

Planning Commission
2022 Nov. Planning Commission-postponed will email when date is confirmed
Vergas Event Center and Zoom - Meeting ID 2670942170 password: 56587
6:00 PM on Monday, November 28, 2022

1. Call to Order

2. Agenda Additions or Deletions

3. Minutes

October 24, 2022

4. Status of Council Recommendations

None.

5. Construction Permits

Permits approved by City Clerk-Treasurer

1. 110 East Main St , new steel roof
2. 137 E Main St, Signs

Permits to be approved

1. 159 E Elm St - 4 sinks, railing on deck, enlarge driveway, ceiling light, handicapped ramp and 2 signs
2. 110 E Main St - build shed

Grade and Fill Permit

Extension of Glen Street

Items in Question

311 Park View Dr - Shed

6. Old Business

A. Nuisance Properties

1. 306 E Frazee Ave -license outdated (2 letters)
2. 235 E Frazee Ave - abandon property
3. 339 E Frazee Ave - garbage all over yard
4. 350 Pelican Ave - garbage all over yard, garage falling down, vehicles

B. Gravel Pit Ordinance

C. Past Conditional Use Permits

D. Ordinances

1. Ordinance 71.04- Snow Emergency Parking
2. Ordinance 72 - Snowmobiles
3. Ordinance 85 Culverts
4. Ordinance 91.02 Cat and Dog
5. Ordinance 2016-001- Campgrounds

7. New Business

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Planning Commission
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3. Minutes

October 24, 2022

Files Attached

- 10-24-2022 Planning Commission Meeting minutes.pdf

CITY OF VERGAS PLANNING COMMISSION & PUBLIC HEARING AND MEETING MINUTES

Monday, October 24, 2022

6:00 pm

Event Center & Zoom Meeting

The City of Vergas Planning Commission was held on Monday, October 24, 2022, after public hearing as a hybrid meeting with the following members present: Bruce Albright, Robert Jacoby, Neil Wothe and Paul Pinke. Absent: Van Bruhn. Also present: Clerk-Treasurer Julie Lammers, Utilities Superintendent Mike DuFrane, Engineer Jeff Kuhn, Shane Poss and Arlen Franchuk.

Call to Order

Chairman Bruce Albright called meeting to order at 6:00 pm.

Agenda Additions and Deletions

Motion by Wothe, seconded by Pinke to approved agenda with following additions: Completion Reports and Shoreline Violations.

Minutes

Motion by Pinke, seconded by Wothe to approve minutes for September 26, 2022. Motion passed unanimously.

Status of Council Recommendations

Reviewed the approval of the following conditional use permits: 235 E Frazee Avenue, parcels 82000500027008 and 82000500027009 and extension of Glenn Street.

Grade and Fill Permit

Tabled grade and fill permit due to lack of information. Street committee will review and bring recommendation next month.

Construction Permits

Approved Permits by City Clerk-Treasurer

1. 117 E Main St , flooring
2. 117 E Main St- Commercial Remodel
3. 117 E Main St - Move door

Items in Question

Discussed permit given to 311 Park View Drive for a shed in their backyard which was placed on the sewer easement of their property and within 10 feet from the property line. Discussed the following options: having property owner apply for a variance or to have the shed moved as it does not meet current ordinance. Owner Arlen Franchuk stated he did not know there was an easement in his backyard. Commissioners first stated they needed more information regarding the permit. Albright stated part of the problem is the shed was placed in August, and we are now informing the property owner it is in the wrong location – the City has no follow up on permits. Discussed DuFrane closing permits instead of having property owners call the city office when completed (which rarely occurs). Franchuk stated he would stop by the city office for a variance application.

Old Business:

Nuisance Properties

Discussed the amount of garbage piling up in the yard at 339 E Frazee Avenue. It appears he does not have garbage pickup and may be illegally burning in his back yard. Motion by Pinke, seconded by Wothe to send nuisance letter to 339 E Frazee Avenue once Lammers receives pictures from DuFrane regarding garbage on the property and the burning that may be taking place. Motion passed unanimously.

Gravel Pit Ordinance

Discussion about our current ordinance 2017-001 regarding gravel permits. Right or wrong we need to clarify our ordinance. It is our primary obligation to protect the citizens of our city. We need to make clarification regarding asphalt plant, open pit, active pit and active mining. The city issues an interim use permit with conditions every year and they are always out of compliance. This past year the planning commission denied permit and Council approved. Commissioners would like this to not be allowed. Albright asked Planning Commission members to review ordinance for next month's meeting and asked Lammers to invite Jeff Hartwick of Mark Sand and Gravel to a meeting to discuss updating the gravel pit ordinance.

New Business:

Past Conditional Use Permits

Lammers provided a spreadsheet of conditional use permits found in past Council Minutes, the office staff will continue to work on permits in planning commission minutes and on file with the Otter Tail County for next month's meeting.

Member Terms

Van (Gus) Bruhn and Paul Pinke have both served three terms which will be complete in December. The planning commission will have two open spots to fill if anyone knows of someone who would be interest in serving on the commission.

Completion Reports

Albright stated that currently we have no one overseeing permits once they are issued. Currently we issue a permit and wait for property owners to let us know when they have completed the project. Rarely does anyone call and close a permit. Discussed having DuFrane or Commissioners review properties after permits are granted. Discussed having a spreadsheet of permits, Lammers stated they already have a spreadsheet in the office she could provide to the planning commission.

Shoreline Violations

Currently there is a stairway along the lake, which received a stop work order and nothing has been done. Lammers stated the Sherriff's Department has been given the concern and she has not heard anything regarding the stairs but would call and find out what is being done. Commissioners asked Lammers to contact City Attorney Winters to see what the city can do at this time as Ordinance 5:22 is not being followed.

Meeting adjourned at 7:28 pm.

Secretary,

Julie Lammers, Vergas City Clerk-Treasurer

Follow Up Actions:

Nuisance letter to 306 E Frazee Avenue

350 Pelican Avenue construction assessment (Tanya at Otter Tail County HRA)

Snow emergency routes.

Review camper ordinance.

Review and update Developers Notice Procedure

Review and update Ordinance 85 regarding culverts.

Council recommendations: none.

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None.

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6. Construction Permits

Permits approved by City Clerk-Treasurer

1. 110 East Main St , new steel roof
2. 137 E Main St, Signs

Permits to be approved

1. 159 E Elm St - 4 sinks, railing on deck, enlarge driveway, ceiling light, handicapped ramp and 2 signs
2. 110 E Main St - build shed

Grade and Fill Permit

Extension of Glen Street

Items in Question

311 Park View Dr - Shed

Files Attached

- 2022-046 Construction Permit 137 E Main Vergas Hardware -Signs.pdf
- 2022-047 Construction Permit 110 E Main St Loon's Nest.pdf
- 2022-49 Construction Permit 159 Elm St.pdf
- 2022-48 Construction Permit 241 Bennett Road.pdf
- Grade and Fill Permit parcel 82000500024000.pdf
- Construction Permit 311 Park View.pdf
- 2022 construction permits.xlsx .pdf

Fee: \$25.00

Owner: Vergas Hardware

Applicant: Brad Huddleston

General Contractor: Steve Huddleston

No. 2022-046

City of Vergas

Construction Permit

IN CONSIDERATION OF The statements and representations made by Steve Huddleston Applicant, whose address is 137 E. Main Street, Vergas, MN in the application therefore duly filed in this office, which application is hereby made a part hereof, PERMISSION IS HEREBY GRANTED TO said Brad Huddleston, as owner to Install 4' x 24' signs on front and side of building- up high (two signs), as described in construction permit application with following zoning rules: Plat or addition 82000990063000 which tract is of the size and area specified in said application.

This permit is granted upon the express conditions that said owner or the person to whom it is granted, and his contractors, agents, workmen and employees, shall comply in all respects with the ordinances of the City of Vergas; that it does not cover the use of public property, such as streets, sidewalks, alleys, etc., for which special permits must be secured; and that it does not cover the following: -not applicable- for which special permits must be secured. (Electrical work, plumbing, heating, plastering, ect. if such there be)

Given under the hand of the Mayor of said City of Vergas and its corporate seal and attested by its Clerk this 25th day of October 2022.

Attest:

Julie Jamroz
Clerk

Permit Expires in one year

Steve Huddleston
Mayor

Receipt of Construction Permit from the City of Vergas does not relieve the applicant of any Local, County or State permits.



Permit Number: 2022-046 Date Received: 10/25/22 Parcel Number: 82800990063000
Any questions regarding construction permit please contact City Clerk-Treasurer by calling 218-302-5996 or stopping by the city office at 111 Main Street Vergas MN.

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING. CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
- THE CITY OF VERGAS WILL CHECK ALL SETBACKS ON ANY NEW CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO HAVE ALL PROPERTY LINES LOCATED. ALL NEW CONSTRUCTION REQUIRES THE APPLICANT TO MARK THE PROPOSED BUILDING SITE AND PROPERTY LINES BEFORE THE CONSTRUCTION PERMIT WILL BE APPROVED.
- All Electrical work **MUST** have an electrical permit. That must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.

Property Description: (NEW CONSTRUCTION ONLY)

Lot _____, Block _____, Addition _____

Property: Width _____ feet, Length _____ feet

Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME, THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: Vergas Hardware

Address of Construction Project: 137 E Main

Mailing Address: PO Box 204 Vergas Phone: 218-234-1162

1. Permit to (CIRCLE ONE)

Build	<u>Install</u>	Addition	Alter
Move	Demolish	Repair	Remodel

Description of work to be done:

4' x 24' Signs on front and side of building - up high (Two signs)

2. Proposed use of building: (CIRCLE ONE) Residential Commercial

3. **VALUATION** (not just your cost) of work being completed: \$3470

Building Contractor: J+H Signs

Name: _____ License Number: _____ Phone: _____

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

Form approved by City of Vergas Council 09 12 2017
Updated 5 10 2022

4. Attached a "Site Plan." showing the proposed location of any new construction in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site Zoning Inspector. Blueprint or Design Drawings must be submitted for any new construction, addition or remodel.
5. Certification: I hereby certify that I am the applicant herein and that the information given above and or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vegas.
6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER AGENT
7. APPLICANT'S
SIGNATURE: _____ DATE: _____
Permit expires in one year if project is not complete, please reapply for permit.

CONSTRUCTION APPLICATION SITE PLAN DESIGN
Provided on separate sheet must include the following.

1. Identify and describe the work to be covered by the permit for which application is being made
 - A. Sketch of the proposed project including current and proposed structures.
 - B. Note the lot size and dimensions and locations of proposed project.


I do hereby say that the facts stated by me in the site application are true to the best of my knowledge and belief. Please be aware that **no construction** shall begin until the Zoning official has approved the plans and revisions the site plan if necessary and has indicated approval to begin.


10/25/22 _____
 Signature of Applicant Date Zoning Official Date

FOR OFFICE USE ONLY

S _____ Water Hook-up S _____ Sewer Hook-up
 S 25- Permit Fee S _____ Tar Break Up Deposit
 S 25.00 Total Fees

Receipt = 149395 Date Paid OCT. 25, 2022

Signature:  _____ Date: 10/25, 2022
 (Permitting Authority)

Date Approved by Planning Commission or Clerk-Treasurer: _____, 20__



Your Image Is Our Business

41357 460th St.
Perham, MN 56573

218.346.7446

jhsigns.com

jhsigns

jhsignsperham

DON'T REGRET, DOUBLE CHECK!

Spelling & grammar, phone numbers, sizing, punctuation, etc
is YOUR responsibility.

Please make sure all of these things are correct before signing this proof.
Re-prints due to proofing errors will be subject to additional costs.

PROOF

Marcie/Brad Huddleston

Vergas Hardware

Vergas MN

SIGN FOR FRONT OF
BUILDING

Date: 10/03/2022

Rev1 Date: 10/20/2022

Rev2 Date:

- ☐ NOT APPROVED,
RE-PROOF NEEDED.
- ☐ APPROVED

YOUR SIGNATURE ACKNOWLEDGES RESPONSIBILITY
FOR VERIFYING AND CONFIRMING THAT EVERYTHING
IN THIS PROOF IS CORRECT. YOUR APPROVAL
MEANS EVERYTHING AND IS CONSIDERED FINAL.
ANY CHANGES AFTER APPROVAL WILL RESULT IN
ADDITIONAL FEES.

X

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Due to monitor calibrations and limitations in the printing process the colors shown may not be an accurate representation of the final product. A hard copy sample can be requested for a fee.

Fee: \$25.00

Owner: Loon's Nest

Applicant: Mike Summers

General Contractor: Summers Construction

No. 2022-047

City of Vergas

Construction Permit

IN CONSIDERATION OF The statements and representations made by Mike Summers Applicant, for owner whose address is 110 E. Main Street, Vergas, MN in the application therefore duly filed in this office, which application is hereby made a part hereof, PERMISSION IS HEREBY GRANTED TO said Timothy & Cheryl Strom, as owners to Install metal over the whole roof, as described in construction permit application with following zoning rules: Plat or addition 82000990055000 which tract is of the size and area specified in said application.

This permit is granted upon the express conditions that said owner or the person to whom it is granted, and his contractors, agents, workmen and employees, shall comply in all respects with the ordinances of the City of Vergas; that it does not cover the use of public property, such as streets, sidewalks, alleys, etc., for which special permits must be secured; and that it does not cover the following: -not applicable- for which special permits must be secured. (Electrical work, plumbing, heating, plastering, ect. if such there be)

Given under the hand of the Mayor of said City of Vergas and its corporate seal and attested by its Clerk this 28th day of October 2022.

Attest:

Julie Lamney
Clerk

Permit Expires in one year

Steve Byrd
Mayor

Receipt of Construction Permit from the City of Vergas does not relieve the applicant of any Local, County or State permits.



Permit Number: 2022-047 Date Received: 10-27-22 Parcel Number: 82000990055000
Any questions regarding construction permit please contact City Clerk-Treasurer by calling 218-302-5996 or stopping by the city office at 111 Main Street Vergas MN.

