City and hold it harmless against any and all liability, loss, damage or expense which may accrue to the City by reason of the neglect, default or misconduct of the Company in the construction, operation and maintenance of its lines and appurtenances hereunder.

SECTION IV

This Ordinance shall not be considered as granting to the Company any exclusive privilege of erecting poles and stringing wires in the streets or public grounds of the City.

SECTION V

In consideration for the right to use the streets, alleys, highways and public grounds, the Company shall be prepared to and shall furnish twenty-four (24) hour, continuous electric or other services provided in the City to consumers in the City, including the City, unless prevented by causes not within its reasonable control, pursuant to the laws of the State of Minnesota and the rates, rules and regulations established from time to time by Company and/or the Minnesota Public Utilities Commission.

SECTION VI

This Ordinance supersedes and cancels the City of Verndale Ordinance No. 33 dated April 7, 1969 granting a permit to Company, which Ordinance was entitled "An ordinance granting to Minnesota Power & Light Company, its successors and assigns, the right to construct and maintain an electric distribution system within
the Village of Verndale, Minnesota.

SECTION VII

This Ordinance shall be void in all respects unless Company shall, by written acceptance filed with the City Clerk, accept the provisions hereof. This Ordinance, when so accepted, shall constitute a contract between the City of Verndale and Minnesota Power & Light Company, its successors and assigns.

This Ordinance shall take effect from and after its passage and publication.

Passed and approved by the City Council of the City of Verndale this 7th day of December, 1987.

Roger Anderson
Mayor

Madonna Desrocher
Clerk

The provisions of the foregoing Ordinance are hereby accepted.

MINNESOTA POWER & LIGHT COMPANY

ORDINANCE 55

A FAIR HOUSING ORDINANCE FOR THE CITY OF VERNDALE, MINNESOTA

The City Council of the City of Verndale ordains:
WHEREAS, the City of Verndale, Minnesota (hereinafter referred to as the "City") desires to affirm compliance with Federal and State Fair Housing legislation; and

WHEREAS, the City desires to resolve Fair Housing discrimination complaints and violation locally,

THEREFORE, the following is set forth as the City of Verndale Fair Housing Ordinance:

WHEREAS, the Housing and Redevelopment Authority of Wadena, Minnesota, desires to assist low income families and elderly to obtain adequate housing in the City of Verndale at a price they can afford, and to accomplish this purpose, desires to undertake a program of subsidizing rent payments to landlords to provide adequate housing to such families and individuals;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Wadena County that the Wadena Housing and Redevelopment Authority's plan of rental assistance to low income families and elderly is hereby approved within the boundaries of the City of Verndale.

Council member Erckenbrack moved the adoption of the Resolution and seconded by Perish, motion carried with Gades, Van Dam, Erckenbrack, Perish and Anderson all voting yes.

SECTION I

DECLARATIONS OF FAIR HOUSING POLICY Discrimination with regard to housing on the basis of race, sex, creed, religion, marital status, and disability adversely affects the health, welfare, peace, and safety of the community. Persons subject to such discrimination suffer depressed living conditions, and create conditions which endanger the public peace and order. The public policy of the City is declared to be to foster equal opportunity for all to obtain decent, safe and sanitary housing without regard to their race, creed, color, national origin, marital status, disability status, sex and strictly in accord with their individual merits as human beings. It is also the policy of the City to protect all persons from all unfounded charges of discrimination.

SECTION II

DEFINITIONS For the purposes of this Section the following terms, phrases, words, and their derivations, shall have the meaning given herein unless the context otherwise indicates:

A. "Discriminate or Discrimination" - Includes segregate or separate.

B. "Disability" - A mental of physical condition which constitutes a handicap. Nothing in this Section shall be construed to prohibit any program, service, facility or privilege afforded to a person with a disability which is intended to habilitate, rehabilitate or accommodate that person.

C. "Marital Status" - The standing, state or condition of one as single or married person.

SECTION III

PROHIBITED ACTS IN REGARD TO HOUSING It is an unlawful discriminatory practice:
A. For any person to discriminate on grounds of race, creed, religion, color, sex, marital status, status with regard to public assistance, national origin, age or disability, in the sale, lease, or rental of any housing unit or units.

B. For any broker, salesman or other person acting in behalf of another to so discriminate in the sale, lease, or rental of any housing unit or units belonging to such other person.

C. For any person engaged in the business of financing the purchase, rehabilitation, remodeling or repair of housing units or in the business of selling insurance with respect to housing units to refuse to provide such financing or insurance or to discriminate with regard to the terms or conditions thereof by reason of the race, color, sex, religion, creed, national origin, marital status, status with regard to public assistance, age or disability of the applicant or because of the location of the unit or units in areas of the City occupied by persons of a particular race, color, sex, religion, creed, national origin, marital status, status with regard to public assistance, age or disability; or to discriminate by treating differently any person or group of persons who desire to purchase, lease acquire, construct, rehabilitate, repair or maintain real property in a specific urban area because of social, economic or environmental conditions of the area in the granting, withholding, extending, modifying, renewing, or in the rates, terms, conditions, or privileges of any such financial assistance or in the extension of services in connection herewith. The bona fide programs of Federal, State or local governmental units or agencies, however structured or authorized to upgrade or improve in any manner a specific urban area shall not be deemed to be a violation of this Section.

D. For any person, having sold, leased, or rented a housing unit or units to any person, to discriminate with respect to facilities, services, or privileges of occupancy by reason of race, color, sex, creed, religion, national origin, age or disability, marital status or status with regard to public assistance.

E. For any person to make or publish any statement evidencing an intent to discriminate, on grounds of race, creed, religion, color, sex, national origin or ancestry, marital status, status with regard to public assistance, age or disability, in the sale, lease, or rental of a housing unit or units.

F. For any person to make any inquiry regarding race, color, sex, creed, religion, national origin, marital status, status with regard to public assistance, age or disability, or to keep any record or use any form of application, designed to elicit such information, in connection with the sale, lease, rental, or financing of a housing unit or units, unless such information is used only for statistical purposes to affirmatively further fair housing.

G. For any person, for the purpose of inducing a real estate transaction from which he/she may benefit financially:

1. To represent that a change has occurred or will or may occur in the composition of the block, neighborhood, or area in which the property is located, in respect of the race, color, sex, creed, religion, national origin, marital status, status with regard to public assistance, age or disability of those living there; or,

2. To represent that this change will or may result in the lowering of property values, an increase in crime, or anti-social behavior, or a decline in the quality of schools in the block,
neighborhood, or area concerned.

H. Nothing in this Section shall be construed to require any person or group of persons selling, renting or leasing property to modify the property in any way, or exercise a higher degree of care for a person having a disability than for a person who does not have a disability; nor shall this Section be construed to relieve any person or persons regardless of any disability in a written lease, rental agreement, or contract or purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations of such lease, agreement or contract.

I. The provisions of this Section shall not apply to:

1. The rental of a portion of a dwelling containing accommodations for two (2) families, one of which is occupied by the owner; or

2. The rental by an owner or occupier of a one-family accommodation in which he resides of a room or rooms in such accommodation to another person or persons if the discrimination is by sex, marital status, status with regard to public assistance or disability. Nothing in this Section shall be construed to require any person or group of persons selling, renting or leasing property to modify the property in any way, or exercise a higher degree of care for a person having a disability than for a person who does not have a disability; nor shall this Section be construed to relieve any person or persons of any obligations generally imposed on all persons regardless of any disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations, of such lease, agreement or contract.

SECTION IV

ENFORCEMENT PROCEDURES The City is designated as the enforcement agency for this Section and shall have the power to receive, hear and determine complaints as provided herein. The City shall promptly investigate, upon complaint or upon its own motion, any violations of this ordinance. If after investigation, it shall have reason to believe a violation has occurred it may refer the matter to the City Attorney for criminal prosecution, initiate civil enforcement procedures as herein provided, or enter into a settlement agreement which, when approved by the City, shall have the same force as a City order.

SECTION V

STATUTE OF LIMITATIONS No action may be brought for civil enforcement or criminal prosecution unless the charge of alleged discriminatory practice was filed with the City within 180 days form the occurrence of the practice.

SECTION VI

CIVIL ENFORCEMENT PROCEDURE Civil enforcement procedures shall be prosecuted by the City before the Council in the following manner:

A. The City shall serve upon respondent by certified mail a complaint, signed by it, which shall set forth a
clear and concise statement of the facts constituting the violation, set a time and place for hearing, and advise the respondent of his right to file an answer to appear in person or by an attorney and to examine and cross-examine witnesses.

B. The hearing shall not be less than 20 days after service of the complaint. At any time prior to the hearing the respondent may file an answer. Facts not denied by answer shall be deemed admitted. If the answer sets out new matter, it shall be deemed denied by the City.

C. The complaint or answer may be amended at any given time prior to the hearing with the consent of the opposing party.

D. Hearings shall be before the City Council.

E. The City may obtain subpoenas from the District Court to compel the attendance of witnesses and the production of documents at any hearing.

F. If, after the hearing, the Council shall conclude that a violation has occurred, it shall prepare an order which may contain any provision deemed desirable to do justice to the complainant or to prevent further violations. It may include provisions which require the respondent to rent, sell, or lease particular housing to the complainant or to do any other thing as may be just. The Council's findings of fact and order shall be served on the respondent by mail, and shall become the findings and order of the City unless, within ten days after mailing of the findings and order, the City shall revoke or amend the order. Any order of the City may be modified by the City at any time.

SECTION VII

This ordinance shall take effect and be in force from and after its passage and publication.

Adopted this 7th day of July, 1986.

Dale Carr
Mayor

Madonna Desrocher
Clerk

ORDINANCE 56

AN ORDINANCE REGULATING JUNK CARS, HOUSEHOLD FURNISHINGS AND APPLIANCES STORED ON PUBLIC OR PRIVATE PROPERTY

SECTION I

It is unlawful to park or store any unlicenced, unregistered, or inoperable motor vehicle, household furnishings or appliances on public or private property in a Residence District, unless housed within a
lawfully erected building in the Residence District. Any violation of this Section is hereby declared to be a nuisance and, upon seven days written notice to the owner, as shown by the records in the office of the County Auditor, of private premises on which such material is found, the City may remove the same and certify the cost of such removal as any other special assessment.

SECTION II

Effective date. This ordinance takes effect after publication.

Passed by the Verndale City Council June 1st 1987.

Roger Anderson
Mayor

Madonna Desrocher
City Clerk

ORDINANCE 57

AN ORDINANCE REGULATING SIDEWALKS, GRASS, WEEDS AND TREES IN STREETS

The City Council of Verndale ordains:

SECTION I

ICE AND SNOW ON PUBLIC SIDEWALKS.
A. ICE AND SNOW A NUISANCE   All snow and ice remaining upon public sidewalks is hereby declared to constitute a public nuisance and shall be abated by the owner or tenant of the abutting private property within twenty-four hours after such snow or ice has ceased to be deposited.

B. CITY TO REMOVE SNOW AND ICE   The City may cause to be removed from all public sidewalks, beginning twenty-four hours after snow or ice has ceased to fall, all snow and ice which may be discovered thereon, and it shall keep a record of the cost of such removal and the private property adjacent to which such accumulations were found and removed.

C. COST OF REMOVAL TO BE ASSESSED   The City Clerk-Treasurer shall, upon direction of the Council, and on receipt of the information provided for in the preceding Subdivision, extend the cost of such removal of snow or ice as a special assessment against the lots or parcels of ground abutting on walks which were cleared, and such special assessments shall at the time of certifying taxes to the County Auditor be certified for collection as other special assessments are certified and collected.

D. CIVIL SUITE FOR COST OF REMOVAL   The City Clerk- Treasurer shall, in the alternative, upon direction of the Council, bring suit in a Court of competent jurisdiction to recover from the persons owning land adjacent to which sidewalks were cleared, as provided in Subdivision 2 hereof, the cost of such clearing and the cost and disbursements of a civil action therefor.

E. CITY CLERK - TREASURER TO REPORT SIDEWALKS CLEARED   The City Clerk-Treasurer shall present to the Council at its first meeting after snow or ice has been cleared from the sidewalks as provided in Section II hereof the report of the City thereon, and shall request the Council to determine by resolution the manner of collection to be used as provided in part C or D of this Section.

F. PLACING SNOW OR ICE IN PUBLIC STREET OR ON OTHER CITY PROPERTY   It is a misdemeanor for any person, not acting under a specific contract with the City, to remove snow from private property or alleys and place the same on a public street in such quantity, or in such manner, as to cause a hazard to travel, without adequate arrangements for the immediate removal thereof.

SECTION II

SUBSECTION I

SPECIFICATIONS FOR THE SIDEWALK ORDINANCE

A. SIDEWALKS TO KEEP FREE OF SNOW AND ICE   Only sidewalks abutting the business streets will be enforced as to snow and ice. If complaints are heard about any residential area, the matter will be looked into then.

A. SIDEWALK CONSTRUCTION   All city sidewalks must be of concrete, six bag mix or better.
All new construction of city sidewalks will be 3’ in width, 3 ½” thick and cut every 3’ except on driveways. Any driveways put in must not go above the sidewalk grade. All grades of sidewalks will be uniform to the roadway or to the uniform grade of the said block it is being laid on. All sidewalks approaching a roadway will have a downward grade in a way so as not to prohibit the flow of water and at a pitch of 1-12 or less. All roadway connections that have a curb will cut and replace with a handicapped ramp of not more than 1-12 pitch. All new construction will be inspected by the City Maintenance Department before the concrete is laid.

A. REPAIRS All repairs will be done with suitable concrete materials. Any hole of 5” square or bigger at a depth of 1/4” or greater must be repaired. Any grade of less than 1-12 pitch or 4” above grade surface must be replaced to follow grade of sidewalk. Any vertical displacement of ½” or greater must be repaired to less than 1-12 pitch.

A. TREES, SHRUBS, AND FENCES Any trees, shrubs or fences planted or erected near any public road or sidewalk will be done so as not to obstruct view of any traffic. All roadway and sidewalks must maintain a minimum height of 12’ above grade and maintained to give sidewalk width of 2’ from edge of sidewalk or 20’ from roadway. All dead trees or shrubs, or parts of, must be removed.

E. INSPECTION There will be an inspection once a year by the City Maintenance Department.

SUBSECTION II

SIDEWALK MAINTENANCE AND REPAIR.

A. PRIMARY RESPONSIBILITY It is the primary responsibility of the owner of property upon which there is abutting any sidewalk to keep and maintain such sidewalk in safe and serviceable condition.

B. CONSTRUCTION, RECONSTRUCTION AND REPAIR SPECIFICATIONS All construction, reconstruction or repair of sidewalks shall be done in strict accordance with specification on file in the office of the City Clerk-Treasurer.

C. NOTICE - NO EMERGENCY Where, in the opinion of the Public Works Superintendent, no emergency exists, notice of the required repair or reconstruction shall be given to the owner of the abutting property. Such notice shall require completion of the work within ninety days, and shall be mailed to the owner or owners shown to be such on the records of the County Officer who mails tax statements.

D. NOTICE - EMERGENCY Where, in the opinion of the Public Works Superintendent, an emergency exists, notice of the required repair or reconstruction shall be given to the owner of the abutting property. Such notice shall require completion of the work within ten days, and shall be mailed to the owner or owners shown to be such on the records of the County Officer who mails tax statements.

E. FAILURE OF OWNER TO RECONSTRUCT OR MAKE REPAIRS If the owner of the abutting property fails to make repairs or accomplish reconstruction as herein required, the City Clerk-Treasurer shall report such failure to the Council and the Council may order such work to be
done under its direction and the cost thereof assessed to the abutting property owner as any other special assessment.

F. DUTY TO INSPECT In order to accomplish the purpose of this Section, it shall be the duty of the public Works Superintendent to inspect sidewalks within the City, or cause the same to be inspected under his direction.

SECTION III

REGULATION OF GRASS, WEEDS AND TREES IN STREETS.

A. CITY TO CONTROL TREE PLANTING The City shall have control and supervision of planting shrubs and trees upon, or overhanging, all streets or other public property. The City may establish and enforce uniform standards relating to the species and types of trees to be planted, placement and the maintenance and removal thereof. Such standards shall be kept on file and the office of the City Clerk-Treasurer and may be revised from time to time by action of the Council upon the recommendation of the City Clerk-Treasurer.

B. DUTY OF PROPERTY OWNERS TO CUT GRASS AND WEEDS AND MAINTAIN TREES AND SHRUBS Every owner of property abutting on any street shall cause the grass and weeds to be cut from the line of such property nearest to such street to the center of such street. If the grass or weeds in such place attain a height in excess of eight inches it shall be prima facie evidence of a failure to comply with this Section. Every owner of property abutting on any street shall, trim, cut, remove, and otherwise maintain all trees and shrubs in unhazardous and healthy condition, from the line of such property nearest to such street to the center thereof.

C. CITY MAY ORDER WORK DONE The City may, in cases of failure to comply with this Section, perform such work with employees of the City, keeping on accurate account of the cost thereof for each lot, piece or parcel of land abutting upon such street.

D. ASSESSMENT If maintenance work described in the foregoing Section is performed by the City, the City Clerk-Treasurer shall forthwith upon completion thereof ascertain the cost attributable to each lot, piece or parcel of abutting land. The City Clerk-Treasurer shall, at the next regular meeting thereof, present such certificate to the Council and obtain its approval thereof. When such certificate has been approved it shall be extended as to the cost therein stated as a special assessment against such abutting land and such special assessment shall, at the time of certifying taxes to the County Auditor, be certified for collection as other special assessments are certified and collected.

SECTION IV

VIOLATION A MISDEMEANOR OR PETTY MISDEMEANOR.

Every person violates a section, subsection, paragraph or provision of this Chapter when he/she performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as follows:
A. Where the specific section, subdivision, paragraph or provision specifically makes violation a misdemeanor, he/she shall be punished as for a misdemeanor; where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, he/she shall be punished as for a misdemeanor; where he/she stands convicted or violation of any provision of this Chapter, within the immediate preceding 12-month period for the third or subsequent time, he/she shall be punished as for a misdemeanor.

B. As to any violation no constituting a misdemeanor under the provisions of SECTION I hereof, he/she shall be punished as for a petty misdemeanor.

Passed September 1, 1987

Published September 1987

Roger Anderson
Mayor

Madonna Desrocher
Clerk

ORDINANCE 58

(Copy of Ordinance 59)

AN ORDINANCE APPROVING THE TRANSFER OF THE CABLE TELEVISION SYSTEM IN THE CITY

The City Council of Verndale, Minnesota ordains that the assignment and transfer of the cable television system in Verndale, Minnesota, including the cable television franchise established by Ordinance 53, from Central Valley Cablevision, Inc. to Midcontinent Cable Systems Co. of Minnesota, P.O. Box 910, Aberdeen, South Dakota 57401, is hereby approved effective upon the date of filing with the Clerk of a statement in compliance with the Ordinance by Central Valley and Midcontinent that the transfer of the system has been
completed. The Ordinance shall be void unless Midcontinent shall, by written acceptance, filed with the City Clerk, accept all the terms of Ordinance No. 53.

