

Pursuant to due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on September 19, 2022. Mayor Dehen called the meeting to order at 7:00 pm, asking everyone to join the Pledge of Allegiance. The following were present for roll call: Council Members Oachs, Steiner, Whitlock, Norland, City Administrator McCann, Interim Finance Director Ryan, Community Development Director Fischer, Police Chief Gullickson, and City Clerk Van Genderen.

**Approval of Agenda**

**Council Member Norland moved, seconded by Council Member Oachs, to approve the agenda as presented. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

**Proclamation**

WHEREAS, September 17, 2022, marks the two-hundred-thirty-fifth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW THEREFORE I, Mark Dehen, Mayor of North Mankato, by virtue of the power vested in me as Mayor of the City of North Mankato, do hereby proclaim September 17 through 23 as:

**CONSTITUTION WEEK**

And ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

**Approval of Council Minutes from September 6, 2022, Council Meeting.**

**Council Member Steiner moved, seconded by Council Member Oachs, to approve the Council Meeting Minutes of September 6, 2022. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

**Approval of Council Work Session Minutes from September 12, 2022, Council Work Session.**

**Council Member Oachs moved, seconded by Council Member Norland, to approve the Council Work Session Meeting Minutes of September 12, 2022. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

**Public Hearing, 7 pm Consider an Ordinance of the City of North Mankato, Minnesota, Regulating the Sales, Testing, Manufacturing, and Possession of Products Containing THC, Cannabis, or Cannabinoids.**

Attorney Chris Kennedy appeared before Council and noted an error in one of the definitions that would need to be corrected.

Barb Church, 102 Wheeler Avenue, appeared before Council and stated she believed it would be best if the City of North Mankato did what the City of Mankato was doing.



The co-owner of Tip-Top Tobacco, 1710 Commerce Drive, appeared before Council and noted the ordinance allows random searches of businesses without a warrant and wanted to know if it was legal. He also questioned why HHC products were banned as they were not mentioned when THC Vape products were banned.

With no one appearing, Mayor Dehen closed the Public Hearing.

### **Public Hearing, 7 pm City of North Mankato Minnesota Notice of Public Hearing Regarding Proposed Property Tax Abatements.**

City Administrator McCann reported that the developers Marty Walgenbach and Bob Beadell were present to answer questions concerning the proposed development.

Marty Walgenbach reported that their development group, 230 Nicollet Avenue, LLC worked on the infill project 235 Belgrade Avenue and was interested in developing the lot behind that development. The plan is to create a nine-unit complex and provide additional parking for the community. Bob Beadell noted that the project would provide five extra parking stalls for the City.

Tammy Omdal, Northland Securities, appeared before Council as the City's bond counsel and financial advisor. She noted that the developer was seeking gap financing of \$200,000. Tax abatement is a financial tool the City can use to assist developers. Tax Abatement would forego the increase of City taxes for the two identified parcels of 235 Belgrade Avenue and 230 Nicollet. So any taxes above what would currently be paid would become the financing tool. The abatement would act like a pay-as-you-go TIF, and the abatement would be paid to the developers. The estimated tax increase would occur in 2025 at a \$16,000 increase. The abatement would be for a maximum of 12 years or \$200,000. Mayor Dehen asked if the abatement would be on all taxes or just the City's portion. Ms. Omdal reported it would be only on the City's portion of taxes, meaning the County and the school district would receive their increased taxes.

Barb Church, 102 Wheeler Avenue, appeared before Council and stated that while the abatement does not raise taxes, it takes money from where you would typically spend the taxes, so the City may need to increase taxes to cover it. Ms. Church also requested information on the amount of taxes in abatement. Ms. Church asked for clarification on if the apartments were market rate or low income.

### **Consent Agenda**

**Council Member Steiner moved, seconded by Council Member Norland, to approve the Consent Agenda.**

- A. Bills and Appropriations.
- B. Res. No. 79-22 Approving Donations/Contributions/Grants.
- C. Res. No. 80-22 Declaring Surplus Vehicles and Equipment.
- D. Res. No. 81-22 Appointing Election Judges for the General Election.
- E. Approved Parade Permit for Cross Country Meet at Caswell Soccer Complex/Benson Park on September 27, 2022, and October 12, 2022, from 3 pm to 7 pm.
- F. Approved Audio permit for KEYC, SCC, and City of North Mankato Block Party on September 27, 2022, from 11 am to 2 pm at 1920 Lee Boulevard.

**Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

### **Public Comments Concerning Business Items on the Agenda.**



Barb Church, 102 Wheeler Avenue, appeared before the Council and stated she hoped Council would set the preliminary levy at 7.67% due to inflation, taxes, and other reasons. She suggested the Council consider going even lower.

### **Business Items**

#### **Ordinance No. 152, Fourth Series, an Ordinance Regulating the Sales, Testing, Manufacturing, and Possession of Products Containing THC, Cannabis, or Cannabinoids.**

City Attorney Kennedy reported that while North Mankato is close to Mankato, it does not mean the City needs to do what they do. The Council can make its own decisions. He reported he did believe the legislature would pass additional legislation concerning THC but stated the Council could update the ordinance at that time. Attorney Kennedy responded to the public hearing comment concerning the police not being required to have a warrant to search premises. He stated it would not violate fourth amendment rights because the assumption would be a business, not a private home. The ordinance would align with what the City can do for businesses that serve or sell alcohol or cigarettes. He noted that HHC regulations follow state statutes, which remains somewhat unclear. Police Chief Gullickson reported that HHC is HexaHydroCannabinol, a chemical derivative that is still a cannabinoid. Because it is a cannabinoid, it falls under the regulations, even if it is not called out.

Council Member Norland said she thought passing regulations would be appropriate. Council Member Oachs asked if North Mankato knew Mankato's position on Cannabinoids. Police Chief Gullickson reported they were making it illegal for anyone under the age of 21 to possess cannabinoids but were not planning on permitting or licensing the sale.

Mayor Dehen requested clarification on where the product could be sold and whether the City would limit the sale to commercial businesses. He wanted to ensure consumers would get what they paid for and not be scammed.

Police Chief Gullickson reported there were two items the Council would need to decide. First, how many licenses would be allowed in North Mankato? Second, how restrictive does the Council want to be concerning the businesses allowed to sell? He noted the Ordinance does prohibit the sale of THC at both on-sale and off-sale intoxicating liquor stores. By State Statutes, off-sale liquor stores may not sell THC products, but on-sale would be allowed.

Council discussed the number of licenses with a consensus of approximately ten licenses. A discussion was held concerning if the Ordinance should limit the sale of THC to commercial businesses eliminating the option for home businesses selling the products.

**Council Member Oachs moved, seconded by Council Member Steiner to table Ordinance No. 152, Fourth Series, an Ordinance Regulating the Sales, Testing, Manufacturing, and Possession of Products Containing THS, Cannabis or Cannabinoids. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

#### **Res. No. 82-22 Approving Property Tax Abatements and Authorizing Execution of a Tax Abatement Agreement.**

Mayor Dehen commented that the City is using the abatement tax process because the TIF would not work in this situation. He noted that the funds would be used for soil corrections. Council Member Oachs requested clarification on if the housing would be market rate or closer to affordable housing. Mr. Beadell reported it would not be considered affordable housing but would be market rate. Mayor Dehen stated that tax abatement had not been used for housing before. Still, the City has a history of using tax abatement for other projects, including Spring Lake Park Swim Facility, the autism center, and Caswell Park, to name a few. City Administrator McCann reported that the 235 Belgrade



project and the bonds for the Caswell Park improvement tied up funds, so the tax abatement made the best assistance option. Mayor Dehen stated it would function similarly to a pay-as-you-go TIF.

**Council Member Norland moved, seconded by Council Member Steiner, to Adopt Res. No. 82-22 Approving Property Tax Abatements and Authorizing Execution of a Tax Abatement Agreement. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

**Res. No. 83-22 Approving a Proposed Preliminary Tax Levy.**

Interim Finance Director Ryan said the resolution would set the maximum tax levy. The Council could decide to decrease the preliminary levy. Ms. Ryan reported that staff recommended the 7.67% increase, which would reduce the tax rate by 3.75% and allow for the addition of one police officer. Included in the options is a 10.4% increase which would decrease the tax rate by 2.6% and allow for two new police officers and additional funding for the park department. Other options included a 13.2% levy or a flat tax rate. Ms. Ryan noted that a public hearing would be held on December 5, 2022, to allow the public to speak about the levy. Council Member Norland said that she thought it would be good to build a reserve considering the state of the economy and was interested in discussing the 13.2% levy. Council Member Steiner stated he thought option three would be too high and favored option 1 or 2. Council Member Oachs said the City could consider option 2 with a tax levy of 10.4% to fund the two new police officers. Mayor Dehen stated he believed option 2 with a tax levy of 10.4% to support the two new police officers, but maybe the staff could decrease from a 10.4% tax levy while still funding the police officers but cutting out the extra funding for the parks. The continued discussion consisted of setting the tax levy at 10.4% and considering a reduction before the final tax levy is adopted in December.

**Council Member Steiner moved, seconded by Council Member Oachs, to adopt Res. No. 83-22 Approving a Proposed Tax Levy Using the 10.4% Tax Levy. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

**Res. No. 84-22 Setting Public Hearing on Code of Ordinance Amendments Chapter 54: Stormwater, Chapter 92: Health and Safety; Nuisances, Chapter 155: Subdivision Regulations, and Chapter 156: Zoning Code.**

City Engineer Sarff reported that the State completed its update of the MS4 Permit, and the City must make changes to its ordinances to comply with the new requirements. Changes include but are not limited to changes in language concerning land disturbances in the City, Post Construction Stormwater management, and salt storage.

City Engineer Sarff reported that the City's MS4 Stormwater Pollution Prevention Plan also requires an update and will be considered at the next Council Meeting.

**Council Member Steiner moved, seconded by Council Member Norland, to Adopt Res. No. 84-22 Setting Public Hearing on Code of Ordinance Amendments Chapter 54: Stormwater, Chapter 92: Health and Safety; Nuisances, Chapter 155: Subdivision Regulations, and Chapter 156: Zoning Code. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

**Res. No. 85-22 Approving the Sale of Real Estate.**

Community Development Director Fischer reported that the resolution would approve the sale of 702 Range Street to Habitat for Humanity Southern, Minnesota. The owners of 702 Range Street



approached the City to see if the City was interested in purchasing the home due to its poor condition. The City negotiated a price of \$20,000 and hired a contractor to remove the house for \$11,000. The City then negotiated the sale of the land to Habitat for Humanity Southern Minnesota for \$40,000. The Resolution would authorize the deal.

**Council Member Steiner moved, seconded by Council Member Norland, to Adopt Res. No. 85-22 Approving the Sale of Real Estate. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

**Res. No. 86-22 Accepting Bid Marvin Boulevard Lift Station Forcemain Replacement Project No. 22-04 A.**

City Engineer Sarff reported that bids were opened on Tuesday, September 13<sup>th</sup>, at 11:00 am for the project. Only one bid was received in the amount of \$161,258.81 by GM Contracting, LLC, from Lake Crystal, MN. The low bid is approximately 17% below the Engineers' Estimate of \$194,000. The project involves installing a sanitary sewer pressure pipe (force main) from the Martin Boulevard lift station to the Carol Court lift station. The new pipe will be installed using directional drilling methods as the route runs along lot lines adjacent to a ravine. Based on previous performance by GM Contracting staff recommended that the bid be awarded for \$161,258.81. Council Member Whitlock requested clarification on whether a property considered for development could be connected to the system using the Marvin Boulevard Lift Station. City Engineer Sarff reported that a new lift station would need to be built due to the location and elevation of the property.

**Council Member Steiner moved, seconded by Council Member Oachs, to Adopt Res. No. 86-22 Accepting Bid Marvin Boulevard Lift Station Forcemain Replacement Project No. 22-04 A. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

**Res. No. 87-22 Amending the Contract for the Collection of Residential Solid Waste and Recyclable Materials in North Mankato.**

City Administrator McCann reported that West Central Sanitation attended a Council Work Session and presented an option to amend working hours to accommodate increased costs. The amending working hours would allow West Central to begin collection at 4 am and reduce the number of days from 4 to 3 days. The cost-saving efforts would prevent the company from raising costs. Council Member Norland requested clarification on the contract max increases for West Central. City Administrator McCann reported it was capped at 2%, and the contract runs through 2024. Council Member Norland stated she would be open to raising rates to decrease the stress on the employees of West Central. Mayor Dehen noted that would be a discussion on the budget, and the current topic is the amendment to the schedule. Council Member Oachs thanked West Central for their creativity in finding alternative ways to save money and provide for their employees.

**Council Member Steiner moved, seconded by Council Member Whitlock, to adopt Res. No. 87-22 Amending the Contract for the Collection of Residential Solid Waste and Recyclable Materials in North Mankato. Vote on the motion Whitlock, Steiner, Norland, Oachs, and Dehen aye, no nays. Motion carried.**

**Open Forum**

None.



**City Administrator and Staff Comments**

City Administrator McCann invited everyone to two-in-person “Brewing New Ideas” public engagement sessions. One will be held on Wednesday, September 28<sup>th</sup>, from 6-8 pm at the Mankato Brewery. The other will be on Wednesday, October 19<sup>th</sup>, from 6-8 pm at the Spring Lake Park Warming House. Residents may also provide input by taking a survey on the website from 12 am to 4 pm on the day of each session.

City Administrator McCann reported that a Community Block Party would be held on September 27<sup>th</sup> from 11 am to 2 pm in the green space at South Central College.

City Administrator McCann reported that the Splash Pad’s last open day would be Sunday, September 25<sup>th</sup>, from 9 am to 9 pm.

Caswell Construction continues and is on schedule.

Music in the Park will be held at Wheeler Park on Thursday, September 22<sup>nd</sup>, and September 29<sup>th</sup> from 5:30 pm to 7:30 pm.

Party on the Prairie will be held at Benson Park on Saturday, October 1<sup>st</sup>, from 2:00 pm to 7:00 pm.

City Administrator McCann reported that Fall Drop Off would take place October 6-8 from 7:00 am to 5:00 pm and October 9 from 7 am to noon at the Public Works yard at 610 Webster Avenue.

Community Development Director Fischer reported there would be a road closure on Lor Ray Drive the week of October 3<sup>rd</sup> to accommodate the tie-in of utilities for the new Starbucks and Chipotle.

**Mayor and Council Comments**

Council Member Oachs noted that the signal at the top of Lee Boulevard had been back-ordered for three to four weeks.

Mayor Dehen thanked everyone that came out for Symphony on the Prairie and Bier on Belgrade. He invited everyone to Pam Diterman’s VINE Faith in Action Retirement celebration on October 18<sup>th</sup>.

At 8:07 pm, on a motion by Council Member Norland, seconded by Council Member Steiner, the Council Meeting was adjourned.

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Mayor

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City Clerk



Pursuant to due call and notice thereof, a Council Work Session of the North Mankato City Council was held in the Council Chambers on September 26, 2022. Mayor Dehen called the meeting to order at 12:00 pm. The following were present for roll call: Council Members Oachs, Whitlock, Steiner, Norland, City Administrator McCann, Interim Finance Director Ryan, Community Development Director Fischer, Police Chief Gullickson, City Planner Lassonde, and City Clerk Van Genderen.

### **Haughton Avenue Traffic**

Community Development Director Fischer reported that the Traffic and Safety Committee had met several times in response to traffic-related concerns expressed by residents along Haughton Avenue in Upper North Mankato. The Committee has met several times and staged several exercises to understand and mitigate traffic issues. Beginning in May of 2021, the City conducted a traffic study using speed radar. The results showed that some vehicles traveled at significantly higher speeds than the posted speed limit of 30 mph, but the average speed recorded was 19 mph. The City did not make traffic control changes in 2021, but the Police Department increased patrols. In May of 2022, the City began to receive additional concerns about the area. The City distributed a survey to all Haughton Avenue residents concerning the perception of speed, increased traffic, safety when walking or biking, and interest/support in adding stop signs. Concerns brought to the attention through the survey included an increased volume of traffic from people using Haughton to get to the new Waters North Subdivision, traffic, and parking around the Mankato Area Youth Baseball Association (MAYBA) warehouse. The Traffic and Safety Committee recommended the City place the portable speed radar along the road and then added temporary stop signs at the La Mar Drive intersection. Initial data without a temporary stop sign showed a daily maximum speed of roughly ten mph over the limit. Following placing a stop sign at the intersection of Haughton Avenue and La Mar Drive a daily maximum speed of approximately ten mph over the limit was still recorded but with a reduction of 15% in the percentage of vehicles traveling over the speed limit. The City proceeded to send out a second survey, and 73% of respondents believed the stop sign improved safety and supported a permanent stop sign at La Mar Drive. There was some support (46.7%) for testing traffic calming methods such as seasonal speed bumps or other treatments. Other suggestions included a permanent radar sign, stop signs at multiple locations, and rectangular rapid flashing beacons at crosswalks. Several roadway improvements have been discussed and researched, including stop signs, traffic calming measures, and speed enforcement. Complications for installing a stop sign include installation location, as both the La Mar Drive West and Castle Drive intersections would create difficulty for residents who live at the corners. Traffic calming methods include bump-outs, striping the road to narrow the lanes, and speed bumps presenting complications, including loss of parking spaces and confusion for residents. Police Chief Gullickson stated that the police department has been conducting additional patrols but has not found the traffic unusual for similar neighborhoods. City Council discussed the issue, and Mayor Dehen recommended testing a stop sign at the Green Acres intersection and one at the La Mar intersection. Staff agreed to conduct additional testing of stop signs to determine if traffic would slow down.

### **Budget Workshop: Enterprise Funds, Water, Sewer, Solid Waste, Recycling, Stormwater, and Hotel Fund**

City Administrator McCann appeared before Council and reviewed the North Mankato Average monthly utility bill in 2022 was \$86.86, which, compared to North Mankato's comparable cities, is the second to the lowest bill, with Faribault having a lower bill. The other 11 cities had higher utility bills. He did note that staff is recommending a rate increase of \$1.50 on the base for



Wastewater and a \$.50 rate increase on the stormwater base rate. Even with the \$2.00 increase, North Mankato would maintain one of the lowest utility bills.

City Administrator McCann reviewed the Water Utility, which includes a 2023 operating budget of \$2,427,133, a \$55,899 increase from 2022. Increases are attributed to capital outlay, personnel services, supplies, utilities, and transfers to the Capital Facilities Fund. The fund's cash balance would decrease in 2023 to 48% due to a capital outlay for filter rehabilitation but would increase in the outlying years due to a rate increase in 2024. The goal would be to build cash reserves so the City can pay cash for capital outlay. Mayor Dehen requested an update on the radio read meter installation. Interim Finance Director Ryan reported that progress is slow but steady with all new houses, houses affected by reconstruction, replacement water meters, and some interested in the convenience continue to transfer to the new meters. Mayor Dehen suggested the possibility of requiring all multi-family units to change. Interim Finance Director Ryans suggested changing all rental units to the new auto-read units.

City Administrator McCann reviewed the Wastewater Utility Fund which accounts for the operations of the City's Wastewater Utility. In 2023 the operating budget is \$2,651,706 which is a \$59,592 increase from 2022. The increase is due to transfers to the Capital and Facilities Replacement Fund, capital projects, and Mankato treatment costs. Revenue will increase by \$118,964 due to increased customer receipts, including the \$1.50 base rate increase on all units. He noted that Mankato has not committed to anything concerning anticipated increases due to the anticipated work on the wastewater treatment plant.

Interim Finance Director Ryan reported that the 2023 Recycling budget is \$571,796, which is an \$8,518 increase from the 2022 Budget. The increase relates to personnel services and recycling contract fees. She noted that the City has been receiving a check from DemCon rather than paying them due to their ability to sell the recyclables. Mayor Dehen pointed out that the recycling tonnage collected has been decreasing. He requested that Public Information Officer Brown create a campaign to encourage residents to recycle, noting that recycling materials can reduce costs.

Interim Finance Director Ryan reported that the Storm Water Utility fund accounts for the operations of the Storm Water utilities. The Storm Water Utility Fund's 2023 operating budget is \$531,252, which is a \$16,459 decrease from 2022 due to personnel and retirement of debt. Revenue will increase by approximately \$63,000 due to the base rate's \$.50 a month increase. The funds have been used for ravine maintenance, and the City will need to look at future ravine projects.

Interim Finance Director Ryan reviewed the Solid Waste Fund to collect refuse and general garbage. The Solid Waste Fund's 2023 budget is \$872,011, an increase of \$36,877. The growth relates to spring and fall clean-up expenses, disposal costs, and decreased debt. Council Member Norland discussed changing the West Central Sanitation contract to increase the amount the City pays to West Central to help offset expenses related to the current economic situation. She noted the concern about the West Central Sanitation's personnel. Mayor Dehen thanked her for her thoughts but reminded Council that it would not set a good precedent to break the contract and that the contract coincides with Mankato's and the two need to stay instep. Mayor Dehen also confirmed with staff that mattresses would not be accepted at the Fall Drop-Off.

City Administrator McCann reviewed the Hotel Fund, which is related to the City's housing for temporary workers. The Hotel Fund's 2023 budget is \$238,623. This is an increase of \$71,702 from 2022. The increase relates to facility maintenance, debt service, insurance, and taxes. He noted the Port Authority bonded an extra \$1.5 million for maintenance of the facility. He said the fund would burn through any reserves that could pay for the debt service by 2028. City Administrator McCann reported that staff had been actively marketing the property.



Council Member Whitlock requested an additional work session on cannabis. He reported that it would be good to be able to regulate the products being sold. Staff indicated that oversight who sells the products is with the State.

Council Member Whitlock also requested a work session on the All Seasons Arena as significant funds may be required. Council Member Oachs reported that the All Seasons Arena Board is working on determining partners before they can determine shared costs. The board is also working on a joint powers agreement.

Council Member Norland moved, seconded by Council Member Oachs, to adjourn the Council Work Session at 1:05 pm.

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Mayor

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City Clerk



# The Free Press MEDIA

# THE LAND

P.O. Box 3287, Mankato, MN 56002

www.mankatofreepress.com phone: (507) 344-6314, fax: (507) 625-1149

## Affidavit of Publication

### STATE OF MINNESOTA, COUNTY OF BLUE EARTH, SS.

Steve Jameson, being duly sworn, on oath states as follows:

1. I am the publisher of The Free Press, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

The printed notice which is attached was cut from the columns of said newspaper, and was printed and published the following dates: 09/22/22, and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

4. The Publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to §331A.06, is as follows: 49.33.

5. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notice: The newspaper's known office is located in Blue Earth County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

By: \_\_\_\_\_

Steve Jameson, Publisher

Sworn to and subscribed before me, this day  
09/22/2022

\_\_\_\_\_  
Notary Public

#### Public Notice

September 22, 2022

#### NOTICE OF PUBLIC HEARING TO CONSIDER AMENDING CITY CODE

CHAPTER 54: STORMWATER,  
CHAPTER 92: HEALTH AND  
SAFETY; NUISANCES,  
CHAPTER 155 SUBDIVISION  
REGULATIONS, AND  
CHAPTER 156: ZONING CODE

Notice is hereby given that the City Council of the City of North Mankato will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, at 7 p.m. on the 3rd day of October to hold a public hearing to consider amendments to City Chapter 54: Stormwater, Chapter 92: Health And Safety; Nuisances, Chapter 155 Subdivision Regulations, And Chapter 156: Zoning Code.