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING, CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
- THE CITY OF VERGAS WILL CHECK ALL SETBACKS ON ANY NEW CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO HAVE ALL PROPERTY LINES LOCATED. ALL NEW CONSTRUCTION **REQUIRES THE APPLICANT TO MARK THE PROPOSED BUILDING SITE AND PROPERTY LINES** BEFORE THE CONSTRUCTION PERMIT WILL BE APPROVED.
- All Electrical work MUST have an electrical permit. That must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.

Property Description: (NEW CONSTRUCTION ONLY)

Lot 9, 10 + 11, Block 2, Addition _____
Property: Width 61 feet, Length 140 feet

Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME, THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: Timothy + Cheryl Strom (Loons nest)

Address of Construction Project: 110 Main St E Vergas, MN 56587

Mailing Address: PO Box 208 Vergas MN Phone: 218-342-3093

1. Permit to (CIRCLE ONE)

Build	Install	Addition	Alter
Move	Demolish	Repair	Remodel

Description of work to be done:

put in metal over the whole roof

2. Proposed use of building: (CIRCLE ONE) Residential Commercial

3. **VALUATION** (not just your cost) of work being completed: \$ 8,500

Building Contractor:

Name: Mike Summers License Number: BC694784 Phone: 218-841-5012 *Kayla - 342-4200*

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

Form approved by City of Vergas Council 09/12/2017
Updated 5/10/2022

4. Attached a "Site Plan," showing the proposed location of any new construction in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site/Zoning Inspector. **Blueprint or Design Drawings must be submitted** for any new construction, addition or remodel.
5. Certification: I hereby certify that I am the applicant herein and that the information given above and/or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vergas.
6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER **AGENT**
7. APPLICANT'S SIGNATURE: [Signature] DATE: 10-27-22
 Permit expires in one year if project is not complete, please reapply for permit.

CONSTRUCTION APPLICATION SITE PLAN DESIGN
Provided on separate sheet must include the following.

1. Identify and describe the work to be covered by the permit for which application is being made
- A. Sketch of the proposed project including current and proposed structures.
 B. Note the lot size and dimensions and locations of proposed project.

I do hereby say that the facts stated by me in the site application are true to the best of my knowledge and belief. Please be aware that **no construction** shall begin until the Zoning official has approved the plans and revisions the site plan if necessary and has indicated approval to begin.

10-27-22
 Signature of Applicant _____ Date _____ Zoning Official _____ Date _____

FOR OFFICE USE ONLY

\$ _____ Water Hook-up \$ _____ Sewer Hook-up
 \$ 25.00 Permit Fee \$ _____ Tar Break Up Deposit
 \$ 25.00 Total Fees

Receipt # 149396 Date Paid Oct. 27, 2022

Signature: _____ Date: _____, 20__
 (Permitting Authority)

Date Approved by Planning Commission or Clerk-Treasurer: _____, 20__

Fee: Waived/ EDA

Owner: Lori Tjaden

Applicant: Lori Tjaden

General Contractor: Lori Tjaden

No. 2022-049

City of Vergas

Construction Permit

IN CONSIDERATION OF The statements and representations made by Lori Tjaden Applicant, for owner whose address is 159 E. Elm Street, Vergas, MN in the application therefore duly filed in this office, which application is hereby made a part hereof, **PERMISSION IS HEREBY GRANTED TO** said Lori Tjaden, as owner to Remodel, install 4 sinks, rail on deck, 2 signs, plumb pedi-chair, ceiling light, handicapped ramp, as described in construction permit application with following zoning rules: Plat or addition 82000990050000 which tract is of the size and area specified in said application.

This permit is granted upon the express conditions that said owner or the person to whom it is granted, and his contractors, agents, workmen and employees, shall comply in all respects with the ordinances of the City of Vergas; that it does not cover the use of public property, such as streets, sidewalks, alleys, etc., for which special permits must be secured; and that it does not cover the following: -not applicable for which special permits must be secured. (Electrical work, plumbing, heating, plastering, ect. if such there be)

Given under the hand of the Mayor of said City of Vergas and its corporate seal and attested by its Clerk this 28th day of November 2022.

Attest:

Clerk

Mayor

Permit Expires in one year

Receipt of Construction Permit from the City of Vergas does not relieve the applicant of any Local, County or State permits.

Permit Number: 2022-049 Date Received: 10/31/22 Parcel Number: 82-000-99-0050-000
Any questions regarding construction permit please contact City Clerk-Treasurer by calling 218-302-5996 or stopping by the city office at 111 Main Street Vergas MN.

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING. CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
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- All Electrical work **MUST** have an electrical permit. That must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.

Property Description: (NEW CONSTRUCTION ONLY)

Lot _____, Block _____, Addition _____
Property: Width _____ feet, Length _____ feet

Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME. THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: Lori Tjaden

Address of Construction Project: 159 E Elm St

Mailing Address: 33178 Sybling Hills Rd Phone: 218-234-8172

1. Permit to (CIRCLE ONE) Vergas mn
- | | | | |
|-------|----------|----------|----------------|
| Build | Install | Addition | Alter |
| Move | Demolish | Repair | <u>Remodel</u> |

Description of work to be done:

install 4 sink, rail on deck, sign, enlarge drive way, plum pedi chair, ceiling light, handicapped ramp

2. Proposed use of building: (CIRCLE ONE) Residential Commercial

3. VALUATION (not just your cost) of work being completed: \$

Building Contractor:

Name: Self License Number: _____ Phone: _____

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

Form approved by City of Vergas Council 09 12 2017
Updated 5 10 2022

4. Attached a "Site Plan," showing the proposed location of any new construction in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site/Zoning Inspector. Blueprint or Design Drawings must be submitted for any new construction, addition or remodel.
5. Certification: I hereby certify that I am the applicant herein and that the information given above and or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vegas.
6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER AGENT

7. APPLICANT'S SIGNATURE: Ravi K. T. Jaden DATE: 10/31/2022
 Permit expires in one year if project is not complete, please reapply for permit.

CONSTRUCTION APPLICATION SITE PLAN DESIGN
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1. Identify and describe the work to be covered by the permit for which application is being made
 - A. Sketch of the proposed project including current and proposed structures.
 - B. Note the lot size and dimensions and locations of proposed project.

I do hereby say that the facts stated by me in the site application are true to the best of my knowledge and belief. Please be aware that **no construction** shall begin until the Zoning official has approved the plans and revisions the site plan if necessary and has indicated approval to begin.

Ravi K. T. Jaden
 Signature of Applicant

Date

Zoning Official

Date

FOR OFFICE USE ONLY

S _____ Water Hook-up

S _____ Sewer Hook-up

S _____ Permit Fee

S _____ Tar Break Up Deposit

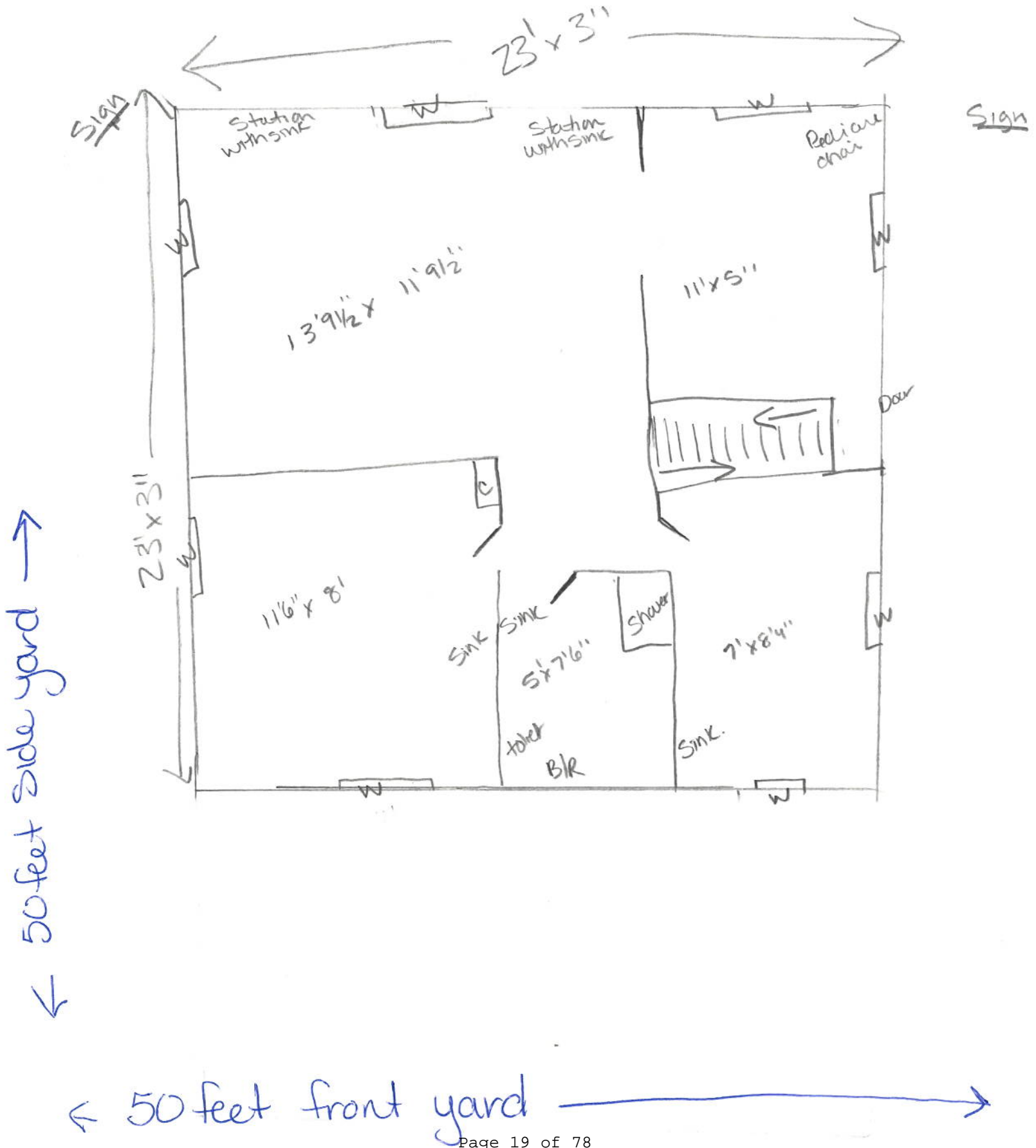
S EDA WAIVED Total Fees

Receipt = _____ Date Paid _____, 20__

Signature: _____ Date: _____, 20__
 (Permitting Authority)

Date Approved by Planning Commission or Clerk-Treasurer: _____, 20__

Cutting Edge Salon 222.
W = Window





OTTER TAIL COUNTY ASSESSOR

 Assessor Hub provided by
Vanguard Appraisals, Inc.
**Parcel Number:**

82-000-99-0050-000

Deed Holder:

SCOTT J EHLKE

Property Address:
 159 ELM ST E
 VERGAS, MN 56587-0000 [MAP THIS ADDRESS](#)
Mailing Address:
 PO BOX 111
 VERGAS, MN 56587-0111 USA
PDF Name:

COMMERCIAL_INDUSTRIAL

Subdivision:

01648-VERGAS ORIGINAL PLAT

Sec-Twp-Rng:

25-137-041

Legal Description:

LOT 1 BLK 2

No image to display

Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2023	\$7,000	\$0	\$50,200	\$57,200
2022	\$6,200	\$0	\$32,300	\$38,500
2021	\$6,200	\$0	\$32,300	\$38,500

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	50.00	50.00	140.00	140.00

Residential Building Information

Occupancy	Style	Year Built
▼ Single-Family / Owner Occupied	1 Story Frame	1951

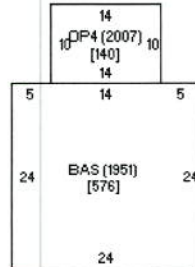
Yard Extra Information

Description	Item Count	Year Built
▼ Shed	1	1951

Sale Information

Sale Date	Amount	Non-Useable Transaction Code	Recording
▼ 10/07/2022	\$95,000	00 - NORMAL ARMS LENGTH TRANSACTION	
▼ 11/18/2004	\$23,500	02 - RELATIVE SALE-RELATED BUSINESS	
▼ 06/27/1997	\$8,933	02 - RELATIVE SALE-RELATED BUSINESS	

Sketch



GIS Map Information

**Otter Tail County** Visit the County Website

+

-

▼

82000990050000

X

Q

Show search results for 82000...

Help

**OTTER TAIL**
COUNTY - MINNESOTA

G.I.S. Web Map App

[Map Overview \(Video help\)](#)

[How to use Layers](#)

[Using Identify](#)

[How to Search](#)

[How to Query by Parcel, by Shape, by Name, by Address, by Road Name](#)

[How to Create a Buffer](#)

[Download data to CSV for Excel](#)

[How to Select](#)

[How to Measure](#)

[How to use the Draw Tool](#)

[MAP USAGE TIPS \(PDF\) RIGHT-CLICK, save link as](#)

[Contact GIS Office](#)

Fee: \$50.00

Owner: Ben Schreurs

Applicant: Ben Schreurs

General Contractor: Ben Schreurs

No. 2022-048

City of Vergas

Construction Permit

IN CONSIDERATION OF The statements and representations made by Ben Schreurs Applicant, for owner whose address is 241 Bennett RD, Vergas, MN in the application therefore duly filed in this office, which application is hereby made a part hereof, PERMISSION IS HEREBY GRANTED TO said Ben Schreurs, as owner to Build a shed, as described in construction permit application with following zoning rules: Plat or addition 82000990236000 which tract is of the size and area specified in said application.

This permit is granted upon the express conditions that said owner or the person to whom it is granted, and his contractors, agents, workmen and employees, shall comply in all respects with the ordinances of the City of Vergas; that it does not cover the use of public property, such as streets, sidewalks, alleys, etc., for which special permits must be secured; and that it does not cover the following: -not applicable- for which special permits must be secured. (Electrical work, plumbing, heating, plastering, ect. if such there be)

Given under the hand of the Mayor of said City of Vergas and its corporate seal and attested by its Clerk this 28th day of November 2022.

Attest:

Clerk

Mayor

Permit Expires in one year

Receipt of Construction Permit from the City of Vergas does not relieve the applicant of any Local, County or State permits.