This Ordinance becomes effective from and after its passage and publication.

Adopted by the Council this 7th day of December, 1987.

Roger Anderson
Mayor

Madonna Desrocher
Clerk

CERTIFICATE OF TRANSFER

TO THE CITY AUDITOR OF VERNADE, MINNESOTA:

The undersigned hereby certify that Midcontinent Cable Systems Co. of Minnesota has completed the purchase of the Verndale, Minnesota cable television system from Central Valley Cablevision, Inc.

Dated this 24th day of February, 1988.

MIDCONTINENT CABLE SYSTEMS CO. CENTRAL VALLEY OF MINNESOTA CABLEVISION, INC.

By____________________             By____________________
Its Vice President                     Its President
ORDINANCE 59

(Copy of Ordinance 58)

AN ORDINANCE APPROVING THE TRANSFER OF THE CABLE TELEVISION SYSTEM IN THE CITY

The City Council of Verndale, Minnesota ordains that the assignment and transfer of the cable television system in Verndale, Minnesota, including the cable television franchise established by Ordinance 53, from Central Valley Cablevision, Inc. to Midcontinent Cable Systems Co. of Minnesota, P.O. Box 910, Aberdeen, South Dakota 57401, is hereby approved effective upon the date of filing with the Clerk of a statement in compliance with the Ordinance by Central Valley and Midcontinent that the transfer of the system has been completed. The Ordinance shall be void unless Midcontinent shall, by written acceptance, filed with the City Clerk, accept all the terms of Ordinance No. 53.
This Ordinance becomes effective from and after its passage and publication.

Adopted by the Council this 7th day of December, 1987.

Roger Anderson
Mayor

Madonna Desrocher
Clerk

ORDINANCE 60

(REPEALED BY ORDINANCE 65)

ORDINANCE CHANGING COUNCIL SALARIES

WHEREAS, Minnesota Statutes, Chapter 412.181 authorizes the City Council to increase the salaries of the Mayor and Councilmen by Ordinance subject to the right of the voters to petition for a referendum of the Ordinance within a period of thirty (30) days after publication of the Ordinance:

AND WHEREAS, The Council deems the present salary of the Mayor and Councilmen inadequate to compensate them for the work incident of these offices and inadequate to attract qualified candidates to run for such offices:

The Council of the City of Verndale Ordains:
SECTION I

Commencing January 1, 1989, the salary of the Mayor is fixed at Seven Hundred Twenty and no/100 Dollars ($720.00) per year, along with Thirty Dollars ($30.00) per special meeting and the salary of each Council Person is fixed at Five Hundred Forty and no/100 ($540.00) per year, along with Twenty Dollars ($20.00) per special meeting.

SECTION II

Subject to the referendum provisions of Minnesota Statute, Section 412.181, this Ordinance is effective from and after its passage and publication and all prior Ordinances inconsistent with these provisions are hereby revoked.

Adopted by the City Council of Verndale, Minnesota this 1st day of August, 1988.

Roger Anderson
Mayor

Kathy Johnson
Clerk

ORDINANCE  61

SECTION I

A. TITLE This ordinance from the date of its passage shall be entitled: Zoning Ordinance for the City of Verndale, Minnesota.

B. PURPOSE The purpose of this ordinance is to promote the public health, safety, comfort and general welfare of the people of Verndale, Minnesota. To accomplish this end, the ordinance shall regulate the location of structures proposed for specific uses, the height and bulk of buildings hereafter erected, provides for minimum sanitation standards, and regulates and determines the area of lots.

C. LEGAL AUTHORITY This ordinance is enacted pursuant to the Municipal Planning Act, M.S. 462-351 eq. seq.

D. DEFINITIONS For the purpose of this ordinance, certain terms or words used herein shall be
The word “person” includes a firm, association, partnership, trust, company or corporation as well as an individual.

2. The word “shall” is mandatory, the word “may” is permissive.

3. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

4. The words “used” or “occupied” include the words intended, designed, or arranged to be used or occupied.

5. The word “lot” includes the words plot or parcel.

6. The word “corner lot” has two front yards and two side yards. Each side of a building that faces a street is a front of that building. (Added Amendment November 2, 1998).

7. The word “manufactured home” means a structure, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that the term includes any structure which meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary and complies with the standard established under Minnesota Statues Chapter 327. (Added Amendment June 7, 2004).

SECTION II

A. DISTRICTS FOR ANNEXED AND UNZONED AREAS

1. ANNEXED AREA Areas hereafter annexed to the City of Verndale shall be considered to be in the Residential District until placed wholly or partly in another district by amendment as provided for herein.

2. UNZONED AREA Areas not included in any district shall be considered reserved for public use and purposes to the extent necessary.

B. ESTABLISHMENT OF DISTRICT AND (DISTRICT) MAP Certain districts are hereby created which shall be shown upon the (District) map which is incorporated herein and a part hereof. Said map and all notation, references, and other information shown thereon shall be as much a part of this chapter as if the matters and information set forth by said map were all duly described herein.
1. R-Residential
2. C-Commercial

SECTION III

A. R - RESIDENTIAL DISTRICT

1. PURPOSE
   This district is intended to establish an area of low density residential uses.

2. PERMITTED USES
   A. Single-Family Dwellings
   B. Multi-Family Dwellings
   C. Mobile/Manufactured Homes
   D. Public Buildings
   E. Public and Private Parks
   F. Medical Facilities
   G. Home Occupations

3. CONDITIONAL USES
   Commercial and Industrial uses may be allowed if found by the City Council not to be detrimental to the general public health and welfare of the residents of the City of Verndale.

4. ACCESSORY USES
   Uses incidental to the principal uses are allowed.

5. MINIMUM LOT AREA, YARD AND SETBACK REQUIREMENTS
   Lot Area 4,500 Square Feet
   Lot Depth 100 Feet
   Lot Width 45 Feet
   Corner Lot Width 60 Feet
   Front Yard 25 Feet
   Side Yard 10 Feet
   Rear Yard 10 Feet

6. OTHER REQUIREMENTS
   A. All manufactured homes shall be skirted with approved skirting to correspond to the homes within thirty (30) days of occupancy and be such as to be a permanent part of the home structure.

   2. No manufactured homes other than a mobile home park, are allowed within the Verndale City limits without a special use permit and then only as living quarters for a reasonable length of time, while a permanent dwelling is being built. If a manufactured home or trailer is on the host’s lot, a visiting family may obtain a special use permit for a maximum of 30 days. (Added Amendment June 4, 2004)

   2. Existing manufactured homes may continue in their present location, but may not be replaced if vacated, moved or destroyed; provided, however, that any such
replacement may be made if a variance is obtained in accordance Section VI part D; and
provided further that an existing manufactured home may be replaced by the same
owner with a newer manufactured home of greater value if a variance is obtained in
accordance with Section VI part D. (Added Amendment June 4, 2004)

2. All exterior property areas shall be maintained in a clean and sanitary
condition, free from any accumulation of refuse or garbage (defined as waste material).
There shall be proof of weekly garbage pickup. The owner of the property is the
responsible party.

2. All sewer and water facilities shall be hooked up and operational before
occupation.

6. Those who are unable to hook-up to the city sewer shall have a sanitary septic system
which meets Wadena County standards.

B. C - COMMERCIAL DISTRICT

1. PURPOSE The commercial district is designed to provide for the convenient highway
orientated business facilities and to satisfy the shopping needs of the people.

2. PERMITTED USES All bona fide commercial uses that are not detrimental to the general
health and welfare of the residents of Verndale, Minnesota.

3. CONDITIONAL USES

A. Multiple Dwellings
B. Industrial

4. DEFINING COMMERCIAL ZONING DISTRICT From West line of the City limits
along Clark Drive West (County Road 104) to original plat of Verndale: Block 1, Lots 1-10:
Block 2: Block 6, Lots 1-12; Block 7, Lots 1-6; Block 3; Block 4, Lots 1-10; to south
Burlington Northern property line to the East City limits line. Block 6, Lots 1-12; Block 7, lots
1-6 are subject to Zoning Ordinance changes as amended. (Added Amendment June 2, 2003)

From Clark Drive West (County Road 104) north along City limits to approximately 80 feet
north of the northwest corner of SWSE Section 19. East parallel with SWSE Section 19 north
line approximately 230 feet. North approximately 420 feet. East approximately 235 feet. South
to the north line of the SWSE Section 19 line. East along the north line of the SWSE Section 19
line to the northeast corner of SWSE Section 19. South along the east line of SWSE Section 19
east line to North Thompson Street. South approximately 165 feet. Smith’s Addition; Block 6,
Lots 7-18; Block 1, Lots 7-18; Block 7 to the South line of Lot A.

From the eastmost portion of Smith Addition of Block 7, Lot A south to Clark Drive East
(County Road 104) east of Clark Drive East to east side of City limits.
Including Verndale Truss; Section 20, Township 134, Range 34 - 12.00 acres. East 396 feet of SE 1/4 SW 1/4. (Added Amendment December 2, 1996).

4. Non residential buildings that are in the Commercial District are exempt from the setback requirements. (Added Amendment December 6, 1999).

SECTION IV

MANUFACTURED HOME PARK__Manufactured home parks shall be licensed by the State of Minnesota and approved by the City Council.

A. APPLICATION FOR MANUFACTURED HOME PARK_The property owner shall submit to the city clerk a development plan and a plot plan showing the following:

1. Location and legal description of the site.
2. All streets, lights, driveways, parking areas and sidewalks.
3. A drawing of the proposed foundations, support system, and tie downs for individual manufactured homes.
4. The size and arrangements of lots and the location of all accessory buildings.
5. The topography by two (2) foot contour intervals and a grading plan.
6. Open space areas.
7. All gas, sewer, water telephone and electric lines.
8. A typical lot plan.

The clerk shall forward the plans to the planning commission for review. Upon review, the planning commission shall make a recommendation to the city council for final approval.

SECTION V

HANGING OBJECTS_____Any object protruding from a business (e.g. signs, awnings, etc.) must be no less than seven (7) feet from the surface of the ground.

SECTION VI

ADMINISTRATION

A. BUILDING PERMITS A building permit is required for any building or other structure (including mobile homes) which is to be erected, moved, added to, or structurally altered. An application may be obtained from the Verndale City Clerk. Each application shall be accompanied by a plan showing the actual dimensions of the lot to be built upon, the size, shape and location of the
building to be erected and such other information as may be necessary to provide for the enforcement of the regulation. The fee for a building permit shall be Ten dollars ($10.00).

B. ZONING ADMINISTRATOR This ordinance shall be administered by a Zoning Administrator appointed by the City Council.

The Zoning Administrator's duties shall include the following:

1. Determine if applications comply with terms of the ordinance.
2. Conduct inspections of buildings and uses of land to determine compliance with the ordinance.
3. Maintain permanent records of the ordinance.
4. Receive, file and forward all applications for appeals, variances, conditional uses, and amendments to the designated official bodies.
5. Notify, in writing, any persons responsible for violating a provision of this ordinance, indicating the nature of the violation and ordering the action necessary to correct it.
6. Serve as ex-officio member of the Planning Commission.

C. PLANNING COMMISSION The City Council shall appoint a two (2) member Planning/Zoning Commission which shall review applications for variances, conditional uses, and amendments, and shall make recommendations to the City Council. (Amended from 5 member committee to 2 member committee January 2005).

D. VARIANCES Where the City Council and Planning Commission find that extraordinary and unnecessary hardships may result from strict compliance with this ordinance, variances may be granted provided that such variations will not have the effect of nullifying the intent and purpose of the ordinances.

Application for issuance of a variance shall be made to the Verndale City Clerk to forward to the Planning Commission. A statement of the exceptional conditions and the peculiar difficulty involved shall be included. A site plan may be prescribed by the Planning Commission.

The Zoning Administrator shall notify contiguous property owners of the intent of the proposed action and the date when the petitioners shall appear before the Planning Commission.

The City Council shall consider the advice and recommendations of the Planning Commission and the affect of the proposed variance upon the health, safety, and the general welfare of the community. It shall be shown that issuance of the variance will not merely serve as a convenience to the applicant, but is necessary to alleviate a demonstrable difficulty. No application for a variance which has been denied shall be resubmitted for a period of six (6) months from the date of denial.

Violation of any condition set forth in granting a variance shall be violation of this ordinance and automatically
terminates the variance. A variance shall become void one year after it was granted unless made use of.

E. CONDITIONAL USES

Conditional use permits may be issued for any of the following:

Any of the users or purposes for which such permits are required or permitted by the provisions of this ordinance.

Application for the issuance of a conditional use permit shall be made to the City Clerk. The application shall be accompanied by such plans, elevations, and site plans as prescribed by the Planning Commission.

Upon receipt of the application and other requested material, the Planning Commission shall hold at least one (1) public hearing as regulated by law. Written notice of public hearings shall be sent to all property owners of record within 350 feet of the selected property. Following the hearing, the Planning Commission shall make a report to the City Council recommending whatever action it deems advisable. It may designate conditions and require guarantees in the granting of use permits. Upon receipt of the report of the Planning Commission, the City Council shall hold whatever public hearings it deems advisable and shall make a decision upon the proposal to grant a permit. If it finds that the conditions exist which are necessary under this section in order for the Planning Commission to recommend the granting of the Conditional Use Permit, it may attach to the permit such conditions and guarantees as may be necessary to assure reasonable development.

The Planning Commission shall report its recommendations to the City Council within ninety (90) days after filing of the application.

1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity.

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

3. A building permit must be applied for within nine (9) months of the granting of the conditional use permit.

REVOCATION: A violation of any condition set forth in a conditional use permit shall be a violation of this ordinance and automatically terminates the permit.

A conditional use permit shall become void one year after being granted by the City Council unless made use of and if discontinued for a period of ninety (90) days or more.

F. AMENDMENTS

1. Amendments: The regulations, restrictions and boundaries set forth in this ordinance may be amended, supplemented or repealed in accordance with the provisions of this article.

2. Initiation: Amendments may be initiated by the Planning Commission or by petition of any person owning property within the boundaries of the district subject to the proposed amendment.
An amendment not initiated by the Planning Commission shall be referred to the Commission for study and report and may not be acted upon by the City Council until it has received the recommendation of the Planning Commission on the date of reference of the amendment without a report being prepared by the Planning Commission.

3. Hearing: No amendment shall be adopted until a public hearing has been held thereon by the City Council. The notice of the time, place and purpose of the hearing shall be published in the official paper at least ten (10) days prior to the day of the hearing. When an amendment involves changes in the district boundaries a notice shall be served by the City Clerk at least ten (10) days before the day of the hearing to each owner of the affected property and property situated wholly or partly within 350 feet of the use to which the amendment relates. For the purpose of giving mailed notice, the person responsible for mailing the notice may use any appropriate records to determine the names and addresses of the owners. A copy of the notice and a list of the owners and addresses to which the notice was sent shall be attested to by the responsible person shall be made a part of the records of the proceedings.

G. APPEALS FROM PLANNING COMMISSION Appeals to the Planning Commission may be taken by any person aggrieved by a decision of the Zoning Administrator. Such appeal shall be taken within ten (10) calendar days after such decision by filing with the Zoning Administrator a notice of appeal specifying the grounds thereof. The Zoning Administrator shall immediately transmit to the Planning Commission all documents and exhibits constituting the record from which the appeal is taken. The appeal shall stay all proceedings pending the decision of the Planning Commission.

The Planning Commission shall fix a reasonable time for hearing such appeal and shall render a decision within thirty (30) days of the date of hearing. The Planning Commission shall give public notice of the hearing and shall further mail written notice to all those personally known to be interested parties by the members of the Planning Commission.

H. VIOLATIONS Violations of this ordinance shall be a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed $500.00, and/or imprisonment for a period not to exceed ninety (90) days for each offense. Each day a violation is permitted to exist shall constitute a separate offense.

In the event of a violation or a threatened violation of this ordinance, the Council or any member, thereof, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct, or abate such violations or threatened violations and it is the duty of the attorney to institute such action.

No person shall perform work upon a project requiring a building permit, Conditional Use permit, or a variance issued under this ordinance unless such permit has been issued and posted on the premises and the accuracy of setback distances and building sizes have been verified. Any person performing such work shall be criminally liable to the same extent as the property owner.

I. SEPARABILITY Should any section or provision of this ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.
ORDINANCE 62

AN ORDINANCE ESTABLISHING A SEWER SERVICE CHARGE SYSTEM FOR THE CITY OF VERNDALE, MINNESOTA

An Ordinance providing for Sewer Service Charges to recover costs associated with:

A. Operation, maintenance, and replacement to ensure effective functioning of the City's Wastewater Treatment System.

B. Local capital costs incurred in the construction of the City's Wastewater Treatment System.

ARTICLE I

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as hereafter designated:

Sec. 1 "Administration" - Those fixed costs attributable to administration of the wastewater treatment works (i.e., billing and associated bookkeeping and accounting costs).
Sec. 2  "Biochemical Oxygen Demand or BOD5" - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter.

Sec. 3  "City" - The area within the corporate boundaries of the City of Verndale, as presently established or as amended by Ordinance or other legal actions at a future time. When used herein the term City may also refer to the City Council or its authorized representative.

Sec. 4  "Commercial User" - Any place of business which discharges sanitary waste as distinct from industrial wastewater.

Sec. 5  "Commercial Waste waters" - Domestic wastewater emanating from a place of business as distinct from industrial wastewater.

Sec. 6  "Debt Service Charge" - A charge levied on users of wastewater treatment facilities for the cost of repaying money bonded to construct said facilities.

Sec. 7  "Normal Domestic Strength Wastewater that is primarily produced by residential users, with BOD5 concentrations not greater than 250 mg/l and suspended solids concentrations not greater than 300 mg/l. (Pond/ERU SRO (a) 1/15/85)

Sec. 8  "Equivalent Residential Unit (ERU)" - A unit of wastewater volume of 220 gallons per day at a strength not greater than 250 mg/l of BOD5 and 300 mg/l of Total Suspended Solids.

Sec. 9  "Extra Strength Waste" - Wastewater having a BOD and/or TSS greater than domestic wastes defined in Article I, Section 7 above and not otherwise classified as an incompatible waste.

Sec. 10 "Governmental User" - Users which are units, agencies or instrumentalities of federal, state, or local government discharging Normal Domestic Strength wastewater.