Persons wishing to review the proposed changes may contact North Mankato City Hall at 507-625-4141 or visit the North Mankato website at [www.northmankato.com](http://www.northmankato.com).

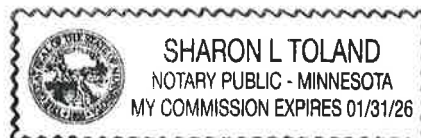
Such persons who desire to be heard regarding this issue should appear at this meeting. Public comments may be sent to the North Mankato Municipal Building, 1001 Belgrade Avenue, North Mankato, MN 56001.

Dated this 19th day of September 2022.

April Van Genderen

City Clerk

City of North Mankato, Minnesota







City of North Mankato, MN

# Check Report

By Vendor Name

Date Range: 10/3/22

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK-APBNK						
00158	BLUE EARTH COUNTY HIGHWAY DEPT.	10/03/2022	Regular	0	923.45	96461
00160	BLUE EARTH ENVIRONMENTAL COMPANY	10/03/2022	Regular	0	10300.00	96462
00233	CEMSTONE PRODUCTS COMPANY	10/03/2022	Regular	0	72.75	96463
00244	CHILDREN'S MUSEUM OF SOUTHERN MINNESOTA	10/03/2022	Regular	0	1000.00	96464
00401	EXPRESS SERVICES, INC.	10/03/2022	Regular	0	3676.70	96465
00409	FERGUSON ENTERPRISES, INC	10/03/2022	Regular	0	4555.40	96466
00432	FLEETPRIDE	10/03/2022	Regular	0	8.43	96467
02390	GAME TIME	10/03/2022	Regular	0	60.92	96468
03568	GOPHER SPORT	10/03/2022	Regular	0	151.59	96469
00508	GREEN TECH RECYCLING, LLC	10/03/2022	Regular	0	548.50	96470
00511	GREENCARE	10/03/2022	Regular	0	334.02	96471
00519	HACH COMPANY	10/03/2022	Regular	0	665.28	96472
00819	HARRISON FORD OF MANKATO LLC	10/03/2022	Regular	0	551.55	96473
00577	HOLTMEIER CONSTRUCTION	10/03/2022	Regular	0	1002861.80	96474
00595	HY-VEE, INC.	10/03/2022	Regular	0	104.33	96475
00692	KEY CITY AUTO PARTS, INC.	10/03/2022	Regular	0	65.00	96476
03543	KIESLER POLICE SUPPLY	10/03/2022	Regular	0	645.00	96477
02110	MAKING FACES MANKATO	10/03/2022	Regular	0	450.00	96478
00832	MANKATO TENT & AWNING CO.	10/03/2022	Regular	0	40.00	96479
00860	MCFOA	10/03/2022	Regular	0	50.00	96480
01037	NICOLLET COUNTY	10/03/2022	Regular	0	55634.00	96481
01106	PETTY CASH	10/03/2022	Regular	0	8.64	96482
01133	POWERPLAN/RDO EQUIPMENT	10/03/2022	Regular	0	1291.28	96483
03149	RADEMAKER, CHAD	10/03/2022	Regular	0	837.00	96484
03630	RAIN KINGS BAND	10/03/2022	Regular	0	500.00	96485
03718	SASCS, LLC	10/03/2022	Regular	0	130.00	96486
01352	STREICHER'S, INC	10/03/2022	Regular	0	142.98	96487
03427	TRUCK CENTER COMPANIES	10/03/2022	Regular	0	12.72	96488
03662	VAN METER INC	10/03/2022	Regular	0	117.72	96489
02112	WATER CONSERVATION SERVICES, INC.	10/03/2022	Regular	0	4650.00	96490
03792	YOHNCO	10/03/2022	Regular	0	1096.00	96491
01562	ZAHL EQUIPMENT SERVICE, INC.	10/03/2022	Regular	0	198.00	96492
00465	GALE/CENGAGE LEARNING	09/27/2022	Bank Draft	0	49.60	DFT0007254
00733	LAKES GAS CO #10	09/27/2022	Bank Draft	0	128.64	DFT0007253
00910	MINNESOTA VALLEY TESTING LAB, INC.	09/29/2022	Bank Draft	0	70.04	DFT0007249
00910	MINNESOTA VALLEY TESTING LAB, INC.	09/26/2022	Bank Draft	0	93.66	DFT0007251
01335	STAPLES ADVANTAGE	09/23/2022	Bank Draft	0	207.90	DFT0007250
03279	STERICYCLE INC	09/26/2022	Bank Draft	0	27.56	DFT0007252
00551	A.H. HERMEL COMPANY	10/05/2022	EFT	0	187.28	5634
00028	AFFORDABLE TOWING OF MANKATO, INC.	10/05/2022	EFT	0	250.00	5635
03766	ALMANZA, ALBINO	10/05/2022	EFT	0	297.00	5636
00063	AMERICAN PEST CONTROL	10/05/2022	EFT	0	200.00	5637
01090	AMERICAN SOLUTIONS FOR BUSINESS	10/05/2022	EFT	0	388.75	5638
00105	AUTO VALUE MANKATO	10/05/2022	EFT	0	282.39	5639
03745	BIEVER, DAN	10/05/2022	EFT	0	243.00	5640
03672	BRASHEAR, DILLON	10/05/2022	EFT	0	323.93	5641
00216	C & S SUPPLY CO, INC.	10/05/2022	EFT	0	350.63	5642
02757	CINTAS	10/05/2022	EFT	0	205.66	5643
02294	D & K POWDER COATING	10/05/2022	EFT	0	175.00	5644
00369	EBSCO INFORMATION SERVICES	10/05/2022	EFT	0	1322.26	5645
00373	ECKERT, LELAND	10/05/2022	EFT	0	216.00	5646
03338	FISCHENICH, WILLIAM	10/05/2022	EFT	0	162.00	5647
00463	G & L AUTO SUPPLY, LLC	10/05/2022	EFT	0	757.09	5648
00460	G AND H READY MIX, LLC	10/05/2022	EFT	0	600.00	5649
00469	GANGELHOFF, BRIAN	10/05/2022	EFT	0	209.47	5650
03746	GAUKER, KYLE	10/05/2022	EFT	0	243.00	5651
00482	GMS INDUSTRIAL SUPPLIES, INC.	10/05/2022	EFT	0	509.38	5652



00503	GREAT AMERICAN BUSINESS PRODUCTS	10/05/2022	EFT	0	697.60	5653
00538	HAWKINS, INC.	10/05/2022	EFT	0	50.00	5654
00743	LARKSTUR ENGINEERING & SUPPLY, INC.	10/05/2022	EFT	0	9.28	5655
00776	LLOYD LUMBER CO.	10/05/2022	EFT	0	750.47	5656
00797	MAC TOOLS DISTRIBUTOR	10/05/2022	EFT	0	120.98	5657
00874	MENARDS-MANKATO	10/05/2022	EFT	0	923.82	5658
03022	MINNESOTA PAVING & MATERIALS	10/05/2022	EFT	0	235.19	5659
02323	MOBOTREX	10/05/2022	EFT	0	1465.00	5660
00997	MTI DISTRIBUTING CO	10/05/2022	EFT	0	445.55	5661
01036	NICOLLET COUNTY RECORDER/ABSTRACTER	10/05/2022	EFT	0	46.00	5662
01052	NORTH CENTRAL INTERNATIONAL	10/05/2022	EFT	0	597.65	5663
01064	NORTHERN STATES SUPPLY, INC.	10/05/2022	EFT	0	28.93	5664
03384	NOVAK, QUINTIN	10/05/2022	EFT	0	378.00	5665
01093	PAULSON, ANDREAS	10/05/2022	EFT	0	90.00	5666
01099	PET EXPO DISTRIBUTORS	10/05/2022	EFT	0	184.97	5667
03141	PIPES, ROGER	10/05/2022	EFT	0	675.00	5668
01402	POMPS TIRE	10/05/2022	EFT	0	1227.67	5669
01179	RED FEATHER COMPANY	10/05/2022	EFT	0	113.90	5670
03518	RIDDELL	10/05/2022	EFT	0	463.27	5671
01211	RIVER BEND BUSINESS PRODUCTS	10/05/2022	EFT	0	287.95	5672
01263	SCHWICKERT'S TECTA AMERICA LLC	10/05/2022	EFT	0	9000.00	5673
01281	SIGN PRO	10/05/2022	EFT	0	1100.00	5674
01380	TEXAS REFINERY CORP.	10/05/2022	EFT	0	790.50	5675
01407	TOOL SALES COMPANY	10/05/2022	EFT	0	34.00	5676
01419	TRAVERSE DES SIOUX LIBRARY COOPERATIVE	10/05/2022	EFT	0	4546.44	5677
03191	US SOLAR	10/05/2022	EFT	0	4375.27	5678
03140	VELDHUISEN, ROSE	10/05/2022	EFT	0	162.00	5679
01478	VIKING FIRE & SAFETY LLC	10/05/2022	EFT	0	1159.33	5680
03276	VITZTHUM, JACOB	10/05/2022	EFT	0	495.13	5681
01492	WACO SCAFFOLDING & SUPPLY CO.	10/05/2022	EFT	0	196.35	5682
01477	VIKING ELECTRIC SUPPLY, INC.	09/27/2022	Bank Draft	0	169.65	DFT0007247
01477	VIKING ELECTRIC SUPPLY, INC.	09/27/2022	Bank Draft	0	348.72	DFT0007247
					1130351.92	89

## Authorization Signatures

### All Council

The above manual and regular claims lists for 10/3/22 are approved by:

\_\_\_\_\_  
MARK DEHEN- MAYOR

\_\_\_\_\_  
DIANE NORLAND- COUNCIL MEMBER

\_\_\_\_\_  
WILLIAM STEINER- COUNCIL MEMBER

\_\_\_\_\_  
SANDRA OACHS- COUNCIL MEMBER

\_\_\_\_\_  
JAMES WHITLOCK- COUNCIL MEMBER



## RESOLUTION APPROVING DONATIONS/CONTRIBUTIONS/GRANTS

WHEREAS, the Minnesota Statute 465.03 and 465.04 allow the governing body of any city, county, school district or town to accept gifts for the benefit of its citizens in accordance with terms prescribed by the donor;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, that the following donations/contributions/grants are approved as follows:

Donor	Restriction	Amount
Anonymous	Music in the Park	\$68.00
Anonymous	Backpack Program	\$212.00
Beth Christensen	Backpack Program	\$30.00
Nancy Haag	Backpack Program	\$30.00
Lisa Michael-Ray	Backpack Program	\$50.00
Anonymous	Music in the Park	\$502.00
Total		\$892.00

Adopted by the City Council this 3<sup>rd</sup> day of October 2022.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk





1001 Belgrade Avenue  
North Mankato, MN 56003  
507-625-4141 Fax: 507-625-4151  
[www.northmankato.com](http://www.northmankato.com)

## Audio Permit

### About:

An audio permit is required for anyone operating outdoor amplified sound (i.e., a loudspeaker, public address system, or sound amplifying equipment). All Audio Permits must be approved by the Council. The sound system cannot be operated before 7:00 am or after 10:00 pm. There is a \$25 fee.

### Audio Permit Responsibilities:

- An onsite event coordinator must be available by mobile during the event.
- An applicant will provide a schedule of any music or entertainment proposed to occur during the event.
- A beginning and end time must be supplied on the application, and the event coordinator must ensure compliance.
- Applicants must comply with City Code Ordinance 90.045 and Minnesota Rules Chapter 7030 which limits noise.
- Noise levels cannot exceed 60 dBA more than 50 percent of the time.

### What happens if there is a noise complaint?

- A North Mankato Patrol Officer will meet with the complainant and evaluate and measure the noise using a decibel reader at the location of the complainant.
- If the noise is found out of compliance, the Patrol Officer will contact the onsite event coordinator, and the amplified sound must be turned down.
- If the onsite event coordinator does not comply, the event will be immediately terminated, and the group will be disbursed.
- Failure to comply will affect future ability to obtain an audio permit.

AMPLIFIED SOUND:

☐

LIVE MUSIC/BAND

☒

DJ/KARAOKE MACHINE

☐

OTHER: \_\_\_\_\_

DATE OF EVENT: 11/19/22

BEGIN TIME: 9 AM

END TIME: 11:30 AM

LOCATION / SHELTER: Shelter #1

EVENT NAME: STRIDE 5K

ONSITE COORDINATOR:

PRINT NAME: Sophie Tonander

MOBILE NUMBER: 612-819-203

☒ I, THE UNDERSIGNED, HAVE RECEIVED THE AUDIO PERMIT AND UNDERSTAND THAT FAILURE TO COMPLY WITH THE AUDIO POLICY MAY TERMINATE THE EVENT AND PREVENT FUTURE ABILITY TO OBTAIN AN AUDIO PERMIT.

PRINT NAME: Sophie Tonander

SIGNATURE: Sophie Tonander

DATE: 9/15/2022

EMAIL: STonander@mankatoymca.org

POLICE CHIEF: R26

CITY CLERK: \_\_\_\_\_

☐ DENIED ☐ APPROVED

☐ BOOK ☒ POLICE ☐ ONLINE ☐ \$25.00 FEE

STAFF INITIALS \_\_\_\_\_





## Application for Street Closure, Special Event and Festival Permit

Instructions: Request for community events to be held on City owned property, require City authorization and involvement from City Departments. Please complete the application below, and submit with required fees at least 30-days before the event. Once the application has been submitted, City staff will review the application and contact the organizers for a meeting.

### Applicant Information

Name of Applicant:

Sophie Tonander

Organization:

Mankato Family YMCA

Phone Number:

5073862724

Address:

1401 South Riverfront Drive, Mankato, MN 56001

Event Contact:

Sophie Tonander

Cell Phone Number:

6128192033

Event Sponsor (if different than organization):

Is the organization or Event Sponsor a 501 (c) (3)?

☒ Yes

☐ No

If yes, please attach verification of 501 (c) (3) status.

### Event Information

Event Name:

STRIDE 5K

1 st Choice Location

Spring Lake Park

Date (s):

11/19/2022

2 nd Choice Location

Date (s):

11/19/2022

Requesting the use of a Park Shelter for your event? A Park Shelter application will need to be completed. Please contact Vicki at 507-625-4141 to complete the application and submit the \$100.00 park shelter reservation fee. Below are the shelters available for rental.

☒ Spring Lake Park Shelter #1

☐ Spring Lake Park Shelter #2 (includes Gazebo)

☐ Wheeler Park Shelter.

Event Start Time:

9:00 AM

Event End Time:

11:30 AM

Setup Date (s) Time (s):

November 19th/ 6-8:30 AM

Tear Down Date (s)/Time(s):

November 19th/ 11:30-2

Expected Number of Attendees:

250



Event Description: Please check the type of event (check all that apply) and write a brief description of your event, in the space provided.

- ☒ Walk/Fun Run/Race (Please include Parade Permit Application, fee, and Map)
- ☐ Parade (Please include Parade Permit Application, fee, and map)
- ☐ Art Fair/Festival
- ☐ Bike Ride
- ☐ Cultural Event
- ☐ Other event

Brief Description of Event:

The event will be a 5k fundraiser event for the YMCA STRIDE program

### Event Features

#### Alcohol (Select One)

- ☐ Catered event, licensee holding caterer's permit to provide food and liquor. Under caterer's permit, the caterer is responsible for ID/wristband, security and ensuring there is no second party transfer. Please indicate caterer:
- ☐ Temporary 3.2 Percent Malt Liquor License, only issued to charitable, religious or nonprofit organizations for events not to exceed four (4) consecutive days. Application needs to be submitted with fee and requires City Council approval.
- ☐ Temporary Intoxicating liquor license, only issued to charitable, religious or nonprofit organizations in existence for at least three (3) years for events not to exceed four (4) consecutive days. Application needs to be submitted with fee and requires City Council approval and Alcohol and Gambling Enforcement Division approval. Needs to be submitted to the state 30-days prior to the event.
- ☒ No alcohol.

#### Security

- ☐ Please indicate if security is being provided. If yes, who and how many?
- ☒ No security provided. If no security is provided, the city reserves the right to require safety based on the review of the event.

#### Natural Disaster Preparedness

Describe how you will monitor weather conditions; how you plan to evacuate people in the event of dangerous conditions; and the name and contact information of the person responsible for making the decision to halt the event because of the weather.

If weather is bad and we aren't able to have the 5K outside we will move it into the YMCA. Sophie Tonander will be making that decision and the phone number is 612-819-2033

#### Concessions and Vendors

##### Food & Beverages

- ☐ Yes
- ☒ No

All food vendors, regardless of their status must have a valid Mobile Food Unit License from the City of North Mankato. You, as the applicant, are responsible for verifying that all vendors providing food or beverage during your event have obtained the proper license.



**Vendors**☐ Yes☒ No

Concession or vendor permits may only be approved for non-profit group events. A separate permit application must be completed and submitted along with a \$25.00 fee per day. A park cleanup deposit of \$100.00 is also required.

A list of all vendors and their contact information must be submitted before the event.

---

**Amplified Sound (if applicable)**

☒ Loud Speakers, Public Address System, or Amplifying Equipment. Requires Audio Permit and a \$25.00 fee.

---

**Animals**

Will animals be included and if so, provide specifics as to type of animals and how the animals will be accessible by the public (pony rides, petting zoo, etc...)

☐ Yes☒ No

Please note... the owners of the animals will be required to provide a certificate of insurance in an amount not less than \$1.5 million per occurrence naming the City of North Mankato as an additional insured prior to the event.

Please provide the name and address of animal owners.

---

**Tents and Canopies (if applicable)**

☐ Are you planning to use tents or canopies? If yes, they must be clearly identified on the Site Map including the location and size/dimensions. The event organizer is liable for any damage caused to property/facility and must obtain approval prior to installation. A gopher one call must be made before the event.

---

**Event Logistics**

If you are planning to erect, install, or use any of these structures, please identify the location of all structures on your Site Map. Include size and quantities. The event organizer is liable for any damages caused to property/facility and must obtain approval prior to installation of items below.  
NOTE: Items are provided by the event; not the City.

---

**Stages and Platforms**

How many stages? Please describe the stage/platform.

☐ Yes☒ No

---

**Public Restrooms**☒ Yes

Will your event include the use of portable toilets/sinks? If yes, how many?

It is the responsibility of the event coordinator to contract with a provider for portable toilets/sinks.

Temporary restrooms can be placed 24 hours prior to the event and need to be removed within 24 hours following the event. All portable toilets must be located on a hard surface, which may include asphalt, concrete, or plywood.

---



### Picnic Tables

Do you want any additional picnic tables?

- ☐ Yes  
☒ No

How many and location (s).

### Refuse (Garbage and Recycling)

The event is responsible for cleaning up after an event. The applicant shall properly dispose of debris from the event. If the street or park department determines cleanup is inadequate, the cost for the public works to cleanup will be charged to the applicant. Cleanup shall be completed within three (3) hours of the end of the event.

The City will provide refuse containers for events. The number and placement will be determined by number of participants.

### Road Closures or use of Public Right-of-Way

Are you requesting to close a :

- ☒ Street  
☒ Parking Lane  
☒ Sidewalk  
☐ Alley  
☐ Other

All requests must be submitted at least 30 days before the event. Some closures may require review by the Traffic and Safety Committee.

Applicants must contact affected property owners, 14 days prior to the closure. City staff will review the event and ensure proper barricades/cones are used to manage the event.

Applicant must maintain a 20 feet clear fire lane. At no point is the street to be blocked with vehicles inside the fire lane area.

### Traffic Control

- ☐ Yes  
☒ No

Do you Require Cones or Barricades?

- ☒ Cones  
☐ Barricades

Please indicate the number of cones and barricades and indicate on the map the location of all cones and barricades.

8 cones

Are you requesting assistance from City staff to set up or man the intersections? If you are requesting assistance, please indicate the number of Police Reserve or City staff and the location you would like to have the assistance. Please be aware that the City may not be able to provide assistance and reserves the right to deny assistance.

~~No, I am not~~

Yes. 2 Reserves

### No Parking

Requesting no parking? Please indicate the streets/blocks.

Lake St, Sherman St, Webster Ave, W Lind St



---

## EVENT MAP

### Site Map (Required)

Please attach a site map clearly indicating the setup of the event. The site map should indicate the relative location of the following: all sources of amplified sound and direction of sound; tents/canopies with sizes, stages, promotional vehicles, inflatables, portable toilets, refuse containers, fencing, barricades, and other structures; location of alcohol (in a fenced off area), food and merchandise service/sale; and proposed street closures. All site maps are subject to approval.

---

### HOLD HARMLESS AGREEMENT AND INSURANCE INFORMATION

The applicant covenants to save, defend, hold harmless, and indemnify the City of North Mankato and all its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and attorney's fees), charges, liability, or exposure, however caused, resulting from, arising out of, or in any way connected with the applicant's event herein described.

The City, in its discretion, may require the Applicant to obtain liability insurance for any special event. If liability insurance is required, the following requirements apply:

1. Minimum of \$1,000,000 in commercial general liability insurance.
2. Applicant's insurance shall be primary.
3. Insurance shall cover liability for injury death and property damage including coverage for alcohol related claims, if alcohol will be served.
4. The insurance policy must be issued by an insurance company licensed to do business in Minnesota acceptable to the City.
5. The City must be named as an additional insured on the policy.
6. At least ten (10) days prior to the event, the applicant must give to the City a Certificate of Insurance showing the required coverage.

---

### APPLICANT SIGNATURE

I attest that the above information is true and accurate and I have signed this application on behalf of the applicant. I certify under penalties of perjury that I am authorized to execute contracts and other instruments and legally bind the Applicant.

SIGNATURE

Sophie O Tonander

PRINTED NAME:

Sophie Tonander

Date Submitted to the City

9/15/22

Street Superintendent Signature and Approval

Date:

Police Chief Signature and Approval



Date:

9/20/22









1001 Belgrade Avenue  
North Mankato, MN 56003  
507-625-4141 Fax: 507-625-4151  
[www.northmankato.com](http://www.northmankato.com)

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- Failure to comply will affect future ability to obtain an audio permit.

