



ORDINANCE NUMBER 2020-

AN ORDINANCE AMENDING THE CITY CODE

The City Council of the City of Stacy hereby ordains:

SECTION 1. Section 51.10 of the City Code is hereby repealed as follows:

§ 51.10 POINT OF SALE PRIVATE WELL COMPLIANCE.

No owner of a property served by a private well located in the city shall transfer such property by conveyance or contract for conveyance without providing for an inspection of the well by a state-licensed inspector prior to the time of sale. The owner of the property must disclose in writing, to the buyer, all known information about the status and location of any private wells on the property.

(A) TIME OF SALE shall mean the date of full execution of a written purchase agreement, or, in the absence of a fully executed purchase agreement, the date of full execution of a contract, or the date of full execution of any document providing for the conveyance by deed or contract, whichever occurs first.

(B) If the seller fails to provide a Certificate of Compliance issued by the state-licensed inspector and filed with the city, buyer and seller shall arrange for deposit of sufficient security in the form of an escrow agreement, in a form approved by the city, to assure the installation of a complying private well, or connection to city water and city sewer services, if available, as required by City Code provisions.

(C) This escrow procedure, along with a signed Affidavit of Understanding with the city, may be used to allow for a transfer of property to occur during winter months, until such time conditions allow for the inspection to be performed. To assist in the direction and control of traffic, to improve safe driving conditions at any intersection or dangerous location, and to warn pedestrians or drivers of motor vehicles of dangerous conditions or hazards, the City Council may establish safety zones, lanes of traffic, and stop intersections and may order installation by the City Maintenance Department of stop signs, yield signs, warning signs, signals, pavement markings, or other devices. No regulation may be established on a truck highway unless the consent of the Commissioner of Transportation is first secured.

SECTION 2. Section 52.56 (16)D of the City Code is hereby repealed as follows:

§52.56 (16)D PRIVATE WASTEWATER DISPOSAL.

D. Point of Sale - Transfer of Properties with Existing SSTS

No owner of a property served by an SSTS located in the City shall transfer such property by conveyance or contract for conveyance without providing for an inspection of the septic

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system by a Qualified Employee of the Department, prior to the time of sale. The owner of the property must disclose in writing, to the buyer, all known information about the status and location of any SSTS on the property.

1. Time of sale shall mean the date of full execution of a written purchase agreement, or, in the absence of a fully executed purchase agreement, the date of full execution of a contract, or the date of full execution of any document providing for the conveyance by deed or contract, whichever occurs first.
2. If the seller fails to provide a Certificate of Compliance issued by the City, buyer and seller shall arrange for deposit of sufficient security in the form of an escrow agreement in a form approved by the City to assure the installation of a complying SSTS.
 - a) This escrow procedure, along with a signed Affidavit of Understanding with the City may be used to allow for a transfer of property to occur during winter months, until such time conditions allow for the inspection to be performed.

SECTION 3. Section 90.01 of the City Code is hereby repealed and replaced as follows:

§ 90.01 PROHIBITED ACTS.

In any city park or recreation area, it shall be unlawful for any person:

- (A) To exceed posted speed limits or to park in an area other than those designated for parking;
- (B) To picnic or to light and/or maintain a fire outside area designated for such use;
- (C) To leave a fire unattended;
- (D) To dump or deposit bottles, broken glass, ashes, paper boxes, cans or refuse of any kind except in containers provided therefor;
- (E) To discharge in any lake, stream or other body of water any substance, liquid or solid or any other matter or thing which may result in the pollution of said waters;
- (F) To remove, break, destroy, injure, mutilate, deface or in any way damage any structure, monument, fence, flagpole, vehicle, bench, natural growth, fireplace or any other property located therein;
- (G) To solicit the acquaintance of another for immoral purposes;
- (H) To climb trees, ~~or~~ other natural growths, ~~for~~ flagpoles, ~~or~~ buildings, or structures, unless specifically designated for that purpose;
- (I) To place advertising, decorations or any other device or thing on park property, except as authorized by the city;
- (J) To operate a motor vehicle or any device propelled by human power except on roads, paths or areas designated for such use;
- (K) To permit any pet or other animal over which the person has control to be therein while not on a leash or to harass or interfere with users of the park or recreation area;
- (L) To fail to obey the directions or orders of an official of the city or a law enforcement office relating to the safe use of said parks and recreation areas by or for the public;

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SECTION 4. Section 90.02 of the City Code is hereby established as follows:

§ 90.02 PROHIBITED ACTS, EXCEPTION.

In any city park or recreation area, it shall be unlawful for any person, unless approved by the city council:

- (A) To possess or discharge firearms, air rifles, BB guns, sling shots, bows and arrows, explosives or fireworks;
- (B) To gamble, be boisterous, be abusive to other persons, use profane or indecent language, indulge in excessive use of alcoholic beverages, or engage in conduct constituting a nuisance;
- (C) To advertise, sell or attempt to sell, or solicit for a private gain or cause;
- (D) To participate in active games or sports outside designated play areas;
- (E) To be present in a park or recreation area after the hour of 10:00 p.m. or before the hour of 5:00 a.m. on any day unless involved in organized activities authorized by the city;
- (F) To use a park or recreation area, or any portion thereof, for group celebrations, meetings, or entertainment which are not open to the public except upon obtaining prior thereto a permit from the city or its designated official;
- (G) To operate or play any musical instrument, radio, television, record or tape player, loudspeaker or other sound amplifying equipment in such a manner that the sound emanating therefrom is audible beyond the immediate vicinity of the device and interferes with the use of the park or recreation area by others, or disturbs the residents of adjacent properties.

SECTION 5. Section 91.25-91.98 of the City Code is hereby repealed as follows:

§ 91.25 BURNING OF LEAVES PERMITTED.

