

TITLE 2. ADMINISTRATION

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Chapter 200 - Election

200.01 Regular Election. The regular annual election in the City of Princeton, Minnesota will henceforth be held on the first Tuesday after the first Monday in November.

200.02 Counting Absentee Ballots.

- (A) **Title.** The following sections from the date of their adoption shall be known as the Absentee Ballot Counting Board Ordinance of the City of Princeton.
- (B) **Purpose.** The purpose of these sections is to authorize the counting of all absentee ballots cast in state and federal elections in the city by the county wide Absentee Ballot Counting Board established by Sherburne County.
- (C) **Legal authority.** These sections are enacted pursuant to M.S. § 203B.13, as it may be amended from time to time.

200.03 Authorization of County Auditor.

- (A) The County Auditor is authorized to direct that all absentee ballots obtained by residents of the city be returned to the County Auditor for safe and secure storage until election day.
- (B) The County Auditor shall deliver the absentee ballots directly to the Absentee Ballot Counting Board on election day.

200.04 Designation of Absentee Ballot Counting Board. The city hereby appoints the Sherburne County Absentee Ballot Counting Board as the election judge for the sole purpose of tallying absentee ballots in the city in Sherburne County.

200.05 Compensation to Absentee Ballot Counting Board Members. Absentee Ballot Counting Board members will be paid a reasonable compensation by the County Board for services rendered during each election. Based on the number of absentee ballots cast, the city will pay a pro-rated share of the total cost, as billed by the County Auditor.

Chapter 205 - Salaries

205.01 Salaries Established. The annual salary of the Mayor of the City of Princeton shall be \$3,600.00. The annual salary of each member of the Council of the City of Princeton shall be \$3,090.00. In addition to the annual salary, \$25.00 will be paid to the Mayor and each Council member attending the Board of Equalization meeting.

205.02 Per Diem. In addition to the annual salary of the Mayor and Council Members of the City of Princeton, a per diem of \$40 per meeting shall be paid for each of the first ten (10) duly noticed special meetings of the City Council held to transact official city business. In the event that said special meeting is held at the request of someone other than the Mayor or City Council member(s), the per diem cost for said meeting may be charged back to the requester.

Chapter 210 - City Administrator

210.01 City Administrator. The position of City Administrator is hereby created in the City of Princeton, Minnesota. The City Administrator shall be the Chief Administrative Officer of the city and shall perform the duties set forth herein and all duties as may be assigned to him or her by the City Council. He or she shall be directly responsible only to the City Council in performance of these duties.

210.02 Qualifications and Appointment.

- (A) Selection of the City Administrator shall be based on education and administrative experience and not on residence and/or other political considerations.
- (B) The City Administrator shall be appointed by a majority vote of the City Council and shall serve at the pleasure of the Council. Removal from the position shall be by affirmative vote of a majority of the members of the City Council.

210.03 Authority and Responsibility. The City Administrator shall have the authority to perform and the responsibility to perform the following duties:

- (A) The general supervision of all departments and personnel of the city;

- (B) Coordination of administrative functions and operations of the various departments for the maximum use of personnel and equipment for the most efficient operation of city affairs;
- (C) Recommend to the City Council such programs, policies, measures, resolutions, and ordinances as he or she may consider necessary for the welfare of the citizens in the efficient administration of the city;
- (D) Ensure that policies and directives of the Council are carried out and that ordinances, resolutions, and other laws are enforced;
- (E) Advise the Council as to the financial condition and needs of the city, the status of funds and the investment of idle funds;
- (F) Prepare and submit the annual budget recommendations to the Council and enforce the budget after its adoption by the Council;
- (G) Recommend the appointment and removal of all employees, including department heads. Coordinate all department heads and resolves any department problems;
- (H) Respond to citizen calls and complaints and answer communications addressed to the Council; and
- (I) All statutory duties assigned to the City Administrator, including, but not limited to, the signing of official documents, the keeping of the city minutes, ordinances, resolutions and other records, keeping of the City Seal, publication of official notices, and administration of regular and special elections.