AMPLIFIED SOUND:	<input type="checkbox"/>	LIVE MUSIC/BAND	DATE OF EVENT: <u>October 30, 2022</u>
	<input checked="" type="checkbox"/>	DJ/KARAOKE MACHINE	BEGIN TIME: <u>10:30 am</u>
	<input type="checkbox"/>	OTHER: _____	END TIME: <u>12:30 pm</u>

LOCATION / SHELTER: Ignition Fitness Lot

EVENT NAME: MY Pace Mile

ONSITE COORDINATOR: \_\_\_\_\_ PRINT NAME: Vickie Hotchkiss

MOBILE NUMBER: 507-381-4003

☒ I, THE UNDERSIGNED, HAVE RECEIVED THE AUDIO PERMIT AND UNDERSTAND THAT FAILURE TO COMPLY WITH THE AUDIO POLICY MAY TERMINATE THE EVENT AND PREVENT FUTURE ABILITY TO OBTAIN AN AUDIO PERMIT.

PRINT NAME: <u>Vickie Hotchkiss</u>	SIGNATURE: <u>Vickie Hotchkiss</u>
DATE: <u>September 16, 2022</u>	EMAIL: <u>adm@myplacemankato.org</u>

POLICE CHIEF: 126  
CITY CLERK: \_\_\_\_\_

☐ BOOK ☒ POLICE ☐ ONLINE ☐ \$25.00 FEE

☐ DENIED ☐ APPROVED

STAFF INITIALS \_\_\_\_\_





1001 Belgrade Ave., PO Box 2055  
North Mankato, MN 56003  
507-625-4141 Fax: 507-625-4252  
www.northmankato.com

For Office Use Only

APPROVED \_\_\_\_\_

DENIED \_\_\_\_\_

☐ PARK USE ☐ AUDIO USE

## Application For PARADE PERMIT

### REQUIRED INFORMATION:

- Application for Parade Permit
- Map of Parade Route
- \$35 Application Fee

*Thirty (30) days inadvance of the parade date.*

Name of Applicant <u>MY Place</u>	Address <u>709 S Broad St</u>	Phone <u>507-720-6848</u>	Email <u>adm@myplacemankato.org</u>
Sponsoring Organization Name	Address	Phone	
Contact during event <u>Vickie Hotchkiss</u>		Phone <u>507-381-4003</u>	
Event Location <u>Ignition Fitness Parking Lot</u>	Date <u>Oct 30 2022</u>	From Time <u>10:30</u>	To <u>12:30</u>
Occasion for Parade <u>Fun Run</u>			
Parade Description / Composition <u>A mile fun run</u>			

Estimated Number of Participants: 150

As duly authorized representative or agent of the parade sponsoring organization, I hereby make application for a permit to parade in the City of North Mankato, Minnesota. I hereby certify that, to the best of my knowledge, the above is an accurate and true description of the parade. I agree to execute the parade according to this permit and subject to the provisions and conditions which may be necessary to provide for the safety of parade participants and the orderly and safe movement of public traffic.

Vickie Hotchkiss  
Applicant

9-16-2022  
Date

Pursuant to Section 70.21 of the North Mankato City Code, I hereby authorize a parade permit for the applicant organization. This permit shall be valid only under the conditions recommended by the City of North Mankato and only for the date and time indicated.

[Signature]  
Chief of Police

9/19/22  
Date

Caswell Sports Director

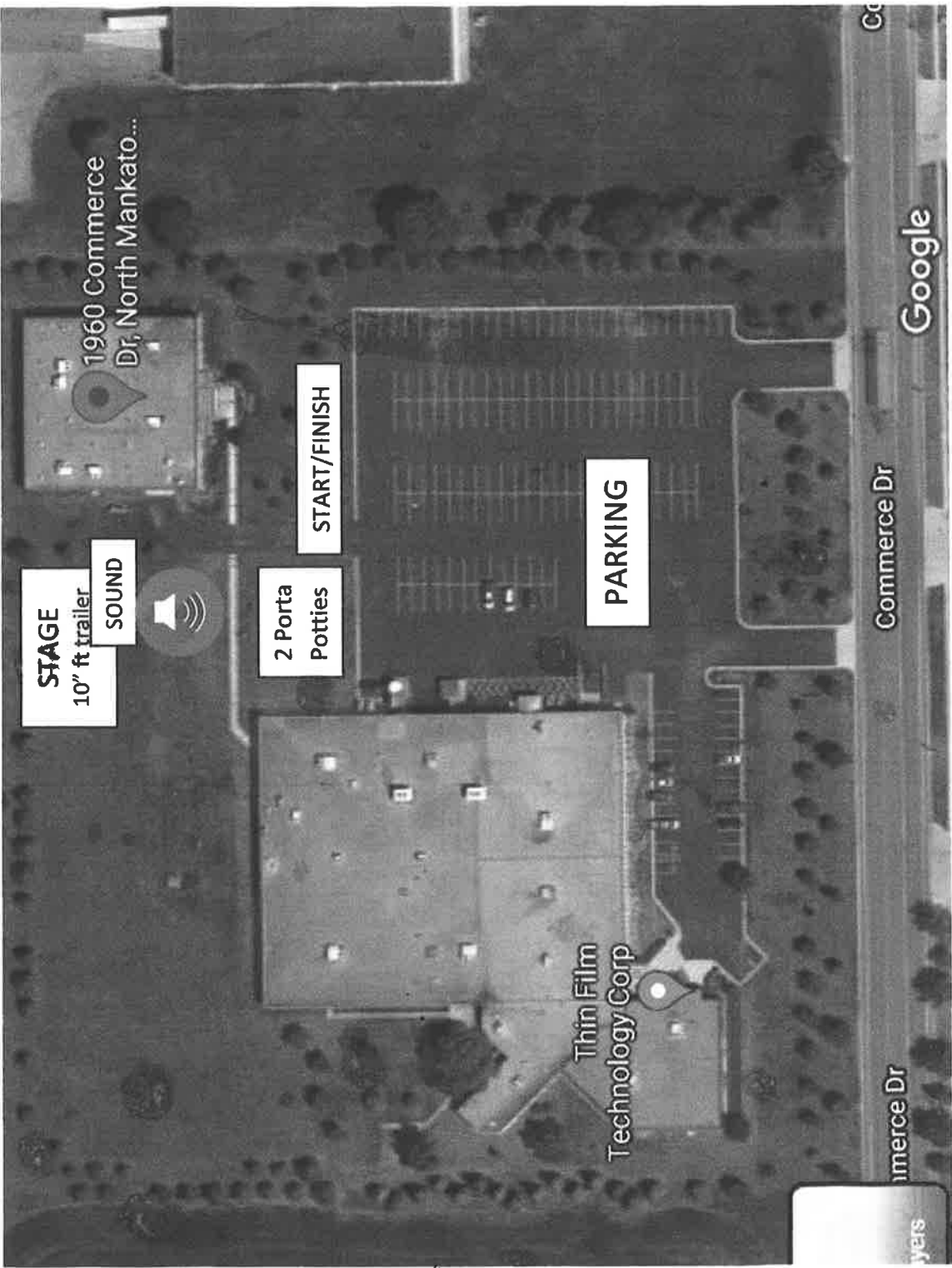
Date



# MY Pace Mile Map









**CITY OF NORTH MANKATO  
COUNTY OF NICOLLET  
STATE OF MINNESOTA**

**NOTICE OF PUBLIC HEARING ON VACATION OF UTILITY EASEMENTS  
PURSUANT TO MINNESOTA STATUTE §412.851**

**NOTICE IS HEREBY GIVEN** that a hearing will be held before the City Council of North Mankato on October 17, 2022, in the City Hall located at 1001 Belgrade Avenue at 7:00 pm to consider a proposed utility easement vacation legally described as:

The 10.00-foot-wide utility easement is located adjacent to the east lot line of Lot 1, Block 3, Charles Klingel Subdivision. The full legal description is available at [www.northmankato.com](http://www.northmankato.com) or by contacting the City Clerk at 507-625-4141.

Dated this 3rd day of October 2022.

SIGNED BY:

/s/April Van Genderen  
(City Clerk)




## PETITION FOR VACATION

The undersigned property owner hereby petitions the City Council of the City of North Mankato, Minnesota, to vacate the following described utility easement:

The 10.00-foot-wide utility easement located adjacent to the east lot line of Lot 1, Block 3, Charles Klingel Subdivision

Dated this 30<sup>th</sup> day of September 2022.

  
Witness

  
Witness

  
Joel Faugstad

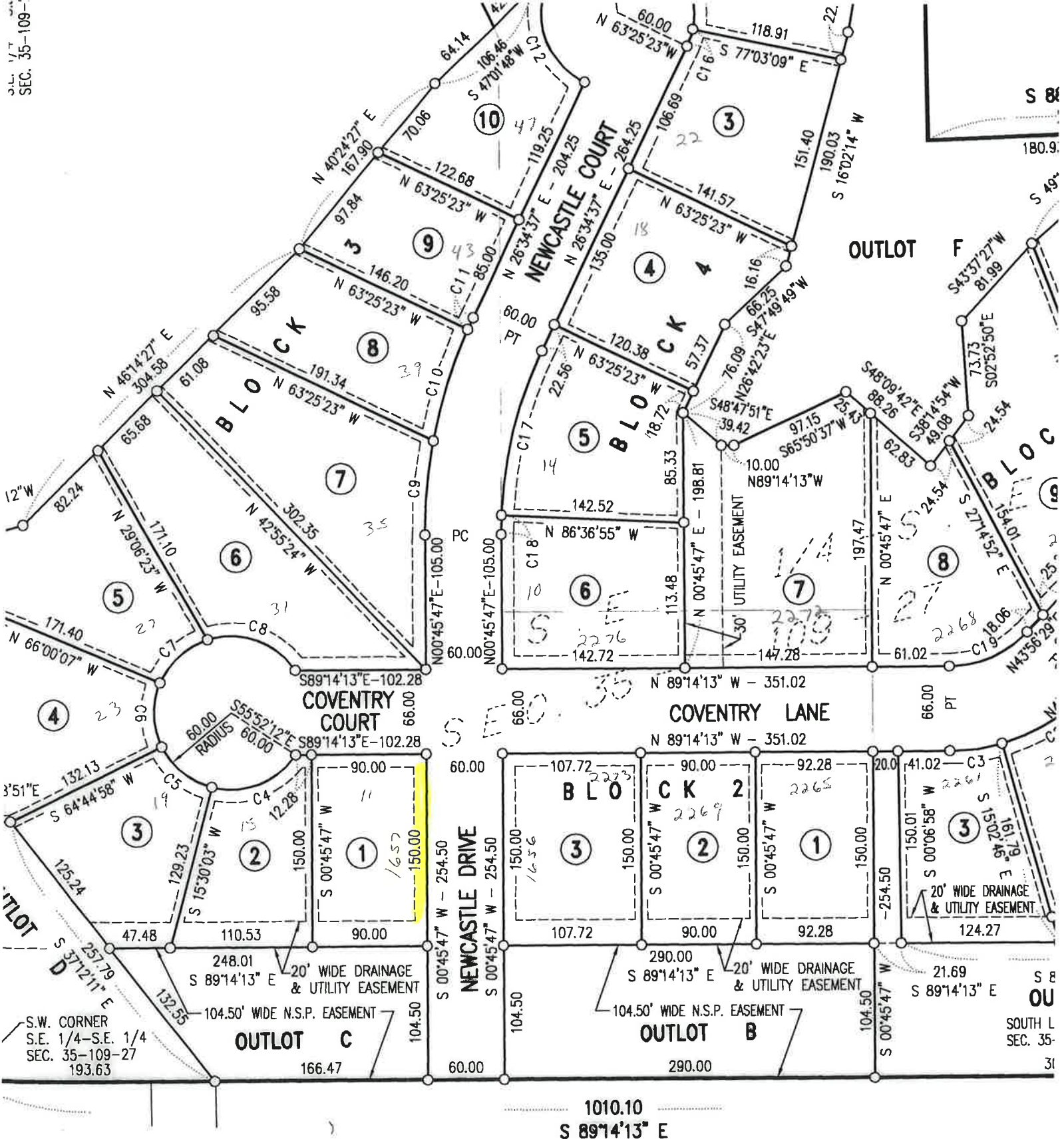
  
Katelyn Faugstad

Received by City Clerk:

9/30/22  
Date

  
City Clerk





OUTLOT A

3 E

OUTLOT B



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item # 12A	Department: Police Dept.	Council Meeting Date: 10/3/22																											
<b>TITLE OF ISSUE: Consider Adopting Ordinance No. 152, Fourth Series an Ordinance Regulating the Sales, Testing, Manufacturing, and Possession of Products Containing THC, Cannabis or Cannabinoids</b>																													
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> At a Council Work Session, the City Council received information concerning State Statute 151.72, which allows the sale of Delta-9 THC cannabinoid products. On August 15, 2022, the City Council set a Public Hearing for September 19, 2022, to allow the Public to respond to the proposed ordinance. The public hearing was held and a discussion was held concerning the Ordinance. The City Council tabled the item until October 3, 2022. The staff has made the requested changes which can be seen on the red-lined ordinance.																													
If additional space is required, attach a separate sheet																													
<b>REQUESTED COUNCIL ACTION: Adopt Ordinance No. 152, Fourth Series an Ordinance Regulating the Sales, Testing, Manufacturing, and Possession of Products Containing THC, Cannabis or Cannabinoids</b>																													
<b>For Clerk's Use:</b>  Motion By: _____ Second By: _____  Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Oachs</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Oachs	_____	_____	Norland	_____	_____	Whitlock	_____	_____	Steiner	_____	_____	Dehen	<b>SUPPORTING DOCUMENTS ATTACHED</b>  <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**ORDINANCE NO. 152 FOURTH SERIES  
CITY OF NORTH MANKATO  
NICOLLET, COUNTY MINNESOTA**

**AN ORDINANCE REGULATING THE SALES, TESTING, MANUFACTURING,  
AND POSSESSION OF PRODUCTS CONTAINING THC,  
CANNABIS OR CANNABINOIDS**

**WHEREAS**, the City Council of the City of North Mankato is the official governing body of the City of North Mankato, Minnesota ("the City"); and

**WHEREAS**, the City Council, at its regular meeting on September 19, 2022, enacted ordinance number 152, amending the city code to include regulation of the sales, testing, manufacturing, and possession of products containing THC, Cannabis, or Cannabinoids.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA**, does ordain that the City Code is modified to include:

TITLE XI: BUSINESS REGULATIONS, CHAPTER 113 SALES, TESTING,  
MANUFACTURING, AND POSSESSION OF PRODUCTS CONTAINING THC,  
CANNABIS, OR CANNABINOIDS

**Sale of Cannabinoid Products**

**SECTION 113.01 Definitions.** The following words, terms, and phrases, when used in this section, except where the context clearly indicates a different meaning:

***Certified Hemp.*** Means hemp plants that have been tested and found to meet the requirements of Minnesota Statute Chapter 18K.

***Child Resistant Packaging.*** Packaging that meets the definition set forth in C.F.R., Title 16 Section 1700.15 (b), as in effect on January 1, 2022, and was tested in accordance with the method described in C.F.R., Title 16, Section 1700.20.

***Compliance Checks.*** The system the city uses to investigate and ensure that those authorized to sell a licensed product are following and complying with the chapter. Compliance checks may involve the use of persons under the age of twenty-one (21) as authorized by this chapter. Compliance checks shall also mean the use of persons under the age of twenty-one (21) who attempt to purchase licensed products for educational, research, and training purposes as authorized by state and federal laws. Other government units may also



conduct compliance checks to enforce appropriate federal, state, or local laws and regulations relating to the licensed products.

***Edible Cannabinoid product.*** Means any product that is intended to be eaten or consumed as a food or beverage by humans and contains a cannabinoid in combination with food ingredients ~~is not a drug~~ and are not drugs.

***Moveable Place of Business.*** Any form of business operated out of a kiosk, truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address storefront or other permanent type of structure authorized for sales transactions.

***Nonintoxicating cannabinoid.*** Means a substance extracted from certified hemp plants that do not produce intoxicating effects when consumed by any route of administration.

***Retail Establishment.*** Any place of business where licensed products are available for sale to the general public.

**SECTION 113.02 License Required.** It is unlawful for any person, directly or indirectly, to keep for retail sale, sell at retail, or otherwise dispose of any cannabinoid product in any form unless a license is obtained from the City.

- (1) ***Application.*** An application for a license shall be made on a form provided by the city. The application shall contain the full name of the applicant, the applicant's business and residential addresses, the applicant's phone number, the name of the business for which the license is sought, and any additional information the city may find necessary. Upon receipt of the completed application, the City Clerk shall forward the application to the City Council for action at its next regularly scheduled City Council meeting. If the Clerk determines that the application is incomplete, he or she shall return the application to the applicant with notice of the information necessary to make the application complete.
- (2) ***Action.*** The City Council may either approve or deny the license or delay action for a reasonable period of time as necessary to complete any investigation of the application or the applicant deemed necessary. If the City Council approves the license, the City Clerk shall issue the license to the applicant. If the City Council denies the license, a notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the council's decision.
- (3) ***Term.*** All licenses shall expire on December 31 of each year.
- (4) ***Revocation and Suspension.*** Any license issued may be revoked or suspended as provided for in this ordinance.
- (5) ***Transfers.*** All licenses issued shall be valid only for the premises and party for which the license has been issued. No transfer of any license to another location or person shall be valid.



- (6) *Display.* All licenses shall be posted and displayed in plain view of the general public on the licensed premises.
- (7) *Renewals.* The renewal of a license issued under this section shall be handled in the same manner as the original application. The request for renewal shall be made at least 30 days but not more than 60 days prior to the current license expiration.
- (8) *Issuance is a privilege and not a right.* The issuance of a license under this section shall be considered a privilege and not an absolute right of the applicant and shall not entitle the holder to an automatic renewal of the license.
- (9) All licensed premises shall be open to inspection by any police officer as a condition of receiving a license and must consent to such inspection without a warrant. If a license holder refuses to allow an inspection, the license shall be suspended immediately and may be revoked by the City Council at their next meeting.

**SECTION 113.03** *Limits on License.* The license only allows for the sale or disposing of edible and nonintoxicating cannabinoid products that have been made legal in the State of Minnesota under the provision of Minnesota State Statutes.

**SECTION 113.04** *Restrictions.*

- (1) No cannabinoid product may be sold from a dispensing machine.
- (2) No cannabinoid product may be sold by law online, through a delivery service, transient sales, or any movable place of business.
- (3) All cannabinoid products must be sold in child-resistant packaging.
- (4) A license may not be issued to any establishment that has an on-sale or an off-sale intoxicating liquor license
- (5) It is unlawful for any person to sell or give away any cannabinoid in any form to anyone under age 21. Licensees shall verify by means of a government-issued photographic identification that the person is over the age of twenty-one (21).
- (6) Any product placed for sale must conform to the labeling requirements under Minnesota Statute 151.72 Sub 5.

**SECTION 113.05** *Limits on the Number of Licenses.* The City Council shall issue no more than ~~five (5)~~ ten (10) licenses as required under this ordinance at any given time.

**SECTION 113.06** *Other illegal acts.* Unless otherwise provided, the following acts shall be a violation of this chapter:

- (1) *Illegal Sales.* It shall be a violation of this chapter for any person to sell or otherwise provide any licensed product to a person who has not reached the age of twenty-one (21).
- (2) *Illegal possession.* It shall be a violation of this chapter for any person under the age of twenty-one to possess any licensed product. This shall not apply to persons under the age of twenty-one lawfully involved in a compliance check.
- (3) *Illegal use.* It shall be a violation of this chapter for any person under the age of 21 to consume or otherwise use any licensed product.



(4) *Illegal procurement.* It shall be a violation of this chapter for any person under the age of twenty-one (21) to purchase or attempt to purchase, obtain or attempt to obtain any licensed product. It shall be a violation of this chapter for any person to purchase or otherwise obtain those items on behalf of a person under the age of twenty-one (21). This shall not apply to a person under the age of twenty-one (21) who is involved in a compliance check

(5) Violation is a misdemeanor. A person who violates a provision of this subdivision when they perform an act thereby prohibited and, upon conviction thereof, shall be punished as a misdemeanor.

**SECTION 113.07 Fees.** No license shall be issued under this chapter until the appropriate license fee has been paid in full. Fee for any license under this chapter shall be established by the City's resolution establishing fees and charges, as it may be amended from time to time.

**SECTION 113.08 Violations and penalties.** Per administrative penalties, any licensee found to have violated this chapter or whose employee shall have violated this chapter shall be charged an administrative fine of \$300.00 for the first violation of this chapter; \$600.00 for a second offense on the same licensed premises within a twenty-four (24) month period; and \$1,000.00 for a third or subsequent offense at the same located within a twenty-four (24) month period. In addition, after the third or any subsequent violation, the license shall be suspended for not less than seven consecutive days.

**SUMMARY PUBLICATION** Pursuant to Minnesota Statutes Section 412.191, in case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council to be published in lieu of publishing the entire ordinance:

On September 19, 2022 at its regular meeting, the North Mankato City Council enacted Ordinance No 152. The following is a summary of the ordinance. The full text is available for public inspection by any person during regular office hours at City Hall.

The ordinance regulates the sale, testing, manufacture, and possession of products containing THC, Cannabis, or Cannabinoids. The ordinance requires that any person who directly or indirectly seeks to sell or otherwise dispose of any cannabinoid product have a license issued by the City. The ordinance limits the number of licenses that may be issued to five (5). The ordinance restricts the manner in which these products may be sold. The ordinance restricts sales and possession of these products to persons who are over the age of twenty-one. The ordinance further establishes penalties for the violation of the ordinance.

**Effective date.** This section becomes effective on the date of its publication or upon the publication of the summary of the Ordinance 152, Fourth Series as provided by



M.S. Section 412-191 Sub 4 as may be amended from time to time, which meets the requirements of M.S. Section 331A.01 Sub 10 as it may be amended from time to time.

Adopted by the North Mankato City Council

This \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_  
(Day) (Month) (Year)

Attest: \_\_\_\_\_, Mayor  
(Name of Elected Official)

Attest: \_\_\_\_\_, City Clerk



**ORDINANCE NO. 152 FOURTH SERIES  
CITY OF NORTH MANKATO  
NICOLLET, COUNTY MINNESOTA**

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**Effective date.** This section becomes effective on the date of its publication or upon the publication of the summary of the Ordinance 152, Fourth Series as provided by



M.S. Section 412-191 Sub 4 as may be amended from time to time, which meets the requirements of M.S. Section 331A.01 Sub 10 as it may be amended from time to time.

Adopted by the North Mankato City Council

This \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_  
(Day) (Month) (Year)

Attest: \_\_\_\_\_, Mayor  
(Name of Elected Official)

Attest: \_\_\_\_\_, City Clerk



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item # 12B	Department: Administration	Council Meeting Date: 10/3/22																											
<b>TITLE OF ISSUE: Consider Adopting Resolution Setting Fees and Charges.</b>																													
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION: The Resolution sets a fee for a Cannabinoid license application.</b>																													
<i>If additional space is required, attach a separate sheet</i>																													
<b>REQUESTED COUNCIL ACTION: Adopt Resolution Setting Fees and Charges.</b>																													
<b>For Clerk's Use:</b>  Motion By: _____ Second By: _____  Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Oachs</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Oachs	_____	_____	Norland	_____	_____	Whitlock	_____	_____	Steiner	_____	_____	Dehen	<b>SUPPORTING DOCUMENTS ATTACHED</b>  <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/> X</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input checked="" type="checkbox"/> X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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RESOLUTION SETTING FEES AND CHARGES

WHEREAS, the City of North Mankato provides various municipal services for which a fee is charged; and

WHEREAS, the City Code provides that such fees shall be set by resolution of the City Council; and

WHEREAS, a report containing recommendations for fees for certain municipal services is attached and will be effective upon approval by the City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF NORTH MANKATO, MINNESOTA, that said fees and charges are adopted.

