

**CITY OF SAINT PETER, MINNESOTA
AGENDA AND NOTICE OF MEETING**

City Council Workshop Session of Monday, August 3, 2020
5:30 p.m.

This meeting will be conducted in-person and electronically - See below for electronic access.
Community Center – Senior Center
600 South Fifth Street, Saint Peter

- I. **CALL TO ORDER**
- II. **DISCUSSION**
 - A. Assistant Library Supervisor Position Description
 - B. North Third Street Improvement Project Update
 - C. Beekeeping Discussion
 - D. Recreational Fire Regulations
 - E. Goal Session Schedule
- III. **ADJOURNMENT**

As provided for in M.S. 13D.021, City Council meetings may be conducted by telephone or other electronic means under certain conditions. This meeting of the City Council will be accessible both in-person and electronically using GoToMeeting software which is available at no charge (link below) or by calling as indicated below. This works best utilizing Google Chrome or Microsoft Edge as your browser. Here is the information necessary to access the meeting electronically:

Please join meeting from your computer, tablet or smartphone at:
<https://global.gotomeeting.com/join/591790045>

You can also dial in using your phone (Toll Free): 1 866 899 4679 or - One-touch:
<tel:+18668994679,,591790045#>

Access Code: 591-790-045



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 7/30/2020

FROM: Todd Prafke
City Administrator

RE: Assistant Library Supervisor Position Description

ACTION/RECOMMENDATION

None needed. For your information and discussion only.

BACKGROUND

As you know, it is our practice to review all position descriptions whenever a position becomes vacant. This is done to ensure the minimum and desired qualifications, the physical requirements and the information about the essential job functions all accurately describe the position.

With the promotion of the Assistant Library Supervisor to the Library Supervisor position, we now have a vacancy. The Recreation and Leisure Services Director and I have reviewed the current position description and are recommending minor changes that more closely reflect the actual duties and qualifications of the position.

Please feel free to contact me if you have any questions or concerns on this agenda item.

TP/bal

CITY OF SAINT PETER, MINNESOTA

POSITION DESCRIPTION

Pay Equity Points = 146

POSITION TITLE: ASSISTANT LIBRARY SUPERVISOR

DEPARTMENT: RECREATION AND LEISURE SERVICES

SUPERVISOR: LIBRARY SUPERVISOR

OVERVIEW OF POSITION:

Under the direction and general supervision of the Library Supervisor, the Assistant Library Supervisor provides assistance to library patrons and assists in carrying out the work of the Library including developing programming and services for ~~children~~ youth and young adults and working on other Recreation Department programs and projects as needed.

ESSENTIAL JOB FUNCTIONS:

- Plan, implement and direct ~~youth and adult~~ Library programs, activities, and events in a positive and safe environment to meet the needs of the community.
- Maintain ~~youth~~~~children~~ and young adult materials in the collection of the library.
- Administer the Summer Reading Program.
- Assist in ~~recruiting~~, interviewing, training and supervising library staff.
- Provide assistance to library patrons; help patrons locate needed materials; register borrowers; assist library users in filling out application cards; check out materials.
- Develop partnerships with other community organizations, libraries, and businesses to build relationships and provide creative, quality programming.
- Work with Recreation/Library team to effectively market and promote programs.
- Conduct program evaluations and respond as appropriate.
- Research needs and interests of patrons; follow trends in library use; and develop new and innovative programs, activities and events.
- Assist in the preparation of the Library program budgets. Monitor revenues and expenditures to keep within the approved budget guidelines.
- Provide high quality customer service.
- Prepare written communications relative to programs, including news releases, informational bulletins, and other written or oral communications designed to interest and inform the public.
- Prepare, research, and complete appropriate grant applications for library programming. (Added)

CITY OF SAINT PETER, MINNESOTA

POSITION DESCRIPTION

- Maintain organized files and provide reports.
- ~~Coordinate publicity for library activities and programs.~~
- ~~Manage of Inter-Library Loan (ILL) materials. Maintain Digital literacy.~~
Maintain catalog of digital materials
- Perform related duties as assigned or apparent.

REQUIRED INTERPERSONAL SKILLS:

Ability to: communicate effectively; accept responsibility; secure the confidence of library patrons; maintain confidentiality as needed; demonstrate tact; deal with the public; interact positively and appropriately with the public, staff and diverse groups and individuals; apply effective conflict resolution techniques work independently with minimal supervision.

ESSENTIAL PHYSICAL REQUIREMENTS:

The Assistant Library Supervisor is required to be capable of performing the following physical functions or a combination thereof for any given workday.

- Speak, read, write and understand English.
- Hearing normal or corrected to normal.
- Eyesight 30/40 or corrected to 30/40.
- In an 8 hour day, sit for up to 8 hours and/or stand for up to 8 hours.
- Frequently bend, stoop, squat, crouch, kneel, and balance.
- Occasionally reach above shoulder level.
- Use hands for simple grasping and fine manipulating.
- Ability to perform repetitive motions of the hands and write for up to 8 hours.
- Ability to operate keyboard for up to 8 hours in a workday.
- Occasionally lift and carry up to thirty (30) pounds.

MINIMUM QUALIFICATIONS:

- ~~Two or more years post-secondary education in areas of, child care, youth development, marketing, education, library sciences, media or similar fields. Associate's Degree in _____ or equivalent.~~
- Two years demonstrated of experience in general activity programing, activity or event planning or a combination of education and experience that provides equivalent knowledge, skills and abilities.
- Personal computer knowledge and experience
- Valid driver's license.
- Experience working with the public.

DESIRED QUALIFICATIONS:

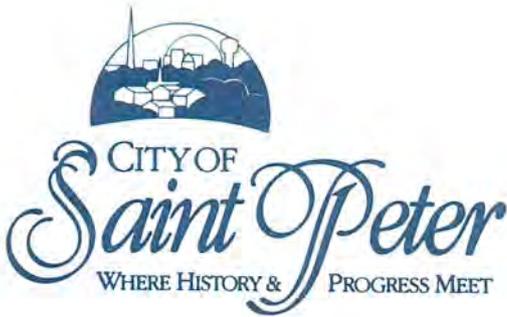
- Bachelor's degree in Education, Media, or Library Sciences or equivalent.
- ~~Three~~ Two or more years demonstrated of public library experience in patron service related or youth related position.

CITY OF SAINT PETER, MINNESOTA

POSITION DESCRIPTION

- ~~Advanced education~~ Demonstrated eExperience in library operations, media resources or related field.
- Demonstrated ability to provide ~~children's~~youth programming and services.
- Demonstrated grant writing and grant administration experience.

Adopted: 02/13/2017 _____



Memorandum

TO: Todd Prafke
City Administrator

DATE: August 3, 2020

FROM: Pete Moulton
Director of Public Works

RE: North Third Street (North of Saint Julien) Options

ACTION/RECOMMENDATION

None needed. For City Council review and discussion only.

BACKGROUND

We continue to work with customers along the proposed North Third Street Improvement Project route. Our goal is to find a solution that works for as many residents as possible. One of our major concerns is the financial risk associated with an assessment project and the overall cost to the City based on our assessment policy.

From the beginning, this hasn't been a regular developer improvement project. Usually a developer will install streets and utilities to City specifications and turn it over to the City for maintenance. This area was annexed in an underdeveloped stage. Water and sewer were installed and little direction or requirement for drainage or streets was provided. Houses were constructed one by one with no overall plan. Drainage in the area has been impacted by neighboring industrial uses and those companies are working actively to resolve or minimize their impact.

At this time, the area is about ninety percent (90%) developed and multiple issues with drainage and road surfaces exist. I see four primary options for how to proceed should you wish to improve this area with roadway and other utilities:

- 1) Option "A" – Install the necessary water, sewer, storm sewer and street based on the original scope of work which was discussed with customers at the public meetings. This would allow for development of the four undeveloped lots. The total project cost is estimated at \$666,400 with assessments ranging from \$253 to \$44,377. The City's share of this option is \$236,140 which is 35% of the total project cost.
- 2) Option "B" – Improve the drainage and install a new street just past the McLeod Street intersection. Option "B" provides drainage improvements and a hard surface to assist with access while leaving off the water and sewer improvements on the far north end of the project. Omitting the water and sewer at this time means that if any of the four undeveloped properties want to build or construct housing, they would need to have main line utilities installed before a building permit could be issued. The total project cost is estimated at \$528,591 with assessments ranging from \$253 to \$18,344. The City's share of this option is still about \$234,000 which is 44% of the total project cost.

- 3) Do nothing – leave it the way it is. Drainage is from west to east with elevations deciding where the water goes and with no developed storm water drainage, large areas are impacted which negatively impacts any road surface creating potholes and additional costs. Some customers will continue having water issues, some will not. Currently everyone is served with water and sewer and we won't have an issue until the four properties on the north end are potentially developed. Should development happen we would likely need to revisit this issue again.

- 4) Hard surface the road in some form or fashion either with a double layer seal coat like was in place before or putting a two inch (2") bituminous mat down with no improvements to water, sewer or storm sewer. That hard surface could be assessed and therefore would be low risk or the City's General Fund could absorb the improvements. The drainage issues will continue to degrade and the four northerly properties would go undeveloped as they wouldn't have utilities. Future road maintenance costs will continue to increase because poor drainage negatively impacts road surface which will degrade continually in a freeze/thaw cycle until it fails again.

