

## Ordinance No. 1403

### **Amending the Fridley City Code Chapters Titled Administration, Personnel, Background Investigations, Administrative Citations, Penalties, Ordinance Enforcement, Reasonable Accommodation, Assessments, Absentee Ballot Board, Fees, and Flags**

The City Council of the City of Fridley does ordain, after review, examination and staff recommendation that the Fridley City Code be amended as follows:

#### **Section 1**

That Chapter 2 of the City Code entitled "Administration" be hereby amended as follows:

#### Fridley City Code Chapter 2-~~200~~ Administration

##### ~~2.01.200.01~~ City Manager

The Fridley City Council (Council) shall exercise administrative control exclusively through the City Manager. As such, the City Manager is the Chief Administrative Officer of the City and is empowered and obligated to perform and enforce the provisions of the Charter of the City and all the laws, ordinances and resolutions of the City. The subordinate officers of the City and its employees are obligated to carry out and perform the duties and functions of their office or employment, including the enforcement of the Fridley City Charter (Charter) and all laws, ordinances and resolutions of the City where appropriate to the duties and functions of their office or employment, or as may be assigned or delegated to them.

##### ~~2.02.200.02~~ Organizational Structure

The City Manager shall develop and be responsible for an organizational structure which best meets the needs of the City. The various departments and divisions which comprise the organizational structure shall be confirmed by resolution of the City-Council. The City Manager shall have the sole authority to appoint, create, contract for, and remove the positions necessary to complete the required duties for the authorized departments.

##### ~~2.03.200.03~~ Deputy City Clerk

The City Manager may designate an employee of the City as a "Deputy City Clerk" who shall have authority to act for and ~~in~~on behalf of the City Clerk during the absence of the City Clerk from the City Hall.

##### ~~2.04.200.04~~ Compensation

The City Manager and all subordinate officers and employees of the City receive such reasonable compensation as may be fixed by the Council under ordinance or resolution establishing and fixing such compensation separately or as a part of a schedule for all officers and employees.

#### 2.05.200.05 Legal Defense

In the lawful and good faith performance of the functions and duties of their respective offices and employment and the enforcement of the Charter ~~of the City~~, and all the laws, ordinances and resolutions and regulations of the City, as a part thereof, the officers and employees of the City, including the police officers, act as agents and representatives of the City and are entitled to all rights, privileges and immunities to their persons and properties as are accorded by law of the State of Minnesota and the Charter ~~of the City of Fridley~~. No officer or employee is or shall be held personally liable to any person for any claim or loss arising from or out of the lawful and good faith performance of the duties and functions of such officer or employee; ~~and whenever~~ Whenever a claim of loss or damage is made against an officer or employee personally by reason of an act or omission done in the lawful and good faith performance of the duties and functions of such officer or employee; and whenever a claim of loss or damage is made against an officer or ~~employment~~ employee, the City is authorized to and shall defend such officer or employee against the same, provide legal counsel as necessary to such defense, and pay such losses and damages as may be necessary to hold such officer or employee free of claim therefor, except as prohibited by law. (Ref. Minnesota Statutes, Section 471.44)

#### 2.06.200.06 Self-Insurance Fund

##### 1. Purpose

The City hereby establishes a self-insurance fund to provide self-insurance against liability of the City and its officers, employees, agents and servants under Minnesota Statutes, Chapter 466, Section 340A.603 and 340A.801 and any other laws for damages resulting from its torts, including torts for which the City has immunity, and those torts of its officers, employees, agents and servants. The establishment of the fund, the allocation of funds to it or the expenditure of funds, or any other act in conjunction with the establishing or operation of the fund shall not waive any immunity granted to a political subdivision, nor shall it waive any statutory limitation on liability afforded a political subdivision.

##### 2. Funding

~~The City hereby establishes an initial fund in the amount of \$50,723. The City shall appropriate, from time to time, sufficient funds to maintain or increase the initial balance.~~

##### 3. Authorized Expenditures

~~The City Council hereby authorizes expenditures from the fund established for any one or more of the following purposes:~~

A.(a) Payment of losses;

B.(b) Costs of defense and investigation;

C.(c) Premiums and deductible amounts when commercial insurance is purchased for risk;

D.(d) Costs of loss control activities; or

E.(e) Any other costs customarily borne by commercial insurers under conventional insurance policies.

## **Section 2**

That Chapter 3 of the City Code entitled "Personnel" be hereby amended as follows:

### Fridley City Code Chapter 3.201 Personnel

#### 3.01.—201.01 Purpose

~~The purpose of the City formal personnel policies are to establish standards, conditions and regulations of work and pay in City employment within the City of Fridley, to be applicable to all non-union employees of the City.~~This Chapter will establish and maintain a uniform personnel administration system for City of Fridley (City) employees while also ensuring the efficient and effective performance of the work of the City. To achieve these goals, this Chapter assigns administrative powers, duties and responsibilities, and provides for the establishment of personnel policies.

#### 3.02.—201.02 Administration of Policies

The City Manager shall have the power to formulate and execute such ~~administrative personnel~~ policies and to make rules and regulations for the employment of ~~full-time, temporary/seasonal, part-time, paid, on-call firefighters, and~~ all City employees, contract employees, as well as consultants, and independent contractors for services. Such administrative policies, rules, and regulations shall apply to all City employees unless there is a specific provision to the contrary in this Chapter or in a collective bargaining agreement entered into by the City. The administrative policies shall provide for verification and investigation of facts set forth in employment applications, ~~including examination of criminal and traffic records.~~

The City Manager, ~~or respective Department Manager,~~ or their designee shall have the power to update these policies at ~~his/her~~their discretion so long as any changes are in compliance with any relevant federal or state laws, rules and regulations, or other guidelines. The City Manager ~~or their~~

designee shall effectively communicate any changes in policy to the Fridley City Council and City employees.

Future significant personnel-related contracts and renewals must be approved by Council.

### 201.03 Scope of Persons Covered

The directives of this Chapter apply to all City employees, except elected officials, advisory commission members and volunteers.

## **Section 3**

That Chapter 8 of the City Code entitled "Criminal History Background Investigation for City Employment and Licensing" be hereby amended as follows:

### Fridley City Code

#### Chapter 8 202: Criminal History Background Investigations for City Employment and Licensing

#### 8.01.—202.01 Purpose

The purpose and intent of this Chapter is to establish regulations that will allow the City of Fridley (City) Police—Public Safety Department access to Minnesota's Computerized Criminal History information for specified non-criminal purposes of employment and licensing background investigations.

#### 8.02.—202.02 Criminal Background Investigations for City Employees and Appointees

~~The City of Fridley Police Department is authorized to do a criminal history background investigation on the applicants for all regular full-time, regular part-time, seasonal, and temporary employees who are finalists for paid positions; and selected appointees, volunteers, agents and independent contractors who work with the public involving at risk populations such as vulnerable adults, children or the disabled; or who manage, handle or coordinate significant city assets, sensitive data or financial materials. In conducting the background investigation to screen employment finalists, certain volunteer applicants, certain contractors/consultants and certain appointees, the Public Safety Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehension (BCA) Computerized Criminal History information system in accordance with BCA policy.~~

#### 8.03.—202.03 Criminal Background Investigation for City Licensing

The City's of Fridley Police—Public Safety Department is authorized to do a criminal history background investigation on any applicants for business licensing ~~as a matter of public safety.~~

#### 8.04.—202.04 Process of Criminal Background Investigation

1. When conducting the criminal history background investigation to screen applicants for employment, and license-applicants for a City license, certain volunteers, and certain independent contractors, the Police Public Safety Department is authorized to access only Code "E" data data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information BCA databases. Any data that is accessed and acquired shall be maintained by the Police Public Safety Department under the care and custody of the chief law enforcement official, or designee pursuant to the City's Data Practices Policy and Minnesota Statutes, as may be amended from time to time, and retained as required by the General Records Retention Schedule for the City of Fridley Police Department. A summary of the results of the Computerized Criminal History data may be released by the Police Public Safety Department to any relevant parties as appropriate.

2. Before the investigation is undertaken, the applicant must authorize the Police Public Safety Department by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minnesota Statutes Chapter 13 regarding the collection, maintenance and use of the information.

3. The Public Safety Department will utilize various social media and public document repositories as part of any background investigation. All information will be processed pursuant to the Public Safety Departments procedures and retained pursuant to Minnesota Statutes Chapter 13

4. Except for the positions set forth in Minnesota Statutes (M.S.) Section § 364.09, the City will not reject an application for employment or a license on the basis of the applicant's prior conviction unless the crime is directly related to the position of employment or license-sought or the occupation for which the license is sought and the conviction is for a felony, gross misdemeanor, or misdemeanor with a jail sentence. If the City rejects the applicant's request-application on this basis, the City shall notify the applicant in writing of the following:

A.(a) The grounds and reasons for the denial;

B.(b) The applicant-applicable complaint and grievance procedure set forth in Minnesota Statutes M.S. § Section 364.06;

C.(c) The earliest date the applicant may reapply for employment or license; and

D.(d) That all competent evidence of rehabilitation will be considered upon reapplication.

#### **Section 4**

That Chapter 33 of the City Code entitled "Administrative Enforcement of Ordinance Violations" be hereby amended as follows:

Fridley City Code  
Chapter ~~33~~203 Administrative Enforcement of Ordinance Violations

~~33.01.~~ 203.01 Purpose

The Fridley City Council (Council) seeks to offer an alternative method of enforcement for City Code (Code) violations rather than relying solely on the judiciary for such relief. The formal judicial process does not provide an environment to adequately address the unique and sensitive issues that are involved in ~~City-Code~~ violations, including, but not limited to: neighborhood concerns, livability issues, economic impact, public safety, physical limitations of the offenders, and the stigma and unintended consequences of being charged with or convicted of a misdemeanor offense. In addition, the methodical process of the court system process may not be conducive to dealing with the violations in a prompt and timely manner.

In order to provide more flexibility in addressing ~~City-Code~~ violations on an individual basis that will be more efficient and effective and to ensure a process for administrative relief before engaging the judicial system, the ~~City-Council~~ finds that an alternative enforcement process is necessary. Therefore, to protect the health, safety and welfare of the citizens of Fridley, the ~~City-Council~~ intends to create a process for the use and imposition of administrative civil penalties that will provide the public and the City with an effective, alternative method for addressing ~~City-Code~~ violations.

~~33.02.~~ 203.02 Application

The administrative procedures and penalties in this section may, in the discretion of the City, be used for any violation of the ~~City-Code~~ or any violation of the terms and conditions of a City approval, including permits and licenses, required and granted under the ~~City-Code~~, and traffic offenses designated in Minnesota Statute (M.S.) § 169.999, in the amount designated in ~~Minnesota Statute M.S. § 169.999~~, as it may be amended from time to time.

Except as expressly provided in this section, the provisions of this section may be used concurrently with or in addition to any other procedure or remedy, criminal or civil, the City may pursue under ~~City-the~~ Code, State law, or Federal law. Nothing herein restricts the right of the City to enter property immediately or to seek other remedies in emergency or other situations as authorized by ~~City-the~~ Code, State law, or Federal law. Where differences occur between provisions of this section and other applicable ~~City-Code~~ sections, this section controls to the extent of such differences. No provision of the ~~City-Code~~ that provides a criminal procedure or penalty, or an administrative or civil procedure or penalty, for a violation of the ~~City-Code~~ shall preclude the application of this section in its entirety to such violation.

The penalties and procedures provided in this section shall be applicable to every section and chapter of the ~~City-Code~~. The penalties and procedures provided by this section shall apply to any amendment of the ~~City-Code~~, whether or not such penalty is reenacted in the amendment, unless otherwise provided in such amendment.