Adopted by the City Council this 3<sup>rd</sup> day of October 2022.

---

Mayor

ATTEST:

---

City Clerk



## LICENSES AND PERMIT FEES

LICENSE / PERMIT	2021 Fees	PROPOSED 2022 FEES
CANNABINOID LICENSE		\$200.00



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item # 12C	Department: Public Works	Council Meeting Date: 10/3/22																												
<b>TITLE OF ISSUE:</b> Consider Ordinance No. 153, Fourth Series, An Ordinance of the City of North Mankato, Minnesota, Amending North Mankato City Code, Chapter 54: Stormwater, Chapter 92: Health and Safety, Nuisances, Chapter 155: Subdivision Regulations, and chapter 156: Zoning Code.																														
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION:</b> City Engineer Sarff will review the Code Amendments. The Amendments are necessary to remain in compliance with the MS4 Stormwater Pollution Prevention Plan.																														
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<b>REQUESTED COUNCIL ACTION:</b> Adopt Ordinance No. 153, Fourth Series, An Ordinance of the City of North Mankato, Minnesota, Amending North Mankato City Code, Chapter 54: Stormwater, Chapter 92: Health and Safety, Nuisances, Chapter 155: Subdivision Regulations, and chapter 156: Zoning Code.																														
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Resolution	Ordinance	Contract	Minutes	Map																										
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ORDINANCE NO. 153, FOURTH SERIES

AN ORDINANCE OF THE CITY OF NORTH MANKATO, MINNESOTA, AMENDING NORTH MANKATO CITY CODE, CHAPTER 54: STORMWATER, CHAPTER 92: HEALTH AND SAFETY; NUISANCES, CHAPTER 155 SUBDIVISION REGULATIONS, AND CHAPTER 156: ZONING CODE.

THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA ORDAINS:

Section 1. All portions of the City of North Mankato Code will be revised as outlined in Exhibit A attached; and

Section 2. This ordinance amending the Code of Ordinances shall be a sufficient publication of any ordinance included in it and not previously published in the City's official newspaper. The official copy of this amended code of Ordinances shall be marked and kept in the Office of the City Clerk.

Section 3. The Code of Ordinances is declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by Minnesota Statutes by the Courts of the State of Minnesota.

Section 4. This ordinance shall take effect upon publication of this ordinance in the City's official newspaper.

Adopted by the City Council of the City of North Mankato this 3<sup>rd</sup> day of October 2022.

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Mayor

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City Clerk



NORTH MANKATO, MINNESOTA  
CODE OF ORDINANCES  
TITLE V: PUBLIC WORKS  
CHAPTER 54: STORMWATER

§ 54.05 PURPOSE, SCOPE AND DEFINITIONS.

(A) Purpose. The purpose of this chapter is to establish standards and requirements for conservation practices and planning activities designed to control or reduce point and non-point source stormwater pollution, soil erosion, sedimentation, and illicit discharges that may occur within the city.

(B) Scope. Any person, business entity, state agency, or political subdivision proposing a land disturbance activity impacting 1.0 acre or more of land within the city shall apply to the city for the approval of the Stormwater Pollution Prevention Plan (SWPPP). No land shall be disturbed until the plan is approved by the city and conforms to the standards set forth herein. This chapter also develops regulations to manage illicit stormwater discharge within the city.

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NORTH MANKATO, MINNESOTA`  
CODE OF ORDINANCES  
TITLE V: PUBLIC WORKS  
CHAPTER 54: STORMWATER

§ 54.06 EROSION PREVENTION AND SEDIMENT CONTROL PLAN.

All plans shall be consistent with National Pollution Discharge Elimination Permit (NPDES) requirements, and the filing or approval requirements of relevant watershed districts, watershed management organizations, ditch authorities, soil and water conservation districts, or other regulatory bodies.

(A) Required. Every applicant for a building permit, excavation permit, plumbing permit or subdivision approval that involves any land disturbing activities within the city shall submit an erosion prevention and sediment control plan to the city. No land shall be disturbed until the plan is approved by the city and conforms to the standards set forth herein.

(B) General criteria for Erosion and Sediment Control Plans for sites less than 1.0 acres. shall be designed to avoid erosion on the site and to capture sediment before it leaves the site. 1. All off-site tracking shall be removed by the end of the business day unless otherwise authorized by the City.

(C) All SWPPPs for sites 1.0 acres or larger shall meet or exceed the requirements of the MN General Permit to Discharge Stormwater Associated with Construction Activity No. MN R100001 in place at the time of submittal as modified below:

(1) All grading plans and building site surveys must be reviewed by the City for the effectiveness of erosion control measures in the context of site topography and drainage.

(2) Easements. If a stormwater management plan involves directing some or all of the site's runoff, the Applicant or his designated representative shall obtain from adjacent property owners any necessary easements or other property interests concerning the flowing of such water.

An Erosion and Sediment Control Plan shall be required for any land disturbing activity and shall meet the following criteria:

- ~~— (1) Implement best management practices.~~
- ~~— (2) Protect storm sewers from sediment.~~
- ~~— (3) Prevent sediment damage to adjacent properties and other designated areas.~~
- ~~— (4) Protect paved roads from vehicle tracking.~~
- ~~— (5) Engineer the construction of steep slopes.~~
- ~~— (6) Stabilize all exposed soils and soil stockpiles.~~
- ~~— (7) Stabilize all waterways and outlets.~~
- ~~— (8) When working in or crossing water bodies, take precautions to contain sediment.~~
- ~~— (9) Maintain all temporary and permanent erosion and sediment control practices.~~
- ~~— (10) Establish permanent vegetation.~~
- ~~— (11) Dispose of temporary erosion and sediment control measures following final stabilization.~~
- ~~— (C) Contents of plan. The erosion and sediment control plan shall include the following:~~
  - ~~— (1) Project description. The nature and purpose of the land disturbing activity.~~
  - ~~— (2) Project schedule. A projected timeline for completion of all site activities.~~



NORTH MANKATO, MINNESOTA`  
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NORTH MANKATO, MINNESOTA  
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- (1) Implement best management practices.
- (2) Protect storm sewers from sediment.
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- (4) Protect paved roads from vehicle tracking.
- (5) Engineer the construction of steep slopes.
- (6) Stabilize all exposed soils and soil stockpiles.
- (7) Stabilize all waterways and outlets.
- (8) When working in or crossing water bodies, take precautions to contain sediment.
- (9) Maintain all temporary and permanent erosion and sediment control practices.
- (10) Establish permanent vegetation.
- (11) Dispose of temporary erosion and sediment control measures following final stabilization.
- (C) Contents of plan. The erosion and sediment control plan shall include the following:
  - (1) Project description. The nature and purpose of the land disturbing activity.
  - (2) Project schedule. A projected timeline for completion of all site activities.



NORTH MANKATO, MINNESOTA  
CODE OF ORDINANCES  
TITLE V: PUBLIC WORKS  
CHAPTER 54: STORMWATER

- ~~— (3) Existing site conditions. Elevations, vegetation, utilities and drainage.~~
- ~~— (4) Adjacent areas. Properties, bodies of water, roads, and the like, which may be affected by the land disturbing activity.~~
- ~~— (5) Erosion and sediment control measures. Methods to be used to control erosion and sedimentation on the site before, during and after the construction process.~~
- ~~— (6) Maintenance. Schedule of regular inspections and repair of erosion and sediment control structures.~~
- ~~— (7) Permanent stabilization. How the site will be stabilized after construction is completed.~~
- ~~— (8) Dewatering. The plan must include provisions for dewatering. Water may not be discharged in a manner that causes erosion or flooding of the site or of receiving channels or a wetland. Water pumped from the site shall be treated by 1 of the following processes: temporary sedimentation basins, grit chambers, sand filters, up flow chambers, hydrocyclones, swirl concentrators, or other controls as approved by the Director of Public Works or his/her designee.~~
- ~~— (9) Temporary sedimentation basins. Temporary sedimentation basins shall be installed when required by the version of the Minnesota Pollution Control Agency's NPDES Construction Permit Requirements in place at the time of application. All temporary and permanent basins shall be designed in accordance with the MN Stormwater Manual.~~

(D) NPDES Construction Site Permit. Any construction activity that disturbs 1 or more acres is required to obtain a separate NPDES Construction Site Permit from the Minnesota Pollution Control Agency (MPCA). A copy of this permit and erosion and sediment control plan shall be submitted to the city.

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NORTH MANKATO, MINNESOTA  
CODE OF ORDINANCES  
TITLE V: PUBLIC WORKS  
CHAPTER 54: STORMWATER

§ 54.07 REVIEW OF PLAN.

(A) Site plans for new development and redevelopment of any kind will be assessed for stormwater quantity control and stormwater quality management. No permits shall be issued until a site plan meeting the requirements of this section has been submitted by the applicant.

(B) The applicant shall submit information adequate for the city to evaluate if the plans meet the requirements of the section.

(C) The city shall complete a review of the erosion and sediment control plan within 14 calendar days of receiving the plan from the developer.

(1) Permit required. If it determines that the plan meets the requirements of this chapter, the city shall issue the appropriate permit valid for a specified period of time that authorizes the land disturbance activity contingent on the implementation and completion of the plan.

(2) Denial. If it determines that the plan does not meet the requirements of this chapter, the city shall not issue a permit for the land disturbance activity.

(D) City inspections and enforcement. The city shall conduct inspections on a regular basis to ensure that the plan is properly installed and maintained. In all cases, the inspectors will attempt to work with the developer to maintain proper erosion and sediment control at all sites. In cases where cooperation is withheld, enforcement action(s) shall be taken by the city until erosion and sediment control measures meet the requirements of this chapter. An inspection may be needed before work can commence. Inspections are required as follows:

(1) Before any land disturbing activity begins.

(2) As necessary or required during construction.

(3) At the completion of the project.

(E) The city reserves the right to conduct other random inspections during the course of the project to ensure compliance with the plan.

(F) Inspections and maintenance of temporary and permanent BMPs shall be performed by the Applicant during construction.

(G) Inspections and maintenance shall meet or exceed the criteria listed in the MN General Permit to Discharge Stormwater Associated with Construction Activity No. MN R100001 except as modified below:

(1) All off-site tracking shall be removed by the end of the business day unless otherwise authorized by the City.

(2) The Application shall provide site access during construction to the City for compliance inspections and shall make Applicant's records of maintenance and inspections available to the City upon request.

(a) The City shall notify the Applicant of deficiencies identified during City inspections.

(b) The Applicant shall correct deficiencies identified by the City within the timeframe requested by the City.



NORTH MANKATO, MINNESOTA  
CODE OF ORDINANCES  
TITLE V: PUBLIC WORKS  
CHAPTER 54: STORMWATER

~~(c) Where cooperation is withheld, construction stop orders may be issued by the City, until all erosion and sediment control deficiencies are corrected to the satisfaction of the City.~~

~~Owner inspections. Unless otherwise authorized by the city, all construction sites shall be inspected by the owner or the owner's representative at least once per 7 calendar days and within 24 hours after a rainfall event greater than 0.5 inches in a 24-hour period.~~

~~— (1) Records of each inspection shall be kept at the project site. The records shall clearly show the following information:~~

~~— (a) Date and time of inspection;~~

~~— (b) Date and amount of any rainfall greater than 0.5 inches in a 24-hour period;~~

~~— (c) Name of inspector;~~

~~— (d) Findings of the inspection; and~~

~~— (e) Documentation of corrective actions required and the actions taken.~~

~~— (2) The owner shall make these records available to the city upon request.~~

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NORTH MANKATO, MINNESOTA  
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TITLE V: PUBLIC WORKS  
CHAPTER 54: STORMWATER

§ 54.09 PERMANENT STORMWATER BMPS.

(A) The applicant shall install or construct, on or for the proposed land disturbing or development activity, all stormwater management facilities necessary to manage:

(1) Storm peak discharge rates to pre-project rates for the 2.0-yr, 10-yr, and 100-yr 24-hour storm events.

(2) Sites that disturb less than 1.0 acres shall be designed to control runoff rate so as to not cause downstream flooding or erosion.

(3) Sites that disturb 1.0 acre or more shall provide permanent BMPs, with highest preference given to Green Infrastructure techniques and practices necessary to meet the following conditions on the site of construction activity to the Maximum Extent Practicable.

(a) Stormwater release rates and volume from the site on an annual average basis shall not increase over the predevelopment twenty-four (24) hour two (2) year, ten (10) year and one hundred (100) year peak storm discharges rates, based on the last ten (10) years of how that land was used. Also accelerated channel erosion must not occur as a result of the proposed activity.

(b) Permanent best management practices for sites where the sum of new and reconstructed impervious surface is 1.0 or more acres shall be designed to meet the requirements for Post-Construction Stormwater Management as described in the MN Small Municipal Separate Storm Sewer Systems General Permit No. MNR040000 in place at the time of submittal.

(c) Applicants shall provide documentation showing rate, volume, and water quality compliance. Calculations shall be by a methodology listed in the MPCA Stormwater Manual or other method approved by the City.

(B) Oil and grease control. Where the potential for pollution by oil, grease, or both, exists, the City may require installation of an oil and grease removal device designed to handle the volume and type of material anticipated.

~~— (2) Volume, Total Suspended Solids (TSS), Total Phosphorus (TP) such that there is no net increase from pre-project conditions on an annual average basis for new developments and such that there is a net reduction from pre-project conditions on an annual average basis for redevelopment projects.~~

~~— (a) For projects where site constraints limit the ability to provide the required control practices within the project boundary; the project shall provide for downstream improvements for that portion that cannot be treated within project boundaries. Such projects may include:~~

~~—— 1. Linear projects where reasonable effort has been made to obtain sufficient right-of-way to install required control practices and said efforts have been unsuccessful;~~

~~—— 2. Sites where infiltration is prohibited; or~~

~~—— 3. Other locations as determined by the Director of Public Works or his/her designee.~~



NORTH MANKATO, MINNESOTA  
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CHAPTER 54: STORMWATER

~~—(B) Investigation of practices. The following stormwater management practices shall be investigated in developing a Stormwater Management Plan in the following descending order of preference:~~

~~—(1) Infiltration of runoff on site, if suitable soil conditions are available for use except that infiltration shall be prohibited where:~~

~~—(a) Industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.~~

~~—(b) Vehicle fueling and maintenance occur.~~

~~—(c) Less than 3 feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock can be achieved.~~

~~—(d) High levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.~~

~~—(e) Soil infiltration rates are more than 8.3 inches per hour.~~

~~—(f) Soils are predominately Hydrologic Soil Group D (clay), except where soil amendment will allow for appropriate infiltration.~~

~~—(2) Flow attenuation by use of open vegetated swales and natural depressions;~~

~~—(3) Stormwater retention facilities; and~~

~~—(4) Stormwater detention facilities.~~

~~—(C) Projects must include creation of new or retrofit existing structural stormwater Best Management Practices or utilize properly designed regional structural stormwater Best Management Practices. Routine maintenance of existing structural stormwater Best Management Practices does not meet the requirement to provide stormwater management under division (D). Projects that have made reasonable effort but been unable to fully meet volume, TSS and TP requirements within the project limits may upon authorization by the Director of Public Works or his/her designee utilize the following methods to meet that portion not met onsite:~~

~~—(1) Provide treatment that yields the same benefits in an offsite location to the same receiving water that receives runoff from the project site. If this is not feasible then;~~

~~—(2) Provide treatment that yields the same benefits in an offsite location within the same Minnesota Department of Natural Resources catchment area as the project site, if this is not feasible then;~~

~~—(3) Provide treatment that yields the same benefits in an offsite location within an adjacent Minnesota Department of Natural Resources catchment area up-stream of the project site. If this is not feasible then;~~

~~—(4) Provide treatment that yields the same benefits at a site approved by the city.~~

~~—(D) Applicants shall provide documentation showing compliance with divisions (A), (B), and (C) above. Acceptable options shall be:~~

~~—(1) For Rate and Volume:~~

~~—(a) Select from the Modeling Tool Section of the MPCA Stormwater Manual; or~~

~~—(b) Other method approved by the Director of Public Works or his/her designee.~~



NORTH MANKATO, MINNESOTA  
CODE OF ORDINANCES  
TITLE V: PUBLIC WORKS  
CHAPTER 54: STORMWATER

~~—(2) For TSS and TP:~~

~~—(a) Minimal Impact Design Standards (MIDS) Calculator available on the MPCA website; or~~

~~—(b) Other method approved by the Director of Public Works or his/her designee.~~

(CE) Performance security. Prior to approval of permits for construction, the applicant may be required to submit an agreement to construct such required physical improvements, to dedicate property or easements, to provide performance security (letter of credit or performance bond), and to comply with such conditions as may have been agreed to.

(DE) Failure to complete. If the applicant fails to complete the required stormwater improvements within 24-months of beginning construction of the project they are intended to mitigate, the city may make provisions to complete the required stormwater improvements or to provide equivalent downstream treatment. The city shall use any performance security held for the work or may utilize special assessments as provided in M.S. § 429 to reimburse itself for costs associated with this work.

(EG) Where the City Council authorizes the construction of private stormwater management facilities, the applicant shall designate the responsible party for inspection and maintenance of all private stormwater management facilities in an agreement to be recorded against the properties being developed. In addition, the agreement shall provide for:

(1) Description of anticipated maintenance activities and frequency.

(2) Access in perpetuity for inspection of the facilities by the Director of Public Works or his/her designee.

(3) Access in perpetuity for maintenance of the facilities should the Director of Public Works or his/her designee find that stormwater facility maintenance is required and upon written notice the property owners fail to take corrective action with the cost of such maintenance to be paid by the property owner.

(4) If the expense is not paid, the expense will be made a special assessment against the property concerned in accordance with M.S. § 429.061 and other pertinent statutes for certification to the County Auditor and collection along with the current taxes the following year or in annual installments, as the City Council may determine in each case.

(H) Removal or alteration of Structural Stormwater Best Management Practices. Structural Stormwater Best Management Practices installed to fulfill the requirements of this chapter shall be maintained in compliance with the approved maintenance plan. Where no plan is in place they shall be maintained in compliance with accepted Industry Standard and Minnesota Pollution Control Agency recommendations. No Structural Stormwater Best Management Practices shall be removed or altered in such a way to decrease structural Stormwater Best Management Practices effectiveness without:

(1) Authorization of the Director of Public Works or his/her designee; and

(2) Providing new or improved Structural Stormwater Best Management Practices providing or exceeding that amount lost due to the alteration or removal.



NORTH MANKATO, MINNESOTA  
CODE OF ORDINANCES  
TITLE IX: GENERAL REGULATIONS

CHAPTER 92: HEALTH AND SAFETY; NUISANCES

§ 92.19 NUISANCE PARKING AND STORAGE.

(A) Declaration of nuisance. The outside parking and storage on residentially-zoned property or public rights-of-way of large numbers of vehicles, trailers, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it (a) obstructs views on streets and private property, (b) creates cluttered and otherwise unsightly areas, (c) prevents the full use of residential streets for residential parking, (d) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, (e) decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood, and (f) otherwise adversely affects property values and neighborhood patterns.

(B) Unlawful parking and storage.

(1) A person must not place, store, or allow the placement or storage of ice fish houses, skateboard ramps, playhouses or other similar non-permanent structures outside continuously for longer than 24 hours in the front-yard area of residential property unless more than 100 feet back from the front property line.

(2) A person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, or similar materials, including all materials used in connection with a business, outside on residential property.

(3) A person must not cause, undertake, permit or allow the outside parking and storage of vehicles on residential property unless it complies with the following requirements:

(a) Vehicles that are parked or stored outside in the front-yard area must be on a paved driveway area.

(b) Vehicles, watercraft and other articles stored outside on residential property must be owned by a person who resides on that property. Students who are away at school for periods of time but still claim the property as their legal residence will be considered residents on the property.

(4) A person must not place, store or allow the placement of any garbage dumpster, portable storage unit or similar non-permanent structure on any residential property, including driveways, for longer than 10 consecutive days, except for dumpsters on private property where a valid building permit has been issued. These types of non-permanent structures are not permitted on any street or public right-of-way.

(C) Salt Storage.

(1) Commercial, institutional, and non-NPDES permitted industrial facilities storing salt and salt-containing materials outdoors must meet minimum standards for storage and handling.

(a) Designated salt storage areas must be covered or indoors;

(b) Located outside of areas likely to flood or to be exposed to stormwater or snowmelt runoff;

(c) Located on an impervious surface; and



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TITLE IX: GENERAL REGULATIONS

CHAPTER 92: HEALTH AND SAFETY; NUISANCES

(d) Protection practices to reduce exposure when transferring material in designated salt storage areas such as but not limited to sweeping, diversions, and/or containment must be implemented.



NORTH MANKATO, MINNESOTA

CODE OF ORDINANCES

TITLE XV: LAND USAGE

CHAPTER 155: SUBDIVISION REGULATIONS

§ 155.49 STORMWATER DESIGN CRITERIA.

(A) Stormwater modeling shall be in accordance with United States Soil Conservation Service (SCS) Technical Release 55 or 20, i.e. TR-55 or TR-20.

(B) Permanent best management practices for sites where the sum of new and reconstructed impervious surface is 1.0 or more acres shall be designed to meet the requirements for Post-Construction Stormwater Management as described in the MN Small Municipal Separate Storm Sewer Systems General Permit No. MNR040000 in place at the time of submittal. Stormwater detention basins shall be designed to store sufficient excess runoff from the proposed development. Composite post-developed site runoff must be equal to or less than the composite pre-developed site runoff for the 5 and 100 year rainfall events. The SCS 24-hour, 5 year and 100 year rainfall events are 3.7 inches and 6.1 inches, respectively.

(C) Post-developed design site conditions, requiring diversion of stormwater from an existing inlet point to another inlet point on a different outfall sewer, shall meet the following: post-developed flow draining to an existing stormwater inlet point shall be equal to or less than the undisturbed pre-developed flow draining to that point.

(D) The following information shall be submitted to the city for review by the City Engineer:

- (1) SCS curve numbers for the pre-developed and post-developed site conditions;
- (2) Soil type(s) used in calculations;
- (3) Size, elevation and location of proposed stormwater system outfall(s);
- (4) Size, elevation, location and detail of proposed pond outlet structure;
- (5) Map or plan showing the pre-developed and post-developed design drainage districts;
- (6) Pond grading plan showing the proposed contour elevations and location of the pond's emergency overflow spillway; and
- (7) All drainage hydrographs, pond routing and peak elevation/outfall calculations.



