

**FERTILE, MINNESOTA
TABLE OF CONTENTS**

Chapter

TITLE I: GENERAL PROVISIONS

- 10. General Provisions
 - 10.01 Title of code
 - 10.02 Rules of interpretation
 - 10.03 Application to future ordinances
 - 10.04 Captions
 - 10.05 Definitions
 - 10.06 Severability
 - 10.07 Reference to other sections
 - 10.08 Reference to offices
 - 10.09 Errors and omissions
 - 10.10 Official time
 - 10.11 Reasonable time
 - 10.12 Ordinances repealed
 - 10.13 Ordinances unaffected
 - 10.14 Effective date of ordinances
 - 10.15 Repeal or modification of ordinance
 - 10.16 Ordinances which amend or supplement code
 - 10.17 Preservation of penalties, offenses, rights and liabilities
 - 10.18 Copies of code
 - 10.19 Adoption of statutes and rules by reference
 - 10.98 Supplemental Administrative Penalties
 - 10.99 General penalty
- Appendices I & II – Administrative Fines and Penalties

TITLE III: ADMINISTRATION

- 30. Elections
 - 30.01 Election day
 - 30.02 Terms of office
 - 30.03 Voters and voter registration
 - 30.04 Election district

- 31. City Council
 - General Provisions**
 - 31.01 Audit of city
 - 31.02 Committees
 - 31.03 Authority over airport buildings
 - 31.04 Authority over public buildings and property
 - Meetings**
 - 31.15 Meetings generally
 - 31.16 Presiding officer
 - 31.17 Procedure
 - 31.18 Minutes
 - 31.19 Order of business; agenda
 - 31.20 Quorum; voting
 - 31.21 Ordinances and resolutions
 - 31.22 Motions, petitions, and communications
 - 31.23 Claims

- 32. City Officers
 - 32.01 Mayor
 - 32.02 Acting Mayor
 - 32.03 City Administrator
 - 32.04 City Clerk-Treasurer
 - 32.05 Deputy City Administrator
 - 32.06 Director of Public Works
 - 32.07 City Attorney

- 33. Boards, Commissions, and Authorities
 - Boards**
 - 33.01 Agassiz Environmental Learning Center Board
 - 33.02 Fair Meadow Advisory Board
 - Commissions**
 - 33.17 Advisory Board
 - 33.18 Joint Airport Zoning Board
 - Authorities**
 - 33.30 Economic Development Authority for Fertile/Housing Development Authority
 - Departments**
 - 33.41 Police Department
 - 33.42 Fire Department

- 34. Emergency Management
 - 34.01 Purpose
 - 34.02 Interpretation and effect
 - 34.03 Definitions
 - 34.04 Local emergencies
 - 34.05 Emergency regulations
 - 34.99 Penalty

TITLE V: PUBLIC WORKS

- 50. General Provisions
 - 50.01 Liability of landlord for payment of utility services
- 51. Refuse
 - 51.01 Current contract
 - 51.02 Collection system established
 - 51.03 Depositing garbage and refuse
 - 51.04 Containers
 - 51.05 Rules, schedules, and charges
 - 51.06 Income and expenses
- 52. Water
 - Service and Connection**
 - 52.01 Application for service
 - 52.02 Permit for connection; fees
 - 52.03 Costs of installation, repair, and extension
 - 52.04 Separate connection requirement
 - 52.05 Licensed plumbers required
 - 52.06 Conditions of service
 - 52.07 Supervision of service lines; duties of water users
 - Construction and Equipment**
 - 52.20 Excavations and backfilling
 - 52.21 Pipes
 - 52.22 Curb, stop, and waste cocks
 - 52.23 Check valves
 - Meters**
 - 52.35 Meter required
 - 52.36 Meter installation and testing
 - 52.37 Meter reading
 - Rates and Billing**
 - 52.50 Rates and billing
 - 52.51 Deposits and guarantees

Regulations

- 52.65 Use of water during fire
- 52.66 Taking water without authority
- 52.67 Tampering with cut-off valves
- 52.68 Connection to system required; use of private wells

