

PROPOSED ORDINANCE NO. 2023-03
CITY OF EMILY
COUNTY OF CROW WING
STATE OF MINNESOTA
FEE SCHEDULE ORDINANCE

Whereas, the City Council is in need of amending the schedule of fees and charges for various services, licenses and permits.

Now therefore, the City Council of the City of Emily, Minnesota, ordains:

Section 1. All fees and charges in effect as of the date of the adoption of the city code for the city shall remain in effect unless otherwise modified by the provisions of this ordinance. All citations below are to various sections of the city code unless otherwise indicated.

Section 2. Repeal. Fee Schedule Ordinance 2023-02 adopted on August 8, 2023 is hereby repealed.

Section 3. Effective Date. This ordinance becomes effective from and after its passage and publication.

Section 4. The following are the fees and charges for the permits, licenses and services:

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Ordinance and Description	Fee	per ____ unit	Reference
10 RULES OF CONSTRUCTION; GENERAL			
Administrative Civil Penalty	\$100	Administrative Civil Penalty may be issued for violations including, but not limited to, the following: cleanup, nuisance, SSTS failure to comply, storm water, unauthorized camping, or unauthorized rental. Each individual day a violation continues to exist is considered a separate violation, not to exceed \$2,000 per separate offense.	10.99, 150.45, 152.163
Administration Charge	\$25	per unpaid Administrative Civil Penalty for processing assessment of each unpaid fine against the property of the owner charged with the violation as provided in Minnesota Statute 429.101	10.99
Administrative Hearing Officer	\$150	per hour	10.99
Administrative Citations		Violators have 90 days to pay Administrative Citation. Failure to pay will result in Administrative Citation being dismissed and a new Misdemeanor Citation issued under Minnesota Statute 609.033.	
Repeat Offender Violations	\$60	per subsequent violation within 12 months after a compliance letter has been issued to the same owner for the same or similar offense.	10.99
License Violations	\$60	per violation; including not having a license	10.99
Traffic or Parking Violations	\$60	per violation; includes all motorized vehicles and overnight parking	10.99, 70.99 71.99
Sidewalk Obstruction Violations	\$60	per violation; obstructions on sidewalks, including signs and snow or ice dumped on sidewalk, will be removed during plowing/clearing of sidewalks. Removed personal property will be available for pickup at the City after payment of the fine.	10.99, 93.03
Sidewalk Operation Violations	\$60	per violation; operation on sidewalk violation	10.99, 71.03
Animal License Violations	\$35	per violation	10.99, 92.99
Noise Violations	\$60	per violation	10.99,
Mowing Fee for City Code Violations	\$65	per hour	10.99

Ordinance and Description	Fee	per ___ unit	Reference
50 SEWER			
Residential Rate	\$171.10	2023 rate. Billed quarterly	50.08, 50.25
Commercial Flat Rate	\$195.33	2023 flat rate for all commercial accounts unless set individually based on prior metered usage.	50.08, 50.26
St. Emily Church Flat Rate	\$193.91	2023 rate. Billed quarterly	50.08, 50.26
Log Cabin Flat Rate	\$269.54	2023 rate. Billed quarterly	50.08, 50.26
Emily Meats Flat Rate	\$226.71	2023 rate. Billed quarterly	50.08, 50.26
JMKS Properties Flat Rate	\$424.82	2023 rate. Billed quarterly	50.08, 50.26
Sweets N Such Flat Rate	\$241.24	2023 rate. Billed quarterly	50.08, 50.26
Diner's Chicken Shack Flat Rate	\$263.61	2023 rate. Billed quarterly	50.08, 50.26
Dollar General Flat Rate	\$205.31	2023 rate. Billed quarterly	50.08, 50.26
Holiday Stationstores Flat Rate	\$269.48	2023 rate. Billed quarterly	50.08, 50.26
Penalty/Late Fee	10%	Calculated 30 days after each quarterly billing using entire balance due.	50.08, 50.26 50.28
Annual Increase on January 1	3%	Sewer rates and charges	50.26
Laundromat Evaporation Credit	7%	per gallon	50.26
Residential/Commercial Building Sewer Permit Fee	\$50		50.05
Sewer Permit Fee for Establishments Producing Industrial Wastes	\$250		50.05
Residential Sewer Service Connection	\$2,000	per equivalent residential connection (ERC)	50.03, 50.26
Commercial or Industrial Sewer Service Connection		Determined by City Engineer or Wastewater Operator by determining the appropriate equivalent number of ERCs by which to multiply the connection charge.	50.26
Availability Charge if Deferred Connection or Vacant but served by a lateral sewer	25%	of the connection charge	50.26
Sewer Contractor License Fee	\$125		50.05
Contractor Sewer License and Permit Bond to the City	\$2,000		50.05
Hauled Wastewater Discharge Disposal Rate	\$30	per 1,000 gallons	50.06, 50.10
Agricultural Hauled Wastewater Disposal Rate	\$50	per 1,000 gallons	50.06, 50.10
Hauled Wastewater Discharge Annual Permit or Annual Renewal Application Fee	\$50	Nonrefundable	50.06, 50.10