Sec. 11 "Incompatible Waste" - Waste that either singly or by interaction with other wastes interferes with any waste treatment process, constitutes a hazard to humans or animals, creates a public nuisance or creates any hazard in the receiving waters of the wastewater treatment works.

Sec. 12 "Industrial Users or "Industries" are:

A. Entities that discharge into a publicly owned wastewater treatment works, liquid wastes resulting from the processes employed in industrial or manufacturing processes, or from the development of any natural resources. These are identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemental under one of the following divisions:

Division A. Agriculture, Forestry and Fishing
Division B. Mining
Division D. Manufacturing
Division E. Transportation, Communications, Electric, Gas, and Sanitary Sewers
Division I. Services
For the purpose of this definition, domestic waste shall be considered to have the following characteristics:

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOD5</td>
<td>less than 250 mg/l</td>
</tr>
<tr>
<td>Suspended Soils</td>
<td>less than 300 mg/l</td>
</tr>
</tbody>
</table>

B. Any non-governmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of any municipal systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.

Sec. 13 "Industrial Wastewater" - The liquid processing wastes from an industrial manufacturing process, trade, or business including but not limited to all Standard Industrial Classification Manual Divisions A, B, D, E and I manufactures as distinct from domestic wastewater.

Sec. 14 "Institutional User" - Users other than commercial, governmental, industrial or residential users, discharging primarily Normal Domestic Strength wastewater (e.g. Non-profit organizations).

Sec. 15 "Operation and Maintenance" - Activities required to provide for the dependable and economical functioning of the treatment works, throughout the design or useful life, which ever is longer of the treatment works, and at the level of performance for which the treatment works were constructed. Operation and Maintenance includes replacement.

Sec. 16 "Operation and Maintenance Costs" - Expenditures for operation and maintenance, including replacement.

Sec. 17 "Public Wastewater Collection System" - A system of sanitary sewers owned, maintained, operated and controlled by the City.

Sec. 18 "Replacement" - Obtaining and installing of equipment, accessories, or appurtenances which are necessary during the design life or useful life, whichever is longer, of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

Sec. 19 "Replacement Costs" - Expenditures for replacement.

Sec. 20 "Residential User" - A user of the treatment facilities whose premises or building is used primarily as a residence for one or more persons, including dwelling units such as detached and semi-detached housing, apartments, and mobile homes; and which discharges primarily normal domestic strength sanitary wastes.

Sec. 21 "Sanitary Sewer" - A sewer intended to carry only liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm, and surface waters which are not admitted intentionally.
Sec. 22 "Sewer Service Charge" - The aggregate of all charges, including charges for operation, maintenance, replacement, debt service, and other sewer related charges that are billed periodically to users of the City's wastewater treatment facilities.

Sec. 23 "Sewer Service Fund" - A fund into which income from Sewer Service Charges is deposited along with other income, including taxes intended to retire debt incurred through capital expenditure for wastewater treatment. Expenditure of the Sewer Service Fund will be for operation, maintenance and replacement costs; and to retire debt incurred through capital expenditure for wastewater treatment.

Sec. 24 "Shall" is mandatory; "May" is permissive.

Sec. 25 "Slug" - Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average 24 hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.


Sec. 27 "Suspended Solids (SS) or Total Suspended Solids (TSS)" - The total suspended matter that either floats on the surface or is in suspension in water, wastewater or other liquids, and is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater", latest edition, and referred to as non-filterable residue.

Sec. 28 "Toxic Pollutant" - The concentration of any pollutant or combination of pollutants as defined in standards issued pursuant to Section 307(a) of the Act, which upon exposure to or assimilation into any organism will cause adverse effects.

Sec. 29 "User Charge" - A charge levied on users of a treatment works for the user's proportionate share of the cost of operation and maintenance, including replacement.

Sec. 30 "Users" - Those residential, commercial, governmental, institutional and industrial establishments which are connected to the public sewer collection system.

Sec. 31 "Wastewater" - The spent water of a community, also referred to as sewage. From the standpoint of source it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface water and storm water that may be present.

Sec. 32 "Wastewater Treatment Works or Treatment Works" - An arrangement of any devices, facilities, structures, equipment, or processes owned or used by the City for the purpose of the transmission, storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage or industrial wastewater, or structures necessary to recycle or reuse water including interceptor sewers, outfall sewers, collection sewers, pumping, power, and other equipment and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof;
elements essential to provide a reliable recycled water supply such as standby treatment units and clear well facilities; and any works including land which is an integral part of the treatment process or is used for ultimate disposal or residues resulting from such treatment.

ARTICLE II

ESTABLISHMENT OF A SEWER SERVICE CHARGE SYSTEM

Sec. 1 The City of Verndale hereby establishes a Sewer Service Charge System whereby all revenue collected from users of the wastewater treatment facilities will be used to affect all expenditures incurred for annual operation, maintenance, and replacement and for debt service on capital expenditure incurred in constructing the wastewater treatment works.

Sec. 2 Each user shall pay its proportionate share of operation maintenance and replacement costs of the treatment works, based on the users proportionate contribution to the total wastewater loading form all users.

Sec. 3 Each user shall pay debt service charges to retire local capital costs as determined by the City Council.

Sec. 4 Sewer Service rates and charges to users of the wastewater treatment facility shall be determined and fixed in a "Sewer Service Charge System" developed according to the provisions of this Ordinance. The Sewer Service Charge System shall be adopted by resolution upon enactment of this Ordinance, shall be published in the local newspaper, and shall be effective upon publication. Subsequent changes in Sewer Service rates and charges shall be adopted by Council resolution and shall be published in the local newspaper.

Sec. 5 Revenues collected for Sewer Service shall be deposited in separate fund known as "The Sewer Service Fund". Income from revenues collected will be expended to offset the cost of Operation, Maintenance and equipment replacement for the facility and to retire the debt for capital expenditure.

Sec. 6 Sewer Service Charges and the Sewer Service Fund will be administrated in accordance with the provisions of Article V of this Ordinance.

ARTICLE III

DETERMINATION OF SEWER SERVICE CHARGES

Sec. 1 Users of the City of Verndale wastewater treatment works shall be identified as belonging to one of the following user classes:

A. Residential
B. Commercial
C. Industrial
D. Institutional
E. Governmental

The allocation of users to these categories for the purpose of the assessing User Charges and Debt Service Charges shall be the responsibility of the City Clerk. Allocation of users to user classes shall be based on the substantive intent of the definitions of these classes contained herein.

Sec. 2
The charges assessed residential users and those users of other classes who discharge "Normal Domestic Strength Wastewater" shall be calculated on the basis of wastewater volume. Those "industrial users" who discharge "Normal Domestic Strength Wastewater" only, can be classified as "Commercial Users" for the purpose of rate determination.

Sec. 3
The Sewer Service Charge shall consist of a User Charge for operation, maintenance and replacement costs, a debt service charge for recovery of local capital costs and an administration fee for recovery of administrative related costs.

Sec. 4
The charges assessed residential users and those users of other classes discharging "Normal Domestic Strength Wastewater" shall be established proportionately according to billable wastewater volume. Billable wastewater volume shall be calculated as follows:

A. RESIDENTIAL USERS
Billable wastewater volume for residential users shall be calculated on the basis of metered water usage. The per quarter billable wastewater volume shall be equal to quarterly metered water usage as averaged between the first and last quarters of the calendar year.

B. NON-RESIDENTIAL USERS
The billable wastewater volume of non-residential users may be determined in the same manner as for residential users. Except that if the City determines that there are significant seasonal variations in the metered water usage of non-residential users resulting in a proportion rate increase or decrease in wastewater volume; then billable wastewater volume shall be:

1. calculated on the basis of quarterly metered water usage as recorded throughout the year.
2. calculated on the basis of wastewater flow meters.

The City may, at its discretion, require non-residential users to install such additional water meters or wastewater flow meters as may be necessary to determine billable wastewater volume.

C. NON-METERED USERS
For those users who discharge “Normal Domestic Strength Wastewater”, as defined in this ordinance and who do not have existing water meters, wastewater volume will be calculated on the basis of “Equivalent Residential Unit's” (ERU's). An “Equivalent Residential Unit” at a volume of 220 gallons per day, will be assigned to connections according to Tables I and II of Appendix A (attached).

Determination of the number of ERU's assigned to a particular connection, in accordance with Tables 1 and 2 shall be the responsibility of the City Council or its authorized representative.
Users may appeal the number of ERU’s assigned to a particular connection by installing and maintaining, at their own expense, water meters of a type approved by the City. Such meters shall be equipped with remote registering recorders, and located at an accessible site on the owner's property.

Sec. 5      DETERMINATION OF SEWER SERVICE CHARGES

The Sewer Service Charge shall consist of an Administration Fee for the recovery of Administration Costs, a User Charge for Operation, Maintenance and Replacement and a Debt Service Charge for the recovery of Local Capital Costs.

These charges shall be determined as follows:

A.   ADMINISTRATION FEE   The administration fee for each connection to the wastewater treatment facility shall be determined as follows:

1.   CALCULATION OF FIXED QUARTERLY FEE FOR ADMINISTRATION SERVICES

   \[ AF = \frac{AC}{(TC \times Q)} \]

   WHERE:
   
   \[ AF \] = Administration Fee Per Connection
   
   \[ AC \] = Annual Administration Budget
   
   \[ TC \] = Total Number of Connections to the System
   
   \[ Q \] = Number of Quarters Per Year

B.   USER CHARGE   User Charges for Normal Domestic Strength users shall be determined as follows:

1.   CALCULATION OF UNIT COST FOR TREATMENT OF DOMESTIC STRENGTH WASTEWATER:

   \[ UMOR = \frac{COMR - A}{TBWV} \]

   WHERE:
   
   \[ UMOR \] = Unit Cost for OM&R in $ / K gallon
   
   \[ COMR - A \] = Total Annual OM&R Less Administration Related Costs
   
   \[ TBWV \] = Total Annual Billable Wastewater Volume in K gallon

2.   CALCULATION OF USER CHARGE:

   \[ UC = UMOR \times BWV \]

   WHERE:
   
   \[ UC \] = User Charge
   
   \[ UMOR \] = Unit Cost for OM & R in $ / K gallon
   
   \[ BWV \] = Billable Wastewater Volume of a particular user in K gallon
C. DEBT SERVICE CHARGE  Recovery of local capital costs of the wastewater treatment facility shall be through a Debt Service Charge calculated in a manner consistent with the User Charge, as follows:

1. CALCULATION OF UNIT COST FOR DEBT SERVICE

\[
UDS = \frac{CDS}{TBWV}
\]

WHERE:
- \( UDS \) = Unit Cost for Debt Service in $ / K gallon
- \( CDS \) = Costs of Annual Debt Service
- \( TBWV \) = Total Annual Billable Wastewater volume in K gallon

2. CALCULATION OF DEBT SERVICE CHARGE

\[
DC = UDS \times BWV
\]

WHERE:
- \( DC \) = Debt Service Charge
- \( UDS \) = Unit Cost for Debt Service in $ / K gallon
- \( BWV \) = Billable Wastewater volume of a Particular User in K gallon

D. DETERMINATION OF SEWER SERVICE CHARGE  The Sewer Service Charge for a particular connection shall be determined as follows:

\[
SSC = UC + DC + AF
\]

WHERE:
- \( SSC \) = Sewer Service Charge
- \( UC \) = User Charge
- \( DC \) = Debt Service Charge
- \( AF \) = Administration Fee

Sec. 6  The Sewer Service charges established in this Ordinance shall not prevent the assessment of additional charges to users who discharge wastes with concentrations greater than Normal Domestic Strength or wastes of unusual character, or contractual agreements with such users, as long as the following conditions are met:

A. The user pays Operation, Maintenance, and Replacement costs in proportion to the user's proportionate contribution of wastewater flows and loadings to the treatment plant, and no user is charged at a rate less than that of "Normal Domestic Strength Wastewater".

B. The measurements of such wastes are conducted according to the latest edition of Standard Methods for the Examination of Water and Wastewater in a manner acceptable to the City as provided for in Ordinance No. 63. "An Ordinance Establishing Sewer Use Regulations".

Sec. 7  Determination of sewer service charges when loadings are in excess of those defined as normal domestic strength. The manner in which costs will be distributed, is based on the volume, BOD 5 and suspended solids (TSS) contributed by each user. The estimated revenue to be generated from each user class annually, is based on the following formula:
\[ Cu = Vc Vu + Bc Bu + Sc Su \]

**WHERE:**

- \( Cu \) = a user's charge per unit of time
- \( Vc \) = cost for transport and treatment of a unit of wastewater volume
- \( Vu \) = volume contribution from a user per unit of time
- \( Bc \) = cost for treatment of a unit of BOD 5
- \( Bu \) = BOD5 contribution from a user per unit of time
- \( Sc \) = cost for treatment of a unit of suspended solids
- \( Su \) = TSS contribution from a user per unit of time.

**ARTICLE IV**

**SEWER SERVICE FUND**

Sec. 1 The City of Verndale hereby establishes a "Sewer Service Fund" as an income fund to receive all revenues generated by the Sewer Service Charge System, and all other income dedicated to the operation, maintenance, replacement and construction of the wastewater treatment works, including taxes, special charges, fees, and assessments intended to retire construction debt.

The City also establishes the following accounts as income and expenditure accounts within the Sewer Service Fund:

A. Operation and Maintenance Account
B. Equipment Replacement Account
C. Debt Retirement Account

Sec. 2 All revenue generated by the Sewer Service Charge System, and all other income pertinent to the treatment system, including taxes and special assessments dedicated to retire construction debt, shall be held by the Clerk separate and apart from all other funds of the City. Funds received by the Sewer Service Fund shall be transferred to the "Operation and Maintenance Account," the Equipment Replacement Account," and the "Debt Retirement Account" in accordance with State and Federal regulations and the provisions of this ordinance.

Sec. 3 Revenue generated by the Sewer Service Charge System sufficient to insure adequate replacement throughout the design of useful life, which ever is longer, of the wastewater facility shall be held separate and apart in the "Equipment Replacement Account" and dedicated to affecting replacement costs. Interest income generated by the "Equipment Replacement Account" shall remain in the "Equipment Replacement Account".

Sec. 4 Revenue generated by the Sewer Service Charge System sufficient for operation and maintenance shall be held separate and apart in the "Operation and Maintenance Account".

**ARTICLE V**

**ADMINISTRATION**

The Sewer Service Charge System and Sewer Service Fund shall be administrated according to the following
provisions:

Sec. 1 The City Clerk shall maintain a proper system of accounts suitable for determining the operation and maintenance, equipment replacement and debt retirement costs of the treatment works, and shall furnish the City Council with a report of such costs annually in September.

The City Council shall annually determine whether or not sufficient revenue is being generated for the effective operation, maintenance, replacement and management of the treatment works, and whether sufficient revenue is being generated for debt retirement. The Council will also determine whether the user charges are distributed proportionately to each user in accordance with Article II, Section 2 of this Ordinance and Section 204 (b) (2) (A) of the Federal Water Pollution Act, as Amended.

The City shall thereafter, but not later than the end of the year, reassess, and as necessary revise the Sewer Service Charge System then in use to insure the proportionality of the user charges and to insure the sufficiency of funds to maintain the capacity and performance to which the facilities were constructed, and to retire the construction debt.

Sec. 2 In accordance with Federal and State requirements each user will be notified annually in conjunction with a regular billing of that portion of the Sewer Service Charge attributable to operation, maintenance and replacement.

Sec. 3 In accordance with Federal and State requirements, the City Clerk shall be responsible for maintaining all records necessary to document compliance with the Sewer Service Charge System adopted.

Sec. 4 Bills for Sewer Service Charges shall be rendered on a quarterly basis succeeding the period for which the service was rendered and shall be due 10 days from the date of rendering. Any bill not paid in full 30 days after the due date will be considered delinquent. At that time the City shall notify the delinquent owner / occupant in writing regarding the delinquent bill and subsequent penalty. The penalty shall be computed as 10% of the original bill and shall be increased the same 10% for every quarter the bill is outstanding.

Sec. 5 The owner of the premises, shall be liable to pay for the service to such premises, and the service is furnished to the premises by the City only upon the condition that the owner of the premises is liable therefore to the City.

Sec. 6 Any additional costs caused by discharges to the treatment works of toxins or other incompatible wastes, including the cost of restoring wastewater treatment services, clean up and restoration of the receiving waters and environs, and sludge disposal, shall be borne by the discharger(s) of said wastes, at no expense to the City.

ARTICLE VI

PENALTIES

Sec. 1 Each and every sewer service charge levied by and pursuant to this Ordinance is hereby made a lien upon the lot or premises served, and all such charges which are on September 1 of each
year past due and delinquent, shall be certified to the County Auditor as taxes or assessments on the real estate. Nothing in this Ordinance shall be held or construed as in any way stopping or interfering with the right of the City to levy as taxes or assessments against any premises affected any delinquent or past due sewer service charges.

Sec. 2 As an alternative to levying a lien, the City may, at its discretion, file suit in a civil action to collect such amounts as are delinquent and due against the occupant, owner, or user of the real estate, and shall collect as well all attorney's fees incurred by the City in filing the civil action. Such attorney's fees shall be fixed by order of the court.

Sec. 3 In addition to all penalties and costs attributable and chargeable to recording notices of the lien or filing a civil action, the owner or user of the real estate being serviced by the treatment works shall be liable for interest upon all unpaid balances at the rate of 10% per annum.

ARTICLE VII

SEVERABILITY AND VALIDITY

Sec. 1 If any section or subdivision of this ordinance shall be held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Ordinance, which shall continue in full force and effect.

Sec. 2 The sewer service charge system shall take precedence over any terms or conditions of agreements or contracts which are inconsistent with the requirements of section 204 (b) (1) (A) of the Act and Federal regulation 40 CRF (Code of Federal Regulations) 35.2140 of the Environmental Protection Agency's grant regulations.

Sec. 3 This Ordinance shall be in full force and take effect from and after its passage and approval and publication as provided by law.

Sec. 4 Passed by the City Council of Verndale, Minnesota on the 4th day of December, 1989.

Published in the Verndale Sun on the 27th day of December, 1989.

Roger Anderson
Mayor

Kathy Johnson
City Clerk
ORDINANCE 63

AN ORDINANCE ESTABLISHING SEWER USE REGULATIONS

An ordinance regulating the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system(s); and providing penalties for violations thereof.

Be it ordained and enacted by the Council of the City of Verndale, Minnesota as follows:

ARTICLE I

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall have the meanings hereinafter designated:

Sec. 1 "Act" - The Federal Water Pollution Control Act also referred to as the Clean Water Act, as amended, 33. U.S.C. 1251, et seq.

Sec. 2 "ASTM" - American Society for Testing Materials.