53. Sewer

General Provisions

- 53.001 Definitions
- 53.002 Licenses

Disposal Generally

- 53.010 Excrement, garbage, and the like
- 53.011 Polluted water
- 53.012 Privies, septic tanks, and the like
- 53.013 Connection to public sewer required

Private Disposal Systems

- 53.025 General requirements
- 53.026 Interpretation
- 53.027 Permit required
- 53.028 Construction specifications
- 53.029 Operation requirements
- 53.030 Disconnection upon availability of public sewer

Building Sewers and Connections

- 53.040 Connection authorization
- 53.041 Permits
- 53.042 Licenses
- 53.043 Installation and connection costs; liability for damage
- 53.044 Separate building sewer requirement
- 53.045 Old building sewers
- 53.046 Construction specifications
- 53.047 Inspection and connection
- 53.048 Excavation and restoration

Use of Public Sewers

- 53.060 Unpolluted water and the like
- 53.061 Prohibited discharges
- 53.062 Restricted discharges
- 53.063 Dilution of discharge
- 53.064 Pretreatment and flow-equalizing facility maintenance
- 53.065 Grease, oil, and sand interceptors
- 53.066 Control manholes
- 53.067 Measurements, tests, and analyses
- 53.068 Slugs and accidental discharges
- 53.069 Obstructions; catch basins and waste traps
- 53.070 Connection repair
- 53.071 Motor vehicle washing or servicing facilities
- 53.072 Assessment for repairs
- 53.073 Special agreements

Sewer Service Charge System

- 53.085 Generally
- 53.086 Definitions
- 53.087 Conflicting provisions
- 53.088 Establishment of Sewer Service Charge System
- 53.089 Determination of sewer service charges
- 53.090 Sewer Service Fund
- 53.091 Administration
- 53.092 Delinquent accounts

Prohibitions

- 53.105 Damaging wastewater facilities
- 53.106 Prohibited discharges into sanitary sewer

Administration and Enforcement

- 53.115 Director of Public Works
- 53.116 Inspectors
- 53.998 Violations
- 53.999 Penalty

TITLE VII: TRAFFIC CODE

70. General Provisions

General Provisions

- 70.01 State highway traffic regulations adopted by reference

Administration and Enforcement

- 70.16 Enforcement authority
- 70.17 Emergency police orders
- 70.18 Moving and towing of vehicles
- 70.19 Unauthorized traffic regulation

Parades

- 70.20 Definitions
- 70.21 Permit required
- 70.22 Application for permit
- 70.23 Standards for issuance of permit
- 70.24 Notice of rejection of permit application
- 70.25 Appeal procedure when permit denied
- 70.26 Alternative permit
- 70.27 Notice to city and other officials when permit issued
- 70.28 Contents of permit
- 70.29 Duties of permittee
- 70.30 Public conduct during parades
- 70.31 Revocation of permit

- 71. Traffic Regulations
 - 71.01 Traction vehicles and the like
 - 71.02 Restricted use of streets
 - 71.03 Driving in alleys
 - 71.04 Motor vehicle noise
 - 71.99 Penalty

- 72. Parking Regulations
 - Regulations**
 - 72.01 Temporary parking rules
 - 72.02 Parallel parking
 - 72.03 Parking where no curbs
 - 72.04 Prohibited parking locations
 - 72.05 House trailers
 - 72.06 Parking restricted by police
 - 72.07 Time-limited parking
 - 72.08 Snow removal periods
 - 72.09 Emergency routes
 - 72.10 Ignition to be locked and key removed
 - Administration and Enforcement**
 - 72.20 Towing of vehicles
 - 72.21 Parking tickets
 - 72.98 Violations
 - 72.99 Penalty

- 73. Snowmobiles/ATV's/Mini Trucks
 - General Provisions**
 - 73.01 Adoption of State Highway Traffic Regulation Act
 - 73.02 Applicability of provisions
 - 73.03 Definitions
 - Regulations**
 - 73.15 Operation on private property
 - 73.16 Operation on public property
 - 73.165 Prohibited operation on Nature Center Property
 - 73.17 Operation on sidewalks and boulevards
 - 73.18 Hours of operation
 - 73.19 Operator requirements