Our goal for the Council's workshop is to:

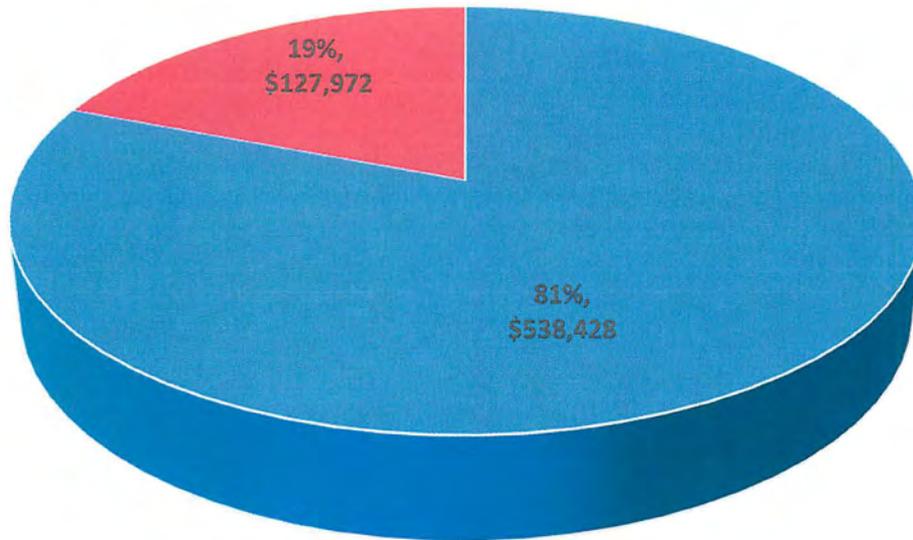
- Review the area needs and wants.
- Share some information on your policy and the rules surrounding how improvements of this type are paid for.
- Provide for a discussion on the four options and the cost risks associated with them.
- Solicit Council input and look for direction as to how they may wish to move forward so staff can then provide feedback on the process and timelines. Those processes and timelines are dependent on which option you have the most interest in.

Please feel free to contact me should you have any questions or concerns on this agenda item.

PTM/

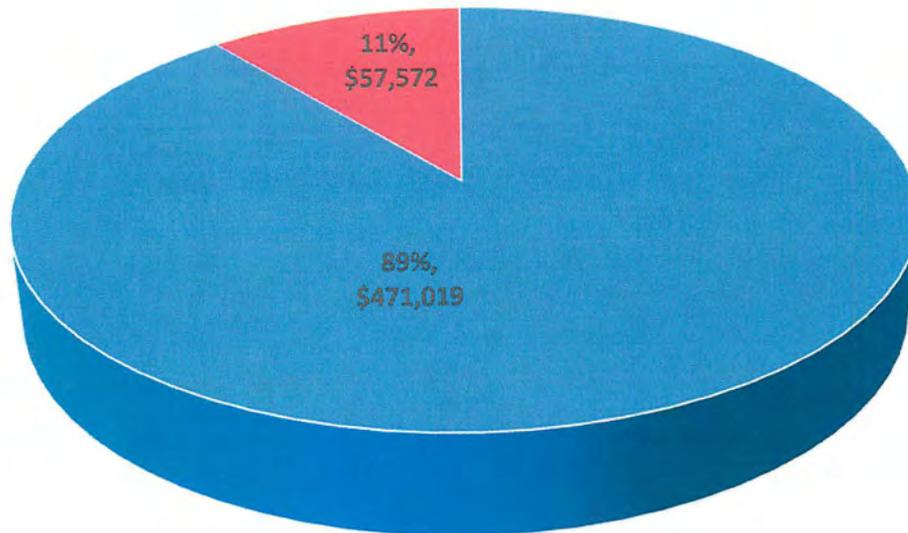
North Third Street
Total Project \$666,400

■ Assessable ■ Unassessable



North Third Street (St. Julien to McLeod St.)
Total Project Cost \$528,591

■ Assessable ■ Unassessable





Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 7/30/2020

FROM: Todd Prafke
City Administrator

RE: City Code Modifications – Keeping of Bees

ACTION/RECOMMENDATION

None needed. For Council review and discussion only.

BACKGROUND

This topic was last considered by the City Council in September, 2017. At that time and by a vote of 2-5, the proposed ordinance to allow keeping of bees failed.

The topic comes before you at the workshop following a request at your Goal Session to revisit this issue.

Enclosed you will find information provided to the Council on the topic in 2017. This information includes the memo and draft ordinance from September 2017; a copy of the pertinent section of the City Code designating bees as “farm animals”; language from the cities of Cold Spring and St. Louis Park; and apiary program information from the Minnesota Department of Agriculture. I have not developed any “new” information on this issue for your meeting and the cities that were selected are based on the availability of information and to get you a sample of what others do.

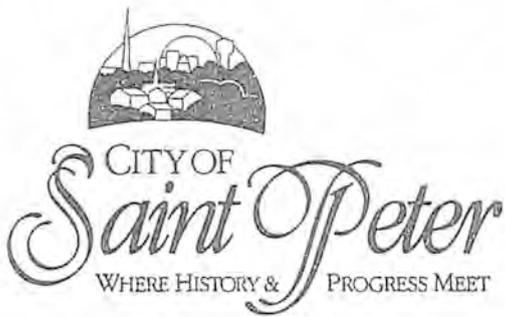
The memo and draft ordinance modification from 2017 may provide the appropriate starting point for your discussion. From a process and application standpoint I still believe the draft ordinance remains the best way to allow for bee keeping, should you wish to allow it.

The goals for your meeting are to understand what your Ordinance says about this issue, have opportunity to review how some other communities look at this issue and for you to have a well-rounded and informed discussion while giving staff additional direction.

You may note some language related to “chickens” or “chicken discussion” in the memo from 2017. As a point of reference, the discussion on bees came shortly after the Ordinance allowing chickens was approved so the process used from the Chicken Ordinance change is the intended reference point.

Please feel free to contact me if you have any questions or concerns about this agenda item.

TP/bal



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 9/7/2017

FROM: Todd Prafke
City Administrator

RE: City Code Modifications – Keeping of Bees

ACTION/RECOMMENDATION

Approve modifications to the City Code to allow the keeping of honey bees.

BACKGROUND

Based on Council direction please find attached a proposed ordinance that would modify the City Code to allow for the keeping of honey bees under specific rules and with a permit from the City.

This is an amalgamation of rules from a number of sources and follows the pattern or format for ordinance changes that was used as a part of the your chicken discussion. Generally an applicant must provide documentation that they have attended a beekeeping class and meet the care and distance restrictions based on the anticipated locations of the maximum of two hives on the property. At the workshop on this issue the Council suggested some changes that I have tried to incorporate into this proposed version. Those changes included only one barrier of six (6) feet rather than a barrier of four feet and a six foot high flyway and removal of the signage requirement. In addition the Members suggested that the applicant be required to provide notice to other properties within 100 feet of the proposed hive. That too has been added.

I anticipate, again following your chicken work, that a one-time inspection would be needed and then renewal annually without inspection. The City would maintain the right to inspect at any time, however, it is not a requirement of renewal.

At your meeting it seemed that a couple of issues were at the front of your discussion. Those were licensing to keep the bees and safety for the public. The draft language changes provide for setbacks and distances from the "public way" and since there is no licensing in the State of Minnesota and it seems administratively cumbersome for the City of Saint Peter to design its own licensing program, the draft includes a requirement for the applicant to demonstrate they have taken and received a certificate of completion on a course on beekeeping.

A proposed resolution establishing the permitting fees has also been included for Council consideration. The proposed fees are an initial inspection fee of \$45 and a \$5 annual fee; again this is the same as the chicken permit fees.

As required by recently adopted legislation, the City has provided at least 10 days advance notice on our website of the proposed ordinance change.

FISCAL IMPACT:

There would be some minor costs involved in the inspection and permitting process that should be covered by the permit fees. However, without any idea of how many applicants may apply for the beekeeping permit, I am unable to provide a more concrete fiscal impact.

ALTERNATIVES/VARIATIONS:

Do not act: No further action would be taken.

Negative vote: Should the City Council not pass the Ordinance there would be no need to consider adoption of the fee resolution. In addition, the residents who currently have a bee hive on their property would be notified of the need to eliminate the unauthorized use.

Modification of the Ordinance/Resolution: This is always an option of the City Council; however, with the recent legislative change regarding adoption of ordinance changes, any substantial change to the ordinance may trigger a need to initiate the 10 day notice period again.

Please feel free to contact me if you have any questions or concerns about this agenda item.