Sec. 3 "Authority" - The City of Verndale, Minnesota or its representative thereof.

Sec. 4 "BOD5 or Biochemical Oxygen Demand" - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees Centigrade in terms of milligrams per liter (mg/l).

Sec. 5 "Building Drain" - that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the building wall.
Sec. 6 "Building Sewer" - the Extension from the building drain to the public sewer or other place of disposal, also referred to as a house connection or service connection.

Sec. 7 "City" - the area within the corporate boundaries of the City of Verndale as presently established or as amended by ordinance or other legal actions at a future time. The term "City" when used herein may also be used to refer to the City Council and its authorized representative.

Sec. 8 "Chemical Oxygen Demand (COD)" - the quantity of oxygen utilized in the chemical oxidation of organic matter as determined by standard laboratory procedures, and as expressed in terms of milligrams per liter (mg/l).

Sec. 9 "Compatible Pollutant" - Biochemical oxygen demand, suspended solids, pH, and fecal coliform bacteria, plus additional pollutants identified in the NPDES / SDS Permit if the treatment facilities are designed to treat such pollutants to a degree which complies with effluent concentration limits imposed by the permit.

Sec. 10 "Control Manhole" - a structure specially constructed for the purpose of measuring flow and sampling of wastes.

Sec. 11 "Easement" - an acquired legal right for the specific use of land owned by others.

Sec. 12 "Fecal Coliform" - any number or organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

Sec. 13 "Floatable Oil" - Oil, fat, or grease in a physical state, such that it will separate by gravity from wastewater.

Sec. 14 "Garbage" - animal and vegetable waste resulting from the handling, preparation, cooking, and serving of food.

Sec. 15 "Incompatible Pollutant" - any pollutant that is not defined as a compatible pollutant (Sec. 9) including non-biodegradable dissolved solids.

Sec. 16 "Industry" - any non governmental or nonresidential user of a publicly owned treatment works which is identified in the Standard Industrial Classification Manual, latest edition, which is categorized in Divisions A, B, D, E, and I.

Sec. 17 "Industrial Waste" - gaseous, liquid, and solid wastes resulting from industrial or manufacturing processes, trade or business, or from the development, recovery, and processing of natural resources, as distinct from residential or domestic strength wastes.

Sec. 18 "Infiltration" - water entering the sewage system (including building drains and pipes) from the ground through such means as defective pipes, pipe joints, connections, and manhole walls.

Sec. 19 "Infiltration / Inflow (I / I)" - the total quantity of water from both infiltration and inflow.
Sec. 20 "Inflow" - water other than wastewater that enters a sewer system (including building drains) from sources such as, but not limited to, roof leaders, cellar drains, yard and areas drains, foundation drains, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers, catch basins, surface runoff, street wash waters or drainage.

Sec. 21 "Interference" - The inhibition or disruption of the City's wastewater disposal system processes or operations which causes or significantly contributes to a violation of any requirement of the City's NPDES and/or SDS Permit. The term includes of sewage sludge use or disposal by the City in accordance with published regulations providing guidelines under Section 405 of the Act or any regulations developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or more stringent State criteria applicable to the method of disposal or use employed by the City.

Sec. 22 "MPCA" - Minnesota Pollution Control Agency.

Sec. 23 "National categorical Pretreatment Standards" - federal regulations establishing pretreatment standards for introduction of pollutants in publicly-owned wastewater treatment by such treatment facilities or would interfere with the operation of such treatment facilities, pursuant to Section 307(b) of the Act.

Sec. 24 "National Pollutant Discharge Elimination System (NPDES) Permit" - a permit issued by the MPCA, setting limits on pollutants that a permittee may legally discharge into navigable waters of the United States pursuant to Sections 402 and 405 of the Act.

Sec. 25 "Natural Outlet" - any outlet, including storm sewers and combined sewers, which overflow into a watercourse, pond, ditch, lake or other body of surface water or ground water.

Sec. 26 "Non-contact Cooling Water" - the water discharged from any use such as air conditioning, cooling or refrigeration, or during which the only pollutant added, is heat.

Sec. 27 "Normal Domestic Strength Waste" - wastewater that is primarily introduced by residential users with a BOD5 concentration not greater than 250 mg/l and a suspended solids (TSS) concentration not greater than 300 mg/l.

Sec. 28 "Person" - any individual, firm, company association, society, corporation, or group.

Sec. 29 "PH" - the logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.

Sec. 30 "Pretreatment" - the treatment of wastewater from industrial sources prior to the introduction of the waste effluent into a publicly-owned treatment works. (See Sec. 23.)

Sec. 31 "Properly Shredded Garbage" - the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than ½ inch (1.27 cm) in any dimension.
Sec. 32 "Sewage" - the spent water of a community. The preferred term is wastewater.

Sec. 33 "Sewer" - a pipe or conduit that carries wastewater or drainage water.

A. "Collection Sewer" - a sewer whose primary purpose is to collect wastewater from individual point source discharges and connections.

B. "Combined Sewer" - a sewer intended to serve as a sanitary sewer and a storm sewer.

C. "Force Main" - a pipe in which wastewater is carried under pressure.

D. "Interceptor Sewer" - a sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.

E. "Private Sewer" - a sewer which is not owned and maintained by a public authority.

F. "Public Sewer" - a sewer owned, maintained and controlled by public authority.

G. "Sanitary Sewer" - a sewer intended to carry only liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters which are not admitted intentionally.

H. "Storm Sewer or Storm Drain" - a drain or sewer intended to carry storm waters, surface runoff, ground water, sub-surface water, street wash water, drainage, and unpolluted water from any source.

Sec. 34 "Shall" is mandatory; "May" is permissive.

Sec. 35 "Significant Industrial User" - any industrial user of the wastewater treatment facility which has a discharge flow (10 in excess of 25,000 gallons per average work day, or (2) has exceeded five percent (5%) of the total flow received at the treatment facility, or (3) whose waste contains a toxic pollutant in toxic amounts pursuant to Section 307(a) of the Act, or (4) whose discharge has a significant effect, either singly or in combination with other contributing industries, on the wastewater disposal system, the quality of sludge, the system's effluent quality, or emissions generated by the treatment system.

Sec. 36 "Slug" - any discharge of water or wastewater which in concentration of any given constituent, or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes, more than five (5) times the average 24-hour concentration of flows during normal operation, and shall adversely affect the collection and / or performance of the wastewater treatment works.

Sec. 37 "State Disposal System (SDS) Permit" - any permit (including any terms, conditions and requirements thereof) issued by the MPCA pursuant to Minnesota Statutes 115.07 for a disposal system as defined by Minnesota Statutes 115.01, Subdivision 8.
Sec. 38 "Superintendent" - the utilities superintendent or a deputy, agent or representative thereof.

Sec. 39 "Suspended Solids (SS) or Total Suspended Solids (TSS)" - the total suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids, and is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater", latest edition, and referred to as non-filterable residue.

Sec. 40 "Toxic Pollutant" - the concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse affects as defined in standards issued pursuant to Section 307(a) of the Act.

Sec. 41 "Unpolluted Water" - water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards, and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities. (See "Non-contact Cooling Water", Sec. 23.).

Sec. 42 "User" - Any person who discharges or causes or permits the discharge of wastewater into the City's wastewater disposal system.

Sec. 43 "Wastewater" - the spent water of a community and referred to as sewage. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface water and storm water that may be present.

Sec. 44 "Wastewater Treatment Works or Treatment Works" - an arrangement of any devices, facilities, structures, equipment, or processes owned or used by the City for the purpose of the transmission, storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage or industrial wastewater, or structures necessary to recycle or reuse water including interceptor sewers, outfall sewers, collection sewers, pumping, power, and other equipment and their appurtenances, extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled water supply such as standby treatment units and clear well facilities; and any works including land which is an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

Sec. 45 "Watercourse" - a natural or artificial channel for the passage of water, either continuously or intermittently.

Sec. 46 "WPCF" - the Water Pollution Control Federation.

ARTICLE II

CONTROLLED BY THE UTILITIES SUPERINTENDENT The Utilities Superintendent shall have control and general supervision of all public sewers and service connections in the city, and shall be responsible for administering the provisions of this ordinance to the end that a proper and efficient public sewer is maintained.

ARTICLE III

Sec. 1 It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public property within the City, or in any area under jurisdiction, any human or
animal excrement, garbage or objectionable waste.

Sec. 2 It shall be unlawful to discharge to any natural outlet any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance and the City's NPDES/SDS Permit.

Sec. 3 Except as provided hereinafter, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

Sec. 4 The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation or other purposes from which wastewater is discharged, and which is situated within the City and adjacent to any street, alley, or right-of-way in which there is now located, or may in the future be located, a public sanitary sewer of the City, shall be required at the owner(s) expense to install a suitable service connection to the public sewer in accordance with provisions of this Code, within 365 days of the date said public sewer is operational, provided said public sewer is within 200 feet of the structure generating the wastewater. All future buildings constructed on property adjacent to the public sewer shall be required to immediately connect to the public sewer. If sewer connections are not made pursuant to this section, an official thirty (30) day notice shall be served instructing the affected property owner to make said connection.

Sec. 5 In the event an owner shall fail to connect to a public sewer in compliance with a notice given under Article II, Section 4 of the Ordinance, the City must undertake to have said connection made and shall assess the cost thereof against the benefitted property. Such assessment, when levied, shall bear interest at the rate determined by the City Council and shall be certified to the Auditor of the County of Verndale, Minnesota and shall be collected and remitted to the City in the same manner as assessments for local improvements. The rights of the City shall be in addition to any remedial or enforcement provisions of this ordinance.

Sec. 6 Beginning January 1, 2000, all residents of Verndale with sewer service will have a water meter installed to the water service to accurately measure the water / sewage used. (SECTION 6 WAS ADDED SEPTEMBER 7, 1999)

ARTICLE IV
PRIVATE WASTEWATER DISPOSAL

Sec. 1 Where a public sewer is not available under the provisions of Article III, Section 4, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article.

Sec. 2 Prior to commencement of construction of a private wastewater disposal system, the owner(s) shall first obtain a written permit signed by the City. The application for such permit shall be made on a form furnished by the City, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary to the City.

Sec. 3 A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the City or its authorized representative. The City or its representative shall be allowed to inspect the work at any stage or construction, and, in any event, the applicant for the permit shall notify the City when work is ready for final inspection, and before any underground portions are covered. The inspection shall be made
within 24 hours of the receipt of notice.

Sec. 4 The type, capacities, location, and layout of a private wastewater disposal system shall comply with all requirements of 6 MCAR 4.8040, entitled, "Individual Sewage Treatment System Standards". No septic tank or cesspool shall be permitted to discharge to any natural outlet.

Sec. 5 At such time as a public sewer becomes available to a property serviced by a private wastewater disposal system, a direct connection shall be made to the public sewer within 365 days in compliance with the Ordinance, and within 30 days any septic tanks, cesspools, and similar private wastewater disposal systems shall be cleaned of sludge. The bottom shall be broken to permit drainage, and the tank or pit filled with suitable material.

Sec. 6 The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the City.

Sec. 7 No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the MPCA or the Department of Health of the State of Minnesota.

ARTICLE V

BUILDING SEWERS AND CONNECTIONS

Sec. 1 Any new connection(s) to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities including, but not limited to a capacity for flow, BOD5, and Suspended Solids, as determined by the Superintendent.

Sec. 2 No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the City.

Sec. 3 Applications for permits shall be made by the owner or authorized agent and the party employed to do the work, and shall state the location, name of owner, street number of the building to be connected, and how occupied. No person shall extend any private building drain beyond the limits of the building or property for which the service connection permit has been given.

Sec. 4 There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the application shall be supplemented by any plans, specifications, or any other information considered pertinent in the judgement of the City. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

Sec. 5 All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the City from any loss or damage that may be directly or indirectly occasioned by the installation of the building sewer.

Sec. 6 A separate and independent building sewer shall be provided for every building, except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway.
The building sewer from the front building may be extended to the rear building and the whole considered one building sewer. The City does not and will not assume any obligation or responsibility for damage caused by or resulting from any such connection aforementioned.

Sec. 7 Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the superintendent or his/her representative, to meet all requirements of this ordinance.

Sec. 8 The size, slopes, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the City. In absence of code provisions or in the amplification thereof, the materials and regulations of the City. In the absence of code provisions or in the amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9, shall apply.

Sec. 9 Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Sec. 10 No person(s) shall make connection of roof down spouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or indirectly to the wastewater disposal system.

Sec. 11 The connection of the building sewer into the public sewer shall conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gas tight and watertight, and verified by proper testing to prevent the inclusion of infiltration/inflow. Any deviation from the prescribed procedures and materials must be approved by the City prior to installation.

Sec. 12 The applicant for the building sewer permit shall notify the City when the building sewer is ready for inspection and connection to the public sewer. The connection and inspection shall be made under the supervision of the superintendent or authorized representative thereof.

Sec. 13 All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work, shall be restored in a manner satisfactory to the City.

Sec. 14 No person shall make a service connection with any public sewer unless regularly licensed under this chapter to perform such work, and no permit shall be granted to any person except such regularly licensed person.

Sec. 15 Any person desiring a license to make a service connection with public sewers, shall apply in writing to the City Council with satisfactory evidence that the applicant or employer is trained or skilled in the business and qualified to receive a license. All applications shall be referred to the Superintendent for recommendations to the Council. If approved by the Council, such license shall be issued by the City Clerk upon the filing of a bond as hereinafter provided.
Sec. 16 No license shall be issued to any person until a $1000 bond to the City, approved by the Council, is filled with the City Clerk conditioned that the licensee will indemnify and save harmless the City from all suits, accidents, and damage that may arise by reason of any opening in any street, alley, or public ground, made by the licensee or by those in the licensee's employment for any purpose whatever, and that the licensee will replace and restore the street and alley over such opening to the condition existing prior to installation, adequately guard with barricades and lights and will keep and maintain the same to the satisfaction of the Superintendent, and shall conform in all respects to the rules and regulations of the Council relative thereto, and pay all fines that may be imposed on the licensee by law.

Sec. 17 The license fee for making service connections is $25.00. All licenses shall expire on December 31 of the license year unless the license is suspended or revoked by the Council for cause. Upon failure to apply for a license renewal prior to the expiration date thereof, the license fee for the ensuing year shall be $35.00.

Sec. 18 The Council may suspend or revoke any license issued under this article for any of the following causes:

A. Giving false information in connection with the application for a license.

B. Incompetence of the licensee.

C. Willful violation of any provisions of this article or any rule or regulation pertaining to the making of service connections.

ARTICLE VI

USE OF PUBLIC SERVICES

Sec. 1 No person(s) shall discharge or cause to be discharged any unpolluted water such as storm water, ground water, roof runoff, surface drainage, or non-contact cooling water to any sanitary sewer.

Sec. 2 Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers or to a natural outlet approved by the City and other regulatory agencies. Industrial cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet on approval of the City and upon approval and the issuance of a discharge permit by the MPCA.

Sec. 3 No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

A. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater disposal system or to the operation of the system. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketone, aldehydes, peroxides, chlorates, per chlorates, bromate, carbides, hydrides, and sulfides.

B. Solid or viscous substances which will cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to,
grease, garbage with particles greater than one-half (½) inch in any dimension, animal guts or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, asphalt residues, residues from refining or processing of fuel or lubrication oil, mud or glass grinding or polishing wastes.

C. Any wastewater having a pH of less than 5.0 or greater than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater disposal system.

D. Any wastewater containing toxic pollutants in sufficient quantity, either singularly or by interaction with other pollutants, to inhibit or disrupt any wastewater treatment process, constitute a hazard to humans or animals, or create a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Act.

Sec. 4 The following described substances, materials, water, or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either sewers, the wastewater treatment works treatment process or equipment, will not have an adverse effect on the receiving stream and/or soil, vegetation and ground water, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Superintendent may set limitations lower than limitations established in the regulations below if, in his/her opinion, such more severe limitations are necessary to meet the above objectives. In forming his/her opinion as to the acceptability of wastes, the Superintendent will give consideration to such factors as the quantity of subject waste in reaction to flows and velocities in the sewers, materials of construction of the sewer, nature of the sewage treatment process, the City's NPDES and/or SDS permit, capacity of the sewage treatment plant, degree of treat ability of wastes in the sewage treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or Waste waters discharged to the sanitary sewer which shall not be violated without approval of the Superintendent are as follows:

A. Any wastewater having a temperature greater than 150 degrees F (65.6 degrees C), or causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding 104 degrees F (40 degrees C), or having heat in amounts which will inhibit biological activity in the wastewater treatment works resulting in interference therein.

B. Any wastewater containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 degrees F and 150 degrees F (0 degrees C and 65.6 degrees C); and any wastewater containing oil and grease concentrations of mineral origin of greater than 100 mg/l, whether emulsified or not.

C. Any quantities of flow, concentrations, or both which constitute a "slug" as defined herein. (See Article I, Section 33).

D. Any garbage not properly shredded, as defined in Article I, Section 28. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food on the premises or when served by caterers.
E. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are capable of creating a public nuisance or hazard to life, or are sufficient to prevent entry into the sewers for their maintenance and repair.

F. Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to dye wastes and vegetable tanning solutions.

G. Non-contact cooling water or unpolluted storm, drainage, or ground water.

H. Wastewater containing inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in such quantities that would cause disruption with the wastewater disposal system.

I. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the superintendent in compliance with applicable state or federal regulations.

J. Any waters or wastes containing the following substances to such degree that any such material received in the composite wastewater at the wastewater treatment works is detrimental to the treatment processes, adversely impacts land application, adversely affects the receiving waters or is in violation of standards pursuant to Section 307(b) of the Act. The substances are arsenic, cadmium, copper, cyanide, lead, mercury, nickel, silver, total chromium, zinc and phenolic compounds which cannot be removed by City's wastewater disposal system.

K. Any wastewater which creates conditions at or near the wastewater disposal system which violates any statute, rule, regulation, or ordinance of any regulatory agency, or state or federal regulatory body.

L. Any waters or wastes containing BOD5 or suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment works, except as may be permitted by specific written agreement subject to the provisions of Section 16 of this Article.

Sec. 5 If any waters or wastes are discharged or are proposed to be discharged to the public sewers which contain substances or possess the characteristics enumerated in Section IV of this Article, and/or which in the judgement of the Superintendent, may have a deleterious effect upon the wastewater treatment facilities, processes, or equipment; receiving waters and/or soil, vegetation, and ground water; or which otherwise create a hazard to life or constitute a public nuisance, the City may:

A. Reject the wastes,

B. Require pretreatment to an acceptable condition for discharge to the public sewers, pursuant to Section 307(b) of the Act and all addendums thereof,

C. Require control over the quantities and rates of discharge, and/or,

D. Require payment to cover the added costs of handling, treating, and disposing of wastes not covered by existing taxes or sewer service charges.
If the City permits the pretreatment or equalization of waste flows, the design, installation, and maintenance of the facilities and equipment shall be made at the owners' expense, and shall be subject to the review and approval of the City pursuant to the requirements of the MPCA.