- 74. Parking Schedules

- 75. Agassiz Environmental Learning Center Trails

TITLE IX: GENERAL REGULATIONS

- 90. Abandoned Property
 - General Provisions**
 - 90.01 Disposition of abandoned property
 - Abandoned Vehicles**
 - 90.15 Findings and purpose
 - 90.16 Definitions
 - 90.17 Violation to abandon motor vehicle
 - 90.18 Authority to impound vehicles
 - 90.19 Sale; waiting periods
 - 90.20 Notice of taking and sale
 - 90.21 Right to reclaim
 - 90.22 Operator's deficiency claim; consent to sale
 - 90.23 Disposition by impound lot
 - 90.24 Disposal authority
 - 90.25 Contracts; reimbursement by MPCA

- 91. Streets and Sidewalks
 - Use of and Interference with Public Property**
 - 91.01 Prohibited use and interference
 - 91.02 Obstruction permits
 - Excavation, Construction, Maintenance, and Repair**
 - 91.15 Sidewalk, curb, and driveway work; permits
 - 91.16 Inconvenience to public
 - 91.17 Obstruction barricading and lighting
 - 91.18 Defective work
 - 91.19 Snow removal
 - Right-of-Way Construction Regulations**
 - 91.40 Election to manage the public right-of-way
 - 91.41 Definitions and adoption of rules by reference
 - 91.42 Permit requirement
 - 91.43 Permit applications
 - 91.44 Issuance of permit; conditions
 - 91.45 Permit fees
 - 91.46 Right-of-way patching and restoration
 - 91.47 Supplementary applications
 - 91.48 Denial of permit
 - 91.49 Installation requirements
 - 91.50 Inspection
 - 91.51 Work done without a permit
 - 91.52 Supplementary notification
 - 91.53 Revocation of permits
 - 91.54 Mapping data; information required
 - 91.55 Location of facilities

- 91.56 Damage to other facilities
- 91.57 Right-of-way vacation
- 91.58 Indemnification and liability
- 91.59 Abandoned facilities; removal of abandoned facilities
- 91.60 Appeal
- 91.61 Reservation of regulatory and police powers

Numbering of Houses and Buildings

- 91.80 Duty of owners
- 91.81 Assignment of numbers
- 91.99 Penalty

92. Nuisances

- 92.01 Public nuisance
- 92.02 Public nuisances affecting health
- 92.03 Public nuisances affecting morals and decency
- 92.04 Public nuisances affecting peace and safety
- 92.05 Duties of city officers
- 92.06 Abatement
- 92.07 Recovery of cost

93. Animals

- 93.01 Definitions
- 93.02 Dogs and cats
- 93.03 Non-domestic animals
- 93.04 Farm animals
- 93.041 Hen Chickens
- 93.05 Impounding
- 93.06 Kennels
- 93.07 Nuisances
- 93.08 Seizure of animals
- 93.09 Animals presenting a danger to health and safety of city
- 93.10 Diseased animals
- 93.11 Dangerous animals
- 93.12 Dangerous animal requirements
- 93.13 Basic care
- 93.14 Breeding moratorium
- 93.15 Enforcing officer
- 93.16 Pound
- 93.17 Interference with officers
- 93.99 Penalty

- 94. Trees and Shrubs
 - General Provisions**
 - 94.01 Definitions
 - 94.02 Conflicting provisions
 - Regulations**
 - 94.15 Planting
 - 94.16 Public tree care
 - 94.17 Powers of city
 - 94.18 Removal of trees on private property
 - 94.19 Removal of stumps
 - 94.20 Damaging plants
 - 94.21 Woodpiles
 - Administration and Enforcement**
 - 94.31 Review by City Council

- 95. Airport
 - 95.01 Adoption of state and federal law
 - 95.02 Aircraft to be attended
 - 95.03 Aircraft to be secured
 - 95.04 Taxiing
 - 95.05 Taxi strips
 - 95.06 Check-out
 - 95.07 Safe operation
 - 95.08 Take-off
 - 95.09 Pattern and landing
 - 95.10 Right-of-way
 - 95.11 Airport area
 - 95.12 Pattern entry restriction
 - 95.13 Pilots
 - 95.99 Penalty

