

**CHAPTER 2
ADMINISTRATION AND GENERAL GOVERNMENT**

Section 2.00 **Municipal Primary Election.**

Subd. 1. **Establishment of Municipal Primary Election.** Pursuant to Minnesota Statutes, § 205.065, the City Council establishes that the City shall conduct a municipal primary election for the purpose of nominating elective City Councilmembers and Mayor. The municipal primary election shall be held on the second Tuesday of August of any year in which a municipal general election is also to be held for the purpose of electing City Councilmembers and Mayor. Provided, however, that a municipal primary election shall only be conducted when more than two candidates have timely paid the proper filing fee and timely filed an affidavit of candidacy for election to a City Councilmember or Mayoral seat to be filled in the forthcoming November municipal general election.

Subd. 2. **Secretary of State and Auditor Notification.** Within 30 days after the adoption of this ordinance, the City Clerk/Administrator shall notify the secretary of state and the county auditor of its adoption.

Subd. 3. **Candidates and Filing.** Any person who is eligible to be elected to the office of City Councilmember or Mayor may, no more than 84 days nor less than 70 days before the city primary election, file with the City Clerk/Administrator his or her affidavit of candidacy and pay the established filing fee. The City Clerk/Administrator shall place upon the primary ballot without partisan designation the names of individuals whose City Councilmember and Mayoral affidavits of candidacy have been timely filed and for whom the proper filing fee has been timely paid. When not more than two (2) candidates for a City Councilmember or Mayoral seat to be filled in the forthcoming November municipal general election timely file an affidavit of candidacy for the office and timely pay the proper filing fee, the names of the candidates who did timely file and pay shall not be placed upon the primary ballot, but their names shall be placed on the municipal general election ballot as the nominees for that office.

Subd. 4. **Results.** The municipal primary election shall be conducted and the returns made in the manner provided for the state primary as far as practicable. The City Council shall canvass the returns on the third day after the primary, and the two candidates for each office who receive the highest number of votes shall be the nominees for the office named. Their names shall be certified to the City Clerk/Administrator who shall

4/11/16 THIS PAGE REPLACES PAGE 2-2

place them on the municipal general election ballot without partisan designation and without payment of an additional fee.

Subd. 5. **Recount.** A losing candidate at the municipal primary may request a recount of the votes for that nomination subject to the requirements of Minnesota Statutes, § 204C.36.

Source: Ord. 743-2nd Series
Effective Date: 02/08/16

Section 2.01. **Appointive Bodies.**

Subd. 1. **Application.** The requirements set forth in this section apply to all departments, boards, commissions and appointive government bodies of or substantially related to the City of Alexandria, whether in existence now or hereafter established, except in cases where a specific law otherwise provides.

Subd. 2. **Residence.** Appointees may reside outside the corporate limits of the City of Alexandria provided the appointee has a substantial interest or qualification for the subject matter of appointment.

Subd. 3. **Qualification.** Appointees shall be at least 18 years of age and shall take an appropriate oath before assuming the activities of the appointment. If required by law or the council, the appointee shall be bonded before assuming the activities of the appointment.

Subd. 4. **Compensation.** Unless otherwise provided by the council or by law, all appointees shall serve without compensation.

Subd. 5. **Vacancy.** Any appointee who shall be absent for three successive regular meetings without leave of absence or excuse satisfactory to the council shall forfeit the appointment and the appointing authority shall fill the vacancy.

Subd. 6. **Appointee Holdover.** All appointees shall serve until their successors have been appointed and qualified.

Subd. 7. **Appointive Body Organization.** All appointive bodies except standing or special committees shall have at least one meeting during the month of January of every year after the second Monday in said month. At such first meeting the appointive body shall select a chairman or presiding officer from among its members to serve for the year. The appointive body may select such other officers from within or without the body as it deems necessary.

Subd. 8. **Quorum.** The appointive body may conduct business if a majority of the members are present.

Subd. 9. **Expenses.** Upon approval by the Council the necessary and reasonable expenses of the appointees and the appointive body shall be paid by the City of Alexandria.

Subd. 10. **Special Meetings.** Special meetings may be conducted if the members are notified by any reasonable means. Actions taken at special meetings may be set aside by the council if an appointee shall show upon oath that he did not receive notice of such special meeting and it shall appear to the council that the absence materially affected the outcome of some action taken at the meeting.

Subd. 11. **Action.** Unless otherwise provided by law or the council, a simple majority vote of members of the appointive body present shall determine the issue presented. Votes taken on all issues except selection of presiding officer and related matters, shall be stated publicly by each appointee.

Subd. 12. **Terms of Office.** The term of an appointee shall begin on the second Monday in January. The term of every appointee now holding or subsequently appointed to an office bearing a definite term shall expire on the second Monday in January.

Subd. 13. **Establishment.** Standing committees shall be established by a resolution of the Council which shall specify the number of committee members and the purpose of the committee. Standing committees shall continue until terminated by resolution of the Council, and members shall serve indefinitely at the pleasure of the Council. Special purpose committees shall be established by a resolution of the Council which shall specify the number of the committee members, purpose of the committee, and the term of the committee's existence. If no term is specified in the resolution, the committee shall have a term of six months and then terminate without further action. Members shall serve indefinitely at the pleasure of the Council. All other Departments, Boards or Committees shall be established by ordinance, charter or other law.

Section 2.02 **Planning Commission.**

Subd. 1. **Establishment.** There is hereby ratified and confirmed a Planning Commission to consist of seven (7) members who shall be appointed by the City Council for terms of three (3) years. The term of any council members shall correspond to their official terms. The City Attorney, City Engineer, City Building Inspector and City Planner shall be advisory members to the Planning Commission.

Subd. 2. **Duties.** The Planning Commission shall serve as an advisory body to the Council in matters of directing the future physical development of the City. The Planning Commission shall, upon request of the Council, make studies, investigations and recommendations to the Council regarding matters affecting zoning, platting and public improvements. The Planning Commission shall adopt a plan and map for future development and land use, and may, with the consent of the Council, prepare a Capital Improvements Program for the purpose of determining priorities and apportioning the costs of scheduled improvements.

Subd. 3. **Meetings.** The Planning Commission shall hold regular monthly meetings at a time and place established by it and approved by the Council, and such special meetings as necessary for the conduct of its business. Notice of special meetings, stating time, place and purpose, shall be given in writing five (5) days in advance, or waived in writing.

Subd. 4. **Minutes.** All minutes of its proceedings shall be forwarded to the Council as soon after each regular or special meeting as practicable. The minutes shall be accompanied by a separate memorandum supporting each decision relating to:

- (1) action on an application for a permit;
- (2) action on an application for a variance; and
- (3) action on an appeal from a determination of the Zoning Administrator.

Section 2.03. **Joint Airport Zoning Board.**

Subd. 1. **Establishment and Composition.** There is hereby ratified and confirmed a Joint Airport Zoning Board pursuant to Minn. Stat. Section 360.063, Subd. 3. The Board shall consist of five members as follows:

A member of the Council and one citizen member, both appointed by the Council; a member of the Board of County Commissioners of Douglas County and one citizen member, both appointed by the Board, and one citizen member, who shall serve for staggered two year terms. The Joint Airport Zoning Board shall have at least one meeting every year in January at a location designated by the Chairman. Vacancies shall be filled for the unexpired portion of the term by the appropriate appointing body. The City Clerk or such individual designated by the City Clerk shall act as secretary of the Joint Airport Zoning Board but shall not be a member.

Subd. 2. **Powers and Duties.** The Joint Airport Zoning Board shall have all powers and duties for airport zoning set forth in Minnesota Statutes Chapter 360 as now established or hereafter amended.

Subd. 3. **Administrative Agency.** If airport zoning regulations proposed by the Joint Airport Zoning Board designates an administrative agency of the City or County as the administrative agency to administer and enforce such regulations, such designation shall be submitted to the Council and the County Board for approval, which shall be granted by resolution adopted by each body.

Section 2.04. **Park and Recreation Board.**

Subd. 1. **Establishment and Composition.** There is hereby ratified and confirmed a Park and Recreation Board of the City of Alexandria which shall consist of six members appointed by the Council to serve staggered three year terms and one Council member appointed by the Mayor for the term of his elected office.

Subd. 2. **Duties.** The Park and Recreation Board's duties shall consist of advising the City Council on matters pertaining to the City Parks.

Source: Ord. 817-2nd Series
Effective Date: 2/10/2020

Section 2.05. **Health Board.**

Subd. 1. **Establishment and Composition.** There is hereby ratified and confirmed a Health Board which shall consist of three members appointed by the Council. At least one member of the Board shall be licensed and practicing physician. Each member shall serve for a term of one year.

Subd. 2. **Health Officer.** The Board shall select one of its members, who shall be a licensed and practicing physician, to be known as the Health Officer for the City of Alexandria.

Subd. 3. **Board of Health Duties.** It is the duty of the Board of Health to make such investigations and reports and obey such directions concerning communicable diseases as the Council or the State Board of Health may require or give, and cause all statutes, ordinances and all lawful rules and regulations concerning public health to be enforced and obeyed.

Subd. 4. **Obstructions.** It is unlawful for any person to oppose or obstruct a member of the Board of Health or any health officer or physician charged with the enforcement of health laws, in performing any legal duty, or obstruct or hinder the entry of such health officers upon premises or into buildings or other places where contagion, infection, filth, or other source or cause of preventable disease exists or is reasonably suspected to exist.

Subd. 5. **Health Officer Duties.** The Health Officer shall execute the lawful orders of the Council, the State Board of Health and the City Board of Health, and perform such other duties as are or may be prescribed by statute, or by regulation of the State Board of Health.

Section 2.06. **Board of Public Works.** The Board of Public Works shall be composed of 5 members, each serving for a three-year term. The terms shall be staggered so that two members are appointed every year except that one year a single member shall be appointed. The Board shall have all the duties, and possess all powers as set forth in the Home Rule Charter for the City of Alexandria.

Section 2.07. **Liquor Commission.** There is hereby ratified and confirmed a Liquor Commission of the City of Alexandria, which shall consist of three members appointed by the Mayor for a term of one year. The members shall be selected from the persons holding the offices of Council Member or Mayor.

Section 2.08. **Budget Committee.** There is hereby ratified and confirmed a Budget Committee of the City of Alexandria, which shall be composed of the Mayor, the City Administrator, and a member of the Council selected by the Council. The Council member shall serve for a term of two years. The Committee shall have all the duties, and possess all powers as set forth in the Home Rule Charter for the City of Alexandria.

Source: Ord. 763-2nd Series
Effective Date: 03/27/17

Section 2.09. **Police Commission.** There is hereby established for the City of Alexandria a Police Commission as set forth in Alexandria Home Rule Charter Section 6.03. The Police Commission shall function as determined by the City Council.

Source: Ord. 863-2nd Series
Effective Date: 01/24/2022

Section 2.10. **City Administrator.**

Subd. 1. **Charter Duties.** The duties of the City Administrator shall include the duties of the City Clerk and the City Treasurer as set forth in the Home Rule Charter of the City of Alexandria.

Subd. 2. **Other Duties.** In addition to the duties set forth in Subd. 1, the City Administrator's duties shall include the following:

A. Direct the administration of City affairs as provided by City Council action, state and federal statutes. Coordinate with the City Council in the administration of City affairs.

B. Prepare reports and summaries relating to contemplated City projects and/or improvements with recommendations to the City Council as may be required for study and subsequent action.

C. Prepare, in cooperation with the Budget Committee, an annual fiscal budget and capital improvement plan for submission to the City Council. Maintain financial guidelines for the City within the scope of the approved budget and capital program.

D. Prepare the annual financial statement and perform other duties as required by law.

E. Attend and participate in all City Council meetings. Attend, with discretion, or by invitation other committee and commission meetings.

F. Coordinate City programs and activities as authorized by the City Council.

G. Submit quarterly reports to the City Council of the financial condition of the City's accounts.

H. Supervise the conduct of local elections in accordance with the prescribed laws and regulations.

Source: Ord. 335-2nd Series
Effective Date: 12/28/92

I. Supervise the activities of all City department heads, and the administrative staff, and the administration of City policy, including the authority to hire and remove all City department heads (except those appointed by the Mayor).