Permit Number: 2022-048 Date Received: 11/07/22 Parcel Number: 82 000 99 0236 000
Any questions regarding construction permit please contact City Clerk-Treasurer by calling 218-302-5996 or stopping by the city office at 111 Main Street Vergas MN.

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING, CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
- THE CITY OF VERGAS WILL CHECK ALL SETBACKS ON ANY NEW CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO HAVE ALL PROPERTY LINES LOCATED. ALL NEW CONSTRUCTION REQUIRES THE APPLICANT TO MARK THE PROPOSED BUILDING SITE AND PROPERTY LINES BEFORE THE CONSTRUCTION PERMIT WILL BE APPROVED.
- All Electrical work MUST have an electrical permit. That must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.

Property Description: (NEW CONSTRUCTION ONLY)

Lot _____, Block _____, Addition _____
Property: Width 167 feet, Length 190 feet
Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME, THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: Ben Schreurs

Address of Construction Project: 241 Bennett Rd, Vergas MN 56587

Mailing Address: Same Phone: 763-772-7050

1. Permit to (CIRCLE ONE)

Build

Install

Addition

Alter

Move

Demolish

Repair

Remodel

Description of work to be done:

Shed

2. Proposed use of building: (CIRCLE ONE) Residential Commercial

3. VALUATION (not just your cost) of work being completed: \$ 20,000

Building Contractor:

Name: NA License Number: _____ Phone: _____

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

Form approved by City of Vergas Council 09/12/2017
Updated 5/10/2022

4. Attached a "Site Plan," showing the proposed location of any new construction in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site/Zoning Inspector. Blueprint or Design Drawings must be submitted for any new construction, addition or remodel.
5. Certification: I hereby certify that I am the applicant herein and that the information given above and/or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vergas.
6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER AGENT

7. APPLICANT'S
SIGNATURE: [Signature] DATE: 11-2-2022
Permit expires in one year if project is not complete, please reapply for permit.

CONSTRUCTION APPLICATION SITE PLAN DESIGN
Provided on separate sheet must include the following.

1. Identify and describe the work to be covered by the permit for which application is being made
 - A. Sketch of the proposed project including current and proposed structures.
 - B. Note the lot size and dimensions and locations of proposed project.

I do hereby say that the facts stated by me in the site application are true to the best of my knowledge and belief. Please be aware that **no construction** shall begin until the Zoning official has approved the plans and revisions the site plan if necessary and has indicated approval to begin.

[Signature] 11-2-2022 _____
Signature of Applicant Date Zoning Official Date

FOR OFFICE USE ONLY

\$ 50.00 Water Hook-up \$ _____ Sewer Hook-up
\$ 50.- Permit Fee \$ _____ Tar Break Up Deposit
\$ 100.00 Total Fees

Receipt # 149804 Date Paid 11.07, 2022

Signature: _____ Date: _____, 20____
(Permitting Authority)

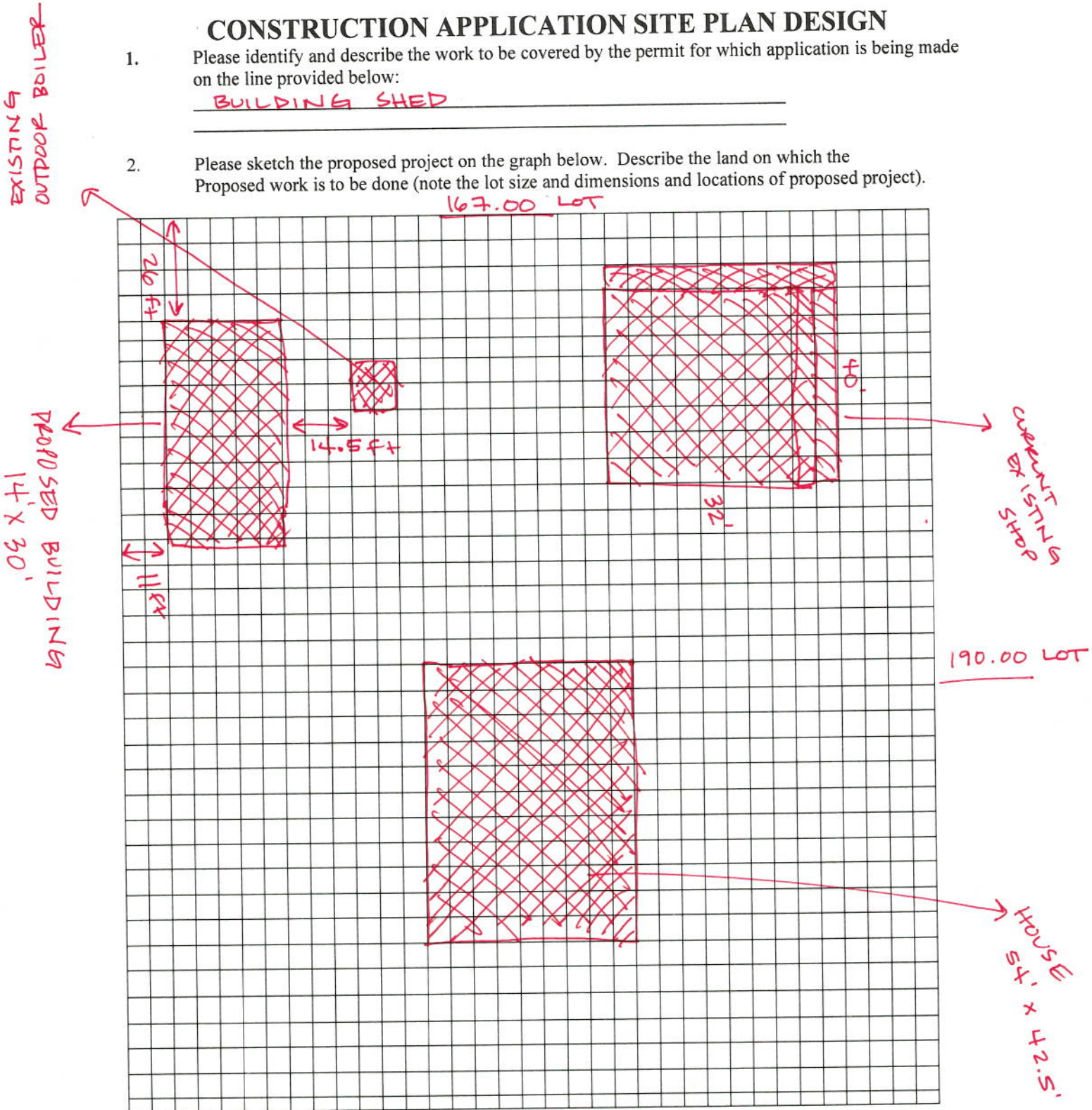
Date Approved by Planning Commission or Clerk-Treasurer: _____, 20____

CONSTRUCTION APPLICATION SITE PLAN DESIGN

1. Please identify and describe the work to be covered by the permit for which application is being made on the line provided below:

BUILDING SHED

2. Please sketch the proposed project on the graph below. Describe the land on which the Proposed work is to be done (note the lot size and dimensions and locations of proposed project).



I do hereby say that the facts stated by me in the above site application are true to the best of my knowledge and belief. Please be aware that no construction shall begin until the Zoning official has approved the plans and revisions the site plan if necessary and has indicated approval to begin.

Signature of Applicant

Date

Zoning Official

Date

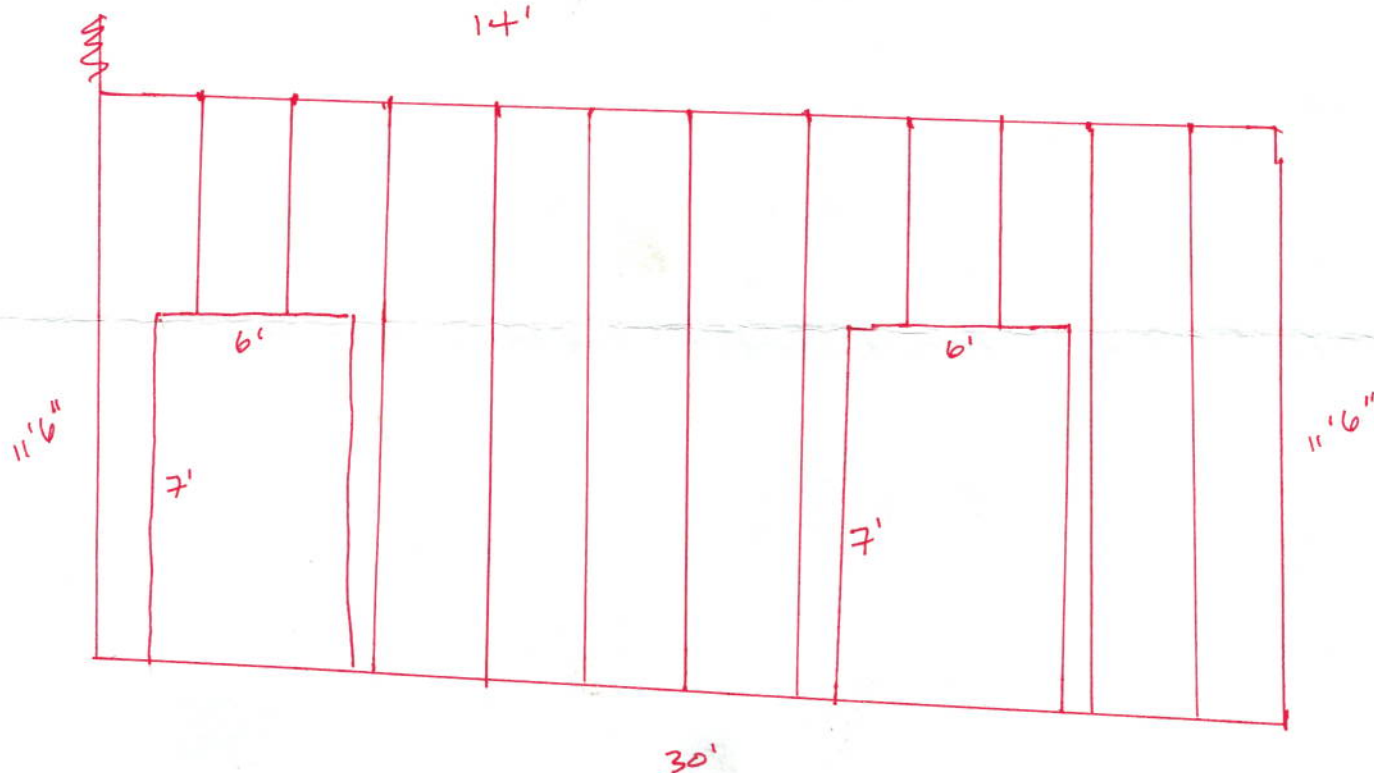
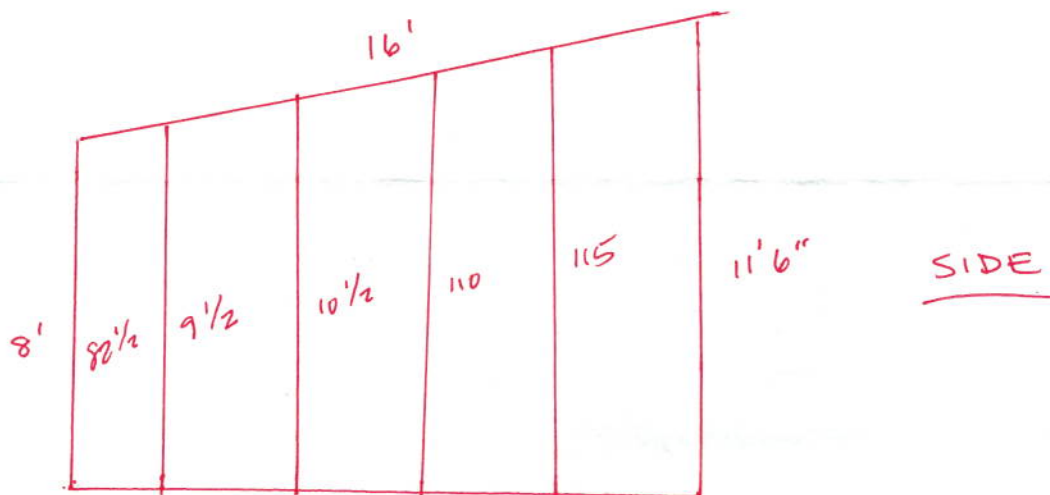


Dimensions of the Building? $14' \times 30'$

Dimensions from property lines? $26' \times 11'$

Dimension to other Buildings? $14.5'$ from boiler
 $\approx 60'$ from house
 $\approx 120'$ from shop

LOT: $190'.00' \times 167'.00'$



FRONT





City of Vergas

October 31, 2022

ERIN N GOTELAERE & B SCHREURS
241 BENNETT RD
VERGAS, MN 56587

RE: 241 BENNETT RD
PARCEL # 82-000-99-0236-000

Dear Homeowner:

It has been observed that you have added a shed at your residence. In reviewing our files, it appears there has not been a permit acquired for the work being done. The City of Vergas requires permits when any building/fence/impervious surface is erected, constructed, repaired, moved, improved, removed, converted or demolished.

We ask that you please fill out the enclosed application form, as well as any other required paperwork as noted. Return to the City Hall between the hours of 10:00 am and 4:00 pm Monday thru Thursday, along with the fee required \$25.00 per \$10,000 value of construction work. A penalty will be added to your permit since you began building on this property without a permit. The penalty for not getting a construction permit is to double the cost of the permit.