- 96. Fair Housing
 - General Provisions**
 - 96.01 Policy
 - 96.02 Definitions
 - Regulations**
 - 96.15 Prohibited discrimination
 - Administration and Enforcement**
 - 96.25 Enforcement generally
 - 96.26 Statute of limitations
 - 96.27 Civil enforcement procedure
 - 96.99 Penalty

TITLE XI: BUSINESS REGULATIONS

- 110. Licenses and Permits
 - 110.01 License and permit general provisions
 - 110.02 License and permit fees
 - 110.03 License term
 - 110.04 License transferability
 - 110.05 Inspections
 - 110.06 Duties of licensees and permittees
 - 110.07 License and permit suspension or revocation

- 111. Alcoholic Beverages
 - 111.01 Adoption of state law
 - 111.02 License required
 - 111.03 Hours of Sale
 - 111.04 License application, bond, and insurance
 - 111.05 License fee and term
 - 111.06 License issuance and transferability
 - 111.07 Persons ineligible
 - 111.08 Places ineligible
 - 111.09 Conditions of license
 - 111.10 Restrictions on purchase and consumption
 - 111.11 License suspension and revocation
 - 111.12 Violations
 - 111.13 Nudity on the premises of licensed establishments prohibited

- 112. Amusements
 - Bingo**
 - 112.01 Adoption of state law
 - 112.02 License required
 - 112.03 License application and bond
 - 112.04 License fees and term
 - 112.05 License revocation
 - Gambling**
 - 112.15 Interpretation of provisions
 - 112.16 Adoption of state law
 - 112.17 License required
 - 112.18 Persons eligible for license
 - 112.19 License application and bond
 - 112.20 License fees and limitations
 - 112.21 License revocation

Amusement Establishments

- 112.30 Applicability of provisions
- 112.31 Definitions
- 112.32 License required
- 112.33 License application and fees
- 112.34 License revocation
- 112.35 Conditions of operation

113. **Peddlers and Solicitors**

- 113.01 Definitions
- 113.02 Exceptions to definitions
- 113.03 Licensing; exemptions
- 113.04 License ineligibility
- 113.05 License suspension and revocation
- 113.06 License transferability
- 113.07 Registration
- 113.08 Prohibited activities
- 113.09 Exclusion by placard

114. **Tobacco Regulations**

- 114.01 Purpose and intent
- 114.02 Definitions
- 114.03 License
- 114.04 License fees
- 114.05 License denial
- 114.06 Prohibited sales
- 114.07 Vending machines
- 114.08 Self-service sales
- 114.09 Responsibility of licensees
- 114.10 Compliance checks and inspections
- 114.11 Other illegal acts related to minors
- 114.12 Exceptions and defenses

TITLE XIII: GENERAL OFFENSES

- 130. General Offenses
 - Property Offenses**
 - 130.01 Damage to city buildings and property
 - 130.02 Handbills and posters
 - Offenses against Public Peace and Safety**
 - 130.15 Vagrancy
 - 130.16 Disorderly conduct
 - 130.17 Curfew for minors
 - 130.18 Skateboards, inline skates and roller skates
 - 130.19 Open burning
 - Offenses against Public Morals**
 - 130.30 Indecent conduct
 - Offenses against Persons**
 - 130.40 Assault
 - Drug and Alcohol Offenses**
 - 130.50 Alcoholic beverages
 - Weapons**
 - 130.60 Discharge of firearms and other weapons

TITLE XV: LAND USAGE

- 150. Building Regulations
 - 150.01 Building Official
- 151. Subdivision Regulations
 - General Provisions**
 - 151.01 Title
 - 151.02 Purpose
 - 151.03 Jurisdiction
 - 151.04 Applicability of provisions
 - 151.05 Definitions
 - 151.06 Compliance as prerequisite for building permit
 - Procedure for Subdivision Approval and Recordation**
 - 151.30 Sketch plan
 - 151.31 Preliminary plat requirements
 - 151.32 Preliminary plat procedure and approval
 - 151.33 Final plat requirements
 - 151.34 Final plat procedure and approval
 - 151.35 Registered land surveys
 - 151.36 Conveyance by metes and bounds
 - 151.37 Recordation
 - 151.38 Approvals necessary for acceptance of subdivision plats