Source: Ord. 354-2nd Series
Effective Date: 6/27/94

J. Work in cooperation with the City Council's appointed attorney and engineer.

K. Prepare news releases, develop and discuss public relations material as required. Maintain good public relations with the general public.

L. Consult with appointed officials and with other public or private agencies as may be required.

M. Be informed regarding federal, state and county programs which affect the municipality.

N. Negotiate or delegate the negotiations of the terms and conditions of employee labor contracts for consideration by the City Council.

O. Perform all duties required by ordinances or resolutions adopted by the City Council.

Subd. 3. **Qualifications.** Qualifications for the position of City Administrator shall include, but not be limited to:

A. Considerable knowledge of municipal government operation, proper procedures, public relations, finances, purchasing, and all administrative requirements for proper City operation.

B. Knowledge of or ability to acquire full knowledge of all laws affecting the City.

C. Ability to provide harmonious relations with City employees and the general public.

D. Ability to plan development, to collect and analyze material for consideration by the City Council, and to conduct and implement studies of procedures, operations and organization.

4/11/16 THIS PAGE REPLACES PAGE 2-10

Subd. 4. **Appointment.** The City Administrator shall be appointed by the City Council and may be removed only by a four-fifths (4/5) vote of the City Council.

Source: Ord. 335-2nd Series
Effective Date: 12/28/92

Subd. 5. **Deputies.** The City Administrator may appoint deputies, who may be removed by the City Administrator with or without notice to the City Council.

Source: Ord 354-2nd Series
Effective Date: 6/27/94

Section 2.11. **The Alexandria Runestone Area Community Center.**

Source: Ord. 335-22nd Series
Effective Date: 12/28/92

Subd. 1. **Composition.** The Commission shall consist of seven (7) members appointed by the Alexandria City Council.

Subd. 2. **Terms.** The terms of office for all commissioned members shall be for a three (3) year period, set appointments other than the initial appointments to be made at the first of the calendar year. The terms shall be staggered so no more than three members terms expire in the same calendar year. If a vacancy shall exist because of a commission member's resignation, a successor shall be named to complete the unexpired term by the Alexandria City Council.

Subd. 3. **Vacancies.** Any member who is absent from duly called and noticed commission meetings for three successive months without leave of absence granted by the Commission shall forfeit their membership, their office shall be declared vacant, and the vacancy shall be filled by the Council.

Subd. 4. **Organization.** The Commission shall immediately after the appointment of its members and at the first meeting of each calendar year, elect one of its members as president, vice-president and appoint a secretary.

Subd. 5. **Duties of Commission.**

- A. The Runestone Community Center Commission shall serve as an advisory body to the City Council in matters relating to the community center including, but not limited to, operations, services, programs, improvements, and capital

improvements.

- B. The Commission shall at least once annually and at other times when requested to do so by the Council render a full and complete report setting forth the condition of the Commission and its facilities, the improvements made and the cost of the same and a detailed reports of earnings and expenses for the preceding fiscal year.
- C. The Commission shall advise the Community Center Manager in matters related to the maintenance and operations of the facility.
- D. The Commission shall advise the Community Center Manager in matters relating to the regulation and control of the activities and uses of the community center for all purposes. This shall include the fixing of prices and rates for the use of Commission facilities, provided that the Commission shall not charge the City for such activities a higher rate than is charged to private parties. Rates charged by the Commission shall be uniform in all application to all cases.

Subd. 6. **Sale of Facilities.** The community center shall not be sold or otherwise disposed of by the City, unless the full terms of the proposition of said sale or other disposition thereof, together with the price to be paid therefore, shall have been embodied in an ordinance passed by a 2/3 vote of the City Council.

Source: Ord. 728-2nd Series
Effective Date: 07/13/15

Section 2.12. **Tree Board.**

Subd. 1. **Establishment.** There is hereby ratified and confirmed a Tree Board to consist of five (5) members who shall be appointed by the City Council for terms of two (2) years.

Subd. 2. **Duties.** The Tree Board shall serve as an advisory body to the Council in matters of writing and implementing the City's annual forestry work plan. The Tree Board shall, upon request of the Council, make studies and recommendations to the Council regarding policies for tree planting, maintenance and removals. The Tree Board shall establish and maintain a list of recommended street tree species to be planted with spacing and location requirements.

Subd. 3. **Meetings.** The Tree Board shall meet no less than four times annually at a time and place established by it.

Source: Ord. 351-2nd Series
Effective Date: 12/13/93

Section 2.13. **Economic Development Authority**

Subd. 1. **Establishment.** There is hereby confirmed an Alexandria Economic Development Authority consistent with and created by Resolution 89-16 and modified by Resolution 93-35 pursuant to Minnesota Statute Section 469.091.

Subd. 2. **Composition.** The Alexandria Economic Development Authority shall be a six member Commission including the Mayor and each City Council Member pursuant to Minnesota Statute Section 469.095, Subds. 2(d) and 2(e). Each member shall serve for the term of the elected office.

Subd. 3 **Duties.** The Alexandria Economic Development Authority shall have all the rights, powers, duties, obligation and limitation as amended.

Source: Ord. 391, 2nd Series
Effective Date: 12/23/96

Section 2.14. **Economic Development Board.**

That Section 2.14 of the Alexandria City Code is hereby rescinded.

Source: Ord. 758-2nd Series
Effective Date: 02/23/17

Section 2.15. **Police Advisory Commission.**

That Section 2.15 of Alexandria City Code is hereby rescinded.

Source: Ord. 665-2nd Series
Effective Date: 12/13/10

Section 2.16. **Disability Advisory Commission.**

Subd. 1. **Establishment.** There is hereby ratified and confirmed a Disability Advisory Commission consisting of at least five (5) members who shall be appointed by the City Council for terms of two (2) years. The Building Administrator shall serve as an ex-officio member of the Commission.

Subd. 2. **Duties.** The Disability Advisory Commission shall serve as advisory to the City Council in matters related to facilities, services, programs, or regulations affecting handicapped or physically disabled individuals.

Source: Ord. 551-2nd Series
Effective Date: 3/14/05

Section 2.17. **Cultural Inclusiveness Committee.**

Subd. 1. **Establishment.** There is hereby ratified and confirmed a Cultural Inclusiveness Committee consisting of five (5) to seven (7) members who shall be appointed by the City Council for terms of two (2) years. The Personnel Director shall serve as City staff liaison for the Committee.

Subd. 2. **Duties.** The Cultural Inclusiveness Committee shall serve as an advisory body to the City Council in matters intended to develop and implement inclusive policies, programs and practices to foster a community which is welcoming, vibrant and inclusive of diversity. It shall also advise the City Council on services and programs that may be of special concern to the City's growing and diverse populations within the City.

Source: Ord. 654-2nd Series
Effective Date: 1/11/2010

Section 2.18. **Storm Water Utility Committee.**

Subd. 1. **Establishment.** There is hereby ratified and confirmed a Storm Water Utility Committee consisting of five (5) to seven (7) members who shall be appointed by the City Council for staggered terms of two (2) years. The Street Commissioner shall serve as City staff liaison for the Committee.

Subd. 2. **Duties.** The Storm Water Utility Committee shall serve as an advisory body to the City Council in matters relating to the Storm Water Utility Program and the surface water management program including, but not limited to storm sewers, surface drainage, wetlands, on-site drainage, lake water control and quality, related capital improvements and various financing or funding options. It shall advise the City Council on services, programs and improvements related to the City's storm and surface water management program.

Source: Ord. 533-2nd Series
Effective Date: 4/12/04

Section 2.19. **Arts Advisory Committee.**

Subd. 1. **Establishment.** There is hereby ratified and confirmed an Arts Advisory Committee consisting of five (5) to seven (7) members who shall be appointed by the City Council for terms of two (2) years.

Subd. 2. **Duties.** The Arts Advisory Committee shall serve as an advisory body to the City Council in matters related to promoting the creation, understanding, appreciation and

awareness of the arts in the City, and to act as a facilitator and/or advocate for the public arts by exploring ways in which the arts can enhance the quality of life in the City and foster community economic and social growth.

Source: Ord. 661-2nd Series
Effective Date: 9/27/2010

Section 2.20. **Legislative Committee.**

Subd. 1. **Establishment.** There is hereby ratified and confirmed that a Legislative Committee is established consisting of at least three members including two City Council Members and the City Attorney as appointed by the Alexandria City Council for a term of one year. The City Administrator and/or the Assistant City Administrator shall serve as Ex-Officio Members of the Committee.

Subd. 2. **Duties.** The Legislative Committee shall serve advisory to the City Council in matters related to proposed legislation at the federal, state, county, and local levels affecting the City of Alexandria. The Committee shall review and recommend changes to the Alexandria City Code except matters relating to planning, zoning and subdivision regulations shall be referred to the Alexandria Planning Commission as required by Minnesota Law.

Source: Ord. 683-2nd Series
Effective Date: 02/28/13

Section 2.21. **Personnel Committee.**

Subd. 1. **Establishment.** There is hereby ratified and confirmed that a Personnel Committee is established consisting of four (4) members including the Mayor, one City Council Member, the Personnel Director, and the City Administrator or his/her designee.

Subd. 2. **Duties.** The Personnel Committee shall make recommendations to the City Council and City Administrator in matters related to personnel issues affecting the City of Alexandria.

Source: Ord. 699-2nd Series
Effective Date: 04/14/14

(Sections 2.22 - 2.29 reserved for expansion.)

Section 2.30. **Council reorganization.** At its first regular meeting in January following a regular city election the Council shall, in the order herein stated and prior to commencing its regular order of business, reorganize by (1) having all new

officers and officials take and subscribe their oath of office, unless the oath was previously administered; (2) seat all new members of the Council; (3) select a Mayor pro tem; and (4) perform such other organizational acts or functions as may be permitted or required.

Section 2.31. **Council Procedure at Meetings.** The City Clerk shall, at least three days prior to each regular meeting, prepare the following items:

- (1) an agenda for the forthcoming meeting;
- (2) a copy of all minutes to be considered.

The City Clerk shall, at least three days prior to the first regular meeting each month, prepare the following items:

(1) a statement showing the condition of each fund as of the close of business of the preceding month;

(2) a compiled list of all claimants who have filed verified accounts claiming payment for goods or services rendered the City during the preceding month, such list to be called the "Claim Report" and bearing headings "Claimant," "Purpose," and "Amount."

The City Clerk shall forthwith cause to be mailed to the Mayor and each Council Member copies of all said documents. Roberts' Rules of Order (Revised) shall govern all Council meetings as to procedural matters not set forth in the Charter or City Code.

Section 2.32. **City Attorney.** The Council shall appoint a City Attorney, together with such assistants as may be necessary, who shall serve at the pleasure of the Council. The City Attorney shall perform such duties as are required by law or as referred by the Council or its agent. It shall be the official duty of the City Attorney to act as "Revisor of Ordinances."

Section 2.33. **City Engineer.** The Council may appoint a City Engineer to serve at the pleasure of the Council, and delegate to the City Engineer such duties as they deem proper.

Section 2.34. **City Seal.** All contracts to which the City is a party, in addition to being signed by the Mayor and City Clerk, shall be sealed with the City's seal. Said seal shall be kept in the custody of the City Clerk and affixed by the City Clerk. The official City seal shall be circular in form, have engraved

thereupon "The City of Alexandria" and such other words, figures or emblems as the Council may, by resolution, designate.

Source: Ord. 335-2nd Series
Effective Date: 12/28/92

Section 2.35. **Ward Boundaries.** The Wards shall be limited and bounded as hereinafter set forth:

Subd. 1. **Ward No. 1.** Ward No. 1, shall be that part of the land of the City of Alexandria lying north of First Avenue and west of State Highway 29 and west of CSAH42/North Nokomis and north of the south line of Section 8 (T128, R37) and west of Deerwood Drive and south of Scenic Heights Road and west of East Golf Course Road and north and west of Scenic Drive and Skyline Drive and west of Government Point Road and north of Van Avenue and also that part lying northeast of the southwest shore of Lake Agnes and north and east of Agnes Boulevard and north of Curt Felt Drive and north of the N4 Section line of Section 13 Township 128, Range 38."

