

ORDINANCE NO. 113

AN ORDINANCE OF THE CITY OF HOKAH CONCERNING ZONING, SPECIAL USE PERMITS AND VARIANCES, ESTABLISHING FEES FOR PERMITS AND VARIANCES, AND PROVIDING FOR PENALTIES FOR VIOLATION OF SAID PROVISIONS

The City Council of the City of Hokah, Houston County, Minnesota, hereby ordains:

SECTION I. PURPOSE. In order to effectively implement the comprehensive plan, the zoning ordinance and flood plain ordinance of the City of Hokah, and so as to facilitate issuance of not only zoning permits by special use permits and variances as well, an administrative policy and fee schedule are hereby established, the latter intended to defray the costs of review, investigation and administration.

SECTION II. REGULATIONS WITH REGARD TO BOARD OF APPEAL FINDINGS, VARIANCES, SPECIAL USE PERMITS. The Secretary of the Board of Appeals, the Secretary of the Planning Commission, or the city Clerk-Administrator, as the case may be, shall prepare a certified copy of the results of all applications for Board of Appeals determination, the issuance of all variances, and special use permits, which certificate shall contain a complete legal description of the lands to which the certificate of findings relate and prepared and drafted in such form so as to entitle such certificate to record in the Office of the County Recorder in and for Houston county, Minnesota. Among other information contained in such certificate shall be a recitation of the jurisdictional basis for the decision contained in said certificate, including the time and place, and the fact of the holding of a public hearing where appropriate, together with all conditions upon which the making of a given decision which gives rise to the issuance of the certificate was based.

The City Clerk-Administrator, or such other person as may be designated by ordinance or by action of the City council shall cause all such certificates to be recorded in the Office of the County Recorder in and for Houston County, Minnesota.

SECTION III. FEES.

A. Fees for zoning permits shall be charged by and paid to the City of Hokah at the Office of the City Clerk-Administrator in accordance with the following schedule:

Small accessory buildings	\$ 5.00
Garage	\$ 15.00
Single family unit dwelling	\$ 50.00
Multiple housing, including duplex, commercial, industrial, and any other building	\$100.00
The construction of an addition to an existing building	\$ 25.00
Permit for filling land	\$ 10.00

B. For each of the following applications, a deposit in the sum of \$150 shall be made:

1. Applications for variance.
2. Applications for amendment to zoning ordinances or districts thereof.

3. Applications for Board of appeals action.

4. applications for Special Use Permits.

C. No application which requires the deposit of a fee, as herein provided, shall be regarded jurisdictionally sufficient unless accompanied by the appropriate fee.

SECTION IV. DISBURSEMENT OF FEES DERIVED FROM ZONING PERMIT APPLICATIONS.

ALL FEES COLLECTED BY THE City as provided hereinbefore and under Ordinance No. 96 shall be deposited to a zoning and planning fund and shall be disbursed to defray the following expenses:

A. Publication of notices;

B. Mailing expenses;

C. All expense entailed in staging public hearings;

D. Administrative expense entailed in preparing findings, orders, certificates and formalizing permits issued;

E. Recording expenses.

Any part of the fee deposit not disbursed to defray the foregoing expenses shall be refunded to the Applicant. In the event expenses are incurred in excess of the \$150 deposit, they shall be billed to and paid by Applicant as a condition to finalization of the matter for which application was made.

SECTION V. PENALTIES. Failure to secure permit where one is required under this and other ordinances of the City, alluded to herein by reference, or the violation of any other provision of this ordinance, shall be deemed a misdemeanor, and upon conviction thereof, transgressors shall be punished in accordance with the laws of the State of Minnesota appertaining to misdemeanor violations. This provision with regard to penalties shall not supersede or abrogate penalties otherwise prescribed by the ordinances alluded to by reference in this ordinance, nor shall prosecution of misdemeanor violations be in derogation of the City's right to injunctive relief where appropriate.

SECTION VI. EFFECTIVE DATE. This ordinance shall become effective upon its due passage and enactment and publication according to law.

Passed and enacted this 5th day of April, 1983

Approved:
Martin Scholze
Mayor

Attest:
Ernest Sloan
City Clerk-Administrator