210.04 Reference. M.S. §412.111, as it may be amended from time to time, authorizes the creation of this position by the City Council. As per M.S. § 412.591, as it may be amended from time to time, the office of City Treasurer is hereby reestablished and said duties imposed on the City Treasurer, and the office of City Administrator is hereby reestablished and said duties imposed on the City Administrator.

210.05 Deputy Administrator. The City Administrator may delegate any of the duties of the position of City Administrator to a Deputy Administrator.

Chapter 215 - Emergency Management

215.01 Policy and Purpose. Because of the possibility of disasters of unprecedented size and destruction resulting from fire, flood, tornado, blizzard, destructive winds or other natural causes, or from sabotage, hostile action, or from hazardous material mishaps of catastrophic measure; and in order to insure that preparations of this city will be adequate to deal with those disasters, and generally, to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of this city, it is hereby found and declared to be necessary:

- (A) To establish a city emergency management organization responsible for city planning and preparation for emergency government operations in time of disasters;
- (B) To provide for the exercise of necessary powers during emergencies and disasters;
- (C) To provide for the rendering of mutual aid between this city and other political subdivisions of this state and of other states with respect to the carrying out of emergency-preparedness functions;
- (D) To comply with the provisions of M.S. § 12.25, as it may be amended from time to time, which requires that each political subdivision of the state shall establish a local organization for emergency management.

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

- (A) “Disaster” means a situation which creates an immediate and serious impairment to the health and safety of any person, or a situation which has resulted in or is likely to result in catastrophic loss to property and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.
- (B) “Emergency” means an unforeseen combination of circumstances which calls for immediate action to prevent a disaster from developing or occurring.
- (C) “Emergency management” means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by fire, flood, tornado, and other acts of nature, or from sabotage, hostile action, or from industrial hazardous material mishaps. These functions include, without limitation, firefighting services, police services, emergency medical services, engineering, warning services, communications, radiological, and chemical, evacuation, congregate care, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services and other functions related to civil protection, together with all other activities necessary or incidental for carrying out the foregoing functions. Emergency management includes those activities sometimes referred to as “civil defense” functions.
- (D) “Emergency management forces” means the total personnel resources engaged in city-level emergency management functions in accordance with the provisions of this chapter or any rule or order thereunder. This includes personnel from city departments, authorized volunteers, and private organizations and agencies.
- (E) “Emergency management organization” means the staff responsible for coordinating city-level planning and preparation for disaster response. This organization provides city liaison and coordination with federal, state, and local jurisdictions relative to disaster preparedness activities and assures implementation of federal and state program requirements.

215.03 Establishment of Emergency Management Organization. There is created within the city government an emergency management organization which shall be under the supervision and control of the City Emergency Management Director, called the Director. The Director shall be appointed by the City Council for an indefinite term and may be removed by the Council at any time. The Director may serve with a salary as established by the City Council and shall be paid his or her necessary expenses.