Sec. 6 No user shall increase the use of process water or, in any manner, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in Sections III and IV of this Article, or contained in the National Categorical Pretreatment Standards or any state requirements.

Sec. 7 Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation at the expense of the owner(s).

Sec. 8 Grease, oil, and sand interceptors shall be provided when, in the opinion of the superintendent, they are necessary for the proper handling of liquid wastes containing floating grease in excessive amounts, as specified in Section 4 B., any flammable wastes as specified in Section 3 A., sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of the type to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal of the captured materials by appropriate means, and shall maintain a record of dates and means of disposal which are subject to review by the Superintendent. Any removal and hauling of the collection materials not performed by the owner's personnel, must be performed by a currently licensed waste disposal firm.

Sec. 9 Where required by the City, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure, or control manhole, with such necessary meters and other appurtenances in the building sewer to facilities observation, sampling, and measurement of wastes. Such structure shall be accessible and safely located, and shall be constructed in accordance with plans approved by the City. The structure shall be installed by the owner at his expense and shall be maintained by the owner to be safe and accessible at all times.

Sec. 10 The owner of any property serviced by a building sewer carrying industrial wastes may, at the discretion of the City, be required to provide laboratory measurements, tests, or analyses of waters or wastes to illustrate compliance with this Ordinance and any special condition for discharge established by the City or regulatory agencies having jurisdiction over the discharge. The number, type, and frequency of sampling and laboratory analyses to be performed by the owner shall be as stipulated by the City. The industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with Federal, State, and local standards are being met. The owner shall report the results of measurements and laboratory analysis to the City at such times and in such manner as prescribed by the City. The owner shall bear the expense of all measurements, analyses, and reporting required by the City reserves the right to take measurements and samples for analysis by an independent laboratory.

Sec. 11 All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association. Sampling methods, location, times, duration and frequencies are to be determined on an individual basis
subject to approval by the Superintendent.

Sec. 12 Where required by the City, the owner of any property serviced by a sanitary sewer shall provide protection from an accidental discharge of prohibited materials or other substances regulated by this ordinance. Where necessary, facilities to prevent accidental discharges of prohibited materials shall be provided and maintained at the owner's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review and approval prior to construction of the facility. Review and approval of such plans and operating procedures shall not relieve any user from the responsibility to modify the user's facility as necessary to meet the requirements of this ordinance. Users shall notify the Superintendent immediately upon having a slug or accidental discharge of substances of wastewater in violation of this ordinance to enable countermeasures to be taken by the Superintendent to minimize damage to the wastewater treatment works. Such notification will not relieve any user of any liability for any expense, loss or damage to the wastewater treatment system or treatment process, or for any fines imposed on the City on account thereof under any State and Federal law. Employees shall insure that all employees who may cause or discover such a discharge, are advised of the emergency notification procedure.

Sec. 13 No person, having charge of any building of any building or other premises which drains into the public sewer, shall permit any substance or matter which may form a deposit or obstruction to flow or pass into the public sewer. Within thirty (30) days after receipt of written notice from the City, the owner shall install a suitable and sufficient catch basin or waste trap, or if one already exists, shall clean out, repair or alter the same, and perform such other work as the Superintendent may deem necessary. Upon the owner's refusal or neglect to install a catch basin or waste trap or to clean out, repair, or alter the same after the period of thirty (30) days, the Superintendent may cause such work to be completed at the expense of the owner or representative thereof.

Sec. 14 Whenever any service connection becomes clogged, obstructed, broken or out of order, or detrimental to the use of the public sewer, or unfit for the purpose of drainage, the owner shall repair or cause such work to be done as the Superintendent may direct. Each day after seven (7) days that a person neglects or fails to so act shall constitute a separate violation of this section, and the Superintendent may then cause the work to be done, and recover from such owner or agent the expense thereof by an action in the name of the City.

Sec. 15 The owner or operator of any motor vehicle washing or servicing facility shall provide and maintain in serviceable condition at all times, a catch basin or waste trap in the building drain system to prevent grease, oil, dirt or any mineral deposit from entering the public sewer system.

Sec. 16 In addition to any penalties that may be imposed for violation of any provision of this chapter, the City may assess against any person the cost of repairing or restoring sewers or associated facilities damaged as a result of the discharge of prohibited wastes by such person, any may collect such assessment as an additional charge for the use of the public sewer system or in any other manner deemed appropriate by the City.

Sec. 17 No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City of Verndale and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefore by the industrial concern, providing that National Categorical Pretreatment
Standards and the City's NPDES and/or State Disposal System Permit limitations are not violated.

ARTICLE VII

No person(s) shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under the charge of a misdemeanor.

ARTICLE VIII

USER RATE SCHEDULE FOR CHARGES    Each user of sewer service shall pay the charge(s) applicable to the type of service, and in accordance with the provisions set forth in Ordinance No. 62.

ARTICLE IX

POWERS AND AUTHORITY OF INSPECTORS

Sec. 1    The superintendent or other duly authorized employees of the City, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observations, measurement, sampling, and testing pertinent to the discharges to the City's sewer system in accordance with the provisions of this ordinance.

Sec. 2    The superintendent or other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the type and source of discharge to the wastewater collection system. An industry may withhold information considered confidential however, the industry must establish that the revelation to the public of the information in question, might result in an advantage to competitors.

Sec. 3    While performing necessary work on private properties, the superintendent or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Article VI, Section 9 of this ordinance.

Sec. 4    The superintendent or other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said wastewater facilities shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

ARTICLE X

PENALTIES
Sec. 1  Any person found to be violating any provisions of this ordinance, shall be served by the City with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Sec. 2  Any person who shall continue any violation beyond the time limit provided for in Section 1 of this Article, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding $300.00 for each violation. Each day in which any such violation occurs shall be deemed as a separate offense.

Sec. 3  Any person violating any of the provision of this ordinance shall become liable to the City for any expense, loss, or damage occasioned by the City by reason of such violation.

ARTICLE XI

VALIDITY

Sec. 1  This ordinance shall be in full force and take effect from and after its passage and approval and publication as provided by law.

Sec. 2  All other ordinances and parts of other ordinances inconsistent or in conflict with any part of this ordinance, are hereby repealed to the extent of such inconsistency or conflict.

Passed by the City Council of the City of Verndale, Minnesota on the 4th day of December, 1989. Published in the Verndale Sun on the 27th day of December, 1989.

Roger Anderson
Mayor

Kathy Johnson
City Clerk
ORDINANCE 64

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF VERNDALE TO INCLUDE CERTAIN UNINCORPORATED PROPERTY ABUTTING UPON THE LIMITS OF THE CITY

WHEREAS, the territory described below is not presently within the corporate limits of any incorporated city and;

WHEREAS, this territory abuts upon the corporate limits of the city at the northeastern boundary thereof and is deemed to be urban or suburban in character, is not included in any other municipality, is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statute 414.0325.

WHEREAS, the City of Verndale has received a petition from Rodney G. Winter, owner of proposed property, requesting annexation of a twelve (12) acre parcel to be used for industrial purposes; and

WHEREAS, this territory is owned in fee by the petitioner;

THE CITY COUNCIL OF VERNDALE ORDAINS:

SECTION I

The City Council hereby determines and finds that the property abuts the municipality, that the area to be annexed is sixty (60) acres of less, that the property is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statute 414.0325, that the municipality has received a properly prepared Petition for Annexation from all of the owners of the property, and that the petition complies with all of the provisions of Minnesota Statute 414.033.

SECTION II

Territory annexed. The corporate limits of the city of Verndale are hereby extended to include the unplatted property described as follows:

East 396 feet of the Southeast Quarter of Southwest Quarter (SE 1/4 SW 1/4), Section Twenty (20), Township One Hundred Thirty-four (134), Range Thirty-four (34).

SECTION III

Filling. The City Clerk is directed to file certified copies of this Ordinance with the Secretary of State, the County Auditor of the county in which the property is located, the Town Clerk of the affected township and the Minnesota Municipal Board.
SECTION IV

Effective date of annexation. This Ordinance takes effect upon its passage and publication and the filing of certified copies as directed in SECTION II and approval of the Ordinance by the Minnesota Municipal Board. Adopted by the City of Verndale, Minnesota, February 7, 1994.

Published in the Verndale Sun, a newspaper published in Verndale, Minnesota, February 16, 1994.

_________ Roger Anderson
Mayor

_________ Kathy Johnson
Clerk
ORDINANCE 65

ORDINANCE CHANGING COUNCIL SALARIES

Whereas, Minnesota Statutes, Chapter 412.181 authorizes the City Council to increase the salaries of the Mayor and Councilpersons by Ordinance subject to the right of the voters to petition for a referendum of the Ordinance within a period of thirty (30) days after publication of the Ordinance:

AND WHEREAS, The Council deems the present salary of the Mayor and Councilpersons inadequate to compensate them for the work incident of these offices and inadequate to attract qualified candidates to run for such offices:

The Council of the City of Verndale Ordains:

SECTION I

Commencing January 1, 1995, the salary of the Mayor is fixed at Nine Hundred and no/100 Dollars ($900.00) per year, along with Thirty Dollars (30.00) per special meeting and the salary of each Council Person is fixed at Six Hundred and no/100 ($600.00) per year, along with Twenty Dollars (20.00) per special meeting.

SECTION II

Subject to the referendum provisions of Minnesota Statute, Section 412.181, this Ordinance is effective from and after its passage and publication and all prior Ordinances inconsistent with these provisions are hereby revoked.

Adopted by the City Council of Verndale, Minnesota this 3rd day of October, 1994.

Roger Anderson
Mayor

Kathy Johnson
Clerk
ORDINANCE 66

AN ORDINANCE TO ESTABLISH A CURFEW IN THE CITY OF VERNADE, MINNESOTA

SECTION I

Except as hereinafter provided, it shall be unlawful for any minor under the age of sixteen (16) years to loiter, idle or be in or upon the public streets, parks, playgrounds, or other public grounds, public places and public buildings or unsupervised places, between the hours of 10:00 P.M. and 6:00 A.M. Sunday through Thursday nights, and between the hours of 1:00 A.M. and 6:00 A.M. on all other nights or days; provided that the provisions of this section shall not apply to any minor when in the company of his parent, guardian or other adult person having the care and custody of such minor, or where such minor is upon some necessary business or errand by permission or direction of his parent, legal guardian or the adult person having the care and custody of such minor.

SECTION II

Except as hereinafter provided, it shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of sixteen (16) years to permit such minor to loiter, idle, or be in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places, and public buildings, or places of amusement, entertainment or refreshment, vacant lots or other unsupervised places during the times prohibited by this section; provided, that the provisions of this section shall not apply when the minor is accompanied by his parent, guardian or other adult person having the care and custody of the minor or when the minor is upon some necessary business or errand by permission or direction of his parent, or guardian or other adult person having the care and custody of such minor.

SECTION III

Except as hereinafter provided, it shall be unlawful for any person operating or in charge of any place of amusement, entertainment or refreshment to permit any such minors to remain in such places during the times prohibited by this section; proved that the provisions of this section shall not apply when such minor is accompanied by his parent, guardian or other adult person having the care and custody of the minor, or where such minor of his parent or guardian or other adult person having the care and custody of such minor.

SECTION IV

The Mayor or Chief of Police, upon the request of the Superintendent of the Public School of Verndale, may designate certain nights during the school year as “School Nights” at such times as said school shall be engaged in athletic, musical, dramatic or social activities for the benefit or entertainment of its students. The Mayor or Chief of Police upon request of any minister or priest of any church in the City of Verndale, may designate certain nights during the school year as “Youth Nights” at such times as said churches shall be engaged in athletic, musical, dramatic, or social or religious activities for the benefit or entertainment of minors. The provisions of SECTION I and SECTION III of this Ordinance shall not apply to any student
under the age of sixteen (16) years or to his parent, guardian or other adult person having the care and custody of such minor who is lawfully going to, attending or returning from any such school or church functions on any designated “School Night” or “Youth Night”. A reasonable time will be allowed for traveling to and from such functions.

SECTION V

Any minor under the age of sixteen (16) years who shall violate the provisions of this code part shall be deemed a delinquent child, as defined in Minnesota Statues, Section 260.015, SECTION V, as amended.

SECTION VI

Any parent, legal guardian or other adult person who violate the provisions of SECTION II, shall, upon conviction thereof, be guilty of a petty misdemeanor.

SECTION VII

Any person, firm, or corporation operating or in charge of any place of amusement, entertainment of refreshment who shall violate the provisions of SECTION III of this code part shall, upon conviction thereof, shall be guilty of a petty misdemeanor.


Roger Anderson
Mayor

Rhonda Lupkes
Clerk
ORDINANCE 67

ORDINANCE AUTHORIZING THE FIRE DEPARTMENT OF THE CITY OF VERNADE, MINNESOTA TO FURNISH FIRE PROTECTION OUTSIDE THE CITY LIMITS

WHEREAS, the City desires to aid in protecting property in surrounding territory from fires; and

WHEREAS, municipalities are authorized by statute to send fire department equipment and personnel outside municipal limits and collect a charge for this service.

THE COUNCIL OF THE CITY OF VERNDALE, MINNESOTA ORDAINS:

SECTION I

When any political subdivision enters into contract with the city for fire protection on property owned, leased or represented by such political subdivision, and agrees to pay for such services at the rated prescribed, the fire department thereafter shall go outside the city limits to answer fire calls or alarms for such property or properties, but in no case shall the fire department send apparatus to such property if the fire chief or other individuals in charge of the fire department at the time decides that it is needed for local service, and in no case shall it send more equipment or men than is anticipated in the agreement.

SECTION II

The rates to be charged for such service shall be those fixed from time to time by resolution of the Council.

SECTION III

This ordinance shall take effect and be in force from and after its passage and publication.

Passed and adopted by the City Council of the City of Verndale, Minnesota this 6th day of November, 1994.

Roger Anderson
Mayor

Kathy Johnson
Clerk
ORDINANCE 68

AN ORDINANCE OF THE CITY OF VERNADELLE, MINNESOTA, PERTAINING TO THE CONDUCT OF GARAGE SALES OR RUMMAGE SALES

The City Council of the City of Verndale, Minnesota ordains:

SECTION I

For the conduct of “Garage Sales” or “Rummage Sales” when conducted in or by a non-profit institution, or when conducted upon the premises of the owner, provides that such sales do not last longer than three consecutive days in any one month period of time, and provided further, that such sales are adequately advertised by notices in a paper of local distribution or by placing of signs announcing the sale upon the premises.

Adopted by the City Council of the City of Verndale, August 5, 1996.

Published in the Verndale Sun, a newspaper published in Verndale, Minnesota, August 22, 1996.

Roger Anderson  
Mayor

Rhonda Lupkes  
Clerk
ORDINANCE 69

AN ORDINANCE AUTHORIZING AND PROVIDING FOR SEWAGE AND WASTEWATER TREATMENT

This ordinance establishes minimum standards for and regulation of individual sewage treatment systems (ISTS) within the incorporated areas of the city of Verndale, Minnesota. Incorporating by reference minimum standards and requirements established by Minnesota Statutes and rules of the Minnesota Pollution Control Agency; requiring permits for installation, alteration, repair or extension of ISTS in the city of Verndale; establishing standards for upgrade, repair, replacement, or discontinuance of use of ISTS; imposing penalties for failure to comply with these provisions; providing for enforcement of these requirements; and promoting the health, safety and welfare of the public pursuant to Minnesota Statutes Chapters 115, 145A, 375, 394, and 471, specifically State Statutes 115.55, 145A.05, 375.51, 394.21 through 394.37, and 471.82; and in furtherance of County policy stated in the “Comprehensive Plan Policy” and the County Shore land Zoning Ordinance.

SECTION I

PURPOSE AND INTENT

The purpose of the Sewage and Wastewater treatment Ordinance shall be to provide minimum standards for and regulation of individual sewage treatment systems (ISTS) and septage disposal including the proper location, design, construction, operation, maintenance and repair to protect surface water and ground water from contamination by human sewage and waterborne household and commercial waste; to protect the public’s health and safety, and eliminate or prevent the development of public nuisances pursuant to the authority granted under Minnesota Statutes Chapters 115 and 145A and Minnesota Rules Chapter 7080 as amended that may pertain to sewage and wastewater treatment.

SECTION II

GENERAL PROVISIONS

A. STANDARDS ADOPTED BY REFERENCE. The county hereby adopts, by this reference, Minnesota Rules Parts 7080,0010 to 7080,0315 (and 7080.0910) as now constituted and from time to time amended.

B. PERMITS. No person shall install, alter, repair or extend any individual sewage treatment system in the City of Verndale without first applying for and obtaining a permit from the Zoning administrator and at the same time paying a fee as listed in the fee schedule of the Zoning Ordinance. Such permit shall be valid for a period of twelve months from the date of issuance.

C. LICENSE REQUIREMENTS. No person shall engage in the evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance or pumping of on-site individual sewage treatment systems without first obtaining a license to perform such tasks from the Minnesota Pollution Control Agency, except as provided under part 7080,0700, subpart 1.
D. FAILING SEPTIC SYSTEMS. A Notice of Noncompliance shall be issued and copies provided to the property owner and to the County within 30 days under the following conditions:

1. A failing ISTS shall be upgraded, replaced or its use discontinued within one year. The Department will give consideration to weather conditions as it establishes compliance dates.

2. An ISTS posing an imminent threat to public health or safety shall be upgraded, replaced or repaired, or its use discontinued, within an appropriate time no greater than 10 months.

E. ADDITIONAL SOIL TREATMENT AREA REQUIREMENTS. On all lots created after January 23, 1996, the system design shall include at least one designated additional soil treatment area which can support a standard soil treatment system.

SECTION III

ENFORCEMENT

A. Any person who violates any of the provisions of this Ordinance or who makes any false statement on a Certificate of Compliance, shall be guilty of a misdemeanor, punishable by imprisonment or a fine or both as defined by law.

B. In the event of a violation of this Ordinance, in addition to other remedies, the County Attorney may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations.

All ordinances or parts of ordinances of the City of Verndale, Minnesota, inconsistent herewith are hereby repealed.

This Ordinance takes effect after publication.