If you have any questions, please call 1-218-302-5996

Respectfully,

Julie Lammers
Clerk-Treasurer
City of Vergas

10-31-22 - mailed





OTTER TAIL COUNTY ASSESSOR

 Assessor Hub provided by
Vanguard Appraisals, Inc.
**Parcel Number:**

82-000-99-0236-000

Deed Holder:

ERIN N GOTELAERE & B SCHREURS

Property Address:
 241 BENNETT RD
 VERGAS, MN 56587-0000 [MAP THIS ADDRESS](#)
Mailing Address:

241 BENNETT RD

VERGAS, MN 56587-4121 USA

PDF Name:

VERGAS VILLAGE

Subdivision:

02257-BENNETT'S SOUTH VIEW

Sec-Twp-Rng:

25-137-041

Legal Description:

LOT 3 BLK 2

No image to display

Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2023	\$23,400	\$261,400	\$0	\$284,800
2022	\$23,400	\$191,400	\$0	\$214,800
2021	\$20,800	\$0	\$200,700	\$221,500

Land Front Foot Information

Lot	Front	Rear	Side 1	Side 2
Main Lot	100.00	100.00	167.00	167.00
Main Lot	90.00	90.00	167.00	167.00

Residential Building Information

Occupancy	Style	Year Built
Single-Family / Owner Occupied	1 Story Frame	2003

Sale Information

Sale Date	Amount	Non-Useable Transaction Code	Recording
09/30/2021	\$290,900	00 - NORMAL ARMS LENGTH TRANSACTION	

Figure 1: A hierarchical tree diagram showing the classification of 100% of the sample. The root node is '54'. It splits into '36' (left) and '18' (right). '36' splits into '14' (left) and '22' (right). '14' splits into '6' (left) and '8' (right). '6' splits into '6' (left) and '0' (right). '8' splits into '2' (left) and '6' (right). '2' splits into '2' (left) and '0' (right). '6' splits into '6' (left) and '0' (right). '6' splits into '6' (left) and '0' (right). The final classification is 'BAS (2003) [1432]' for the left branch and 'GA6 (2003) [484]' for the right branch.

GIS Map Information


Otter Tail County Visit the County Website

+

▼

82000990236000

×

Q

Show search results for 82000...


OTTER TAIL
 COUNTY - MINNESOTA

G.I.S. Web Map App

[Map Overview](#) (Video help)

[How to use Layers](#)

[Using Identify](#)

[How to Search](#)

[How to Query](#) by [Parcel](#), by [Shape](#), by [Name](#), by [Address](#), by [Road Name](#)

[How to Create a Buffer](#)

[Download data to CSV for Excel](#)

[How to Select](#)

[How to Measure](#)

[How to use the Draw Tool](#)

[MAP USAGE TIPS \(PDF\)](#) RIGHT-CLICK, save link as

[Contact GIS Office](#)

Permit Number: 2002-011 Date Received: 10/05/22 Parcel Number: 82000500 024000 Fee \$50.00

City of Vergas Application for Grade and Fill Permit

Property Description:

Lake # 56055500 Lake Name Lawrence Parcel Number 82000500024000

Legal Description WEST LAKE STREET TO GLEN STREET, SEE PLAT
TBD

Lot TBD, Block TBD, Addition TBD

Property: Width 2250' feet, Length 1300' feet

Property Owner: JRMH Holdings

Address of Project property: TBD

Mailing Address: 36256 504TH ST FARGO MN 56544

Phone: 218-234-1085

Contractors Name: Don SCHROEDER

License Number: _____ Phone: 218-731-5289

Address 18079
430 STREET PEBBLE RAPIDS MN. 56572

Note:

1. The lot lines and project area(s) must be staked before application is made.
2. If the project disturbs more than 1 acre of land, you are required to obtain a General Storm Water Permit from the Minnesota Pollution Control Agency.

On a separate paper, attached to this application, please draw a scale drawing of the project.

Please describe the project: - SEE PLAT

Detailed Information:

Area to be cut/excavated 3000 length 60 width 12 depth

Area to be filled/leveled 3000 length 30 width 2 depth

Culvert(s) X yes _____ no If yes, you must indicate size and location on drawing: SEE PLAT

Type of soils and/or fill material BLACK DIRT, SAND, GRAVEL

Total cubic yards of earthmoving requested 80,000

Signature of property owner Josh R. M. Hansen Date 10-4-22

10/05/2022/po Receipt # 149386 Page 41 of 78

Permit Number: _____ Date Received: 4/19/22 Parcel Number: _____

Construction Permit Application

To the City Council of the City of Vergas in the County of Otter Tail, State of Minnesota:
Application is hereby made by the undersigned for a Construction Permit as provided by City Ordinance as adopted by the City of Vergas.

- GOPHER STATE ONE CALL MUST BE NOTIFIED 48 HOURS PRIOR TO ANY DIGGING, CALL 1-800-252-1166 AS REQUIRED BY MINNESOTA STATE LAW.
- THE CITY OF VERGAS WILL CHECK ALL SETBACKS ON ANY NEW CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO HAVE ALL PROPERTY LINES LOCATED. ALL NEW CONSTRUCTION REQUIRES THE APPLICANT TO MARK THE PROPOSED BUILDING SITE AND PROPERTY LINES BEFORE THE BUILDING PERMIT WILL BE APPROVED.
- **All Electrical work MUST have an electrical permit, which must be obtained separately from a MN State Contract Electrical Inspector (218)342-3345 or (218)849-6059.**

Property Description: (NEW CONSTRUCTION ONLY)

Lot 2, Block 2, Addition Katzke Acres
Property: Width 55 feet, Length 187 feet

Must supply City with a \$1,000 deposit for tar break up. City will reimburse \$1,000 when project complete and street is approved by Utilities Superintendent.

PLEASE NOTE: WITH ANY NEWLY CONSTRUCTED HOME, THERE ARE FEES FOR START UP OF UTILITIES. WATER HOOK-UP ASSESSMENT IS \$750.00, SEWER IS \$750.00.

Name of Applicant: ARLEN & SANDY FRANCHUK

Address of Construction Project: 311 PARK View Dr Vergas MN

Mailing Address: Same Phone: 701-238-0650

Name of Owner (If not the Applicant): Same

Address of Owner (If not the Applicant): Same

1. Permit to (CIRCLE ONE)

Build	Install	<u>Addition</u>	Alter
Move	Demolish	Repair	Remodel

Description of work to be done:

Add a outdoor Deck & Walk way 20x14 Deck

2. Proposed use of building: (CIRCLE ONE) Residential Commercial

3. **VALUATION** (not just your cost) of work being completed: \$ 8K - 12K

Building Contractor:

Name: Myself License Number: _____ Phone: _____

Plumber: (must have MN License)

Name: _____ License Number: _____ Phone: _____

Electrician:

Name: _____ License Number: _____ Phone: _____

4. Attached a "Site Plan", showing the proposed location of any new building in reference to the property including existing buildings. If you have a copy of a professionally prepared site plan, attach a copy for review by the City's Site/Zoning Inspector. Blueprint or Design Drawings must be submitted for any new construction, addition, or remodel.
5. Certification: I hereby certify that I am the applicant herein and that the information given above and/or any exhibits submitted herewith is in all respects true and accurate to the best of my knowledge and belief, and further, if this permit is granted, said construction will comply with plans and specifications herewith submitted and applicable requirements of the City of Vegas.
6. I am the (CIRCLE ONE) OWNER LESSEE PURCHASER AGENT
7. APPLICANT'S SIGNATURE: *Arden Tranchesi* DATE: 3-30-22

FOR OFFICE USE ONLY

\$ _____ Water Hook-up \$ _____ Sewer Hook-up
\$ _____ Permit Fee \$ _____ Tar Break Up Deposit
\$ 25.00 Total Fees

Receipt # 144630 Date Paid 4/4, 2022

Form given to client to display the permit to be visible from the street & to notify office of completion.

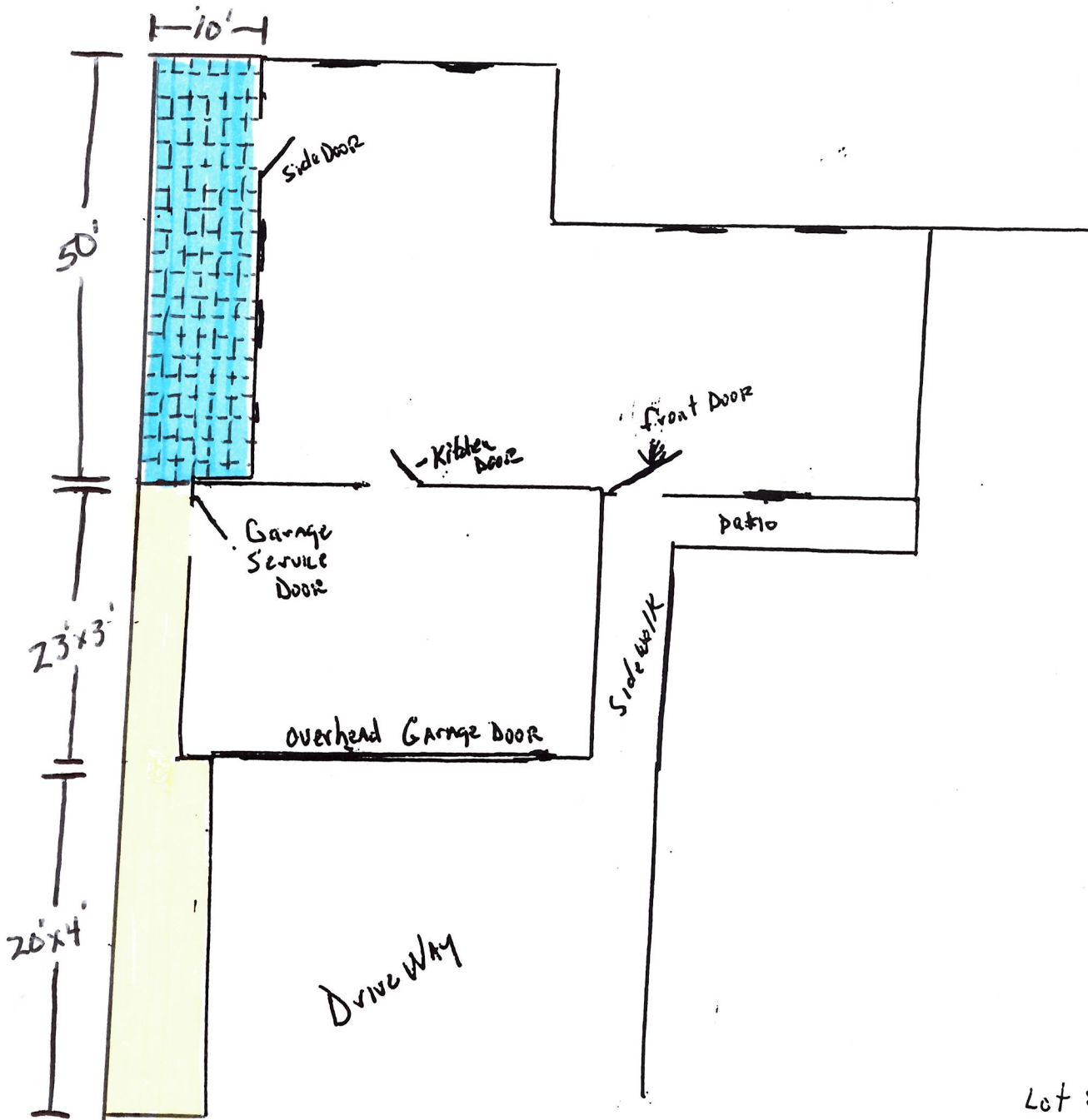
Signature: _____ Date: _____, 20__
(Permitting Authority)

Date Approved by ^{PC}Council: 4/25, 2022

Permit expires in one year if project is not complete please reapply for permit.

Shed
8x10

- Concrete - 149'sq ft
- Pavers - 500sq ft
- Garden Shed - 80'sqft



Lot Size
55x187 x 55x181
10175sf -
1752 sf - home
22x21 - garage
2214 sf

2022 Construction Permits - Vergas MN

<u>Permit No</u>	<u>Issue Date</u>	<u>Parcel Number</u>	<u>Name</u>	<u>Address</u>	<u>Description</u>	<u>Date Closed</u>	<u>Home Value</u>	<u>Initials of Person closing permit</u>
2021-002-22	4/13/2021	82000500010003	Aaron Scott/Michelle Scott	421 W. Lake ST, Vergas	Build a garage & driveway	10/30/2022		Md
2021-004-22	4/13/2021	82000990269000	Brian & Brenda Tangen	1060 E. Scharf Ave, Vergas	Do shoreline work, remove stumps, trees & clean up, riprap	10/30/2022		Md
2021-007-22	4/13/2021	82000990173000	Charles & Vanessa Boehm	116 Park View DR, Vergas	Build house		\$350,000	
2021-015-22	6/8/2021	8200099008000	Kyle Theisen	275 S. Railway Ave., Vergas	Build 12'12' gazebo, Move	10/30/2022		Md
2021-022-22	7/13/2021	82000990262000	Tami Rust	1011 East Scharf Ave., Vergas	build a house		377,000	
2021-023-22	7/13/2021	82000990078000	Matt Engebretson	280 1st Ave, Vergas	to Install & repair: Repair damage on house, reshingle			
2021-029-22	8/10/2021	82000990088000	Mike Baumgart	520 S. Pelican Ave. Vegas	Build deck, recover deck stone wall – siding 2 ½' – with railing			
2021-035-22	8/23/2021	82000990270000	Kirk Johnson	1120 E. Scharf Ave, Vergas	Alter to remove excess large rocks, remove stumps, install erosion control			
2021-041-22	9/27/2021	82000990209000	John Sieling	830 Scharf Ave. E, Vergas	Install/Haul 10 yd crushed asphalt to ,	10/30/2022		Md
					removed 10 yd gravel			
2022-001	1/11/2022	82000990096000	Perham Coop Creamery Ass'n	101 1st Ave. N, Vergas	Install DID Faces, product panels, Image on Canopy	10/30/2022		Md
2022-002	2/28/2022	82000500012006	Mike Summers	110 S. Railway Ave., Vergas	Remove walls	10/30/2022		Md
2022-003	2/28/2022	82000990066000	City of Vergas	111 E. Main ST, Vergas	Build shiplap wall w/door, glass frontage wall & door	10/30/2022		Md
2022-004	2/28/2022	82000500010001	Aaron Johnson	411 W. Lake ST, Vergas	Addition of 20' x 22' for house & detached garage		\$100,000	
2022-005	4/12/2022	82000990239000	Matt Safar	291 Bennett Road, Vergas	Building a 12' x 16' shed in my back yard for storage, behind my homestead			
2022-006	4/25/2022	82000990145000	Loren Menz Construction	310 W. Glenn ST, Vergas	Construct a 26' x 36' shed on property			
2022-007	4/25/2022	82000990230000	Zach Fugere	220 Bennett RD, Vergas	Move house on basement, attach garage to house			
2022-008	4/25/2022	82000990219001	Arlen & Sandy Franchuk	311 Park View DR, Vergas	Add an outdoor deck & walkway 20' x 14'			
2022-009	4/25/2022	82000500040000	CORY L & KRYSTA SEVERSON	820 E. Scharf Ave, Vergas	Install 12 windows & siding	10/30/2022		Md
2022-010	5/10/2022	82000990064001	Jeanette Bruhn	131 E. Main ST, Vergas	Install windows	10/28/2022		JL
2022-011	5/10/2022	82000990058000	The Lavish Loon	130 E. Main ST, Vergas	Alter window boxes to length of the front windows.Paint	10/30/2022		Md
					steel roof over awning top & bottom to "white",			
					Paint or cover pillars in front to "white" signs			
2022-012	5/10/2022	82000990059000	American Beauty Salon	140/136 E. Main ST, Vergas	New signage to replace old signage	10/30/2022		Md
2022-013	5/10/2022	82000990054000	Vergas State Bank	106 E. Main ST, Vergas	Replace broken window	10/30/2022		Md
2022-014	5/19/2022	8200090068000	Lakes Fit	105 E. Main Street, Vergas	Install 44 x 92 aluminum single panel wall sign	10/28/2022		JL
2022-015	5/23/2022	82000500185003	Cheryl Hanson	1106 E. Frazee Ave., Vergas	Repair fence	10/30/2022		Md
2022-016	5/23/2022	82000500012006	Mike Summers	110 S. Railway Ave., Vergas	Install sign	10/28/2022		JL
2022-017	6/14/2022	82000990145000	Loren Menz	310 W. Glenn St., Vergas	Asphalt driveway, Exterior shed finish			
2022-018	6/14/2022	82000500185002	Greg Dahlgren	1006 E. Frazee Ave., Vergas	Reshingle roof, replace broken window			
2022-019	6/14/2022	82000500039000	Mickie Bosch	818 E. Scharf Ave., Vergas	Reshingle roof			