215.04 Powers and Duties of Director.

- (A) The Director shall represent the city on any regional or state conference for emergency management. The Director shall develop proposed mutual aid agreements with other political subdivisions of the state for reciprocal emergency management aid and assistance in an emergency too great to be dealt with unassisted and shall present these agreements to the Council for its action. These arrangements shall be consistent with the State Emergency Plan.
- (B) The Director shall make studies and surveys of the human resources, industries, resources, and facilities of the city as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster. The Director shall establish the economic stabilization systems and measures, service staffs, boards, and sub-boards required, in accordance with state and federal plans and directions subject to the approval of the Mayor.
- (C) The Director shall prepare a comprehensive emergency plan for the emergency preparedness of the city and shall present the plan to the Council for its approval. When the Council has approved the plan, it shall be the duty of all city agencies and all emergency preparedness forces of the city to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time. The Director shall coordinate the emergency management activities of the city to the end that they shall be consistent and fully integrated with the emergency plans of the federal government and the state and correlated with emergency plans of the county and other political subdivisions within the state.
- (D) In accordance with the State and City Emergency Plan, the Director shall institute training programs, public information programs and conduct practice warning alerts and emergency exercises as may be necessary to assure prompt and effective operation of the City Emergency Plan when a disaster occurs.
- (E) The Director shall utilize the personnel, services, equipment, supplies, and facilities of existing departments and agencies of the city to the maximum extent practicable. The officers and personnel of all city departments and agencies shall, to the maximum extent practicable, cooperate with and extend services and facilities to the city's emergency management organization and to the Governor upon request. The head of each department or agency in cooperation with the Director shall be responsible for the planning and programming of those emergency activities as will involve the use of the facilities of the department or agency.

- (F) The Director shall, in cooperation with those city departments and agencies affected, assist in the organizing, recruiting, and training of emergency management personnel, which may be required on a volunteer basis, to carry out the emergency plans of the city and state. To the extent that emergency personnel are recruited to augment a regular city department or agency for emergencies, they shall be assigned to the departments or agencies and shall be under the administration and control of the department or agency.
- (G) Consistent with the state emergency services law, the Director shall coordinate the activity of municipal emergency management organizations within the city and assist in establishing and conducting training programs as required to assure emergency operational capability in the several services as provided by M.S. § 12.25, as it may be amended from time to time.
- (H) The Director shall carry out all orders, rules, and regulations issued by the Governor with reference to emergency management.
- (I) The Director shall prepare and submit reports on emergency preparedness activities when requested.

215.05 Local Emergencies.

- (A) A local emergency may be declared only by the Mayor or his or her legal successor. It shall not be continued for a period in excess of three days except by or with the consent of the Council. Any order or proclamation declaring, continuing or terminating a local emergency shall be given prompt and general publicity and shall be filed in the office of the City Administrator.
- (B) A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or inter-jurisdictional disaster plans and may authorize aid and assistance thereunder.
- (C) No jurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions. However, an inter-jurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions.

Penalty, see § 215.99

215.06 Emergency Regulations.

- (A) Whenever necessary to meet a declared emergency or to prepare for an emergency for which adequate regulations have not been adopted by the Governor or the Council, the Council may by resolution or ordinance promulgate regulations, consistent with applicable federal or state law or regulation, respecting: the conduct of persons and the use of property during emergencies; the repair, maintenance, and safeguarding of essential public services, emergency health, fire, and safety regulations, drills or

practice periods required for preliminary training, and all other matters which are required to protect public safety, health, and welfare in declared emergencies.

- (B) Every resolution of emergency regulations shall be in writing, shall be dated, shall refer to the particular emergency to which it pertains, if so limited, and shall be filed in the office of the City Administrator. A copy shall be kept posted and available for public inspection during business hours. Notice of the existence of these regulations and their availability for inspection at the City Administrator's office shall be conspicuously posted at the front of the city hall or other headquarters of the city or at other places in the affected area as the Council shall designate in the resolution or ordinance. By resolution or ordinance, the Council may modify or rescind a regulation.
- (C) The Council may rescind any regulation by resolution or ordinance at any time. If not sooner rescinded, every regulation shall expire at the end of 30 days after its effective date or at the end of the emergency to which it relates, whichever comes first. Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Council shall be suspended during the period of time and to the extent conflict exists.
- (D) During a declared emergency, the city is, under the provisions of M.S. § 12.31, as it may be amended from time to time and notwithstanding any statutory or Charter provision to the contrary, empowered, through its Council, acting within or without the corporate limits of the city, to enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and property and providing emergency assistance to the victims of a disaster. The city may exercise these powers in the light of the exigencies of the disaster without compliance with the time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering rental equipment agreements, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds, including, but not limited to, publication of resolutions, publication of calls for bids, provisions of personnel laws and rules, provisions relating to low bids, and requirement for bids.