Subd. 2. **Ward No. 2.** Ward 2 shall be that part of the land of the City of Alexandria lying north of CSAH 82 and east of CSAH 46/McKay Avenue and north of the CP Rail and north of Third Avenue and east of State Highway 29 and east of CSAH 42/North Nokomis and south of the north line of Section 17 (T128 R37) and east of Deerwood Drive and north of Scenic Heights Road, and east of East Golf Course Road and south and east of Scenic Drive and Skyline Drive and east of Government Point Road and south of Van Avenue and east and north of the east end of Van Avenue.

Subd. 3. **Ward No. 3.** Ward 3 shall be that part of the land of the City of Alexandria lying east and south of the CP rail and west of CSAH 46/McKay Avenue and south of CSAH 82.

Subd. 4. **Ward No. 4.** Ward 4 is that part of the land of the City of Alexandria lying east of State Highway 29 and east of North Broadway/Agnes Boulevard and south of Lake Agnes and south of the south line of First Avenue and west of State Highway 29/North Nokomis and south of Third Avenue and west of the CP rail.

Subd. 5. **Ward No. 5, Precinct 1.** Ward 5 is that part of the City of Alexandria lying west of State Highway 29 and west of North Broadway/Agnes Boulevard and southwest of Agnes Boulevard and south of Curt Felt Drive and south of the N4 Section line of Section 13 Township 128, Range 38."

Source: Ord. 865-2nd Series
Effective Date: 3/14/2022

Section 2.36. **Right to Administrative Appeal.** If any person shall be aggrieved by any administrative decision of the City, or any Board or Commission not having within its structure an appellate procedure, such aggrieved person is entitled to a full hearing before the Council upon serving a written request therefor upon the Mayor and City Clerk at least five days prior to any regular Council meeting. Such request shall contain a general statement setting forth the administrative decision to be challenged by the appellant. At such hearing the appellant may present any evidence he or she deems pertinent to the appeal, but the City shall not be required to keep a verbatim record of the proceedings. The Mayor, or other officer presiding at the hearing may, in the interest of justice or to comply with time requirements and on the Mayor's own motion or the motion of the appellant, the City Clerk, or a member of the Council, adjourn the hearing to a more convenient time or place, but such time or place shall be fixed and determined before adjournment so as to avoid the necessity for formal notice of re-convening.

Section 2.37. **Rules of Procedure for Appeals and Other Hearings.** The Council may adopt by resolution certain written rules of procedure to be followed in all administrative appeals and other hearings to be held before the Council or other bodies authorized to hold hearings and determine questions therein presented. Such rules of procedure shall be effective thirty days after adoption and shall be for the purpose of establishing and maintaining order and decorum in the proceedings.

Section 2.38. **Facsimile Signatures.** The Mayor and City Clerk are hereby authorized to request a depository of City funds to honor an order for payment when such instrument bears a facsimile of his or her signature, and to charge the same to the account designated thereon or upon which it is drawn, as effectively as though it were his or her manually written signature. Such authority is granted only for the purpose of permitting such officers an economy of time and effort.

Section 2.39. **Uniform Purchasing Procedures.** It is unlawful for any agent or employee of the City to order the purchase of any supplies or materials or contract for any services except upon forms and according to procedures duly adopted therefor. All purchase orders shall be approved by the head of the department for which the purchase is being made and shall be presented by the department head to the City Clerk for the City Clerk's approval.

Source: Ord. 335-2nd Series
Effective Date: 12/28/92

Section 2.40. **Salary of the Mayor and Council Members.** Salaries of the Mayor and City Council Members, effective January 1, 2021, and January 1, 2022, are hereby fixed as follows, which amounts are deemed reasonable.

Subd. 1. That the compensation to be payable to the duly elected Mayor for the City of Alexandria shall be the sum of \$9,890.00 for 2021, and \$10,038.00 for 2022, which shall be payable in equal quarterly installments.

Subd. 2. The compensation payable to the duly elected members of the City Council of the City of Alexandria shall be \$7,623.00 for 2021, and \$7,737.00 for 2022, which shall be payable quarterly.

Subd. 3. The compensation to be payable to the duly elected Mayor and duly elected members of the City Council of the City of Alexandria shall be \$50 for each duly called special City Council meeting or emergency City Council meeting attended, and such special and emergency meeting compensation shall be included in each officials' quarterly installment payments as provided in Subdivision 2.

Subd. 4. Payment of the salaries provided for in this Ordinance shall become effective January 1, 2021 and January 1, 2022.

Source: Ord. 836-2nd Series
Effective Date: 10/26/2020

Section 2.41 **Disposition of Unclaimed Property.**

Subd. 1. **Motor Vehicles.** Any motor vehicle, impounded or otherwise lawfully coming into the possession of the City and remaining unclaimed by the owner, shall be stored indoors or outdoors, depending upon the availability of such storage, and in the discretion of the City. Notice shall be mailed to the registered owner, if any, as shown by the records of the State Registrar of Motor Vehicles, stating that the City has possession of such motor vehicle and intends to dispose of same. Notice of sale shall then be given by publication in the official newspaper at least ten (10) days prior to the date of sale, and shall state the time and place of the sale, and description of the property to be sold, provided that no such sale shall be conducted until such motor vehicle has been in the possession of the City for a period of not less than thirty days after the mailing of notice to the registered owner, if any, as provided herein. Notice of sale shall generally describe the motor vehicle or vehicles proposed to be sold at such sale, and sale shall be to the highest bidder and by public auction.

Subd. 2. **All Property Other than Motor Vehicles.** Any property lawfully coming into the possession of the City in the course of its municipal operations and remaining unclaimed by the owner for a period of at least sixty days shall be sold at private sale, or at public auction, to the highest bidders; provided, however, that notice of such sale shall be published at least once in the official newspaper not less than ten days before sale. The city shall have the right to bid and purchase.

Subd. 3. **Sale Proceeds.** The proceeds from such sale shall be placed in the general fund and a record shall be kept of the items sold, the amount received therefor, and the person to whom sold. The former owner, upon application and satisfactory proof of ownership within six months after the sale, shall have the right to payment of the sale price of their property; provided, however, that in the case of motor vehicles, such owner shall be entitled only to the net proceeds after deducting from the sale price all costs of handling, storage and sale of such motor vehicle. If no claim is made or former ownership established within six months after the sale, the proceeds shall be and remain the absolute property of the City and become a part of the general fund.

(Sections 2.42 through 2.69, inclusive, reserved for future expansion)

Section 2.70 **Refuse Collection and Disposal.**

Subd. 1. **License Required.** Any person, firm, or corporation desiring to conduct the business of collecting garbage, rubbish, recyclables, or solid waste in the City of Alexandria shall first obtain a license to do so.

Subd. 2. **Policy.** It is the policy of the City of Alexandria to provide its residents with a safe, reliable, and ecologically sound method of Solid Waste disposal at a reasonable cost.

Subd. 3. **Definitions.** For the purposes of this Ordinance, the following words and phrases have the meanings given them in this section.

A. Bulky Waste means a large appliance, piece of furniture, or waste material from a source other than construction debris or hazardous waste with a weight or volume greater than appropriate or allowed for in waste containers. Bulky waste does not include tires, batteries, waste oil, or yard waste.

B. City means the City of Alexandria, Minnesota.

C. Commercial means any business, service establishment, office, wholesale business, and related warehouses and storage and apartment buildings.

D. Construction Debris means waste building materials resulting from construction, remodeling, repair, or demolition operations.

E. Garbage means organic waste resulting from the preparation of food and decayed and spoiled food from any source.

F. Hazardous Waste means waste designated as hazardous by the United States Environmental Protection Agency or appropriate state agency.

G. Industrial means any business involved in manufacturing, assembling, packaging, fabricating, or processing.

H. Recyclables are recyclable materials including aluminum cans, brown paper sacks, unbroken glass bottles and jars, newspapers, plastic bottles and jugs (No. 1 PET or No. 2 HDPE), and tin cans. Recyclables shall also include specifically defined items which may from time to time be designated by resolution of the City Council.

I. Refuse includes garbage and rubbish.

J. Recycling Center is a facility for depositing recyclable materials that complies with Douglas County's approved Waste Management Plan.

K. Residential means all single family and two-family dwellings or buildings used for and as residences or dwelling places on a permanent or seasonal basis.

L. Multiple Residence means each building or structure which contains more than two dwelling units with a kitchen facility.

M. Solid Waste is discarded waste materials in a solid or semi-liquid state including, but not limited to, recyclables, garbage, rubbish, tires, batteries, yard wastes, bulky wastes, waste oil, and construction debris.

N. Transfer Station is an approved waste disposal facility that complies with Douglas County's approved Waste Management Plan.

O. Yard Waste includes organic plant materials collected from yards or gardens including leaves, grass clippings, vines, and stalks.

Subd. 4. **Unauthorized Accumulation or Disposal.** Any unauthorized accumulation of refuse on any premises is a nuisance and prohibited. No person shall dump or place solid waste in or by the garbage can, dumpster or other waste container of another without the permission of the owner, tenant or person who has control over the container.

Subd. 5. **Refuse in Streets, etc.** No person shall place or deposit any refuse in any street, alley, or public place or upon any private property except in proper containers for collection. No person shall throw or deposit refuse in any stream or other body of water.

Subd. 6. **Scattering of Refuse.** No person shall deposit refuse anywhere within the City in such manner that it may be carried or deposited by the elements upon any public or private premises within the city.

Subd. 7. **Burying the Refuse; Composting.** No person shall bury any refuse in the City, however leaves and grass clippings may be composted on the premises where accumulated.

Subd. 8. **Disposal Contract Required.** Every commercial property owner or occupant, and every residential householder or owner of any multiple residence shall contract with a garbage and refuse collection service licensed by the City for the disposal of refuse. All refuse accumulated or generated within the City shall be collected, conveyed and disposed of only by a licensed collector, provided however, that such householder, occupant or owner may:

A. contract with a transfer station facility licensed by the Minnesota Pollution Control Agency for the disposal of rubbish so long as the rubbish is conveyed in a vehicle or trailer that is sealed and covered to prevent leakage, spilling, blowing or falling of the rubbish from such vehicle or trailer; or

B. provide for an environmentally sound alternative method for solid waste disposal, subject to approval by the City of Alexandria and the Minnesota Pollution Control Agency.

Subd. 9. **Collection Frequency.** Solid waste and refuse collection licensees of the City shall insure that refuse is collected from residences at least once each week throughout the year. Refuse shall be collected from commercial businesses at least once each week and more often if necessary in order to avoid any undue accumulations.

Subd. 10. **Containers.**

A. Every householder, occupant, or owner of any residence or multiple residence and any restaurant, industrial establishment, or commercial establishment shall provide on the premises one or more containers to receive and contain all refuse which may accumulate between collections. All normal accumulations of refuse shall be deposited in such containers. Leaves, trimmings from shrubs, grass clippings, shavings, excelsior, and other rubbish of similar volume and weight may be stored in closed containers not meeting the requirements of Subdivision 8.b.

B. Container Requirements. Each container shall be water-tight, shall be impervious to insects and rodents, and shall not exceed 90 gallons in capacity, except that any commercial or business establishment having refuse volume exceeding two cubic yards per week shall provide bulk or box-type refuse storage containers of a type acceptable to their licensed collector. Containers shall be maintained in good and sanitary condition. Any container not conforming to the requirements of this section or having ragged or sharp edges or any other defect likely to hamper or injure the person collecting the contents shall be promptly replaced after notice by the city.

C. Placement. Where an alley open to traffic is available, each container for premises abutting the alley shall be placed at the rear of the property within three (3) feet of the alley. Where no alley exists, the container shall be placed on the curb for collection within three (3) feet of the street.

Waste and recycling containers serving residential properties and placed on the curb (or street) for collection shall be removed from the right-of-way within 24 hours after collection. Such waste and recycling containers may be placed on the back curb (or street) not more than 24 hours prior to the next scheduled collection. Containers placed contrary to the provisions of this ordinance will be deemed a nuisance subject to City Code Section 9.55.

Source: Ord. 744-2nd Series
Effective Date: 03/14/16

D. Use of Containers. Refuse shall be drained of liquid and household garbage shall be wrapped before being deposited in a container. Brush or tree limbs shall not exceed two (2) inches in diameter or three (3) feet in length, and shall be tied or bundled. The licensed collector shall not be required to collect more than 60 gallons of refuse per week from each residential user.