2022-020	6/20/2022	82000990193000	Tom Johnson	819 E.Scharf Ave., Vergas	Build a house & garage		\$250,000	
2022-021	6/20/2022	82000990226000	Jeff & Sheila Laney	92 Park View Drive, Vergas	Build a house & garage		\$400,000	
2002-022	6/21/2022	82000500185003	Cheryl Hanson	1106 E. Frazee Ave., Vergas	Repair roof	10/30/2022		Md
2022-023	7/7/2022	82000990082000	Olson Oil DBA Vergas 66	121 Linden ST., Vergas	Remove & repair bottom rotting boards on street side of	10/30/2022		Md
2022-024	7/7/2022	82000990160000	Paul Pinke	201 W. Main ST., Vergas	Repair tar part of driveway	10/30/2022		Md
2022-025	7/14/2022	82000990060000	Elm ST Boutique	146 E. Main ST, Vergas	Install Flower box, 59" long x 6" wide			
2022-026	7/20/2022	82000990170000	Ben Lankow	339 E Frazee Ave. Vergas	Repiar shingles & trim			
2022-027	7/21/2022	82000990068000	S & Z Prop/Ditterich Merc	105 E.Main St. Vergas	Install (2) signs	7/25/2022		JL
2022-028	7/25/2022	82000990229000	Edward & Renee Rosendahl	98 Park View DR Vergas	Prepair shore line			
2022-029	7/25/2022	82000990100000	Shawn Day	251 1st Ave. N Vergas	Addition to garage			
2022-030	7/25/2022	82000990228000	Michael & Mandy Rosendahl	96 Park View Dr Vergas	Install driveway/install storage shed			
2022-031	7/25/2022	82000990181000	Charles & Doris Gundberg	100 Park View Dr Vergas	Remove weeds on lakeshore property			
2022-032	7/28/2022	82000990062000	Billy's Corner Bar	158 E Main ST, Vergas	Install siewalk 6/25' & 6' x 30' apron where sidewalk removed			
					due to water line break			
2022-033	8/8/2022	82000500009000	Frank Vana	606 E Frazee Ave, Vergas	Repair roofing - entry way	10/30/2022		Md
2022-034	8/11/2022	82000500188002	Wayne Rosentreter	1166 E. Frazee Ave., Vergas	Reshingle house	10/30/2022		Md
2022-035	8/23/2022	82000990124001	Meryl Kvam	341 S. Unit Ave., Vergas	Reshingle house			
2022-036	9/26/2022	82000990124001	Meryl Kvam	131 1st Ave. N., Vergas	Reshingle & lift garage. Build awning on garage to keep wood dry		CANCELLED	
2022-037	9/8/2022	82000990164000	Veterans Memorial Park	230 Frazee Ave., Vergas	Pour concrete parking area, install sprinkler system			
2022-038	8/30/2022	82000990164000	Veterans Memorial Park	230 Frazee Ave., Vergas	Install sign	10/30/2022		
2022-039	9/8/2022	82000500188000	Ryan Weibye	1156 Frazee Ave., Vergas	Add patio & hot tub concrete		6,000.00	
2022-040	9/13/2022	82000990068000	MW Bakery/JH Signs	105 E. Main ST, Vergas	Install sign for bakery	10/30/2022		Md
2022-041	9/13/2022	82000990125001	Verla Day	320 S. Pelican Ave., Vergas	Install steel roofing & repair chimney	10/30/2022		Md
2022-042	10/6/2022	82000990066000	City of Vergas/ A Step Up	117 E. Main ST., Vergas	Install new laminate flooring in upstairs retail rental area, remove old carpet			
2022-043	10/18/2022	82000990066000	City of Vergas/ JoAnne Knuttila	117 E. Main ST., Vergas	Put up Barn Door (sliding) on right end of the storage space.		5,000.00	
					Add sheetrock wall on inside walls of dressing room. Paint barnwood wall on left side of chimney. Walls above wainscoting patched up & painted. Re-finish countertop. Whitewash the barnwood display. Replace or paint paneling on stairs. Stain & clean up stairs in front entrance. Replace electrical outlets to white. a new faucet for the sink below the counter.			
2022-044	10/17/2022	82000990066000	City of Vergas	117 E. Main ST., Vergas	Move door 4' in hallway			
2022-045	10/18/2022	82000990177000	Eric & Brenda Krueger	108 Park View DR., Vergas	Install shingling		1,500.00	
2022-046	10/25/2022	82000990063000	Vergas Hardware	137 E. Main ST., Vergas	Install 2 signs on front & side of building	11/22/2022	3,470.00	JL
2022-047	10/28/2022	82000990055000	Loon's Nest	110 Main ST. Vergas	Install metal roof over whole roof		8,500.00	
2022-048		82000990236000	Ben Schreus	241 Bennett Road, Vergas	Build a shed		20,000.00	
2022-049		82000990050000	Lori Tjaden	159 E Elm St	Remodel-4 sinks, rail on deck, 2 sign, plumbing, ceiling light, handicap		8,000.00	

Planning Commission
2022 Nov. Planning Commission-postponed will email when date is confirmed
Vergas Event Center and Zoom - Meeting ID 2670942170 password: 56587
6:00 PM on Monday, November 28, 2022

7. Old Business

- A. Nuisance Properties
 - 1. 306 E Frazee Ave -license outdated (2 letters)
 - 2. 235 E Frazee Ave - abandon property
 - 3. 339 E Frazee Ave - garbage all over yard
 - 4. 350 Pelican Ave - garbage all over yard, garage falling down, vehicles
- B. Gravel Pit Ordinance
- C. Past Conditional Use Permits
- D. Ordinances
 - 1. Ordinance 71.04- Snow Emergency Parking
 - 2. Ordinance 72 - Snowmobiles
 - 3. Ordinance 85 Culverts
 - 4. Ordinance 91.02 Cat and Dog
 - 5. Ordinance 2016-001- Campgrounds

Files Attached

- 10 11 16 Kyle Hart letter to Seven Peloquin re City of Vergas.pdf
- 2022 Proposed Updates to 2017-001 Gravel Pits Ordinance 2022.pdf
- Ordinance 71.04 Declaration of Snow Emergency; Parking Prohibited.pdf
- 2022 Proposed Snowmobile Ordinance .pdf
- Ordinance No 85 Culvert.pdf
- Proposed 91.02 Cat and Dog Ordinance.pdf
- Signed 2016-001 Campgrounds.pdf
- Conditional Use Permit.pdf

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**FABYANSKE
WESTRA
HART &
THOMSON**

October 11, 2016

RULE 408 SETTLEMENT COMMUNICATION

VIA E-mail and U.S. Mail

Steven R. Peloquin
Peloquin Law Office, P.A.
432 3rd Avenue SE
Perham, MN 56573
Steve@peloquinlawoffice.com

**Re: City of Vergas // Mark Sand & Gravel Co.
Ordinance No. 2016-002
Our File No.: 037697-006**

Dear Steve:

I represent Mark Sand & Gravel Co. ("Mark Sand & Gravel"). As you know, your client, the City of Vergas (the "City"), recently adopted Ordinance No. 2016-002 to amend its city code to regulate Excavation, Mining and Gravel Pits (the "Ordinance"). The Ordinance only affects my client, and if it is enforced as enacted, it will effectively prevent them from continuing to use their gravel mine.

Mark Sand & Gravel has been willing, and continues to be willing, to work with the City. Mark Sand & Gravel has taken steps to lessen any issues that have arisen from operation of its gravel mine, such as dust. Mark Sand & Gravel also offered feedback regarding proposed language for the Ordinance. Unfortunately, the City did not recognize Mark Sand & Gravel's proactive approach, and enacted the Ordinance without addressing Mark Sand & Gravel's concerns.

Mark Sand & Gravel cannot comply with the Ordinance as written and still operate the gravel mine. In order to avoid litigation and expense on both sides, I hope that the City will work with us to find a solution and agree to change the most challenging parts of the Ordinance.

As a first step, please provide me with all documents demonstrating that the City complied with its notice and hearing obligations under Minn. Stat. § 462.357 and City Code § 151.51. I can send a formal Data Practices Act request if necessary, but I would prefer communicating directly with you.

Second, Mark Sand & Gravel has identified particular parts of the Ordinance that are unworkable:

1. The Ordinance limits Mark Sand & Gravel to hauling only four trucks per hour. This will limit their production to 90 tons per hour. In the past Mark Sand & Gravel removed approximately 500 tons per hour. When and how much gravel Mark Sand & Gravel removes from the mine is driven by when it needs to deliver

gravel to particular jobs. When Mark Sand & Gravel needs to remove gravel for a job, it needs to do so quickly which requires moving much more than 90 tons per hour. If Mark Sand & Gravel cannot do this, it will not be able to secure contracts to provide gravel from the mine, and the mine will, in effect, be worthless.

2. The Ordinance prohibits more than five areas from being actively mined at one time. The Ordinance also requires that for each additional three acres mined, Mark Sand & Gravel must reclaim three previously mined acres. However, Mark Sand & Gravel needs significantly more area open to operate the mine. It currently has 40 acres on the property open so that it can operate its hot mix (15 acres), have a stockpile (5-10 acres), and perform active mining (25-30 acres). It is simply not possible to compress all of these operations into five acres, and to reclaim the mined areas in three acre segments. It is also not practical to cover up parts of the mine that have already been opened and are not completely mined out.
3. The Ordinance requires a 4:1 slope when the mining is completed, and it requires 6" of black dirt placed on the slope. This slope is outside of the industry standard. Moreover, the industry standard is only to place material that is available on site on areas where the mining is complete. The City has not provided a reason that these abnormal and costly requirements are necessary.

In addition to the provisions, there are other unusual requirements of the Ordinance, such as requiring the permit applicant to reimburse the City for engineering and legal services if those costs exceed the permit fee. This requirement leaves permit applicants with virtually unlimited liability for simply submitting an application. The only reason for such a provision, as opposed to simply a fixed permit fee, is to deter filing of applications.

As you are undoubtedly aware, Minnesota law requires the City to allow nonconforming uses that existed at the time of an amendment to the City's zoning ordinance. Minn. Stat. § 462.357, subdivision 1e. Mark Sand & Gravel, and its predecessor, have been operating the mine in the same way for decades. Therefore, Mark Sand & Gravel is entitled to continue using its mine as it has in the past.

If the City does not agree to amend the Ordinance, it will result in a compensable taking. It is well settled that even if the City does not formally exercise its power of eminent domain, it can in fact do so through regulation. As described above, the Ordinance will in effect prevent Mark Sand & Gravel from using its mine in an economically viable manner which is a per se taking. *Lucas v. S. Carolina Coastal Council*, 505 U.S. 1003, 1015, 112 S. Ct. 2886, 2893, 120 L. Ed. 2d 798 (1992) (categorical taking when "regulation denies all economically beneficial or productive use of land"). Even if the Ordinance did not deny Mark Sand & Gravel all economically beneficial use of the mine, it is still a taking because (1) it significantly impacts the value of the property; (2) Mark Sand & Gravel purchased the mine with the expectation that it would continue in operation; and (3) Mark Sand & Gravel's mine is the only property impacted. *Wensmann Realty, Inc. v. City of Eagan*, 734 N.W.2d 623, 632 (Minn. 2007).

Therefore, Mark Sand & Gravel will be entitled to seek to enjoin enforcement of the Ordinance and seek compensation for the inverse condemnation by initiating a mandamus

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Page 3

action to compel the City to initiate condemnation proceedings. If Mark Sand & Gravel is required to take these actions, the City will be liable not only for the value of the gravel mine lost because of the Ordinance, but also Mark Sand & Gravel's attorneys' fees. See *DeCook v. Rochester Int'l Airport Joint Zoning Bd.*, 811 N.W.2d 610, 613 (Minn. 2012).

Please let me know how you would like to proceed. Again, Mark Sand & Gravel is willing to work with the City within reason, but the City will need to make changes to the Ordinance.

Very truly yours,

A handwritten signature in green ink, appearing to be 'KH' or similar, written over the closing 'yours,'.