Penalty, see § 215.99

215.07 Emergency Management a Government Function. All functions and activities relating to emergency management are hereby declared to be governmental functions. The provisions of this section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled under this chapter or under the worker's compensation law, or under any pension law, nor the right of any person to receive any benefits or compensation under any act of Congress.

215.08 Participation in Labor Disputes or Politics. The emergency management organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.

215.99 Penalty. Any person who violates any provision of this chapter or any regulation adopted thereunder relating to acts, omissions, or conduct other than official acts of city employees or officers is guilty of a misdemeanor.

Chapter 220 - Municipal Airport Advisory Board

220.01 Purpose Created; Composition; Appointment; Term of Office.

- (A) It is the purpose of the City Council to provide a municipal airport facility in order to enhance the economic viability of the community by providing a safe, efficient, quality, and proper access to the nation's airways for residents and businesses of the community.
- (B) In order to educate and inform the Council and the public on aviation matters, to secure support for a sound and viable airport, and to provide feedback to management decisions and operations of the airport, there is hereby created and established an advisory board to the City Council to be known and designated as the Princeton Airport Advisory Board.
- (C) Such Board shall consist of five members appointed by a majority of the City Council. Terms of office shall be three years, or until qualified successors have been appointed. The Board shall be representative of diverse local interests.

220.02 Filling of Vacancies; Compensation. Vacancies on the Board shall be reported to the City Council and filled by like appointment for the unexpired term. Board members shall receive no compensation for their services.

220.03 Officers; By-laws. The Board shall present an organization plan and by-laws to the Council for approval and elect one of its members as Chair. The Chair shall be responsible for calling and presiding at all meetings. The Board shall also elect one of its members as Vice-Chair, who shall perform the duties of the Chair in the absence of or incapacity of the Chair. The Board shall also elect one of its members as Secretary. The City Administrator may provide a city employee to record the proceedings of the Board.

220.04 Powers and Duties. The Board shall advise and assist the City Council:

- (A) In preparing a sound financial plan for the operation and maintenance of the facilities and for the growth and development of the airport;
- (B) In recommending the development and use of airport property;
- (C) In promoting and attracting and otherwise encouraging the development of aviation related trades;
- (D) In creating and implementing public relations and information programs of the airport;

- (E) In reviewing and directing the annual maintenance programs and the facility development programs;
- (F) In maintaining a high quality environment in the maintenance and upkeep of both public and private facilities at the airport;
- (G) In determining, creating, and maintaining the proper local access to the nation's airways for the community.

Chapter 225 - Park and Recreation Advisory Board

225.01 Purpose Created; Composition; Appointment; Terms of Office.

- (A) It is the purpose of the Council of the City of Princeton to provide a high quality of life for the residents of Princeton by protecting the natural resources, safe-guarding historic sites and developing and maintaining park and recreational facilities for public enjoyment.
- (B) For said purpose, there is hereby created and established in and for the city a board to be known and designated as the Park and Recreation Advisory Board. Such board shall consist of seven members appointed by the City Council. Terms of office shall be three years staggered to provide selection of three members in one year and two members in each of the next two years.

225.02 Filling of Vacancies; Compensation. Vacancies on the Board shall be reported to the City Council and filled by like appointment for the unexpired term. Board members shall receive no compensation for their services.

225.03 Officers; By-Laws. The Board shall organize itself and elect one of its members as Chair. The Chair shall be responsible for calling and presiding at all meetings. The Board shall also elect one of its members as Vice-Chair, who shall perform the duties of the Chair in the absence of or incapacity of the Chair. The Board shall also elect one of its members as Secretary. The City Administrator may provide a city employee who may record the proceedings of the Board. The Board shall also adopt its own by-laws for the conduct of its business.