E. Unacceptable Refuse. The following types of refuse shall not be placed in containers, but shall be the separate responsibility of the owner or occupant of the premises to promptly dispose of at a licensed sanitary landfill or other licensed refuse facility:

- Hazardous waste as defined by Federal and State Laws and Regulations
- Explosive waste
- Liquid waste of any type in large quantities
- Radioactive waste
- Steel banding
- Animal remains
- Paint, solvents, gasoline and inflammable liquids
- Used auto oil
- Propane Tanks
- Aerosol cans, unless generated through normal household use
- Waste which is infectious, hazardous, inflammable or toxic; human remains
- Tires
- Large car parts, including gasoline tanks, hardened steel, shafts, engine blocks and steel wheels
- Large metal items
- Steel fence materials
- Large wood items
- Demolition or building waste
- Pesticides, insecticides, chemicals, or other toxic materials (when not normally in residential or commercial waste)
- Soil and sod
- Brush, trees or limbs exceeding two (2) inches in diameter or three (3) feet in length

Subd. 11. **Recyclables.** This subdivision is reserved for future provisions relating to the collection and disposal of recyclables.

Subd. 12. **License Applications.**

A. Application. Any person desiring a license shall make application to the City Administrator on a form prescribed. The application shall set forth (1) the name and address of the applicant; (2) a description of each piece of equipment proposed to be used in the collection; (3) the proposed charges to be made of those who use the service; (4) a description of the kind of service proposed to be rendered; (5) the place to which the refuse is to be hauled; and (6) the manner in which the refuse is to be disposed.

B. Insurance. The licensee shall provide a policy of insurance insuring the licensee against loss by reason of liability imposed for bodily injury, and/or death of any person or persons in the sum of at least Three Hundred Thousand Dollars (\$300,000) and in the sum of at least Fifty Thousand Dollars (\$50,000) against liability imposed by law on account of damage to or destruction of property. A certificate of coverage shall be furnished to the City and all such insurance contracts shall provide that the policies may not be canceled by the insurer except by written notice to the City Administrator of the City of Alexandria.

C. Each licensee shall furnish a surety bond which shall be in the sum of \$10,000. Said bond shall be with an acceptable surety company conditioned for the full and faithful performance of the service specified in the licenses and indemnifying the City of Alexandria against all loss by reason of any claims, defects, objections, liens, encumbrances, damages, negligence, or costs of suit arising from non-fulfillment of any of the provisions of the license.

D. Each licensee shall be the fee owner, lessee of, or have firm contractual commitments with the owner of a tract of land suitable for disposal of garbage which is approved by the Minnesota Pollution Control Agency for garbage disposal, or have contractual commitment from an approved disposal system, each of whom shall have obtained all necessary licenses and permits for the use of said land or operation of said disposal facility.

E. Each licensee shall provide suitable vehicles for garbage and rubbish hauling, so constructed that the contents will not leak or spill therefrom, in which all refuse collection shall be conveyed to the place designated in the licensee's contract. All vehicles shall be clearly identified to reveal the name of the licensee operating the vehicle. The vehicles used shall be kept as clean as possible and free from offensive odors and shall not be allowed to stand in any street, alley or public place longer than is reasonably necessary.

Subd. 13. Number of Licenses and Charges for Solid Waste Collection Services.

A. Residential - Single Family: There shall be issued one license for collection of refuse from residences by the City of Alexandria for each year. As a condition of the issuance of the license, the licensee shall, effective July 1, 1992, provide for a volume based fee schedule for the service provided for each single family unit, which must be based upon the weight or volume of garbage and rubbish to be collected, and which shall include:

1. a base monthly fee for certain defined minimum services of weekly pick up; and

2. a method for charging each single family residence an additional fee for volumes of refuse exceeding the minimum monthly fee.

The licensee may not impose a greater charge for customers who recycle than for those who do not recycle.

B. Residential - Multiple: There may be issued a number of licenses for the collection of refuse from multiple residences. Each multiple residence license holder shall provide for a volume based fee schedule for the service provided to each multiple residence property which shall include:

1. a base monthly fee for certain defined minimum services of weekly pick up; and

2. a method for charging each multiple family residence an additional fee for volumes of refuse exceeding the minimum monthly fee.

C. Commercial: There may be issued a number of licenses for the collection of refuse from commercial (including tax exempt facilities) and industrial sites. Each licensee shall provide for a fee schedule for the services to be provided for each commercial or industrial property.

Subd. 14. Annual Renewal of Licenses. Each license granted hereunder shall be an annual license and the licensee, not less than 90 days before the expiration of each annual license, shall re-apply and disclose the monthly rates proposed to be charged to its customers for:

A. Residential:

- 1) Single family
- 2) Multiple residence

B. Commercial and Industrial

Subd. 15. **Duties and Obligation of Licensed Collectors.**

A licensed collector of garbage, rubbish, recyclables, or solid waste operating in the City of Alexandria must comply with the following operational requirements:

A. Comply with all federal, state, county, and local laws and regulations;

B. Collect at least once weekly the refuse and garbage from all its residential and commercial customers.

C. Repealed by Alexandria City Ordinance No. 340, 2nd Series, 3/8/93.

D. Collect twice each month, from May 1 to November 1, the yard waste set out for collection by its customers.

E. Collect all residential solid waste made available to them, by their customers, at the curbside or in the alley behind the residences if such alley is available.

F. Collect and transport bulky wastes and coordinate such special pickups with the customer.

G. Keep all equipment used in the performance of this contract in a clean and sanitary condition.

H. Use an enclosed truck or trailer for solid waste collection.

I. Dispose of garbage and rubbish at the transfer station and transport recyclable materials to a recycling center.

J. Solid waste collectors shall not landfill or incinerate any recyclable material or deliver such materials to any person or business for the purposes of landfilling or incinerating said material.

K. A licensed collector shall comply with all environmental, hazardous waste, and waste disposal laws of the local, state, and federal governments and shall hold the City harmless from any and all claims and actions arising out of the violation of any of those rules and regulations and from any costs involved in the defense of any civil or criminal claims.

L. Notify each customer in writing at least once per year of the proper placement of refuse, recyclables, and yard waste for collection.

M. Notify customers in writing of any rate changes.

N. Submit an annual report to the City that identifies separately the weight, in tons, of refuse, recyclables, yard waste, and special pick-up materials that were collected by the licensee from Alexandria sources. The report shall also identify the weight of each type of collected recyclable derived via actual weighing of each individual material or through the application of recyclable waste stream percentages acceptable to Douglas County. The report shall distinguish residential collection tonnage from commercial/industrial tonnage and shall also include a brief description of the methodology used in computing the reported weights. The City reserves the right to request additional relevant information from the licensee as deemed necessary in order to plan for and evaluate its waste disposal system.

O. Report its fee schedule to the City annually in January and at any time there is a rate change.

Subd. 16. **Dates and Times of Solid Waste Recyclable Collection.** All solid waste, and recyclables shall be set at curbside or other location agreed to between the customer and the solid waste collector on the times and dates agreed to between the customer and solid waste collector. All reusable containers must be removed from the curbside as soon as possible after pick up.

Subd. 17. **Regulatory Compliance.** Each licensee to whom a license shall be issued in the City of Alexandria must, as a condition of the license, secure and meet the requirements of the Minnesota Pollution Control Agency and the regulations issued thereby for the collection and disposal of waste or rubbish.

Subd. 18. **License Fees.** The license fee for refuse collection shall be set by ordinance of the City Council.

Source: Ord. 594-2nd Series
Effective Date: 1/22/07

Subd. 19. **Penalty.** Any person, firm, or corporation violating any of the provisions of Section 2.70 relating to refuse collection and disposal, shall upon conviction thereof, be deemed guilty of a misdemeanor and punished by a maximum fine of \$700, or by maximum imprisonment of 90 days in jail, or both. The City shall also be entitled to seek a civil injunction against such person, firm or corporation.

Subd. 20. **Administration.** The City Council may by resolution make such rules as may be necessary and proper to regulate, enforce and carry out the provisions of this Section.

Subd. 21. **Required Destination of Solid Waste and Recyclables.**

A. All garbage and rubbish collected and picked up within the City of Alexandria shall be hauled and transported to the Transfer Station or the Douglas-Pope Solid Waste Incinerator.

B. All recyclables collected and picked up in the City of Alexandria shall be transported to a Recycling Center. Recyclables shall not be landfilled or incinerated or given to another person for the purpose of landfilling or incinerating.

C. Only yard waste may be taken to the compost site as designated from time to time by action of the Douglas County Board of Commissioners or the City. No plastic base or other containers shall be deposited at the compost site and no other solid waste shall be dumped or disposed of at said site. In addition, the City may establish special collection dates for the collection of leaves and brush in the spring and fall of the year.

D. All other solid waste such as bulky waste, construction debris, batteries, tires, and waste oil shall be disposed of by the contractor or individuals in deposit sites approved by the City of Alexandria, Douglas County, the State of Minnesota and/or the Federal Government. Hazardous wastes shall also be properly disposed of in accordance with all applicable laws.

Subd. 22. **Penalties for Violation of Ordinance.**

A. Any violation of the provisions of this Ordinance shall constitute a misdemeanor.

B. Each day on which such violation continues shall constitute a separate offense.

Subd. 23. **Provisions Severable.** The provisions, sections, and subdivisions of this Ordinance are severable, and in the event that the court shall find any section or part thereof to be invalid for any reason, such finding shall not affect any other section or part thereof.

Subd. 24. **Effective Date.** This Ordinance shall become effective on December 1, 1992.

Section 2.72. **Procedures for Administration and Enforcement of the Municipal Water Service.**

Subd. 1. **Definitions.**

A. The term "water service line" means the water line beginning at a water main and extending to the edge of the street or edge of the user's property line including therein the curb stop valve.

B. The term "owner or occupant" as used in the Ordinance shall include agents and employees of either.

C. The term "Utility" shall mean the Board of Public Works of the City of Alexandria, Minnesota, or its lawful successor.

Subd. 2. **Utility Operations.** For the purpose of providing municipal water service as contemplated by the Alexandria Home Rule Charter:

A. The Utility may require any person, corporation or firm owning or occupying structures connected to the municipal water system to use a water meter approved and maintained by the Utility at all connection points. All water meters supplied by the Utility after the effective date of this Ordinance shall be deemed property of the City of Alexandria.

B. The Utility may use any reasonable system of charges for providing municipal water service including, but not limited to, charges for:

1. Quantity of water used;
2. Installation of new water service lines and new water meters;
3. Maintenance of existing water mains, water service lines and water meters;
4. Reinstatement of water service.

C. The Utility may, in the course of maintenance of water meters, remove existing meters and replace them with other serviceable meters.

D. The Utility may install water service lines at the time of construction of new water mains or prior to construction of bituminous road surfaces. In the course of installation of water service lines, the Utility shall have exclusive responsibility for tapping water mains and installing the water service lines. Water service lines installed by the Utility after the effective date of this Ordinance shall be deemed property of the City of Alexandria.

E. The Utility shall have the full responsibility for maintenance of water mains, water services lines and water meters; the Alexandria Street Commissioner shall, on request of the Utility, supply street repair materials and services at cost where necessary following water system maintenance.

Source: Ord. 335-2nd Series
Effective Date: 12/28/92

F. New Water Main Systems. Developers may install water main systems in new developments to be owned and maintained by Alexandria Light and Power subject to but not limited to the following conditions:

1. Specifications. The system is subject to City specifications for such things as:

a. Adequate provision for fire protection.

b. Size of mains and services.

c. Installation of stubs and curb stops to all platted lots.

d. Adequate quality of materials and workmanship.

e. Pressure and sanitary testing.

f. Use of locating tracer wire.

g. Other requirements.

2. Plan Approval. The plan for the developer built system must be approved by the City of Alexandria.

3. Inspection. The project must be inspected by an independent professional engineer or firm with final inspection by the City.

Source: Ord. 465-2nd Series
Effective Date: 6/25/01

Subd. 3. **Municipal Water Use and Connection.**

A. Definitions:

1. Domestic Use. Means water used for drinking or potable water, and non-potable water for irrigation purposes, but shall not include water from wells drilled for de-watering, ground water monitoring, heating or cooling, construction borings or environmental bore holes.

2. Irrigate. Means to supply land with water by artificial means as by diverting streams, flooding, or spraying.

3. Private Wells for Domestic Use. Means any well not owned by the City of Alexandria, which is drilled for potable water, and non-potable water for irrigation purposes including sand point wells. Private wells for domestic use shall not include wells drilled for de-watering, ground water monitoring, heating or cooling, elevator borings or environmental bore holes.