The burning of dried leaves is permitted within the corporate limits of the city only in accordance with conditions set forth herein.

§ 91.26 TIME.

The burning of dried leaves shall be permitted to occur from 8:00 p.m. to 6:00 a.m. within the period from September 16 to November 30 of each year.

§ 91.27 LOCATION.

The burning of dried leaves shall be permitted on a person's own property, and such burning must be conducted a minimum of 25 feet from all buildings, structures and flammable materials, including tall grass and weeds.

§ 91.28 FIRE ON LAND OF OTHERS RESTRICTED.

No person shall burn any dried leaves upon the land of another without the permission of the owner thereof or his or her agent.

§ 91.29 BURNING ON PUBLIC PROPERTY.

The burning of leaves is prohibited on city streets, boulevards, lake shores or any public property by private citizens.

§ 91.30 ATTENDANCE OF FIRES.

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Any fire authorized by this subchapter shall be constantly attended by a competent adult until such fire is extinguished. This person shall have a garden hose connected to a water supply or other fire extinguishing equipment readily available for use.

§ 91.31 AIR POLLUTION AND FIRE ALERTS.

No burning shall take place during an air pollution alert, warning or emergency declared by the Minnesota Pollution Control Agency or during a fire alert or warning declared by any governmental authority. The local fire chief may prohibit burning of leaves when atmospheric or local conditions makes such burning hazardous.

§ 91.32 DEPARTMENT OF NATURAL RESOURCES PERMITS.

Nothing contained herein shall eliminate the requirement that a burning permit be obtained from the Minnesota Department of Natural Resources prior to burning dried leaves within the city.

§ 91.98 VIOLATION.

Any person violating any provision of this chapter is guilty of a misdemeanor and upon conviction shall be punished by a fine and/or imprisonment.

SECTION 6. Section 92.01(3) of the City Code is hereby ~~amended~~repealed and replaced as follows:

§92.01 DEFINITIONS.

(3) NON-DOMESTIC ANIMALS. Those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, non-domestic animals shall include but not limited to:

(a) Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards, and jaguars, but excluding commonly accepted domesticated house cats.

(b) Any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.

(c) Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet.

(d) Any member or relative of the rodent family including any skunk (whether or not descended), raccoon, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets.

(e) Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles, and alligators.

(f) Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this section, including, but not limited to, bears, deer, monkeys, and game fish.

SECTION 7. Section 92.01 of the City Code is hereby repealed as follows:.

§92.01 DEFINITIONS.

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§92.01 BREEDING MORATORIUM. Every female dog or female cat in heat shall be confined in a building or other enclosure in a manner that it cannot come in contact with another dog or cat except for planned breeding. Upon capture and failure to reclaim the animal every dog or cat shall be neutered or spayed prior to being transferred to a new owner.

92.01 RELEASE PERMIT. A permit issued by the Animal Control Officer or other person in charge of the pound for the release of any animal that has been taken to the pound. A release permit may be obtained upon payment of a fee to the City Clerk in accordance with the regular license requirement if the animal is unlicensed, payment of a release fee, and any maintenance costs incurred in capturing and impounding the animal. The release fee shall be as established in by ordinance.

SECTION 8. Section 92.01 of the City Code is hereby amended by adding the definitions as follows:

§ 92.01 SERVICE DOGS. Service dogs (also known as “assistance dogs”) are trained to perform quantifiable tasks that directly ease the challenges associated with their owner’s physical, psychiatric, sensory, and/or developmental disability. The most common types of service dogs include guide, hearing, medical alert, mobility, autism service, and psychiatric service dogs (such as those who assist veterans with post-traumatic stress). Having a service dog provides handlers with greater independence, as well as enriched confidence to leave their home, foster social relationships, and enter or re-enter the workforce.

§92.01 EMOTIONAL SUPPORT ANIMAL. Emotional support animals are companion animals who help their owners cope with the challenges associated with emotional and mental health conditions (such as depression and anxiety) by providing comfort with their presence. Unlike service and therapy dogs, emotional support animals are not expected to perform specific tasks related to their owner’s condition, nor must they adhere to any behavior standards or training. Their presence alone is what is thought to provide their owner with solace and therapeutic benefit. Emotional support animals are not allowed in public places, with the exception of air travel, which requires special documentation. The Fair Housing Act requires that most housing units accommodate emotional support animals with appropriate documentation.

§92.01 THERAPY DOG: Together with their owners, therapy dogs are certified or registered to visit hospitals, long-term care facilities, treatment centers, schools, and other settings to benefit people in need. While typically trained in basic obedience skills, therapy dogs (or “comfort dogs”) are not required to perform essential tasks for those they serve or specialize in any particular area of service. Therapy dogs do not have public access rights under the ADA and are only allowed in facilities by invitation/agreement.

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SECTION 9. Section 92.02 (B)(3) of the City Code is hereby repealed and replaced as follows:

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§ 92.02 DOGS AND CATS.

92.02(B)(3) Upon payment of the license fee as established by ordinance, the Clerk shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the number corresponding with the number on the certificate. The license shall be valid for the same period as that of the vaccination; (however, in case of a puppy the vaccine administered is for a one-year period and then moved to 3 years the next vaccination period). Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate shall be issued by the City Clerk. A charge shall be made for each duplicate tag shall be an amount set forth in the current city fee schedule. Dog tags shall not be transferable from 1 dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the city before the expiration of the license period.

SECTION 10. Section 92.13 of the City Code is hereby repealed and replaced as follows:

§ 92.13 BASIC CARE. All animals shall receive from their owners or keepers kind treatment, housing in the winter, protection from heat in the summer, and sufficient food and water for their comfort. Any person not treating their pet in a humane manner will be subject to the penalties provided in this section.