225.04 Powers and Duties. The Board shall advise and assist the City Council in matters relating to the natural resources and historic facilities in Princeton, including all park and recreation programs in which the city is involved, all playgrounds, playfields, parks, golf courses, swimming pools, and other recreational facilities in which the city is involved. The Board shall have no power to incur debt for which the city or any department thereof shall be liable and it shall have no power or authority to make any improvement, alterations or changes in any of the parks or city facilities without the consent of the City Council. The Board will perform the following functions:

- (A) To develop and maintain a comprehensive plan for the Princeton park system which categorizes park and recreation areas and facilities. To make recommendations for the development and maintenance of these areas and facilities based on said plan;
- (B) To review proposed plot plans for new subdivisions and recommend to the City Council parkland dedicated or cash equivalent for consideration in conjunction with the plat approval process;
- (C) To propose to the City Council rules and regulations for the use of any parks, recreational or leisure facilities. Review all requests for the special use of such facilities and make recommendations to the City Council regarding such requests;
- (D) To consider proper names for park and recreation areas and facilities and make recommendations to the City Council for such titles; and
- (E) To conduct studies and investigations as specifically directed or delegated by the City Council. To represent the City Council at appropriate meetings, hearings and other events when so directed.

Chapter 230 - Cemetery

230.01 Location.

- (A) A cemetery has been established upon land owned by the City of Princeton and described as follows: Blocks 1 - 4, Original Plat; Blocks 5 - 14, Enlargement of Original; Blocks 15 - 26, 1895 First Addition; Blocks 27 - 30, 1910 Addition; Blocks 1 - 9, Second Addition; Blocks 10 - 12 and Blocks 16 - 18, Third Addition; Blocks 2 - 4, Fourth Addition; Blocks 1 - 3, Fifth Addition; and Blocks 1 - 3, Sixth Addition.
- (B) A map of the cemetery is on file in the office of the City Administrator and is hereby adopted as the official map of the cemetery which shall be called Oak Knoll Cemetery.

230.02 Definitions. For the purpose of this chapter, the following words shall have the following definitions.

- (A) "Gravesite" means a fraction of a lot and shall be a burial site for one person or one person and one cremains.
- (B) "Lot" means a fraction of a block of contiguous gravesites, containing one to eight gravesites, as surveyed, identified, and numbered on the official map of Oak Knoll Cemetery.
- (C) "Block" means contiguous lots of gravesites as surveyed, identified, and numbered on the official map of Oak Knoll Cemetery.

- (D) “Addition” means contiguous lots and blocks of gravesites as surveyed, identified, and numbered on the official map of Oak Knoll Cemetery.

230.03 Conditions of All Purchases. All lots and gravesites shall be sold subject to these rules and regulations or those hereafter adopted by the Princeton City Council. The purchaser shall expressly agree in the deed conveying the lot or gravesite that his or her rights are subject to such reasonable rules and regulations as the City Council may adopt. No gravesite shall be used for any purpose other than burial of human remains and the placing of appropriate memorials.

230.04 Purchase of All Lots and Gravesites.

- (A) Upon full payment of the purchase price of a lot or gravesite, the City Administrator shall issue a cemetery deed to the purchaser.
- (B) The price of gravesites will be established from time to time by resolution of the City Council. All money received from the sale of lots, gravesites, or other services shall be paid to the City Treasurer who shall issue a receipt.

230.05 Transfer of Lots or Gravesites. No cemetery lot or gravesite may be resold, transferred or otherwise disposed of, but the city agrees to repurchase cemetery lots or gravesites for the original purchase price less the amount paid for perpetual care. Gravesite owners may not allow interments to be made on their gravesites for remuneration.

230.06 Perpetual Care and Cemetery Upkeep.

- (A) Overall maintenance and upkeep of the cemetery shall be the responsibility of the city. In order to help pay for maintenance and upkeep, a fee schedule shall be set from time to time by resolution of the City Council. Perpetual care shall automatically be included with the purchase of any gravesite(s). No additional annual upkeep fee shall be charged.
- (B) All gravesites sold prior to adoption of this chapter shall be perpetually maintained by the city without additional cost.