4. Sandpoint Well. Means a shallow well that is a 1¼" to 2" steel casing constructed by driving or pounding a casing down into the ground until an aquifer is encountered.

5. Private Wells for Industrial Use. Means any well not owned by the City of Alexandria, which is drilled for industrial operations or purposes. Private wells for industrial use shall not include wells drilled for de-watering, ground water monitoring, heating or cooling, construction borings or environmental bore holes.

B. New Private Wells for Domestic or Industrial Use. The drilling of any new private well for domestic or industrial use including wells used solely to irrigate, on a property to which municipal water service is available is prohibited.

Private wells for domestic or industrial use in existence on the effective date of this subdivision may be repaired but cannot be replaced, except as subject to Section 2.72, Subd. 3B

C. Exception to Prohibition on Private Wells for Domestic or Industrial Use. The owner of any property to which municipal water service is available may apply for an exemption to this prohibition. Any such application shall first be submitted to the City's Board of Public Works, which shall consider the application and then recommend to the City Council whether the exemption should be granted. Eligibility for the exemption shall be based upon the consideration of the following factors:

1. Availability of water service stub

2. Proof that municipal water service is detrimental to property or operations
3. Relationship of the exemption to the Wellhead Protection Plan

D. Penalty. A violation of this section is a misdemeanor, and each day in violation shall be considered a separate violation. Provided, however, that the City may also pursue injunctive and other equitable relief against any person who violates this section.

Source: Ord. 772-2nd Series
Effective Date: 08/28/17

Subd. 4. **Unlawful Acts.** No person, corporation or firm shall, unless authorized in writing by the Utility, connect, disconnect, remove, repair or otherwise disturb any water meter, water service line, curb stop valve or fire hydrant. The occupant and the owner of any structure where water meters are located shall keep the area adjacent to the water meter free of obstruction and conveniently accessible at all times for purposes of reading, inspecting or repairing the water meter. The occupants, owner or employees of the owner of any structure connected to the municipal water system shall forthwith upon notice given by the Utility replace any leaky water line leading to a water meter.

Subd. 5. **Enforcement.** The Utility may enforce this section by any reasonable means including, but not limited to, the discontinuance of water service.

Section 2.72.1 **Non-Essential Water Usage Upon Critical Water Deficiency**

Subd. 1. **Purpose.**

This ordinance establishes water conservation restrictions; and the plan will be in effect at any time the governor declares by executive order a critical water deficiency, pursuant to Minnesota Statutes section 103G.291.

Subd. 2. **Definitions.**

A. Administrator in statutory cities means the person assigned duties pursuant to Minn. Stat. § 412.151; or the city manager pursuant to Minn. Stat. § 412.601 - 412.751 or in charter cities as determined by city charter.

B. Emergency means the declaration of a critical water deficiency by the governor.

C. Irrigation means the watering of shrubs, trees, sod, seeded areas, gardens, lawns, or any other outdoor vegetation, except outdoor vegetation utilized for agricultural purposes.

D. Notification to public means notification through local media, including interviews and issuance of news releases.

E Public water supplier means the city or other entity that owns, manages, or operates a public water supply, as defined in Minn. Stat. § 144.382, subdivision 4.

F. Reclaimed water means water collected from rooftops, paved surfaces, or other collection devices and all water utilized more than once before re-entering the natural water cycle.

G. Water recirculation system means any system which enables a user to reuse water at least once prior to returning the water to the natural water cycle.

Subd. 3. Application.

A. This ordinance applies to all customers of public water suppliers who own or control water use on any premises.

B. No person shall make, cause, use, or permit the use of water received from a public water supply for residential, commercial, industrial, governmental, or any other purpose in any manner contrary to any provision in this ordinance.

C. Mandatory emergency conservation measures shall be implemented based upon the declaration of a critical water emergency by the governor.

Subd. 4. Declaration of Critical Water Deficiency.

Upon the declaration of a critical water deficiency by the governor, the public water supplier shall immediately post notice of the emergency declaration at the usual meeting place of the city council, or the official city bulletin board. The city shall provide notification to the public as quickly as possible or through established water supply plans emergency response plans or procedures.

Subd. 5. **Mandatory Emergency Water Conservation Measures.** Upon declaration of a water emergency and notification to the public, the following mandatory restrictions upon nonessential water use shall be enforced:

(1) Outdoor irrigation of yards, gardens, golf courses, parklands, and other non-agricultural land, except for those areas irrigated with reclaimed water, is prohibited.

(2) Washing or spraying of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas with water from any pressurized source, including garden hoses, except to alleviate immediate health or safety hazards, is prohibited.

(3) The outdoor use of any water-based play apparatus connected to a pressurized source is prohibited.

(4) Restaurants and other food service establishments are prohibited from serving water to their customers, unless water is specifically requested by the customer.

(5) Operation of outdoor misting systems used to cool public areas is prohibited.

(6) The filling of swimming pools, fountains, spas, or other exterior water features is prohibited.

(7) The washing of automobiles, trucks, trailers, and other types of mobile equipment is prohibited, except at facilities equipped with wash water recirculation systems, and for vehicles requiring frequent washing to protect public health, safety, and welfare.

Subd. 6. **Variances.** The City Administrator or their designee, is authorized to grant variances to this ordinance where strict application of its provisions would result in serious hardship to a customer. A variance may be granted only for reasons involving health or safety. An applicant may appeal the denial of a variance within five (5) days of the decision by submitting a written appeal to the City Administrator. The City Council shall hear the appeal at the next City Council meeting. The decision of the City Council is final.

Subd. 7. **Violation.**

A. Violations shall be determined and cited by the City Administrator or his/her designee. A violator may appeal the citation within five (5) days of its issuance by submitting a written appeal to the City. The City Council shall hear the

appeal at the next City Council meeting. The decision of the City Council is final. Violators may be granted an administrative waiver if evidence is provided that equipment failure was the cause of the violation. A letter from a qualified vendor or equipment invoice will be required to show proof of equipment failure.

B. Upon discovery of a first violation, the violator shall be issued, either personally or by mail, a warning letter that sets forth the violation and which shall describe the remedy and fines for future violations.

C. Upon subsequent violations at the same location, the violator shall be issued, either personally or by mail, a citation that sets forth the violation and shall describe the remedy.

Fines shall be added to the monthly water bill of the owner or current occupant of the premises where the violation occurred. The imposition of the fine shall in no way limit the right of the City to pursue other legal remedies.

Subd. 8. **Enforcement.** The City Administrator or his/her designee is authorized to designate city employees or law enforcement personnel to enforce the provisions of this ordinance.

Subd. 9. **Severability.** If any provision of this ordinance or the application of any provision to a particular situation is held to be invalid by a court of competent jurisdiction, the remaining portions of the ordinance and the application of the ordinance to any other situation shall not be invalidated.

Source: Ord. 785-2nd Series
Effective Date: 8/13/18

Section 2.73. **Special Assessment Procedures.**

Subd. 1. **Definitions.** For the purposes of this section, the following words and phrases shall have the meanings set forth below:

A. "Lot or Lot Equivalent" shall mean the minimum property which can be utilized in a given zone.

B. "Corner Lot" means that the landowner will be assessed only for the long side of his or her lot or its equivalent if improvements occur on both long and short sides of the lot.

C. "Irregular Lot Assessment"

1. The front footage on irregular sized lots shall be determined by measuring the footage paralleling the improvement, but set back thirty (30) feet from the property line.

2. If the lot has frontage on more than one improvement area, the landowner will be assessed for no more than the long side of his or her lot or lot equivalent, except where the square footage of the lot exceeds the lot equivalent established by the minimum lot size for the particular zone and improvements occurred on more than one frontage. In that case, the landowner will be assessed for each frontage on a percentage basis for any fraction thereof of the lot where the improvement occurs.

Subd. 2. **Residential Areas.** The assessments for residential areas shall be calculated as follows:

A. Street Paving:

1. Heavy traffic streets (to be determined by the City Council) shall be on a cost share basis per running foot of sixty (60) percent homeowner, forty (40) percent City, providing bonding limits are not exceeded. Corner lot and odd shaped lot formula will apply.

2. Residential streets (to be determined by the City Council) shall be on a cost share basis per running foot of eighty (80) percent homeowner, twenty (20) percent City. Corner lot and odd shaped lot formula will apply.

B. Sidewalks: Assessment procedure shall be the same as for Street Paving, except that if there be sidewalk on one side of a street only, the City will pay fifty (50) percent of the assessment.

C. Curb and Gutter: Assessment procedure shall be the same as for Street Paving.

D. Water: Assessments for water shall be on a lot or lot equivalent basis of seventy (70) percent landowner, thirty (30) percent City, as long as the bonding limit is not exceeded.

E. Storm Sewer. The basic assessment shall be made on a benefited square foot basis. The property owner shall pay eighty (80) percent of the assessment and the City shall pay twenty (20) percent of the assessment.

Subd. 3. **Commercial and Industrial Areas.** All commercial and industrial areas, including all multiple dwellings of more than four units and all structures in R-3, B-1, B-2 and I shall be assessed on a basis of eighty (80) percent landowner and twenty (20) percent City, for all special assessments, except sewer, as long as the bonding limit is not exceeded.

Subd. 4. **Development.** Subdivisions established after the effective date of this ordinance shall have improvements installed consistent with Alexandria City Code 11.07.

Source: Ord. 136-2nd Series
Effective Date: 6/26/78

Subd. 5. **Exceptions.** The City Council may grant exceptions or modifications to this section so long as the exceptions or modifications are consistent with the assessment pattern set forth in this section.

Subd. 6. **Sanitary Sewer.**

A. From and after the effective date of this ordinance (November 12, 1991), no person, corporation, firm or entity shall make or cause to be made any new or additional connection with any sewer in the City of Alexandria for the purpose of emptying or disposing of any surface water or sewage of any sort, without first obtaining from the City of Alexandria a permit therefor as hereinafter set forth. This section shall not apply to any parcel of property located within the geographical area of any special assessment district established prior to the date of this ordinance.

B. Application for such permits shall be made on forms furnished by the City Council and such application shall be made at the office of the City's duly designated agent, the Alexandria Lakes Area Sanitary District.

C. Sewer Assessment.

(1) A sewer assessment shall be made by the City of Alexandria upon hook-up by any person, firm, or corporation, to the Alexandria Sewer System consistent with the formula set forth herein.

(2) The amount of the assessment shall be as follows:

a. For new sanitary sewer construction, based upon the exact cost of the project, which costs shall include but not be limited to all amounts necessary for preparation, construction, financing of the project (bonding

amortization payments), and the following formula:

Assessment - Capacity Value + Use Value. 1. Individual

2. For purposes of determining the application of the above formula, the following definitions shall apply:

a. For application of the formulas explained herein and the factors used, reference is made to Appendices I, II and III attached hereto.

b. $\frac{\text{Capacity Value} - \text{Costs related to Major Life Station}}{\text{Flow Value of the System M Unit Value}} \times \text{Individual M Total "M" Value}$

c. $\frac{\text{Use Value} - \text{Total Project Cost minus Major Lift Station Costs}}{\text{Total "A Unit Value" of the System A Unit Value}} \times \text{Individual "M" Value}$

d. "M" Value - A value assigned to each parcel, structure, or complex achieving a lateral sewer benefit which is based on capacity in the Sanitary Sewer System (See Appendices I and II for computation of "M" values, and standards for same.)

e. "A" Value - A value assigned to each parcel, structure, or complex achieving a lateral sewer benefit which is based on the use of the Sanitary Sewer System (See Appendix III for computation of the "A" Value.)

f. Total "M" value of the system - a summation of the individual "M" values assigned to all property achieving a lateral sewer benefit.

g. Total "A" value of the system - a summation of the individual "A" values assigned to all property achieving lateral sewer benefit.

b. For past or future grant funded sanitary sewer projects, the assessment to the individual property owner shall be based upon those costs associated with the City's share of the project cost (other than ALASD Lines).