SECTION 11. Section 92.16 of the City Code is hereby repealed as follows:

§ 92.16 POUND. Every year the Council shall designate an official pound to which animals found in violation of this chapter shall be taken for safe treatment, and if necessary, for destruction.

SECTION 12. Section 92.18 of the City Code is hereby repealed as follows:

§ 92.18 ANIMALS PROHIBITED IN CITY PARKS. Except as provided in this section, all animals, whether defined as domestic animals, farm animals, or non-domestic animals, owned by any person are prohibited from being present in a city park within the city. Dogs and cats effectively restrained by command as by leash shall be allowed in a city park. Animals that do not fall under the definition of dangerous animals, pursuant to § 92.11 of the City Code, may be allowed in a city park as an exception to this section only for purposes of community events approved by the city and upon issuance of a 1-day permit by the city.

SECTION 13. Section 50.07 of the City Code is hereby repealed and replaced as follows:

§ 50.07 SEWER/WATER AVAILABILITY CHARGE.

(A) *General.* In addition to all other charges set forth in this title, all applications for building permits for new structures shall be accompanied by a sewer availability charge

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in an amount as established in this chapter.

(B) *Sewer availability charge.* The sewer/water availability charge shall be as set forth in the city fee schedule.

(C) *Computation of units for residential units.* The number of units which are connected, or for which a building permit is issued, shall be computed as follows:

(1) Single family houses, town houses, condominiums, and duplex units, and most apartments shall each comprise 1 unit;

(D) *Computation of units for commercial public and other facilities.* The number of units which are connected or for which a building permit is issued shall be based on multiples of the parameters set forth in Exhibit A.

EXHIBIT A		
Type of Facility	Parameter*	SAC Unit
Arenas/auditoriums	110 seats	1
Automobile service		
Fast service less than 4 hours per vehicle	2 service bays	1
Major service more than 4 hours per vehicle	14 bays	1
Ballroom		
Facility without liquor service	825 square feet	1
Facility with liquor service	590 square feet	1
Bank	2,400 square feet	1
Banquet hall		
Includes office, meeting, kitchen, warehouse/storage, lounge, bride/groom suites, lockers/showers	1,650 square feet	1
Barber/Salon Spa		
Includes office, retail, meeting, warehouse/storage, hair stations, nail stations, lockers/showers, and massage tables if business includes hair and/or nail stations; Whirlpool/tub is charged additional	700 square feet	1
Boarding house	5 beds	1
Vehicle Service	2,550 square feet	1
Bowling alleys (does not include bar or dining area)	3 alleys	1
Camps		
Children's camps (central toilet and bath; overnight, primitive cabins; number of occupants x 50 gallons/occupant)	274 gallons	1
Day camps (no meals served; number of occupants x 10 gallons/occupant)	274 gallons	1
Labor/construction camps (number of occupants x 50 gallons/occupant)	274 gallons	1
Housekeeping cabins with private baths (number of beds x 60 gallons/bed)	274 gallons	1

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Travel trailer parks		
With water and sewer hookup (number Sites x 100 gallons/Site)	274 gallons	1
With central toilet and showers (number of Sites x 75 gallons/Site)	274 gallons	1
Sanitary dump (Sites without hookup; number of Sites x 10 gallons/Site)	274 gallons	1
Car wash (self-service (non-automatic), other car wash bay or hose bib area)	1 bay	3
Car wash (roll-over (automatic) – provide spec sheet stating the number of gallons per each wash type divided by number of wash types x 100 cars)	274 gallons	1
Car wash (conveyor/pull-through (automatic) – provide spec sheet stating the number of gallons per each wash type divided by number of wash types x 200 cars)	274 gallons	1
Car wash (reclaim)	Contact City Council/Engineer	-
Church/Worship Includes worship and congregation space, office, meeting, warehouse/storage, lockers/showers, classrooms, nursery, stage, banquet, small coffee café.	2,300 square feet	1
Cocktail lounge (no food service)	23 seats	1
Daycare (Includes office, preschool classrooms, meeting, warehouse/storage, shower/lockers)	900 square feet	1
Fitness (Includes fitness, dance, office, meeting, retail, warehouse/storage, daycare, salon, massage, tanning, small café, showers/lockers, pool/whirlpool, team sport courts/cages)	1600 square feet	1
Game room	590 square feet	1
General office building	2,650 square feet net** floor space	1
Group home Secondary treatment (residents leave during the day) Primary treatment (residents stay all day)	5 beds 3 beds	1 1
Handball and racquet courts	1 court	2
Hospitals (does not include outpatient clinic) Licensed beds or baby cribs Sleep center Office (administration) Meeting (administration)	1 bed/crib 5 beds 2,400 square feet 1,650 square feet	1 1 1 1

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Warehouse/storage	7000 square feet	1
Showers (employee use only)	17 fixture unites	1
Laundromats (number of gallons of water per cycle x 8 cycles/day x # of washers of each type)	274 gallons	1
Motels and hotels (assume 2 persons/room)	2 rooms	1
Nursing home/Memory care	2 beds	1
Restaurant (drive-in)	9 parking spaces	1
Restaurant (take out – no indoor customer seating)	3000 square feet	1
Restaurant (food and drink) – Includes bar, coffee shop, tap room, dance floor, brewery/distillery with 10% or less production space, bakeries with seating, and restaurant with customer seating. The gross square feet includes all areas associated with the business. This may include seating area, bar area, bathrooms, hallways, storage, prep space, coolers, kitchen, etc.	300 square feet	1
Retail stores - Includes office that is part of the main function of the business (e.g., managers, accounting, etc.), meeting, warehouse/stock, showers/lockers, and fixture units; Individual tenant spaces will be excluded from the gross square feet calculation and charged based on their individual use	3,050square feet	1
Retail-mixed - Retail criteria where additional uses exceed the 10% accessory use threshold; Individual tenant spaces will be excluded from the gross square feet calculation and charged based on their individual use	1,900 square feet	1
Rooming houses	7 beds	1
* Parameter - if a given property exceeds the parameter, round up to the next full sac unit ** Net - square footage - deduct mechanical rooms, elevator shafts, stairwells, restroom and storage areas		

(E) *Other uses.* The number of units to be charged to uses not specifically covered by this section shall be determined on a case by case basis by the City Council/Engineer in consultation with the City Engineer.