230.07 Handling of Funds. All money received from the sale of lots and gravesites shall be placed in the Cemetery Fund, which Fund shall be used to purchase additional cemetery property and for maintenance and improvements and for no other purpose. All money received for perpetual care shall be placed in a separate fund. This money shall be invested and the earnings transferred to the Cemetery Fund. The Treasurer shall keep an account of all receipts and disbursements of money belonging to the Cemetery Fund and the Perpetual Care Fund and shall make disbursements from the Fund only on orders approved by the City Council.

230.08 Cemetery Records. The City Administrator shall be the record keeper of the cemetery transactions and shall, in addition to other records and duties in relation to the cemetery, keep a register of all interments and disinterments, including the name, age, date of death, date of burial, place of death, undertaker and person providing these facts and place in interment (gravesite, lot and block numbers).

230.09 Interment.

- (A) All interments must be made by the city or its representative. All adult or children remains (not babies) must be encased in a vault.
- (B) Fees will be set from time to time by ordinance of the City Council. No services will be performed until all fees are paid in full.

230.10 General Rules and Regulations.

- (A) All rules and regulations regarding placement, size, and type of markers and monuments, trees, shrubs, flowers, setting of cemetery hours, access to cemetery, traffic control within the cemetery and any other rules will be set from time to time by City Council.
- (B) The City Council reserves the right to amend these rules, regulations and charges in order to promote the general objects and best interest of the cemetery and the City Council is not required to give notice to gravesite owners of such intended action.

230.99 Penalty. Any person violating any provision of this chapter is guilty of a misdemeanor and shall be punished as provided by §100.99.

Chapter 240 - Abandoned Property

240.01 Disposition of Abandoned Property.

- (A) **Procedure.** All lawful property coming into possession of the city, including abandoned and junked vehicles, shall be disposed of according to the procedures of this chapter.
- (B) **Storage.** The department of the city acquiring possession of the property shall arrange for its storage. If city facilities are unavailable or inadequate, the department may arrange for storage at a privately-owned facility.
- (C) **Claim by owner.** The owner may claim the property by exhibiting satisfactory proof of ownership and paying the city any storage or maintenance costs incurred by it. A receipt for the property shall be obtained upon release to the owner.

- (D) **Sale.** If the property remains unclaimed in the possession of the city for 60 days, the property shall be sold to the highest bidder at a public auction conducted by the City Administrator or his or her designee after two weeks published notice setting forth the time and place of the sale and the property to be sold.
- (E) **Disposition of proceeds.** The proceeds of the sale shall be placed in the General Fund of the city. If the former owner makes application and furnishes satisfactory proof of ownership within six months of the sale, the former owner shall be paid the proceeds of the sale of the property less the costs of storage and the proportionate part of the cost of published notice and other costs of the sale.

240.02 Findings and Purpose. M.S. Ch. 168B, and Minn. Rules Ch. 7035, as they may be amended from time to time, are hereby adopted by reference. This chapter is adopted under the authority of M.S. § 168B.09, Subd. 2, as it may be amended from time to time. If any of these provisions are less stringent than the provisions of M.S. Ch. 168B or Minn. Rules Ch. 7035, as it may be amended from time to time, the statute or rule shall take precedence.