TP/bal

ORDINANCE NO. _____, THIRD SERIES

**AN ORDINANCE AMENDING SAINT PETER CITY CODE CHAPTER 8 "ANIMALS",
ARTICLE IV "FARM, WILD, AND EXOTIC ANIMALS" AND ADOPTING BY REFERENCE
SAINT PETER CITY CODE CHAPTER 1 SECTION 1-6, WHICH, AMONG OTHER THINGS,
CONTAIN PENALTY PROVISIONS**

WHEREAS, the City Council has adopted a Code of ordinances; and

WHEREAS, the City Code does not currently allow for the keeping of honey bees within the City limits; and

WHEREAS, City Council has discussed allowing honey bees on private property under specific circumstances; and

WHEREAS, the City Code needs to be modified to allow for keeping of honey bees within the corporate limits of the City of Saint Peter.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, DOES HEREBY ORDAIN:

Section 1. Saint Peter City Code, Chapter 8 "Animals", Article IV "Farm, Wild, And Exotic Animals" is hereby modified as follows:

ARTICLE IV – FARM, WILD AND EXOTIC ANIMALS

Sec. 8-227. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animals.

(1) The term "animals" includes farm animals and all other animals (wild or domestic), reptiles, game fish and feathered birds or fowl.

(2) Exceptions:

(a) Dogs, cats, nongame fish.

(b) gerbils, guinea pigs, hamsters, canaries, parakeets, rabbits, chickens, and honey bees.

(c) also excepted are ducks, geese and game fish in any publically owned body of water.

Farm animals mean cattle, horses, mules, sheep, goats, swine, ponies, ducks, geese, turkeys, and guinea hens.

Location means an individual property which also contains the primary residence of the applicant.

Sec. 8-230. Housing.

It is unlawful for any person to keep any animal, dog, cat, nongame fish, gerbil, guinea pig, hamster, canary, rabbit, chicken or parakeet in any structure infested by vermin, flies or insects.

Sec. 8-231. Treatment.

It is unlawful for any person to treat any animal, dog, cat, nongame fish, honey bee, gerbil, guinea pig, hamster, canary, rabbit, chicken or parakeet in a cruel or inhumane manner.

Sec. 8-232. Unlawful to keep animals, dogs, cats, rabbits, honey bees for selling, trading, slaughtering purposes.

Except as otherwise provided in this Code, it is unlawful for any person to keep or harbor or allow the breeding of any animals for the purpose of operating a business to sell, trade, slaughter or give away for slaughter.

Section 2. – Saint Peter City Code, Chapter 8 "Animals", Article IV "Farm, Wild, And Exotic Animals" is hereby modified by the addition of the following:

Sec. 8-248 – Keeping of honey bees.

Sec. 8-249. Permit Required.

It is unlawful for any person to keep any honey bees without a permit from the City.

Sec. 8-250. Permit Fees.

Permit fees shall be set by Resolution of the Council from time to time.

Sec. 8-251. Permit Time.

A permit shall be issued on an annual basis and shall expire on the 1st day of each April.

Sec. 8-252. Permit Requirements.

(1) Applicant must provide a bee hive, defined as a structure made of durable materials that provides shelter for the honey bees from the elements

(2) Hives may only be placed in the Rear Yard, as defined in the Zoning Code, of a lot which also contains a permitted residential structure.

(3) Applicant must demonstrate hives are a minimum of 25 feet from any neighboring residential structure.

(4) The hives must be set back a minimum of seven (7) feet from any property line.

(5) The hives must include a Flyway Barrier such as a fence, dense vegetation, or combination of materials at a height of a minimum six (6) feet tall and ten feet (10') wide on any side(s) of the permitted property that is within twenty-five feet (25') of the property line

(6) The applicant must demonstrate receipt of and maintain a certificate of completion of a honey bee keeping course.

(7) Applicant must ensure a convenient source of water is available within ten feet (10') of the hive.

(8) Applicant must provide proof that a notice stating bees are being kept on the subject property has been delivered to property owners within one hundred feet (100') of the beekeeping property.

Sec. 8-253. Limitation on Number of Hives

No person shall keep or allow to be kept at any one lot within the City more than two (2) hives.

Sec. 8-254. Sanitation.

All hives shall be maintained in a healthy, clean and sanitary condition and shall be free at all times from obnoxious odors and from the presence of rodents, vermin and other animals.

Sec. 8-255. Inspection.

An initial inspection of the property and hives is required before a permit will be issued. No inspection is required for a renewal of a permit. The hives may be inspected at any reasonable time by the City or its authorized agent.

Sec. 8-259. Private Restrictions or Covenants on Property.

Private Restrictions or Covenants on the use property shall remain enforceable. These include, but not limited to, deed restrictions, condominium master deed restrictions, neighborhood association by-laws, covenants, and declarations. A permit shall not be issued to a person whose premises are subject to private restrictions or covenants that prohibit the keeping of honey bees. Interpretation and enforcement of private restrictions is a sole responsibility of the private parties involved.

Sec. 8-257. Revocation.

The City may deny or revoke any permit application or renewal if it deems the applicant:

- (1) Is unwilling or unable to fulfill the provisions of the Ordinance;
- (2) Fails to comply with the provisions of the Ordinance;
- (3) Submits inaccurate or incomplete license information;
- (4) Fails to meet the conditions of the permit;

- (5) Is creating a nuisance; or
- (6) Is endangering the public health and safety.

(7) Has abandoned the hive(s). Should this occur the City will also provide thirty (30) days written notice requiring the removal or eradication of the hives. Should the owner fail to response to the demand for removal, the City will arrange for the removal and the total costs related to the action will be assessed to the property owner.

Sec. 8-2258. Violation – Petty Misdemeanor.

Any violation of this Section shall be considered punishable as a Petty Misdemeanor.

Section 3. This Ordinance shall become effective April 1, 2018.

Section 4. All provisions of Chapter 1 of the Saint Peter City Code are made a part hereof and applicable to this Ordinance.

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota this 11th day of September, 2017.

ATTEST:

Todd Prafke
City Administrator

Charles Zieman
Mayor

The foregoing Ordinance was adopted by the following votes:

Ayes:

Nays:

Absent: None

Published in the *Saint Peter Herald* on _____, 2017.

CITY OF SAINT PETER, MINNESOTA

RESOLUTION NO. 2017 -

STATE OF MINNESOTA)
COUNTY OF NICOLLET)
CITY OF SAINT PETER)

RESOLUTION MODIFYING MUNICIPAL FEE SCHEDULE

WHEREAS, the City has adopted a fee schedule outlining municipal fees and charges; and

WHEREAS, staff recommends an additional fee be established for permitting of keeping of honeybees by private property owners.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAINT PETER, NICOLLET COUNTY, MINNESOTA, THAT: the following fee be established as part of the municipal fee schedule to be effective January 1, 2018:

| | |
|--|----------------------|
| xx. Keeping of Honeybees Permit (annual fee) | \$5.00 per property |
| Initial Inspection Fee | \$45.00 per property |

Adopted by the City Council of the City of Saint Peter, Nicollet County, Minnesota, this 11th day of September, 2017.

Charles Zieman
Mayor

ATTEST:

Todd Prafke
City Administrator

ascertained with reasonable effort, but if the owner be unknown or cannot be ascertained, then the officer shall post written notice in three public places, giving a description of the animal, stating where it is being quarantined, and the conditions for its release.

(Code 1989, § 10.21(subd. 20.A); Ord. No. 172(2nd Ser.), § 1, 4-24-1989; Ord. No. 182(2nd Ser.), § 1, 10-23-1989; Ord. No. 220(2nd Ser.), § 1, 8-10-1992; Ord. No. 299(2nd Ser.), §§ 1, 2, 1-11-1999)

Sec. 8-208. Inspection required.

Any quarantined animal shall be inspected by a licensed veterinarian at the end of the 14-day quarantine period. If such animal becomes ill or dies during the quarantine period, the Police Department shall be notified immediately and the animal, if alive, shall be quarantined under the care of a licensed veterinarian, and if deceased, shall be delivered to the a licensed veterinarian to be submitted for rabies examination.

(Code 1989, § 10.21(subd. 20.B); Ord. No. 172(2nd Ser.), § 1, 4-24-1989; Ord. No. 182(2nd Ser.), § 1, 10-23-1989; Ord. No. 220(2nd Ser.), § 1, 8-10-1992; Ord. No. 299(2nd Ser.), §§ 1, 2, 1-11-1999)

Sec. 8-209. Report of inspection.

The owner of any quarantined animal shall deliver to the City the notice of quarantine served on the owner by the City at the time such quarantine is established, duly completed and signed by a licensed veterinarian acting as the inspecting veterinarian. Such notice shall be delivered to the Police Department not earlier than 14 days or later than 18 days from the date of the establishment of the quarantine. If the inspecting veterinarian suspects the animal to be rabid, the veterinarian shall cause the animal to be destroyed in a proper and humane manner and submitted for rabies examination. If the inspecting veterinarian finds the animal to be not rabid, the animal shall be returned to its owner provided that the owner shall first pay the impounding and maintenance fees in addition to the costs for veterinary services. No such animal shall be released unless proof of vaccination for rabies is provided.

(Code 1989, § 10.21(subd. 20.C); Ord. No. 172(2nd Ser.), § 1, 4-24-1989; Ord. No. 182(2nd Ser.), § 1, 10-23-1989; Ord. No. 220(2nd Ser.), § 1, 8-10-1992; Ord. No. 299(2nd Ser.), §§ 1, 2, 1-11-1999)

Secs. 8-210—8-226. Reserved.