SECTION 14. Effective Date. This ordinance shall take effect from and after its passage and publication.

ADOPTED this _____th day of _____, 2020, by the City Council of Stacy, Minnesota.

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CITY OF STACY

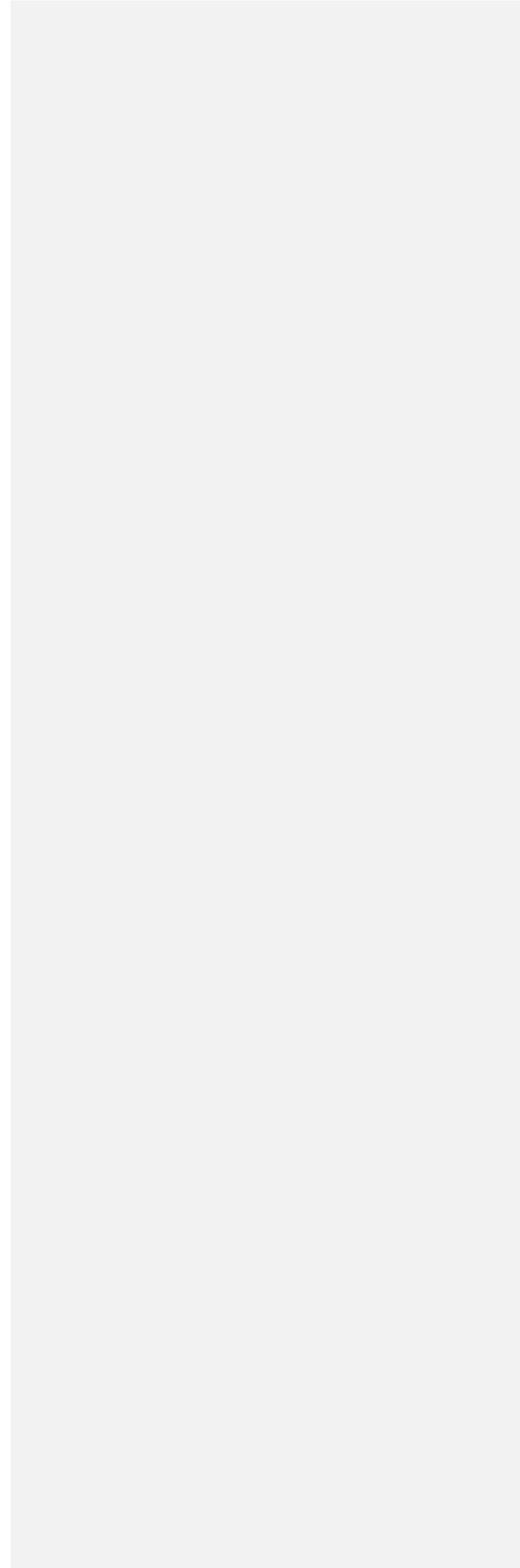
Mark Utecht, Mayor

ATTEST:

Sharon MT Payne, City Clerk

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SUMMARY ORDINANCE NO. 2020-

**AN ORDINANCE AMENDING
THE CITY CODE**

NOTICE IS HEREBY GIVEN that, on _____, 2020, Ordinance No. _____ was adopted by the City Council of the City of Stacy, Minnesota.

NOTICE IF FURTHER GIVEN that, because of the lengthy nature of Ordinance No. _____, the following summary of the ordinance has been prepared for publication:

Ordinance No. _____ amends City Code by: amending Section 90.01 and establishing Section 90.02 to permit certain activities in City parks with Council approval; amending Section 92.01 pertaining to the definition of non-domestic animals; amending Section 92.01 to add definitions of service dogs, emotional support animal, and therapy dog; amending Section 92.02(B)(3) pertaining to duration of dog licenses; amending Section 92.13 pertaining to care of animals by owners and keepers; and amending Section 50.07 pertaining to sewer availability charges. The ordinance repeals Sections 51.10 pertaining to point of sale well compliance; 52.56 (16)D pertaining to point of sale subsurface sewage treatment system compliance; 91.25-91.98 pertaining to burning of leaves; 92.01 pertaining to the definitions of breeding moratorium and release permit; 92.16 pertaining to designation of a pound where animals are taken; and 92.18 prohibiting animals in City parks.

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A printed copy of the entire Ordinance is available for inspection by any person during the City Clerk's regular office hours.

APPROVED for publication by the City Council of the City of Stacy, Minnesota, this _____ th day of _____, 2020.

City of Stacy

Mark Utecht
Mayor

ATTEST:

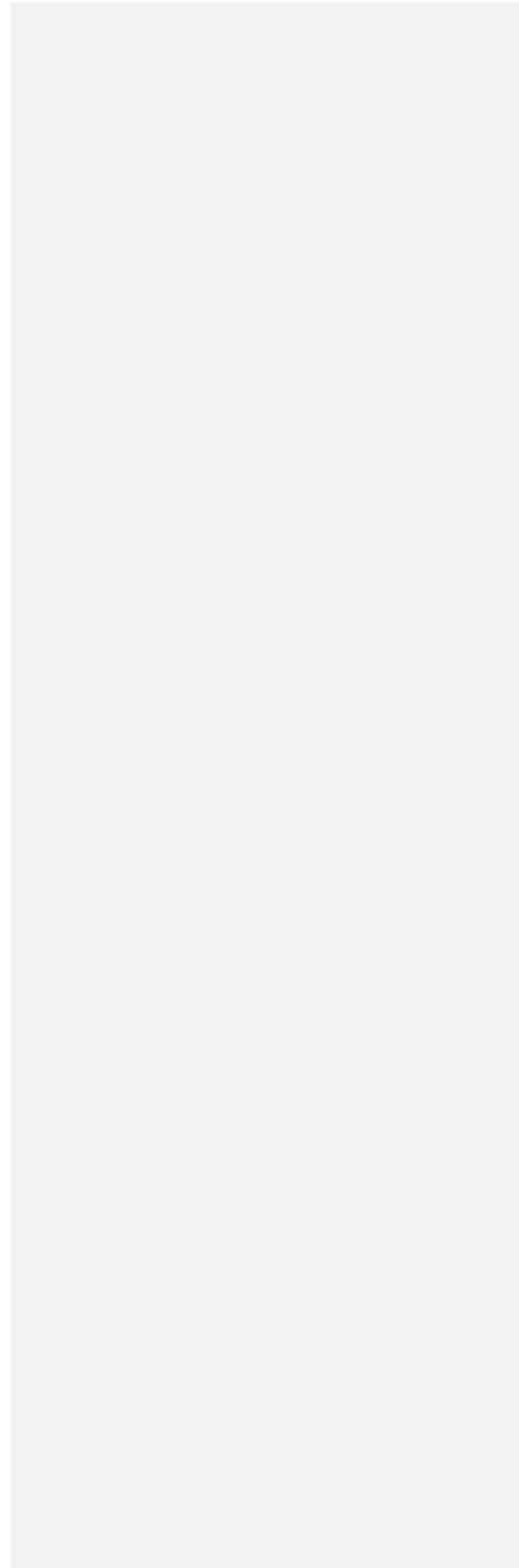
Sharon MT Payne
City Clerk

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Current Code	Change or Question
<p>§51.10 POINT OF SALE PRIVATE WELL COMPLIANCE.</p> <p>No owner of a property served by a private well located in the city shall transfer such property by conveyance or contract for conveyance without providing for an inspection of the well by a state-licensed inspector prior to the time of sale. The owner of the property must disclose in writing, to the buyer, all known information about the status and location of any private wells on the property.</p> <p>(A) TIME OF SALE shall mean the date of full execution of a written purchase agreement, or, in the absence of a fully executed purchase agreement, the date of full execution of a contract, or the date of full execution of any document providing for the conveyance by deed or contract, whichever occurs first.</p> <p>(B) If the seller fails to provide a Certificate of Compliance issued by the state-licensed inspector and filed with the city, buyer and seller shall arrange for deposit of sufficient security in the form of an escrow agreement, in a form approved by the city, to assure the installation of a complying private well, or connection to city water and city sewer services, if available, as required by City Code provisions.</p> <p>(C) This escrow procedure, along with a signed Affidavit of Understanding with the city, may be used to allow for a transfer of property to occur during winter months, until such time conditions allow for the inspection to be performed.</p> <p>The commission will continue review of the city code chapter IX at their next meeting.</p>	<p><u>Remove Sections entirely from the code</u></p> <p>§51.10 POINT OF SALE PRIVATE WELL COMPLIANCE.</p> <p>No owner of a property served by a private well located in the city shall transfer such property by conveyance or contract for conveyance without providing for an inspection of the well by a state-licensed inspector prior to the time of sale. The owner of the property must disclose in writing, to the buyer, all known information about the status and location of any private wells on the property.</p> <p>(A) TIME OF SALE shall mean the date of full execution of a written purchase agreement, or, in the absence of a fully executed purchase agreement, the date of full execution of a contract, or the date of full execution of any document providing for the conveyance by deed or contract, whichever occurs first.</p> <p>(B) If the seller fails to provide a Certificate of Compliance issued by the state-licensed inspector and filed with the city, buyer and seller shall arrange for deposit of sufficient security in the form of an escrow agreement, in a form approved by the city, to assure the installation of a complying private well, or connection to city water and city sewer services, if available, as required by City Code provisions.</p> <p>(C) This escrow procedure, along with a signed Affidavit of Understanding with the city, may be used to allow for a transfer of property to occur during winter months, until such time conditions allow for the inspection to be performed. The commission will continue review of the city code chapter IX at their next meeting.</p>
<p>§52.56 PRIVATE WASTEWATER DISPOSAL</p> <p>D. Point of Sale - Transfer of Properties with Existing SSTS</p> <p>No owner of a property served by an SSTS located in the City shall transfer such property by conveyance or contract for conveyance without providing for an inspection of the septic system by a Qualified Employee of the Department, prior to the time of sale. The owner of the property must disclose in writing, to the buyer, all known information about the status and location of any SSTS on the property.</p> <p>1. Time of sale shall mean the date of full execution of a written purchase agreement, or, in the absence of a fully executed purchase</p>	<p>§52.56 PRIVATE WASTEWATER DISPOSAL</p> <p>D. Point of Sale - Transfer of Properties with Existing SSTS</p> <p>No owner of a property served by an SSTS located in the City shall transfer such property by conveyance or contract for conveyance without providing for an inspection of the septic system by a Qualified Employee of the Department, prior to the time of sale. The owner of the property must disclose in writing, to the buyer, all known information about the status and location of any SSTS on the property.</p> <p>1. Time of sale shall mean the date of full execution of a written purchase agreement, or, in the absence of a fully executed purchase agreement, the date of full execution of a contract,</p>

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agreement, the date of full execution of a contract, or the date of full execution of any document providing for the conveyance by deed or contract, whichever occurs first.

2. If the seller fails to provide a Certificate of Compliance issued by the City, buyer and seller shall arrange for deposit of sufficient security in the form of an escrow agreement in a form approved by the City to assure the installation of a complying SSTS.

