

New language is underlined and removed language is ~~stricken~~

CITY OF FERTILE

ORDINANCE NO. 2019-01

AN ORDINANCE AMENDING CHAPTER 9 – ANIMALS, CHAPTER 111 – ALCOHOLIC BEVERAGES, AND CHAPTER 152 – ZONING REGULATIONS OF THE FERTILE CITY CODE

The City Council of the City of Fertile hereby ordains as follows:

Chapter 9, Section 93.99 is amended as follows:

' 93.99 PENALTY.

(A) *Separate offenses.* Each day a violation of this chapter is committed or permitted to continue shall constitute a separate offense and shall be punishable under this section.

(B) *Misdemeanor.* Unless otherwise provided, violation of this chapter shall constitute a misdemeanor punishable as provided in ' 10.99.

~~(C) *Petty misdemeanor.* Violations of " 93.02, 93.07, 93.13 and 93.14 are petty misdemeanors punishable as provided in ' 10.99.~~

Chapter 111 – Alcoholic Beverages is amended as follows:

' 111.02 LICENSE REQUIRED.

(B) *On-sale licenses.*

(1) "On-sale" licenses shall be issued only to hotels, clubs, restaurants, and exclusive liquor stores and shall permit "on-sale" of liquor only.

(2) For purposes of this chapter, the term **RESTAURANT** shall mean an eating facility, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus and where the main food course is served and consumed while seated at the single location. To be a "restaurant" as defined by this section, an establishment shall have a license from the state as required by M.S. § 157.16, as it may be amended from time to time, and meet the definition of either a ~~small~~ Category 2 establishment, ~~medium~~ establishment or ~~large~~ Category 3 establishment as defined by M.S. § 157.16, Subd. 3, as it may be amended from time to time. An establishment which serves prepackaged food that receives

heat treatment and is served in the package or frozen pizza that is heated and served, shall not be considered a restaurant for purposes of this chapter ~~unless it meets the definitions of “small establishment,” “medium establishment” or “large establishment.”~~

Chapter 152 – Zoning Regulations is amended as follows:

SECTION III. ZONING DISTRICT REQUIREMENTS

Subdivision 3. (R-1) Single Family Residential District.

E. Yard & Structure Requirements for Single Family (R-1) Residential District		
		All Uses
1.	Lot area minimum sq. ft	7,000 sq. ft.***
2.	Lot width minimum ft	75' (50' curvilinear streets/75' at building line)
3.	Lot depth minimum ft.	120'
4.	Maximum lot coverage	30%
5.	Front yard minimum	25'
6.	Side yard minimum	10'
7.	Street side yard minimum	15'
8.	Rear yard min/alley	25% of lot depth 10'
9.	Maximum height	35'*
10.	Minimum width of structures	20'***

All other sections shall remain unchanged.

This Ordinance becomes effective upon its passage and publication according to law.

ADOPTED by the Fertile City Council on this 9th day of December, 2019.

Signed: _____
Daniel Wilkens, Mayor

Attest: _____
Lisa Liden, City Administrator