Ordinance and Description	Fee	per ___ unit	Reference
50 SEWER (Continued)			
Agricultural Hauled Wastewater Discharge Annual Permit or Annual Renewal Application Fee	\$50	Nonrefundable	50.06, 50.10
90.01 CEMETERY			
One Lot for Resident/Property Owner (Including Little Pine Township)	\$300		90.01
One Lot for Non-Resident/Non-Property Owner	\$750		90.01
Summer Casket Burial (Monday, Tuesday, Wednesday, or Thursday)	\$300		90.01
Summer Casket Burial (Friday, Saturday, Sunday, and Holidays)	\$500		90.01
Winter Casket Burial (Every Day)	\$600		90.01
Summer Cremation Burial (Monday, Tuesday, Wednesday, or Thursday)	\$150	per burial if container/urn size is under 16" X 16"	90.01
Large Container/Urn Burial	\$200	per burial if container/urn size is 16" X 16" or larger	90.01
Summer Cremation Burial (Friday, Saturday, Sunday, and Holidays)	\$300	per burial if container/urn size is under 16" X 16"	90.01
Large Container/Urn Burial	\$350	per burial if container/urn size is 16" X 16" or larger	90.01
Winter Cremation Burial (Every Day)	\$450	per burial if container/urn size is under 16" X 16"	90.01
Large Container/Urn Burial	\$500	per burial if container/urn size is 16" X 16" or larger	90.01
Columbarium Cremation Burial	\$50	per burial	90.01
Cremation Disinterment Fee	\$150	per disinterment of cremation burial. Requirements: Disinterment shall only be completed during Maintenance Personnel regular working hours (no overtime). Disinterment shall only be completed when the ground is not frozen.	90.01
Monument Staking	\$50	per staking: Single or Husband/Wife	90.01
Transfer of Cemetery Deed	\$15		

Ordinance and Description	Fee	per ___ unit	Reference
90.33 ROAD VACATION			
Road Vacation Petition Processing Fee	\$2,000	Nonrefundable. When City costs associated with reviewing or processing a petition exceed the original \$2,000 processing fee; the petitioner(s) shall reimburse the City for any City costs incurred over the \$2,000 processing fee. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to hire.	90.33
92 ANIMALS			
New or Replacement Dog/Cat License	\$5	Annual or renewal with replacement tag. Must provide proof of current rabies vaccination.	92.02
Renewal of Dog/Cat License	\$2	Annual - tag not needed. Must provide proof of current rabies vaccination.	92.02
License for Potentially Dangerous Dog	\$5	License must be purchased within 14 days after receiving notice that a dog has been declared potentially dangerous and annually thereafter.	92.15
License for Dangerous Dog	\$20	License must be purchased within 14 days after receiving notice that a dog has been declared dangerous and annually thereafter.	92.15
Charge for Disposal of an Animal Presenting a Danger to the Health and Safety of the City	\$175		92.12
Fine for Violation of Clean Up of Litter/Feces	\$25		92.09
Late fee	\$5	per month after February 15th	
94 RIGHT-OF-WAY MANAGEMENT			
Excavation Permit	\$250	Valid for Dates Specified in Permit. Nonrefundable	94.03,94.09 94.10,94.12
Obstruction Permit	\$50	Valid for Dates Specified in Permit. Nonrefundable	94.03,94.09 94.10,94.12
Delay Penalty	\$50	per day for each additional day	94.03,94.09
Permit Extension Fee	\$50	per permit	94.09
Franchise Management	\$0		94.10,94.12
Restoration Cost	Actual Cost	When City restores the right-of-way, the permittee shall pay the costs within 30 days of billing.	94.03,94.13

