



## ORDINANCE NO. 2

### **An Ordinance to Change Specific Fee and Charge Amount References in the City Code to Reference the Fee Schedule**

Whereas, the City Council of the City of Willernie, MN has adopted Chapter 106. “FEE SCHEDULE” which provides a single and convenient location for a list of fees and penalties charged by the City; and

Whereas, the current City Code currently has specific fee amount references throughout the Code that are no longer required to be in those sections now that a Fee Schedule has been adopted,

Therefore, the City Council of the City of Willernie, Washington County, Minnesota, Ordains:

#### SECTION 1. Purpose

The purpose of this ordinance is to amend prior ordinances in the City Code, wherever fee amounts have been specified, and delete all references to specific fee amounts in the city code and reference the appropriate fee in the Fee Schedule provided in Chapter 106 of the City Code.

#### SECTION 2 Amendments.

The amendments are listed below:

##### Topic – Parking

1. Section 302.020 F. – Replace the text “shall incur a \$25.00 fine” with the text “ shall pay a penalty fee as shown in the Fee Schedule”.

##### Topic – PUD

2. Section 305.030 1) – Replace the sentence “The fee for said permit shall be \$5.00 upon receipt of the permit.” with the sentence “The preliminary review fee is specified in the Fee Schedule.”
3. Section 305.080 – Replace the text “not to exceed \$300.00” with the text “as specified in the penalty section of the Fee Schedule.”

##### Topic – Building Code Fees

4. Section 403.010 2) – Replace the entire paragraph with the following text:  
“Plan Review Fees. Plan review fees shall be sixty five percent (65%) of the relevant building permit fee.”
5. Section 403.020 Valuation – Insert the following paragraph after the first paragraph:  
“Exceptions: Building permit valuations for the following structures shall be based on the valuation of on-site work only:
  1. Manufactured homes containing a Housing and Urban Department (HUD) certification label
  2. Prefabricated buildings with a Department of Labor and Industry prefabrication label

3. Industrialized/modular buildings with an Industrialized Building Commission (IBC) label”
6. Section 403.040 Fee Refunds – Replace the paragraph with the text “See Section 105.020 D 3)”.

Topic – Water Systems

7. Section 501.240 – Replace the text “a fee of \$100.00” with the text “the related utility Fee Schedule amount”
8. Section 501.250 – Replace the text “\$100.00 additional” with the text “the related utility Fee Schedule amount”.
9. Section 501.260 – Replace the text “the sum of \$100.00” with the text “the related utility Fee Schedule amount”

10. Topic – Seasonal Parking

Section 603.040 - Replace the text “a reasonable fee” with the text “the misdemeanor Fee Schedule amount”

Topic – Liquor Licensing

11. Section 702.030 4) – Replace the text “\$240” with the text “the related alcohol licensing Fee Schedule amount”
12. Section 702.030 6) – Replace the text “\$200” with the text “the related alcohol licensing Fee Schedule amount”
13. Section 702.030 11) – Replace the text “\$300” with the text “the related alcohol licensing Fee Schedule amount”
14. Section 702.100 A – Replace the following sentences “The applicant shall pay with the application an investigation fee of \$500 which shall be in addition to any license fee. If the cost of the preliminary investigation is less than \$500, the unused balance shall be returned to the applicant.”

with the following sentences

“The applicant shall pay with the application an investigation fee, as shown in the alcohol licensing Fee Schedule, which shall be in addition to any license fee. If the cost of the preliminary investigation is less than the liquor investigation Fee Schedule amount, the unused balance shall be returned to the applicant.”

15. Section 702.100 B – Replace the sentence

“The investigation fee for this comprehensive background and financial investigation to be paid by the applicant shall be \$500, less any amount paid for the initial investigation if the investigation is to be conducted within the state, and \$10,000, less any amount paid for the initial investigation, if the investigation is required outside the state”

with this sentence

“For in-state investigations, the related investigation fee, as shown in the alcohol licensing Fee Schedule, for this comprehensive background and financial investigation shall be paid by the applicant, less any amount paid for the initial investigation. For out-state investigations, the related investigation fee, as shown in the alcohol licensing Fee Schedule, shall be paid by the

applicant, less any amount paid for the initial investigation”

Topic – Liquor Penalty

16. Section 703.010 B – Replace the text “\$2,000” in the first sentence with the text “the maximum amount listed in the alcohol violation penalty schedule”
17. Section 703.010 B – Replace the following text  
“The following is the minimum schedule of presumptive civil penalties which must be imposed in addition to any suspension unless the license is revoked:  
(1) For the first violation within any three-year period, \$500.  
(2) For the second violation within any three-year period, \$1,000.  
(3) For the third and subsequent violations within any three-year period, \$2,000.”

with the following text

“The minimum schedule of presumptive civil penalties, which must be imposed in addition to any suspension unless the license is revoked, is shown in the alcohol violation penalty Fee Schedule.”