### ~~33.03.~~ 203.03 Enforcement and Administrative Citation Issuance

A1. Authority to Enforce. Only peace officers may issue Administrative Citations pursuant to ~~Minnesota Statute~~M.S. § 169.999 related to traffic violations. The City shall not issue an Administrative Citation as authorized by ~~Minnesota Statute~~M.S. § 169.999 to the holder of a commercial driver's license or the driver of a commercial vehicle in which the administrative violation was committed.

Any other violation of ~~City~~the Code may result in an Administrative Citation. Any persons employed by the City and designated by the City Manager to enforce the ~~City~~ Code are authorized to issue such citations. The City may only issue an administrative citation upon a determination of a violation of any regulation identified in Section ~~33.02~~203.02. The City Manager, or their designee, is authorized to promulgate rules and forms to implement these procedures.

#### B2. Administrative Citation.

1.(a) Any person with authority to enforce the ~~City~~ Code may, upon a reasonable belief that there has been a violation thereof, issue an Administrative Citation to the violator or party responsible for the violation in one of the following ways:

a.(1) By personal service upon the owner of the property or an occupant of suitable age residing at the property where the violation occurred, or in the case of a business or corporation, the citation may be served upon a manager on the premises or to a corporate officer;

b.(2) By first class mail to a person identified in Subsection ~~(B)(1)~~a(2)(a)1 of this section;

c.(3) By posting the citation in a conspicuous place on or near the main entrance when it reasonably appears the property is occupied but the occupants are not available or willing to accept personal service, and where the property is not a licensed rental dwelling;

d.(4) By posting the citation in a conspicuous place on or near the main entrance and mailing by first class mail a notice of the citation to the owner of record where it reasonably appears the property is vacant or abandoned;

e.(5) By posting the citation in a conspicuous place on or near the main entrance and mailing by first class mail, notice of the citation to the licensee when the property is a rental dwelling licensed by the City; or

f.(6) By posting the citation in a conspicuous place on a motor vehicle when the vehicle is vacant.

~~2.~~(b) The City shall notify a recipient of an Administrative Citation of their right to contest the citation as outlined in Section ~~33.04~~203.04. The City shall also appoint a neutral third party to hear and rule on challenges to administrative citations authorized by the City-Code.

~~3.~~(c) The failure to pay an Administrative Penalty or petition for an Administrative Hearing within 14 business days after the citation is issued, or failure to attend a scheduled Administrative Hearing, constitutes a waiver of the violator's right to a future Administrative Hearing and is an admission of the violation.

~~4.~~(d) Any administrative fines assessed pursuant to ~~Minnesota Statute~~M.S. § 169.999 shall be disbursed in accordance with ~~Minnesota Statute~~M.S. § 169.999, subd. 5.

#### ~~33.04.~~ 203.04 Administrative Hearings

~~A~~1. Request for Hearing. Anyone in violation of any section of the City-Code may either pay the Administrative Penalty, as defined by Section ~~33.05~~203.05, or petition the City for an Administrative Hearing pursuant to Section ~~33.04(E)~~203.04(5).

~~B~~2. Hearing Examiner. The position of Hearing Examiner is hereby created. The City Manager, or their designee, may, at their discretion, contract with third parties for the furnishing of all services of the Hearing Examiner as contained in this chapter and set the rate of compensation therefor.

~~C~~3. Qualifications. The Hearing Examiner shall be an individual trained in law; however, it shall not be required that the Hearing Examiner be currently licensed to practice law in the State of Minnesota.

~~D~~4. Duties. The Hearing Examiner shall have the following duties:

~~1.~~(a) Set dates and hear all contested cases;

~~2.~~(b) Take testimony from all interested parties;

~~3.~~(c) Examine all facts, evidence and testimony presented;

~~4.~~(d) Make a complete record of all proceedings including findings of fact and conclusions of law; and

~~5.~~(e) Affirm, dismiss or modify the Administrative Citation and/or the Administrative Penalty assessed.

~~E~~5. Hearing Procedure. Any person issued an Administrative Citation within the City of Fridley may petition the City, in writing, for an Administrative Hearing before a Hearing Examiner.

- 1.(a) All such petitions shall identify with specificity the basis for the objection to the Administrative Citation and the interpretation of the City-Code, as well as summarizing any evidence the petitioner intends to present. Such requests shall be filed in writing to the City Manager, or their designee, within 14 business days after the ordinance violation citation is issued.
- 2.(b) The City will confirm request of an Administrative Hearing and include information on the Administrative Citation Hearing Fee as outlined in this ordinance. This fee will be refunded if the Administrative Citation is dismissed, but not if affirmed or modified.
- 3.(c) All Administrative Hearings will take place at the Fridley Civic Campus (7071 University Avenue N.E., Fridley, MN 55432) between 8:00 a.m. and 8:00 p.m. Monday through Friday. The Hearing Examiner may schedule an alternative date and time upon the written consent of all parties subject to the Administrative Hearing.
- 4.(d) The Hearing Officer shall provide all parties involved with a Notice of Hearing at least seven business days prior to the Administrative Hearing.
- 5.(e) All Administrative Hearings will be recorded with an audio recording device. A transcript of the Administrative Hearing will be transcribed and retained pursuant to the Minnesota Government Data Practices Act.
- 6.(f) The Hearing Examiner will take testimony from the petitioner and any corroborating witnesses who wish to testify. The Hearing Examiner will then take testimony from the City. Both the petitioner and the City may appear with legal counsel.
- 7.(g) The Rules of Evidence do not apply. The Hearing Examiner will determine the admissibility of any evidence and/or testimony.
- 8.(h) The Hearing Examiner shall render a written decision to affirm, dismiss or modify the City's Administrative Citation. Within 15 business days after the Administrative Hearing, the Hearing Examiner shall provide written findings of fact, conclusions of law and if applicable, issue a timeline to pay any penalties and fees. The decision of the Hearing Examiner shall be final.
- 9.(i) Judicial review. An aggrieved party may obtain judicial review of a final decision of the Hearing Examiner in a court of competent jurisdiction within the time limit prescribed by law.

F6. Failure to Appear. The failure to attend the hearing constitutes a waiver of the petitioner's rights to an Administrative Hearing and an admission of the violation. The Hearing Examiner may waive this result upon good cause shown. "Good cause" may be determined by the Hearing Examiner and may include: death in the immediate family or documented incapacitating illness

of the accused; ~~and~~ a court order requiring the petitioner to appear for another hearing at the same time; ~~and~~ or lack of proper service of the administrative citation or notice of the hearing.

G7. Failure to Pay Is Separate Violation. The following are separate violations of the ~~City Code~~, punishable as misdemeanors in accordance with State law:

1.(a) Unless a notice of appeal has been timely filed, failure to pay the fine within the time required after issuance of an Administrative Citation.

2.(b) Failure to pay a fine imposed by a Hearing Examiner within 30 days after it was imposed, or such other time as may be established by the Hearing Examiner, unless judicial review has been sought for the matter in accordance with State law.

### ~~33.05~~ 203.05 Penalties and Payment

A1. Application. An Administrative Citation may be issued in conjunction with, or in lieu of, any other remedy available to the City.

B2. Administrative Penalties and Fees. The ~~City Council~~ shall adopt by ordinance a schedule of penalties and fees for violations of ~~City the~~ Code and the enforcement of this chapter.

1.(a) Any penalties and fees for those Administrative Citations issued pursuant to ~~Minnesota Statute~~ M.S. § 169.999, subd. 1, shall not exceed the limits described in ~~Minnesota Statute~~ M.S. § 169.99, subd. 5.

2.(b) Unless expressly provided otherwise in the ~~City Code~~, each day a violation exists constitutes a separate administrative offense.

3.(c) When an Administrative Citation is issued and served as described in Section ~~33.03(B)~~ 203.03(2) of this Chapter, the party receiving service has up to 14 business days to pay the Administrative Citation fee as outlined in Chapter ~~11-209~~ of the ~~Fridley City Code~~. If payment is not received, or an Administrative Hearing is not requested within 14 business days of the citation being issued, a late fee will be incurred. The Administrative Penalty Late Fee is outlined in Chapter ~~11-209~~ of the ~~Fridley City Code~~.

C3. Payment Process.

1.(a) A party who has received an Administrative Citation must, within 14 business days after the Administrative Citation is issued, pay the amount of any fine set forth therein, unless that party has requested an Administrative Hearing as authorized by this ~~chapter~~ Chapter. If the Administrative Citation penalty is upheld in full or in part by the Hearing Examiner, the petitioner must make payment to the City within 14 business days of the issuance of the Hearing Examiner's decision, unless another term is prescribed therein.

~~2.~~(b) Any fine may be paid in person at City Hall, by mail or by other method set forth by the City.

~~3.~~(c) Payment of any fine shall be deemed a final admission of the violation, and thereafter the City shall not bring a criminal charge for the same violation. Ongoing or continuing violations shall constitute a new violation for each day that it is occurring.

~~4.~~(d) Payment of a fine shall not excuse the failure to satisfy compliance orders referenced in the Administrative Citation and such payment shall not bar further enforcement activity by the City for a continuing violation, including without limitation, the issuance of additional Administrative Citations.

~~D~~4. If an Administrative Penalty imposed by an Administrative Citation is not paid within the time specified, it constitutes a personal obligation of the violator and a lien upon the real property upon which the violation occurred, if the property or improvements on the property were the subject of the violation and the property owner was responsible for that violation.

~~E~~5. Assessment. Any persons employed by the City and designated by the City Manager to enforce the City Code shall keep a record of the costs of ordinance violations and shall provide detailed reports to the City Manager or their designee regarding all matters related to each violation. In the event the Administrative Penalty is unpaid and it is not possible for the City to place a lien on any real property, the City may list the total unpaid charges for each assessment against each separate lot or parcel to which they are attributable. The City Council may then spread the charges or any portion thereof against the property involved as a special assessment under other pertinent statutes, for certification to the County Auditor and collection the following year along with current taxes. Such assessment shall be payable in a single installment or by up to ten equal annual installments as the City Council may provide, pursuant to Minnesota Statute M.S. § 429.101.

~~F~~6. License and Permit Issuance. Failure to pay an Administrative Penalty shall be grounds for suspending, revoking or not renewing a license or permit related to the violation. During the time that an Administrative Penalty remains unpaid, no City approval will be granted for a license, permit, or other City approval sought by the violator or for property under the violator's ownership or control. For purposes of this restriction, any company that is owned in whole or in part by the violator shall also be considered to be subject to these restrictions, regardless of corporate structure.

~~G~~7. Disposition of Penalties. All penalties collected pursuant to this Chapter shall be paid to the City Treasurer and deposited in the appropriate fund and with the appropriate parties.

~~H~~8. Maximum Penalty. As noted in Section ~~33.05(B)(2)~~203.05(2)(b), each day a violation exists is a separate offense. The maximum amount of an Administrative Penalty charged for a single offense, as determined by the City, may not exceed twice the maximum fine authorized by State

law for misdemeanor offenses, or the maximum fine authorized by State law for an administrative process.

~~33.06.~~ 203.06 Exemption

A.——This section of the City Code shall apply to all violations of the City Code, except for those situations where applicable sections of the City Code and/or State law prescribe other procedures or rules.

**Section 5**

That Chapter 901 of the City Code entitled "Penalties" be hereby amended as follows:

Fridley City Code  
Chapter ~~901.~~204 Penalties

204.01 Purpose

Except as otherwise provided in the Fridley City Code (Code), any person violating any provision of this Code will be guilty of a misdemeanor and upon conviction shall be punished according to penalties imposed by Minnesota Statute.