NORTH MANKATO, MINNESOTA CODE OF  
ORDINANCES  
TITLE XV: LAND USAGE  
CHAPTER 156: ZONING CODE

§ 156.035 GENERALLY.

The regulations of this chapter within each district shall be minimum regulations and shall apply uniformly within each district, except as may be permitted or provided by this chapter.

(A) District conformance. No building, structure or land shall hereafter be used or occupied, and no building, structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

(B) Alterations. No building or other structure shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families, to occupy a greater percentage of lot area, to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required, or allowed to be erected or altered in any other manner contrary to the provisions of this chapter.

(C) Requirement computations. No part of a yard or other open space, or off-street parking required for or in connection with any building for the purpose of complying with this chapter, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building except as may be permitted by this chapter. Regulations requiring the use of numerical computations shall utilize the method provided by this chapter. Where no method has been provided by this chapter, it shall be the duty of the Zoning Administrator to determine appropriate uniform means of computation. In the event fractional sums, differences, products or quotients are determined in the application of this chapter, these values shall be "rounded off" to the applicable unit of measurement.

(D) Yard or lot reductions.

(1) No yard or lot existing at the time of the passage of this chapter shall be reduced in dimension or area below the minimum requirements set forth herein except detached dwellings located on lots contained in plats recorded prior to the year 1958 which shall not be less than the following:

- (a) Front yards: 20 feet;
- (b) Side yards: 5 feet;
- (c) Rear yards: 20 feet;
- (d) Lot width: 50 feet.

(2) Yards or lots created after the effective date of this chapter shall not be less than the minimum requirements established by this chapter.

(E) Accessory uses. Accessory uses or structures shall not be located in any required front, side, rear or transitional yard except as may be permitted in this section.

(1) The following accessory uses or structures shall be permitted in any required rear or front yard in any residential zoning district, provided a 15 foot rear yard setback and the required front yard setback is maintained:

(a) Decks or elevated platforms, either attached to a dwelling or free standing, with no roof or overhead structure of any type;



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ORDINANCES  
TITLE XV: LAND USAGE  
CHAPTER 156: ZONING CODE

(b) Patios or paved areas that are level, flush or at grade with the ground, with no roof or overhead structure of any type, and are not used for parking purposes.

(2) The following accessory uses or structures shall be permitted in any required rear yard in any zoning district, provided a 5 foot rear yard setback is maintained, and any required side yard in any zoning district, provided a 5 foot side yard is maintained from the furthest point of the building to the respective property line: utility buildings;

(3) The following are minimum rear yard setbacks for swimming pools, including attached deck or apron:

Pool Type	Property Type	Minimum Rear Yard Setbacks
In-ground	Non-ravine	Rear - 10 feet
In-ground	Ravine	Rear - 10 feet with the provision that upon inspection of the ravine by city staff, the setback can be increased to 25 feet
Above-ground	Non-ravine	Rear - 10 feet
Above-ground	Ravine	Rear - 25 feet

(a) The breakline shall be established by the Building or Construction Inspector prior to construction.

(F) Height exceptions. The building height limits established herein for districts shall not apply to belfries, cupolas, domes, spires, monuments, radio towers, flag poles, chimneys, water tanks, towers, solar collectors, wind energy conversion systems and other structures for essential services, nor to similar structures or necessary mechanical appurtenances extending above the roof of any building and not occupying more than 10% of the area of such roof. Building height limit exceptions shall conform to all structural design standards specified by the Minnesota State Building Code, as amended. In no event shall this section be construed to allow the construction or continued maintenance of structures constituting a hazard to the abutting property or the public at large. Where the average slope of lot is greater than 1 foot rise or fall in 7 feet of horizontal distance from the established street elevation at the property line, 1 story in addition to the number permitted in the district in which the lot is situated shall be permitted on the downhill side of any building.

(G) Accessory buildings. If an accessory building is attached to the main building, it shall be made a structural part of the main building and shall comply in all respects with the requirements of this chapter applicable to the main building. An accessory building, unless attached to and made a part of the main building, shall not be closer than 5 feet to the main building or another accessory building. In no event shall an accessory building be permitted on a vacant lot or when not subordinate to and serving the principal use structure on the same lot.



NORTH MANKATO, MINNESOTA CODE OF  
ORDINANCES  
TITLE XV: LAND USAGE  
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(1) An accessory building larger than 168 square feet shall be accessible by a hard-surfaced driveway which meets all applicable setback regulations.

(2) Private garages used as accessory structures for one and two-family residential dwellings shall not exceed a combined total of 1,400 square feet of floor space per lot for all structures.

(3) No pole barn type construction is permitted for any residential private garage.

(4) Detached residential garage roofs must have a hipped or gable design. No barn-type roofs are permitted on detached garages.

(H) Earth sheltered buildings.

(1) Where an earth sheltered building substantially alters the natural watershed of the lot, computations for yard area shall be based on measurements from the surrounding cover of earth. In cases where the earth sheltered building has been made part of the natural terrain, computations for yard area shall be made from the exterior surface of the building.

(2) All applications for building permits for earth sheltered buildings shall be accompanied by a drainage plan.

(I) Wind energy conversion systems (WECS).

(1) The location, design, maintenance and removal of WECS shall be governed as follows. WECS shall be considered a conditional use in all zoning districts. All appropriate regulations within each zoning district must be complied with in addition to regulations outlined below;

(2) Applicants requesting a building permit for a WECS shall furnish such scale drawings and information as the city deems necessary. This information may include, but is not limited to the following: a plot plan of the premises involved showing lot lines, the accurate location of all buildings or structures on the premises and on each adjacent plot and the location of proposed tower and all guy wires, poles or anchors, and a sketch elevation of the premises accurately depicting the proposed tower and its relationship to structures on adjacent lots.

(3) The permitted maximum height of a WECS shall be determined in one of two ways:

(a) A ratio of 1 to 1 between the distance from the closest property line to any part of the WECS to the height of the tower;

(b) A maximum of 100 feet in agricultural and industrial districts and 60 feet in residential and commercial districts. The shortest height of the two above-mentioned methods shall be used in determining maximum height. Height shall be measured from the surrounding grade to the rotor hub or top of the tower, whichever is higher.

(4) No part of a WECS shall be located within or above any required front, side or rear setback area.

(5) All WECS shall be designed to meet the following minimum standards:

(a) An automatic braking device capable of halting operation in high winds (40 m.p.h. or greater) shall be incorporated;



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(b) The WECS shall be designed, constructed and operated so as to not cause radio and television interference;

(c) The WECS shall be operated and maintained in a condition which will not cause unreasonable noise emissions;

(d) The WECS shall be placed on the property in a position which will not unreasonably obstruct the view from neighboring properties;

(e) The WECS shall be guarded against unauthorized climbing. The first 12 feet of the tower shall be unclimbable by design or be enclosed by a 6 foot high, nonclimbable fence with a secured access;

(f) The WECS shall be designed and installed to withstand natural lightning strikes;

(g) The WECS electrical equipment and connections shall adhere to all state and local government, as well as power company rules and regulations and standards.

(6) Any WECS which fails to comply with this chapter shall be brought into compliance within 90 days after notice by the city, or be dismantled. Any WECS not in operation for 12 months shall be dismantled.

(7) WECS existing at the date of adoption of this chapter or existing at the time of annexation, shall be brought into compliance within 12 months or be dismantled.

(8) The owner of a WECS which is to be dismantled must accomplish such act within 30 days or the city is empowered to dismantle such WECS and assess the costs against the property.

(9) WECS that are by nature ornamental, rather than functional, shall be exempt from this chapter if total height is less than 25 feet.

(10) The city requires liability insurance to be maintained on the WECS by its owner.

(11) In order to insure adequate wind access, the city does encourage the use of private easements and restrictive covenants as a means to protect wind access.

(J) Minimum structural requirements. The following shall be minimum structural requirements in all residential districts:

(1) All structures used for residential occupancy shall have a minimum width of 24 feet and shall be affixed to a continuous permanent foundation constructed of concrete block, poured concrete or wood.

(2) A private attached or unattached garage having a minimum floor area of 280 square feet shall be required to be built concurrent with each dwelling constructed.

(3) Roof systems must have a 2-12 minimum pitch. Hip, gable, mansard, gambrel or shed roof designs are allowable. Flat roofs are not recommended and will require engineering drawings and snow load certification.

(4) The provisions of this subdivision shall apply to all structures used for residential occupancy except structures controlled by the provisions of Ch. 152.

(5) A residential structure shall have a minimum width of 24 feet at its narrowest point and a minimum depth of 32 feet with a minimum floor area of 800 square feet on the main floor.



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(6) Residential structures shall be placed upon and affixed to a permanent foundation consisting of concrete block, concrete, or treated wood. The foundation shall be solid for the complete circumference of the structure except for necessary doors or windows. The foundation shall align vertically with the outer walls of such structure for its complete circumference and shall, as well, provide such other support for the structure as is required pursuant to the Minnesota State Building Code.

(K) Residential driveways.

(1) The maximum allowable driveway width measured at the front property line on residential property having a width of less than 80 feet shall not exceed 24 feet. The maximum allowable driveway width measured at the front property line on a residential property having a width of 80 feet or more shall not exceed 30 feet. There shall be a minimum of 20 feet of hard surfaced driveway located perpendicular from the face of any garage stall to the street. All driveways shall conform to the required side yard building setbacks for the district it is within.

(2) Circular drives. The maximum allowable driveway width measured at the property line on residential property shall not exceed 14 feet.

(3) For garages with access from the alley there shall be a minimum of 20 feet of hard-surfaced driveway, located perpendicular from the face of any garage stall to the alley or side property line, depending on the position of the garage doors. In no event shall a driveway encroach into a side yard building setback.

(L) Ravine setbacks. For all uses permitted there shall be a setback of no less than 25 feet, measured from the breakline of an adjacent ravine to any permanent structure, including but not limited to: dwellings, garages, decks, and above-ground patios. Gazebos exceeding 144 square feet in size are subject to a 25-foot ravine breakline setback. The breakline shall be established by the Building or Construction Inspector prior to construction. Permitted uses in the 25-foot setback

(M) Cul de sac lot provisions.

(1) Lot width. The minimum lot width measured at the front property line on platted cul de sac lots shall be a minimum of 50 feet.

(2) Driveways. The maximum allowable driveway width measured at the property line on cul de sac lots shall not exceed 24 feet. Beginning at the front property line, the driveway width may be enlarged at an angle not greater than 45 degrees to a point not closer than 10 feet to any side property line.

(N) Carports. Permitted within any zoning district subject to applicable setback regulations within each zoning regulation.

(O) Amateur radio towers. Permitted within any zoning district subject to applicable setback and building height requirements.

(P) Storage or utility sheds. Permitted in any residential zoning district subject to the following:

(1) Maximum floor area shall not exceed 168 square feet.

(2) Minimum setback is 5 feet from any rear or side property line.



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(3) Located a minimum of 5 feet from any main or accessory building.

(4) Shall not be located within any front yard.

(5) Maximum height shall not exceed 14 feet.

(6) Overhangs shall not exceed 2 feet.

(7) Access door shall not exceed 6 feet in width.

(8) No more than 1 storage shed or utility shed is permitted on any lot.

(9) Minimum setback is 5 feet from any ravine breakline.

(Q) Setbacks for accessory buildings. The building setbacks for garages on lots platted prior to 1958 are as follows:

(1) Garage when the vehicle entrance doors face an adjacent alley; 20 foot rear, 5 foot side.

(2) Garage when the vehicle entrance doors face a side property line; 5 foot rear, 5 foot side.

(3) Garage when the vehicle entrance doors face an adjacent street; 5 foot rear, 5 foot side.

(4) Corner lots are subject to 2 front yard setbacks.

(R) Foundation drainage. All residential and commercial foundation drains shall be connected to a sump pump or directed into an adjacent ravine with the discharge line located at the bottom of the ravine. Beginning at a distance of 3 feet from the foundation wall, a drainage pipe shall be non-perforated.

(S) Land preparation. The initial stripping of land for any development requires the removal of all organic material and soil to a depth of at least 12 inches. Professional soil engineer or building inspector findings may require the removal of more than 12 inches of soil.

(T) Minimum distance between buildings. The minimum distance between privately owned primary or accessory buildings shall be 5 feet.

(U) Foundation elevations. The following standards apply for all new residential construction:

(1) Finished grade elevations shall have a minimum of 5% slope up to a maximum of 8% slope, from the back top of curb to the finished grade elevation adjacent to the foundation wall. This applies to the minimum front yard setback requirements for valley and hilltop locations. Any variations are subject to be reviewed for approval by the City Building Official. Criteria for determining setback elevations beyond minimum setbacks are subject to the following:

(a) Required setbacks.

(b) Surface contours.

(c) Elevations of adjacent properties.

(d) Distance from top back of curb.

(e) Drainage.



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(2) The City Building Official shall establish the final floor elevation for all new residential, commercial or industrial buildings.

(3) Window well casings shall be constructed a minimum of 6 inches above finished grade.

(4) Residential property drainage. Drainage resulting from new home construction must conform to the topography of the land and be directed so as to not to adversely affect neighboring property. Drainage plans are subject to Building Inspector approval.

(V) Driveway paving. Driveway paving shall occur within 1 year after a building permit is issued for a garage and/or driveway having access to a public street or alley. The driveway shall be hard surfaced.

(W) Stormwater drainage plan. On-site stormwater detention is required for any new parking lot. Prior to issuance of a building permit, a stormwater drainage plan shall be submitted and approved by the City's Construction Inspector (refer to standards).

~~(X) Stormwater detention pond. For any residential, commercial or industrial development utilizing more than 1 acre of land, an on-site stormwater detention pond is required.~~ Permanent best management practices for sites where the sum of new and reconstructed impervious surface is 1.0 or more acres shall be designed to meet the requirements for Post-Construction Stormwater Management as described in the MN Small Municipal Separate Storm Sewer Systems General Permit No. MNR040000 in place at the time of submittal. Prior to issuance of a building permit, a Stormwater Drainage Plan shall be submitted and approved by the Building Inspector. Setbacks for storm water ponds, rain gardens or other storm water retention areas shall be a minimum of 10 feet from any property line.

(Y) Address identification numbers. Any residential dwelling unit or Commercial/Industrial building shall display address identification numbers on the dwelling or building that shall be visible from the nearest public street and be of a contrasting color from the dwelling or building. The height of the numbers shall be no less than 4 inches.

(Z) Property corners. Prior to construction of any new residential dwelling, dwelling addition, garage, garage addition or commercial/industrial building, it is the responsibility of the property owner to establish or display all property corners. For any other type of project that requires a building permit, it may be necessary for the property owner to display property corners at the request of the Building Official or Assistant Building Inspector. Property corners shall be located by the property owner or a registered land surveyor.

(AA) Underground systems. Underground invisible pet fencing shall be located a minimum of 3 feet from any sidewalk or street. Any underground sprinkler system installed within any public right-of-way is at risk from damage as a result of street or utility maintenance or any other public improvement project. The city accepts no responsibility for underground sprinkler system or invisible pet fencing damage in any public right-of-way.



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(BB) Home occupations. Home occupations are permitted uses in residential districts and shall conform to the following standards:

- (1) Such use shall be operated entirely within the primary living dwelling. The use of an attached or detached accessory building or garage for such use is prohibited.
- (2) Such use shall not employ any person not residing on the premises.
- (3) Such use shall not exceed 1/3 of the main floor space of a dwelling.
- (4) Only 1 home occupation shall be operated within a dwelling.
- (5) There shall be no outside storage of materials, goods, supplies, or equipment of any kind related to the home occupation.
- (6) No traffic or parking demand shall be generated by such use in greater volumes than would normally be expected in a residential neighborhood.
- (7) Any occupation shall be clearly secondary to the main use of the premises as a residential dwelling.

(8) The owner of the building shall be the operator of the home occupation.

(CC) Outside storage of materials in Business or Commercial districts. Where outside storage of materials, equipment and product is permitted in a Business or Commercial district, such outside storage shall conform to the following provisions.

- (1) Outside storage shall be fenced and screened from any abutting property and public street by privacy fencing or planting of vegetation. Such fencing or vegetation shall be not less than 6 feet in height.
- (2) Outside storage areas shall be hard surfaced using concrete or asphalt material.
- (3) Outside storage areas shall not be located within setback areas.
- (4) All materials stored outside shall be directly associated with the business.

(DD) Outside storage in Industrial districts. Where outside storage of materials, equipment and product is permitted in an Industrial district, such outside storage shall conform to the following provisions.

- (1) Outside storage areas shall be fenced and screened from any abutting property and public street by privacy fencing or planting of vegetation. Such fencing or vegetation shall be not less than 8 feet in height.
- (2) Outside storage areas shall be hard surfaced using concrete or asphalt material.
- (3) Outside storage areas shall not be located within setback areas.
- (4) All materials stored outside shall be directly associated with the industry.

(EE) Outside storage of materials in Residential districts. In any Residential zoning district, it is unlawful for any person to discard, place, accumulate, maintain or store out of doors, the following:

- (1) (a) Unlicensed, unregistered or inoperable motor vehicles, recreational vehicle, boats, campers, snowmobiles, trailers or similar equipment.
- (b) In the event a licensed motor vehicle parked or stored out of doors on private property has not been moved within a consecutive 30-day time period, the Zoning Administrator may, by written letter to the property owner, request that the vehicle owner



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demonstrate the vehicle is operable by starting and driving the vehicle a distance of not less than 500 feet. The operation to be observed by the Zoning Administrator or his or her designee.

- (2) Motor vehicle bodies, frames, parts, tires, rims or other machinery or equipment.
- (3) Household furnishings or appliances.
- (4) Lumber or construction materials.
- (5) Non-residential vehicles including but not limited to: tractors, buses, skid loaders and commercial trucks.
- (6) Lawnmowers, snowblowers and other lawn and garden equipment.
- (7) Garbage, litter and other debris which is considered to be a public nuisance by the Zoning Administrator.
- (8) The outside storage of materials shall not be located within any building setback area.

(FF) Outside storage of vehicles in Residential districts. In any Residential district, the off-street parking of vehicles shall conform to the following provisions.

(1) The off-street parking on any automobile, trailer, camper, boat, or recreational vehicle shall be on a lawfully permitted hard-surfaced area constructed of concrete or asphalt.

(2) The off-street parking of any automobile, trailer, camper, boat, or recreational vehicle shall not be within any building setback area unless on a lawfully constructed parking area adjacent to an alley.

(3) Any automobile, trailer, camper, boat or recreational vehicle stored on private property shall be licensed and registered to the property owner or tenant.

(4) Any automobile, trailer, camper, boat, recreational vehicle stored on private property shall not be used to store materials or equipment.

(GG) Driveways and curb openings. The following standards shall apply for each use.

	Maximum Curb Cut (Measured at Property Line)	Maximum # of Curb Cuts	Minimum Distance Between Curb Cuts	Minimum Side Yard Driveway Setback
	Maximum Curb Cut (Measured at Property Line)	Maximum # of Curb Cuts	Minimum Distance Between Curb Cuts	Minimum Side Yard Driveway Setback
Single Family Interior Lot	24 feet	1	20 feet	10 feet
Single Family Corner Lot	24 feet	1	20 feet	10 feet
Single Family Corner Lot utilizing circular drive	14 feet	2	20 feet	10 feet



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Single Family Cul-de-Sac Lot	24 feet	1	20 feet	10 feet
Multi-Family (2-8Units)	24 feet	1	20 feet	10 feet
Multi-Family (Over 8 Units)	24 feet	2	20 feet	10 feet
Commercial/Business	36 feet	2	20 feet	10 feet
Industrial	50 feet	4	20 feet	10 feet

(HH) Residential occupancies. Residential occupancies of single and two family dwellings in the R-1, R-1S and R-2 Districts shall be limited to family-functional and family-traditional as defined by § 156.003. A family-traditional or family-functional may have 1 additional person residing with them for non-rental purposes or for the purposes of providing a housekeeping or personal service for the resident(s) therein.

(II) For every new attached or detached residential dwelling unit constructed, an individual water service and shut-off shall be installed for each dwelling unit. Multi-unit rental apartment buildings are not subject to this provision.

(JJ) Landscaping. In conjunction with any new residential dwelling, commercial or industrial building, landscaping, including seeded or sodding, shall occur within 1 year after a building permit is issued.

(KK) Pergolas and dog kennels.

(1) Building setbacks for pergolas and dog kennels are as follows:

Valley	Hilltop
Side yard - 5 feet	Side yard - 10 feet
Rear yard - 5 feet	Rear yard - 10 feet

(2) Pergolas and dog kennels shall not be located within any front yard building setback.

(LL) Playhouses. Permitted in any residential zoning district, subject to the following:

- (1) Maximum floor area shall not exceed 60 square feet.
- (2) Maximum height shall not exceed 5 feet.
- (3) Minimum setback is 5 feet from any rear or side property line.
- (4) Shall not be located within any front yard.
- (5) No more than 1 playhouse permitted on any lot.
- (6) Minimum setback is 5 feet from any ravine breakline.
- (7) Shall be located a minimum of 5 feet from any main, accessory or utility building.



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(MM) Garage and yard sales. Permitted in all residential districts and the Central Business District subject to the following:

(1) Events shall not exceed 3 days in length with no more the 4 events allowed in any 12-month period.

(2) No items related to the event shall be stored out-of-doors overnight.

(3) No items or materials shall be located in any boulevard or public right-of-way area. (1975 Code, § 11.06) (Am. Ord. 3, passed 3-2-1981; Am. Ord. 5, passed 3-16-1981; Am. Ord. 21, passed 4-9-1982; Am. Ord. 23, passed 8-16-1982; Am. Ord. 24, passed 10-18-1982; Am. Ord. 36, passed 8-15-1983; Am. Ord. 114, passed 5-7-1990; Am. Ord. 146, passed 3-6-1995; Am. Ord. 193, passed 7-24-2000; Am. Ord. 194, passed 7-24-2000; Am. Ord. 206, passed 4-16-2001; Am. Ord. 233, passed 12-1-2003; Am. Ord. 235, passed 1-20-2004; Am. Ord. 8, 4th Series, passed 1-16-2007; Am. Ord. 17, 4th Series, passed 1-17-2008; Am. Ord. 21, 4th Series, passed 1-20-2009; Am. Ord. 34, 4th Series, passed 1-18-2011; Am. Ord. 48, 4th Series, passed 1-22-2013; Am. Ord. 63, 4th Series, passed 1-5-2015; Am. Ord. 86, 4th Series, passed 4-3-2017; Am. Ord. 102, 4th Series, passed 4-2-2018; Am. Ord. 112, 4th Series, passed 1-22-2019; Am. Ord. 114, 4th Series, passed 5-6-2019; Am. Ord. 125, 4th Series, passed 2-18-2020)



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- ~~— (3) Existing site conditions. Elevations, vegetation, utilities and drainage.~~
- ~~— (4) Adjacent areas. Properties, bodies of water, roads, and the like, which may be affected by the land disturbing activity.~~
- ~~— (5) Erosion and sediment control measures. Methods to be used to control erosion and sedimentation on the site before, during and after the construction process.~~
- ~~— (6) Maintenance. Schedule of regular inspections and repair of erosion and sediment control structures.~~
- ~~— (7) Permanent stabilization. How the site will be stabilized after construction is completed.~~
- ~~— (8) Dewatering. The plan must include provisions for dewatering. Water may not be discharged in a manner that causes erosion or flooding of the site or of receiving channels or a wetland. Water pumped from the site shall be treated by 1 of the following processes: temporary sedimentation basins, grit chambers, sand filters, up flow chambers, hydrocyclones, swirl concentrators, or other controls as approved by the Director of Public Works or his/her designee.~~
- ~~— (9) Temporary sedimentation basins. Temporary sedimentation basins shall be installed when required by the version of the Minnesota Pollution Control Agency's NPDES Construction Permit Requirements in place at the time of application. All temporary and permanent basins shall be designed in accordance with the MN Stormwater Manual.~~

(D) NPDES Construction Site Permit. Any construction activity that disturbs 1 or more acres is required to obtain a separate NPDES Construction Site Permit from the Minnesota Pollution Control Agency (MPCA). A copy of this permit and erosion and sediment control plan shall be submitted to the city.