Any grant funds received shall not be included in calculating the said assessment.

c. For Sanitary Sewer Lines (other than ALASD lines) existing at the time of the adoption of this ordinance, the hook-up assessment shall be based upon the

assessment formula set forth in subparagraph a, above, however, the formula shall be applied to the actual costs relating to the value of the construction and maintenance of existing sanitary sewer system.

d. For lines constructed by the Alexandria Lakes Area Sanitary District, the connection charge shall be the same as those charges assessed and established by the Alexandria Lakes Area Sanitary District.

e. If the use to which a connection shall be made is a use which creates sewage flow amounts greater than that of which the connection system was designed (*i.e.*, the use requires trunk lines to be enlarged to provide the necessary capacities) then there shall be an additional charge assessed equal to part or all of the costs of increasing the trunk lines as determined by the City of Alexandria.

f. If a property owner desiring to hook-up to an existing line, which is located in an area where there has been a special assessment made for sanitary sewer facilities in the past, there shall be no connection charge as herein provided, except in the following redeveloped circumstances:

i. For non-residential redevelopment, a connection charge is required if the redevelopment site requires a larger pipe size than the existing pipe size. In this case, the property owner will be charged the difference in connection charges between the existing pipe size and the proposed pipe size as set forth in subparagraph "a." above.

ii. For residential development, a connection charge is required if the redeveloped site will result in a net increase in density from the time the initial special assessments were made. In this case, the property owner will be assigned connection charges as set forth in subparagraph "a." above for the increased density.

Source: Ord. 647-2nd Series
Effective Date: 10/26/09

g. In the event that a property located adjacent to sanitary sewer lines contains no structure thereon to provide for sanitary sewer facilities, the assessment as herein provided may be delayed until such hook-up is made, however, interest shall be charged on the said connection assessment at the rate of eight percent (8%) per annum until the same is paid.

(3) Where in the opinion of the engineers it is necessary to install an individual grinder pump lifting device for purposes of securing adequate flowage from a using unit, to the adjacent public sewer system, a property owner may:

a. Provide the necessary grinder pump and related lines to transmit sewage to the adjacent public sewer system, which pump and lines must be approved by the Alexandria Lakes Area Sanitary District, and which shall be done at the property owner's expense, and which lifting device and discharge line shall be owned, maintained and operated at the expense of the property owner; or,

b. The owner may request that the lifting device be installed by the City, or its agent, under the following terms and conditions:

1. The City of Alexandria shall install, own and maintain the grinder pump in the discharge line. (The discharge line is a small diameter line connecting the grinder pump with the main line sewer in the right-of-way.)

2. The property owner shall sign an easement giving the City of Alexandria the right to constitute and maintain the grinder pump and discharge line. The City of Alexandria shall not pay any compensation for this easement.

3. The City of Alexandria may levy a surcharge against the owners who are furnished with the grinder pump installation. The surcharge will be based upon the distance between the structure generating the wastewater (the home or using unit) and the public right-of-way or the distance between the grinder pump and the public right-of-way, whichever is the lesser distance. The charge to a landowner for the installation of the required grinder pump shall be based upon the contractor's allocated cost for installation to that particular property.

4. The property owner must provide and pay for the connection from the structure generating the wastewater (home or using unit) to the grinder pump unit. This work may be done by any licensed contractor and a permit for this sewer connection must be applied for by the property owner and/or the contractor at the duly designated office. There is no charge for this sewer connection permit.

5. Inasmuch as the grinder pump unit has electric motors and the grinder pump installation providing service to the property owner will be energized by the property owner's electrical service, the electricity used at the grinder pump will run through the property owner's meter and therefore the property owner will pay the cost. Where two or more

property owners are using one grinder pump installation, then the electrical energy necessary will be run through a meter that will be owned by the City of Alexandria and each property owner will pay an amount for the electrical energy as part of the monthly user charge.

D. Special Fund. Any sums thus received by the City shall be deposited or paid into a special assessment fund or account and may be accredited to the cost of sewer improvements.

E. Payment of Connection Charges and optional provision for payment on an installment basis and interest imposed thereon.

(1) Payment of the connection charges provided for in this section shall be due immediately upon the completion of the owner's connection to the sewer system; or

(2) Upon written request by the owner and approval thereof by the City Council, the connection charge may be paid in equal annual installments over a period of years in the same manner provided for payment of special assessments by Minnesota Statutes 429.061 (except that notice of hearing shall not be required) together with interest on the unpaid balances as of January 1 of each year of said charge at a rate to be fixed by the City of Alexandria, said charge to be a lien upon the premises connected. Such request shall be made upon forms furnished by the City. After approval of such request by the Council, the City Clerk shall prepare a roll showing the amount of the connection charge extended over the equal annual installments including interest: each installment including interest being set forth separately. The payments thus provided for shall be made as all other special assessments provided for pursuant to Minnesota Statutes Chapter 429.

F. Discontinuance of Service. Sewer service may be shut off and discontinued when it is determined that a sum equal to the portion of the cost of construction mains and laterals attributable to the parcel or property as determined by assessment proceedings or pursuant to the connection charges established pursuant to this ordinance have not been paid or is not in the process of being paid in regular installments.

APPENDIX I

Computation of "M" Values. The "M" value of various parcels, structures and complexes shall be computed as follows:

A. Single family houses and townhouses shall each have a value of one (1.0);

B. Condominiums, duplex units and apartments shall each have a value of 0.8;

C. Mobile homes shall each have a value of 1.0;

D. Other buildings and structures shall be assigned a value of 1.0 for each 100,000 gallons of flow which it is estimated they will discharge, and commercial and industrial building units shall be assigned a minimum value of 1.0;

E. A developed or platted lot equals a value of one (1.0);

F. A developed lot with metes and bounds description below current minimum lot size for building permit purpose equals a value of one (1.0);

G. Two or more lots with a single dwelling constructed upon same in a manner that would preclude further subdivision, equals a value of one (1.0);

H. Two or more dwelling units on a lot of record or metes and bounds description which normally could not be subdivided equals a value of one (1.0) for each dwelling unit;

I. Undeveloped buildable lot with metes and bounds description that is less than ten acres in area equals a value of one (1.0);

J. Undeveloped buildable lot of record equals a value of one (1.0);

Source: Ord. 335-2nd Series
Effective Date: 12/28/92

APPENDIX II

The following table is a listing of standards used in assigning the "M" value for various commercial, public, and Institutional facilities:

FACILITY	PARAMETER	"M" VALUE
Animal Clinic		
Animal holding areas	17 f. u.	1
Animal runs	34 f. u.	1
Archery (6ft./lane)	6 lanes	1
Arenas (bleachers 18 in./person)	110 seats	1
Auditoriums (sq. ft./person)	110 seats	1
Automobile Service		
Fast service (less than 4 hrs./car)	2 Service bays	1
Major service (more than 4 hrs./car)	14 employees	1
Car Dealership (charge for office, retail, etc. at established rates)		
Fast Service (# service bays x 30%)	2 service bays	1
Major Service (# service bays @ 70% x 1 employee/service bay)	14 employees	1
Ballroom (exclude dance floor)		
Facility without liquor service	825 sq. ft.	1
Facility with liquor service	590 sq. ft.	1
Bank (exclude cash vault)	2400 sq. ft.	1
Banquet Room (15 sq. ft./person)		
Food catered	2060 sq. ft.	1
Food catered with dishwashing	1180 sq. ft.	1
Food catered with liquor	1028 sq. ft.	1
Food preparation and dishwashing	825 sq. ft.	1
Food catered w/dishwashing & liquor	750 sq. ft.	1
Food preparation, dishwashing w/liquor	590 sq. ft.	1
Barber	4 chairs	1
Batting cages (6 ft./lane)	6 lanes	1
Beauty Salon	4 cutting	1
Bible camp	5 campers (persons)	1
Bingo Hall (used only for bingo)	110 seats	1
Boarding House	5 beds	1
Body Shop (major service - more than 4 hours/car, no vehicle washing)	14 employees	1
Bowling Alleys	3 alleys	1
Cabins, modern (rental units & part of a resort)	Each	0.65

Campground with central bath facilities	Each site	0.5
Car wash	Each	30
Car wash (self-service)	1 stall	3
Churches	250 seats	1
Club house shower head	Each	1
Cocktail lounge	25 seats	1
Dry cleaners (retail)	3000 sq. ft.	1
Elderly Housing	3 people	1
(# of one bdrm. units x 1.5 people/unit)		
<u>+(# of two bdrm. units x 2.0 people/unit)</u>		
(total # of people / 3 people)		
Exercise Area/Gym	700 sq. ft.	1
No Showers	2060 sq. ft.	1
Funeral Home (viewing area only)	770 sq. ft.	1
Game Room (billiards, video & pinball games)		
With bar	590 sq. ft.	1
Without bar	2060 sq. ft.	1
General Office Building	2400 sq. ft.	1
Golf Course (If showers - use locker room criteria)		
18 hole (280 golfers/day x 2.5 gal./golfer)		
274 gal.	274 gal.	1
Par 3 (168 golfers/day x 2.5 gal./golfer)		
274 gal.	274 gal.	1
Country Club (private)		
dining room (evenings & weekends)	15 seats	1
bar & grill (bar & grill separate)		
bar	23 seats	1
grill	15 seats	1
bar & grill (bar & grill combined)		
(168 or 280 golfers x 9 gal./person)		
274 gal.	274 gal.	1
Greenhouse		
Area not open to public	15,000 sq. ft.	1
Area open to public	5000 sq. ft.	1
General retail area	3000 sq. ft.	1
Group Home		
Secondary treatment	5 beds	1
(residents leaving during the day)		
Primary treatment	3 beds	1
(residents stay all day)		
Guest rooms		
Washer/dryer		1
No washer/dryer		0.8
No kitchen		0.5
Handball and Racquetball Courts	1 court	2

4/6/2022 THIS PAGE REPLACES PAGE 2-46

Hospitals (licensed beds or baby cribs) (does not include out-patient clinic)	1 bed	1
Out patient clinic (Plumbing Fixture Units)	17 f.u.	1
Laundromat (requires water volume for cycle time, 8 cycles/day)	2 machines	3
Library (subtract out book storage areas, file areas - charge common plumbing fixture units)	17 f.u.	1
(meeting rooms, board rooms, reception, book checkout, offices)	2400 sq. ft.	1
Loading Dock	7000 sq. ft.	1
Locker rooms	14 lockers	1
Meeting rooms (conference rooms)	1650 sq. ft.	1
Mini-Storage (storage area-no charge)		
Living area		1
Plumbing restroom (plumbing fixtures)	17 f.u.	1
Motels & Hotels (assume 2 persons/room)	2 rooms	1
(pools, saunas, Jacuzzis, game rooms, or exercise rooms exclusively used by guest - no charge)		
Breakfast only (complimentary)	45 seats	1
Cocktail hour (complimentary)	55 seats	1
Kitchenettes		
(#kitchenettes x 10 gal/day/274 gal)	274 gal.	1
Museum	2400 sq. ft.	1
Nursing Home	3 beds	1
Office		
General Office	2400 sq. ft.	1
(deduct mechanical rooms, elevator shafts, stairwells, restroom and storage areas, or 10%)		
Dental, Doctors	see hospital	
Recreation Vehicle campground		
(with individual sewer hookups)	Each hookup	0.65
Recording/Filming Studios	7000 sq. ft.	1
Resorts (with housekeeping)	Each unit	0.65
Restaurant (drive-in)	9 parking spaces	1
Restaurant (fast food)	22 seats	1
(disposable paper plates, glasses, and silverware)		
Restaurant (full service)	12 seats	1
(washable silverware, glasses, & dishes)		
Restaurant (with cocktail lounge)	9 seats	1
Retail Stores	3000 sq. ft.	1
(deduct mechanical rooms, elevator shafts, stairwells, restrooms and unfinished storage areas, or 10%)		

