

**ORDINANCE 2022-05
CITY OF OTTERTAIL**

ORDINANCE AMENDING TITLE XV CHAPTER 150.007 ZONING AND SEWER PERMITS

The Ottertail City Council hereby ordains the amendment of Chapter 150.007 Zoning and Sewer Permits of the Ottertail City Code.

§ 150.007 ZONING AND SEWER PERMITS.

(A) No structure shall be built, installed, erected, structurally altered, demolished, moved off or moved onto any property within the city until a zoning permit therefor has been issued by the City Clerk-Treasurer and the non-refundable zoning permit fee has been paid and pay a sewer inspection fee, subject to annual review).

(1) Zoning fee is based on ~~estimated costs of material/labor~~ square footage as established in § 11.01 Fee Schedule.

(2) Zoning fees are non-refundable.

(3) Both residential and commercial properties shall require a permit for any concrete and/or bituminous work. In addition, commercial properties shall require a zoning permit for any inside and/or outside remodeling or improvements.

(4) When a change of use or ownership of any property occurs, city office personnel must be notified as a conditional use permit or re-zoning may be necessary.

(5) Zoning permits when issued are good for one year and will not be automatically be renewed. If the project has not been started within one year from date of original approval an extension may be granted for the period of one year (only) providing the plan has not been changed and all additional administrative fees are paid. Any changes to the plan will require a new permit with all current fees required.

(B) No zoning permit will be issued unless the structure shall comply with lot size (~~§ 151.027~~ 151.030 & 151.032) setbacks (~~§ 151.028~~ 151.031) and impervious (§ 151.048) requirements which are extended to all areas within the city or exempted as provided in § 151.068.

(C) No well or sewer permit shall be issued unless the sewer system is certified and complies with §§ 151.041 and 151.042 along with the required setbacks as provided in ~~§ 151.028~~ 151.031 and are hereby extended to all areas within the city.

(D) No structure requiring a well or sewer permit shall be used or occupied until the City Sewer Inspector shall have inspected the well or sewer system required by this section after installation thereof and prior to backfilling or covering of the system and until the City Sewer Inspector shall have issued a certificate of occupancy.

(E) Applications for a building permit and a well or sewer permit shall be made to the City Clerk-Treasurer on forms furnished by the city which must contain a layout or plot plan drawn to scale showing the actual dimensions of the lot to be built upon, the exact size and location of all building(s) and a

complete plan of the proposed sewage treatment system including the location, size, design and the name and address of the installer and any other information deemed necessary by the City Clerk-Treasurer and shall be posted in a conspicuous location on the building site.

(F) No zoning permit will be issued unless adequate space is provided for a second sewer system and all setback requirements are met as provided in Minn. Rules 7080 and are hereby extended to all areas within the city.

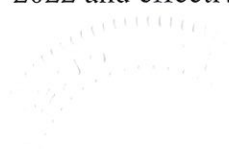
(G) Upon application of a responsible party to the city where, because of exceptional circumstances, the strict enforcement of any standards would cause unnecessary hardship or strict conformity with the standards would be unreasonable, impractical or not feasible, a variance may be granted upon those conditions which are consistent with the purposes and intent of this section and prescribed by the Council; provided that the condition(s) causing the hardship is/are unique to the tract of property which is the subject of the request; the variance is necessary for the applicant to secure a right or rights enjoyed by other property owners in the city; granting the variance is not contrary to the public interest or damaging to other person's rights or property values; the variance is not granted solely because there are no objections or only a minority object or for any reason other than a proven hardship.

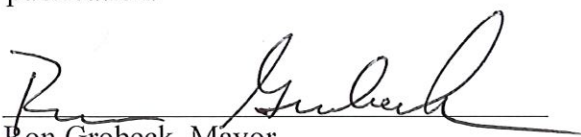
(H) In the event of a violation or a threatened violation of this section, the City Council or any member thereof, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate the same.

(I) Any person, firm or corporation who shall violate any of the provisions of this chapter or who shall fail to comply with any of the provisions hereof or who shall make any false statements in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed \$300 or by imprisonment of not to exceed 90 days, or both. Each day that a violation continues shall constitute a separate offense.

(Ord. 2-89, passed 2-16-1989; Ord. passed 5-20-2010; Am. Ord 2022-05, passed 6-30-2022)

Passed by the City Council of the City of Ottertail, Otter Tail County, Minnesota this 30th day of June, 2022 and effective from and after its passage and publication.




Ron Grobeck, Mayor

SEAL

Attest:

Grobeck X
Carlson X
Windey X
Hill X
Grimes —


Amanda Thorson, Clerk-Treasurer