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§90.01 Prohibited Acts:

In any city park or recreation area, it shall be unlawful for any person:

- (A) To possess or discharge firearms, air rifles, BB guns, sling shots, bows and arrows, explosives or fireworks;
- (B) To gamble, be boisterous, be abusive to other persons, use profane or indecent language, indulge in excessive use of alcoholic beverages, or engage in conduct constituting a nuisance;
- (C) To advertise, sell or attempt to sell, or solicit for a private gain or cause;
- (D) To participate in active games or sports outside designated play areas;
- (E) To exceed posted speed limits or to park in an area other than those designated for parking;
- (F) To picnic or to light and/or maintain a fire outside area designated for such use;
- (G) To leave a fire unattended;
- (H) To be present in a park or recreation area after the hour of 10:00 p.m. or before the hour of 5:00 a.m. on any day unless involved in organized activities authorized by the city;
- (I) To dump or deposit bottles, broken glass, ashes, paper boxes, cans or refuse of any kind except in containers provided therefor;
- (J) To discharge in any lake, stream or other body of water any substance, liquid or solid or any other matter or thing which may result in the pollution of said waters;
- (K) To remove, break, destroy, injure, mutilate, deface or in any way damage

§90.01 Prohibited Acts:

In any city park or recreation area, it shall be unlawful for any person:

- ~~(A) To possess or discharge firearms, air rifles, BB guns, sling shots, bows and arrows, explosives or fireworks;~~
- ~~(B) To gamble, be boisterous, be abusive to other persons, use profane or indecent language, indulge in excessive use of alcoholic beverages, or engage in conduct constituting a nuisance;~~
- ~~(C) To advertise, sell or attempt to sell, or solicit for a private gain or cause;~~
- ~~(D) To participate in active games or sports outside designated play areas;~~
- (E) To exceed posted speed limits or to park in an area other than those designated for parking;
- (F) To picnic or to light and/or maintain a fire outside area designated for such use;
- (G) To leave a fire unattended;
- ~~(H) To be present in a park or recreation area after the hour of 10:00 p.m. or before the hour of 5:00 a.m. on any day unless involved in organized activities authorized by the city;~~
- (I) To dump or deposit bottles, broken glass, ashes, paper boxes, cans or refuse of any kind except in containers provided therefor;
- (J) To discharge in any lake, stream or other body of water any substance, liquid or solid or any other matter or thing which may result in the pollution of said waters;
- (K) To remove, break, destroy, injure, mutilate, deface or in any way damage any structure, monument, fence, flagpole, vehicle,

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<p>any structure, monument, fence, flagpole, vehicle, bench, natural growth, fireplace or any other property located therein;</p> <p>(L) To solicit the acquaintance of another for immoral purposes;</p> <p>(M) To climb trees, or other natural growths, for flagpoles, or buildings, or structures, unless specifically designated for that purpose;</p> <p>(N) To use a park or recreation area, or any portion thereof, for group celebrations, meetings, or entertainment which are not open to the public except upon obtaining prior thereto a permit from the city or its designated official;</p> <p>(O) To place advertising, decorations or any other device or thing on park property, except as authorized by the city;</p> <p>(P) To operate a motor vehicle or any device propelled by human power except on roads, paths or areas designated for such use;</p> <p>(Q) To permit any pet or other animal over which the person has control to be therein while not on a leash or to harass or interfere with users of the park or recreation area;</p> <p>(R) To fail to obey the directions or orders of an official of the city or a law enforcement office relating to the safe use of said parks and recreation areas by or for the public;</p> <p>(S) To operate or play any musical instrument, radio, television, record or tape player, loudspeaker or other sound amplifying equipment in such a manner that the sound emanating therefrom is audible beyond the immediate vicinity of the device and interferes with the use of the park or recreation area by others, or disturbs the residents of adjacent properties.</p>	<p>bench, natural growth, fireplace or any other property located therein;</p> <p>(L) To solicit the acquaintance of another for immoral purposes;</p> <p>(M) To climb trees, or other natural growths, for flagpoles, or buildings, or structures, unless specifically designated for that purpose;</p> <p>(N) To use a park or recreation area, or any portion thereof, for group celebrations, meetings, or entertainment which are not open to the public except upon obtaining prior thereto a permit from the city or its designated official;</p> <p>(O) To place advertising, decorations or any other device or thing on park property, except as authorized by the city;</p> <p>(P) To operate a motor vehicle or any device propelled by human power except on roads, paths or areas designated for such use;</p> <p>(Q) To permit any pet or other animal over which the person has control to be therein while not on a leash or to harass or interfere with users of the park or recreation area;</p> <p>(R) To fail to obey the directions or orders of an official of the city or a law enforcement office relating to the safe use of said parks and recreation areas by or for the public;</p> <p>(S) To operate or play any musical instrument, radio, television, record or tape player, loudspeaker or other sound amplifying equipment in such a manner that the sound emanating therefrom is audible beyond the immediate vicinity of the device and interferes with the use of the park or recreation area by others, or disturbs the residents of adjacent properties.</p>
<p>§90.02 No Current City Code Section – Establish new code</p>	<p><u>Establish new code section §90.02 Prohibited Acts. Exception:</u></p> <p>In any city park or recreation area, it shall be unlawful for any person, unless approved by the city council:</p> <p>(A) To possess or discharge firearms, air rifles, BB guns, sling shots, bows and arrows, explosives or fireworks;</p> <p>(B) To gamble, be boisterous, be abusive to other persons, use profane or indecent language, indulge in excessive use of alcoholic beverages, or engage in conduct constituting a nuisance;</p> <p>(C) To advertise, sell or attempt to sell, or solicit for a private gain or cause;</p>