Passed by the City Council this 2nd day of February, 1998

Dale Paulsen
Mayor

Michelle Branstner
Clerk
ORDINANCE 70

AN ORDINANCE DEFINING AND PROHIBITING DYNAMIC BRAKING / JAKE BRAKING AND PROVIDING A PENALTY FOR VIOLATION THEREOF

The City Council of Verndale ordains:

SECTION I

DEFINITION

Dynamic Brake/Jake Brake: An auxiliary braking system commonly installed on heavy trucks. The system uses engine compression to slow the vehicle and emits a loud rumbling noise when employed. The system was originally intended for use in mountainous terrain and/or on steep downhill grades.

SECTION II

The City Council of Verndale believes that using a dynamic braking system is unnecessary on the gentle terrain encompassing the City of Verndale. The Council believes that trucks should be able to safely slow and/or stop in non-emergency situations with their primary braking system.

Dynamic brakes emit a loud and unpleasant noise and their use is hereby prohibited in the City of Verndale, except in emergency situations where a primary braking system fails.

SECTION III

Any person violating the provisions of this Ordinance is guilty of a petty misdemeanor.

This Ordinance shall take effect upon passage and publication.

Passed by the City Council of Verndale this 2nd day of August, 1999.

Gerald Stave
Acting Mayor

Michelle Branstner
Clerk
ORDINANCE 71

AN ORDINANCE RELATING TO PROPERTY LINE DISPUTES

The City Council of the City of Verndale, Minnesota do ordain as follows:

SECTION I

The City of Verndale will not locate property lines for residents of Verndale. If a resident of Verndale wants their property line found, it is up to the resident to either have the property surveyed or find the survey stakes themselves. If there is a dispute between two residents, the resident that questions the property line is responsible to have the area surveyed.

SECTION II

All ordinances or parts of ordinances of the City of Verndale inconsistent herewith are hereby repealed.

This ordinance shall take effect and be in force from and after its publication. Passed by the City Council of Verndale this 7th day of February, 2000.

Published in the Verndale Sun, a newspaper published in Verndale, Minnesota, February 17, 2000.

Roger Anderson
Mayor

Michelle Branstner
Clerk
## CITY OF VERNADE

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</tr>
<tr>
<td>96-0805A</td>
<td>8/5/96</td>
<td>Create an EDA in Verndale</td>
</tr>
<tr>
<td>96-0805B</td>
<td>8/5/96</td>
<td>Sewer Improvements</td>
</tr>
<tr>
<td>97-0407</td>
<td>4/7/97</td>
<td>Application and Intent to Reimburse Expenditures for Butler St. Project</td>
</tr>
<tr>
<td>97-0910</td>
<td>9/10/97</td>
<td>Approve Proposed ‘97 Tax Levy Collectible in ‘98</td>
</tr>
<tr>
<td>97-1224</td>
<td>12/24/97</td>
<td>Approve Final ‘97 Tax Levy Collectible in ‘98</td>
</tr>
<tr>
<td>98-0407</td>
<td>4/7/98</td>
<td>Transfer Mid-Continent Cable Systems Cable Franchise to Savage Communications, Inc.</td>
</tr>
<tr>
<td>98-0706</td>
<td>7/6/98</td>
<td>Agreement For the Safe and Sober Program</td>
</tr>
<tr>
<td>RESOLUTION NUMBER</td>
<td>DATE</td>
<td>ADOPTED</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------</td>
<td>---------</td>
</tr>
<tr>
<td>98-0803</td>
<td>8/3/98</td>
<td>Bond Modification Agreement - Water portion of Butler Street Project</td>
</tr>
<tr>
<td>98-1005</td>
<td>10/05/98</td>
<td>Application and Intent to Reimburse Expenditures for Butler St. Project</td>
</tr>
<tr>
<td>98-1214</td>
<td>12/14/98</td>
<td>Approve Final ‘98 Tax Levy Collectible in ‘99</td>
</tr>
<tr>
<td>99-0405A</td>
<td>4/5/99</td>
<td>Repeal of State Sales Tax</td>
</tr>
<tr>
<td>99-0405B</td>
<td>4/5/99</td>
<td>Sewer &amp; Water Rate Increases</td>
</tr>
<tr>
<td>99-0607</td>
<td>6/7/99</td>
<td>Addition to Ordinance #50 - Recreational Fires</td>
</tr>
<tr>
<td>99-0907</td>
<td>9/7/99</td>
<td>Approve Proposed ‘99 Tax Levy Collectible in ‘00</td>
</tr>
<tr>
<td>99-1206A</td>
<td>12/6/99</td>
<td>Sponsorship of Todd-Wadena Community Concern for Youth Program for period 1/1/00 to 12/31/00</td>
</tr>
<tr>
<td>99-1206B</td>
<td>12/6/99</td>
<td>Charitable Gambling Resolution</td>
</tr>
<tr>
<td>99-1209</td>
<td>12/9/99</td>
<td>Approve Final ‘99 Tax Levy Collectible in ‘00</td>
</tr>
<tr>
<td>00-0103</td>
<td>1/3/00</td>
<td>Support Improvement of All RR Crossings in Wadena County</td>
</tr>
<tr>
<td>00-0703A</td>
<td>7/3/00</td>
<td>Agreement For the Safe and Sober Program</td>
</tr>
<tr>
<td>00-0703B</td>
<td>7/3/00</td>
<td>Agreement For the Safe and Sober Program</td>
</tr>
<tr>
<td>00-0905</td>
<td>9/5/00</td>
<td>Approve Proposed ‘00 Tax Levy Collectible in ‘01</td>
</tr>
<tr>
<td>00-1106</td>
<td>11/6/00</td>
<td>Authorizing Participation in Community concern for Youth Program</td>
</tr>
<tr>
<td>00-1213</td>
<td>12/13/00</td>
<td>Approve Final ‘00 Tax Levy Collectible in ‘01</td>
</tr>
<tr>
<td>01-0108A</td>
<td>1/8/01</td>
<td>Opposition of Wine Sales at Businesses Other than at the Municipal Liquor Store</td>
</tr>
<tr>
<td>01-0108B</td>
<td>1/8/01</td>
<td>Adopt Amendment Parts 1 &amp; 2 of the Flex Benefit Plan</td>
</tr>
</tbody>
</table>
The following resolution was introduced by Trustee (or Councilperson) Mark Gades, who moved its adoption:

Be it resolved by the City Council of the City of Verndale that Minnesota Power be authorized and ordered, pursuant to contract dated October 30, 1969 to change the following street lights.

Remove Sixty (60) 175 Watt 7,000 Lumens Mercury Vapor Street Lights

Install Sixty (60) 150 Watt 14,000 Lumens Sodium Street Lights

The foregoing Resolution was seconded by Trustee (or Councilperson) Evelyn Erkenbrack, and upon vote all members voted in favor thereof, and same duly carried and so declared.

Kathy Johnson
Clerk

State of Minnesota
County of Wadena
City of Verndale

I, Kathy Johnson, City Clerk of the City of Verndale, Minnesota, hereby certify that the foregoing Resolution is a true and correct copy of the original record on file in my office of the action taken at a regular meeting of the City Council held on the 5th day of March, 1990, and that said Resolution is a part of the files and record in my office.

Kathy Johnson
Clerk

CITY SEAL
The following resolution was introduced by Trustee (or Councilperson) Roger Crowe, who moved its adoption:

Be it resolved by the City Council of the City of Verndale that Minnesota Power be authorized and ordered, pursuant to contract dated October 30, 1969 to remove the following street lights within said City:

Seven (7) 7000 Lumen Mercury Vapor street lights with four (4) foot brackets on separate poles located in mobile home court.

The foregoing Resolution was seconded by Trustee (or Councilperson JoAnn Perish, and upon vote, 3 members voted in favor thereof, and same was duly carried and so declared. 2 approved

Madonna Desrocher
Clerk

State of Minnesota
County of Wadena
City of Verndale

I, Madonna Desrocher City Clerk of the City of Verndale Wadena County, Minnesota hereby certify that the records on file in my office of the action taken at a regular meeting of the City Council held on the 7th day of December, 1987 and that said resolution is a part of the files and record in my office.

Madonna Desrocher
Clerk

City Seal
RESOLUTION 84-0402

(REEPEALED BY ORDINANCE 11)

SETTING DOG IMPOUND FEES

Whereas, by a resolution passed by the Verndale City Council on April 2, 1984, the Impound fee referred to in Ordinance 48, SECTION IV, is to be the amount the City of Wadena charges.

Resolution introduced by: Mark Gades
Resolution second by: Dale Carr
Vote on resolution: Carried unanimously

Whereupon the above resolution was adopted April 2, 1984.

______ Louise A. Otremba
       Mayor

______ Madonna Desrocher
       Clerk

RESOLUTION 84-0507
The following resolution was introduced by Councilman Roger Anderson, who moved for its adoption:

Be it resolved by the City Council of the City of Verndale that no trees, shrubs, flowers be planted or any structure be erected in the city parks without first obtaining permission from the Maintenance Engineer.

The foregoing resolution was seconded by Councilman Dale Carr, and upon vote all members voted in favor thereof, and same was duly carried and so declared.

Madonna Desrocher
Clerk

City of Verndale

I, Madonna Desrocher, City Clerk of the City of Verndale, hereby certify that the foregoing resolution is a true and correct copy of the original records on file in my office of the action taken at a regular meeting of the City Council held on the 7th day of May, 1984 and that said resolution is a part of the files and record in my office.

Madonna Desrocher
Clerk

RESOLUTION 85-0701
RESOLUTION RELATING TO VERNADELE WATER SYSTEM  
Effective: July 1, 1985

Utility Deposit: A deposit of Twenty Dollars ($20.00) will be collected by the Water Superintendent whenever anyone moves into the City in either existing property or new property.

Water Rates:

All residential water users and churches be charged $4.00 per month plus $3.00 per month for well fund.

Cafes, Beauty Shops be charged $5.00 per month plus $4.50 per month for well fund.

Municipal buildings (fire hall, public rest rooms, community center) be charged $4.00 per month plus $6.00 per month for well fund.

The Laundromat be charged $15.00 per month plus $20.00 for well fund.

The school be charged $40.00 per month plus $55.00 for well fund.

All other commercial, business and non-residential users other than as indicated above shall be charged $4.00 per month plus $4.50 per month for well fund.

Disconnection and Reconnecting fee: If water is disconnected because of delinquent bills a charge of Five Dollars ($5.00) will be collected by the Water Superintendent. A Reconnecting fee of Five Dollars ($5.00) will be collected by the Water Superintendent when the water is again connected.

Trailer Court, apartments and Village Green shall be charged $4.00 per month plus $1.50 for well fund, for each trailer or apartment.

Appendix A

The following tables shall be used as a guide for determining the number of ERU's for various user classes.
TABLE I:  Equivalent Residential Units (ERU’S) for various Residential Dwellings

<table>
<thead>
<tr>
<th>Residential Dwellings</th>
<th>Equivalent Residential Units (ERU’S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single family homes</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Townhouses</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Duplex units</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Condominiums</td>
<td>0.8 Unit</td>
</tr>
<tr>
<td>Apartment units</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Mobile Homes</td>
<td>1.0 Unit</td>
</tr>
</tbody>
</table>

TABLE II:  Equivalent Residential Units (ERU's) for Various Commercial, Public and Institutional Facilities

<table>
<thead>
<tr>
<th>Facility Description</th>
<th>Parameter</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Automobile Service</td>
<td>2 Service Bays</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Banquet Room</td>
<td>1,000 Square Feet</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Barber Shop</td>
<td>Each</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Bowling Alley</td>
<td>3 Alleys</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Car Wash - Self Service</td>
<td>1 Stall</td>
<td>3.0 Unit</td>
</tr>
<tr>
<td>Car Wash - Service Station</td>
<td>Each</td>
<td>4.0 Unit</td>
</tr>
<tr>
<td>Churches</td>
<td>250 Seats</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Fast Service Restaurant</td>
<td>600 Square Feet</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>General Office Building</td>
<td>4,000 Square Feet</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Hospitals</td>
<td>1 Bed</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Laundromats</td>
<td>4 Washing Machines</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Motels &amp; Hotels</td>
<td>2 Rooms</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Nursing Home</td>
<td>3 Beds</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Restaurant, Drive-In</td>
<td>10 Parking Spaces</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Restaurant</td>
<td>600 Square Feet</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Retail Store</td>
<td>3,000 Square Feet</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Rooming House</td>
<td>7 Beds</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Schools (Elementary)</td>
<td>20 Students</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Schools (Secondary)</td>
<td>15 Students</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Service Station (Gas Pumping only)</td>
<td>Each</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Service Station with</td>
<td>Each</td>
<td>2.0 Unit</td>
</tr>
<tr>
<td>Service Center</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service Station with</td>
<td>Each</td>
<td>8.0 Unit</td>
</tr>
<tr>
<td>Service Center &amp; Car Wash</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Swimming Pool</td>
<td>Each</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Theater</td>
<td>50 Seats</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Theater, Drive-In</td>
<td>50 Parking Spaces</td>
<td>1.0 Unit</td>
</tr>
<tr>
<td>Warehouse</td>
<td>15 Employees</td>
<td>1.0 Unit</td>
</tr>
</tbody>
</table>

The areas listed in the parameters include all interior areas utilized by the public and the employees for the conduct of the facility.

RESOLUTION 85-0801

Resolution relating to Verndale Sewerage System
Effective:  August 1985
Sewerage Service Rates:
   All residential premises and churches with the system shall pay a charge of $3.50 per month.

   All commercial premises connected with the system shall pay $4.00 per month.

   The school shall pay $15.00 per month for sewerage service.

   The Laundromat shall pay $5.00 per month.

   Trailer court, apartment complexes and Village Green will pay $3.50 per month for each unit.

RESOLUTION

(REPEALED BY RESOLUTION 84-0507)

WHEREAS, the City of Verndale by Ordinance has established a Municipal Cemetery and Section II of said
Ordinance requires a Resolution of the City Council establishing the costs of a Cemetery lot and the perpetual care for.

NOW THEREFORE, be it resolved that the purchase of a full lot in the Municipal Cemetery shall cost $80.00 and the cost of permanent care and improvement of a full lot shall be established at $100.00.

RESOLUTION 89-1204

RESOLUTION OPPOSING THE IMPOSITION OF AN INSTITUTIONAL FEE BY THE LEAGUE OF MINNESOTA CITIES UPON THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST

Member VanDam introduced the following resolution and moved for its adoption:
WHEREAS, The League of Minnesota Cities Insurance Trust was created under the authority of the joint Powers Act, M.S. 471.59 in 1980 to provide a means through which cities can cooperate to obtain the insurance coverage they need at a reasonable cost; and

WHEREAS, the League of Minnesota Cities Insurance Trust (LMCIT) is governed by a five member board of trustees appointed by the League of Minnesota Cities (LMC); and

WHEREAS, Article VI of the LMCIT Insurance Trust Agreement established a fund into which all of the Trust's income is to be deposited and which is used to administrative, legal, and other expenses; and

WHEREAS, Article VI directs that any excess in the fund be returned to the individual LMCIT members and that each member's refund will be determined on the basis of

A. The total amount paid by the member to the Trust; and

B. To the extent that the trustees decide it is advisable, the member's individual loss experience; and

WHEREAS, since the beginning of LMCIT's insurance program, brochures and other marketing tools promoting the insurance program as well as frequent articles exceed what is needed to fund losses and expenses, the only thing which can be done with the surplus is to return the money to the cities; and

WHEREAS, many cities bought into the program with confidence that this promise would be kept; and

WHEREAS, since the creation of LMCIT by LMC, LMC has been, and continues to be, reimbursed by LMCIT for LMC cost of administering the insurance program. Such costs include personnel, overhead, direct costs, and pro-rated expenses; and

WHEREAS, the trustees of LMC and LMCIT did, in 1988, enter into a management services agreement which, for the first time, included and institutional charge of 1.5% of the gross premiums of the LMCIT workers compensation and property/casualty programs to “constitute reimbursement” to LMC for the use by LMCIT of LMC's name, good will, reputation, municipal and legislative expertise, and organizational capacity; and

WHEREAS, this charge is in addition to other reimbursed costs; and

WHEREAS, the LMC has transferred, or will transfer, the amounts of $425,226 for fiscal year 1988-89 and $584,466 for fiscal year 1989-90 and LMC subsequently appropriated $387,292 and $554,019 respectively of the transfers in fiscal years 1988-89 and 1989-90 to the LMC special projects budgets to fund a property tax model, a tax increment financing project, and a personnel project; and

WHEREAS, the City Council of the City of Verndale has determined that the institutional fee is an inappropriate profit taking by the LMC, particularly in light of representations which have been made to the members that all unused funds will be rebated to LMCIT members, and questions the appropriateness of raising funds from LMCIT members to pay for expenses and programs of the LMC for which they are already paying dues, thereby in effect penalizing LMCIT members by requiring them to pay a disproportionate share of the costs of projects approved in the LMC special projects budget solely because they are participants in the LMCIT.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Verndale to request the trustees
of the League of Minnesota Cities and the League of Minnesota Cities Insurance Trust to remove the institutional charge from the management services agreement and for LMC to return to LMCIT all funds transferred for institutional charges; and

BE IT FURTHER RESOLVED that the City Clerk be directed to forward a copy of this resolution to the trustees of the LMC and the LMCIT.

December 4, 1989

Roger Anderson
Mayor

Kathy Johnson
Clerk

The motion for the adoption of the foregoing resolution was duly seconded by member Gades, and upon vote being takes thereon, the following voted in favor thereof: Perish, Erckenbrack, Van Dam, Gades and Anderson, and the following voted the same:

Whereupon said resolution was declared duly passed and adopted.

Resolution 96-0805C

RESOLUTION APPOINTING A RESPONSIBLE AUTHORITY AND ASSIGNING DUTIES

State of Minnesota, City of Verndale

WHEREAS, Minnesota Statutes, Section 13.02, Subdivision 16, as amended, requires that the City of Verndale appoint one person as the Responsible Authority to administer the requirements for collection,
WHEREAS, the Verndale City Council shares concern expressed by the Legislature on the responsible use of all City data and wished to satisfy this concern by immediately appointing an administratively qualified Responsible Authority as required under the statute.

BE IT RESOLVED, the City Council of Verndale appoints Rhonda Lupkes, City Clerk/Treasurer as the Responsible Authority for the purposes of meeting all requirements of Minnesota Statutes, Chapter 13, as amended, and with rules as lawfully promulgated by the Commissioner of Administration.

FURTHER, BE IT RESOLVED, the Responsible Authority shall require the requesting party to pay the actual cost of making, certifying, and compiling copies and of preparing summary data.

ADOPTED BY THE VERNADE CITY COUNCIL ON ______________________.

ATTESTED TO BY THE:

______________________________ on _________________________
Mayor

______________________________ on __________________________

NOTE TO THE CITY COUNCIL: An individual must be appointed as Responsible Authority. The duty cannot be designated to an office. If a different person is later appointed as the Responsible Authority, this portion of the resolution must be amended to indicate the name of the new Responsible Authority.