Kyle E. Hart

KEH/

cc: Client
Peter K. Doely

**ORDINANCE NO. 2017-001
CITY OF VERGAS
COUNTY OF OTTERTAIL
STATE OF MINNESOTA**

151.70 EXCAVATION, MINING AND GRAVEL PITS

151.70 PURPOSE AND INTENT

It is the purpose of this section to regulate the existing and future Mining Operations in the city. Mining Operations are inherently accompanied by noise and dust, often create hazardous conditions, and may result in lasting disfigurement of the land where they are conducted on, and therefore tend to interfere with the use of nearby property or the quality of life for the residents adjacent or in proximity to Mining Operations. It is also the city's intent to ensure that the disturbed areas are restored upon completion of Mining Operations, and overall, to protect public health, life and general welfare.

151.701 DEFINITIONS.

For the purposes of this section, the definitions listed below shall be construed as follows:

Abandonment. The inactivity of a worksite for one year or more without the act of extracting any minerals.

Active Gravel Pit. The terms "active gravel pit" and "active excavation" also mean any area where the topsoil or overburden has been removed for the purpose of mining earthly deposits or minerals, yet the area has remained idle since the topsoil removal. The terms "processing area" also mean any area that is being used for stockpiling, storage, or processing or recycling of sand, gravel, soils, or other materials or products derived from gravel mining, even if such materials did not originate or were not produced on the premises. Such operations may include, but are not limited to, concrete mixing, concrete block production, asphalt production, the grinding and/or crushing of concrete or asphalt, and the processing of petroleum-contaminated soil being managed pursuant to state pollution control agency approval, so long as the processing or recycling does not violate any federal or state law or any of the requirements of any regulatory agencies having jurisdiction over the operations.

Berm. A mound of earth designated to provide screening of areas and to reduce noise.

Dust. Airborne mineral particulate matter.

Engine Retard Breaking. Dynamic Brake, Jake Brake, Jacobs Brake, C Brake, Paccar Brake, transmission brake or other similar engine retarding brake system which alters the normal compression of the engine and subsequently releases that compression.

Excavation. The movement or removal of soil and minerals.

Interim Use Permit. A permit for temporary use of a **propel** until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

Manufacturing. Any activity that includes Portable or Permanent or Temporary Asphalt Plants, Concrete Ready-Mix Plants, Processing and Recycling Plants.

Mineral. Sand, gravel, rock, clay and similar higher density non-metallic natural minerals.

Mineral Extraction. The removal of sand, gravel, rock, clay and other minerals from the ground.

Mineral Extraction Facility. Any area that is being used for removal, stockpiling and storage, of sand, gravel, topsoil, clay, and other minerals.

Operator. Any person or persons, partnership, corporations or other entities or a combination or assignees thereof, including public or governmental agencies, engaging in mineral extraction and any processing, recycling, and manufacturing activities derivatives.

Operation. "Operation" includes the driving of all hauling trucks or equipment into or out of a gravel pit, loading, roadwork or engine start-up of any kind.

Owner. Any person or persons, partnership, corporation or other entities owning fee title to the Subject Property.

Processing Area. Any area that is being used for stockpiling, storage, or processing or recycling of sand, gravel, soils, or other materials or products derived from gravel mining, even if such materials did not originate or were not produced on the premises.

Processing Plant. Machinery used to crush, wash, compounding, mixing, or treat dirt, sand, gravel, rocks, or similar mineral products into consumable products such as construction grade sand, gravel, and other similar products. This does not include Asphalt Plants and Concrete Ready-Mix Plants.

Rehabilitation. To renew land to self-sustaining long-term use which is compatible with contiguous land uses, present and future, in accordance with the standards set forth in this Ordinance.

Rough Grade. The stage at which the grade approximately conforms to the approved plan.

Slope. An inclined ground surface the inclination of which is expressed as a rate of horizontal distance to vertical distance.

Soil. Is naturally occurring superficial deposits overlaying bedrock.

Stockpiling. Move or handle a reserve supply of goods or raw material accumulated for future use.

Subject Property. The real property on which Mineral Extraction Facilities, Processing Plant, Asphalt Plant and/or Ready-Mix Plant is sought to be permitted.

Topsoil. Is the upper most layer of naturally occurring soil.

151.71 PERMIT REQUIRED.

Mineral Extraction.

- A. Permit Required. Irrespective of the zoning classification of a subject property a permit, as provided herein, is required for Mineral Extraction or Manufacturing unless specifically excepted from such permit.
- B. An Interim Use Permit (I.U.P.) is required for any Mineral Extraction or Manufacturing Facility.
- C. Interim Permits are valid for one year and shall be applied for on or before March 1 of each year.

later reference to February 1?

151.72 PERMIT APPLICATION REQUIREMENTS.

An application for a permit required by this article shall contain the following:

- A. The legal description of the lands from which it is proposed to excavate, remove, process, store or handle minerals.
- B. The name and address of the applicant and the name and address of the owner of the land.
- C. Names and addresses of all adjacent landowners within one-half mile radius.
- D. Copies of any agreements pertaining to the operation including the duration of any lease, if applicable.
- E. The purpose of the removal.
- F. The estimated time required to complete the removal.
- G. The highways, streets or other public ways within the city upon and along which the material removed shall be transported.

H. The plan of operation, including, but not limited to:

1. Soil processing (any operation other than direct mining and removal),
2. Nature of the processing and equipment,
3. The area to be included in the operation,
4. Depth of topsoil and soil type,
5. The depth and grade of excavation,
6. The estimated quantity of material to be added to or removed from the premises,
7. Location of the plant,
8. Location of stockpiles,
9. Source of water, disposal of water and reuse of water. In the event that water is used in the operation of a pit, approval from the state department of natural resources and other appropriate state or federal agencies shall be obtained as to the type, location and depth of such well and contained with such application.
10. The number and location of trees prior to excavation,
11. Adjacent and on-site buildings and land uses,
12. Map or plat of the proposed pit or excavation showing the confines or limits thereof, together with the proposed finished elevations based on sea level readings.
13. Elevations and percent slope within 100 feet beyond the perimeter of the excavation and other such information necessary to analyze the site shall be provided by the applicant. United States Geological Survey datum shall be used for all topographic mapping where feasible.
14. Phasing plan which provides no more than ten (10) acres of the site to be open to mining at any one time. Before any additional land may be mined, the applicant must reclaim the site to the condition that is indicated on the approved reclamation plan. rough grade.

I. The operation plan must also identify actions to be taken during operation to mitigate adverse environmental impacts, particularly erosion and rising dust out of any sand or gravel pit.

J. A reclamation plan including, but not limited to:

1. Final grade of the property;
2. Depth of topsoil reclaimed;

3. Type of vegetation replanted;
4. Number of trees to be replanted, replacing the trees removed during excavation.

151.73 BOND.

- A. The city council shall require the applicant for a special use permit under this article, owner or user of the property on which the pit or excavation is located, to post a cost bond with surety acceptable to the city or cash escrow in such form and sum as the city council shall determine, with sufficient surety running to the city, conditioned to pay the city the extraordinary cost and expense of managing or repairing, from time to time, any highways, streets or other public ways where such repair work is made necessary by the special burden resulting from hauling and travel, in removing material from any pit or excavation, the amount of such cost and expense to be determined by the city engineer; and conditioned further to comply with all the requirements of this chapter, and the particular permit, and to pay any expense the city may incur by reason of doing anything required to be done by any applicant to whom a permit is issued.

The city council, for failure of any person to comply with any requirements made of him in writing, under the provisions of this chapter, as promptly as the same can reasonably be done, may proceed to such requirement to be complied with and the cost of such work to be taxed against the property, whereon the pit or excavation is located or the city council may at its option proceed to collect such costs by an action against the entity to whom such permit has been issued and its sureties.

- B. In addition to the bond required in subsection (a), the applicant for the permit shall post a performance bond of at least \$100,000.00. The amount may be greater based on the city engineer's recommendation. The performance bond shall be executed by a corporate surety company authorized to do business in the state. The performance bond shall be used for the active areas for which a **permit** is granted and conditioned upon full performance of the terms and conditions of this chapter by the applicant and/or owner of the premises described in the permit application. The bond shall remain in effect for at

least one year after the expiration of the **permit**. The bond shall guarantee the required restoration of the entire site.

151.74 AGREEMENT TO HOLD CITY HARMLESS

No person shall open, operate or maintain mineral extraction facility or engage in mineral extraction on a subject property without an agreement with the city, saving the city free and harmless from any and all suits or claims for damage resulting from negligent excavation, removal or storage of minerals or operation of any mineral extraction facility within the city.

151.75 FEES AND APPLICATIONS.

151.75.01. **Annual fee required.** An annual fee will be required for the Interim Use Permit. Such fee shall be established by council resolution as adopted from time to time.

151.75.02. **Inspection and review permit fee.** The inspection and review permit fee shall be established by council resolution adopted from time to time.

151.75.03. **Denial of Permit.** In the event an application for the issuance of a permit is denied, the city council shall retain such amount of said fees as shall be necessary to defray costs of engineering and legal services incurred by the council in connection with such application and the balance, if any, shall be returned to the applicant.

151.75.04. **Reimbursement of city for engineering and legal services.** In the event of the cost of engineering and legal services exceeds the permit fee, then and in that event the applicant shall, upon notice from the city, reimburse the city for the same within 30 days.

151.75.05. **Form of application.** The application shall be in such form and shall furnish such information as shall be required by the city council.

151.76 INSPECTIONS.

The city engineer shall inspect operating gravel **mining pits twice a year, May 1st and November 1st, to confirm compliance with this Ordinance.** Written reports shall be submitted to

Typically no change between November 1 and May 1. I would suggest one inspection on April 1

the city administrator within 30 days following each of these inspections. The Engineer shall inspect and certify as compliant or, if deficient, note the deficiency and corrective action to be taken pursuant to a checklist to be developed by the engineer and the City to ensure compliance with this ordinance.

151.77. CONDITIONS OF PERMIT.

151.77.01. **Hours of Operation.** Operation shall be conducted only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, unless specifically authorized by the City. No mineral extraction or manufacturing shall take place on holidays. In cases of public emergencies, the City Clerk may extend hours of operation. It is the specific intent of this section that no crushing, loading, hauling, or engine startup activity of any kind shall take place on or upon any area or subject property other than during those hours specified above.

151.77.02. **Fencing or Berm:** Where deemed necessary by the City, a fence or berm may be required prior to the commencement or as a condition of the continuous operation of any Mineral Extraction or Manufacturing operation enclosing the area authorized by the applicable permit. If required, the fencing must have a minimum of two (2) single strand wires with posts a maximum of twelve (12) feet apart and at least four (4) feet in height. The berm must be a minimum of thirty (30) inches high and six (6) feet in width at the base.

151.77.03. **Screening.** The applicant or owner shall plant suitable and fast-growing screening trees which shall be a minimum of six feet high placed in two rows, staggered with trees not more than ten feet apart in each row, reducing unsightly view of the operations and reducing noise and dust.

151.77.04. **Access Roads.** All access roads will be of a sufficient length from a public road so that any turns onto the public road can be completed with a margin of safety. All access roads shall be maintained so as to minimize noise and dust from vehicles using such access road.

151.77.05. **Dust Control.** The Operator shall utilize all practical means to reduce the amount of dust cause by the operation. In no case shall the amount of dust or other particulate matter exceed the standards established by the MPCA pollution control agency and the United States EPA.

151.77.06. **Noise.** Maximum noise levels at the perimeter of the Operation will be consistent with the standards established by the Minnesota Pollution Control Agency and the United States Environmental Protection Agency.

151.77.07. **Air Quality.** All activities on the Subject Property will be conducted in a manner consistent with the Minnesota Pollution Control Agency's standards.

151.77.08. **Maximum slopes.** During the entire period of operations, all excavations other than the working face shall be sloped on all sides at a maximum ratio of one foot horizontal to one foot vertical, unless a steeper slope shall be approved by the city. Where excavations are adjacent to a public roadway or other right-of-way, or the property adjacent to the excavation, the excavation shall have a maximum four to one slope. Slopes adjacent to or contiguous to bodies of water shall be sloped at a maximum of six to one.

151.77.09. **Setbacks.** The following setbacks shall apply:

- a. No mining shall take place within one hundred (100) feet of any property lines, road right-of-way or easement;
- b. No part of the operation shall be within five hundred (500) feet of any occupied structure not owned by the Operator or Owner and existing at the time of the original permitting.

151.77.10. **Limits of Excavation.** No more than ten (10) acres shall be open to active mining. For each additional five (5) acre area to be mined, five (5) acres of previously mined area must be reclaimed. The processing area shall be no more than ten (10) acres. , except for previously opened areas.

151.77.11. **Noxious Weeds.** The Operator shall utilize all practical means to reduce and prevent the growth of noxious weeds.

151.77.12. **Spillage on Public Roadways.** Spillage of material on and damage to public streets used as haul roads shall be cleaned up and repaired to the satisfaction of the City Engineer in a timely manner.

151.77.13. **Water pollution.** Operators shall comply with all applicable state pollution control agency regulations and federal and Environmental Protection Agency regulations for the protection of water quality. No waste products or process residue, including untreated wash water, shall be deposited in any lake or natural drainage system, except that lakes or ponds wholly contained within the extraction site may be so utilized.

151.77.131. **Topsoil preservation.** All topsoil shall be retained at the site until complete rehabilitation of the site has taken place according to the rehabilitation plan.

151.78. RECLAMATION.

151.78.0 I. All mining sites shall be reclaimed immediately after mining operations cease. Reclamation shall be complete within one (1) year. The following standards shall apply:

- 1) The peaks and depressions shall be graded and backfilled to a surface which will result in a gentle rolling topography in substantial conformity to the land area immediately surrounding. All interior slopes shall be graded to a maximum of 4:1.
- 2) The slope to adjacent **propel lies** shall be four foot horizontal to one foot **vertical** (4/1) of mined areas;
- 3) Reclaimed areas shall be surfaced **with an amount equal to the surrounding area** **with six (6) inches of soil** of a quality at least equal to the topsoil of the land areas immediately surrounding; and
- 4) The topsoil shall be seeded, sodded or planted with legumes and grasses. Trees and shrubs may also be planted, but not as a substitute to grasses and legumes. Erosion control measures must be implemented until ground cover is established.