Ordinance and Description	Fee	per ___ unit	Reference
94 RIGHT-OF-WAY MANAGEMENT (Continued)			
Construction Performance Bond	\$2,000	If the permittee restores the right-of-way itself, it shall at the time of application for an excavation permit post a construction performance bond.	94.03,94.10 94.13
Degradation Fees		A right-of-way user may elect to pay a degradation fee in lieu of restoration. However, the right-of-way user shall remain responsible for patching and the degradation fee shall not include the cost to accomplish these responsibilities.	94.03,94.13
Degradation Fee; Turf Replacement	\$4.50	per square yard	94.03,94.13
Degradation Fee; Pavement Restoration	\$40.00	per square yard, calculated at time of permit	94.03,94.13
Revoked Permit	Actual Cost	When permit revoked, the permittee shall reimburse the city for the City's reasonable costs, including restoration costs and the costs of collection and reasonable attorneys' fees incurred in connection with the revocation.	94.24
Damage to Other Facilities	Actual Cost	Each facility owner shall be responsible for the cost of repairing any facilities in the right-of-way which it or its facilities damages.	94.26
110 PAWNBROKER			
Pawnbroker Annual License Fee	\$1,500		110.03
New Manager In State Investigation Fee	\$500		110.04
New Manager Out of State Investigation Fee	Cost of Investigation	Shall not exceed \$10,000	110.04
Pawnbroker Bond	\$5,000		110.05
111 LIQUOR LICENSES			
On Sale Intoxicating	\$1,200	Annual License Fee (3 Allowed per Ordinance)	111.23
On Sale Wine	\$600	Annual License Fee	111.23
On Sale 3.2 Malt Liquor	\$75	Annual License Fee	111.23
Sunday On Sale	\$200	Annual License Fee	111.22, 111.23
Off Sale Intoxicating	\$200	Annual License Fee (4 Allowed per Ordinance)	111.22, 111.23
Off Sale 3.2 Malt Liquor	\$25	Annual License Fee	111.23

Ordinance and Description	Fee	per ____ unit	Reference
111 LIQUOR LICENSES (Continued)			
Temporary On Sale Intoxicating	\$25		111.22, 111.23
Temporary On Sale 3.2	\$10		111.23
Temporary Off Sale Wine	\$25		111.22
Brewpub On Sale Intoxicating	\$200	Only allowed for a Restaurant that also holds an on sale intoxicating license. Restaurant exclusion would apply.	111.22
Brewpub On Sale 3.2	\$75	Only allowed for a Restaurant that also holds an on sale intoxicating license. Restaurant exclusion would apply.	111.22
Brewer Taproom	\$150	Brewer taproom - Retail portion of a small brewery to sell their own product for consumption on the premise. Cannot hold license to sell any other type of alcohol or any beer but theirs. Does not count toward allowed number of licenses per Ordinance.	111.23
Brewer (Growler) Off Sale Intoxicating	\$100	Does not count toward allowed number of licenses per Ordinance.	111.22
Brewer Temporary On Sale Intoxicating	\$25		111.23
Microdistillery Cocktail Room	\$25		111.23
Culinary Class Limited On Sale	\$25		111.23
One Day Consumption and Display Permit	\$20		111.23
Liquor License Application and Background Investigation Fee	\$100	Nonrefundable	111.29
131 GAMBLING (Establish by Resolution)			
Gambling Permit Investigation Fee	\$100	for organizations applying for a state-issued premises permit.	131.08
Local Gambling Permit	\$10		131.09
150 RENTAL PROPERTIES			
Rental Inspection Fee	\$50	per unit	
Multi Unit Rental Inspection Fee	\$50	for first unit and \$10 for each additional unit	
Initial Rental Dwelling License	\$75	per unit annually for first year licensed only.	150.17
Annual Rental Dwelling License	\$50	per unit annually after first year licensed.	150.18
Initial Multi-Unit Dwelling License Annual License	\$75	for first unit and \$10 for each additional unit for first year licensed only.	
Annual Multi-Unit Dwelling License Annual License	\$50	for first unit and \$10 for each additional unit annually after first year licensed.	