ARTICLE IV. FARM, WILD AND EXOTIC ANIMALS

Sec. 8-227. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animals.

- (1) The term "animals" includes farm animals and all other animals (wild or domestic), reptiles, game fish and feathered birds or fowl.
- (2) Exceptions:
 - a. Dogs, cats, nongame fish.
 - b. Gerbils, guinea pigs, hamsters, canaries, parakeets, rabbits, and chickens.
 - c. Also excepted are ducks, geese and game fish in any publically owned body of water.

Farm animals mean cattle, horses, mules, sheep, goats, swine, ponies, ducks, geese, turkeys, guinea hens and honey bees.

Location means an individual property which also contains the primary residence of the applicant. (Code 1989, § 10.22(subd. 1); Ord. No. 270(2nd Ser.), § 1, 5-13-1996; Ord. No. 28(3rd Ser.), § 1, 7-25-2016)

Sec. 8-228. Animals at large.

It is unlawful for any person to permit domestic animals or fowls under his control to go upon the lands of another within the City.

(Code 1989, § 10.23; Ord. No. 218(2nd Ser.), § 1, 1-13-1992)

Sec. 8-229. Keeping.

It is unlawful for any person to keep or harbor any animal, not in transit, except animals kept:

- (1) As part of a show licensed under this Code;
- (2) In a laboratory for scientific or experimental purposes;
- (3) In an animal hospital or clinic for treatment by a licensed veterinarian; or
- (4) In a municipal animal shelter.

(Code 1989, § 10.22(subd. 1); Ord. No. 270(2nd Ser.), § 1, 5-13-1996)

Sec. 8-230. Housing.

It is unlawful for any person to keep any animal, dog, cat, nongame fish, gerbil, guinea pig, hamster, canary, rabbit, chicken or parakeet in any structure infested by vermin, flies or insects.

(Code 1989, § 10.22(subd. 2); Ord. No. 270(2nd Ser.), § 1, 5-13-1996; Ord. No. 28(3rd Ser.), § 1, 7-25-2016)

Sec. 8-231. Treatment.

It is unlawful for any person to treat any animal, dog, cat, nongame fish, gerbil, guinea pig, hamster, canary, rabbit, chicken or parakeet in a cruel or inhumane manner.

(Code 1989, § 10.22(subd. 3); Ord. No. 270(2nd Ser.), § 1, 5-13-1996; Ord. No. 28(3rd Ser.), § 1, 7-25-2016)

Sec. 8-232. Unlawful to keep animals, dogs, cats, rabbits for selling, trading, slaughtering purposes.

Except as otherwise provided in this Code, it is unlawful for any person to keep or harbor or allow the breeding of any animals for the purpose of operating a business to sell, trade, slaughter or give away for slaughter.

(Code 1989, § 10.22(subd. 4); Ord. No. 270(2nd Ser.), § 1, 5-13-1996; Ord. No. 28(3rd Ser.), § 1, 7-25-2016)

Sec. 8-233. Restraint or confinement.

It is unlawful for any person to suffer or permit an animal to run at large in the streets or public places, or to be herded or driven thereon unless each animal is confined by means of bridles, halters, ropes or other means of individual restraint.

(Code 1989, § 10.22(subd. 5); Ord. No. 270(2nd Ser.), § 1, 5-13-1996)



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ANIMALS ♦ CHEMICALS ♦ ENERGY ♦ FOOD ♦ FUNDING ♦ LAND/WATER ♦ LICENSING ♦ PLANTS/PESTS ♦

Home > Licensing, Inspections, Certifications & Testing > Licensing > Apiary Program Information

Apiary Program Information

Effective July 1, 2006, the annual apiary registration requirement and fee was discontinued. This discontinuation of the registration requirement is the result of the repeal of the Apiary Statute Chapter 19. However, recognizing that a number of beekeepers transport bees to other states during the winter months and that destination states sometimes require an inspection or certification of those bee colonies, new language, found in 2006 Minnesota Laws, chapter 265, section 1 (to be codified as Minnesota Statute section 17.445, 2006), was drafted that authorizes the Minnesota Department of Agriculture (MDA) to provide apiary inspection services for a fee.

Learn more:

- Bees & Honey
- Honey Label Requirements
- Chalkbrood Disease
- Foulbrood Disease

The MDA recognizes and appreciates that the apiary industry is an important component of Minnesota agriculture and, as such, we will continue to do our best to support the needs and activities of the industry. However, with this legislative change, our formal role or responsibility in the apiary industry is significantly reduced. Please be aware that despite this reduced "apiary inspection" role, that the MDA still retains full authority to regulate pesticides and as such will continue to investigate reports of pesticide misuse or misapplication and take appropriate regulatory action. Pesticide regulations are administered by the Pesticide and Fertilizer Management Division (PFM). PFM will continue to utilize an apiary inspector in conjunction with pesticide investigations when conducting apiary-related investigations. Contact PFM at 651-201-6055 to report possible pesticide misuse or call 651-201-6292 for pesticide registration information.

Forms:

- Apiary Inspection Application (PDF: 58 KB / 1 Pages)

External Links:

- University of Minnesota Beekeeping Short Course
- Beekeeping FAQs
- International Bee Research Association

MDA Contact

Blane White
651-201-6578
blane.white@state.mn.us



Section 1010:20. Bee Keeping Provisions.

Subdivision 1. Purpose. The purpose of this Ordinance is to establish certain requirements for beekeeping within the City, and to avoid conflicts which might otherwise be associated with beekeeping in populated areas, all for the sake of preserving the safety and well-being of the community.

Subdivision 2. Definitions. As used in this Ordinance, the following words and terms shall have the meanings ascribed in this Ordinance unless the context of their usage indicates another usage.

1. **Apiary** – Any place or location where one or more Colonies or Nuclei of Bees are kept.
2. **Beekeeper** – A person who owns or has charge of one or more Colonies of Bees.
3. **Beekeeping Equipment** – Anything used in the operation of an Apiary, such as Hive bodies, supers, frames, top and bottom boards and extractors.
4. **Bees** – Means any stage of the common Honeybee, *apis mellifera*, or other Bees kept for the production of honey or wax.
5. **Colony** – Means an aggregate of Bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.
6. **Hive** – The receptacle inhabited by a Colony that is manufactured for that purpose. One Hive houses one swarm consisting of one queen and worker Bees.
7. **Honey Bee** – All life stages of the common domestic Honey Bee, *apis mellifera* species, or other Bees kept for the production of honey or wax.
8. **Lot** – A contiguous parcel of land under common ownership.
9. **Nucleus Colony** – A small quantity of Bees with a queen housed in a smaller than usual Hive box designed for a particular purpose.

Subdivision 3. Standards of Practice.

1. Honey Bee Colonies meeting the requirements of this ordinance may be kept only upon a Lot containing a single dwelling unit, and within the R-1 Low Density Residential District or the R-2 Medium Density Residential District.

2. Honey Bee Colonies shall be kept in Hives with removable frames, which shall be kept in sound and usable condition.
3. Each Beekeeper shall ensure that a convenient source of water is available within twenty-five (25) feet of the Hive, stand boxes or apiaries.
4. Each Beekeeper shall ensure that no wax comb or other material that might encourage robbing by other Bees are left upon the grounds of the Apiary Lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other insect-proof container.
5. For each Colony permitted to be maintained under this ordinance, there may also be maintained upon the same Apiary Lot, one Nucleus Colony in a Hive structure not to exceed one standard 9-5/8 inch depth 10-frame Hive body with no supers.
6. Each Beekeeper shall maintain Beekeeping Equipment in good condition, including keeping the Hives painted if they have been painted but are peeling or flaking, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall not be a defense to this ordinance that a Beekeeper's unused equipment attracted a swarm and that the Beekeeper is not intentionally keeping Bees.
7. No Bees shall be kept upon any land not owned or possessed by the keeper of such Bees.
8. A conspicuous sign identifying the site as housing Bees and warning of danger shall be posted at entrance and exit points of all Hive enclosures.
9. It shall be unlawful for any person to place, establish, or maintain any Hive, stand, box, Apiary, or keep any Bees in or upon premises within the corporate limits of the city unless the Bees are kept in accordance with the provisions of this article.
10. Nothing in this article shall be deemed or construed to prohibit the keeping of Bees within a school for the purpose of observation, or within a physician's office or laboratory for the purpose of medical research, treatment, or other scientific purposes.

Subdivision 4. Requirements for Hives.

1. No person shall establish or maintain any Hive or keep any Bees on any premises within 50 feet of any occupied dwelling, except the dwelling of the owner of such Bees, or within 25 feet of any property line, sidewalk, alley or other public way as measured from the nearest point on the Hive to the property line, sidewalk, alley or other public right of way. No person shall establish or maintain a number of Colonies or Hives, on any premises such as to constitute a nuisance to neighboring property owners as determined by the City, based on all provisions of this ordinance.