151.78.0011. **Standards for filling and compaction.** Prior to reclamation, the operator shall provide to the city engineer the location, area, and depth of the land before and after the anticipated activity. Such activity and the materials used shall be subject to the following:

151.78.0012. Prior to such activity, the operator shall submit an engineering analysis of the proposed fill and compaction method to the city engineer. Side slopes of the excavation shall

be graded to a maximum 1:1 slope prior to the placement of fill and achieve a maximum final slope of 4:1 after filling operations are complete.

151.78.0013. Unless otherwise approved by the city council, materials including, but not limited to, organic soils and debris (topsoil, peat, muskeg, muck, stumps, roots, logs, brush, etc.), demolition debris (broken concrete or bituminous fragments, brick, lumber, metal, etc.) and any other solid or hazardous wastes shall not be used as fill in reclamation.

151.78.0014. Imported materials used as fill in reclamation shall consist of mineral soils which typically demonstrate a minimum soil bearing capacity of 1,500 psf and are suitable for building foundations.

151.78.0015. The top ten feet of all fill areas shall be compacted by mechanical equipment as the fill is placed, unless otherwise approved by the council, to a minimum of 95 percent of maximum density for a particular soil as determined by the Standard Proctor method.

151.79.00 PERMIT RENEWAL

Operations in compliance with the Interim Use Permit may renew the permit on an annual basis. Renewal applications must be submitted to the City on or before February 1 of each year.

Earlier referenced as March 1

151.80.00 TERMINATION OF PERMIT.

151.80.01. **Violations.** The Council may terminate an Interim Use Permit for violation of this Ordinance, or a condition of this permit, or for violation of other applicable laws.

151.80.02. **Notice to Terminate.** To terminate a permit, the Council shall give notice of the violation or other cause for termination along with an order that the condition be remedied. If the condition has not been repaired within two (2) weeks, the Council shall hold a hearing to determine whether the permit should be terminated.

151.80.03. **Cease Operation Upon Termination.** No mining shall take place after the permit is terminated.

151.81.000 PENALTY

151.81.01. **Violation a misdemeanor.** Any person, firm or corporation who violates or who fail to comply with any of the provision of this ordinance or who make any false statement or omission in any document required to be submitted under the provisions shall be guilty of a misdemeanor and upon conviction shall be punished not more than the maximum penalty for a misdemeanor as prescribed by state law.

151.81.02. **Each day an offense.** Each day that a violation continues shall constitute a separate offense.

151.80 ENFORCEMENT.

Shall be pursuant to Chapter 151.99, as amended.

' 71.04 DECLARATION OF SNOW EMERGENCY; PARKING PROHIBITED.

(A) The Mayor, Police Chief or other designated official may declare a snow emergency in the city. The emergency shall continue in effect for a period of 24 hours or until the snow has been removed from the city's streets or until the snow emergency has been rescinded by action of the Mayor, Police Chief or other designated officer.

(B) Notice of the declaration of a snow emergency shall be given by notifying the local news media; however, the notification shall be a service aid only and not a duty on the part of the officials.

(C) During a declared snow emergency or after two inches or more of snow have accumulated, no motor vehicle shall be left parked on any street or public way in the city until the declared emergency is canceled or, if no emergency is declared, until the street is cleared on both sides of accumulated snow.

(D) During a declared snow emergency, any police officer or city appointed parking enforcement officer, appointed pursuant to M.S. ' 169.041, Subd. 2, who finds a motor vehicle in violation of this section shall attempt to contact the owner of the motor vehicle and require the owner to immediately move the motor vehicle so as not to be in violation of this section. If the owner does not immediately remove the motor vehicle or the owner cannot be located, the police officer or city appointed parking enforcement officer, appointed pursuant to M.S. ' 169.041, Subd. 2, is authorized to have the motor vehicle removed at the owner's expense.

Penalty, see ' 10.99

Current Snowmobile Ordinance:

CHAPTER 72: SNOWMOBILES

Section

- 72.01 Intent
- 72.02 Definitions
- 72.03 Application of traffic ordinances
- 72.04 Restrictions
- 72.05 Stopping and yielding
- 72.06 Persons under 18
- 72.07 Equipment
- 72.08 Unattended snowmobiles
- 72.09 Emergency operation permitted

' 72.01 INTENT.

It is the intent of this chapter to supplement M.S. ' ' 84.81 to 84.91, and M.S. Ch. 169, as these statutes may be amended from time to time and Minn. Rules parts 6100.5000 through 6100.6000, as these rules may be amended from time to time, with respect to the operation of snowmobiles. These statutes and rules are incorporated herein by reference. This section is not intended to allow what the state statutes and rules prohibit, nor to prohibit what the state statutes and rules allow.

' 72.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEADMAN THROTTLE* or *SAFETY THROTTLE. A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

OPERATE. To ride in or on and control the operation of a snowmobile.

OPERATOR. Every person who operates or is in actual physical control of a snowmobile.

OWNER. A person, other than a lien holder having the property in or title to a snowmobile, or entitled to the use or possession thereof.

PERSON. Includes an individual, partnership, corporation, the state and its agencies and subdivision, and any body of persons, whether incorporated or not.

RIGHT-OF-WAY. The entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.

ROADWAY. That portion of a highway or street improved, designed or ordinarily used for vehicular travel.

SNOWMOBILE. A self-propelled vehicle designed for travel on snow or ice, steered by skis or runners.

STREET. A public thoroughfare, roadway, alley or trail used for motor vehicular traffic which is not an interstate, trunk, county-state aid, or county highway.

' 72.03 APPLICATION OF TRAFFIC ORDINANCES.

The provisions of Ch. 70 of this code shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application.

Penalty, see ' 10.99

' 72.04 RESTRICTIONS.

(A) It is unlawful for any person to enter, operate or stop a snowmobile within the limits of the city:

(1) On the roadway of any street, except the most right hand lane then available for traffic or as close as practicable to right hand curb or edge of the roadway, except when overtaking and passing another vehicle stopped in the lane or proceeding in the same direction, or in making a left turn. Snowmobiles may also be operated upon the outside slope of trunk, county-state aid and county highways where the highways are so configured within the corporate limits. The City Council may, pursuant to M.S. ' 84.87, Subd. 3, as it may be amended from time to time, adopt a resolution designating certain city streets as available for snowmobile operation and prescribe such time and speed limits as are necessary.

(2) On a public sidewalk provided for pedestrian travel.

(3) On boulevards within any public right-of-way.

(4) On private property of another without specific permission of the owner or person in control of the property.

(5) Upon any school grounds, except as permission is expressly obtained from responsible school authorities.

(6) On public property, playgrounds and recreation areas, except areas previously listed or authorized for the use by resolution of the City Council, in which case the use shall be lawful, and snowmobiles may be driven in and out of those areas by the shortest route.

(7) On streets as permitted by this chapter at a speed exceeding 10 miles per hour.

(8) During the hours of 10:00 p.m. to 7:00 a.m., Sunday through Thursday, and 12:01 a.m. to 8:00 a.m. on other days closer than 100 feet from any residence. This provision is not intended to prohibit snowmobiles from operating on city streets during the hours specified herein.

(B) It is unlawful for any person to operate a snowmobile within the limits of the city:

(1) So as to tow any person or thing in a public street or highway except through use of a rigid tow bar attached to the rear of the snowmobile; provided, that a disabled snowmobile may be towed to a private residence or a place of business where snowmobiles are repaired without the use of a rigid tow bar.

(2) Within 100 feet of any fisherman, pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other persons or operation.

(3) To intentionally drive, chase, run over or kill any animal.

Penalty, see ' 10.99

' 72.05 STOPPING AND YIELDING.

No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

Penalty, see ' 10.99

' 72.06 PERSONS UNDER 18.

(A) No person under 14 years of age shall operate on streets or make a direct crossing of a city street as the operator of a snowmobile. A person 14 years of age or older, but less than 18 years of age, may operate a snowmobile on streets as permitted under this chapter and make a direct crossing of those streets only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued pursuant to M.S. ' 84.872, as it may be amended from time to time.

(B) It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provision of this section.

Penalty, see ' 10.99

' 72.07 EQUIPMENT.

It is unlawful for any person to operate a snowmobile any place within the limits of the city unless it is equipped with the following:

(A) Standard mufflers which are properly attached, and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, bypass straight pipe or similar device on a snowmobile motor.

(B) Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operation.

(C) A safety or so called deadman throttle in operating condition.

(D) When operated between the hours of one-half hour after sunset to one-half hour before sunrise, or at times of reduced visibility, at least one clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator. It shall also be equipped with at least one red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions.

(E) Snowmobiles shall fly a pennant flag or red or blaze material, of a size not less than 12 inches by 9 inches, at a height of not less than six feet from ground level at any time when the vehicle is operated on public streets.

(F) Reflective material at least 16 square inches on each side, forward of the handlebars and at the highest practical point on any towed object, so as to reflect lights at a 90 degree angle.

Penalty, see ' 10.99

' 72.08 UNATTENDED SNOWMOBILES.

Every person leaving a snowmobile on a public place shall lock the ignition, remove the key and take the same with him or her.

Penalty, see ' 10.99

' 72.09 EMERGENCY OPERATION PERMITTED.

Notwithstanding any prohibitions in this chapter, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time and at locations where snow upon the roadway renders travel by automobile impractical.

Proposed Ordinance:

Snowmobile Ordinance for Vergas, MN

- A. It is the purpose of this section to permit snowmobiling only on designed routes within the City of Vergas.
- B. Designed routes. Travel by snowmobile shall be permitted on designated trails along the following routes.
 - 1. From CSAH 17 on the west side of right-of-way to the business district on 1st street and or East Lake ST following the direction of traffic to CHAS 60 to the north or southside of wright-of-way of direction of traffic.
 - 2. From West Lake St following the direction of traffic to CSAH 17 on the west side right-of-way to the business district on 1st street or east lake street following the direction of traffic to CSAH 60 to the north or south side of right-of-way. Of the direction of traffic.
 - 3. From Old Detroit Rd to CSAH 60 to the right- of- way on north or south side to the business district.
- C. Direct access and use. All snowmobiles operating within city limits shall use as direct route to access the designated routes. Designated routes are intended to be means of ingress, egress and movement of snowmobiles to and from adjoining snowmobile trail systems and not as a primary trail for other snowmobile riding.
- D. License requirement. All snowmobiles operating within city limits shall be properly licensed and authorized for use in accordance with Minnesota Statues.
- E. Qualifications of operators. All persons operating a snowmobile within city limits shall be properly licensed and authorized in accordance with state statue.
- F. Easement required. Snowmobile clubs shall obtain proper easements for all designated routes which travel upon or cross private property.

Ordinance No. 85

CITY OF VERGAS
COUNTY OF OTTER TAIL
STATE OF MINNESOTA

AN ORDINANCE AMENDING ORDINANCE NO. 79 AN ORDINANCE TO REGULATE THE USE OF LAND, THE LOCATION, BULK, HEIGHT, AND USE OF BUILDINGS AND THE ARRANGEMENT OF BUILDING ON LOTS, AND THE DENSITY OF POPULATION IN THE CITY OF VERGAS, MINNESOTA, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH REGULATIONS, AND REPEALING ORDINANCE NO. 76.

WHEREAS, the City of Vergas, Minnesota, has in place a zoning ordinance entitled AN ORDINANCE REGULATING THE USE OF LAND, THE LOCATION, BULK, HEIGHT, AND USE OF BUILDINGS AND THE ARRANGEMENT OF BUILDING ON LOTS, AND THE DENSITY OF POPULATION IN THE CITY OF VERGAS, MINNESOTA, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF SUCH REGULATIONS, AND REPEALING ORDINANCE NO. 76.; and

WHEREAS, the City of Vergas, Minnesota, desires to amend its zoning ordinance to include regulation for the construction and use of culverts;

NOW THEREFORE, the City Council of the City of Vergas, Minnesota ordains that the following should be added to its zoning ordinance:

§ 151.32 CONSTRUCTION AND USE OF CULVERTS

(A) *Construction Standards.* Any person wishing to construct a driveway over an existing ditch or replace an existing culvert must install a culvert with a minimum circumference of 15 inches. The maximum length of the culvert shall not exceed 24 feet for a single driveway for any lots containing or planned to contain a one-family dwelling. The maximum length of the culvert for all other lots will be determined by the City Council based upon the requirements relating to the type of ingress and egress needed, the frequency and type of traffic anticipated to be traveling over and across the culvert, and the structural integrity of the proposed culvert and driveway. All culverts must be installed at such an angle, depth, and location as to facilitate the free flow of water through the culvert.

(B) *Permit Required.* Before installing a new culvert or replacing an existing culvert, the property owner must obtain a construction permit from the City Clerk. The application shall contain a plan showing the location of the culvert, ditch, and driveway in relation to any other structures, boundary lines, and rights-of-way. The application shall contain a plan for the culvert that demonstrates the culvert will meet all of the construction standards of this section. No contractor who is required to be licensed by the State and no person employing a contractor who is required to be licensed shall be issued a building permit unless that contractor is licensed.

(C) *Exception from Building Permit Requirements.* A separate building permit for the installation or replacement of a culvert is not necessary if a current building permit has been issued for another construction project for the same property, the plans for which include detailed plans satisfying the requirements of §151.32(B) for the installation or replacement of the culvert.

(D) *Setback Requirements.* The setback requirements provided in §§ 151.20 to 151.26 shall not apply to culverts. Culverts may be installed anywhere within the boundary lines of the property, provided the culvert does not impede traffic or pose a safety risk along adjacent right-of-ways and otherwise satisfies the construction standards of this section.

(E) *Maintenance and Repair.* The property owner shall be solely responsible for maintaining the culvert, repairing the culvert, and ensuring the culvert is free from debris, rocks, garbage, or other materials that impede the drainage of water through the culvert.

(F) *Nuisance.* Failure to maintain a culvert in a condition that allows for the free flow of water through the culvert shall be a public nuisance under Chapter 92. The nuisance may be abated following the procedures provided in §§ 92.93 and 92.94.

This ordinance shall be codified in the Code of Ordinances of the City of Vegas as “§ 151.32 CONSTRUCTION AND USE OF CULVERTS.”

' 91.02 DOGS AND CATS.