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§ 54.07 REVIEW OF PLAN.

(A) Site plans for new development and redevelopment of any kind will be assessed for stormwater quantity control and stormwater quality management. No permits shall be issued until a site plan meeting the requirements of this section has been submitted by the applicant.

(B) The applicant shall submit information adequate for the city to evaluate if the plans meet the requirements of the section.

(C) The city shall complete a review of the erosion and sediment control plan within 14 calendar days of receiving the plan from the developer.

(1) Permit required. If it determines that the plan meets the requirements of this chapter, the city shall issue the appropriate permit valid for a specified period of time that authorizes the land disturbance activity contingent on the implementation and completion of the plan.

(2) Denial. If it determines that the plan does not meet the requirements of this chapter, the city shall not issue a permit for the land disturbance activity.

(D) City inspections and enforcement. The city shall conduct inspections on a regular basis to ensure that the plan is properly installed and maintained. In all cases, the inspectors will attempt to work with the developer to maintain proper erosion and sediment control at all sites. In cases where cooperation is withheld, enforcement action(s) shall be taken by the city until erosion and sediment control measures meet the requirements of this chapter. An inspection may be needed before work can commence. Inspections are required as follows:

(1) Before any land disturbing activity begins.

(2) As necessary or required during construction.

(3) At the completion of the project.

(E) The city reserves the right to conduct other random inspections during the course of the project to ensure compliance with the plan.

(F) Inspections and maintenance of temporary and permanent BMPs shall be performed by the Applicant during construction.

(G) Inspections and maintenance shall meet or exceed the criteria listed in the MN General Permit to Discharge Stormwater Associated with Construction Activity No. MN R100001 except as modified below:

(1) All off-site tracking shall be removed by the end of the business day unless otherwise authorized by the City.

(2) The Application shall provide site access during construction to the City for compliance inspections and shall make Applicant's records of maintenance and inspections available to the City upon request.

(a) The City shall notify the Applicant of deficiencies identified during City inspections.

(b) The Applicant shall correct deficiencies identified by the City within the timeframe requested by the City.



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~~(c) Where cooperation is withheld, construction stop orders may be issued by the City, until all erosion and sediment control deficiencies are corrected to the satisfaction of the City.~~

~~Owner inspections. Unless otherwise authorized by the city, all construction sites shall be inspected by the owner or the owner's representative at least once per 7 calendar days and within 24 hours after a rainfall event greater than 0.5 inches in a 24-hour period.~~

~~— (1) Records of each inspection shall be kept at the project site. The records shall clearly show the following information:~~

~~— (a) Date and time of inspection;~~

~~— (b) Date and amount of any rainfall greater than 0.5 inches in a 24-hour period;~~

~~— (c) Name of inspector;~~

~~— (d) Findings of the inspection; and~~

~~— (e) Documentation of corrective actions required and the actions taken.~~

~~— (2) The owner shall make these records available to the city upon request.~~

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§ 54.09 PERMANENT STORMWATER BMPS.

(A) The applicant shall install or construct, on or for the proposed land disturbing or development activity, all stormwater management facilities necessary to manage:

(1) Storm peak discharge rates to pre-project rates for the 2.0-yr, 10-yr, and 100-yr 24-hour storm events.

(2) Sites that disturb less than 1.0 acres shall be designed to control runoff rate so as to not cause downstream flooding or erosion.

(3) Sites that disturb 1.0 acre or more shall provide permanent BMPs, with highest preference given to Green Infrastructure techniques and practices necessary to meet the following conditions on the site of construction activity to the Maximum Extent Practicable.

(a) Stormwater release rates and volume from the site on an annual average basis shall not increase over the predevelopment twenty-four (24) hour two (2) year, ten (10) year and one hundred (100) year peak storm discharges rates, based on the last ten (10) years of how that land was used. Also accelerated channel erosion must not occur as a result of the proposed activity.

(b) Permanent best management practices for sites where the sum of new and reconstructed impervious surface is 1.0 or more acres shall be designed to meet the requirements for Post-Construction Stormwater Management as described in the MN Small Municipal Separate Storm Sewer Systems General Permit No. MNR040000 in place at the time of submittal.

(c) Applicants shall provide documentation showing rate, volume, and water quality compliance. Calculations shall be by a methodology listed in the MPCA Stormwater Manual or other method approved by the City.

(B) Oil and grease control. Where the potential for pollution by oil, grease, or both, exists, the City may require installation of an oil and grease removal device designed to handle the volume and type of material anticipated.

~~— (2) Volume, Total Suspended Solids (TSS), Total Phosphorus (TP) such that there is no net increase from pre-project conditions on an annual average basis for new developments and such that there is a net reduction from pre-project conditions on an annual average basis for redevelopment projects.~~

~~— (a) For projects where site constraints limit the ability to provide the required control practices within the project boundary; the project shall provide for downstream improvements for that portion that cannot be treated within project boundaries. Such projects may include:~~

~~—— 1. Linear projects where reasonable effort has been made to obtain sufficient right-of-way to install required control practices and said efforts have been unsuccessful;~~

~~—— 2. Sites where infiltration is prohibited; or~~

~~—— 3. Other locations as determined by the Director of Public Works or his/her designee.~~



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~~—(B) Investigation of practices. The following stormwater management practices shall be investigated in developing a Stormwater Management Plan in the following descending order of preference:~~

~~—(1) Infiltration of runoff on-site, if suitable soil conditions are available for use except that infiltration shall be prohibited where:~~

~~—(a) Industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.~~

~~—(b) Vehicle fueling and maintenance occur.~~

~~—(c) Less than 3 feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock can be achieved.~~

~~—(d) High levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.~~

~~—(e) Soil infiltration rates are more than 8.3 inches per hour.~~

~~—(f) Soils are predominately Hydrologic Soil Group D (clay), except where soil amendment will allow for appropriate infiltration.~~

~~—(2) Flow attenuation by use of open vegetated swales and natural depressions;~~

~~—(3) Stormwater retention facilities; and~~

~~—(4) Stormwater detention facilities.~~

~~—(C) Projects must include creation of new or retrofit existing structural stormwater Best Management Practices or utilize properly designed regional structural stormwater Best Management Practices. Routine maintenance of existing structural stormwater Best Management Practices does not meet the requirement to provide stormwater management under division (D). Projects that have made reasonable effort but been unable to fully meet volume, TSS and TP requirements within the project limits may upon authorization by the Director of Public Works or his/her designee utilize the following methods to meet that portion not met onsite:~~

~~—(1) Provide treatment that yields the same benefits in an offsite location to the same receiving water that receives runoff from the project site. If this is not feasible then;~~

~~—(2) Provide treatment that yields the same benefits in an offsite location within the same Minnesota Department of Natural Resources catchment area as the project site, if this is not feasible then;~~

~~—(3) Provide treatment that yields the same benefits in an offsite location within an adjacent Minnesota Department of Natural Resources catchment area up-stream of the project site. If this is not feasible then;~~

~~—(4) Provide treatment that yields the same benefits at a site approved by the city.~~

~~—(D) Applicants shall provide documentation showing compliance with divisions (A), (B), and (C) above. Acceptable options shall be:~~

~~—(1) For Rate and Volume:~~

~~—(a) Select from the Modeling Tool Section of the MPCA Stormwater Manual; or~~

~~—(b) Other method approved by the Director of Public Works or his/her designee.~~



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~~—(2) For TSS and TP:~~

~~—(a) Minimal Impact Design Standards (MIDS) Calculator available on the MPCA website; or~~

~~—(b) Other method approved by the Director of Public Works or his/her designee.~~

(GE) Performance security. Prior to approval of permits for construction, the applicant may be required to submit an agreement to construct such required physical improvements, to dedicate property or easements, to provide performance security (letter of credit or performance bond), and to comply with such conditions as may have been agreed to.

(DE) Failure to complete. If the applicant fails to complete the required stormwater improvements within 24-months of beginning construction of the project they are intended to mitigate, the city may make provisions to complete the required stormwater improvements or to provide equivalent downstream treatment. The city shall use any performance security held for the work or may utilize special assessments as provided in M.S. § 429 to reimburse itself for costs associated with this work.

(EG) Where the City Council authorizes the construction of private stormwater management facilities, the applicant shall designate the responsible party for inspection and maintenance of all private stormwater management facilities in an agreement to be recorded against the properties being developed. In addition, the agreement shall provide for:

(1) Description of anticipated maintenance activities and frequency.

(2) Access in perpetuity for inspection of the facilities by the Director of Public Works or his/her designee.

(3) Access in perpetuity for maintenance of the facilities should the Director of Public Works or his/her designee find that stormwater facility maintenance is required and upon written notice the property owners fail to take corrective action with the cost of such maintenance to be paid by the property owner.

(4) If the expense is not paid, the expense will be made a special assessment against the property concerned in accordance with M.S. § 429.061 and other pertinent statutes for certification to the County Auditor and collection along with the current taxes the following year or in annual installments, as the City Council may determine in each case.

(H) Removal or alteration of Structural Stormwater Best Management Practices. Structural Stormwater Best Management Practices installed to fulfill the requirements of this chapter shall be maintained in compliance with the approved maintenance plan. Where no plan is in place they shall be maintained in compliance with accepted Industry Standard and Minnesota Pollution Control Agency recommendations. No Structural Stormwater Best Management Practices shall be removed or altered in such a way to decrease structural Stormwater Best Management Practices effectiveness without:

(1) Authorization of the Director of Public Works or his/her designee; and

(2) Providing new or improved Structural Stormwater Best Management Practices providing or exceeding that amount lost due to the alteration or removal.



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TITLE IX: GENERAL REGULATIONS

CHAPTER 92: HEALTH AND SAFETY; NUISANCES

§ 92.19 NUISANCE PARKING AND STORAGE.

(A) Declaration of nuisance. The outside parking and storage on residentially-zoned property or public rights-of-way of large numbers of vehicles, trailers, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it (a) obstructs views on streets and private property, (b) creates cluttered and otherwise unsightly areas, (c) prevents the full use of residential streets for residential parking, (d) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, (e) decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood, and (f) otherwise adversely affects property values and neighborhood patterns.

(B) Unlawful parking and storage.

(1) A person must not place, store, or allow the placement or storage of ice fish houses, skateboard ramps, playhouses or other similar non-permanent structures outside continuously for longer than 24 hours in the front-yard area of residential property unless more than 100 feet back from the front property line.

(2) A person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, or similar materials, including all materials used in connection with a business, outside on residential property.

(3) A person must not cause, undertake, permit or allow the outside parking and storage of vehicles on residential property unless it complies with the following requirements:

(a) Vehicles that are parked or stored outside in the front-yard area must be on a paved driveway area.

(b) Vehicles, watercraft and other articles stored outside on residential property must be owned by a person who resides on that property. Students who are away at school for periods of time but still claim the property as their legal residence will be considered residents on the property.

(4) A person must not place, store or allow the placement of any garbage dumpster, portable storage unit or similar non-permanent structure on any residential property, including driveways, for longer than 10 consecutive days, except for dumpsters on private property where a valid building permit has been issued. These types of non-permanent structures are not permitted on any street or public right-of-way.

(C) Salt Storage.

(1) Commercial, institutional, and non-NPDES permitted industrial facilities storing salt and salt-containing materials outdoors must meet minimum standards for storage and handling.

(a) Designated salt storage areas must be covered or indoors;

(b) Located outside of areas likely to flood or to be exposed to stormwater or snowmelt runoff;

(c) Located on an impervious surface; and



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(d) Protection practices to reduce exposure when transferring material in designated salt storage areas such as but not limited to sweeping, diversions, and/or containment must be implemented.



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TITLE XV: LAND USAGE

CHAPTER 155: SUBDIVISION REGULATIONS

§ 155.49 STORMWATER DESIGN CRITERIA.

(A) Stormwater modeling shall be in accordance with United States Soil Conservation Service (SCS) Technical Release 55 or 20, i.e. TR-55 or TR-20.

(B) Permanent best management practices for sites where the sum of new and reconstructed impervious surface is 1.0 or more acres shall be designed to meet the requirements for Post-Construction Stormwater Management as described in the MN Small Municipal Separate Storm Sewer Systems General Permit No. MNR040000 in place at the time of submittal. Stormwater detention basins shall be designed to store sufficient excess runoff from the proposed development. Composite post-developed site runoff must be equal to or less than the composite pre-developed site runoff for the 5 and 100 year rainfall events. The SCS 24-hour, 5 year and 100 year rainfall events are 3.7 inches and 6.1 inches, respectively.

(C) Post-developed design site conditions, requiring diversion of stormwater from an existing inlet point to another inlet point on a different outfall sewer, shall meet the following: post-developed flow draining to an existing stormwater inlet point shall be equal to or less than the undisturbed pre-developed flow draining to that point.

(D) The following information shall be submitted to the city for review by the City Engineer:

- (1) SCS curve numbers for the pre-developed and post-developed site conditions;
- (2) Soil type(s) used in calculations;
- (3) Size, elevation and location of proposed stormwater system outfall(s);
- (4) Size, elevation, location and detail of proposed pond outlet structure;
- (5) Map or plan showing the pre-developed and post-developed design drainage districts;
- (6) Pond grading plan showing the proposed contour elevations and location of the pond's emergency overflow spillway; and
- (7) All drainage hydrographs, pond routing and peak elevation/outfall calculations.



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CHAPTER 156: ZONING CODE

§ 156.035 GENERALLY.

The regulations of this chapter within each district shall be minimum regulations and shall apply uniformly within each district, except as may be permitted or provided by this chapter.

(A) District conformance. No building, structure or land shall hereafter be used or occupied, and no building, structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

(B) Alterations. No building or other structure shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families, to occupy a greater percentage of lot area, to have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required, or allowed to be erected or altered in any other manner contrary to the provisions of this chapter.

(C) Requirement computations. No part of a yard or other open space, or off-street parking required for or in connection with any building for the purpose of complying with this chapter, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building except as may be permitted by this chapter. Regulations requiring the use of numerical computations shall utilize the method provided by this chapter. Where no method has been provided by this chapter, it shall be the duty of the Zoning Administrator to determine appropriate uniform means of computation. In the event fractional sums, differences, products or quotients are determined in the application of this chapter, these values shall be "rounded off" to the applicable unit of measurement.

(D) Yard or lot reductions.

(1) No yard or lot existing at the time of the passage of this chapter shall be reduced in dimension or area below the minimum requirements set forth herein except detached dwellings located on lots contained in plats recorded prior to the year 1958 which shall not be less than the following:

- (a) Front yards: 20 feet;
- (b) Side yards: 5 feet;
- (c) Rear yards: 20 feet;
- (d) Lot width: 50 feet.

(2) Yards or lots created after the effective date of this chapter shall not be less than the minimum requirements established by this chapter.

(E) Accessory uses. Accessory uses or structures shall not be located in any required front, side, rear or transitional yard except as may be permitted in this section.

(1) The following accessory uses or structures shall be permitted in any required rear or front yard in any residential zoning district, provided a 15 foot rear yard setback and the required front yard setback is maintained:

(a) Decks or elevated platforms, either attached to a dwelling or free standing, with no roof or overhead structure of any type;



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(b) Patios or paved areas that are level, flush or at grade with the ground, with no roof or overhead structure of any type, and are not used for parking purposes.

(2) The following accessory uses or structures shall be permitted in any required rear yard in any zoning district, provided a 5 foot rear yard setback is maintained, and any required side yard in any zoning district, provided a 5 foot side yard is maintained from the furthest point of the building to the respective property line: utility buildings;

(3) The following are minimum rear yard setbacks for swimming pools, including attached deck or apron:

Pool Type	Property Type	Minimum Rear Yard Setbacks
In-ground	Non-ravine	Rear - 10 feet
In-ground	Ravine	Rear - 10 feet with the provision that upon inspection of the ravine by city staff, the setback can be increased to 25 feet
Above-ground	Non-ravine	Rear - 10 feet
Above-ground	Ravine	Rear - 25 feet

(a) The breakline shall be established by the Building or Construction Inspector prior to construction.

(F) Height exceptions. The building height limits established herein for districts shall not apply to belfries, cupolas, domes, spires, monuments, radio towers, flag poles, chimneys, water tanks, towers, solar collectors, wind energy conversion systems and other structures for essential services, nor to similar structures or necessary mechanical appurtenances extending above the roof of any building and not occupying more than 10% of the area of such roof. Building height limit exceptions shall conform to all structural design standards specified by the Minnesota State Building Code, as amended. In no event shall this section be construed to allow the construction or continued maintenance of structures constituting a hazard to the abutting property or the public at large. Where the average slope of lot is greater than 1 foot rise or fall in 7 feet of horizontal distance from the established street elevation at the property line, 1 story in addition to the number permitted in the district in which the lot is situated shall be permitted on the downhill side of any building.

(G) Accessory buildings. If an accessory building is attached to the main building, it shall be made a structural part of the main building and shall comply in all respects with the requirements of this chapter applicable to the main building. An accessory building, unless attached to and made a part of the main building, shall not be closer than 5 feet to the main building or another accessory building. In no event shall an accessory building be permitted on a vacant lot or when not subordinate to and serving the principal use structure on the same lot.



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(1) An accessory building larger than 168 square feet shall be accessible by a hard-surfaced driveway which meets all applicable setback regulations.

(2) Private garages used as accessory structures for one and two-family residential dwellings shall not exceed a combined total of 1,400 square feet of floor space per lot for all structures.

(3) No pole barn type construction is permitted for any residential private garage.

(4) Detached residential garage roofs must have a hipped or gable design. No barn-type roofs are permitted on detached garages.

(H) Earth sheltered buildings.

(1) Where an earth sheltered building substantially alters the natural watershed of the lot, computations for yard area shall be based on measurements from the surrounding cover of earth. In cases where the earth sheltered building has been made part of the natural terrain, computations for yard area shall be made from the exterior surface of the building.

(2) All applications for building permits for earth sheltered buildings shall be accompanied by a drainage plan.

(I) Wind energy conversion systems (WECS).

(1) The location, design, maintenance and removal of WECS shall be governed as follows. WECS shall be considered a conditional use in all zoning districts. All appropriate regulations within each zoning district must be complied with in addition to regulations outlined below;

(2) Applicants requesting a building permit for a WECS shall furnish such scale drawings and information as the city deems necessary. This information may include, but is not limited to the following: a plot plan of the premises involved showing lot lines, the accurate location of all buildings or structures on the premises and on each adjacent plot and the location of proposed tower and all guy wires, poles or anchors, and a sketch elevation of the premises accurately depicting the proposed tower and its relationship to structures on adjacent lots.

(3) The permitted maximum height of a WECS shall be determined in one of two ways:

(a) A ratio of 1 to 1 between the distance from the closest property line to any part of the WECS to the height of the tower;

(b) A maximum of 100 feet in agricultural and industrial districts and 60 feet in residential and commercial districts. The shortest height of the two above-mentioned methods shall be used in determining maximum height. Height shall be measured from the surrounding grade to the rotor hub or top of the tower, whichever is higher.

(4) No part of a WECS shall be located within or above any required front, side or rear setback area.

(5) All WECS shall be designed to meet the following minimum standards:

(a) An automatic braking device capable of halting operation in high winds (40 m.p.h. or greater) shall be incorporated;



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(b) The WECS shall be designed, constructed and operated so as to not cause radio and television interference;

(c) The WECS shall be operated and maintained in a condition which will not cause unreasonable noise emissions;

(d) The WECS shall be placed on the property in a position which will not unreasonably obstruct the view from neighboring properties;

(e) The WECS shall be guarded against unauthorized climbing. The first 12 feet of the tower shall be unclimbable by design or be enclosed by a 6 foot high, nonclimbable fence with a secured access;

(f) The WECS shall be designed and installed to withstand natural lightning strikes;

(g) The WECS electrical equipment and connections shall adhere to all state and local government, as well as power company rules and regulations and standards.

(6) Any WECS which fails to comply with this chapter shall be brought into compliance within 90 days after notice by the city, or be dismantled. Any WECS not in operation for 12 months shall be dismantled.

(7) WECS existing at the date of adoption of this chapter or existing at the time of annexation, shall be brought into compliance within 12 months or be dismantled.

(8) The owner of a WECS which is to be dismantled must accomplish such act within 30 days or the city is empowered to dismantle such WECS and assess the costs against the property.

(9) WECS that are by nature ornamental, rather than functional, shall be exempt from this chapter if total height is less than 25 feet.

(10) The city requires liability insurance to be maintained on the WECS by its owner.

(11) In order to insure adequate wind access, the city does encourage the use of private easements and restrictive covenants as a means to protect wind access.

(J) Minimum structural requirements. The following shall be minimum structural requirements in all residential districts:

(1) All structures used for residential occupancy shall have a minimum width of 24 feet and shall be affixed to a continuous permanent foundation constructed of concrete block, poured concrete or wood.

(2) A private attached or unattached garage having a minimum floor area of 280 square feet shall be required to be built concurrent with each dwelling constructed.

(3) Roof systems must have a 2-12 minimum pitch. Hip, gable, mansard, gambrel or shed roof designs are allowable. Flat roofs are not recommended and will require engineering drawings and snow load certification.

(4) The provisions of this subdivision shall apply to all structures used for residential occupancy except structures controlled by the provisions of Ch. 152.

(5) A residential structure shall have a minimum width of 24 feet at its narrowest point and a minimum depth of 32 feet with a minimum floor area of 800 square feet on the main floor.



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(6) Residential structures shall be placed upon and affixed to a permanent foundation consisting of concrete block, concrete, or treated wood. The foundation shall be solid for the complete circumference of the structure except for necessary doors or windows. The foundation shall align vertically with the outer walls of such structure for its complete circumference and shall, as well, provide such other support for the structure as is required pursuant to the Minnesota State Building Code.