2. No Hive shall be kept or maintained within 200 feet of a school or licensed child day care center.
3. The distance requirements shall be enforced with the exception of an adjacent property owner or occupant who may request in a written affidavit to the City that the distance requirements be waived pertaining to their property line. The affidavit may be voided at any time upon the request from the submitting owner or occupant.
4. All Hives located on premises shall be surrounded by a solid fence six (6) feet in height with the entrance facing no less than ten (10) feet from the fence. All gates must be locked with a key or combination lock at all times.
5. No Colony or Hive shall be kept or maintained within any front yard.

Subdivision 5. Colony Density.

1. No person is permitted to keep or maintain more than two (2) Colonies on any Lot or parcel.
2. If the Beekeeper serves the community by removing a swarm or swarms of Honey Bees from locations where they are not desired, the Beekeeper shall not be considered in violation of the portion of this ordinance limiting the number of Colonies if they temporarily house the swarm on the Apiary Lot in compliance with the standards of practice set out in this ordinance for no more than 30 days from the date acquired.

Subdivision 6. Application for Certificate of Compliance. An Application for a Certificate of Compliance shall be made to the City upon forms furnished by the City prior to installing, altering or establishing a Colony of Bees within a Hive. A Certificate of Compliance must be obtained to assure that all Colonies and Hives meet all requirements of this Ordinance.

1. The Application shall include the following data.
 - a. Name and address of applicant and property owner.
 - b. Legal description of the property.
 - c. A site plan or survey, if deemed necessary by the City, illustrating the dimensions of the property, including location and distances of neighboring residences and the location of the Hive in relation to any property lines, sidewalk, alleys, and right-of-ways.
 - d. Location of any schools or licensed child day care center.
2. All applications shall be accompanied by an application fee, if any is required by the City.

3. Upon establishment of the Colony and placement of the Hive and after all requirements of this Ordinance are met, the City shall issue a Certificate of Compliance upon a form furnished by the City.

Subdivision 7. Right of Entry and Inspection.

1. An officer, agent, employee or representative of the City may inspect any Apiary on any property for the purpose of ensuring compliance with the provisions of this Ordinance between 8 a.m. and 5 p.m. once annually upon prior notice to the owner of the Apiary property, and more often upon complaint without prior notice.
2. If the City determines that the keeping of Bees is creating a nuisance or is being operated in a manner hazardous to persons or property, or not meeting the requirements of this Ordinance, the City may revoke the Certificate of Compliance after a hearing is held by the City Council upon ten (10) days written notice given to the owner.

Subdivision 8. Compliance.

1. Upon receipt of credible information that any Colony located within the City is not being kept in compliance with this ordinance, the City Administrator shall cause an investigation to be conducted. If the investigation shows that a violation may exist and will continue, the City Administrator shall cause a written notice of hearing to be issued to the Beekeeper, which notice shall set forth:
 - a. The date, the time and the place that the hearing will be held, which date shall be not less than 30 days from the date of the notice.
 - b. The violation alleged.
 - c. That the Beekeeper may appear in person or through counsel, present evidence, and cross examine witnesses.
 - d. That if the City Council finds that they have been kept in violation of this ordinance, and if the violation is not remediated within the time allowed, the Bees may be ordered removed and/or destroyed.

Notices shall be given by certified U.S. Mail or personal delivery. However, if the Beekeeper cannot be located, then notice may be given by publication in the *official newspaper*, at least seven days before the hearing.

2. The hearing shall be conducted by the City Council. If the City Council finds a violation, then they may order that the Bees be removed from the City, or such other action as may address the violation; and that the Apiary Lot be disqualified for permitting under this ordinance for a period of two years from the date of the order, or the Apiary Lot ownership changes, in which case the prohibition shall terminate.

If the order has not been complied with within 20 days of the order, the City may remove or destroy the Bees and charge the Beekeeper with the cost thereof. Upon destruction of Bees by the City, all equipment shall be returned by the City to the Beekeeper, with expenses of transportation to be paid by the Beekeeper. The City's destruction of the Bees shall be by a method that will not damage or contaminate the equipment.

3. No hearing and no order shall be required for the destruction of Honey Bees not residing in a Hive structure that is intended for beekeeping.

Subdivision 9. Presumed Colony/Hive Value. For the purpose of enforcing City ordinances against destruction of property, each Colony/Hive shall be presumed to have a value of \$275.

Subdivision 10. Violations, Penalties and Fees.

1. Separate offenses. Each day a violation of this Ordinance is committed or permitted to continue shall constitute a separate offense and shall be punishable under this Ordinance.
2. Misdemeanor. Unless otherwise provided, violation of this Ordinance shall constitute a misdemeanor punishable as provided in City Code. Specific fines may be charged by resolution of the City Council.
3. Fees. Any and all fees addressed in this ordinance shall be set by the City Council.

Subdivision 11. Savings Clause. In the event any part of this ordinance or its application to any person or property is held to be unenforceable for any reason, the unenforceability thereof will not affect the enforceability and application of the remainder of this ordinance, which will remain in full force and effect.

St. Louis Park proposed beekeeping ordinance.
Failed 3-3 on 11/5/12.

ORDINANCE NO. ____-12

AN ORDINANCE RELATING TO
THE KEEPING OF BEES, AMENDING
CHAPTER 4 OF THE ST. LOUIS PARK CODE

THE CITY OF ST. LOUIS PARK DOES ORDAIN:

SECTION 1. Chapter 4, Article II of the City Code is hereby amended to add the following provisions after Section 4-43, with subsequent sections renumbered in accordance:

Sec. 4-44. Keeping of bees.

(a) The keeping of bees is permitted on single-family lots and school district and city-owned properties, and is prohibited at all other locations.

(b) Each beekeeper shall ensure that a convenient source of water is available within 10 feet of each colony at all times that the colonies remain active outside the hive.

(c) Bee hives shall be set back a minimum of 20 feet from all property lines, as measured from the nearest point of the hive to the property line.

Exception: The minimum hive setback may be reduced to 10 feet from a property line when a 6 foot high flyway barrier is installed between the hive and property line. The flyway barrier may be a wall or solid fence, and shall continue parallel to the lot line for 10 feet in either direction from the hive, or contain the hive or hives in an enclosure at least 6 feet in height.

SECTION 2. This Ordinance shall take effect fifteen days after its publication.



Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 7/30/2020

FROM: Todd Prafke
City Administrator

RE: Recreational Fires

ACTION/RECOMMENDATION

None needed. For Council review and discussion only.

BACKGROUND

This issues was raised at your last Goal Session and I was directed to place it on workshop for your information and further discussion. It may be important to note that this topic was last considered by the City Council during the September, 2017 goal session.

Materials distributed as part of the goal session which are attached for your review include the following:

- M.S. 88.171 Opening Burning Prohibitions
- Saint Peter Recreational Fire Handout provided to the public
- Minnesota State Fire Marshal Division Recreational Fires Information Sheet
- St. Peter City Code Chapter 30 Excerpt – Public Nuisances
- City of Mankato – recreational fire information sheet
- City of North Mankato – recreational fire information sheet
- City of Maple Grove Fire Department – recreational fire administrative policy
- City of Wayzata – recreational fire SOP information

The goals for your meeting are to understand what your Ordinance says about this issue, provide you an opportunity to review how some other communities look at this issue and to give staff direction as what we can do to help the community better manage/control recreational fires.

In this instance I think it may be helpful to start by defining significant problems and determining the appropriate way to work to resolve those problems. A couple questions that might be helpful to review are:

- What about the recreational fire creates the problem? Is it the fire, the smoke, noise, a safety hazard, and/ or the impact on the environment?
- Is it a problem that should be solved by the City?
- Is there already a process or solution in place (whether through the City or another authority) that that might be used more effectively?

- If so, what is it and what might make it more effective?
- If not, what new method or process or people might be more effective in resolving the problem?
 - What tools are needed?
- If a new solution is needed, what does the process for putting that in place look like and what is the timeline for doing so?

Please feel free to contact me if you have any questions or concerns about this agenda item.

TP/bal

88.171 OPEN BURNING PROHIBITIONS.

Subdivision 1. **Continual.** Open burning prohibitions specified in this section are in effect at all times of the year.

Subd. 2. **Prohibited materials; exceptions.** No person shall conduct, cause, or permit open burning of rubber, plastics, chemically treated materials, or other materials which produce excessive or noxious smoke including, but not limited to, tires, railroad ties, chemically treated lumber, composite shingles, tar paper, insulation, composition board, sheetrock, wiring, paint, or paint filters. The commissioner may allow burning of prohibited materials when the commissioner of health or the community health board has made a determination that the burning is necessary to abate a public health nuisance. Except as specifically authorized by the commissioner of the Pollution Control Agency as an emergency response to an oil spill, no person shall conduct, cause, or permit open burning of oil.

Subd. 3. **Hazardous wastes.** No person shall conduct, cause, or permit open burning of hazardous waste as defined in section 116.06, subdivision 11, and applicable commissioner's rules.

Subd. 4. **Industrial solid waste.** (a) No person shall conduct, cause, or permit open burning of solid waste generated from an industrial or manufacturing process or from a service or commercial structure.