Ordinance and Description	Fee	per ____ unit	Reference
152 LAND USE AND SUBDIVISIONS			
Residential			
<i>Principal Dwelling</i>			
		All construction represents actual footprint of dwelling plus attached garage, deck, porch or other usable area being constructed.	
Up to 1,000 sq. ft.	\$250		152.018
1,001 to 2,000 sq. ft.	\$450		152.018
over 2,001 sq. ft.	\$550		152.018
Sewage Treatment System	250 \$260	Additional to Construction	152.018
Alternative/Experimental Waste Disposal System	\$300		152.018
Extra Site Visit/Inspection	\$100		152.018
<i>Accessory Structures</i>		Includes sheds, pole barns, decks, garages, porches, etc.	152.018
0 to 200 sq. ft.	\$75		152.018
201 to 600 sq. ft.	\$150		152.018
601 to 1,200 sq. ft.	\$250		152.018
over 1,201 sq. ft.	\$400		152.018
Solar Panels	\$75		152.018
Commercial		All construction based on actual square footage of structure footprint.	
Up to 1,000 sq. ft.	\$400		152.018
over 1,001 sq. ft.	\$600		152.018
Sewage Treatment System	\$250	Additional to Construction	152.018
Alternative/Experimental Waste Disposal System	\$500		152.018
Extra Site Visit/Inspection	\$100		152.018
Temporary Commercial Structure	\$60		152.018
Other			
Grade and Fill	\$100	Wetlands issued only after SWCD and/or COE approval.	152.018
Annual Ice Ridge Grading	\$60		152.018
Signs (On/Off Site)	\$60		152.018
E911 Address Assignment and Signs	\$100	Payable to CWC Treasurer. Property owner needs to send the fee to CWC.	152.018
Fences	\$60		152.018

Ordinance and Description	Fee	per ___ unit	Reference
152 LAND USE AND SUBDIVISIONS (Continued)			
Retaining Wall	\$60		152.018
Stairway	\$60		152.018
Lot Splits	\$150		152.018
Boundary Line Adjustments	\$150		152.018
Variance	\$500	Fee includes public and mailed notices and other preparation. All other costs will be billed to applicant. Does not include permit fees.	152.018, 152.156
Conditional Use Permit	\$500	Fee includes public and mailed notices and other preparation. All other costs will be billed to applicant. Does not include permit fees.	152.018, 152.155
Interim Use Permit	\$500		152.018, 152.157
Zoning Map Change/Zoning Ordinance Amendment	\$500	Fee includes public and mailed notices and other preparation. All other costs will be billed to applicant. Does not include permit fees.	152.018
Preliminary Plat Approval	\$500	Six lots or fewer	152.018, 152.159
Preliminary Plat Approval	\$1000 plus \$200 per lot escrow	More than six lots. All preliminary plat applications shall be accompanied by cash placed in escrow. The escrow amount placed with the City shall be \$1,000 plus \$200 per lot for each proposed lot within the subdivision. The escrow amount shall be used to cover the City's costs in reviewing and processing the application. Itemized accounting of the funds used from the escrow account shall be provided to the applicant. If at any point the escrow amount falls below \$1,000, the applicant shall be notified and given 20 days to replenish the account to the original amount. Failure to replenish the account shall result in suspension of the application review and processing. All remaining escrow shall be returned to the applicant within 30 days of final action on the subdivision by the City.	152.018, 152.159

Ordinance and Description	Fee	per ___ unit	Reference
152 LAND USE AND SUBDIVISIONS (Continued)			
Final Plat Approval	\$300 plus \$25 per lot		152.018, 152.159
PZ/BOA Special Meeting	\$500		152.018
Property Assessment Search	\$25		152.018
Home Occupation Permit (One Time)	\$25	CUP also needed for Type III and IV	152.018
RV/Camper Permit	\$25	Annual Fee	152.018
RV/Camper Permit	\$200	Long term fee	152.018
Outdoor Market Permit	\$75	Annual Fee	152.115
Demolition Permit	\$50	for demolition of any structure containing plumbing facilities provided the structure is not being replaced.	
Recording Fee	\$46	Payable to Crow Wing County Recorder	152.018
Late Permit Application	\$50	Resolved within 15 days of notice.	152.018
After the Fact Fees for Permitted Construction/Work		10 times base fee (permit included)	152.018, 152.160
Permit Extension Request	\$50	for second request for a land use permit extension to go before the Planning Commission. Nonrefundable.	152.018
Penalty When Violation Must be Corrected by Removal or Restoration		50% of penalty fee - Work or construction NOT allowed by the Land Use Ordinance.	152.018
Copies			
Zoning Ordinance	\$20	Bound books	152.018
Subdivision Ordinance	\$0.25	per page	152.018
Comprehensive Plan	\$5	Text only	152.018
Comprehensive Plan	\$25	Graphic version	152.018
All other ordinances	\$0.25	per page	152.018
Land Use Map	\$5	Small	152.018
Land Use Map	\$15	Poster size	152.018
Miscellaneous	\$0.25	per page	152.018
Over 100 copies	\$0.25	per page - Includes time and materials	152.018
Appeals			
To Board of Adjustment	\$0	from action of Zoning Administrator	152.018
To Council	\$200	from action of Planning Commission or Board of Adjustment.	152.018