~~901.01.~~204.02 General Provisions

1. ~~Every person who violates this Code is subject to all penalties provided for such violation. Except where a different, specific or more particular penalty is provided or allowed with respect to any offense, any person guilty of a violation of this Code shall upon conviction of such offense, be fined in an amount not to exceed the maximum fine as authorized by Minnesota State Statute 609.034 or be imprisoned in jail for a period not to exceed 90 days or both for each offense of which such person is convicted.~~
2. Certain violations of the Code are deemed petty misdemeanors as defined by Minnesota State Statutes Chapter 609. The maximum fine will be that amount authorized by Minnesota State Statute § 609.0332. If a person fails to appear in court on a charge that is a petty misdemeanor, the failure to appear is considered a plea of guilty and waiver of the right to trial, unless the person appears in court within ten days and shows that a person's failure to appear was due to circumstances beyond the person's control. ~~Violations of the following sections of this Code are petty misdemeanors:~~

<del>124.06.2</del>	506.04.2	506.08.15	506.10.1.B
<del>124.07.1</del>	506.05.1	506.08.18	506.10.1.C

124.07.2.A	506.07.1	506.08.2	506.13.1
124.07.2.B	506.07.2	506.08.3	506.13.6
124.07.7	506.07.3	506.08.4	508.03
505.1	506.08.1	506.08.5	508.08
506.03	506.08.10	506.08.6	508.33
506.06	506.08.11	506.08.7	508.34
506.09	506.08.12	506.08.8	512.07
506.12	506.08.13	506.08.9	514.03
506.04.1	506.08.14	506.10.1.A	

~~901.02~~ 204.02 Other Recovery

Upon the failure of any person to pay the fine or cost as imposed by any court, the court imposing the same may collect or recover the fine or cost in such manner as is provided or allowed by law.

~~901.03~~ 204.03 Greater Penalty

Whenever ~~the State law of this State~~ provides for, authorizes or allows a court to impose for an offense under this Code a penalty which is greater than the general penalty provided or allowed herein for such offense, then the court may impose such greater penalty for such offense, the same as if prescribed herein.

~~901.04~~ 204.04 Separate Offenses

Each separate violation of the Code is a separate offense; ~~and the~~ The continued violation by a person of any one same offense with knowledge thereof is a separate offense for each day of such continued violation.

~~901.05~~ 204.05 False Statements

Every person who gives or furnishes to the City of Fridley a false or untrue statement to be relied upon in the granting of a permit or license shall be subject to the penalties provided for in this Chapter.

## **Section 6**

That Chapter 803 of the City Code entitled "Ordinance Enforcement" be hereby amended as follows:

Fridley City Code  
Chapter ~~803.205~~ Ordinance Enforcement

### 205.01 Purpose

Designated employees of the City of Fridley (City) are authorized to institute appropriate civil, criminal or administrative actions against a person, firm, or corporation who violates any provision of the Fridley City Code (Code).

### ~~803.01.205.02~~ Promise to Appear – Arrest and Detention

Except as provided by statute, only a peace officer and part-time peace officer may require a person receiving a citation to get a written promise to appear in court or take a person into custody as permitted by Minnesota Statute.

### ~~803.02.205.03~~ Issuance of Citations

The following ~~full-time or part-time~~ City employees or authorized City volunteers may issue citations, in lieu of arrest or continued detention, for violations of the ~~City code~~ Code. Areas of jurisdiction will be contained in City policy:

1. Peace Officers;
2. Community Service Officers;
3. Reserve Officers;
4. Code Enforcement Officers;
5. ~~Health Officers~~
6. Building or Rental Inspector; and
7. ~~Fire Inspector Officers~~ Fire Marshal.

## **Section 7**

That Chapter 34 of the City Code entitled "Reasonable Accommodation" be hereby amended as follows:

Fridley City Code

## Chapter 34-206 Reasonable Accommodation

### 34.01—206.01 Purpose

It is the policy of the City of Fridley (City), pursuant to the Federal Fair Housing Amendments Act of 1988 to provide reasonable accommodation in the application of zoning and other regulations for qualified persons with disabilities seeking fair and equal access to housing. Reasonable Accommodation means providing a qualified person with flexibility in the application of land use, zoning and other regulations or policies (including the modification or waiver of certain requirements), when it is necessary to eliminate barriers to fair housing opportunities. The purpose of this article-Chapter is to establish a process for making and acting upon requests for reasonable accommodation.

### 34.02—206.02 Definitions

Accommodation Specialist: staff, appointed by the City Manager or their designee to coordinate and administer the Reasonable Accommodation process outlined in Fridley City Code (Code)Chapter 34.

Disability: any one or a combination of those disabilities which are recognized under applicable federal law.

Qualified Person: any individual with a disability, their representative, or a developer or provider of housing for an individual with a disability.

Reasonable Accommodation: process by which the City may provide an individual with a disability flexibility in the application of land use, zoning, or other regulations that serve as a barrier to housing.

### 34.03—206.03 Initiation of Reasonable Accommodation Request

Any person who requests reasonable accommodation in the form of modification in the application of a zoning or other regulation which may act as a barrier to fair housing opportunities due to the disability of existing or proposed residents, may do so on an application form provided by the City's Accommodation Specialist. The application shall include a detailed explanation of why the accommodation is reasonably necessary to make the specific housing available to the person(s), with a disability, including information establishing that the application is being made by a qualified person, for themselves or on behalf of a person disabled under applicable laws, as well as other information required by the Accommodation Specialist to make the determination. If the project for which the request is being made also requires an additional land use review or approval, the applicant shall file the request concurrently with the land use review.

### 34.04—206.04 Accommodation Specialist; Required Findings

1. The Accommodation Specialist, in consultation with the appropriate City staff, shall have the authority to consider and act on requests for reasonable accommodation. The Accommodation Specialist shall issue a written decision in which the request is approved, approved subject to conditions, or denied. In making the decision as to whether an accommodation is reasonable, the following factors shall be considered:

- (a) Special need created by the disability;
- (b) Potential benefit that can be accomplished by the requested accommodation;
- (c) Need for the requested accommodation, including alternatives that may provide an equivalent level of benefit;
- (d) Physical attributes of and any proposed changes to the subject property and structures;
- (e) Potential impact on surrounding uses;
- (f) Whether the requested accommodation would constitute a fundamental alteration of the zoning regulations, policies, or procedures of the City, and/or nature of the area in which the accommodation is being requested;
- (g) Whether the requested accommodation would impose an undue financial or administrative burden on the City;
- (h) Whether the requested accommodation is likely to have any negative impacts on the health, safety, or general welfare of members of the community, and
- (i) Any other factor that may be determined to have a bearing on the request.

2. Any approval issued under this section may include such reasonable conditions that the Accommodation Specialist deems necessary to mitigate any adverse impacts that the granting of such reasonable accommodation may produce or amplify.

#### 34.05—206.05 Notice of Decision

The written decision of the Accommodation Specialist shall be mailed to the applicant within five business days of such decision being made. All written decisions shall give notice of the right to appeal a decision of the Accommodation Specialist pursuant to Section ~~34.08~~206.08. The decision of the Accommodation Specialist shall constitute the final decision of the City, unless appealed according to the procedures and within the time limits provided in Section ~~34.08~~206.08. Only the aggrieved applicant of the written reasonable accommodation determination has a right to appeal the decision.

A reasonable accommodation approved under this section shall become effective on the first calendar day following expiration of the right to appeal.

#### ~~34.06~~—206.06 Applicability

Any approved request shall constitute a limited license which shall allow the property owner or occupant to continue to rely upon such accommodation only so long as they own or occupy the property. Approval of a reasonable accommodation does not constitute a property right, does not run with the land, and does not provide future owners or occupants any rights to rely upon such accommodation approvals. Only the person who applied for such reasonable accommodation, and who is specifically named in the City's approval of such accommodation, shall be entitled to the benefits and protections thereof. The holder of an approved reasonable accommodation license hereunder shall, on or before January 1<sup>st</sup> of each year, provide the City with an updated affirmation that the reasonable accommodation is still necessary. In the event that the Accommodation Specialist has reasonable cause to believe that factors have changed, the Accommodation Specialist may request additional information from the license holder. Failure to annually reaffirm the need for the reasonable accommodation, or failure to provide information reasonably requested by the Accommodation Specialist, shall result in automatic termination of the reasonable accommodation upon written notice of the Accommodation Specialist.

#### ~~34.07~~—206.07 Conditions and Guarantees

Prior to the issuance of any permits relative to an approved reasonable accommodation request, the Accommodation Specialist may require the applicant to record a covenant acknowledging and agreeing to comply with the terms and conditions established in the determination.

#### ~~34.08~~—206.08 Appeals

Any decision reached by the Accommodation Specialist pursuant to Section ~~34.05~~206.05 shall be subject to appeal to the City Council by those persons with a right to appeal as provided herein. All appeals shall be initiated by submitting a notice of appeal, in writing, to the Accommodation Specialist within 30 days of the date upon which the decision was made. Upon notice of appeal, the City Manager or their designee shall present such appeal to the Fridley City Council for action within 30 days. The Accommodation Specialist shall also serve notice of such appeal on all parties entitled to receive notice of a decision issued under Section ~~34.05~~206.05. Following a hearing on such appeal, the Fridley City Council shall issue its findings, in writing, within 30 days.

### **Section 8**

That Chapter 7 of the City Code entitled "Assessments" be hereby amended as follows:

Fridley City Code  
Chapter ~~7~~207 Assessments

### 7.01—207.01 Authority

It is deemed to be in the interest of the City of Fridley (City) and the owners of respective properties in the City of Fridley that the City authorize and accept the prepayment of special assessments in whole or in part as allowed by law and provided under Minnesota Statutes Chapter 429, ~~Section 429.061, Subd. 3 (1961)~~, and as provided by this Chapter. ~~This Chapter will be construed to authorize, ratify and confirm prepayments heretofore received and accepted, and any assessments credited therewith, and any corrections made by the City Clerk without such authorization being previously granted and received. Further, no part of this Chapter shall be construed to deny to any person the right or privilege to make payment of any assessment in whole or in part as otherwise provided by law under the Statutes of the State of Minnesota; and that this Chapter is and shall be deemed supplementary thereto.~~

### 7.02.—207.02 Time of Payment

Prior to certification of the assessment or the first installment thereof any person may pay the whole or any part which is not less than one-half thereof, provided that such partial payment shall in any event be in a sum of at least One Hundred Dollars (\$100.00). Upon receipt of any such prepayment, the City Clerk shall note the same upon the records of the City, credit the payee therefore, and reduce the assessment as originally made in the amount of the prepayment received. The balance remaining shall then be noted as the amount due and may then be certified to the County Auditor together with and as a part of the assessment roll in which the original amount due was contained. Upon adoption of the new assessment roll but not later than November 15 of the year of adoption, any person may make one payment only for the whole or any part of the balance, which is not less than \$100 to reduce or eliminate any interest that would accrue upon certification. Upon receipt of any such prepayment, the City Manager or their designee shall note the same upon the records of the City, credit the payee therefore, and reduce the assessment as originally made in the amount of the prepayment received. The balance remaining shall then be noted as the amount due and may then be certified to the County Auditor together with and as a part of the assessment roll in which the original amount due was contained. After November 15 of the year of adoption any person may pay part or all of the remaining balance less any amount certified to the property tax for the following year.

### 7.03.— Certification

The City Clerk may and shall be authorized, upon a resolution duly made approving the same, to cancel any assessment or part thereof which was certified to the County Auditor in error either as to amount or otherwise; and may and shall correct the same, including the amount of interest thereon improperly accrued, if any, by certifying the corrected assessment and interest and attaching thereto a certified copy of the resolution authorizing the correction. Such corrected assessment when so certified shall then stand upon the assessment records in the place of the original assessment made in error.

## **Section 9**

That Chapter 4 of the City Code entitled "Absentee Ballot Board" be hereby amended as follows:

Fridley City Code  
Chapter 4.~~208~~ Absentee Ballot Board

4.01.—~~208.01 Absentee Ballot Board~~Purpose

The Fridley City Council (Council) hereby authorizes the establishment of an Absentee Ballot Board within the City of Fridley (City), which is authorized to handle all absentee ballots received prior to any election, ~~primary or general,~~ within the City.