(b) The commissioner may allow open burning of raw untreated wood if the commissioner determines that reuse, recycling, or land disposal is not a feasible or prudent alternative.

Subd. 5. **Demolition debris.** No person shall conduct, cause, or permit open burning of burnable building material generated from demolition of commercial or institutional structures. A farm building is not a commercial structure.

Subd. 6. **Salvage operations.** No person shall conduct, cause, or permit salvage operations by open burning.

Subd. 7. **Motor vehicles.** No person shall conduct, cause, or permit the processing of motor vehicles by open burning.

Subd. 8. **Garbage.** (a) No person shall conduct, cause, or permit open burning of discarded material resulting from the handling, processing, storage, preparation, serving, or consumption of food, unless specifically allowed under section 17.135.

(b) A county may allow a resident to conduct open burning of material described in paragraph (a) that is generated from the resident's household if the county board by resolution determines that regularly scheduled pickup of the material is not reasonably available to the resident.

Subd. 9. **Burning ban.** No person shall conduct, cause, or permit open burning during a burning ban put into effect by a local authority, county, or a state department or agency.

Subd. 10. **Smoldering fires.** Fires must not be allowed to smolder with no flame present, except when conducted for the purpose of managing forests, prairies, or wildlife habitats.

History: 1993 c 328 s 27; 1995 c 240 art 2 s 1; 1996 c 295 s 1,2; 2015 c 21 art 1 s 109

CITY STANDARDS FOR RECREATIONAL FIRES AS PROVIDED TO THE PUBLIC

RECREATIONAL FIRE STANDARDS - Are you getting ready for a backyard recreational fire? Before you put match to firewood, please review the standards and guidelines for having a recreational fire.

- Recreational fires must be at least 25 feet from all buildings or combustible materials. Combustible materials are things such as wood, paper, and plastics.
- Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.
- Recreational fires must be constantly attended until the fire burns out completely or is extinguished.
- A minimum of one portable fire extinguisher complying with MSFC (07) Section 906 with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, or garden hose shall be readily available at all times until the fire is extinguished. Examples of other approved fire extinguishing equipment would be a charged garden hose, dirt, or sand (and a means of applying it).
- The only materials permitted in a recreational fire are wood from trees, small branches, brush, or charcoal. Treated lumber materials, construction debris, garbage, plastic materials, or waste materials are not allowed to be burned in recreational fires.
- Recreational fires must be immediately extinguished if they pose a fire safety risk, if they are not in compliance with the above, or when directed to do so by a Police Officer, Firefighter, Fire Warden, or DNR Officer.
- The MSFC (07) does not contain any regulations for immediate extinguishment if the smoke from a recreational fire is a nuisance to an adjoining property.

Also please note that Minnesota Statutes define a campfire as: "Campfire" means a fire set for cooking, warming, or ceremonial purposes, which is not more than three feet in diameter by three feet high, and has had the ground five feet from the base of the fire cleared of all combustible material."

And finally, please help stop the spread of Emerald Ash Borer (EAB) by only using firewood that is from the local area. As required by the Minnesota Department of Agriculture, residents are not allowed to import materials to Minnesota that could harbor EAB such as ash firewood. Residents are not supposed to move firewood unless it's MDA Certified firewood (look for the MDA Certified Seal shown here) and are asked to remember that it is illegal to move all hardwood firewood outside of EAB quarantine areas. Let's work together to protect our urban forests from Emerald Ash Borer.



MINNESOTA STATE DEPARTMENT OF PUBLIC SAFETY



State Fire Marshal Division

444 Cedar Street, Suite 145, St. Paul, Minnesota 55101-5145

Phone: 651/201-7200 FAX: 651/215-0525 TTY: 651/282/6555

Internet: <http://www.fire.state.mn.us>

RECREATIONAL FIRES INFORMATION SHEET

This fire safety information sheet is based on the 2007 Minnesota State Fire Code (MSFC). The requirements outlined in this information sheet apply only to recreational fires that are no larger than 3 feet in diameter and 2 feet in height used for pleasure, religious, ceremonial, cooking, warmth, or similar purposes. Any fire larger than these dimensions is considered "open burning" and regulated by the Minnesota Department of Natural Resources (DNR). For further information on the requirements for open burning or for permits please contact the DNR at 651-296-6157 or info@dnr.state.mn.us.

SECTION 1 - RECREATIONAL FIRES

1.1 Minimum requirements for recreational fires

The 2007 MSFC establishes the minimum requirements for recreational fires that are applicable throughout the state of Minnesota. The following information is applicable even if a local jurisdiction does not have an ordinance regulating recreational fires.

- (1) Recreational fires must be at least 25 feet from all buildings or combustible materials. Combustible materials are things such as wood, paper, and plastics [MSFC (07) Section 307.4.2].
- (2) Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition [MSFC (07) Section 307.4.2].
- (3) Recreational fires must be constantly attended until the fire burns out completely or is extinguished [MSFC (07) Section 307.5].
- (4) A minimum of one portable fire extinguisher complying with MSFC (07) Section 906 with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, or garden hose shall be readily available at all times until the fire is extinguished. Examples of other approved fire extinguishing equipment would be a charged garden hose, dirt, or sand (and a means of applying it) [MSFC (07) Section 307.5].
- (5) The only materials permitted in a recreational fire are wood from trees, small branches, brush, or charcoal. Treated lumber materials, construction debris, garbage, plastic materials, or waste materials are not allowed to be burned in recreational fires [MN Statute 88.171].
- (6) Recreational fires must be immediately extinguished if they pose a fire safety risk, if they are not in compliance with the above, or when directed to do so by a police officer, firefighter, fire warden, or DNR officer [MSFC (07) Section 307.3].

Alcohol &
Gambling
Enforcement

Bureau of
Criminal
Apprehension

Capitol Security

Crime Victim
Services

Driver & Vehicle
Services

Emergency
Management /
Emergency
Response
Commission

State Fire
Marshal /
Pipeline Safety

State Patrol

Traffic Safety



The MSFC (07) does not contain any regulations for immediate extinguishment if the smoke from a recreational fire is a nuisance to an adjoining property. However, many cities have language within their ordinance that requires the fire to be extinguished if someone complains about the smoke. Furthermore, some local ordinances have limitations on recreational fires when wind speeds exceed a specified amount (15 mph, 20 mph, etc.). For more information please consult with your local city or fire official.

1.2 Local ordinances

Many cities choose to adopt ordinances that are more stringent than the information listed in section 1.1. For this reason, it is important to check with your city before you have a recreational fire since they may have an ordinance that goes above and beyond the requirements of the MSFC. Compliance with the above information may not mean you are in compliance with all local regulations.

If you have additional questions not answered in this document please contact the State Fire Marshal Division at (651) 201-7200. Questions can also be e-mailed to firecode@state.mn.us or view our web page at www.fire.state.mn.us for the latest information on fire in Minnesota.

Recreational Fires

Before starting a recreational fire, always remember to call the Recreational Fire Hotline at 952-826-0398 to ensure that the fire danger index is low and no bans are in place.

[Click here to complete a free recreational fire permit.](#)

In recent years, backyard fires have become more common in suburban cities, where the confines are much tighter than you'd find in the "great outdoors."

As a result, the City of Edina and State of Minnesota have put Fire Codes in place to address this and related issues: Edina City Ordinance 605.

Remember, recreational fires are a privilege, not a right. With this privilege comes responsibilities that must be upheld in order for you, your friends, neighbors and children to safely enjoy a summer fire.

Fire prevention and education are two of the Fire Department's top priorities. Usually, many burn injuries, fatal fires or property damage could have been prevented by adhering to the following recreational fire guidelines:

- Outdoor recreational fires are allowed under the fire code upon acquiring a free permit from the City. Permits may be obtained at Edina City Hall, 4801 W. 50th St. or online (above).
- Before starting a recreational fire, call the Edina Fire Department Recreational Fire Hotline at 952-826-0398 to ensure that the fire danger index is low and no bans are in place.
- Recreational fires are not allowed between 10 p.m. and 7 a.m. Sunday through Thursday or between midnight and 7 a.m. Friday and Saturday.
- Fires must be on private property and contained within a fire ring, pit or manufactured wood-burning appliance or similar device constructed for such use.
- Any recreational fires must be at least 25 feet from all structures, 10 feet away from property lines, and 5 feet from any combustibles.
- Keep a fire extinguisher, hose or bucket of water near your fire at all times.
- You are only allowed to burn wood (logs a minimum of 1 inch in diameter), coal or charcoal.
- Oils, combustible and flammable liquids, rubber, plastics, chemically treated materials, construction materials, hazardous waste and rubbish/trash shall not be burned. Do not use flammable or combustible liquids to kindle or rekindle a fire.
- Keep your fire no larger than three feet in diameter by two feet high.
- Do not start a recreational fire if winds exceed 15 mph.

[Click here to view the latest latest wind speed information from the National Weather Service.](#)

- Your fire must be attended at all times by at least one responsible person 18 years of age or older.
- As a courtesy to your neighbors, please let them know when you intend to have a fire.
- Make sure your fire is completely extinguished before leaving it unattended.

If the Fire Department receives complaints about the fire or it constitutes a hazardous condition, the Fire Chief is authorized to have the fire discontinued immediately.