(K) Residential driveways.

(1) The maximum allowable driveway width measured at the front property line on residential property having a width of less than 80 feet shall not exceed 24 feet. The maximum allowable driveway width measured at the front property line on a residential property having a width of 80 feet or more shall not exceed 30 feet. There shall be a minimum of 20 feet of hard surfaced driveway located perpendicular from the face of any garage stall to the street. All driveways shall conform to the required side yard building setbacks for the district it is within.

(2) Circular drives. The maximum allowable driveway width measured at the property line on residential property shall not exceed 14 feet.

(3) For garages with access from the alley there shall be a minimum of 20 feet of hard-surfaced driveway, located perpendicular from the face of any garage stall to the alley or side property line, depending on the position of the garage doors. In no event shall a driveway encroach into a side yard building setback.

(L) Ravine setbacks. For all uses permitted there shall be a setback of no less than 25 feet, measured from the breakline of an adjacent ravine to any permanent structure, including but not limited to: dwellings, garages, decks, and above-ground patios. Gazebos exceeding 144 square feet in size are subject to a 25-foot ravine breakline setback. The breakline shall be established by the Building or Construction Inspector prior to construction. Permitted uses in the 25-foot setback

(M) Cul de sac lot provisions.

(1) Lot width. The minimum lot width measured at the front property line on platted cul de sac lots shall be a minimum of 50 feet.

(2) Driveways. The maximum allowable driveway width measured at the property line on cul de sac lots shall not exceed 24 feet. Beginning at the front property line, the driveway width may be enlarged at an angle not greater than 45 degrees to a point not closer than 10 feet to any side property line.

(N) Carports. Permitted within any zoning district subject to applicable setback regulations within each zoning regulation.

(O) Amateur radio towers. Permitted within any zoning district subject to applicable setback and building height requirements.

(P) Storage or utility sheds. Permitted in any residential zoning district subject to the following:

(1) Maximum floor area shall not exceed 168 square feet.

(2) Minimum setback is 5 feet from any rear or side property line.



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- (3) Located a minimum of 5 feet from any main or accessory building.
- (4) Shall not be located within any front yard.
- (5) Maximum height shall not exceed 14 feet.
- (6) Overhangs shall not exceed 2 feet.
- (7) Access door shall not exceed 6 feet in width.
- (8) No more than 1 storage shed or utility shed is permitted on any lot.
- (9) Minimum setback is 5 feet from any ravine breakline.

(Q) Setbacks for accessory buildings. The building setbacks for garages on lots platted prior to 1958 are as follows:

- (1) Garage when the vehicle entrance doors face an adjacent alley; 20 foot rear, 5 foot side.
- (2) Garage when the vehicle entrance doors face a side property line; 5 foot rear, 5 foot side.
- (3) Garage when the vehicle entrance doors face an adjacent street; 5 foot rear, 5 foot side.
- (4) Corner lots are subject to 2 front yard setbacks.

(R) Foundation drainage. All residential and commercial foundation drains shall be connected to a sump pump or directed into an adjacent ravine with the discharge line located at the bottom of the ravine. Beginning at a distance of 3 feet from the foundation wall, a drainage pipe shall be non-perforated.

(S) Land preparation. The initial stripping of land for any development requires the removal of all organic material and soil to a depth of at least 12 inches. Professional soil engineer or building inspector findings may require the removal of more than 12 inches of soil.

(T) Minimum distance between buildings. The minimum distance between privately owned primary or accessory buildings shall be 5 feet.

(U) Foundation elevations. The following standards apply for all new residential construction:

(1) Finished grade elevations shall have a minimum of 5% slope up to a maximum of 8% slope, from the back top of curb to the finished grade elevation adjacent to the foundation wall. This applies to the minimum front yard setback requirements for valley and hilltop locations. Any variations are subject to be reviewed for approval by the City Building Official. Criteria for determining setback elevations beyond minimum setbacks are subject to the following:

- (a) Required setbacks.
- (b) Surface contours.
- (c) Elevations of adjacent properties.
- (d) Distance from top back of curb.
- (e) Drainage.



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(2) The City Building Official shall establish the final floor elevation for all new residential, commercial or industrial buildings.

(3) Window well casings shall be constructed a minimum of 6 inches above finished grade.

(4) Residential property drainage. Drainage resulting from new home construction must conform to the topography of the land and be directed so as to not to adversely affect neighboring property. Drainage plans are subject to Building Inspector approval.

(V) Driveway paving. Driveway paving shall occur within 1 year after a building permit is issued for a garage and/or driveway having access to a public street or alley. The driveway shall be hard surfaced.

(W) Stormwater drainage plan. On-site stormwater detention is required for any new parking lot. Prior to issuance of a building permit, a stormwater drainage plan shall be submitted and approved by the City's Construction Inspector (refer to standards).

~~(X) Stormwater detention pond. For any residential, commercial or industrial development utilizing more than 1 acre of land, an on-site stormwater detention pond is required. Permanent best management practices for sites where the sum of new and reconstructed impervious surface is 1.0 or more acres shall be designed to meet the requirements for Post-Construction Stormwater Management as described in the MN Small Municipal Separate Storm Sewer Systems General Permit No. MNR040000 in place at the time of submittal.~~ Prior to issuance of a building permit, a Stormwater Drainage Plan shall be submitted and approved by the Building Inspector. Setbacks for storm water ponds, rain gardens or other storm water retention areas shall be a minimum of 10 feet from any property line.

(Y) Address identification numbers. Any residential dwelling unit or Commercial/Industrial building shall display address identification numbers on the dwelling or building that shall be visible from the nearest public street and be of a contrasting color from the dwelling or building. The height of the numbers shall be no less than 4 inches.

(Z) Property corners. Prior to construction of any new residential dwelling, dwelling addition, garage, garage addition or commercial/industrial building, it is the responsibility of the property owner to establish or display all property corners. For any other type of project that requires a building permit, it may be necessary for the property owner to display property corners at the request of the Building Official or Assistant Building Inspector. Property corners shall be located by the property owner or a registered land surveyor.

(AA) Underground systems. Underground invisible pet fencing shall be located a minimum of 3 feet from any sidewalk or street. Any underground sprinkler system installed within any public right-of-way is at risk from damage as a result of street or utility maintenance or any other public improvement project. The city accepts no responsibility for underground sprinkler system or invisible pet fencing damage in any public right-of-way.



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(BB) Home occupations. Home occupations are permitted uses in residential districts and shall conform to the following standards:

- (1) Such use shall be operated entirely within the primary living dwelling. The use of an attached or detached accessory building or garage for such use is prohibited.
- (2) Such use shall not employ any person not residing on the premises.
- (3) Such use shall not exceed 1/3 of the main floor space of a dwelling.
- (4) Only 1 home occupation shall be operated within a dwelling.
- (5) There shall be no outside storage of materials, goods, supplies, or equipment of any kind related to the home occupation.

(6) No traffic or parking demand shall be generated by such use in greater volumes than would normally be expected in a residential neighborhood.

(7) Any occupation shall be clearly secondary to the main use of the premises as a residential dwelling.

(8) The owner of the building shall be the operator of the home occupation.

(CC) Outside storage of materials in Business or Commercial districts. Where outside storage of materials, equipment and product is permitted in a Business or Commercial district, such outside storage shall conform to the following provisions.

(1) Outside storage shall be fenced and screened from any abutting property and public street by privacy fencing or planting of vegetation. Such fencing or vegetation shall be not less than 6 feet in height.

(2) Outside storage areas shall be hard surfaced using concrete or asphalt material.

(3) Outside storage areas shall not be located within setback areas.

(4) All materials stored outside shall be directly associated with the business.

(DD) Outside storage in Industrial districts. Where outside storage of materials, equipment and product is permitted in an Industrial district, such outside storage shall conform to the following provisions.

(1) Outside storage areas shall be fenced and screened from any abutting property and public street by privacy fencing or planting of vegetation. Such fencing or vegetation shall be not less than 8 feet in height.

(2) Outside storage areas shall be hard surfaced using concrete or asphalt material.

(3) Outside storage areas shall not be located within setback areas.

(4) All materials stored outside shall be directly associated with the industry.

(EE) Outside storage of materials in Residential districts. In any Residential zoning district, it is unlawful for any person to discard, place, accumulate, maintain or store out of doors, the following:

(1) (a) Unlicensed, unregistered or inoperable motor vehicles, recreational vehicle, boats, campers, snowmobiles, trailers or similar equipment.

(b) In the event a licensed motor vehicle parked or stored out of doors on private property has not been moved within a consecutive 30-day time period, the Zoning Administrator may, by written letter to the property owner, request that the vehicle owner



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demonstrate the vehicle is operable by starting and driving the vehicle a distance of not less than 500 feet. The operation to be observed by the Zoning Administrator or his or her designee.

- (2) Motor vehicle bodies, frames, parts, tires, rims or other machinery or equipment.
- (3) Household furnishings or appliances.
- (4) Lumber or construction materials.
- (5) Non-residential vehicles including but not limited to: tractors, buses, skid loaders and commercial trucks.
- (6) Lawnmowers, snowblowers and other lawn and garden equipment.
- (7) Garbage, litter and other debris which is considered to be a public nuisance by the Zoning Administrator.
- (8) The outside storage of materials shall not be located within any building setback area.

(FF) Outside storage of vehicles in Residential districts. In any Residential district, the off-street parking of vehicles shall conform to the following provisions.

(1) The off-street parking on any automobile, trailer, camper, boat, or recreational vehicle shall be on a lawfully permitted hard-surfaced area constructed of concrete or asphalt.

(2) The off-street parking of any automobile, trailer, camper, boat, or recreational vehicle shall not be within any building setback area unless on a lawfully constructed parking area adjacent to an alley.

(3) Any automobile, trailer, camper, boat or recreational vehicle stored on private property shall be licensed and registered to the property owner or tenant.

(4) Any automobile, trailer, camper, boat, recreational vehicle stored on private property shall not be used to store materials or equipment.

(GG) Driveways and curb openings. The following standards shall apply for each use.

	Maximum Curb Cut (Measured at Property Line)	Maximum # of Curb Cuts	Minimum Distance Between Curb Cuts	Minimum Side Yard Driveway Setback
	Maximum Curb Cut (Measured at Property Line)	Maximum # of Curb Cuts	Minimum Distance Between Curb Cuts	Minimum Side Yard Driveway Setback
Single Family Interior Lot	24 feet	1	20 feet	10 feet
Single Family Corner Lot	24 feet	1	20 feet	10 feet
Single Family Corner Lot utilizing circular drive	14 feet	2	20 feet	10 feet



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Single Family Cul-de-Sac Lot	24 feet	1	20 feet	10 feet
Multi-Family (2-8Units)	24 feet	1	20 feet	10 feet
Multi-Family (Over 8 Units)	24 feet	2	20 feet	10 feet
Commercial/Business	36 feet	2	20 feet	10 feet
Industrial	50 feet	4	20 feet	10 feet

(HH) Residential occupancies. Residential occupancies of single and two family dwellings in the R-1, R-1S and R-2 Districts shall be limited to family-functional and family-traditional as defined by § 156.003. A family-traditional or family-functional may have 1 additional person residing with them for non-rental purposes or for the purposes of providing a housekeeping or personal service for the resident(s) therein.

(II) For every new attached or detached residential dwelling unit constructed, an individual water service and shut-off shall be installed for each dwelling unit. Multi-unit rental apartment buildings are not subject to this provision.

(JJ) Landscaping. In conjunction with any new residential dwelling, commercial or industrial building, landscaping, including seeded or sodding, shall occur within 1 year after a building permit is issued.

(KK) Pergolas and dog kennels.

(1) Building setbacks for pergolas and dog kennels are as follows:

Valley	Hilltop
Side yard - 5 feet	Side yard - 10 feet
Rear yard - 5 feet	Rear yard - 10 feet

(2) Pergolas and dog kennels shall not be located within any front yard building setback.

(LL) Playhouses. Permitted in any residential zoning district, subject to the following:

- (1) Maximum floor area shall not exceed 60 square feet.
- (2) Maximum height shall not exceed 5 feet.
- (3) Minimum setback is 5 feet from any rear or side property line.
- (4) Shall not be located within any front yard.
- (5) No more than 1 playhouse permitted on any lot.
- (6) Minimum setback is 5 feet from any ravine breakline.
- (7) Shall be located a minimum of 5 feet from any main, accessory or utility building.



NORTH MANKATO, MINNESOTA  
CODE OF ORDINANCES  
TITLE XV: LAND USAGE  
CHAPTER 156: ZONING CODE

(MM) Garage and yard sales. Permitted in all residential districts and the Central Business District subject to the following:

(1) Events shall not exceed 3 days in length with no more the 4 events allowed in any 12-month period.

(2) No items related to the event shall be stored out-of-doors overnight.

(3) No items or materials shall be located in any boulevard or public right-of-way area. (1975 Code, § 11.06) (Am. Ord. 3, passed 3-2-1981; Am. Ord. 5, passed 3-16-1981; Am. Ord. 21, passed 4-9-1982; Am. Ord. 23, passed 8-16-1982; Am. Ord. 24, passed 10-18-1982; Am. Ord. 36, passed 8-15-1983; Am. Ord. 114, passed 5-7-1990; Am. Ord. 146, passed 3-6-1995; Am. Ord. 193, passed 7-24-2000; Am. Ord. 194, passed 7-24-2000; Am. Ord. 206, passed 4-16-2001; Am. Ord. 233, passed 12-1-2003; Am. Ord. 235, passed 1-20-2004; Am. Ord. 8, 4th Series, passed 1-16-2007; Am. Ord. 17, 4th Series, passed 1-17-2008; Am. Ord. 21, 4th Series, passed 1-20-2009; Am. Ord. 34, 4th Series, passed 1-18-2011; Am. Ord. 48, 4th Series, passed 1-22-2013; Am. Ord. 63, 4th Series, passed 1-5-2015; Am. Ord. 86, 4th Series, passed 4-3-2017; Am. Ord. 102, 4th Series, passed 4-2-2018; Am. Ord. 112, 4th Series, passed 1-22-2019; Am. Ord. 114, 4th Series, passed 5-6-2019; Am. Ord. 125, 4th Series, passed 2-18-2020)



# CITY OF NORTH MANKATO

## REQUEST FOR COUNCIL ACTION



Agenda Item # 12D	Department: Public Works	Council Meeting Date: 10/3/22																											
<b>TITLE OF ISSUE: Consider Resolution Adopting MS4 Stormwater Pollution Prevention Plan.</b>																													
<b>BACKGROUND AND SUPPLEMENTAL INFORMATION: City Engineer Sarff will review MS4 Stormwater Pollution Prevention Plan.</b>																													
<i>If additional space is required, attach a separate sheet</i>																													
<b>REQUESTED COUNCIL ACTION: Adopt Resolution Adopting MS4 Stormwater Pollution Prevention Plan.</b>																													
<b>For Clerk's Use:</b>  Motion By: _____ Second By: _____  Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Oachs</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Whitlock</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Oachs	_____	_____	Norland	_____	_____	Whitlock	_____	_____	Steiner	_____	_____	Dehen	<b>SUPPORTING DOCUMENTS ATTACHED</b>  <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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RESOLUTION ADOPTING THE CITY OF NORTH MANKATO MS4 STORMWATER  
POLLUTION PLAN

WHEREAS, the City of North Mankato is required by the Minnesota Pollution Control Agency to prepare and maintain a Municipal Stormwater (MS4) Plan; and

WHEREAS, the goal of the MS4 Plan is to reduce the amount of sediment and other pollutants entering state waters from stormwater systems; and

WHEREAS, the City has updated the current MS4 Plan to meet updated requirements from the State.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF NORTH MANKATO, MINNESOTA, that the North Mankato MS4 Stormwater Pollution Plan is adopted.

Adopted by the City Council this 3<sup>rd</sup> day of October 2022.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk





# MS4 Stormwater Pollution Prevention Plan

City of North Mankato, MN  
September 2022



Real People. Real Solutions.

**Prepared by:**

Bolton & Menk, Inc.  
1960 Premier Drive  
Mankato, MN 56001  
P: 507-625-4171  
F: 507-625-4177  
BMI Project No. 0M1.123853



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## BMP Summary Sheet

### Unique BMP MCM1: Public Education and Outreach

**MS4 Name:** City of North Mankato  
**Minimum Control Measure:** MCM1 Public Education And Outreach  
**BMP Title:** MCM1 Public Education and Outreach  
**MNR040000 Permit Reference:** Lines 16.1 - 16.9

#### BMP Description:

A public education program to distribute educational materials or equivalent outreach that informs the public of the impact stormwater discharges have on waterbodies and that includes actions citizens, businesses, and other local organizations can take to reduce the discharge of pollutants to stormwater.

Based on the EPA EJScreen report (Updated in 2022) the Population of North Mankato is approximately 13,480 and has the following demographics.:

	North Mankato, MN	State of MN
Low Income	20%	24%
Linguistically Isolated	2%	2%
Less Than High School Education	4%	7%
Under Age 5	7%	6%
Over Age 64	16%	15%

The City has identified that property owners, residents, and businesses in the City of North Mankato seek information via the City's official newspaper, City website, and City Facebook Page.

The education program will include the distribution of written educational items for each of the following topics:

- Household chemical disposal
  - The City will coordinate with the County for this educational outreach and event.
- Yard waste/composting
- Illicit discharge recognition and reporting
- Deicing salt impacts on receiving waters, methods to reduce use, and proper storage
- Pet waste impacts receiving waters, management of pet waste, and the City Code.

The City will use the official newspaper, City website, and City Facebook Page to distribute written educational items. The City may use additional methods of outreach such as radio and utility bill inserts from time to time to supplement the other methods used.

Written materials will be in English. The City will provide copies of written educational materials in alternative formats or languages upon request. Requests can be made via the email or phone numbers posted on the City website or in person at City Hall.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



**BMP Documentation and Measurable Goals:**

## Activities held

- At least one per calendar year,

## Educational materials distributed

- At least one seasonally appropriate educational material will be prepared and distributed each quarter.
- Dates, description, and estimated audience.

Document any feedback or requests for alternative educational material format from the Public and the City's Action because of that feedback or request.

- The City will respond to all feedback or requests within 5 regular business days.

**BMP Review and Update:**

This BMP will be reviewed each calendar year in advance of the MS4 Annual Report. The annual review will include an assessment of program compliance, and the measurable goals, and determine any necessary or desirable BMP improvements.

Necessary changes to the BMP will be documented as part of the MS4 Annual Reporting. Changes to the BMP will be implemented within 60-calendar days of the MS4 Annual Report being submitted.

**Schedule:**

Quarterly	Post seasonal materials and create links on the City website & City Facebook Page
Quarterly	Provide written information to City's Official Newspaper
As Needed	Radio and Utility Billing Inserts
Ongoing	BMP Documentation and Measurable Goals
Annual	BMP Review and update as needed.

**Responsible Party for this BMP:**

Title: City Administrator or his designee  
Contact Phone: (507) 625-4171  
Contact E-mail: [kmccann@northmankato.com](mailto:kmccann@northmankato.com)  
Other(s): Bolton & Menk will provide informational items for public outreach each month.  
City will coordinate household chemical disposal outreach with the County.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



## BMP Summary Sheet

### Unique BMP MCM2: Public Participation/Involvement

<b>MS4 Name:</b> City of North Mankato <b>Minimum Control Measure:</b> MCM2 Public Participation/Involvement <b>BMP Title:</b> MCM2 Public Participation/Involvement <b>MNR040000 Permit Reference:</b> Lines 17.1 – 17.8
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<b>BMP Description:</b>
<p>A Public Participation/Involvement program to solicit public input on the SWPPP and involve the public in activities that improve or protect water quality.</p> <p>The permit requires that the permittee provide a minimum of one opportunity for the public to provide input on the adequacy of the Stormwater Pollution Prevention Plan (SWPPP). To meet this requirement, the City will post the SWPPP on the City website. Comments will be accepted at any time and may be submitted via the contact information on the website or at the public comment period of any regularly scheduled City Council Meeting.</p> <p>The annual reports, enforcement response procedures (ERPs), and stormwater ordinances are available to the public upon request. Requests can be made via the email or phone numbers posted on the City website or in person at City Hall.</p> <p>The permit requires that the permittee must provide a minimum of one public involvement activity that includes pollution prevention or water quality theme. To meet this requirement the City will coordinate a household hazardous waste collection day with the County.</p>
<b>BMP Documentation and Measurable Goals:</b>
<p>Document all oral and written input regarding the SWPPP submitted by the public.</p> <ul style="list-style-type: none"> <li>• The City will respond to all feedback within 5 regular business days.</li> </ul> <p>Document the City's responses to public input and any revisions to the SWPPP.</p> <ul style="list-style-type: none"> <li>• Activities held           <ul style="list-style-type: none"> <li>○ At least one per calendar year,</li> <li>○ Document dates, description, and estimated audience.</li> </ul> </li> </ul>
<b>BMP Review and Update:</b>
<p>This BMP will be reviewed each calendar year in advance of the MS4 Annual Report. The annual review will include an assessment of program compliance, and the measurable goals, and determine any necessary or desirable BMP improvements.</p> <p>Necessary changes to the BMP will be documented as part of the MS4 Annual Reporting. Changes to the BMP will be implemented within 60-calendar days of the MS4 Annual Report being submitted.</p>

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



<b>Schedule:</b>	
Annually	Post a public notice soliciting comments on the SWPPP.
Annually	Provide a public involvement event.
Ongoing	BMP Documentation and Measurable Goals
Annual	BMP Review and update as needed.
<b>Responsible Party for this BMP:</b>	
Title:	City Administrator or his designee
Contact Phone:	(507) 625-4171
Contact E-mail:	<a href="mailto:kmccann@northmankato.com">kmccann@northmankato.com</a>
Other(s):	City Clerk will post the public notice. Parks and Public Works employees will assist with the public involvement event. Public Works Department employees will provide feedback.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



## BMP Summary Sheet

### Unique BMP MCM3: Illicit Discharge Detection and Elimination (IDDE)

<b>MS4 Name:</b>	City of North Mankato
<b>Minimum Control Measure:</b>	MCM3 Illicit Discharge Detection And Elimination
<b>BMP Title:</b>	MCM3 Illicit Discharge Detection and Elimination
<b>MNR040000 Permit Reference:</b>	Lines 18.1 – 18.18

#### BMP Description:

A program to detect and eliminate illicit discharges into the MS4.

The City will annually maintain and update a map(s) of the MS4 that includes:

- All pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes,
- Outfalls labeled with a unique identification (ID) number, and geographic coordinates,
- Structural stormwater BMPs,
- All receiving waters, and
- Inventory of priority areas identified as having a higher likelihood of illicit discharges. Areas will be determined based on:
  - Zoning,
  - Previous known or suspected IDDE, and
  - Areas with storage of significant materials that could result in an illicit discharge

The City Code prohibits non-stormwater discharges to the City's stormwater system, except for those non-stormwater discharges authorized in item 3.2 of the MS4 General Permit. The

The City Code requires owners or custodians of pets to remove and properly dispose of feces on City property.