Topic – Animals

18. Section 901.020 B 2) – Replace the following text ”of \$3.00” with the text “as shown in the animal control Fee Schedule”
19. Section 901.020 B 3) – Replace the entire text and replace it with the following text:  
“Upon payment of the license fee, 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 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 as shown in the Fee Schedule. Dog tags shall not be transferable from one dog to another.”

Topic – Animal Penalty

20. Section 904.010 2) – Replace the text “a fine of not more than \$1,000” with the text “the misdemeanor fine as shown in the Fee Schedule”
21. Section 904.010 3) - Replace the text “of not more than \$300” with the text “of not more than the petty misdemeanor fine as shown in the Fee Schedule”.

Topic – Business Licensing

22. Section 1002.010 - Replace the text “shall be fifteen (\$15.00) per alley” with the text “is shown in the business license Fee Schedule”

Topic – Cannabis Licensing

23. Section 1004.120 A (1) – Delete the following text  
“Penalties occurring within a 24-month period will be presumed as follows:  
(i) *First violation.* Any licensee found to have violated this Chapter shall be charged an administrative penalty of five hundred dollars (\$500.00).  
(ii) *Second violation.* Any licensee found to have violated this Chapter two (2) times within a thirty-six (36) month period shall be subject to a one thousand dollar (\$1,000.00) administrative penalty.

(iii)*Third violation.* Any licensee found to have violated this Chapter three (3) times within a thirty-six (36) month period shall be subject to a two thousand dollar (\$2,000.00) administrative penalty. In addition, a one (1) day suspension of the license shall be imposed.

(iv)*Fourth violation.* Any licensee found to have violated this Chapter four (4) times within a thirty-six (36) month period shall have their license revoked. No revocation, suspension or penalty may take effect until the licensee has received notice either personally or by mail of the alleged violation and has been afforded an opportunity for a hearing.”

and replace it with

“Penalties occurring within a 24-month period are shown in the cannabinoid violation penalty Fee Schedule”

24. Section 1004.120 A (2) – Delete the following text “of \$50.00” and replace it with the text “as shown in the cannabinoid violation penalty Fee Schedule”

25. Section 1004.150 I – Replace the text “a fine of \$1,000” with the text “the misdemeanor fine as shown in the Fee Schedule”

Topic – Peddling Licensing

26. Section 1005.030 – Replace the text “one dollar” in the second paragraph with the text “the related application fee as shown in the business license Fee Schedule”

Topic – Charitable Gambling

27. Section 1302.060 3) – Replace the text “\$100 investigation fee” with the text ”gambling investigation fee as shown in the business license section of the Fee Schedule.

28. Section 1302.180 – Replace the text “a fine of not more than \$1,000” with the text “the misdemeanor fine as shown in the Fee Schedule”

Topic – Rental Dwelling Licensing

29. Section 1406.010 C – Replace the text “a fine of not more than one thousand dollars (\$1000)” with the text “a misdemeanor fine as shown in the Fee Schedule”

Topic – Utility

30. Section 1501.040 1) c – Replace the text “shall be \$5,000” with the text “as shown in the right-of-way fee section of the Fee Schedule”

31. Section 1501.040 3) b – Replace the paragraph

“b. Construction shall not commence until the Utility has deposited a letter of credit or cash escrow with City, in an amount of \$2,000.00 to ensure completion of Restoration Work as outlined in Section 1500.05 herein. In the event \$2,000.00 is insufficient to complete Restoration Work the process outlined in Section 1500.05 shall be followed.”

with this paragraph

“b. Construction shall not commence until the Utility has deposited a letter of credit or cash escrow with City, in an amount as shown in the right-of-way repair section of the Fee Schedule, to ensure completion of Restoration Work as outlined in Section 1500.05 herein. In the event the escrow amount is insufficient to complete Restoration Work the process outlined in Section 1500.05 shall be followed”

Topic – Illicit Discharge

32. Section 1602.210 – Replace the text “a criminal penalty of \$100 dollars” with the text “the illicit discharge penalty amount as shown in the Fee Schedule”

Topic – Storm Water Management

33. Section 1701.070 5) – Replace the text “a processing and approval fee of \$100.00” with the text “the storm water management plan fee as shown in the Fee Schedule”

SECTION 3. Severability

In the event that a court of competent jurisdiction adjudges any part of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included within that judgment.

SECTION 4. Effective Date

This Ordinance shall be and is hereby declared to be in full force and effect from and after its passage and publication according to law.

Passed by vote of the City Council of the City of Willernie, Minnesota, this 21<sup>st</sup> day of May, 2025.

Mayor Baglio	_____	Council member DeJong	_____
Council member Soderlund	_____	Council member Cook	_____
Council member Siver	_____		

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Diane Baglio, Mayor

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Attest: Victoria R. Keating, City Clerk