For more information, call the Edina Fire Prevention Bureau at 952-826-0378.

City Code - City of St. Peter

ARTICLE IX. - PUBLIC NUISANCES

Sec. 30-232. - Maintaining a public nuisance.

Whoever by his act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance:

- (1) Maintains or permits a condition which unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any considerable number of members of the public;
- (2) Interferes with, obstructs, or renders dangerous for passage, any public street or right-of-way, or waters used by the public; or
- (3) Is guilty of any other act or omission declared by law or this article to be a public nuisance and for which no sentence is specifically provided.

(Code 1989, § 10.55 (subd. 1); Ord. No. 124(2nd Ser.), § 2, 11-24-1986)

Sec. 30-233. - Unlawful act.

It is unlawful for any person to knowingly cause or create a nuisance, or permit any nuisance to be created or placed upon or to remain upon any premises owned or occupied by him.

(Code 1989, § 10.55 (subd. 8); Ord. No. 124(2nd Ser.), § 2, 11-24-1986)

Sec. 30-234. - Health.

The following are hereby declared to be nuisances affecting health:

- (1) Exposed accumulation of decayed or unwholesome food or vegetable matter;
- (2) All diseased animals running at large;
- (3) All ponds or pools of stagnant water;
- (4) Carcasses of animals not buried or destroyed within 24 hours after death;
- (5) Accumulations of manure, refuse, or other debris;
- (6) Privy vaults and garbage cans which are not rodent free or fly tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;
- (7) Discharge of sewage, industrial waste, or other wastes from either point or nonpoint sources into any public well or cistern, or waters of the State so as to cause any nuisance conditions, such as the presence of significant amounts of floating solids, scum, visible oil film, excessive suspended solids, material discoloration, obnoxious odors, gas ebullition, deleterious sludge deposits, undesirable slimes or fungus growths, aquatic habitat degradation, excessive growths of aquatic plants, or other offensive or harmful effects.
- (8) Throwing, depositing, placing, leaving, maintaining, or keeping any stockpiled material, refuse, rubbish, garbage, lawn waste, or any discarded or abandoned objects, articles, or

accumulations, in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or drainage structure, business place, or upon any public or private plot of land, such that it might inhibit proper stormwater drainage or become a pollutant, except when in containers, recycling bags, or other lawfully established waste disposal receptacles for scheduled collection.

- (9) All noxious weeds and other rank growths of vegetation upon public or private property;
- (10) Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
- (11) All public exposure of persons having a contagious disease; or
- (12) Any offensive trade or business as defined by statute not operating under local license.

(Code 1989, § 10.55 (subd. 2); Ord. No. 124(2nd Ser.), § 2, 11-24-1986; Ord. No. 15(3rd Ser.), § 1, 3-23-2015)

Sec. 30-235. - Morals and decency.

The following are hereby declared to be nuisances affecting public morals decency:

- (1) All gambling devices, slot machines, and punchboards, except as otherwise permitted by this Code.
- (2) Betting, bookmaking, and all apparatus used in such occupations;
- (3) All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses;
- (4) All places where intoxicating liquor is manufactured or disposed of in violation of law or where, in violation of law, persons are permitted to resort for the purpose of drinking intoxicating liquor, or where intoxicating liquor is kept for sale or other disposition in violation of law, and all liquor and other property used for maintaining such a place;
- (5) Any vehicle used for the transportation of intoxicating liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.

(Code 1989, § 10.55 (subd. 3); Ord. No. 124(2nd Ser.), § 2, 11-24-1986)

Sec. 30-236. - Peace and safety.

The following are declared to be nuisances affecting public peace and safety:

- (1) All trees, hedges, billboards, or other obstructions that prevent persons from having a clear view of all traffic approaching an intersection;
- (2) All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles;
- (3) All unnecessary noises and annoying vibrations;

(4) Obstructions and excavations affecting the ordinary use by the public streets, alleys, sidewalks, or public grounds, except under such conditions as are permitted by this Code or other applicable law;

(5) Radio aerials or television antennas erected or maintained in a dangerous manner.

(6) Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the street or sidewalk;

(7) All hanging signs, awnings, and other similar structures over streets and sidewalks so situated so as to endanger public safety, or not constructed and maintained as provided by this Code;

(8) The allowing of rainwater, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;

(9) Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk or way;

(10) All dangerous, unguarded machinery in any public place, or so situated or operated on private property so as to attract the public;

(11) Wastewater cast upon or permitted to flow upon streets to other public property;

(12) Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies unregistered or inoperable, household furnishings, or other material, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health, or safety hazards from such accumulations;

(13) Any well, hole, or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any child or other person coming on the premises where it is located;

(14) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials;

(15) The placing or throwing on any street, sidewalk, or other public property of any glass, tacks, nails, bottles, or other substance which may injure any person or animal or damage any pneumatic tire when passing over such substance;

(16) The depositing of garbage or refuse on a public right-of-way or on adjacent private property;

(17) All other conditions or things those are likely to cause injury to the person or property of anyone.

(Code 1989, § 10.55 (subd. 9); Ord. No. 124(2nd Ser.), § 2, 11-24-1986)

Sec. 30-237. - Duties of city officers.

The City Clerk-Administrator or his designated department head or official shall enforce the provisions of this article. The Police Department shall enforce provisions relating to nuisances as appropriate and shall assist the other designated officers in enforcement of provisions of this section. Such officers shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances.

(Code 1989, § 10.55 (subd. 5); Ord. No. 124(2nd Ser.), § 2, 11-24-1986)

Sec. 30-238. - Abatement.

Subd. 1.

Whenever the officer charged with enforcement determines that a public nuisance is being maintained or exists on premises in the City, the officer shall notify, in writing, the owner or occupant of the premises of such fact and order that such nuisance be terminated and abated. The notice shall be served in person or by certified or registered mail. If the premises are not occupied and the owner is unknown or should the property owner refuse to accept the in person or mailed notice, the notice may be served by posting it on the premises. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding 30 days, within which the nuisance is to be abated. If the nuisance activity is on a property with an active City permit, the enforcement actions available under that permit shall be immediately invoked upon failure to comply with the notice.

Subd. 2.

If the notice is not complied with within the time specified, the enforcing officer shall report that fact forthwith to the City Clerk-Administrator. Thereafter the Clerk-Administrator may, after notice to the owner or occupant and an opportunity to be heard, provide for abating the nuisance by the City. The notice shall be served in the same manner as notice by the enforcing officer is served and shall be given at least ten days before the date stated in the notice when the City will consider the matter. If notice is given by posting, at least 30 days shall elapse between the date of posting and hearing.

Subd. 3.

If the notice is not complied with within the time specified, the enforcing officer shall report that fact forthwith to the City Clerk-Administrator. Thereafter the City may pursue the legal remedies provided by statute in accordance with this article.

(Code 1989, § 10.55 (subd. 6); Ord. No. 124(2nd Ser.), § 2, 11-24-1986; Ord. No. 15(3rd Ser.), § 2, 3-23-2015)

Sec. 30-239. - Recovery of cost.

Subd. 1.

Personal liability. The owner of premises on which a nuisance has been abated by the City shall be personally liable for the cost to the City of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the City Clerk-Administrator or other official designated shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the City Clerk-Administrator.

Subd. 2.

Assessment. If the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of weeds on private property or outside the traveled portions of streets, or unsound or insect-infected trees, the Clerk-Administrator shall, on or before September 1 next following abatement of the nuisance, list the total unpaid charges along with all other such charges as well as other charges for current services to be assessed under M.S. § 429.101 against each separate lot or parcel to which the charges are attributable. The Council may then spread the charges against such property under that statute and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments, not exceeding ten, as the Council may determine in each case.

(Code 1989, § 10.55 (subd. 7); Ord. No. 124(2nd Ser.), § 2, 11-24-1986)

Excerpt from City of Mankato website

Help us help you--information about recreational fires

Post Date:04/08/2020

Since it's the time of year to have recreational fires, it's important to follow the stay at home executive order and social distancing guidelines (also known as physical distancing) and avoid person-to-person contact and stay six feet away from others. View strategies to help prevent the spread of COVID-19.

Help us help you stay safe when having a recreational fire:

- Recreational fires are allowed in the city of Mankato without a permit as long as state provisions are met and used for cooking, social or recreational purposes. Social distancing guidelines--avoiding person-to-person contact--should be practiced.
- Fire pits, fire rings, or fireplaces must be 25-foot from any building or other combustibles. If using an enclosed fireplace, it should be at least 15-feet from any building or other combustible objects.
- Materials permitted in a recreational fire are wood from trees, small branches, brush or charcoal.
- Since they are fire hazards, treated lumber materials, construction debris, grass, garbage, plastic or waste materials are not allowed to be burned in recreational fires (Minnesota state statute 88.171).
- Someone must attend the recreational fire until it burns out completely or is extinguished. (Minnesota state fire code section 307.5).
- Use clean wood with a maximum wood pile that is two feet high by three feet in diameter.
- Maintain a 25-foot clearance between the recreational fire and any building, wood pile, dry brush, dry grass, or other flammables.
- Keep a fire extinguisher, hose, sand, bucket or shovel nearby.
- Once done with recreational fire, place remains in metal can, soak in water and allow at least 24 hours to cool before discarding them. Proper disposal can help prevent a fire from restarting and causing damage. Ashes should be spread in gardens, buried on the property, or disposed of in a landfill.
- Extinguish fires immediately if they pose a fire safety risk, are not in compliance with code, or a police officer, firefighter, fire warden or Minnesota Department of Natural Resources officer directs the fire must be put out. (Minnesota state fire code section 307.3).