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

(A) “Abandoned vehicle” means:

- (1) A motor vehicle, as defined in M.S. § 169.01, as it may be amended from time to time, that:
 - (a) Has remained illegally:
 - 1. For a period of more than 48 hours on any property owned or controlled by a unit of government, or more than 4 hours on that property when it is properly posted; or
 - 2. On private property for a period of time, as determined under §240.05(B), without the consent of the person in control of the property; and
 - (b) Lacks vital component parts or is in an inoperable condition that it has no substantial potential for further use consistent with its usual functions, unless it is kept in an enclosed garage or storage building.
- (2) A classic car or pioneer car, as defined in M.S. §168.10, as it may be amended from time to time, is not considered an abandoned vehicle.
- (3) Vehicles on the premises of junk yards and automobile graveyards that are defined, maintained, and licensed in accordance with M.S. §161.242, as it may be amended from time to time, or that are licensed and maintained in accordance with local laws and zoning regulations are not considered abandoned vehicles.

- (4) A vehicle being held for storage by agreement or being held under police authority or pursuant to a writ or court order is not considered abandoned, nor may it be processed as abandoned while the police hold, writ or court order is in effect.
- (B) “Department” means the Minnesota Department of Public Safety.
- (C) “Impound” means to take and hold a vehicle in legal custody. There are two types of impounds: public and nonpublic.
- (D) “Impound lot operator” or “operator” means a person who engages in impounding or storing, usually temporarily, unauthorized or abandoned vehicles. “Operator” includes an operator of a public or nonpublic impound lot, regardless of whether tow truck service is provided.
- (E) “Junk vehicle” means a vehicle that:
- (1) Is three years old or older;
 - (2) Is extensively damaged, with the damage including things such as broken or missing wheels, motor, drive train or transmission;
 - (3) Is apparently inoperable;
 - (4) Does not have a valid, current registration plate; and
 - (5) Has an approximate fair market value equal only to the approximate value of the scrap in it.
- (F) “Motor vehicle” or “vehicle” has the meaning given “motor vehicle” in M.S. § 169.01, as it may be amended from time to time.
- (G) “Motor vehicle waste” means solid waste and liquid wastes derived in the operation of or in the recycling of a motor vehicle, including such things as tires and used motor oil, but excluding scrap metal.
- (H) “MPCA” or “agency” means the Minnesota Pollution Control Agency.
- (I) “Nonpublic impound lot” means an impound lot that is not a public impound lot.
- (J) “Public impound lot” means an impound lot owned by or contracting with a unit of government under §240.11.
- (K) “Unauthorized vehicle” means a vehicle that is subject to removal and impoundment pursuant to §240.05(B), or M.S. §169.041, as it may be amended from time to time, but is not a junk vehicle or an abandoned vehicle.

- (L) “Unit of government” includes a state department or agency, a special purpose district, and a county, statutory or home rule charter, city or town.
- (M) “Vital component parts” means those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle, including such things as the motor, drive train and wheels.

240.04 Violation to Abandon Motor Vehicle. Any person who abandons a motor vehicle on any public or private property, without the consent of the person in control of the property, is guilty of a misdemeanor.

Penalty, see §100.99

240.05 Authority to Impound Vehicles.

- (A) **Abandoned or junk vehicles.** The City Administrator or designee or any police officer employed or whose services are contracted for by the city may take into custody and impound any abandoned or junk vehicle.
- (B) **Unauthorized vehicles.** The City Administrator, or his or her designee or any police officer employed or whose services are contracted for by the city may take into custody and impound any unauthorized vehicle under M.S. §169.041, as it may be amended from time to time. A vehicle may also be impounded after it has been left unattended in one of the following public or private locations for the indicated period of time:
 - (1) In a public location not governed by M.S. §169.041, as it may be amended from time to time:
 - (a) On a highway and properly tagged by a police officer, four hours;
 - (b) Located so as to constitute an accident or traffic hazard to the traveling public, as determined by a police officer, immediately; or
 - (c) That is a parking facility or other public property owned or controlled by a unit of government, properly posted, four hours; or
 - (2) On private property:
 - (a) That is single-family or duplex residential property, immediately;
 - (b) That is private, nonresidential property, properly posted, immediately;
 - (c) That is private, nonresidential property, not posted, 24 hours; or
 - (d) That is any residential property, properly posted, immediately.