Rifle Ranges (handgun ranges)		
(6 ft./lane)	6 lanes	1
Roller Rink (skating area)	825 sq. ft.	1
Rooming Houses (no food service)	7 beds	1
RV Dumping Station		1
(not in association with campgrounds)		
Schools (Sunday) (30 sq. ft./student)	55 students	1
Schools (elementary) (15 gal/student)	20 students	1
(30 sq. ft./student)		
Schools (college, TVI)		
(30 sq. ft./student)	18 students	1
Lecture Halls (15 sq. ft./student)	18 students	1
Labs (50 sq. ft./student)	18 students	1
Dorm rooms (on/off campus students)	5 students	1
Schools (preschool)		
Nursery (licensed enrollment)	14 students	1
Church (nursery - during worship		
services only) (30 sq. ft./child)	55 children	1
Nursery (health clubs, bowling		
alleys, etc.)	2400 sq. ft.	1
Schools (secondary)	15 students	1
(30 sq. ft./student) (20 gal.student)		
Lab (50 sq. ft./student)	14 students	1
Service Station		
Gas pumping only	2 service bays	1
Gas pumping with service center	2 service bays	2
Gas pumping with service center &		
car wash	2 service bays	8
Swimming pools (public) (pool area)	27 swimmers	1
Tanning rooms	3000 sq. ft.	1
Tennis Courts (public shower		
facilities)	1 court	2
Theater	75 seats	1
Theater (drive-in) (parking spaces)	55 spaces	1
Trailer park (or campground with		
central bathhouse)	each site	0.5
Trailer park (or campground with		
flush toilets and no showers)	each site	0.35
Vehicle Garage		
Employees stationed in garage	14 employees	1
Vehicle drivers (per day)	28 drivers	1
Vehicle washing (# vehicles/day		
x gpm x minutes/vehicle) 274 gal.	274 gal.	1
Vet Clinic (see Animal Clinic)		
Warehouses (assembly areas)	14 employees	1
Office/Warehouse (speculative)		
Minimum 30% Office	2400 sq. ft.	1
Maximum 70% Warehouse	7000 sq. ft.	1

4/6/2022 THIS PAGE REPLACES PAGE 2-48

Whirlpool (doctors office/clinic, therapy) (# gal/fill x 8 fills/day) 274 gal.	274 gal.	1
Yard Storage Buildings (ex: lumber storage) (customer pickup, no permanent employees)	15,000 sq. ft.	1

APPENDIX III

Each parcel, structure or complex shall be assigned a pipe size based on the use of the Sanitary Sewer System.

Computation of "A" Values: The "A" value shall be computed using the relationship between flow and pipe size and is as follows:

<u>ASSIGNED SEWER SERVICE PIPE SIZE</u>	<u>"A" VALUE</u>
4"	1
6"	2.95
8"	6.35
10"	11.51
12"	18.72

The "A" Values for dwellings shall be assigned as follows:

<u>DWELLING</u>	<u>PARAMETER</u>	<u>"A" VALUE</u>
Apartment	Each unit	0.8
Condominium	Each unit	0.8
Duplex	Each unit	0.8
Mobile Home	Each site	0.8
Single Family House	Each	1.0
Townhouse	Each unit	0.8

Subd. 7. **City Water Connection.**

A. From and after the effective date of this ordinance (November 12, 1991) no person, corporation, firm or entity shall make or cause to be made any new or additional connection with any water in the City of Alexandria for the purpose of connecting to any municipal water system, without first obtaining from the City of Alexandria a permit therefor as hereinafter set forth. This section shall not apply to any parcel of property located within the geographical area of any special assessment district established prior to the date of this ordinance.

B. Application for such permit shall be made on forms furnished by the City Council and such application shall be made at the office of the City's duly designated agent.

C. Water Assessment.

(1) A water assessment shall be made by the City of Alexandria upon hook-up by any person, firm, or corporation, to the Alexandria Water System consistent with the formula set forth herein.

(2) The amount of the assessment shall be as follows:

a. For new water construction, the assessment shall be based upon actual costs including but not be limited to all amounts necessary for preparation, construction and financing of the project based upon the following formula:

$$\text{Individual Assessment} = \text{Capacity Value} + \text{Use Value}$$

For the purpose of determining the application of the above formula, the following definitions shall apply:

Application

1. For application of the formulas explained herein and the factors used, reference is made to Appendices I, II and III attached hereto.

2. Capacity Value. Eighty percent (80%) of the sanitary sewer capacity value as defined in Section 2.73, Subd. 6C(2)a2b of the City Code.

3. Use Value. Eighty percent (80%) of the sanitary sewer use value as defined in Section 2.73, Subd. 6C(2)a2c of the City Code.

4. "M" Value. A value assigned to each parcel, structure, or complex achieving a water benefit which is based on capacity in the Water System. (See Appendices I and II for computation of the "M" values, and standards for same.)

5. "A" Value. A value assigned to each parcel, structure, or complex achieving a water benefit which is based on the use of the Water System. (See Appendix III for computation of the "A" Values, and standards for same.)

6. Total "M" Value of the System. A summation of the individual "M" values assigned to all property achieving a water benefit.

7. Total "A" Value of the System. A summation of the individual "A" values assigned to all property achieving a water benefit.

b. For past or future grant funded water projects, the assessment to the individual property owner shall be based upon those costs associated with the City's share of the project cost. Any grant funds received shall not be included in calculating the said assessment.

c. For Water Lines existing at the time of the adoption of this Ordinance, the hook-up assessment formula set forth in subparagraph C(2)a1, above, however the formula shall be applied to the actual costs relating to the value of the construction and maintenance of the existing water system.

d. If the use to which a connection shall be made is a use which creates water flow amounts greater than that for which the connecting system was designed, (i.e. the use requires trunk lines to be enlarged to provide the necessary capacities) then there shall be an additional charge assessed equal to part or all of the costs of increasing the trunk lines as determined by the City of Alexandria.

e. If a property owner desiring to connect to an existing line, which is located in an area where there has been a special assessment made for water facilities in the past, there shall be no connection charge as herein provided, except in the following redevelopment circumstances:

i. For non-residential redevelopment, a connection charge is required if the redevelopment site requires a larger pipe size than existing. In this case, the property owner will be charged the difference in connection charges between the existing pipe size and the proposed pipe size as set forth in subparagraph "C. (2) a. 1." above.

ii. For residential development, a connection charge is required if the redeveloped site will result in a net increase in density from the time the initial special assessments were made. In this case, the property owner will be charged connection charges as set forth in subparagraph "C. (2) a. 1." above for the increase density.

Source: Ord. 647-2nd Series
Effective Date: 10/26/09

f. In the event that a property located adjacent to water lines contains no structure thereon to provide for water facilities, the assessment as herein provided may be delayed until such hook-up is made, however, interest shall be charged on the said connection assessment at the rate of eight percent (8%) per annum until the same is paid.

D. Special Fund. Any sums received by the City shall be deposited or paid into a special assessment fund or account and may be accredited to the cost of water improvements.

E. Payment of Connection Charges.

(1) Payment of the connection charges provided for in this section shall be due immediately upon the completion of the owner's connection to the water system; or

(2) Upon written request by the owner and approval thereof by the City Council, the connection charge may be paid in equal annual installments over a period of years in the same manner provided for payment of special assessments by Minnesota Statutes Section 429.061 (except that notice of hearing shall not be required) together with interest on the unpaid balances as of January 1 of each year of said charge at a rate to be fixed by the City of Alexandria, said charge to be a lien upon the premises connected. Such request shall be made upon forms furnished by the City. After approval of such request by the Council, the City Clerk shall prepare a roll showing the amount of the connection charge extended over the equal annual installments including interest: each installment including interest being set forth separately. The payments thus provided for shall be made as all other special assessments provide for pursuant to Minnesota Statutes Chapter 429.

F. Discontinuance of Service. Water service may be shut off and discontinued when it is determined that a sum equal to the portion of the cost of construction mains and laterals attributable to the parcel or property as determined by assessment proceedings or pursuant to the connection charges established pursuant to this ordinance have not been paid or is not in the process of being paid in regular installments.

4/6/2022 THIS PAGE REPLACES PAGE 2-52

Subd. 8. **Connection Charges For Redeveloped Parcels.**

When parcels are redeveloped and connection is made to the sanitary sewer or water line, the connection charge shall be calculated as set forth under Section 2.73, Subd. 6 and Subd. 7, and credit shall be given to the past development based upon current values so the net connection charge shall be the difference between the connection charge calculated for the redeveloped property and the original property. (Also, see Section 2.73 Subd. 6. C. (2) f. and Subd. 7. C. (2) e.).

Source: Ord. 647-2nd Series
Effective Date: 10/26/09

APPENDIX I

Computation of "M" Values. The "M" value of various parcels, structures and complexes shall be computed as follows:

- A. Single family houses, mobile homes and townhouses shall each have a value of (1.0);
- B. Condominiums,, duplex units and apartments shall each have a value of 0.8;
- C. Other buildings and structures shall be assigned a value of 1.0 for each 100,000 gallons of flow which is estimated they will use, and commercial and industrial building units shall be assigned a minimum value of 1.0;
- D. A developed or platted lot equals a value of one (1.0);
- E. A developed lot with metes and bounds description below current minimum lot size for building permit purpose equals a value of one (1.0);
- F. Two or more lots with a single dwelling constructed upon same in a manner that would preclude further subdivision, equals a value of one (1.0);
- G. Two or more dwelling units on a lot of record or metes and bounds description which normally could not be subdivided equals a value of one (1.0) for each dwelling unit;
- H. Undeveloped buildable lot with metes and bounds description that is less than ten acres in area equals a value of one (1.0);
- I. Undeveloped buildable lot of record equals a value of one (1.0);
- J. A lot which cannot qualify for a building permit under current regulations will not be assessed.
- K. A lot under joint ownership will be assessed to the owner in accordance with percentage owned. (Physical development shall be the judging criteria not owner's stated intent.)

APPENDIX II

The following table is a listing of standards used in assigning the "M" value for various commercial, public, and Institutional facilities:

FACILITY	PARAMETER	"M" VALUE
Animal Clinic		
Animal holding areas	17 f. u.	1
Animal runs	34 f. u.	1
Archery (6ft./lane)	6 lanes	1
Arenas (bleachers 18 in./person)	110 seats	1
Auditoriums (sq. ft./person)	110 seats	1
Automobile Service		
Fast service (less than 4 hrs./car)	2 Service bays	1
Major service (more than 4 hrs./car)	14 employees	1
Car Dealership (charge for office, retail, etc. at established rates)		
Fast Service		
(# service bays x 30%)	2 service bays	1
Major Service		
(# service bays @ 70% x 1 employee/service bay)	14 employees	1
Ballroom (exclude dance floor)		
Facility without liquor service	825 sq. ft.	1
Facility with liquor service	590 sq. ft.	1
Bank (exclude cash vault)	2400 sq. ft.	1
Banquet Room (15 sq. ft./person)		
Food catered	2060 sq. ft.	1
Food catered with dishwashing	1180 sq. ft.	1
Food catered with liquor	1028 sq. ft.	1
Food preparation and dishwashing	825 sq. ft.	1
Food catered w/dishwashing & liquor	750 sq. ft.	1
Food preparation, dishwashing w/liquor	590 sq. ft.	1
Barber	4 chairs	1
Batting cages (6 ft./lane)	6 lanes	1
Beauty Salon	4 cutting	1
Bible camp	5 campers (persons)	1
Bingo Hall (used only for bingo)	110 seats	1
Boarding House	5 beds	1
Body Shop (major service - more than 4 hours/car, no vehicle washing)	14 employees	1
Bowling Alleys	3 alleys	1
Cabins, modern (rental units & part of a resort)	Each	0.65
Campground with central bath facilities	Each site	0.5

4/6/2022 THIS PAGE REPLACES PAGE 2-55

Car wash	Each	30
Car wash (self-service)	1 stall	3
Churches	250 seats	1
Club house shower head	Each	1
Cocktail lounge	25 seats	1
Dry cleaners (retail)	3000 sq. ft.	1
Elderly Housing	3 people	1
(# of one bdrm. units x 1.5 people/unit)		
<u>+(# of two bdrm. units x 2.0 people/unit)</u>		
(total # of people / 3 people)		
Exercise Area/Gym	700 sq. ft.	1
No Showers	2060 sq. ft.	1
Funeral Home (viewing area only)	770 sq. ft.	1
Game Room (billiards, video & pinball games)		
With bar	590 sq. ft.	1
Without bar	2060 sq. ft.	1
General Office Building	2400 sq. ft.	1
Golf Course (If showers - use locker room criteria)		
18 hole (280 golfers/day x 2.5 gal./golfer)		
274 gal.	274 gal.	1
Par 3 (168 golfers/day x 2.5 gal./golfer)		
274 gal.	274 gal.	1
Country Club (private)		
dining room (evenings & weekends)	15 seats	1
bar & grill (bar & grill separate)		
bar	23 seats	1
grill	15 seats	1
bar & grill (bar & grill combined)		
(168 or 280 golfers x 9 gal./person)		
274 gal.	274 gal.	1
Greenhouse		
Area not open to public	15,000 sq. ft.	1
Area open to public	5000 sq. ft.	1
General retail area	3000 sq. ft.	1
Group Home		
Secondary treatment	5 beds	1
(residents leaving during the day)		
Primary treatment	3 beds	1
(residents stay all day)		
Guest rooms		
Washer/dryer		1
No washer/dryer		0.8
No kitchen		0.5
Handball and Racquetball Courts	1 court	2
Hospitals (licensed beds or baby cribs)	1 bed	1
(does not include out-patient clinic)		