At least once per year, outfalls will be inspected for illicit discharge. This inspection will be done during dry weather conditions (e.g., periods of 72 or more hours of no precipitation).

City Field Staff will receive training at least once per year to recognize IDDE. Training will be done using videos, handouts, posted materials, and in some cases attendance at outside events. The type and level of training will be determined based on the work duties and responsibilities.

- City Staff will report suspected IDDE to their direct supervisor.
- The direct supervisor will verify the report and follow the checklist for IDDE.
- Field staff to be trained includes but is not limited to police, fire department, public works, and parks staff.
- Training for IDDE may include, but is not limited to, videos, in-person presentations, webinars, training documents, and/or emails.

The City may contract for investigating, locating, eliminating illicit discharges, and/or enforcement or designate one or more City Staff to complete this task. City Staff designated to complete this task will receive training every three (3) calendar years following the initial training.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



## **BMP Written Procedures for this BMP:**

### **Investigating, Locating, and Eliminating the Source of Illicit Discharge:**

The following written procedure will be followed for investigating, locating, and eliminating the source of illicit discharges.

- Timeframe:
  - Reports of Illicit Discharge Received from the Public to the City via email, phone call, or visit to the City Hall:
    - An appropriate City Staff member from the Public Works or Parks Department or a Consultant will be dispatched to inspect the site. The IDDE Checklist will be used to evaluate the suspected IDDE and determine the next steps.
    - A response to the person(s) making the initial report will be made within 5 regular business days of the report being received.
  - Reports of Illicit Discharge Received from Emergency Responders (e.g. Fire or Police) 911 report:
    - The report will be forwarded to the Public Works non-work hours emergency on-call.
    - The on-call Staff member will use the IDDE Checklist to evaluate the suspected IDDE and determine the next steps.
  - Reports of Illicit Discharge Received from City Staff that are not related to an emergency response action:
    - The Field Staff will report the suspected IDDE to their immediate supervisor. The Supervisor will determine the urgency of the report and refer it accordingly.
    - report and determine using the IDDE Checklist if further investigation is necessary.
    - An appropriate City Staff member from the Public Works or Parks Department or a Consultant will be dispatched to inspect the site. The IDDE Checklist will be used to evaluate the suspected IDDE and determine the next steps.
- Available Tools and Methods to Detect and Track the Source of an Illicit Discharge:
  - When possible, the person inspecting the suspected IDDE will attempt to track the source by visually inspecting and following suspected IDDE upstream to determine the source and type of discharge.
  - When visual inspection is not possible, or if the source cannot be easily identified, the City may use storm sewer televising, water sampling and testing, smoke tests, dye tests, or other methods. The City Manager will determine with Consultant services are appropriate to assist with these actions.
  - Maps of the City stormwater collection system will be utilized to identify the upstream structure locations.
- IDDE Containment and Cleanup Methods:
  - IDDE Containment and Cleanup may require specialized training and equipment. City Staff will not attempt to contain or cleanup material if those actions would interfere with an emergency responder or if it would put themselves into a situation that requires PPE that they do not have training to use or availability at the site.
  - Cleanup methods for IDDE will depend on the source and composition.
  - When possible, City Staff will attempt to stop a suspected illicit discharge from entering a receiving water by containing the material by placing a sandbag or other block in the municipal storm conveyance system downstream of the suspected IDDE.
  - The City Manager will be notified as soon as possible about the extent and potential impacts of identified IDDE.
  - The City Manager will direct the reporting of the identified IDDE to the State Duty Officer and determine if Consultant assistance is appropriate.
  - The City will follow the directions of the State Duty Officer.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



- A clean-up plan will be developed and implemented.
- The City will implement the appropriate Enforcement Response Procedures depending on the IDDE.

**Spill Response:**

The following written procedure will be followed for responding to spills, including emergency response procedures to prevent spills from entering the MS4.

- Spill Avoidance:
  - Field Staff will be trained on spill avoidance for the duties assigned to them.
- Spill Response Checklist:
  - Field Staff will be trained on Spill Response and provided a Spill Response Checklist.
  - The Checklist includes:
    - How to identify a spill,
    - Steps to contain a spill,
    - Who and when to notify about a spill,
  - All spills that meet the criteria listed on the Spill Response Checklist will be reported to the City Manager.
  - The City Manager will:
    - Direct the reporting of the Spill to the State Duty Officer,
    - Direct any City Cleanup Response, and
    - Determine if Enforcement Response Procedures are appropriate

**Receipt of Stormwater Reports, Complaints, and Concerns:**

The following written procedure will be followed for receipt of reports, complaints, and concerns.

- The contact information for the City will be posted on the City Website.
- Complaints that are received will be forwarded to the City Manager.
- The City Manager will review the complaint and determine next steps, including but not limited to initiating action under the City's ERPs.

**Written Enforcement Response Procedures (ERPs):**

The City maintains written ERPs as described in this SWPPP and the City Code.

**BMP Documentation:**

Document all training:

- Date,
- Attendees' names and departments, and
- General subject matter covered.

Document Stormwater Reports and Complaints:

- Date and source of the report, and
- City response to the report.

Document all Enforcement Actions required under this BMP:

- name of the person responsible for violating the terms and conditions of the permittee's regulatory mechanism(s)
- date(s) and location(s) of the observed violation(s)
- description of the violation(s),
- corrective action(s) (including completion schedule) issued by the City,
- referrals to other regulatory organizations (if any), and
- date(s) violation(s) resolved.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



**BMP Review and Update:**

This BMP will be reviewed each calendar year in advance of the MS4 Annual Report. The annual review will include an assessment of program compliance, and the measurable goals, and determine any necessary or desirable BMP improvements.

Necessary changes to the BMP will be documented as part of the MS4 Annual Reporting. Changes to the BMP will be implemented within 60-calendar days of the MS4 Annual Report being submitted.

**Schedule:**

Annually	Field Staff Training (Training may be broken up to be seasonally appropriate.)
Annually	BMP, Written Procedure, Checklist, and ERPs review and update as needed.
Ongoing	BMP Documentation

**Responsible Party for this BMP:**

Title: City Administrator or his designee  
Contact Phone: (507) 625-4171  
Contact E-mail: [kmccann@northmankato.com](mailto:kmccann@northmankato.com)  
Others(s): Supervisors will schedule and document all field staff receive training.  
Field staff will complete assigned training.  
Bolton & Menk will provide training material.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



## BMP Summary Sheet

### Unique BMP MCM 4: Construction Site Stormwater Runoff Control

<b>MS4 Name:</b>	City of North Mankato
<b>Minimum Control Measure:</b>	MCM4 Construction Site Stormwater Runoff Control
<b>BMP Title:</b>	MCM4 Construction Site Stormwater Runoff Control
<b>MNR040000 Permit Reference:</b>	Lines 19.1 – 19.16

#### **BMP Description:**

A Construction Site Stormwater Runoff Control program for construction activity with a land disturbance of greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale

The permit requires that the permittee must develop, implement, and enforce a regulatory mechanism(s) that establishes requirements for erosion, sediment, and waste controls that is at least as stringent as the Agency's most current permit. The City Code requires projects to meet or exceed the requirements of the MN Construction Stormwater General Permit to Discharge Stormwater Associated with Construction Activity No. MNR100001.

The permit requires that the permittee's regulatory mechanism(s) to require site plans be submitted for review before the beginning of construction. §11.41 of the City Code meets this requirement.

City Staff performing site plan reviews and site inspections will receive training at least once per year for these duties. The type and level of training will be determine based on the work duties and responsibilities. Previously trained individuals will receive a refresher-training at least every three calendar years following the initial training.

#### **BMP Written Procedures for this BMP:**

##### **Site Plan Reviews:**

The following written procedure will be followed for Site Plan Review before the start of all construction activity.

- Sites that disturb 1.0 acres or more/Projects less than one acre that are part of a larger common plan of development or sale:
  - A written notice will be provided to the party that submitted the application to the City and the Property Owner of the need to apply for and obtain coverage under the CSW Permit,
  - A written checklist, consistent with the CSW and the City Code will be used to document the plan review. The checklist is based on the MPCA checklist (wq-strm2-47) modified to fit the needs of the City.
  - A copy of the checklist will be kept with the permit application for a period of not less than 3-calendar years from the date of all City permits being closed.
- Sites that disturb less than 1.0 acres and are not part of a larger common plan of development or sale:
  - A checklist will be used for the plan review.
  - The checklist may be discarded once the permit is approved.

##### **Site Inspections:**

The following written procedure will be followed for Site Inspections during construction activity.

- Sites that disturb 1.0 acres or more/Projects less than one acre that are part of a larger common plan of development or sale:
  - A written checklist, consistent with the CSW and the City Code will be used during site inspections. The checklist is based on the MPCA checklist (wq-strm2-36) modified to fit the needs of the City.
  - Sites will be spot inspected. All items on the checklist may not be included in each inspection.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



- Sites that disturb less than 1.0 acres and are not part of a larger common plan of development or sale:
  - No checklist will not typically be required or used for sites that fall into this category.
  - Erosion and sediment control on these sites will be inspected:
    - During routine inspections by the building inspector, and
    - In response to complaints or concerns reported to the City.

**High-Priority/Low-Priority Sites for Inspections:**

The following written procedure will be followed to determine high and low priority sites for inspections.

- Sites that do not require a CSW and area not located in the Shoreland Area will be considered Low Priority.
  - The City goal is to inspect all high-priority sites every 7 calendar days, but no less than every 14 calendar days.
- All other sites will be considered high priority.
  - The City will inspect low-priority sites during routine inspections by the building inspector, but no less than every 30 calendar days.
- All complaints or concerns reported to the City will be inspected within 5 regular business days of the City receiving the complaint or concern.

**Receipt of Stormwater Reports, Complaints, and Concerns:**

Refer to the written procedures section of MCM3 Illicit Discharge Detection And Elimination of this SWPPP for the written procedure for receipt of receipt of stormwater reports, complaints, and concerns.

**Written Enforcement Response Procedures (ERPs):**

The City maintains written ERPs as described in this SWPPP and the City Code.

**BMP Documentation:**

Document all Plan Reviews:

- Project name and Location,
- Total acreage to be disturbed,
- Property Owner and Construction Contractor (if known),
- For sites that are required to obtain coverage under the CSW Permit
  - Proof of coverage under the CSW Permit,
  - Calculations for the permanent stormwater treatment system,
  - Water quality volume treated compared to required water quality volume,
  - Any “higher level of engineering” used to justify deviation from the CSW or MS4 Permit Requirements.
  - All legal agreements related to stormwater:

Refer to the BMP Documentation section of MCM3 Illicit Discharge Detection and Elimination of this SWPPP for the items required to be documented for:

- Training,
- Receipt of Stormwater Reports, Complaints, and Concerns, and
- Enforcement Actions

**BMP Review and Update:**

This BMP will be reviewed each calendar year in advance of the MS4 Annual Report. The annual review will include an assessment of program compliance, and the documented information, and determine any necessary or desirable BMP improvements.

Necessary changes to the BMP will be documented as part of the MS4 Annual Reporting. Changes to the BMP will be implemented within 60-calendar days of the MS4 Annual Report being submitted.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



<b>Schedule:</b>	
Annually	Staff Training
Annually	BMP, Written Procedure, Checklist, and ERPs review and update as needed.
Ongoing	BMP Documentation
<b>Responsible Party for this BMP:</b>	
Title:	City Administrator or his designee
Contact Phone:	(507) 625-4171
Contact E-mail:	<a href="mailto:kmccann@northmankato.com">kmccann@northmankato.com</a>
Others:	Supervisors will schedule and document staff receive training appropriate to their duties. Staff will complete assigned training. Bolton & Menk will provide training material.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



## BMP Summary Sheet

### Unique BMP MCM5: Post-Construction Stormwater Management

<b>MS4 Name:</b>	City of North Mankato
<b>Minimum Control Measure:</b>	MCM5 Post-Construction Stormwater Management
<b>BMP Title:</b>	MCM5 Post-Construction Stormwater Management
<b>MNR040000 Permit Reference:</b>	Lines 20.1 – 20.23

#### **BMP Description:**

A Post-Construction Stormwater Management program that prevents or reduces water pollution after construction activity is completed for construction activity with land disturbance of greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, within the permittee's jurisdiction and that discharge to the permittee's MS4.

The City ordinance requires the submittal of site plans with post-construction stormwater management BMPs designed with accepted engineering practices for review before permit approval. Construction may not begin until permit approval is received.

The City Code requires owners of construction activity to treat the water quality volume to meet or exceed the current CSW requirements. The City Code includes wording to meet the requirements of the 2013 MS4 General Permit.

The City maintains a mapped inventory of structural stormwater BMPs owned by the City.

A legal agreement such as a Development Agreement or similar document will be required for:

- New structural stormwater BMPs constructed that are intended to be owned and operated by a non-government party. The document will lay out requirements for long-term maintenance and provide access for City inspection.
- When cash payment or donation of land is made instead of construction of required structural BMPs, and
- When construction of required structural BMPs will not be completed within 24 calendar months of the start of the construction activity.

City Staff performing site plan reviews and inspecting structural BMPs will receive training at least once per year for these duties. The type and level of training will be determined based on the work duties and responsibilities. Previously trained individuals will receive refresher training at least every three calendar years following the initial training.

#### **BMP Written Procedures for this BMP:**

Refer to the written procedures section of MCM4 Construction Site Stormwater Control of this SWPPP for the written procedure for site plan reviews.

#### **Written Enforcement Response Procedures (ERPs):**

The City maintains written ERPs as described in this SWPPP and the City Code.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



**BMP Documentation:**

Refer to the BMP Documentation section of MCM3 Illicit Discharge Detection and Elimination of this SWPPP for the items required to be documented for:

- Training, and
- Enforcement Actions

Refer to the BMP Documentation section of MCM4 Construction Site Stormwater Control of this SWPPP for the items required to be documented for site plan reviews.

**BMP Review and Update:**

This BMP will be reviewed each calendar year in advance of the MS4 Annual Report. The annual review will include an assessment of program compliance, and the measurable goals, and determine any necessary or desirable BMP improvements.

Necessary changes to the BMP will be documented as part of the MS4 Annual Reporting. Changes to the BMP will be implemented within 60-calendar days of the MS4 Annual Report being submitted.

**Schedule:**

Sept. 2022	<ul style="list-style-type: none"><li>• The City Code will be updated to match the 2020 MS4 General Permit.</li><li>• The mapped inventory of BMPs will be updated to add those not owned or operated by the City.</li></ul>
Ongoing	BMP Documentation
Annual	BMP Review and update as needed.

**Responsible Party for this BMP:**

Title:	City Administrator or his designee
Contact Phone:	(507) 625-4171
Contact E-mail:	<a href="mailto:kmccann@northmankato.com">kmccann@northmankato.com</a>
Others:	City Council will amend the City Code to match the 2020 MS4 General Permit GIS Staff will update the mapped inventory of BMPs Supervisors will schedule and document staff receive training appropriate to their duties. Staff will complete assigned training. Bolton & Menk will provide training material and code revision recommendations.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



## BMP Summary Sheet

### Unique BMP MCM6: Pollution Prevention/Good Housekeeping for Municipal Operations

<b>MS4 Name:</b>	City of North Mankato
<b>Minimum Control Measure:</b>	MCM6 Pollution Prevention/Good Housekeeping for Municipal Operations
<b>BMP Title:</b>	MCM6 Pollution Prevention/Good Housekeeping
<b>MNR040000 Permit Reference:</b>	Lines 21.1 – 21.15

#### **BMP Description:**

An operations and maintenance program that prevents or reduces the discharge of pollutants to the MS4 from City-owned/operated facilities and operations.

The City maintains a mapped inventory of City-owned/operated facilities that may contribute pollutants to stormwater discharges.

The City reviews good housekeeping BMPs and implements new BMPs when feasible to prevent or reduce pollutants in stormwater discharges. Sample good housekeeping BMPs implemented by the City include:

- Waste disposal and storage, including dumpsters protected from contact with stormwater.
- Management of temporary and permanent stockpiles of materials such as street sweepings, snow, sand, and sediment removal piles
  - When feasible stockpiles are protected from contact with stormwater, and
  - Sediment controls at the base of stockpiles on the downgradient perimeter.
- Vehicle fueling, washing, and maintenance in designated areas only.
- Routine sweeping of municipal streets and parking lots.
- Annual Training for City Staff commensurate with individual's responsibilities as they relate to the permittee's SWPPP, including:
  - to recognize illicit discharge risks and implement controls to avoid them during normal duties. (e.g. park maintenance, pothole repair, paving activity, etc.)
  - use and location of Spill Kits
  - use of appropriate erosion and sediment controls during soil disturbing activity
  - proper use of herbicides, pesticides, fertilizers, and deicing materials
  - reporting and assessment activities
  - address the importance of protecting water quality

The City owned/operated salt storage areas are covered and on an impervious surface. Material loading and unloading are done in a designated area and spilled salt is swept up to avoid loss of salt.

#### **BMP Written Procedures for this BMP:**

Refer to the BMP written procedures section of MCM3 Illicit Discharge Detection and Elimination of this SWPPP for the written procedure for:

- Investigating, Locating, and Eliminating the Source of Illicit Discharge, and
- Spill Response

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



### **Determining TSS and TP Treatment Effectiveness**

The following written procedure is for the purpose of determining the Total Suspended Solids (TSS) and Total Phosphorus (TP) treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater. These procedures are not used to determine stormwater credits.

- The City will use a literature-based approach to assess stormwater pond effectiveness.
  - Pollutant removal percentages for stormwater pond BMPs vary. Values for TP and TSS include a range of values, from lowest to highest percent removal, observed in the literature.  
(*Pollutant Removal Percentages for Stormwater Pond BMPs. Minnesota Pollution Control Agency, 15 July 2015*)
    1. TSS (Low-median-high): 60-84-90
    2. TP (Low-median-high): 34-50-73
- Staff will evaluate the pond's design, construction, and maintenance before assigning TSS and TP effectiveness. Staff will use their best judgment when records or data are not available.
  - New ponds will be assigned estimated effectiveness based on the design and construction of the pond. Ponds will be reevaluated during subsequent inspection cycles for reduced effectiveness.
  - Existing ponds that have reduced detention times due to sediment build-up but are receiving regular maintenance and still effectively functioning in removing sediment will be assigned median effectiveness.
    1. TSS – 84%
    2. TP – 50%
- Existing ponds that have a substantial reduction in detention times due to sediment build-up (50%) and are receiving regular maintenance, but sediment removal is significantly diminished by the buildup, will be assigned low effectiveness.
  1. TSS – 60%
  2. TP – 34%
- Existing ponds that have a substantial reduction in detention times due to sediment build-up such that there is no sediment removal after precipitation events will be assigned zero effectiveness.
- Existing ponds that have been dredged to remove sediment build-up and restored to original design parameters will be assigned their original expected effectiveness.
  1. TSS – 90%
  2. TP – 73%
- In any situation above, staff may assign lower pond effectiveness if they determine that the original design and/or construction and/or existing maintenance preclude the pond from effectively removing sediments. Assigned values can range anywhere from 0-90% for TSS and 0-73% for TP.
- Staff will use the Minnesota Stormwater Manual wiki - Design Criteria for Stormwater Ponds ([http://stormwater.pca.state.mn.us/index.php/Design\\_criteria\\_for\\_stormwater\\_ponds](http://stormwater.pca.state.mn.us/index.php/Design_criteria_for_stormwater_ponds)) as a guide during pond evaluation.
- Staff will complete a visual inspection to ensure that there is not significant sediment buildup, hydrologic short-circuiting, or repairs/maintenance needed that would affect sediment or nutrient removal effectiveness.
- Pond effectiveness will be conducted in conjunction with the City's stormwater pond inspection cycle which runs concurrently with the MS4 General Permit cycle.
- Based on inspection findings, repair, replacement, or maintenance measures will be scheduled as necessary to ensure the structural integrity and proper function of structural stormwater BMPs and outfalls. The City will complete necessary maintenance as soon as possible. If necessary, maintenance cannot be completed within one year of discovery, the permittee must document a schedule(s) for completing the maintenance.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.



<b>BMP Documentation:</b>	
Refer to the BMP Documentation section of MCM3 Illicit Discharge Detection and Elimination of this SWPPP for the items required to be documented for:	
<ul style="list-style-type: none"> <li>• Training,</li> <li>• Investigating, Locating, and Eliminating the Source of Illicit Discharge, and</li> <li>• Spill Response</li> </ul>	
Document the following information associated with the operations and maintenance program:	
<ul style="list-style-type: none"> <li>• date(s) and a description of maintenance conducted as a result of inspection findings, including whether or not an illicit discharge is detected, and</li> <li>• schedule(s) for maintenance of structural stormwater BMPs and outfalls,</li> </ul>	
Document pond sediment excavation and removal activities, including:	
<ul style="list-style-type: none"> <li>• a unique ID number and geographic coordinates of each stormwater pond from which sediment is removed,</li> <li>• the volume of sediment removed from each stormwater pond,</li> <li>• results from any testing of sediment from each removal activity, and</li> <li>• location(s) of final disposal of sediment from each stormwater pond.</li> </ul>	
<b>BMP Review and Update:</b>	
This BMP will be reviewed each calendar year in advance of the MS4 Annual Report. The annual review will include an assessment of program compliance, and the measurable goals, and determine any necessary or desirable BMP improvements.	
Necessary changes to the BMP will be documented as part of the MS4 Annual Reporting. Changes to the BMP will be implemented within 60-calendar days of the MS4 Annual Report being submitted.	
<b>Schedule:</b>	
Sept. 2022	<ul style="list-style-type: none"> <li>• The City Code will be updated to match the 2020 MS4 General Permit.</li> <li>• Develop and implement a written Snow and Ice Policy including training for City Staff on the new policy.</li> <li>• Update training</li> </ul>
Ongoing	BMP Documentation
Annual	Inspect structural stormwater BMPs (other than ponds)
Annual	Inspect and observe City Staff operations and facilities <ul style="list-style-type: none"> <li>• Implement training, BMPs, and written procedures to correct or reduce potential sources of illicit discharge.</li> </ul>
Each Permit Cycle	Inspect all both City owned/operated and privately owned/operated basins at least one time per Permit Cycle.
<b>Responsible Party for this BMP:</b>	
Title:	City Administrator or his designee
Contact Phone:	(507) 625-4171
Contact E-mail:	<a href="mailto:kmccann@northmankato.com">kmccann@northmankato.com</a>
Others:	City Council will amend the City Code to match the 2020 MS4 General Permit Supervisors will schedule and document staff receive training appropriate to their duties. Staff will complete assigned training. Bolton & Menk will provide training material and code revision recommendations.

The information included or referenced on this Summary Sheet is intended to meet all SWPPP requirements for this BMP.