4.02.—208.02 Duties

1. The Absentee Ballot ~~Precinct~~ Board shall:

1.—(a) Perform the duties of an Absentee Ballot Board required by Minnesota Statute ~~203B.121.~~

2.—(b) May work in conjunction with the Anoka County during any ~~state primary or general~~ election to provide ~~election~~ Election judges ~~Judges~~ to the Anoka County who may assist the ~~absentee ballot board to~~ with processing the City's absentee ballots.

4.03.—208.03 Members

The Absentee Ballot Board shall consist of a sufficient number of ~~election~~ Election judges ~~Judges~~ appointed by the Council as provided in Minnesota Statute ~~204B.19 to 204B.22.~~

4.04.—208.04 Compensation

The City shall pay a reasonable compensation to each member of the Absentee Ballot Board for services rendered during ~~the~~ an election.

4.05.—208.05 Applicable Laws

This Chapter is ~~deemed to be~~ supplementary to Minnesota ~~State~~ Statutes pertaining to absentee ballots and general election laws.

**Section 10**

That Chapter 11 of the City Code entitled "Fees" be hereby amended as follows:

Fridley City Code  
Chapter 11.~~209~~ General Provisions and Fees

## 209.01 Purpose

The fees for licenses, permits and municipal services offered by the City of Fridley (City) are established in this Chapter. References in other chapters or sections of the Fridley City Code (Code) to any fee means the fees specified in this Chapter.

### 11.01. ~~\_\_\_\_\_~~ Compliance

~~No person shall practice or carry on a business, trade or profession in the City without complying with all federal and state regulations, laws, license or permit requirements and with the license and permit requirements of any provision of this Code.~~

## 209.02 Conflicts

If fees are specified in other parts of the Code for a particular license, fee, or service, but not in this Chapter, then the fees specified elsewhere in the Code shall be effective for the stated license, permit, or service. If there are amounts specified in this Chapter for a particular license, permit, or service, as well as other chapters of the Code, then the amounts appearing in this Chapter supersede the others.

### 11.02. ~~\_\_\_\_\_~~ 209.03 Definitions

Administrative Citation: A notice, issued by a Public Official, that a person or property is in violation of or has violated the Code.

Business: A business, trade or profession shall include that engages in the bartering, selling, purchasing or exchanging of goods, services, and or materials with or without compensation.

Penalty: A monetary fine imposed by the City upon a violation of the Code.

Fee: The charge by the City for or in connection with any license, permit, service(s), or function rendered. The fee shall be based on costs incurred by the City to provide a license, permit, or service. Fees are charged for the reviewing, investigating, and administering an application for an amendment to an official control or an application for a permit or other approval required under an official control, or any other costs established and authorized pursuant to Minnesota Statute (M.S.) Chapter 462. Any other fee the City as authorized by state law to impose shall be set forth in a rate/fee schedule duly adopted by the Fridley City Council (Council).

Renewal: Where a license or permit holder makes application to extend for a further period a license or permit and pays the required fee to the City.

### 11.03. ~~\_\_\_\_\_~~ 209.04 License or Permit Application

Unless otherwise provided in this Code, application for any license or permit required by this Code shall be made with the ~~city clerk~~ City Manager or their designee. The applicant shall provide such

information as required by the City or any licensing or permit provision of this Code. In the event of the sale of the licensed business or death of the licensee, unless otherwise specified in the ~~City Code~~, the business shall be allowed to continue to operate as long as the new application is submitted to the ~~city clerk~~City Manager or their designee within ~~thirty (30)~~ days. In the event an application is not received within ~~thirty (30)~~ days, the business license shall expire.

11.04. ~~\_\_\_\_\_~~ 209.05 Processing Time

The minimum length of time required for the processing of any application shall be determined by the ~~City Clerk~~City Manager or their designee who shall inform any applicant of the appropriate time requirements.

11.05. ~~\_\_\_\_\_~~ 209.06 Term

The license ~~or permit~~ begins May 1 of any year through April 30 of the following year, inclusive, unless otherwise provided in this Code.

11.06. ~~\_\_\_\_\_~~ 209.07 License Approval and Issuance

Unless otherwise provided in this Code, the approval and issuance of the license shall not require City Council (Council) consideration and shall be issued administratively by the ~~city clerk~~City Manager or their designee if the applicant has met all of the conditions and requirements of the license. A list of issued licenses shall be provided to the ~~City Council~~ for its information.

11.07. ~~\_\_\_\_\_~~ 209.08 Renewal

No license or permit is automatically renewed by the City. Applications for renewal shall be submitted to the ~~Clerk~~City Manager or their designee prior to the expiration date for Council approval.

11.08. ~~\_\_\_\_\_~~ 209.09 Proration and Refunds

No license or permit fee shall be prorated or refunded except as expressly provided by Section ~~11.10~~209.12 of this Chapter or any other licensing or permit provision of this Code.

11.09. ~~\_\_\_\_\_~~ 209.10 Revocation

Any violation of the terms of this Chapter or any other licensing or permit provision of this Code shall be grounds for suspension and/or revocation of the license or permit by the ~~City Council~~. Licenses and permits shall be revoked only for cause and upon adequate notice and the opportunity to be heard.

11.10. ~~\_\_\_\_\_~~ 209.11 Display

Any person to whom a license or permit is issued pursuant to this Code shall be required to display such license or permit or to make said license or permit available for review upon request. This provision shall be subordinate to any other provision of this Code which expressly requires that said license or permit shall be displayed or posted.

11.11. ——— 209.12 Fees

1. Administrative Fees

<b>Code</b>	<b>Subject</b>	<b>Fee</b>
<del>33203</del>	Administrative Hearing	\$200 Administrative Hearing
608	Lodging Tax	3% of rent charged
102.02	Seizure fee for motor vehicles – <u>Each vehicle</u>  – <u>Each vehicle when vehicle owner or lien holder refuses to repossess their own vehicle</u>	\$200 assessed for each vehicle seizure; or \$400 assessed to a vehicle owner or lien holder who refuses to repossess their own vehicles
102.02	Storage fee for seized motor vehicles	\$10 per day for each day or part of a day the seized motor vehicle is held at a storage facility or impound lot. The total storage fees assessed on any one motor vehicle shall not exceed \$500 or 50% of the value of the motor vehicle as determined by competent authority, whichever is less.
	Text Amendment to the City Code Application	\$1,500

2. Building and Inspection Fees

(a) Building Permit Fees

<b>Code</b>	<b>Subject</b>	<b>Fee</b>
<u>206</u>	<u>Valuation \$1 to \$500</u>	<u>\$23.50</u>
<u>206</u>	<u>Valuation \$501 to \$2,000</u>	<u>\$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000</u>

<u>206</u>	<u>Valuation \$2,001 to \$25,000</u>	<u>\$69.25 for the first \$2,000 plus \$14 for each additional \$100 or fraction thereof, to and including \$25,000</u>
<u>206</u>	<u>Valuation \$25,001 to \$50,000</u>	<u>\$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, to and including \$50,000</u>
<u>206</u>	<u>Valuation \$50,001 to \$100,000</u>	<u>\$643.75 for the first \$50,000 plus \$7 for each additional \$1,000 or fraction thereof, to and including \$100,000</u>
<u>206</u>	<u>Valuation \$100,001 to \$500,000</u>	<u>\$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, to and including \$500,000</u>
<u>206</u>	<u>Valuation \$500,001 to \$1,000,000</u>	<u>\$3,233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, to and including \$1,000,000</u>
<u>206</u>	<u>Valuation \$1,000,001 and up</u>	<u>\$5,608.75 for the first \$1,000,000 plus \$3.15 for each additional \$1,000 or fraction thereof</u>
<u>206</u>	<u>Inspections outside of normal business hours (minimum charge – two hours)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Re-inspection fees assessed under provisions of Section 108</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Inspections for which no fee is specifically indicated (minimum charge one-half hour)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour) or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employee involved.</u>	<u>\$50 per hour</u>
<u>206</u>	<u>For use of outside consultants for plan checking and inspections, or both</u>	<u>Actual costs which include administrative and overhead costs</u>
<u>206</u>	<u>Residential Mobile Home Installation</u>	<u>\$100</u>

<u>206</u>	<u>Surcharge on Residential Building Permits.</u>	<u>A surcharge of \$5 shall be added to the permit fee charged for each residential building permit that requires a state licensed residential contract</u>
<u>115</u>	<u>Swimming Pools, Public</u> – <u>Per outdoor pool</u> – <u>Per indoor pool</u>	<u>\$250</u> <u>\$350 + 25% of base per added pool enclosed area</u>

(b) Electrical Permit Fees

<b>Code</b>	<b>Subject</b>	<b>Fee</b>
<u>Residential, Commercial, Multi-Family</u>		
<u>206</u>	<u>0 to 400 Amp Power Source</u>	<u>\$50 each</u>
<u>206</u>	<u>401 to 800 Amp Power Source</u>	<u>\$100 each</u>
<u>206</u>	<u>Over 800 Amp Power Source</u>	<u>\$150 each</u>
<u>206</u>	<u>0 to 200 Amp Circuit or Feeder</u>	<u>\$8 each</u>
<u>206</u>	<u>Over 200 Amp Circuit or Feeder</u>	<u>\$30 each</u>
<u>Over 200 Volts</u>		
<u>206</u>	<u>0 to 400 Amp Power Source</u>	<u>\$100 each</u>
<u>206</u>	<u>401 to 800 Amp Power Source</u>	<u>\$200 each</u>
<u>206</u>	<u>Over 800 Amp Power Source</u>	<u>\$300 each</u>
<u>206</u>	<u>0 to 200 Amp Circuit or Feeder</u>	<u>\$16 each</u>
<u>206</u>	<u>Over 200 Amp Circuit or Feeder</u>	<u>\$60 each</u>
<u>206</u>	<u>Panel Changes (reconnect existing circuit or feeder for panelboard replacement)</u>	<u>\$100 each</u>
<u>206</u>	<u>New 1 and 2 Family Homes up to 25 Circuits, 3 Trips</u>	<u>\$175 each</u>
<u>206</u>	<u>New Multi-Family Dwelling unit (with up to 20 circuits and feeders per unit)</u>	<u>\$100 per dwelling unit</u>
<u>206</u>	<u>New Multi-Family Dwelling Unit (additional circuits over 20 per unit)</u>	<u>\$8 per feeder or circuit</u>
<u>206</u>	<u>Existing Multi-Family Dwelling Unit (up to 10 feeders or circuits are installed or extended)</u>	<u>\$100 per unit</u>
<u>206</u>	<u>Existing Multi-Family Dwelling Unit (where less than 10 feeders or circuits are installed or extended)</u>	<u>\$8 per feeder or circuit</u>
<u>206</u>	<u>Additional circuits over 25 per unit</u>	<u>\$8 each</u>
<u>206</u>	<u>Circuits extended or modified</u>	<u>\$8 each</u>
<u>206</u>	<u>Retrofitting of existing lighting fixtures</u>	<u>\$1 each</u>
<u>206</u>	<u>Manufactured Home Park Lot Supply + Circuits</u>	<u>\$50 per pedestal</u>
<u>206</u>	<u>Separate Bonding Inspection</u>	<u>\$40</u>
<u>206</u>	<u>Pools plus circuits</u>	<u>\$80</u>
<u>206</u>	<u>Inspection of concrete encased grounding electrode</u>	<u>\$40</u>