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	<p>(D) To participate in active games or sports outside designated play areas;</p> <p>(E) To be present in a park or recreation area after the hour of 10:00 p.m. or before the hour of 5:00 a.m. on any day unless involved in organized activities authorized by the city;</p> <p>(F) To use a park or recreation area, or any portion thereof, for group celebrations, meetings, or entertainment which are not open to the public except upon obtaining prior thereto a permit from the city or its designated official;</p> <p>(G) To operate or play any musical instrument, radio, television, record or tape player, loudspeaker or other sound amplifying equipment in such a manner that the sound emanating therefrom is audible beyond the immediate vicinity of the device and interferes with the use of the park or recreation area by others, or disturbs the residents of adjacent properties.</p>
<p>LEAF BURNING § 91.25 BURNING OF LEAVES PERMITTED. The burning of dried leaves is permitted within the corporate limits of the city only in accordance with conditions set forth herein. (Ord. 99, passed 8-9-1992) § 91.26 TIME. The burning of dried leaves shall be permitted to occur from 8:00 p.m. to 6:00 a.m. within the period from September 16 to November 30 of each year. (Ord. 99, passed 8-9-1992; Am. Ord. 2015-5-4, passed 5-26-2015) § 91.27 LOCATION. The burning of dried leaves shall be permitted on a person's own property, and such burning must be conducted a minimum of 25 feet from all buildings, structures and flammable materials, including tall grass and weeds. (Ord. 99, passed 8-9-1992) § 91.28 FIRE ON LAND OF OTHERS RESTRICTED. No person shall burn any dried leaves upon the land of another without the permission of the owner thereof or his or her agent. (Ord. 99, passed 8-9-1992) § 91.29 BURNING ON PUBLIC PROPERTY. The burning of leaves is prohibited on city streets, boulevards, lake shores or any public property by private citizens. (Ord. 99, passed 8-9-1992) § 91.30 ATTENDANCE OF FIRES. Any fire authorized by this subchapter shall be constantly attended by a competent adult</p>	<p>Remove the entire section regarding leaf burning: LEAF BURNING § 91.25 BURNING OF LEAVES PERMITTED. The burning of dried leaves is permitted within the corporate limits of the city only in accordance with conditions set forth herein. (Ord. 99, passed 8-9-1992) § 91.26 TIME. The burning of dried leaves shall be permitted to occur from 8:00 p.m. to 6:00 a.m. within the period from September 16 to November 30 of each year. (Ord. 99, passed 8-9-1992; Am. Ord. 2015-5-4, passed 5-26-2015) § 91.27 LOCATION. The burning of dried leaves shall be permitted on a person's own property, and such burning must be conducted a minimum of 25 feet from all buildings, structures and flammable materials, including tall grass and weeds. (Ord. 99, passed 8-9-1992) § 91.28 FIRE ON LAND OF OTHERS RESTRICTED. No person shall burn any dried leaves upon the land of another without the permission of the owner thereof or his or her agent. (Ord. 99, passed 8-9-1992) § 91.29 BURNING ON PUBLIC PROPERTY. The burning of leaves is prohibited on city streets, boulevards, lake shores or any public property by private citizens. (Ord. 99, passed 8-9-1992) § 91.30 ATTENDANCE OF FIRES.</p>

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<p>until such fire is extinguished. This person shall have a garden hose connected to a water supply or other fire extinguishing equipment readily available for use. (Ord. 99, passed 8-9-1992) § 91.31 AIR POLLUTION AND FIRE ALERTS. No burning shall take place during an air pollution alert, warning or emergency declared by the Minnesota Pollution Control Agency or during a fire alert or warning declared by any governmental authority. The local fire chief may prohibit burning of leaves when atmospheric or local conditions makes such burning hazardous. (Ord. 99, passed 8-9-1992) § 91.32 DEPARTMENT OF NATURAL RESOURCES PERMITS. Nothing contained herein shall eliminate the requirement that a burning permit be obtained from the Minnesota Department of Natural Resources prior to burning dried leaves within the city. (Ord. 99, passed 8-9-1992) § 91.98 VIOLATION. Any person violating any provision of this chapter is guilty of a misdemeanor and upon conviction shall be punished by a fine and/or imprisonment. (Prior Code, § 507.13) Penalty, see § 10.99</p>	<p>Any fire authorized by this subchapter shall be constantly attended by a competent adult until such fire is extinguished. This person shall have a garden hose connected to a water supply or other fire extinguishing equipment readily available for use. (Ord. 99, passed 8-9-1992) § 91.31 AIR POLLUTION AND FIRE ALERTS. No burning shall take place during an air pollution alert, warning or emergency declared by the Minnesota Pollution Control Agency or during a fire alert or warning declared by any governmental authority. The local fire chief may prohibit burning of leaves when atmospheric or local conditions makes such burning hazardous. (Ord. 99, passed 8-9-1992) § 91.32 DEPARTMENT OF NATURAL RESOURCES PERMITS. Nothing contained herein shall eliminate the requirement that a burning permit be obtained from the Minnesota Department of Natural Resources prior to burning dried leaves within the city. (Ord. 99, passed 8-9-1992) § 91.98 VIOLATION. Any person violating any provision of this chapter is guilty of a misdemeanor and upon conviction shall be punished by a fine and/or imprisonment. (Prior Code, § 507.13) Penalty, see § 10.99</p>
<p>§92.01(3) NON-DOMESTIC ANIMALS. Those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, non-domestic animals shall include:</p>	<p>§92.01(3) NON-DOMESTIC ANIMALS. Those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, non-domestic animals shall include but not limited to:</p>
<p>§92.01 BREEDING MORATORIUM. Every female dog or female cat in heat shall be confined in a building or other enclosure in a manner that it cannot come in contact with another dog or cat except for planned breeding. Upon capture and failure to reclaim the animal every dog or cat shall be neutered or spayed prior to being transferred to a new owner.</p>	<p>§92.01 BREEDING MORATORIUM. Every female dog or female cat in heat shall be confined in a building or other enclosure in a manner that it cannot come in contact with another dog or cat except for planned breeding. Upon capture and failure to reclaim the animal every dog or cat shall be neutered or spayed prior to being transferred to a new owner.</p>
<p>§92.01 RELEASE PERMIT. A permit issued by the Animal Control Officer or other person in charge of the pound for the release of any animal that has been taken to the pound. A release permit may be obtained upon payment of a fee to the City Clerk in accordance with the regular license requirement if the animal is unlicensed, payment of a release fee, and any maintenance costs incurred in capturing and impounding the</p>	<p>§92.01 RELEASE PERMIT. A permit issued by the Animal Control Officer or other person in charge of the pound for the release of any animal that has been taken to the pound. A release permit may be obtained upon payment of a fee to the City Clerk in accordance with the regular license requirement if the animal is unlicensed, payment of a release fee, and any maintenance costs incurred in capturing</p>