Ordinance and Description	Fee	per ___ unit	Reference
152 LAND USE AND SUBDIVISIONS (Continued)			
NOTE		When costs associated with processing or reviewing an application exceed the original application fees; the applicant shall reimburse the City for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the City may need to hire in reviewing permits.	152.018
NOTE		Outstanding fees shall be paid before issuance of the permit and any construction of the project begins.	152.018
Background Investigation Prior to Issuance of a License to Operate an Adult Oriented Uses Business	\$500		152.108
License to Operate an Adult Oriented Uses Business	\$2,500	Annually	152.108
Antenna/Tower Permit and/or Application Fee	\$100		152.089
Park Dedication Fees		Set by Planning Commission, with the concurrence of the City Council, after taking into consideration the open space, park, recreational or common areas and facilities which the applicant proposes to reserve for public use within the subdivision.	152.140
MISCELLANEOUS			
Road Grading or Plowing an Adjacent City/Township	\$200	per hour - 1 hour minimum fee. No private road grading or snowplowing.	
8 inch PVC Culvert	\$9.70	per foot - 20 foot sections	
10 inch PVC Culvert	\$12.50	per foot - 20 foot sections	
12 inch PVC Culvert	\$13.00	per foot - 20 foot sections	
Culvert Delivery	\$25	Within City Boundaries	
City Brush Dump		Only for use by City Property Owners or Contractor working for City Property Owner	
Stump Disposal - Residential	\$5	per stump	
Stump Disposal - Contractor	\$55	per Single Axle Dump Truck	
Stump Disposal - Contractor	\$75	per Double Axle Dump Truck	

Ordinance and Description	Fee	per ___ unit	Reference
MISCELLANEOUS (Continued)			
Contractor Use of Water at Fire Hall	\$0.10	per gallon. Contractor	
Hall Rental		Rental Agreement and payment required prior to reservation and rental. Damage deposit is returned after rental, minus cost of clean up and repairs made by the City. Additional costs will be billed to the renter.	
Gym	\$100	Property owner or long term renter	90.03
	\$100	Property owner or long term renter damage deposit	90.03
	\$250	Non Property owner	90.03
	\$250	Non Property owner damage deposit	90.03
Multipurpose or Conference Room	\$30	Property owner or long term renter	90.03
	\$30	Property owner or long term renter damage deposit	90.03
	\$75	Non Property owner	90.03
	\$75	Non Property owner damage deposit	90.03
Reduced Rentals (Gym, Multipurpose or Conference Rooms)	\$10	Local Clubs, Associations, Sporting Events, Churches and Fund Raisers	90.03
	\$100	Damage Deposit	90.03
Free Rentals (Gym, Multipurpose or Conference Rooms)	Free	Local Nonprofits, Community Services, Government Agencies, Red Cross, Funerals, Senior Birthdays & Anniversaries	90.03
	\$100	Damage Deposit	90.03
Police Supervision	\$250	Up to six hours of Emily Police Department supervision when liquor and/or beer are served during rental of the Hall.	
Open Gym	Free	No Damage Deposit	90.03
Tables	\$5	per table per day	90.03
Chairs	\$1	per chair per day	90.03
	\$100	Damage Deposit	90.03
Park Rental	\$0	Pavilions, Tennis Courts, and Ball fields are reservable.	
Request for Special Council Meeting or Planning Commission Meeting/Public Hearing	\$300	per meeting	

Ordinance and Description	Fee	per ___ unit	Reference
MISCELLANEOUS (Continued)			
Copies		Per side, over 100 - cost and labor	
Letter size (8.5X11)	\$0.25	first 4 free	
Legal (8.5X14)	\$0.25	first 4 free	
Ledger (11X17)	\$0.30	first 3 free	
Color	\$0.05	Additional	
Fax	\$1.00	5 pages or less free	
Audio copy of meeting	\$10	Due upon request	
Video copy of meeting	\$10	Due upon request	

Section 5. Penalty. Any person violating any provision of this ordinance or any other City ordinance shall, upon conviction, be punished by a fine not exceeding \$1,000 or by imprisonment for a period not exceeding 90 days, or both, plus, in either case, the costs of prosecution.

Passed by the City Council of the City of Emily, Minnesota this 12th day of September, 2023.

Attest:

Mayor Tracy Jones

Cari Johnson, MCMC
City Clerk/Treasurer

Date of Publication: _____