<u>206</u>	<u>Technology circuits and circuits less than 50 volts</u>	<u>\$1 per device</u>
<u>206</u>	<u>Traffic Signals, Street, Parking and Outdoor Lighting Standards</u>	<u>\$5 each</u>
<u>206</u>	<u>Transformers for light, heat and power (0 to 10 KVA)</u>	<u>20 each</u>
<u>206</u>	<u>Transformers for light, heat and power (more than 10 KVA)</u>	<u>\$40 each</u>
<u>206</u>	<u>Transformers for electronic power supplies and outline lighting</u>	<u>\$5.50 each</u>
<u>206</u>	<u>Additional Inspection trip(s), re-inspections</u>	<u>\$40 each</u>
<u>Minnesota Solar PV System Electrical Inspection Fee Chart</u>		
<u>206</u>	<u>0 – 5,000 watts (5 kw)</u>	<u>\$60</u>
<u>206</u>	<u>5,001 – 10,000 watts (5 kw – 10 kw)</u>	<u>\$100</u>
<u>206</u>	<u>10,001 – 20,000 watts (10 kw – 20 kw)</u>	<u>\$150</u>
<u>206</u>	<u>20,001 – 30,000 watts (20 kw – 30 kw)</u>	<u>\$200</u>
<u>206</u>	<u>30,001 – 40,000 watts (30 kw – 40 kw)</u>	<u>\$250</u>
<u>206</u>	<u>40,001 and larger watts (40 kw)</u>	<u>\$250, and</u>
	<u>– Each additional 10,000 watts</u>	<u>\$25</u>
<u>206</u>	<u>Plan review fee</u>	<u>\$80 per hour</u>

(c) Mechanical Permit Fees

<b><u>Code</u></b>	<b><u>Subject</u></b>	<b><u>Fee</u></b>
<u>206</u>	<u>Residential minimum fee</u>	<u>\$15 or 5% of cost of improvement, whichever is greater</u>
<u>206</u>	<u>Furnace</u>	<u>\$35</u>
<u>206</u>	<u>Gas Range</u>	<u>\$10</u>
<u>206</u>	<u>Gas Piping</u>	<u>\$10</u>
<u>206</u>	<u>Air Conditioning</u>	<u>\$25</u>
<u>206</u>	<u>Other</u>	<u>1% of value of appliance</u>
<u>206</u>	<u>Commercial minimum fee</u>	<u>\$35</u>
<u>206</u>	<u>All work</u>	<u>1.25% of value of appliance</u>
<u>206</u>	<u>Inspections outside of normal business hours (minimum charge two hours)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Re-inspection fees assessed under provisions of Chapter 108 of the Code</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Inspections for which no fee is specifically indicated (minimum charge one-half hour)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Additional plan review required by changes, additions or revisions to approved plans</u>	<u>\$50 per hour</u>

	<u>(minimum charge one-half hour). Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.</u>	
<u>206</u>	<u>For use of outside consultants for plan checking and inspections, or both</u>	<u>Actual cost including administrative and overhead costs</u>

(d) Moving of Dwelling or Building Fees

<b><u>Code</u></b>	<b><u>Subject</u></b>	<b><u>Fee</u></b>
<u>206</u>	<u>For Principle Building into City</u>	<u>\$300</u>
<u>206</u>	<u>For Accessory Building into City</u>	<u>\$42</u>
<u>206</u>	<u>For moving any building out of City</u>	<u>\$20</u>
<u>206</u>	<u>For moving through or within the City</u>	<u>\$20</u>

(e) Plumbing Permit Fees

<b><u>Code</u></b>	<b><u>Subject</u></b>	<b><u>Fee</u></b>
<u>206</u>	<u>Minimum Fee</u>	<u>\$15 or 5% of cost of improvement, whichever is greater</u>
<u>206</u>	<u>Each fixture</u>	<u>\$10</u>
<u>206</u>	<u>Old opening, new fixture</u>	<u>\$10</u>
<u>206</u>	<u>Beer Dispenser</u>	<u>\$10</u>
<u>206</u>	<u>Blow Off Basin</u>	<u>\$10</u>
<u>206</u>	<u>Catch Basin</u>	<u>\$10</u>
<u>206</u>	<u>Rainwater Leader</u>	<u>\$10</u>
<u>206</u>	<u>Sump or Receiving Tank</u>	<u>\$10</u>
<u>206</u>	<u>Water Treating Appliance</u>	<u>\$35</u>
<u>206</u>	<u>Water Heater Electric</u>	<u>\$35</u>
<u>206</u>	<u>Water Heater Gas</u>	<u>\$35</u>
<u>206</u>	<u>Backflow Preventer</u>	<u>\$15</u>
<u>206</u>	<u>Other</u>	<u>Commercial 1.25% of value of fixture or appliance</u>
<u>206</u>	<u>Inspections outside of normal business hours (minimum charge two hours)</u>	<u>\$50 per hour</u>

<u>206</u>	<u>Re-inspection fee</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Inspections for which no fee is specifically indicated (minimum charge one-half hour)</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Additional plan review required by changes, additions or revisions to approved plans (minimum charge one-half hour) or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.</u>	<u>\$50 per hour</u>
<u>206</u>	<u>Use of outside consultants for plan checking and inspections, or both</u>	<u>Actual cost including administrative and overhead costs</u>

(f) Pollution Monitoring Registration Fees

<b><u>Code</u></b>	<b><u>Fee</u></b>
<u>206</u>	<u>Each pollution monitoring location shall require a site map, description and length of monitoring time requested. Pollution monitoring location shall mean each individual tax parcel. There shall be an initial application and plan check fee of \$25.</u>
<u>206</u>	<u>The applicant for a Pollution Control Registration shall provide the City with a hold harmless statement for any damages or claims made to the City regarding location, construction, or contaminates.</u>
<u>206</u>	<u>An initial registration fee of \$50 is due and payable to the City of Fridley at or before commencement of the installation.</u>
<u>206</u>	<u>An annual renewal registration fee of \$50 and annual monitoring activity reports for all individual locations must be made on or before September 1 of each year. If renewal is not filed on or before October 1 of each year the applicant must pay double the fee.</u>
<u>206</u>	<u>A final pollution monitoring activity report must be submitted to the City within 30 days of termination of monitoring activity.</u>

(g) Wrecking Permit Fees

<b><u>Code</u></b>	<b><u>Fee</u></b>
<u>206</u>	<u>For any permit for the wrecking of any building or portion thereof, the fee charged for each such building included in such permit shall be based on</u>

	<u>the cubical contents thereof and shall be at the rate of \$1.25 for each 1,000 cubic feet or fraction thereof.</u>
<u>206</u>	<u>For structures which would be impractical to cube, the wrecking permit fee shall be based on the total cost of wrecking such structure at the rate of \$6 for each \$500 or fraction thereof.</u>
<u>206</u>	<u>In no case shall the fee charged for any wrecking permit be less than \$20.</u>

### 3. Community Services Fees

#### (a) Recreation Division

(1) Program fees are listed in the City's bi-monthly Parks and Recreation Brochure and on the City's website.

#### (2) Administrative Fees

<b><u>Item</u></b>	<b><u>Category A (Fridley Youth Athletics)</u></b>	<b><u>Category B (Residents and community groups)</u></b>	<b><u>Category C (Non- residents)</u></b>
<u>Additional maintenance staff</u>	<u>City staff hourly rate</u>	<u>City staff hourly rate</u>	<u>City staff hourly rate</u>
<u>Chalk</u>	<u>Market rate</u>	<u>Market rate</u>	<u>Market rate</u>
<u>Concession area for Community Park</u>	<u>\$175 per day</u>	<u>\$175 per day</u>	<u>\$175 per day</u>
<u>Damage deposit for multiple day rentals</u>	<u>\$200</u>	<u>\$200</u>	<u>\$200</u>
<u>Lights</u>	<u>\$20 per field</u>	<u>\$20 per field</u>	<u>\$20 per field</u>
<u>Locates for electrical or irrigation heads</u>	<u>Market rate</u>	<u>Market rate</u>	<u>Market rate</u>
<u>Portable restrooms</u>	<u>Market rate</u>	<u>Market rate</u>	<u>Market rate</u>
<u>Scoreboard and press box at Community Park</u>	<u>\$20 per field</u>	<u>\$20 per field</u>	<u>\$20 per field</u>
<u>Shelter rental for Commons Park and Flanery Park</u>	<u>\$65 per day</u>	<u>\$65 per day</u>	<u>\$100 per day</u>
<u>Vendor fee (concession space)</u>	<u>\$100 per day</u>	<u>\$100 per day</u>	<u>\$100 per day</u>

#### (3) Event Fees

<b><u>Code</u></b>	<b><u>Subject</u></b>	<b><u>Fee</u></b>
<u>508</u>	<u>Parade</u>	

	– <u>Application</u>	<u>\$100</u>
	– <u>Daily</u>	<u>\$700</u>
<u>23</u>	<u>Public Dance</u> – <u>Application</u>	<u>\$75</u>

(4) Outdoor Field Rental Fees

<b><u>Use</u></b>	<b><u>Category A (Fridley Youth Athletics)</u></b>	<b><u>Category B (Residents and community groups)</u></b>	<b><u>Category C (Non- residents)</u></b>
<u>Baseball, softball, and football fields</u>	<u>\$0 per hour</u>	<u>\$20 per hour</u>	<u>\$40 per hour</u>
<u>Commons Park baseball and softball fields</u>	<u>\$80 per weekend</u> <u>\$40 per day</u>	<u>\$100 per weekend</u> <u>\$50 per day</u>	<u>\$200 per weekend</u> <u>\$100/day</u>
<u>Community Park Softball Complex</u>	<u>\$500 per weekend</u> <u>\$250 per day</u>	<u>\$1,000 per weekend</u> <u>\$500 per day</u>	<u>\$2,000 per weekend</u> <u>\$1,000 per day</u>
<u>Hockey rink</u>	<u>\$0 per hour</u>	<u>\$20 per hour</u>	<u>\$20 per hour</u>
<u>Soccer field</u>	<u>\$0 per hour</u>	<u>\$30 per hour</u>	<u>\$60 per hour</u>
<u>Tennis or pickleball court</u>	<u>\$0 per hour</u>	<u>\$20 per hour</u>	<u>\$40 per hour</u>
<u>Volleyball court</u>	<u>\$0 per hour</u>	<u>\$20 per hour</u>	<u>\$40 per hour</u>

(5) Picnic Shelter Rental Fees

<b><u>Park</u></b>	<b><u>Resident</u></b>	<b><u>Non-Resident</u></b>	<b><u>Deposit</u></b>
<u>Flanery and Commons Parks</u>			
– <u>1-50 guests</u>	<u>\$65 plus tax</u>	<u>\$100 plus tax</u>	<u>\$50</u>
– <u>51-150 guests</u>	<u>\$105 plus tax</u>	<u>\$150 plus tax</u>	<u>\$50</u>
– <u>Special Use Permit</u>	<u>\$265 plus tax</u>	<u>\$450 plus tax</u>	<u>\$50</u>
<u>Moore Lake</u>			
– <u>1-50 guests</u>	<u>\$35 plus tax</u>	<u>\$75 plus tax</u>	<u>\$50</u>
– <u>51-150 guests</u>	<u>\$75 plus tax</u>	<u>\$115 plus tax</u>	<u>\$50</u>
– <u>Special Use Permit</u>	<u>\$235 plus tax</u>	<u>\$425 plus tax</u>	<u>\$50</u>

(6) Springbrook Nature Center Program Fees

<b>Program</b>	<b>Fee</b>
<u>60 Minute naturalist-led program</u>	<u>\$4 per student</u>
<u>90 Minute naturalist-led program</u>	<u>\$6 per student</u>
<u>60 Minute naturalist-led program at another location</u>	<u>\$150</u>
– <u>Additional program at same site</u>	<u>\$50</u>
<u>Summer Camp</u>	
– <u>Resident</u>	<u>\$155 per five-day program</u>
– <u>Non-resident</u>	<u>\$165 per five-day program</u>
<u>Birthday Party Program</u>	<u>\$125</u>