(A) *Running at large prohibited.* It shall be unlawful for the dog or cat of any person who owns, harbors, or keeps a dog or cat, to run at large. A person, who owns, harbors, or keeps a dog or cat which runs at large shall be guilty of a misdemeanor. Dogs or cats on a leash and accompanied by a responsible person or accompanied by and under the control and direction of a responsible person, so as to be effectively restrained by command as by leash, shall be permitted in streets or on public land unless the city has posted an area with signs reading "Dogs or Cats Prohibited".

(B) License required.

(1) All dogs and cats over the age of three months kept, harbored, or maintained by their owners in the city, shall be licensed and registered with the city. Dog licenses shall be issued by the City Clerk upon payment of the license fee as established by the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11 of this code, as that ordinance may be amended from time to time. The owner shall state, at the time application is made for the license and upon forms provided, his or her name and address and the name, breed, color, and sex of each dog owned or kept by him or her. No license shall be granted for a dog or cat that has not been vaccinated against distemper and rabies, as evidenced by a certificate by a veterinarian qualified to practice in the state in which the dog or cat is vaccinated.

(2) It shall be the duty of each owner of a dog or cat subject to this section to pay to the City Clerk the license fee established in the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11, as it may be amended from time to time.

(3) Upon payment of the license fee as established by the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11 of this code, as that ordinance may be amended from time to time, the Clerk shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the year for which it is issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate shall be issued by the City Clerk. A charge shall be made for each duplicate tag in an amount established in the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11, as it may be amended from time to time. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog or cat license fee or tag because of death of a dog or the owner's leaving the city before the expiration of the license period.

(4) The licensing provisions of this division (B) shall not apply to dogs whose owners are nonresidents temporarily (staying less than 14 days) within the city, nor to dogs brought into the city for the purpose of participating in any dog show. If the animal owned is a service animal which is capable of being properly identified as from a recognized school for seeing eye, hearing ear, service or guide animals, and the owner is a blind or deaf person, or a person with physical or sensory disabilities, then no license shall be required.

(5) The funds received by the City Clerk from all dog and cat licenses and metallic tags fees as established by the Ordinance Establishing Fees and Charges adopted pursuant to ' 30.11 of this code, as that ordinance may be amended from time to time, shall first be used to defray any costs incidental to the enforcement of this chapter; including, but not restricted to, the costs of licenses, metallic tags, and impounding and maintenance of the dogs.

(C) *Cats.* Cats shall be included as controlled by this division insofar as running-at-large, pickup, impounding, boarding, licensing and proof of anti-rabies vaccine is concerned. All other provisions of this section shall also apply to cats unless otherwise provided.

(D) *Vaccination.*

(1) All dogs and cats kept harbored, maintained, or transported within the city shall be vaccinated at least once every three years by a licensed veterinarian for:

(a) Rabies - with a live modified vaccine; and

(b) Distemper.

(2) A certificate of vaccination must be kept on which is stated the date of vaccination, owner's name and address, the animal's name (if applicable), sex, description and weight, the type of vaccine, and the veterinarian's signature. Upon demand made by the City Clerk, the Animal Control Officer or a police officer, the owner shall present for examination the required certificate(s) of vaccination for the animal(s). In cases where certificates are not presented, the owner or keeper of the animal(s) shall have seven days in which to present the certificate(s) to the City Clerk or officer. Failure to do so shall be deemed a violation of this section.

Penalty, see ' 91.99

ORDINANCE NO. 2016-001

**CITY OF VERGAS
COUNTY OF OTTER TAIL
STATE OF MINNESOTA**

AN ORDINANCE REGARDING CAMPING AND CAMPGROUNDS

WHEREAS, the city wishes to allow Recreational Camping Areas (hereinafter “RCA”) within the city limits; and

WHEREAS, the city desires to regulate the construction, composition and use of RCAs to protect public safety and health;

NOW THEREFORE, the City Council of the City of Vergas, Minnesota ordains that the zoning code shall be amended as follows:

§ 151.28 *Recreational Camping Areas*

DEFINITIONS:

1. Recreational camping area (RCA) means any area, whether privately or publicly owned, used on a daily, nightly, weekly, or longer basis for the accommodation of three or more tents or recreational camping vehicles free of charge or for compensation.
2. Recreational camping vehicle (RCV), includes the following:
 - a) Any vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses;
 - b) Any structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation;
 - c) Any portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle; and

- d) Any folding structure, mounted on wheels designed for travel, recreation, and vacation use.
3. "Campsite" or "site" means a bituminous, concrete, gravel or wood chip pad specifically designated to accommodate the placement of tents, RCVs or other portable camping structures.

FEES AND LICENSING:

1. Licenses shall be obtained on an annual basis. All license renewal applications for year-round establishments shall be submitted to the City of Vergas on forms provided by the city no later than December 31st of the preceding the for which application is made. All license renewal applications for seasonal establishments shall be submitted to the City of Vergas on forms provided by the City of Vergas no later than March 31st of the year for which the application is made. Applications received after these dates are subject to penalty equal to double the current license fee. Licenses for RCAs which operate for a continuous period of six (6) months (183 days) or less shall be issues effective the first day of the establishment's operation in the calendar year for which the license is issued. Such renewal license shall expire after the 183rd day from the effective date of the license or on December 31st of the year in which the license was issues whichever occurs first.

RECREATIONAL CAMPING VEHICLE LOCATION AND SPACING:

1. No RCA shall be located so that drainage from the camp area will endanger any water supply. All camping areas shall be well drained and no portion of the camping area shall be located in an area subject to flooding, except that RCAs may be located in a flood plain that has been approved for recreational use. No wastewater from recreation camping vehicles shall be deposited on the surface of the ground.
2. There must be 15 feet of open space between the sides of adjacent RCVs and their attachments.

3. The minimum site size for each RCV is 2,000 square feet.
4. All RCVs must be located at least 25 feet from RCA property lines which abut a public street or highway and at least 10 feet from all other property boundary lines.

RCA UTILITIES:

Water Supply

1. The water supply system for the RCA and all water outlets located with the RCA must be connected to the city water supply.
2. Water must be available within 400 feet of every campsite.
3. The minimum water riser pipe size is 3/4 inch; water risers and sewer risers must be constructed of approved materials and separated by at least 10 feet.
4. All plumbing must be installed in accordance with the Minnesota Plumbing Code, Chapter 4715.
5. In the event connection to the city water supply is not feasible, the RCA must have a source of supply and system which is located, constructed and operated in accordance with the provisions of the rules of the Commissioner of Health governing public water supplies (Minnesota Rules, Parts 4720.0100 to 4720.4600) and wells (Minnesota Rules, Parts 4725.0050 to 4725.7450).
 - a. In recreational camping area, the water supply shall be capable of supplying 75 gallons of per site per day for all sites lacking individual water connections, and 100 gallons per site per day for all spaces provided with individual water connections. In recreational camping areas, water from the drinking water supply shall be available within at least 400 feet of every campsite.
 - b. The water piping system shall not be connected with non-potable or questionable water supplies and shall be protected against the hazards of backflow and back siphonage. The system shall be so designed and maintained as to provide a pressure of not less than 20 pounds per square inch under normal operating conditions at service

buildings and other locations requiring a potable water supply. In recreational camping sites provided with individual water service connection, riser pipes shall be so located and constructed that they will not be damaged by the parking of recreational camping vehicles. Water riser pipes shall extend at least four inches above the found elevation, and the minimum pipe size shall be $\frac{3}{4}$ inch. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. If underground stop and waste valves are installed, they shall be at least ten feet from the nearest buried portion of the sewage system. Water risers on unoccupied sites shall be valved off. There shall be a horizontal distance of at least ten feet between water and sewer pipes; provide that where the sewer pipe and the waste pipe is constructed of an approved material, the distance between may be less than ten feet.

Sewage Disposal, Toilets and Shower Facilities

1. All waste disposal facilities including toilet, shower, kitchen, bathing, and washing facilities must be connected to the city sewage system, where such connection is feasible, pursuant to all applicable state, county and city codes.
2. Toilet and shower facilities must be provided in all RCAs which are used by RCVs which are not equipped with toilet and bathing facilities or by tent campers, in accordance with the schedule in MN Rules Chapter 4630.0900. Toilet and shower facilities shall be adequately heated, ventilated and lighted and have durable and washable floors, walls and ceilings and meet ADA requirements. Toilet facilities must be provided within 400 feet of any campsite.
 - a. Individual site sewer connection shall be at least four-inch diameter sewer riser pipe. The sewer connections shall consist of one pipeline only, without branch fittings. All joints shall be watertight.

All materials used for sewer connections shall be corrosion resistant, non-absorbent and durable. The inner surface shall be smooth.

- b. The sewer riser pipe shall be properly capped when a RCA does not occupy the site. Surface drainage shall be directed away from the riser; the rim of the riser pipe shall extend to least four inches above ground elevation.
3. Camping areas harboring RCVs with self-contained wastewater tanks must provide a sanitary dumping station in the ratio of 1 sanitary station for each 100 sites or fraction thereof. Sanitary stations must be adequately screened and located at least 50 feet from any campsite and shall comply in all other respects with MN Rules Chapter 4630.0900.
4. When it is not feasible to connect to the city sewage system, a sewage treatment system which is designed, constructed and operated in accordance with the applicable City of Vergas and Otter Tail County ordinances shall be provided. All sewer lines shall be located in trenches of sufficient depth to be free of breakage from traffic, or other movements and shall be separated from the park water supply system by at least ten feet, unless special acceptable construction of sewer and water lines is provided.
5. Any electrical wiring conducted on an accessory storage structure, deck or addition must be completed in conformance with the Minnesota Electrical Act, Minnesota Statutes, Sections 326.241 to 326.248 and must be inspected by a state electrical inspector.

Garbage and Refuse, Insect and Rodent Control, Vehicle Speed and Misc.

1. The RCA must provide a minimum of one 55 gallon refuse container for every 4 sites. Containers must be fly-tight, watertight and rodent proof. Garbage must be collected for disposal as often as necessary to prevent nuisance conditions and not less than once each week.
2. RCAs must be maintained free of accumulations of debris or material which may harbor rodent or insect breeding or living places. RCAs must be maintained free of noxious weed growths.

3. Domestic animals or pets must not be allowed to run at large or cause any nuisances within an RCA and property adjacent to an RCA. Any kennels, pens or other facilities provided for animals must be maintained in a sanitary condition and in compliance with applicable state, county and local codes. Unless a different number is prescribed by local ordinance or camp rule, the maximum number of dogs and cats allowed per camping vehicle is two. In the case of new litters, the above numbers may be exceeded for ten weeks.
4. No animal washing, car washing, or other slop creating practices shall be carried on in any building, structure or other place not designated for such purposes. No pets or domesticated animals shall be allowed to enter the buildings contained the sanitary or washing facilities for a recreational camping area.
5. There is a maximum speed limit of 10 miles per hour for all vehicles operating within the RCA. This speed limit must be clearly posted at all entrances and throughout the RCA. The speed limit may be enforced by the City of Vergas.
6. All walkways, drives, and commonly used areas RCAs must be provided with night lighting, which illuminates all walking paths or common facilities and areas as to allow pedestrian visibility at least 5 feet at any time.
7. When provided, cooking shelters, barbecue pits, fireplaces, and wood burning stoves shall be located, constructed, maintained and used as to minimize fire hazards and smoke nuisance, both on the property on which used and on neighboring property. No open fire shall be permitted except in facilities provided. No open fire shall be left unattended. No fuel shall be used or no material burned which emits dense smoke or objectionable odors. At no time shall garbage or refuse be burned on the premises.
8. A responsible attendant or caretaker shall in charge of every RCA at all times and the duty of the attendant shall be to maintain the camping area, its facilities and equipment in a clean, orderly and sanitary condition. The caretaker or attendant shall be the owner or operator of the camping area, or an appointed representative.

STORM SHELTERS AND EVACUATION PLAN:

1. A RCA must provide a plan for the evacuation and sheltering of the users of the RCA in times of severe weather such as tornadoes, high winds, or floods. The shelter or evacuation plan must be developed with the assistance and approval of the city. The city may require the RCA owner to construct a shelter if it determines that a safe place of shelter is not available within a reasonable distance from the RCA. The shelter or evacuation plan must be conspicuously posted in the RCA and the RCA owner must provide each user with a copy of the approved shelter or evacuation plan.

PUBLIC ROAD ACCESS:


1. The RCA shall be directly accessible to a public roadway.

Adopted by the City Council of the City of Vergas on February 9, 2016.

ATTEST:


Julie Lammers, Clerk

Approved:


Dean Haarstick, Mayor



CITY OF VERGAS
CONDITIONAL USE PERMIT # _____

PROPERTY OWNER _____

PROPERTY ADDRESS _____

WORK AUTHORIZED _____

Note: This permit shall be placed in a conspicuous place not more than 4 feet above grade on the premises on which work is to be done and shall be maintained there until completion of such work. Notify the City Clerk of Vergas (218-342-2091) when the authorized work has been completed. If the scope of the work is going to exceed the authorized amount, please contact the City Clerk of Vergas before exceeding your authorized work amount.

1. **EARTHMOVING SHALL BE DONE BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM, EXCLUDING SUNDAYS, WHEN NO WORK IS PERMITTED ON THE PREMISES.**
2. **ENTIRE AREA SHALL BE STABILIZED WITHIN 10 DAYS OF COMPLETION OF ANY EARTHMOVING.**
3. **OWNER IS LEGALLY RESPONSIBLE FOR ALL SURFACE WATER DRAINAGE THAT MAY OCCUR.**
4. **NO FILL SHALL ENTER OR BE TAKEN FROM THE BEDS OF PUBLIC WATER WITHOUT A VALID PERMIT FROM THE MN DEPARTMENT OF NATURAL RESOURCES.**
5. **IF THE TERMS OF THIS PERMIT ARE VIOLATED, THE ENTIRE PERMIT MAY BE REVOKED AND THE OWNER MAY BE SUBJECT TO LEGAL PROSECUTION.**
6. **EROSION CONTROL MEASURES MUST BE IMPLEMENTED PRIOR TO ANY TOPOGRAPHIC ALTERATIONS.**

City Clerk of Vergas

Date