NOTE TO THE RESPONSIBLE AUTHORITY: This public document should be posted in a conspicuous place and/or be made readily available to the public. Some Minnesota government agencies have attempted to draft the summary of the rights of the data subject into plain language. (See Appendix A.)

Appendix A

Rights of data subjects

The rights of individuals on whom the data is stored or to be stored by this city are as set forth here:

a. An individual asked to supply private or confidential data concerning the individual will be informed of: a) the purpose and intended use of the requested data within this city; b) whether he or she may refuse or is legally required to supply the requested data; c) any known consequence arising from his or her supplying or refusing to supply private or confidential data; and d) the identity of other people or entities authorized by state or federal law to receive the data. (This requirement does not apply when an individual is asked to supply investigative data to a law enforcement officer.)

b. Upon request to the Responsible Authority, an individual will be informed: a) whether he or she is the subject of stored data on individuals; b) whether it is classified as public, private or confidential.

c. Upon his or her further request, an individual who is the subject of stored private data on individuals will be shown the data without any charge, and if he or she desires, will be informed of the content and meaning of
that data. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to him or her for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created.

d. The Responsible Authority will provide copies of data upon request by the individual subject of the data. The actual cost of providing copies will be borne by the individual.

e. The Responsible Authority will comply immediately, if possible, with any request made pursuant to this section or within five days of the date of the request, excluding Saturdays, Sundays, and legal holidays, if immediate compliance is not possible. If he or she cannot comply with the request within that time, he or she will so inform the individual, and may have an additional five days within which to comply with the request, excluding Saturdays, Sundays and legal holidays.

f. An individual may contest the accuracy or completeness of public or private data concerning him or herself. To exercise this right, an individual must notify the Responsible Authority in writing describing the nature of the disagreement. The Responsible Authority will within 30 days either: a) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or b) notify the individual that he or she believes the data to be correct. Data in dispute will be disclosed only if the individual’s statement of disagreement is included with the disclosed data.

Procedures for access to public and private data
a. General.
   All requests to examine, for copies or for summary data, must be in writing and signed by the requesting party. Requests should be directed to the Responsible Authority. All requests to inspect data will be limited to normal business hours of the city. Every attempt will be made to comply with requests in an appropriate and prompt manner as specified by these procedures and by the Minnesota Government Data Practices Act.

b. Examination of the Data.
   1. Public Data. Any person upon request to the Responsible Authority may examine public government data without charge.

   2. Private or Nonpublic Data. Examination of private or nonpublic government data is available without charge only to: a) the subject of the data; b) people within the city whose work assignment reasonably requires access; c) agencies authorized by state or federal law; and d) agencies or individuals who have the express written consent of the subject of the data. Any such person or agency seeking examination must identify him or herself by presenting a Minnesota driver’s license or other picture identification card acceptable to the Responsible Authority.

   3. Confidential or Protected Nonpublic Data. Examination of confidential or protected nonpublic data is limited to a) persons within the city whose work assignment reasonably require access, and b) agencies or individuals authorized by state or federal law to gain access. Any such person or agency seeking examination must identify him or herself by appropriate identification acceptable to the Responsible Authority. The Responsible Authority cannot disclose the actual confidential data to the subject of the data but, upon request, shall inform the subject whether confidential data is maintained on him or her. The subject of the data may gain access to this knowledge only upon a) appearance at the city office with Minnesota driver’s license or other picture identification acceptable to the Responsible Authority or, b) appearance by the subject’s personal
representative identified by a Minnesota driver’s license or other picture identification acceptable to the Responsible Authority and with a written and notarized authorization by the subject of the data.

c. Explanation of the Data
   Upon request to the Responsible Authority, any person may receive an explanation of the content and the meaning of the data which has been received or inspected.

d. Copies of Data
   Any person, upon request to the Responsible Authority, may receive copies of any data which he or she is entitled to inspect. The Responsible Authority will provide copies within a reasonable time after receipt of the request and charge the requesting party the actual costs of the material and any special costs necessary to produce the copies. The fee is $.25 per page for copies and $9.16/hour for the labor involved in preparation of the data requested.

e. Access to Summary Data
   Any person, upon request to the Responsible Authority, will receive prepared summary data from public, private, or confidential data. Within 10 days of the receipt of the request, the Responsible Authority will inform the requesting party of the estimated costs to provide the summary data, or will provide a written statement describing a time schedule for the preparation including reasons for time delays, or will provide a written statement to the requesting party stating why the Responsible Authority has determined that access would compromise the private or confidential data. The Responsible Authority will charge the requesting party costs associated with the preparation of summary data. The Responsible Authority will provide an estimate of the fee to the requesting party before preparing the summary and may require payment in advance of the preparation.

RESOLUTION 90-0101

The Minnesota Pollution Control Agency requires municipalities which receive a Step 3 Grant to enact a sewer rate ordinance, a sewer service charge system, and a sewer use ordinance.

BE IT RESOLVED THAT:

A. The City Council approves enactment of the ordinances and charge system titled as follows:

   - An Ordinance Establishing Sewer Use Regulations
- An Ordinance Establishing a Sewer Service Charge System

- Sewer Service Charge System

B. The City Council hereby determines that the text of the summaries for the above named ordinances clearly informs the public of the intent and effect of the ordinances. The City Council further determines that publication of the titles and summaries will clearly inform the public of the intent and effect of the ordinances.

C. The City Council hereby approves the Sewer Service Charge System and the sewer service rates therein. The new rates shall be in effect as of January 1, 1990.

VOTE ON RESOLUTION:

In Favor 5
Opposed 0

This resolution adopted at the Regular December meeting of the Verndale City Council.

Roger Anderson
Mayor

Kathy Johnson
Clerk

RESOLUTION 90-0820

RESOLUTION CORRECTING ORDINANCE 5 SECTION IV; HOURS OF OPERATION

Whereas, by a resolution passed by the Verndale City Council August 20, 1990, the “On” Sale and “Off” Sale hours will be set according to State Regulations.

Resolution introduced by: Gary VanDam

Resolution seconded by: Mark Gades
RESOLUTION 94-0502D

ADDITION TO ORDINANCE #48

PERTAINING TO DOGS

Whereas, by a resolution passed by the Verndale City Council May 2, 1994 to read: Any dog that is running at large, in the City of Verndale, and causes injury to a person or other animal in control of a person, on either public or private property, shall be impounded by the police dept. The period of impoundment shall not be less than seven (7) days, and not to exceed 10 days. All transport and impound fees shall be paid before the animal is released.

Roger Anderson
Mayor

Kathy Johnson
Clerk
The fees shall be as follows:

TRANSPORT--------$15
IMPOUND---------$40
DAILY FEE--------$ 7.50 per day after 5 days

Resolution introduced by:  Dan Fisher
Resolution seconded by:    Louise Otremba
Vote on resolution:        Carried unanimously
Whereupon the above resolution was adopted May 2, 1994.

Roger Anderson
Mayor
Kathy Johnson
Clerk

RESOLUTION 96-0805A
RESOLUTION ENABLING THE CREATION OF AN ECONOMIC DEVELOPMENT AUTHORITY IN THE CITY OF VERNDAL, MINNESOTA
CITY OF VERNDAL, WADENA COUNTY, MINNESOTA
August 5, 1996
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERNDAL (THE “CITY”), MINNESOTA AS FOLLOWS:

SECTION I
BACKGROUND AND FINDINGS

1.01 The City is authorized by Minnesota statutes, Chapter 469 (the “Act”) and specifically Section 469.091, to establish an Economic Development Authority (the “EDA”) to coordinate and administer economic development and redevelopment plans and programs of the City of Verndale.

1.02 It is found and determined by the City Council that the encouragement and financial support of economic development and redevelopment in the City is vital to the orderly development and financing of the City and in the best interests of the health, safety, prosperity and general welfare of the citizens of the City.

1.03 It is further found and determined that the economic development and redevelopment of the City can be accomplished by the establishment of an EDA as authorized by the Act.

1.04 The City Council has in accordance with the Act and Section 469.093 provided public notice and conducted a public hearing on August 5, 1996 concerning the establishment of an Economic Development Authority at which hearing all persons desiring to express their views were heard.

SECTION II

ENABLING RESOLUTION

2.01 The Economic Development authority of the City of Verndale, Minnesota (EDA) is hereby established. The EDA is a public body corporate and politic and a political subdivision of the State of Minnesota.

2.02 The EDA shall have all the powers, duties, and responsibilities set forth in Section 469.029 to 469.108 of the Act and as said Act may be amended from time to time and all other applicable laws, except as limited by this Resolution.

2.03 The EDA shall consist of a governing body of five commissioners. Two of the commissioners shall be members of the City Council. All commissioners shall be appointed by the Mayor with the approval of the City Council. Those initially appointed shall be appointed for terms of two, three, four, five, and six years respectively. Thereafter all commissioners shall be appointed for six year terms. A vacancy is created in the membership of the commission when a City Council member of the Authority ends Council membership.

2.04 The EDA shall elect a president, vice president, treasurer, assistant treasurer, and secretary annually. A commissioner must not serve as president and vice president at the same time, but the other offices may be held by the same member. The offices of the secretary and assistant treasurer need not be held by a member.

2.05 The EDA shall designate an Executive Director or other Staff to fulfill the obligations of its day-to-day business.

SECTION III

LIMITS OF POWERS

3.01 The following limits shall apply to the Economic Development Authority of the City of Verndale and its operations:

B. The sale of all bonds or other obligations issued by the EDA shall be first approved by the City Council.
B. The EDA shall follow the budget process for City Departments as may be provided by the City and in accordance with City policies.

B. Development and redevelopment plans of the EDA shall be consistent with the City’s Development Objectives and Plans.

B. The EDA shall obtain approval of its proposed plans for development and redevelopment from the City Council.

3.02 This Enabling Resolution may be modified to make any changes as authorized by the Act.

3.03 As proved in the Act it is the intention of the City Council that nothing in this Resolution nor any activities of the EDA shall be construed to impair the obligations of the City under any of its contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the City. The City Council shall not modify any limit in effect at the time any bonds or obligations are issued or contracts executed to the detriments of the holder of the bonds or obligations or any contracting party.

SECTION IV

TRANSFER OF AUTHORITY OF THE VERNADE TAX INCREMENT FINANCING PROGRAM. (Effective as of September 1, 1996 or after EDA TIF training workshop, whichever is later).

4.01 Pursuant to the authorization of Minnesota Statutes Section 469.094, The City of Verndale does by this Resolution hereby transfer to the Economic Development Authority of the City of Verndale established by this Resolution, all activities, programs, operations, and authority of the existing City of Verndale Tax Increment Financing Program (TIF), including the transfer of the control, authority and operation of any project as defined in Section 469.174, Subdivision 8, or any other program or project authorized by Sections 469.001 to 469.047 or 469.134 located within the City of Verndale. The EDA shall exercise all of the powers that an HRA could exercise. This transfer of authority to the EDA shall be effective September 1, 1996.

4.02 The EDA shall covenant and pledge to perform the terms, conditions, and covenants of the bond indenture or other agreements executed for the security of any bonds issued by the City of Verndale related to its Economic Development and/or TIF Program. The EDA shall exercise all of the powers necessary to perform the terms, conditions and covenants of any indenture or other agreements executed for the security of the bonds and shall become obligated on any such bonds by reason of the transfer as provided in this resolution.

SECTION V

IMPLEMENTATION

5.01 The City Council shall from time to time adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this Resolution.

5.02 The Mayor, the City Clerk, and other appropriate City officials are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to this Resolution.

PASSED; AND DULY ADOPTED BY THE CITY COUNCIL OF THE CITY OF VERNADE THIS 5TH DAY OF AUGUST, 1996.
RESOLUTION 96-0805B

RESOLUTION SUPPORTING THE CITY OF VERNADE SANITARY SEWER IMPROVEMENTS PROJECT

WHEAREAS, the City of Verndale has determined a need to correct the Inflow/Infiltration (I/I) problems found during the reconstruction of CSAH 23 and 51.

WHEREAS, a public hearing was held on July 1, 1996 which outlined and specified the needs, improvements, and costs,

WHEREAS, Widseth, Smith, & Nolting, the contracted engineering firm designing the sanitary sewer improvements, reviewed all available options, and recommended doing sanitary sewer replacement at a cost of $144,379.00,

WHEREAS, the Verndale City Council voted on July 1, 1996, to support this project as the best and most cost effective option,
THEREFORE BE IT RESOLVED that the facilities plan as presented by Widseth, Smith & Nolting is the best option for the City of Verndale, and this project receives support from the City Council.

Adopted by the council this 5th day of August, 1996.

Roger Anderson
Mayor

Rhonda Lupkes
Clerk

RESOLUTION 97-0407

AMENDED

RESOLUTION OF APPLICATION AND INTENT TO REIMBURSE EXPENDITURES

WHEREAS, the City of Verndale is hereby applying to the Minnesota Public Facilities Authority for financial assistance to be used for the reimbursement of the capital costs for the described project: the upgrading and expansion of the City of Verndale’s municipal wastewater treatment system.

BE IT FURTHER RESOLVED, that the City of Verndale estimates that it will require financial assistance from the Minnesota Public Facilities Authority in the maximum principal amount of $160,000, or the as-bid cost of the project for the above stated purpose.

BE IT FURTHER RESOLVED, that the City of Verndale has the legal authority to apply for such financial assistance, and the institutional, managerial, and financial capacity to ensure proper construction, operation, maintenance, and replacement of the proposed project for its design life, and repayment of the financial
RESOLUTION 97-0910

RESOLUTION APPROVING PROPOSED 1997 TAX LEVY COLLECTABLE IN 1998

Be it resolved by the City Council of the City of Verndale, County of Wadena, Minnesota, that the following sums of money be levied for the current year, collectable in 1998, upon the taxable property in the City of Verndale, for the following purposes:

<table>
<thead>
<tr>
<th>Levy Purpose</th>
<th>Levy Before</th>
<th>Levy After</th>
</tr>
</thead>
<tbody>
<tr>
<td>HACA</td>
<td>$108,566</td>
<td>$13,962</td>
</tr>
<tr>
<td>HACA</td>
<td>$94,604</td>
<td></td>
</tr>
<tr>
<td>HACA</td>
<td></td>
<td>$1,200</td>
</tr>
<tr>
<td>Total Levy</td>
<td>$118,766</td>
<td>$1,200</td>
</tr>
<tr>
<td>HACA</td>
<td></td>
<td>$13,962</td>
</tr>
<tr>
<td>Levy after deduction of HACA</td>
<td>$104,804</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION 97-1224

ADOPTING THE 1998 TAX LEVY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERNDALE, MINNESOTA:

That the following sums of money, hereby are levied upon the taxable property in the City of Verndale, County of Wadena, State of Minnesota, for a collection in the year 1998, for the following purposes, to-wit:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Corporate Purposes</td>
<td>$94,604</td>
</tr>
<tr>
<td>Fireman’s Relief Fund</td>
<td>$1,200</td>
</tr>
<tr>
<td>Road Fund</td>
<td>$9,000</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$104,804</strong></td>
</tr>
</tbody>
</table>

The City Clerk is hereby instructed to transmit a certified copy of this Resolution to the County Auditor of Wadena County and to the State of Minnesota Department of Revenue.

Adopted by the City Council on the 24th day of December, 1997.
RESOLUTION 98-0407

AUTHORIZING THE TRANSFER OF A CABLE TELEVISION FRANCHISE BY MIDCONTINENT CABLE SYSTEMS COMPANY OF MINNESOTA TO SAVAGE COMMUNICATIONS, INC.

BE IT RESOLVED BY THE CITY COUNCIL of the City of Verndale, Minnesota (the “City”) as follows:

1. MIDCONTINENT CABLE SYSTEMS CO. OF MINNESOTA, a Minnesota corporation (the “Transferor”) is the present holder of a franchise (the “Franchise”) issued by the City pursuant to Ordinance No. 53 adopted July 15, 1985 authorizing the franchisee to provide cable television service to the City and to maintain a cable television system in, along, under and above the streets, ways, roads, alleys and other roadways in the City.

2. The City hereby approves and consents to the transfer of the Franchise by Transferor to Savage Communications, Inc. a Minnesota corporation (“SCI”), said transfer to become effective upon the renewal of the Franchise and closing of the transfer of Transferor’s rights under the Franchise to SCI.

3. The Franchise is in full force and effect and duly held by Transferor, and no default exists under the Franchise.
4. SCI shall be entitled to grant security interests in its rights under the Franchise and in any or all of its assets to any lender or lenders making loans to SCI.

5. The City waives its right of first refusal under the Franchise with respect to the proposed transfer of the Franchise to Transferee.

Adopted this 6th day of April, 1998.

Dale Paulsen
Mayor

Michelle Branstner
Clerk

RESOLUTION 98-0706

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that the Verndale Police Department enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE & SOBER COMMUNITIES during the period from October 1, 1998 through September 30, 1999.

Wadena Co. Sheriff’s Dept. is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Verndale Police Department.

Be it further resolved that Sheriff H. Michael Carr is hereby authorized to be the fiscal agent and administer this grant on behalf of the Verndale Police Department.

I certify that the above resolution was adopted by the City Council of Verndale, Minnesota on July 6, 1998.

Dale Paulsen
Mayor

Michelle Branstner
Clerk
RESOLUTION 98-0908

RESOLUTION APPROVING PROPOSED 1998 TAX LEVY COLLECTABLE IN 1999

Be it resolved by the City Council of the City of Verndale, County of Wadena, Minnesota, that the following sums of money be levied for the current year, collectable in 1999, upon the taxable property in the City of Verndale, for the following purposes:

<table>
<thead>
<tr>
<th>Levy Purpose</th>
<th>Levy Before HACA</th>
<th>Levy After HACA HACA</th>
<th>Levy After HACA HACA</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$112,230</td>
<td>$13,955</td>
<td>$98,275</td>
</tr>
<tr>
<td>Road &amp; Bridge</td>
<td>$ 10,000</td>
<td>$10,000</td>
<td></td>
</tr>
<tr>
<td>Fire</td>
<td>$  1,200</td>
<td></td>
<td>$  1,200</td>
</tr>
<tr>
<td>Total Levy</td>
<td>$123,430</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HACA</td>
<td></td>
<td>$13,955</td>
<td></td>
</tr>
<tr>
<td>Levy after deduction of HACA</td>
<td>$109,475</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of
RESOLUTION 98-1005

RESOLUTION OF APPLICATION AND INTENT TO REIMBURSE EXPENDITURES

BE IT RESOLVED that the City of Verndale is hereby applying to the Minnesota Public Facilities Authority for financial assistance to be used for the reimbursement of capital costs for the described project: replacement of 1,400 lineal feet of water lines which services the residences located on Butler Street and portions of Second Avenue and Third Avenue.