(7) Springbrook Nature Center Room Rental Fees

<b>Program/Amenity</b>	<b>Fee</b>
<u>Amphitheater</u>	
– <u>Resident</u>	<u>\$225 per room per hour plus tax</u>
– <u>Non-resident</u>	<u>\$300 per room per hour plus tax</u>
– <u>Non-profit group (proof of status must be provided)</u>	<u>\$225 per room per hour plus tax</u>
<u>Classroom (\$50 refundable damage deposit due at time of booking)</u>	
– <u>Resident</u>	<u>\$30 per room per hour plus tax</u>
– <u>Non-resident</u>	<u>\$50 per room per hour plus tax</u>
– <u>Non-profit group (proof of status must be provided)</u>	<u>\$30 per room per hour plus tax</u>
<u>Pavilion Activity Center Outdoor (\$100 refundable damage deposit due at time of booking)</u>	
– <u>Resident</u>	<u>\$65 plus tax</u>
– <u>Non-resident</u>	<u>\$100 plus tax</u>
– <u>Non-profit group (proof of status must be provided)</u>	<u>\$65 plus tax</u>
<u>Pavilion Activity Center Indoor (\$100 refundable damage deposit due at time of booking)</u>	
– <u>Resident</u>	<u>\$65 plus tax</u>
– <u>Non-resident</u>	<u>\$100 plus tax</u>
– <u>Non-profit group (proof of status must be provided)</u>	<u>\$65 plus tax</u>
<u>Pavilion Activity Center Entire (\$100 refundable damage deposit due at time of booking)</u>	
– <u>Resident</u>	<u>\$130 plus tax</u>
– <u>Non-resident</u>	<u>\$200 plus tax</u>

<u>- Non-profit group (proof of status must be provided)</u>	<u>\$130 plus tax</u>
<u>Portable public address (PA) system</u>	<u>\$50 per day plus tax</u>

#### 4. Engineering Fees

##### (a) Rights-of-Way Fees

<b><u>Code</u></b>	<b><u>Subject</u></b>	<b><u>Fee</u></b>
<u>407</u>	<u>Rights-of-Way</u>	
	<u>- Registration</u>	<u>\$50</u>
	<u>- User Fee (residential, commercial or industrial)</u>	<u>\$50</u>
	<u>- Excavation Permit</u>	<u>\$350</u>
	<u>- Obstruction Permit</u>	<u>\$50</u>
	<u>- Small Wireless Facility Permit</u>	<u>\$150</u>
	<u>- Permit Extension Fee</u>	<u>\$20</u>
	<u>- Delay Penalty</u>	<u>\$125 week</u>
	<u>- Mapping Fee</u>	<u>\$50 if data is not in City format and City GIS compatible</u>
	<u>- Degradation Fee</u>	<u>Restoration cost per square foot for the area to be restored</u>

##### (b) Land Alterations, Excavating, or Grading Fees Including Conservation Plan Implementation Fees

<b><u>Code</u></b>	<b><u>Subject</u></b>	<b><u>Fee</u></b>
<u>206</u>	<u>50 cubic yards or less</u>	<u>\$40</u>
<u>206</u>	<u>51 to 100 cubic yards</u>	<u>\$47.50</u>
<u>206</u>	<u>101 to 1,000 cubic yards</u>	<u>\$47.50 for the first 100 cubic yards plus \$10.50 for each additional 100 cubic yards or fraction thereof</u>
<u>206</u>	<u>1,001 to 10,000 cubic yards</u>	<u>\$167 for the first 1,000 cubic yards plus \$9 for each additional 1,000 cubic yards or fraction thereof</u>
<u>206</u>	<u>10,001 to 100,000 cubic yards</u>	<u>\$273 for the first 10,000 cubic yards plus \$40.50 for each additional 10,000 cubic yards or fraction thereof</u>
<u>206</u>	<u>100,001 cubic yards or more</u>	<u>\$662.50 for the first 100,000 cubic yards plus \$22.50 for each additional 100,000 cubic yards or fraction thereof</u>

(c) Land Alteration Plan Checking Fees

<b>Code</b>	<b>Subject</b>	<b>Fee</b>
<u>206</u>	<u>50 cubic yards or less</u>	<u>No fee</u>
<u>206</u>	<u>51 to 100 cubic yards</u>	<u>\$23.50</u>
<u>206</u>	<u>101 to 1,000 cubic yards</u>	<u>\$37</u>
<u>206</u>	<u>1,001 to 10,000 cubic yards</u>	<u>\$49.25</u>
<u>206</u>	<u>10,001 to 100,000 cubic yards</u>	<u>\$49.25 for the first 10,000 cubic yards plus \$24.50 for each additional 10,000 cubic yards or fraction thereof</u>
<u>206</u>	<u>100,001 to 200,000 cubic yards</u>	<u>\$269.75 for the first 100,000 cubic yards plus \$13.25 for each additional 10,000 cubic yards or fraction thereof</u>
<u>206</u>	<u>200,001 cubic yards or more</u>	<u>\$402.25 for the first 200,000 cubic yards plus \$7.25 for each additional 10,000 cubic yards or fraction thereof</u>

(d) Water and Sewer Fees

<b>Code</b>	<b>Subject</b>	<b>Fee</b>
<u>205.30</u>	<u>Automatic Meter Reading Device Permit</u>	<u>\$25 per stationary device</u>
<u>206</u>	<u>Hydrant Rental Agreement Service Charge (for use of hydrant only City does not supply hose)</u>	<u>\$50</u>
<u>206</u>	<u>Water Usage Metered Minimum</u>	<u>\$1.30/1,000 gallons used</u> <u>\$20</u>
<u>206</u>	<u>Tanker</u>	<u>\$20 per fill</u>
<u>206</u>	<u>Water Taps</u>	<u>See Engineering</u>
<u>206</u>	<u>Permanent Street Patch</u> <u>– First 5 square yards</u> <u>– Over 5 square yards</u>	<u>\$300</u> <u>\$30 per square yard</u>
<u>206</u>	<u>Temporary Street Patch (November 1 through May 1)</u> <u>– First 5 square yards</u> <u>– Over 5 square yards</u>	<u>\$400</u> <u>\$40 per square yard plus cost of permanent street patch</u>
<u>206</u>	<u>Water Meter Repair – Weekend and Holidays</u>	<u>\$125</u>
<u>206</u>	<u>Water Connections Permit</u>	<u>\$50</u>
<u>206</u>	<u>Sewer Connections Permit</u>	<u>\$50</u>

206	Inspection Fee for Water/Sewer Line Repair	\$40
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## 5. Fire Department Fees

### (a) Fire Department Fees Found in Code

<b>Code</b>	<b>Subject</b>	<b>Fee</b>
112	False Alarms	\$50 for sixth false alarm in single calendar year and for each subsequent false alarm in calendar year an additional \$25 shall be added (e.g., 7 <sup>th</sup> -seventh false alarm \$75, 8 <sup>th</sup> -eighth false alarm \$100, etc.)
403	Fire Arm Permit to Discharge	\$25
108	Fire Department Plan Review Fee	65% of the Fire Permit Fee

### (b) Fire Department Fees Directed by the Minnesota State Fire Code (MSFC)

<b>MSFC Section</b>	<b>Type of Activity</b>	<b>Stipulations</b>	<b>Fee</b>
105.7.1	Automatic Fire Extinguishing Systems 1. Kitchen Hood Extinguishing Systems 2. Fire Sprinkler Systems 3. Other Special Extinguishing Systems	Final inspection required Inspection <del>&amp;</del> and testing  Inspection <u>and</u> <del>&amp;</del> testing Inspection <u>and</u> <del>&amp;</del> testing	See Below
105.7.24	Compressed Gasses <u>and</u> <del>&amp;</del> Systems Install, repair damage to, abandon, remove, place temporarily <del>our</del> <u>out</u> of service, close or substantially modify systems	Final inspection required <u>per</u> MSFC requirements	\$ 235.00
105.7.37	Fire Alarm, Detection <u>and</u> <del>&amp;</del> Related Alarm or Detection Equipment Install or modify new <del>&amp;</del> <u>and</u> existing systems	Final inspection <u>and</u> <del>testing</del> required Inspection <del>&amp;</del> Testing	See Below

105.7.48	Fire Pumps <del>and</del> & Related Equipment Install or modify fire pumps, related fuel tanks, jockey pumps, controllers and generators	Final inspection <del>and</del> <u>testing</u> required <del>Inspection &amp; Testing</del>	See Below
105.7.59	Flammable <del>and</del> & Combustible Liquids 1. Install or modify a pipeline 2. Install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel dispensing stations, refineries, distilleries and similar activities where flammable or combustible liquids are produced, processed, transported, stored, dispensed or used 3. Install, alter, remove, abandon, place temporarily out of service or otherwise dispose of a flammable or combustible liquid tank	Final inspection Required <del>inspection</del> requirements as defined by <del>2003</del> <u>2020</u> MSFC requirements.  UGST or AGST storage tank removal must be witnessed by Fire Marshal.	\$150.00 \$150.00          \$200.00
105.7.613	Hazardous Materials Install, repair damage to, abandon, remove, place temporarily out of service, close or substantially modify a storage facility or other area regulated by MSFC Chapter 27	Final inspection required when hazardous materials in use or storage exceed amounts shown in <u>the</u> MSFC Table <del>105.6.21</del>	\$ 200.00
105.7.715	Industrial Ovens Installation of industrial ovens regulated by MSFC Chapter 21	Final inspection required <u>per</u> MSFC requirements	\$ 165.00
105.7.816	LP Gas Installation of or modification to an LP Gas system	Final inspection required <u>per</u> MSFC <del>&amp; and</del> NFPA <u>National Fire Protection Association Chapter 58</u> requirements	\$ 200.00
105.7.9	Private Fire Hydrants Installation of or modification of private fire hydrants	Final inspection Required <del>Inspection &amp;</del> <u>and</u> testing	\$ 145.00

105.7.1023	Spraying or Dipping Install or modify a spray room, dip tank or booth	Final inspection required per MSFC requirements	\$ 200.00
105.7.1124	Standpipe System Installation, modification, or removal from service of a standpipe system	Final inspection Required Inspection & testing	See Below
105.7.1225	Temporary Membrane Structures, Tents and Canopies To construct an air-supported temporary membrane structure, tent (= > 200 ft <sup>2</sup> ) or canopy (= > 400 ft <sup>2</sup> ).	Final inspection required per MSFC requirements	\$ 145.00

(c) Fire Department Fees for Fire Sprinkler, Fire Extinguishing Systems, Fire Alarm Systems or Standpipe Systems

Fees for Automatic Fire Extinguishing Systems (MSFC 105.7.1); Fire Alarm, Detection and related equipment (MSFC 105.7.3); Fire Pumps or related equipment, (MSFC 105.7.4); and Standpipe Systems (MSFC 105.7.11) are calculated on project valuation from the 1997 UBC Permit Fee Schedule as shown below, plus the State of Minnesota Surcharge Fee on sprinkler permits:

<b>Total Valuation</b>	<b>Fee</b>
\$ 1.00 to \$ 500.00	\$23.50
\$ 501.00 to \$ 2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$ 2001.00 to \$ 25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$ 25,001.00 to \$ 50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$ 50,001.00 to \$ 100,000.00	\$643.75 for the first \$50,000.00 plus \$ 7.00 for each additional \$1,000.00, or fraction thereof, to and including \$ 100,000.00

\$ 100,001.00 to \$ 500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$ 500,000.00
\$ 500,001.00 to \$ 1,000,000.00	\$3233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$ 1,000,000.00
\$ 1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

(d) Fire Department Fees for Permitted Business Operations – Processes and Activities Fees