Design Standards

- 151.50 General design requirements
- 151.51 Streets
- 151.52 Alleys
- 151.53 Easements
- 151.54 Blocks
- 151.55 Lots
- 151.56 Public lots and open spaces

Prohibitions

- 151.70 Conveyance of unrecorded plats
- 151.71 Receiving or recording unapproved plats
- 151.72 Misrepresentations as to improvements

Administration and Enforcement

- 151.85 Variances
- 151.99 Penalty

152. Zoning Regulations

Section I. In General

- Subdivision 1 Statutory Authorization
- Subdivision 2 Intent and Purpose
- Subdivision 3 Rules
- Subdivision 4 Application of this Ordinance
- Subdivision 5 Enforcement
- Subdivision 6 Severability
- Subdivision 7 Abrogation and Greater Restrictions
- Subdivision 8 Environmental Documents and Concurrent Permits
- Subdivision 9 Use of Pre-existing Lots
- Subdivision 10 Non-conforming Uses
- Subdivision 11 Building Standards
- Subdivision 12 Effective Date
- Subdivision 13 Reserved
- Subdivision 14 Definitions

Section II. Establishment of Zoning Districts

- Subdivision 1 Establishment of zoning districts
- Subdivision 2 Zoning map
- Subdivision 3 Interpretation of zoning map
- Subdivision 4 Reserved

Section III. Zoning District Requirements

- Subdivision 1 Averaging Setbacks
- Subdivision 2 Distance Between Buildings
- Subdivision 3 (R-1) Single Families Residential District
- Subdivision 4 (R-2) Multiple Family Residential District
- Subdivision 5 (P) Public
- Subdivision 6 (C) Central Business District
- Subdivision 7 (C-1) Commercial – Industrial District
- Subdivision 8 (I) General Industrial District

| | |
|--|--|
| Subdivision 9 | (A) Agricultural District |
| Section IV. Performance Standards | |
| Subdivision 1 | Determination of conformity |
| Subdivision 2 | Noise |
| Subdivision 3 | Exterior Lighting |
| Subdivision 4 | Odor |
| Subdivision 5 | Vibration |
| Subdivision 6 | Fumes and Gases |
| Subdivision 7 | Sewer and Water |
| Subdivision 8 | Outdoor Furnaces |
| Subdivision 9 | Home Occupations |
| Subdivision 10 | Standards for Single Family Dwellings |
| Subdivision 11 | Exceptions to Yard Requirements |
| Subdivision 12 | Temporary Dwellings |
| Subdivision 13 | Exterior Storage |
| Subdivision 14 | Reserved |
| Subdivision 15 | Screening and Fencing |
| Subdivision 16 | Maintenance |
| Subdivision 17 | Landscaping |
| Subdivision 18 | Stormwater Management Standards |
| Subdivision 19 | Manufactured Home Park Standards |
| Subdivision 20 | Parking Standards |
| Subdivision 21 | Off-Street Loading Requirements |
| Subdivision 22 | Driveways |
| Subdivision 23 | Site View Clearance |
| Subdivision 24 | Traffic Control |
| Subdivision 25 | Sign Regulations |
| Subdivision 26 | General Development Plans and Site Plans |
| Subdivision 28 | Campground Requirements |
| Subdivision 29 | Reserved |
| Section V. Administration | |
| Subdivision 2 | Permits |
| Subdivision 5 | Conditional Use Permits |
| Subdivision 6 | Variances and Appeals |
| Subdivision 7 | Amendments |
| Subdivision 8 | Public Notice and Hearing Requirements |
| Subdivision 9 | Access to Private Property |
| Subdivision 10 | Enforcement and Penalties |

PARALLEL REFERENCES

References to Minnesota Statutes
References to Minnesota Rules
References to Ordinances