BE IT FURTHER RESOLVED that the City of Verndale estimates that it will require financial assistance from the Minnesota Public Facilities Authority in the maximum principal amount of $76,679.71, or the as-bid cost of the project for the above stated purpose.

BE IT FURTHER RESOLVED that the City of Verndale has the legal authority to apply for such financial assistance, and the institutional, managerial, and financial capacity to ensure proper construction, operation, maintenance, and replacement of the proposed project for its design life, and repayment of the financial assistance.

I CERTIFY THAT the above resolution was adopted by the Verndale City Council on the 5th of October, 1998.
RESOLUTION 98-1214

RESOLUTION APPROVING FINAL 1998 TAX LEVY COLLECTABLE IN 1999

Be it resolved by the City Council of the City of Verndale, County of Wadena, Minnesota, that the following sums of money be levied for the current year, collectable in 1999, upon the taxable property in the City of Verndale, for the following purposes:

<table>
<thead>
<tr>
<th>Levy Purpose</th>
<th>Levy Before HACA</th>
<th>Levy After HACA</th>
<th>Levy Purpose</th>
<th>Levy Before HACA</th>
<th>Levy After HACA</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$112,230</td>
<td>$13,955</td>
<td>$98,275</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Road &amp; Bridge</td>
<td>$10,000</td>
<td></td>
<td>$10,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire</td>
<td>$1,200</td>
<td></td>
<td>$1,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Levy</td>
<td>$123,430</td>
<td></td>
<td>$109,475</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Wadena County, Minnesota.

Adopted by the City Council on the 14th day of December, 1998.
RESOLUTION 99-0405A

RESOLUTION SUPPORTING REPEAL OF THE STATE SALES TAX FOR LOCAL GOVERNMENT PURCHASES

WHEREAS, the Legislature imposed the sales tax on local governments in 1992 when facing a significant state budget deficit; and

WHEREAS, the state government has collected hundreds of millions of dollars in sales tax since 1992 on local government purchases of items such as road maintenance equipment, wastewater treatment facilities, and building materials; and

WHEREAS, the sales tax on local government purchases is passed on to residents in the form of higher property taxes and fees; and

WHEREAS, the State’s financial picture has improved dramatically and the need for the sales tax no longer exists; and

WHEREAS, Minnesota is one of only seven states which impose sales tax on local government purchases, and

WHEREAS, imposing the sales tax on local government purchases is an inefficient way to raise state revenues, especially where sales tax is paid for bonding projects with accompanying interest costs;

NOW, THEREFORE BE IT RESOLVED, that the Verndale City Council encourages its state legislators to...
support the repeal of the sales tax on local governments.

DATED: April 5, 1999

Roger Anderson
Mayor

Michelle Branstner
Clerk

RESOLUTION 99-0405B

BE IT RESOLVED by the City Council of the City of Verndale to authorize a rate increase for water and sewer usage. Water base rate will increase from $8.55 to $10.00 with a per thousand rate increase from $1.52 to $1.63 over 6,000 gallons. Sewer base rate will increase from $1.89 to $12.00 with a per thousand rate increase from $2.01 to $2.21. This rate increase will become effective May 1, 1999. Adopted by the Verndale City Council on April 5, 1999.

Roger Anderson
Mayor

Michelle Branstner
Clerk
2ND RESOLUTION 99-0607

ADDITION TO ORDINANCE #50

RECREATIONAL FIRES

WHEREAS, by a resolution passed by the Verndale City Council June 7, 1999 to read:

A. Any burning within the City of Verndale shall comply with all State Statutes and applicable Federal Law.

B. Permits shall be obtained prior to any open burning.

C. All open burning shall be prohibited during any imposed burning ban.

Resolution introduced by: Jerry Stave
Resolution seconded by: Janell Carr

Vote on Resolution: Unanimous

WHEREUPON, the above resolution was adopted June 7, 1999.

Roger Anderson
Mayor

Michelle Branstner
Clerk
RESOLUTION 99-0907

RESOLUTION APPROVING PROPOSED 1999 TAX LEVY COLLECTABLE IN 2000

Be it resolved by the City Council of the City of Verndale, County of Wadena, Minnesota, that the following sums of money be levied for the current year, collectable in 2000, upon the taxable property in the City of Verndale, for the following purposes:

<table>
<thead>
<tr>
<th>Levy Purpose</th>
<th>Levy Before</th>
<th>Levy After</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$112,518</td>
<td>$14,046</td>
</tr>
<tr>
<td>Road &amp; Bridge</td>
<td>$  12,500</td>
<td>$12,500</td>
</tr>
<tr>
<td>Fire</td>
<td>$    1,200</td>
<td>$  1,200</td>
</tr>
<tr>
<td>Total Levy</td>
<td>$126,218</td>
<td>$14,046</td>
</tr>
</tbody>
</table>

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Wadena County, Minnesota.

Adopted by the City Council on the ___7th___ day of September, 1999.

Roger Anderson
Mayor

Michelle Branstner
Clerk
RESOLUTION 99-1004

Resolution Authorizing a Tax Rate Increase for the 1999 Tax Levy, Collectible in 2000

Be it resolved by the council of the City of Verndale, County of Wadena, Minnesota, that the county auditor is authorized to fix a property tax rate for taxes payable in the year 2000 that is higher than the tax rate calculated pursuant to Minnesota Statutes 204B.135 for the city for taxes levied in 1998, collectible in 1999.

Adoption of this resolution does not prohibit the city from certifying a final levy that will result in no tax rate increase or a tax rate decrease.

The city clerk is hereby instructed to transmit a certified copy of this resolution to the county auditor of Wadena County, Minnesota.

Adopted by the City Council on the 4th day of October, 1999.

__________________________________________  Roger Anderson  
Mayor

__________________________________________  Michelle Branstner  
City Clerk
RESOLUTION 99-1206A

Resolution authorizing participation with the Community Concern for Youth Program with Todd-Wadena Community Corrections.

BE IT RESOLVED by the Verndale City Council that Todd County act as sponsoring unit of government for the project entitled Community Concern for Youth to be conducted by Todd-Wadena Community Corrections during the period from 01/01/00 through 12/31/00. Stanley Sumey, Chairman, Todd County Board of Commissioners, is hereby authorized to execute such agreements and funding as are necessary to implement the project on behalf of the Verndale City Council.

BE IT RESOLVED that the Verndale City Council hereby agrees to contribute $452.20 for the project entitled Todd-Wadena Community Concern for Youth during the period from 01/01/00 through 12/31/00 which is to be paid on 01/01/00.

It is understood that the Verndale School Board contributes $877.80, for a total community contribution of $1,330.00.

I hereby certify that the above resolution was adopted by the Verndale City Council on December 6, 1999.

Roger Anderson
Mayor

Michelle Branstner
Clerk
RESOLUTION 99-1206B

Resolution for Charitable Gambling

BE IT RESOLVED that the City Council of the City of Verndale, at their regular monthly meeting held on December 6, 1999, does hereby approve the Verndale Lion’s Club to conduct Charitable Gambling according to MN law at the Verndale Municipal Liquor Store in Verndale, MN for their renewal license period of March 1, 2000 to February 28, 2002.

Adopted this 6th day of December, 1999.

Roger Anderson
Mayor

Michelle Branstner
Clerk
RESOLUTION 99-1209

RESOLUTION APPROVING FINAL 1999 TAX LEVY COLLECTABLE IN 2000

Be it resolved by the City Council of the City of Verndale, County of Wadena, Minnesota, that the following sums of money be levied for the current year, collectable in 2000, upon the taxable property in the City of Verndale, for the following purposes:

<table>
<thead>
<tr>
<th>Levy Purpose</th>
<th>Levy Before HACA</th>
<th>Levy After HACA</th>
<th>HACA</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$112,518</td>
<td>$14,046</td>
<td>$98,472</td>
</tr>
<tr>
<td>Road &amp; Bridge</td>
<td>$ 12,500</td>
<td></td>
<td>$12,500</td>
</tr>
<tr>
<td>Fire</td>
<td>$  1,200</td>
<td></td>
<td>$  1,200</td>
</tr>
<tr>
<td>Total Levy</td>
<td>$126,218</td>
<td></td>
<td>$112,172</td>
</tr>
<tr>
<td>HACA</td>
<td></td>
<td>$14,046</td>
<td></td>
</tr>
</tbody>
</table>

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Wadena County, Minnesota.

Adopted by the City Council on the 9th day of December, 1999.

Roger Anderson
Mayor

Michelle Branstner
RESOLUTION 00-0103

To support or participate in a county-wide effort to improve railroad crossing safety along local roads; and to support pursuing needed outside financing of local crossing approach safety improvements through alternative financing processes.

WHEREAS, the City of Verndale, Wadena County, Minnesota, is responsible for local road safety, including railroad crossing safety, and

WHEREAS, many local railroad crossings are not properly signalized, and signalization of a single crossing will cost a city at least $30,000. In order to receive Federal funding of about $120,000 ($150,000 Estimated Total Cost), and

WHEREAS, $30,000 for signalization plus the cost of approach and associated costs would be prohibitively expensive in relation to most city road and bridge budgets, and

WHEREAS, MnDOT Office of Freight, Rail, and Waterways and the Burlington Northern Sante Fe Railroad have indicated an interest in improving crossing safety or considering closure of low volume crossings, as well as participating in the financing of local costs of crossing improvements and closure/approach-related improvement costs.

NOW, THEREFORE, BE IT RESOLVED, that the City of Verndale believes that long term road system management, responsible road budget considerations, and group efforts to improve railroad crossing safety is in the best interests of the City of Verndale.

BE IT ALSO RESOLVED, the City of Verndale is willing to participate in a county-wide effort to secure financial assistance to fund local railroad crossing improvements, closure and off-setting road improvements.

BE IT ALSO RESOLVED, that the City of Verndale agrees, within its authority, to work with MnDOT - OFRW and the BN-SF to accomplish such a project.

On a motion by Councilperson Jerry Stave, and a second by Councilperson Janell Carr, at a January 3rd, 2000 Council meeting, this resolution was adopted.

Roger Anderson
Mayor
Michelle Branstner
RESOLUTION 00-0703A

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that Wadena County Sheriffs Department enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE AND SOBER COMMUNITIES during the period from October 1, 2000 through September 30, 2001.

Sheriff H. Michael Carr is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Wadena County Sheriffs Department.

Be it further resolved that the Verndale Police Department is hereby authorized to be the fiscal agent and administer this grant on behalf of the Wadena County Sheriffs Department.

I certify that the above resolution was adopted by the City Council of Verndale, MN on the 3rd of July, 2000.

Roger Anderson
Mayor

Dawn Nelson
Clerk
RESOLUTION 00-0703B

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT

Be it resolved that the Verndale Police Department enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE AND SOBER COMMUNITIES during the period from October 1, 2000 through September 30, 2001.

The Chief of Police of Verndale is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Verndale Police Department.

Be it further resolved that the Sheriff of Wadena County is hereby authorized to be the fiscal agent and administer this grant on behalf of the Verndale Police Department.

I certify that the above resolution was adopted by the City Council of Verndale, MN on the 3rd of July, 2000.

Roger Anderson
Mayor

Dawn Nelson
Clerk
RESOLUTION 00-0905

RESOLUTION APPROVING PROPOSED 2000 TAX LEVY COLLECTABLE IN 2001

Be it resolved by the City Council of the City of Verndale, County of Wadena, Minnesota, that the following sums of money be levied for the current year, collectable in 2001, upon the taxable property in the City of Verndale, for the following purposes:

| Levy Purpose | Levy Before HACA | HACA | Levy After HACA
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$113,318</td>
<td></td>
<td>$14,065</td>
</tr>
<tr>
<td>Road &amp; Bridge</td>
<td>$12,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire</td>
<td>$1,200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Levy</td>
<td>$127,018</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Wadena County, Minnesota.

Adopted by the City Council on the 5th day of September, 2000.

Roger Anderson
Mayor

Dawn Nelson
Clerk
RESOLUTION 00-1106

Resolution authorizing participation with the Community Concern for Youth Program with Todd-Wadena Community Corrections.

BE IT RESOLVED by the Verndale City Council that Todd County act as sponsoring unit of government for the project entitled Community Concern for Youth to be conducted by Todd-Wadena Community Corrections during the period from 01/01/01 through 12/31/01. Kenneth Sorenson, Chairman, Todd County Board of Commissioners, is hereby authorized to execute such agreements and funding as are necessary to implement the project on behalf of the Verndale City Council.

BE IT RESOLVED that the Verndale City Council hereby agrees to contribute $452.20 for the project entitled Todd-Wadena Community Concern for Youth during the period from 01/01/01 through 12/31/01 which is to be paid on 01/01/01.

It is understood that the Verndale School Board contributes $877.80, for a total community contribution of $1,330.00.

I hereby certify that the above resolution was adopted by the Verndale City Council on the 6th of November, 2000.

Roger Anderson
Mayor

Michelle Branstner
Clerk
RESOLUTION 00-1213

RESOLUTION APPROVING FINAL 2000 TAX LEVY COLLECTABLE IN 2001

Be it resolved by the City Council of the City of Verndale, County of Wadena, Minnesota, that the following sums of money be levied for the current year, collectable in 2001, upon the taxable property in the City of Verndale, for the following purposes:

<table>
<thead>
<tr>
<th>Levy Purpose</th>
<th>Levy Before HACA</th>
<th>Levy HACA After</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>$113,318</td>
<td>$14,065</td>
</tr>
<tr>
<td>Road &amp; Bridge</td>
<td>$12,500</td>
<td></td>
</tr>
<tr>
<td>Fire</td>
<td>$1,200</td>
<td></td>
</tr>
<tr>
<td>Total Levy</td>
<td>$127,018</td>
<td></td>
</tr>
<tr>
<td>HACA</td>
<td>$14,065</td>
<td></td>
</tr>
</tbody>
</table>

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Wadena County, Minnesota.

Adopted by the City Council on the ___13th___ day of December _, 2000.

Roger Anderson
Mayor

Dawn Nelson
Clerk
RESOLUTION 01-0108A

RESOLUTION OPPOSING WINE SALES AT BUSINESS OUTLETS OTHER THAN MUNICIPAL LIQUOR STORE

A Resolution opposing the concept of allowing further proliferation of liquor sales from dispensaries other than duly authorized off-sale liquor stores.

WHEREAS the sale of 3.2 beer by convenience store, grocery stores, gas stations, and other associated retail outlets for off premise consumption is currently allowed under Minnesota law, and

WHEREAS the check out clerks at the aforementioned types of retail outlets are not generally fully trained to recognize fake identification or in other alcohol management techniques normally required for the employees of duly authorized off-sale liquor dispensaries, and

WHEREAS there is a proposal before the Minnesota Legislature that, if adopted and made law, would allow convenience store, grocery stores, gas stations and other similar retail outlets to sell wine including sweet “pop” wines, wine coolers and associated products for off premise consumption, and

WHEREAS the city of Verndale is endeavoring to curtain youth access to alcohol and tobacco products, and

WHEREAS the proliferation of the types of outlets where the sale of alcohol provides additional opportunities for youth to have access to alcohol, now, therefore, be it

RESOLVED by the City Council of the City of Verndale that they hereby oppose the concept of allowing the further proliferation of liquor sales from dispensaries other than duly authorized off-sale liquor stores.

I hereby certify that the above resolution was adopted by the Verndale City Council on the 1st of January, 2001.

Roger Anderson
Mayor

Dawn Nelson
Clerk
RESOLUTION ADOPTING AMENDMENT NUMBER ONE AND NUMBER TWO TO THE FLEX BENEFIT PLAN EFFECTIVE JANUARY 1, 2001.

RESOLVED, that Amendment Number One and Number Two to the Flex Benefit Plan effective January 1, 2001, presented to this meeting is hereby approved and adopted and that the proper officers of the Corporation are hereby authorized and directed to deliver to the Administrator of the Plan one or more counterparts of the amendment.

RESOLVED, that the proper officers of the Corporation shall act as soon as possible to notify employees of the Corporation of the adoption of this Amendment Number Two to the Flex Benefit Plan by delivering to each employee a copy of the summary description of the changes to the Plan in the form of the Summary Plan Description - Material Modification presented to this meeting, which form is hereby approved.

Amendment Number One in its entirety may be viewed in the City of Verndale official records in the City Clerk Office, City of Verndale, Minnesota.

Amendment Number Two in its entirety may be viewed in the City of Verndale official records in the City Clerk Office, City of Verndale, Minnesota.

I hereby certify that the above resolution was adopted by the Verndale City Council on the 1st of January, 2001.

Roger Anderson
Mayor

Dawn Nelson
Clerk
<table>
<thead>
<tr>
<th>DATE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>6/26/97</td>
<td>1997 Sewer &amp; Water Improvements Gen’l Obligation Temporary Construction Bond</td>
</tr>
<tr>
<td>1997</td>
<td>Calling for Public Hearing on modification of the Development Program for District No.1, TIF Plan for District No. 1-2</td>
</tr>
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</tr>
<tr>
<td>6/26/97</td>
<td>Issuance, sale and delivery of $200,000 G.O. SewerRevenue Bond</td>
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<tr>
<td>6/26/97</td>
<td>Empowerment Zone and Enterprise Community</td>
</tr>
<tr>
<td>6/26/97</td>
<td>Addition to Ordinance #50 - Recreational Fires</td>
</tr>
<tr>
<td>6/26/97</td>
<td>Addition to Ordinance #48 - Dogs running at Large</td>
</tr>
<tr>
<td>6/26/97</td>
<td>Development Program for Development District and TIF Plan for District No. 1</td>
</tr>
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</tr>
<tr>
<td>6/26/97</td>
<td>Insurance for Municipal Liquor Establishment</td>
</tr>
<tr>
<td>6/26/97</td>
<td>Local Option Sales Tax</td>
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<tr>
<td>6/26/97</td>
<td>Ordinance 5, Sect. 5 - Liquor Store Hours of Operation</td>
</tr>
<tr>
<td>6/26/97</td>
<td>Minnesota Power - street lights</td>
</tr>
<tr>
<td>6/26/97</td>
<td>Institutional Fee by LMC upon the LMCIT</td>
</tr>
<tr>
<td>6/26/97</td>
<td>Negligence and/or Misuse of Water Meters</td>
</tr>
<tr>
<td>6/26/97</td>
<td>Water Rates</td>
</tr>
<tr>
<td>6/26/97</td>
<td>Planting of Trees, Shrubs, Flowers Cemetery Lot Prices</td>
</tr>
</tbody>
</table>