<b>Permit Authority</b> <b>MSCF</b> <b>Section</b>	<b>Description</b>	<b>Fee</b>
105.6.1	Aerosol products	\$145.00
105.6.2	Amusement buildings	\$75.00
105.6.3	Aviation facilities	\$120.00
105.6.4	Carnivals and fairs	\$200.00
105.6.5	Battery and energy systems	\$95.00
105.6.6	Cellulose nitrate film	\$95.00
105.6.7	Combustible dust-producing ops	\$200.00
105.6.8	Combustible fibers	\$145.00
105.6.9	Compressed gases	\$150.00
105.6.10	Covered mall buildings	\$95.00
105.6.11	Cryogenic fluids	\$95.00
105.6.12	Cutting and welding	\$95.00
105.6.13	Dry cleaning plants	\$145.00
105.6.14	Exhibits and trade shows	\$200.00
105.6.15	Explosives	\$200.00
105.6.16	Fire hydrants and valves	\$75.00
105.6.17	Flammable & and combustible liquids	\$200.00
105.6.18	Floor finishing	\$95.00
105.6.19	Fruit and crop ripening	\$120.00
105.6.20	Fumigation & and thermal insecticide fog	\$95.00
105.6.21	Hazardous materials	\$145.00
105.6.22	HPM facilities (Haz Prod Materials) Hazardous Production Materials Facility	\$145.00
105.6.23	High piled storage	\$200.00
105.6.24	Hot work operations	\$95.00
105.6.25	Industrial ovens	\$145.00

105.6.26	Lumber yards & woodworking plants	\$200.00
105.6.27	Liq-Liquid or gas fueled veh/equip vehicle/equipment in Grp-Group A	\$95.00
105.6.28	LP Gas	\$95.00
150.6.29	Magnesium	\$95.00
105.6.30	Misc-Miscellaneous combustible storage	\$145.00
105.6.31	Open burning	\$95.00
105.6.32	Open flames and candles	\$95.00
105.6.33	Organic coatings	\$145.00
105.6.34	Places of assembly	\$135.00
105.6.35	Private fire hydrants	\$75.00
105.6.36	Pyrotechnic special effects material	\$95.00
105.6.37	Pyroxylin plastic	\$145.00
105.6.38	Refrigeration equipment	\$95.00
105.6.39	Repair garages or service stations	\$120.00
105.6.40	Rooftop heliports	\$95.00
105.6.41	Spraying or dipping	\$145.00
105.6.42	Storage of scrap tires/tire byproducts	\$120.00
105.6.43	Temporary tents & canopies	\$95.00
105.6.44	Tire_-rebuilding plants	\$145.00
105.6.45	Waste handling	\$200.00
105.6.46	Wood products	\$165.00

## 6. Licensing Fees

<b>Code</b>	<b>Subject</b>	<b>Fee</b>
17	Auction – <u>Weekly permit</u> – <u>Annual permit</u>	\$30.00 weekly, \$150-year
27	Billiards – <u>First table</u> – <u>Each additional table</u>	\$40 for first table, \$10 each additional
15	Bowling Alleys – <u>Annual license</u> – <u>Per lane</u>	\$40+ \$10 each lane
28	Carnivals – <u>Application fee</u> – <u>Each day</u> – <u>Required cash deposit or bond</u>	\$75 application fee \$75 each day \$3,000 cash deposit or bond
30	Charitable Gambling (see Lawful Gambling)	
101	Chickens – <u>Initial fee</u>	\$100 Initial Fee

	<ul style="list-style-type: none"> <li>- <u>Annual renewal fee</u></li> <li>- <u>Impound Fee</u></li> </ul>	<p>\$25-Renewal-Fee \$25-Impound-Fee</p>
21	<p>Christmas Tree Lots</p> <ul style="list-style-type: none"> <li>- <u>Annual license fee</u></li> <li>- <u>Deposit</u></li> </ul>	<p>\$200 + \$100 deposit</p>
12	Cigarette Sales (see Tobacco)	
101	<p>Dogs</p> <ul style="list-style-type: none"> <li>- <u>Lifetime license</u></li> <li>- <u>Duplicate license</u></li> <li>- <u>Impound fee</u></li> <li>- <u>Annual Dangerous Dog license</u></li> <li>- <u>Potentially Dangerous Dog license</u></li> </ul>	<p>\$25 Lifetime \$5-duplicate license \$25-Impound-Fee \$500 Dangerous-Dog \$500 Potentially-Dangerous Dog</p>
702	Drive-in Theaters	\$400
607	Entertainment	\$85
32	Food Establishment – Business License	\$45
32	Food Temporary – Business License	\$30
25	Golf Course, Driving Range	\$30
113	<p>Haulers</p> <p>Mixed Municipal Solid Waste License (Garbage Truck), Yard Waste License, Organics License, Recycling License</p>	\$100 for first truck and \$40 each additional truck
101	<p>Honeybees</p> <ul style="list-style-type: none"> <li>- <u>Initial fee</u></li> <li>- <u>Annual renewal fee</u></li> </ul>	<p>\$100-Initial-Fee \$25-Renewal-Fee</p>
24	Junk Yards	\$350
609	<p>Liquor, Caterer</p> <ul style="list-style-type: none"> <li>- <u>Annual Caterer Registration</u></li> <li>- <u>Event Notification Permit (per event)</u></li> </ul>	<p>\$100 annually \$25/event</p>
604	<p>Liquor, Consumption and Display</p> <ul style="list-style-type: none"> <li>- <u>Annual State permit</u></li> <li>- <u>One-day City permit</u></li> </ul>	<p>\$300 Annual-State-Permit \$25 One-Day-City-Permit</p>
603	Liquor, On-Sale Intoxicating Holiday Endorsement	\$100
603	Liquor, Lawful Gambling Endorsement	\$300
610	<p>Liquor Manufacturers/Investigative Fee</p> <ul style="list-style-type: none"> <li>- Individual</li> <li>- Partnership/Corporation</li> <li>- Alteration of Business</li> <li>- Change of Officers</li> <li>- On-Sale Brewer/Distillery Taproom License</li> </ul>	<p>\$200 \$400 \$100 \$25 \$600</p>

	<ul style="list-style-type: none"> <li>- Off-Sale Brewer/Distillery Growler License</li> </ul>	\$300
603	<p>Liquor, On-Sale Intoxicating</p> <ul style="list-style-type: none"> <li>- <u>No entertainment</u> <ul style="list-style-type: none"> <li>(a) <u>0-3,000 square feet</u></li> <li>(b) <u>3,001-6,000 square feet</u></li> <li>(c) <u>Over 6,000 square feet</u></li> </ul> </li> <li>- <u>With entertainment or dancing</u> <ul style="list-style-type: none"> <li>(a) <u>0-3,000 square feet</u></li> <li>(b) <u>3,001-6,000 square feet</u></li> <li>(a)(c) <u>Over 6,000 square feet</u></li> </ul> </li> </ul>	<p>No Entertainment</p> <ul style="list-style-type: none"> <li>a. 0-3000 sq. ft. — \$6,000</li> <li>b. 3001-6000 sq. ft. — \$7,000</li> <li>c. over 6000 sq. ft. — \$8,000</li> </ul> <p>With Entertainment or Dancing</p> <ul style="list-style-type: none"> <li>a. 0-3000 sq. ft. — \$7,000</li> <li>b. 3001-6000 sq. ft. — \$8,000</li> <li>c. Over 6000 sq. ft. — \$9,000</li> </ul>
603	<p>Liquor, On-Sale Intoxicating Initial Investigative Fee</p> <ul style="list-style-type: none"> <li>- <u>Individual</u></li> <li>- <u>Corporation or partnership</u></li> </ul>	<p>\$200 individual</p> <p>\$400 corporation or partnership</p>
603	Liquor, On-Sale Sunday	\$200
603	Liquor, On-Sale Intoxicating Temporary <u>1 one day only</u>	\$25 (MN §340A.414, Sub.9)
602	<p>— Liquor, 3.2% Malt Liquor</p> <ul style="list-style-type: none"> <li>- <u>Off-Sale</u></li> <li>- <u>On-Sale</u></li> <li>- <u>Holiday Endorsement</u></li> </ul> <p>Liquor, 3.2% Malt Liquor Holiday Endorsement</p>	<p>Off-Sale — \$60</p> <p>On-Sale — \$325</p> <p>\$100</p>
602	<p>Liquor, 3.2% Malt Liquor, Initial Investigative Fee</p> <ul style="list-style-type: none"> <li>- <u>Individual</u></li> <li>- <u>Corporation or partnership</u></li> </ul>	<p>\$90 individual</p> <p>\$180 corporation or partnership</p>
602	Liquor, 3.2% Malt Liquor Temporary	\$60
603	Liquor, Wine	\$1,000
603	<p>Liquor, Wine Investigative Initial Fee</p> <ul style="list-style-type: none"> <li>- <u>Individual</u></li> <li>- <u>Corporation or partnership</u></li> </ul>	<p>\$200 individual</p> <p>\$400 corporation or partnership</p>
603	Liquor (Employee Dispensing — see Managerial License)	
605	<p>Liquor, Bottle Club</p> <ul style="list-style-type: none"> <li>- <u>Annual permit</u></li> <li>- <u>One day permit</u></li> </ul>	<p>\$300 annual permit</p> <p>\$25 one day permit</p>
606	<p>Liquor, On-Sale Intoxicating Club</p> <ul style="list-style-type: none"> <li>- <u>Per club under 200 members</u></li> <li>- <u>Per club of 201-500 members</u></li> <li>- <u>Per club of 501-1,000 members</u></li> </ul>	<p>\$300/club under 200 members</p> <p>\$500/club, 201-500 members</p> <p>\$650/club, 501-1,000 members</p>

	<ul style="list-style-type: none"> <li>- <u>Per club of 1,001-2,000 members</u></li> <li>- <u>Per club of 2,001-4,000 members</u></li> <li>- <u>Per club of 4,001-6,000 members</u></li> <li>- <u>Per club of over 6,000 members</u></li> </ul> <p>(the annual license fee for an on-sale intoxicating liquor license issued by a city to a club must be no greater than the fee set in Minnesota Statute Chapter 340A:</p>	<p>\$800/club, 1001-2,000 members  \$1000/club, 2001-4000 members  \$2,000/club 4,001-6,000 members  \$3,000/club over 6,000 members</p>
606	Liquor, On-Sale Club Holiday Endorsement	\$100
101	<p>Livestock</p> <ul style="list-style-type: none"> <li>- <u>Initial fee</u></li> <li>- <u>Annual review</u></li> </ul>	<p>\$100 annually  \$25</p>
603	Managerial License (Liquor)	\$10
125	<p>Massage Therapy Business License</p> <ul style="list-style-type: none"> <li>- <u>Annual license</u></li> <li>- <u>Business investigation fee for corporations or partnerships</u> Investigative Fee/Corporation/Partnership</li> <li>- <u>Business investigation fee for individual/sole proprietor</u> Fee/Individual/Sole Prop.</li> </ul>	<p>\$400 annually  \$400 (new) \$200 (renewal)    \$200 (new) \$100 (renewal)</p>
125	<p>Massage Therapist</p> <ul style="list-style-type: none"> <li>- License Fee</li> <li>- Therapist Investigation Fee</li> </ul>	<p>\$50 annually  \$25 annually</p>
22	<p>Music Festivals</p> <ul style="list-style-type: none"> <li>- <u>Per day</u></li> <li>- <u>Filing fee</u></li> </ul>	<p>\$700/day +  \$100 filing fee</p>
18	<u>Motor Vehicle Body Repair Business</u>	\$150
509	Motorized Vehicles Rental	\$50 per vehicle
220	Multiple Dwelling License	<p>Single rental unit \$100.00  Two rental units \$150.00  Three units \$210.00  Four units \$270.00  Five or more units \$245.00 plus \$12 per unit.</p>
101	<p>Multiple Pet Location</p> <ul style="list-style-type: none"> <li>- <u>License Fee</u></li> <li>- <u>Renewal Fee</u></li> <li>- <u>Impound Fee</u></li> </ul>	<p>\$100 Initial-Fee  \$25 Renewal Fee  \$25 Impound Fee</p>