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<p>animal. The release fee shall be as established in by ordinance.</p>	<p>and impounding the animal. The release fee shall be as established in by ordinance.</p>
<p>None, new definitions.</p>	<p><u>Add Definitions to §92.01 Definitions:</u></p> <p>Service Dogs: Service dogs (also known as “assistance dogs”) are trained to perform quantifiable tasks that directly ease the challenges associated with their owner’s physical, psychiatric, sensory, and/or developmental disability. The most common types of service dogs include guide, hearing, medical alert, mobility, autism service, and psychiatric service dogs (such as those who assist veterans with post-traumatic stress). Having a service dog provides handlers with greater independence, as well as enriched confidence to leave their home, foster social relationships, and enter or re-enter the workforce.</p> <p>Emotional Support Animals: Emotional support animals are companion animals who help their owners cope with the challenges associated with emotional and mental health conditions (such as depression and anxiety) by providing comfort with their presence. Unlike service and therapy dogs, emotional support animals are not expected to perform specific tasks related to their owner’s condition, nor must they adhere to any behavior standards or training. Their presence alone is what is thought to provide their owner with solace and therapeutic benefit. Emotional support animals are not allowed in public places, with the exception of air travel, which requires special documentation. The Fair Housing Act requires that most housing units accommodate emotional support animals with appropriate documentation.</p> <p>Therapy Dogs: Together with their owners, therapy dogs are certified or registered to visit hospitals, long-term care facilities, treatment centers, schools, and other settings to benefit people in need. While typically trained in basic obedience skills, therapy dogs (or “comfort dogs”) are not required to perform essential tasks for those they serve or specialize in any particular area of service. Therapy dogs do not have public access rights under the ADA and are only allowed in facilities by invitation/agreement.</p>
<p>§92.02 (B) License Required (3): (3) — Upon payment of the license fee as established by ordinance, the Clerk shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the year for which it is issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog</p>	<p>§92.02(B)(3) (3) Upon payment of the license fee as established by ordinance, the Clerk shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the number corresponding with the number on the certificate. The license shall be valid for the</p>

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<p>with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate shall be issued by the City Clerk. A charge shall be made for each duplicate tag in an amount established by ordinance. Dog tags shall not be transferable from 1 dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the city before the expiration of the license period</p>	<p>same period as that of the vaccination; (however, in case of a puppy the vaccine administered is for a one-year period and then moved to 3 years the next vaccination period). Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate shall be issued by the City Clerk. A charge shall be made for each duplicate tag shall be an amount set forth in the current city fee schedule. Dog tags shall not be transferable from 1 dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the city before the expiration of the license period.</p>
<p>Change entire city code where it says "Animal Control Officer" to Enforcement Officer.</p>	
<p><u>§92.13 Basic Care:</u> All animals shall receive from their owners or keepers kind treatment, housing in the winter, and sufficient food and water for their comfort. Any person not treating their pet in a humane manner will be subject to the penalties provided in this section.</p>	<p><u>§92.13 Basic Care:</u> All animals shall receive from their owners or keepers kind treatment, housing in the winter, protection from heat in the summer, and sufficient food and water for their comfort. Any person not treating their pet in a humane manner will be subject to the penalties provided in this section.</p>
<p><u>§ 92.16 POUND.</u> Every year the Council shall designate an official pound to which animals found in violation of this chapter shall be taken for safe treatment, and if necessary, for destruction.</p>	<p><u>Remove the entire section:</u> §-92.16 POUND: Every year the Council shall designate an official pound to which animals found in violation of this chapter shall be taken for safe treatment, and if necessary, for destruction.</p>
<p><u>§ 92.18 ANIMALS PROHIBITED IN CITY PARKS.</u> Except as provided in this section, all animals, whether defined as domestic animals, farm animals, or non-domestic animals, owned by any person are prohibited from being present in a city park within the city. Dogs and cats effectively restrained by command as by leash shall be allowed in a city park. Animals that do not fall under the definition of dangerous animals, pursuant to § 92.11 of the City Code, may be allowed in a city park as an exception to this section only for purposes of community events approved by the city and upon issuance of a 1-day permit by the city.</p>	<p><u>Remove the entire section:</u> §92.18 ANIMALS PROHIBITED IN CITY PARKS. Except as provided in this section, all animals, whether defined as domestic animals, farm animals, or non-domestic animals, owned by any person are prohibited from being present in a city park within the city. Dogs and cats effectively restrained by command as by leash shall be allowed in a city park. Animals that do not fall under the definition of dangerous animals, pursuant to § 92.11 of the City Code, may be allowed in a city park as an exception to this section only for purposes of community events approved by the city and upon issuance of a 1-day permit by the city.</p>

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