For more information contact public safety staff at 507-387-8577.

Recreational Fires

Small recreational fires or campfires shall be permitted but shall be subject to meeting all regulations contained herein. All fires must be contained to a device designed to hold a small fire, such as an outdoor fireplace, commercially manufactured steel or ceramic portable fireplace (including chimneys and portable fire pits) and used according to the manufacturer's directions. Stationary fire pits shall be built in a below-ground pit surrounded on the outside by a non-combustible material such as concrete block, metal or rocks with a minimum depth of 6 inches. Recreational fires must produce little detectable smoke, odor and soot beyond the property line. Recreational fires will be permitted while respecting weather conditions, neighbors, burning bans and air quality so that nuisance, health or safety hazards will not be created.

No more than one recreational fire is allowed on any property at one time.

- **Permits**

1. A burn permit is not required for a recreational fire.
2. A building permit is required for any patio built around a recreational fire and must comply with setback regulations for patios.

- **Size**

A recreational fire shall be no more than two feet in height and cover an area no more than three feet in diameter (measured from the inside of the fire ring or border).

- **Location**

Recreational fires shall not be located closer than 25 feet to any structure or combustible materials (such as wood, paper, plastic) and must be contained in a fire ring. Conditions that could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition. A surrounding fire barrier of non-combustible material that is at least 6 inches in height must be used. The size of the fire prior to ignition must meet the requirements listed above.

- **Wood**

Allowed: Dry, clean fuel only such as twigs, branches, limbs, "presto logs", charcoal, and cord wood or untreated dimensional lumber. Clean pallets may be used when cut into three foot lengths. Only unpainted wood, which has not been treated with chemicals or preservatives.

- **Prohibited Materials– these items can NOT be burned**
 1. No wood that is green with leaves or needles.
 2. No leaves or grass clippings.
 3. No rotten or wet wood.
 4. No wood treated with paint, glue or preservatives or oil-soaked.
 5. No garbage, construction debris, plastic materials or waste materials.
- **Fire extinguishing equipment**

A minimum of one portable fire extinguisher with a minimum 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand or garden hose shall be readily available at all times until the fire is extinguished.
- **Attendance**

Every recreational fire shall be constantly attended by an adult person and shall be completely extinguished before leaving the scene.
- **Hours**

Recreational fires shall be conducted between the hours of 9:00 a.m. and 12:00 a.m.
- **Wind Conditions**

Recreational fires shall not be conducted if wind conditions exceed 10 mph.
- **Discontinuance**

The North Mankato Fire Chief and authorized North Mankato Fire Department personnel are authorized to require that recreational fires be immediately discontinued if such fires are determined by the Chief or NMF D personnel to constitute a hazardous condition.
- No Recreational or Open Flame fire will be allowed when an Open Fire Ban is in place because of dry hazard conditions.
- Failure to comply with these provisions may be a chargeable offense.

Barbecue Appliances

- Freestanding barbecue pits or approved burning appliances (freestanding fireplaces) shall maintain a clearance of not less than 25 feet from structures and other combustible materials.
- General provisions also apply.

Outdoor cooking. Open burning will be permitted for outdoor cooking when the fire is limited to the minimum size necessary and contained in a device or cooking utensil commonly referred to as a grill or hibachi and designed for outdoor cooking purposes. All applicable and/or reasonable safety precautions shall be taken when using said devices or utensils.



Recreational Fires

Page 1 of 1

MAPLE GROVE FIRE DEPARTMENT ADMINISTRATIVE POLICY

EFFECTIVE DATE: 7/1/2009

PURPOSE: To provide policy for recreational fires conducted by residents of the City of Maple Grove in conjunction with guidelines issued by the Minnesota Department of Public Safety-State Fire Marshals Division.

The mission of the Maple Grove Fire Department is to respond to fire, rescue, medical, hazardous material and other emergencies, to investigate the cause of fires, and to prevent fires and promote safety in the community. (Maple Grove Ordinance Code Sec. 18-32. (a)) The Maple Grove Fire Department Policy on recreational fires has been created to deal with fire safety issues related to recreational fires. It is not intended to deal with air quality issues other than to describe types of fuels that may be burned, in general.

1. Residents shall possess a recreational fire permit. This is a means of ensuring that they have a copy of burning requirements while conducting a recreational fire.
2. A person may only obtain a recreational fire permit and conduct a recreational fire on property that they own. An exception would be to issue a permit to a homeowners association for operating a recreational fire by any member of the association on association owned property with the permission of the association governing board, or to a property owner who may allow tenants to operate a fire on private property with the permission of the property owner such as in a designated fire pit in an apartment complex.
3. The size of the fire shall not exceed 3 feet in diameter and 2 feet in height.
4. Recreational fires must be at least 25 feet from all buildings or combustible materials.
5. Conditions which could cause a fire to spread within 25 feet of a structure shall be eliminated prior to ignition.
6. Recreational fires must be constantly attended until the fire burns out completely or is extinguished.
7. A minimum of one portable fire extinguisher complying with MSFC (07) Section 906 with a minimum of a 4-A rating or other approved on-site fire extinguishing equipment, such as dirt, sand, or a garden hose shall be readily available at all times until the fire is extinguished.
8. The only materials permitted in a recreational fire are wood from trees, small branches, brush, or charcoal. Treated lumber materials, construction debris, garbage, plastic materials, or waste materials are not allowed to be burned in recreational fires. Yard waste, including weeds, grass clippings, leaves, and similar materials may not be burned in a recreational fire.
9. Recreational fires must be immediately extinguished if they pose a fire safety risk, if they are not in compliance with Minnesota Department of Public Safety-State Fire Marshal Division Guidelines or this Maple Grove Fire Department Policy, or when directed to do so by any police officer or any Maple Grove Firefighter or Officer.

Recreational Fires

Standard Operating Procedures

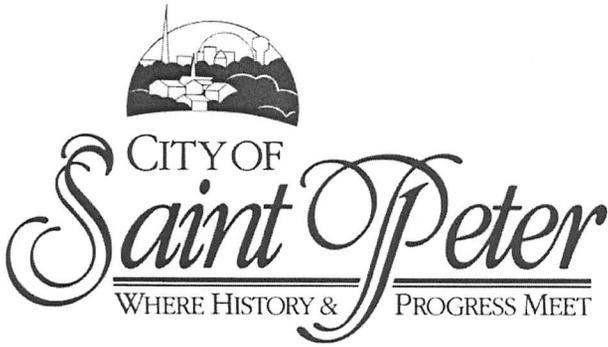
The Wayzata Fire Department encourages citizens to be safe when enjoying outdoor activities this summer. If a recreational fire is part of your plans, please make sure that you are familiar with our Recreational Fires Standard Operating Procedures:

- Fires must be a minimum of 25 feet from any combustible material.
- Fires must be contained within a 3 foot diameter that is completely surrounded by noncombustible and nonsmoke or odor producing materials.
- Fires must be inside a noncombustible fire ring.
- Fires must not be more than 36 inches around and 36 inches high.
- Fires must be attended at all times by an adult and have a fire extinguisher or hose connected to a water supply readily available for use.
- Only clean wood or charcoal may be burned. Burning trash or leaves is not permitted.
- Fire users must respect weather conditions, neighbors, burning bans and air quality so that nuisance, health or safety hazards are not created.
- Fires are not permitted when the City of Wayzata or the Minnesota Department of Natural Resources has declared a burning ban, or when the Minnesota Pollution Control Agency has declared an air quality alert.
- Users must contact the Fire Department as to time of the fire by calling 952-404-5337.

The Wayzata Fire Department may prohibit any or all recreational fires when atmospheric conditions or local circumstances make such fires hazardous.

No burning of any waste material allowed!

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Memorandum

TO: Honorable Mayor Zieman
Members of the City Council

DATE: 7/31/2020

FROM: Todd Prafke
City Administrator

RE: Goal Session Schedule

ACTION/RECOMMENDATION

None needed. For Council information only.

BACKGROUND

If the City Council proceeds as usual, a goal session will take place on the fifth Monday of August (August 31st) beginning at 3:00 p.m. in the Governor's Room.

My goal for your discussion on Monday's workshop agenda will be:

- To confirm this date. As you just recently had a goal session you may wish to consider a change in schedule as it was only two months between 5th Mondays (the 5th Monday is your usual pattern for Goal Sessions).
- To ask for additional time beyond the three hours on the June goal session as you have some big discussion type topics to cover.
- To evaluate whether the spacing out of what might traditionally be Goal Session topics as part of workshop agendas.

If you have any questions about this agenda item, please feel free to contact me.

TP/bal