220	<u>Rental Housing Annual License</u> – <u>Single rental unit</u> – <u>Two rental units</u> – <u>Three rental units</u> – <u>Four rental unit</u> – <u>Five or more units</u>  <u>License renewal late fee if more than seven days late</u>  <u>License fee to reinstate after revocation or suspension</u>  <u>License transfer fee</u>  <u>License reinstatement fee for properties that were posted for not complying with correction orders or license renewals</u> – <u>1-30 days</u> – <u>31+ days</u>  <u>Renting prior to obtaining a license</u>  <u>Reinspection fee after second inspection</u> – <u>Single, duplex, triplex</u> – <u>Four or more units</u>	<u>\$100</u> <u>\$150</u> <u>\$210</u> <u>\$270</u> <u>\$270 plus \$12 per unit over four units</u>  <u>150% of the annual license fee</u>  <u>150% of the annual license fee</u>  <u>\$25</u>   <u>\$250</u> <u>\$500</u>  <u>125% of the annual license</u>   <u>\$100</u> <u>\$300</u>
	— <u>Rental Inspection Fee</u> — <u>Transfer Fee</u> – <u>License Fee after Revocation or Suspension</u>	<u>\$100 single, duplex and triplex</u> <u>\$300 4+ units</u> <u>\$25</u> <u>150% times the annual license fee</u>
31	<u>Pawn Shops</u> – <u>Annual license fee</u> – <u>Monthly transaction fee</u> – <u>Reporting failure penalty</u> – <u>Investigation fee</u>	<u>\$3,000</u> <u>\$3.00 per transaction</u> <u>\$4.00 per transaction/</u> <u>\$400</u>
14	<u>Peddlers/Solicitor</u>	<u>\$60 per peddler</u>
23	<u>Public Dance</u>	<u>\$75</u>
13	<u>Retail Gasoline Sales</u> <u>Private Gasoline Pump</u>	<u>\$60</u> <u>\$30 per location</u>
127	<u>Sexually Oriented Businesses</u>	<u>\$400</u>

	– Investigation fee	\$400
602, 603, 606	Social Skill Game Tournament Service Provider	\$100 annually
16	Street Vending – <u>Industrial/commercial</u> – <u>Residential</u> – <u>Both</u>	\$50 industrial/commercial \$70 residential \$100 both
116	Sun Tanning Rooms	\$500
12	<u>Tobacco Products License</u>	\$125
12	Tobacco Product Shop – <u>License fee</u> – <u>Investigation fee</u>	\$400 license application fee \$100 license investigation fee
104	<u>Tree Removal/Treatment Management License</u>	\$150
19	<u>Used Motor Vehicles License</u>	\$150/ per year

### 7. Planning and Zoning Fees

<b>Code</b>	<b>Subject</b>	<b>Fee</b>
206	Certificate of Occupancy Fees	See Chapter 206
M.S. § 462.355	Comprehensive Plan Amendment	\$1,500
217	Condominium (annual registration) – <u>2-4 units</u> – <u>5-12 units</u> – <u>13-24 units</u> – <u>Over 24 units</u>	2-4 Ownership Units-\$20 5-12 Ownership units-\$30 13-24 Ownership units-\$40 Over 24 Ownership Units-\$50
217.04	Condominium conversion registration (one-time fee) – <u>2 units</u> – <u>3-7 units</u> – <u>8-12 units</u> – <u>Over 12 units</u>	2-ownership units-\$500 3-7 ownership units-\$750 8-12 ownership units-\$1,000 Over 12 units-\$1,000 + \$50 per unit for every unit over 12
208	Conservation Plan Review (as part of building permit for new construction)	\$450
208	Conservation Plan Review as part of land alteration, excavating or grading permit process	See Chapter 206
<u>205</u>	<u>Farmers Market Event Permit</u>	<u>\$100</u>
211	Lot Splits	\$1,250
205.24	Master Plan, Application or Amendment	\$1,500
203	<u>Mobile Manufactured Home Parks</u>	\$30 + \$1 per trailer site (one-

		time fee)
407	<del>Rights-of-Way</del> <del>(1) Registration</del> <del>(2) User Fee (residential, commercial or industrial)</del> <del>(3) Excavation Permit</del> <del>(4) Obstruction Permit</del> <del>(5) Small Wireless Facility Permit</del> <del>(6) Permit Extension Fee</del> <del>(7) Delay Penalty</del>  <del>(8) Mapping Fee</del>  <del>(9) Degradation Fee</del>	\$50 \$50 \$350 \$50 \$150 \$20 \$125 week \$50 if data is not in City format and City GIS compatible Restoration cost per square foot for the area to be restored
214	Signs and/or Billboards — <del>Permanent Sign</del> – <del>Permanent wall sign</del> – <del>Permanent free-standing/monument</del> – <del>Permanent re-face/face-change</del> – <del>Temporary sign</del>	\$100 \$200  \$50 \$100 plus (\$200 deposit refunded if conditions met)
205.30	<del>Telecommunications Permit to Locate or add Equipment to an Approved Site</del>  <u>Small Cell Telecommunications Towers and Facilities District</u> – 205.30.24 <u>Distributed Antenna System (DAS) Application Fee</u> – 205.30.24 DAS Application Review Fee – 205.30.9(9) DAS Abandonment Escrow	\$400/user/tower  \$500 \$1,500 \$2,000
205.30	Temporary Outdoor Display License <del>Permit</del>	\$75
205	Text Amendment to the Zoning Ordinance	\$1,500
205.33	<u>Transit Oriented District (TOD) Project Plan Application</u>	\$1,500
205.33	TOD Tree Substitution Fee to TOD Capital Project Fund	\$500/ <u>per tree</u>
211	Plat	

	<ul style="list-style-type: none"> <li>- Up to 200 lots</li> <li>- Each additional lot</li> </ul>	<ul style="list-style-type: none"> <li>\$1,500/200 lots +</li> <li>\$15 each additional lot</li> </ul>
206	Reinspection – Building Fee	See Chapter 206
205	Rezoning	\$1,500
205	Special Use Permit <ul style="list-style-type: none"> <li>- <u>R-1</u></li> <li>- <u>All others</u></li> </ul>	<ul style="list-style-type: none"> <li>\$1,000 for R-1</li> <li>\$1,500 for all others</li> </ul>
205	Vacations, Right of Way or Easement	\$1,500
211205	Variance <ul style="list-style-type: none"> <li>- <u>R-1</u></li> <li>- <u>All others</u></li> </ul>	<ul style="list-style-type: none"> <li>\$500 for R-1</li> <li>\$1,400 for all other</li> </ul>
205	Wetlands <ul style="list-style-type: none"> <li>- Certifying Exemptions</li> <li>- Replacement Plan Application</li> <li>- No Loss Determination</li> <li>- Appeal of Decision</li> </ul>	<ul style="list-style-type: none"> <li>\$1,500.00</li> <li>\$1,500.00</li> <li>\$1,500.00</li> <li>\$1,500.00</li> </ul>

8. Police Fees

<u>Code</u>	<u>Subject</u>	<u>Fee</u>
<u>103</u>	<u>Fire Arm Permit to Discharge</u>	<u>\$25</u>
<u>30</u>	<u>Lawful Gambling Permit</u>	<u>\$25 for one-day small events, (e.g., a raffle)</u>

209.13 Penalties

<u>Code</u>	<u>Subject</u>	<u>Penalty</u>
<u>203</u>	<u>Administrative Citation or Penalty</u> <ul style="list-style-type: none"> <li>- <u>General</u></li> <li>- <u>Fire Lane/Reserved Handicap Parking</u></li> <li>- <u>Other Parking</u></li> </ul>	<ul style="list-style-type: none"> <li><u>\$100 per violation (General)</u></li> <li><u>\$125 per violation (Fire Lane/Reserved Handicap Parking)</u></li> <li><u>\$35 per violation (Other Parking)</u></li> </ul>
<u>203</u>	<u>Administrative Citation or Penalty Late Fee</u> <ul style="list-style-type: none"> <li>- <u>General</u></li> <li>- <u>Fire Lane/Reserved Handicap Parking</u></li> <li>- <u>Other Parking</u></li> </ul>	<ul style="list-style-type: none"> <li><u>\$25 (General)</u></li> <li><u>\$30 (Fire Lane/Reserved Handicap Parking)</u></li> <li><u>\$10 (Other Parking)</u></li> </ul>
514	Snow Removal Penalty Violations of the provisions of this Section shall be a misdemeanor, subject to penalties of a maximum of \$700 and 90 days in jail per occurrence.	

	<p>In the alternative, the City may, in its discretion, impose a civil penalty as follows:</p> <ul style="list-style-type: none"> <li>– 2<sup>nd</sup> offense <del>in any given year</del><u>within 365 days</u></li> <li>– 3<sup>rd</sup> offense within <del>6</del><u>six</u> months of any prior offense</li> <li>– 4<sup>th</sup> offense or more within <del>6</del><u>six</u> months of prior offense(s)</li> </ul> <p>In addition, the City may charge to, and assess to the associated property, any damage to City property or injury to City employees attributable to violations of this section.</p>	<p>\$50</p> <p>\$200</p> <p>\$500</p>
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209.14 Compliance

No person shall practice or carry on a business, trade or profession in the City without complying with all federal and state regulations, laws, license or permit requirements, and with the license and permit requirements of any provision of this Code.

~~11.12.~~ 209.15 Administrative Assessments

In addition to the fees in Section ~~11.10~~209.12, an administrative assessment will be required to fund special studies such as environmental assessment worksheets, transportation, drainage, noise impacts, indirect source permits, wetland impacts, etc. The amount of the assessment is to be based on the site, complexity, diversity, and location of the project as determined by staff, but shall not be less than ~~2.5~~two and one half times the hourly wage of estimated ~~staff~~Public Official or consultant's time.

~~11.13.~~ 209.16 Late Payment Penalties

The penalty for late payment of ~~all licenses and permit~~any fees as shown in Section ~~11.10 of the City Code~~this Chapter shall be 25% of the amount of the fee if received from ~~1~~one to ~~7~~seven days late. If the payment is received more than ~~7~~seven days after it is due, the penalty shall be 50% of the fee.

~~11.14~~ 209.17 Compliance with State and Local Law and Payment of Fees and Charges

Prior to the issuance of any license or permit as provided by this Chapter, the City may determine whether the applicant is out of compliance with any state or local law or ordinance enforced by the City. In addition, the City may determine whether the applicant is in arrears with respect to any fee, tax or utility charge. If the City determines the applicant is out of compliance with any state or local law or ordinance, or that outstanding balances are due to the City for fees, taxes or utility charges,

the City may deny issuance of the license until such time as the Applicant is in compliance or has paid any such outstanding balance.

Any applicant aggrieved by the application of the section shall, upon written request, be permitted a public hearing before the Council, and determination on the fact question of whether there is non-compliance or any outstanding balance due.

## **Section 11**

That Chapter 802 of the City Code entitled "Flags" be hereby repealed in its entirety.

Fridley City Code  
Chapter 802. Flags

### ~~802.01. Display~~

~~No person shall display or carry any flag, banner, ensign or symbol of any government, state, country or political force with which the United States of America is engaged in an armed conflict with the intent to cause a breach of peace.~~

### ~~802.02. Removal~~

~~No person, unless authorized or assigned, shall lower or remove from any public flagpole the flag of the United States of America.~~

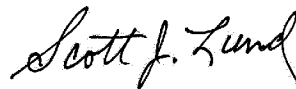
### ~~802.03. Penalties~~

~~Any violation of this Chapter is a misdemeanor and is subject to all penalties provided for such violations under the provisions of Chapter 901 of this Code.~~

**Passed and adopted by the City Council of the City of Fridley on this 11<sup>th</sup> day of July, 2022.**



Melissa Moore - City Clerk



Scott J. Lund - Mayor

Public Hearing: June 27, 2022

First Reading: June 27, 2022

Second Reading: July 11, 2022

Publication: July 15, 2022