4/6/2022 THIS PAGE REPLACES PAGE 2-56

Out patient clinic (Plbg Fixture Units)	17 f.u.	1
Laundromat (requires water volume for cycle time, 8 cycles/day)	2 machines	3
Library (subtract out book storage areas, file areas - charge common plumbing fixture units)	17 f.u.	1
(meeting rooms, board rooms, reception, book checkout, offices)	2400 sq. ft.	1
Loading Dock	7000 sq. ft.	1
Locker rooms	14 lockers	1
Meeting rooms (conference rooms)	1650 sq. ft.	1
Mini-Storage (storage area-no charge)		
Living area		1
Plumbing restroom (plumbing fixtures)	17 f.u.	1
Motels & Hotels (assume 2 persons/room)	2 rooms	1
(pools, saunas, Jacuzzis, game rooms, or exercise rooms exclusively used by guest - no charge)		
Breakfast only (complimentary)	45 seats	1
Cocktail hour (complimentary)	55 seats	1
Kitchenettes		
(#kitchenettes x 10 gal/day/274 gal)	274 gal.	1
Museum	2400 sq. ft.	1
Nursing Home	3 beds	1
Office		
General Office	2400 sq. ft.	1
(deduct mechanical rooms, elevator shafts, stairwells, restroom and storage areas, or 10%)		
Dental, Doctors	see hospital	
Recreation Vehicle campground		
(with individual sewer hookups)	Each hookup	0.65
Recording/Filming Studios	7000 sq. ft.	1
Resorts (with housekeeping)	Each unit	0.65
Restaurant (drive-in)	9 parking spaces	1
Restaurant (fast food)	22 seats	1
(disposable paper plates, glasses, and silverware)		
Restaurant (full service)	12 seats	1
(washable silverware, glasses, & dishes)		
Restaurant (with cocktail lounge)	9 seats	1
Retail Stores	3000 sq. ft.	1
(deduct mechanical rooms, elevator shafts, stairwells, restrooms and unfinished storage areas, or 10%)		
Rifle Ranges (handgun ranges)		
(6 ft./lane)	6 lanes	1
Roller Rink (skating area)	825 sq. ft.	1
Rooming Houses (no food service)	7 beds	1

4/6/2022 THIS PAGE REPLACES PAGE 2-57

RV Dumping Station (not in association with campgrounds)		1
Schools (Sunday) (30 sq. ft./student)	55 students	1
Schools (elementary) (15 gal/student) (30 sq. ft./student)	20 students	1
Schools (College, TVI) (30 sq. ft./student)	18 students	1
Lecture Halls (15 sq. ft./student)	18 students	1
Labs (50 sq. ft./student)	18 students	1
Dorm rooms (on/off campus students)	5 students	1
Schools (preschool) Nursery (licensed enrollment)	14 students	1
Church (nursery - during worship services only) (30 sq. ft./child)	55 children	1
Nursery (health clubs, bowling alleys, etc.)	2400 sq. ft.	1
Schools (secondary) (30 sq. ft./student) (20 gal.student)	15 students	1
Lab (50 sq. ft./student)	14 students	1
Service Station Gas pumping only	2 service bays	1
Gas pumping with service center	2 service bays	2
Gas pumping with service center & car wash	2 service bays	8
Swimming pools (public) (pool area)	27 swimmers	1
Tanning rooms	3000 sq. ft.	1
Tennis Courts (public shower facilities)	1 court	2
Theater	75 seats	1
Theater (drive-in) (parking spaces)	55 spaces	1
Trailer park (or campground with central bathhouse)	each site	0.5
Trailer park (or campground with flush toilets and no showers)	each site	0.35
Vehicle Garage Employees stationed in garage	14 employees	1
Vehicle drivers (per day)	28 drivers	1
Vehicle washing (# vehicles/day x gpm x minutes/vehicle) 274 gal.	274 gal.	1
Vet Clinic (see Animal Clinic)		
Warehouses (assembly areas) Office/Warehouse (speculative)	14 employees	1
Minimum 30% Office	2400 sq. ft.	1
Maximum 70% Warehouse	7000 sq. ft.	1
Whirlpool (doctors office/clinic, therapy) (# gal/fill x 8 fills/day) 274 gal.	274 gal.	1
Yard Storage Buildings (ex: lumber storage) (customer pickup, no permanent employees)	15,000 sq. ft.	1

APPENDIX III

Each parcel, structure or complex shall be assigned a pipe size based on the use of the Water System.

Computation of the "A" Values: The "A" value shall be computed using the relationship between flow and pipe size and is as follows:

<u>ASSIGNED WATER SERVICE PIPE SIZE</u>	<u>"A" VALUE</u>
3/4"	1
1"	1.3
1 1/4"	1.5
1 1/2"	1.8
2"	2.0
3"	2.2
4"	2.5
6"	2.7
8"	3
10"	3.2

<u>DWELLING</u>	<u>PARAMETER</u>	<u>"A" VALUE</u>
Apartment	Each Unit	.08
Condominium	Each Unit	.08
Duplex	Each Unit	.08
Mobile Home	Each Site	1.0
Single Family House	Each	1.0
Townhouse	Each Unit	0.8

Source: Ord. 583-2nd Series
 Effective Date: 5/8/06

Section 2.74. **Storm Water Drainage Utility.**

Subd. 1. **Establishment.** Pursuant to Minnesota Statutes, Section 444.075, the City establishes a Storm Water Drainage Utility, and authorizes the imposition of just and reasonable charges for the use and availability of storm drainage facilities. The Storm Water Drainage Utility operations shall be a part of the Public Works Department.

Subd. 2. **Findings and Determination.** In the exercise of its governmental authority and in order to promote the public health, safety, convenience and general welfare, the City has constructed, operated and maintained a storm water drainage system. This Ordinance is adopted in the further exercise of such authority and for the same purposes. The system, as constructed heretofore, has been financed and paid for through the imposition of special assessments and ad valorem taxes. It is necessary and desirable to provide an additional method of recovering some or all of the future costs of improving, establishing, enlarging, replacing, repairing, maintaining and operating the system through the imposition of charges as provided in this ordinance. In imposing charges, it is necessary to establish a methodology that undertakes to make charges just and equitable. Taking into account the status of completion of the system, past methods of recovering system costs, the topography of the City and other relevant factors, it is determined to be just and equitable to assign responsibility for some or all of the future costs of improving, establishing, enlarging, replacing, repairing, maintaining and operating the system on the basis of the expected storm water runoff from the various parcels of land within the City during a standard rainfall event.

Subd. 3. **Storm Drainage Utility Fund.** There is hereby created a Storm Water Drainage Utility Fund into which all charges, when collected, and all monies received from the sale of any related facilities or equipment or any byproducts shall be placed. Such monies shall be used first to pay the normal, reasonable and current costs of operating and maintaining the facilities.

Subd. 4. **Definitions.**

A. **Utility Factor.** The utility factor is defined as the ratio of runoff volume, in inches, for a particular land use, to the runoff volume, in inches for an average single-family residential property, assuming a 2-inch rainfall and Natural Resources Conversation Services (NRCS) "Type B" soil conditions.

B. Storm Water Utility Fee. The Storm Water Utility Fee is defined as the annual charge developed for each parcel of land. The Stormwater Management Committee will review the fee every three years and make a recommendation to the City Council regarding the adjustment of fees. Fee adjustment recommendations shall be based on the projected revenue required to fund the activities described in Subdivision 4.C. of this section.

Source: Ord. 729-2nd Series
 Effective Date: 07/27/15

C. Monthly Utility Revenue. The utility revenue is the estimated monthly expenditures for planning and inventories, capital expenditures, personnel and equipment and operation of the Storm Water Utility, in accordance with established City of Alexandria policy.

Subd. 5. **Storm Water Utility Factors.** The Storm Water Utility fee shall be determined by first determining the percentage of total runoff in Alexandria which is attributed to single-family residential property. The fee per acre for single-family residential is computed by computing the product for the runoff percentage and the Storm Water Utility Revenue, divided by the estimated total acres of single-family residential land use in the City of Alexandria. The fee for residences zoned as 'Multi-Family Condominium' shall be set at a flat rate to unify the charge. The per acre fee for all other individual parcels shall be defined as the product of the single-family residential per-acre fee, the appropriate utility factor and the total acreage of the parcel. Single-family residential parcels shall be assessed on a per household basis.

The utility factors for various land uses are shown in the following table:

Classification	Land Use	Utility Factor
1	Residential	1.00
2	Multi-family	2.72
3	Apartments/Condos/Townhomes	2.72
4	Commercial	4.23
5	Industrial	3.30
6	Institutional	3.30
7	Public/Quasi Public	4.23
8	Airport/Fairground	3.30
9	Parks/Open Space/Cemeteries	0.25
10	Road Right-of-Way	EXEMPT
11	Lakes/Streams/Wetlands	EXEMPT
12	Agricultural/Vacant	EXEMPT

Subd. 6. **Other Land Uses.** Other land uses not listed in the foregoing table shall be classified by the City Administrator by assigning them to classes most nearly like the listed uses, from the standpoint of runoff volume for the standard rainfall event. An appeal of such classifications from the determination of the City Administrator may be made to the City Council.

Source: Ord. 534-2nd Series
Effective Date: 4/12/04

Subd. 7. **Adjustment of Charges.**

A. The City Council authorizes the City Administrator to adjust charges for parcels based upon land use data supplied by staff or affected property owners which demonstrates a runoff volume for a standard rainfall event or other circumstances substantially different from factors being used for such parcels. Such adjustments for storm water drainage charges shall not be made retroactively. For those parcels one acre or greater in size, the credit adjustment system is:

- A. No retention 0% credit
- B. 50% to 75% pervious surface 25% credit
- C. 50% to 75% pervious surface 37.5% credit
and pond/wetland areas
- D. 75% to 100% pervious surface 37.5% credit
- E. Retention facility designed 37.5% credit
for a 10-year storm event

B. Adjustments to Previously Granted Credits. Properties which received credits according to the credit schedule as adopted in Ordinance No. 549, 2nd Series, and effective 2/14/05, will have their credit reduced by 50% over a five-year period beginning on January 1, 2016. The annual reductions will be spread evenly over the five-year period.

Source: Ord. 729-2nd Series
Effective Date: 07/27/15

Subd. 8. **Exemptions.** The following land uses are exempt from the storm water management fee:

- A. Public Road Right-of-Way
- B. Lakes
- C. Wetlands
- D. Agricultural
- E. Vacant

Subd. 9. **Payment of Fee.** Storm Water Utility Fees shall be billed every month with water and sanitary sewer bills. The fee shall be due and payable on the same terms as water and sanitary sewer utility bills. Any prepayment or overpayment of charges shall be retained by the City of Alexandria and applied against subsequent fees.

Subd. 10. **Appeal.** If a property owner or person responsible for paying the Storm Water Utility fee believes that a particular assigned fee is incorrect, such a person may request that the fee be re-computed.

Subd. 11. **Penalty for Late Payment.** Each billing for Storm Water Utility fees not paid when due shall incur a penalty charge of ten percent (10 percent) of the amount past due.

Subd. 12. **Establishment of Tax Lien.** Any past due storm water drainage charges will be certified to the County Auditor for collection with real estate taxes against the property served by the utility established in this ordinance for collection as other taxes are collected in the following year pursuant to MS Section 444.075, Subd. 3 and the Alexandria City Code. In addition, the City may have the right to bring a civil action or take other legal remedies to collect unpaid charges.

Source: Ord. 534-2nd Series
Effective Date: 4/12/04

(SECTION 2.75-2.99 RESERVED)