240.06 Sale; Waiting Periods.

- (A) **Sale after 15 days.** Pursuant to § 240.10, an impounded vehicle is eligible for disposal or sale 15 days after notice to the owner, if the vehicle is determined to be:
- (1) A junk vehicle, except that it may have a valid, current registration plate and still be eligible for disposal or sale under this subdivision; or
 - (2) An abandoned vehicle.
- (B) **Sale after 45 days.** An impounded vehicle is eligible for disposal or sale 45 days after notice to the owner, as provided in § 240.10, if the vehicle is determined to be an unauthorized vehicle.

240.07 Notice of Taking and Sale.

- (A) **Contents; notice given within five days.** When an impounded vehicle is taken into custody, the city or impound lot operator taking it into custody shall give notice of the taking within five days. The notice shall:
- (1) Set forth the date and place of the taking; the year, make, model and serial number of the impounded motor vehicle if the information can be reasonably obtained; and the place where the vehicle is being held;
 - (2) Inform the owner and any lien holders of their right to reclaim the vehicle under §240.08; and
 - (3) State that failure of the owner or lien holders to exercise their right to reclaim the vehicle and contents within the appropriate time allowed under §240.08 shall be deemed a waiver by them of all right, title and interest in the vehicle and contents and a consent to the transfer of title to and disposal or sale of the vehicle and contents pursuant to §240.10.
- (B) **Notice by mail or publication.** The notice shall be sent by mail to the registered owner, if any, of an impounded vehicle and to all readily identifiable lien holders of record. The Department makes this information available to impound lot operators for notification purposes. If it is impossible to determine with reasonable certainty the identity and address of the registered owner and all lien holders, the notice shall be published once in a newspaper of general circulation in the area where the motor vehicle was towed from or abandoned. Published notices may be grouped together for convenience and economy.
- (C) **Unauthorized vehicles; notice.** If an unauthorized vehicle remains unclaimed after 30 days from the date the notice was sent under division (B) of this section, a second notice shall be sent by certified mail, return receipt requested, to the registered owner, if any, of the unauthorized vehicle and to all readily identifiable lien holders of record.

240.08 Right to Reclaim.

- (A) **Payment of charges.** The owner or any lien holder of an impounded vehicle shall have a right to reclaim the vehicle from the city or impound lot operator taking it into custody upon payment of all towing and storage charges resulting from taking the vehicle into custody within 15 or 45 days, as applicable under §240.06, after the date of the notice required by §240.07.
- (B) **Lien holders.** Nothing in this chapter shall be construed to impair any lien of a garage keeper under the laws of this state or the right of a lien holder to foreclose. For the purposes of this section, “garage keeper” is an operator of a parking place or establishment, an operator of a motor vehicle storage facility or an operator of an establishment for the servicing, repair or maintenance of motor vehicles.

240.09 Operator's Deficiency Claim; Consent to Sale.

- (A) **Deficiency claim.** The nonpublic impound lot operator has a deficiency claim against the registered owner of the vehicle for the reasonable costs of services provided in the towing, storage and inspection of the vehicle minus the proceeds of the sale or auction. The claim for storage costs may not exceed the costs of:
 - (1) Fifteen days storage for a vehicle described in §240.06(A); and
 - (2) Forty-five days storage for a vehicle described in § 240.06(B).
- (B) **Implied consent to sale.** A registered owner who fails to claim the impounded vehicle within the applicable time period allowed under §240.06 is deemed to waive any right to reclaim the vehicle and consents to the disposal or sale of the vehicle and its contents and transfer of title.

240.10 Disposition by Impound Lot.

- (A) **Auction or sale.**
 - (1) If an abandoned or unauthorized vehicle and contents taken into custody by the city or any impound lot is not reclaimed under § 240.08, it may be disposed of or sold at auction or sale when eligible pursuant to §§ 240.08 and 240.09.
 - (2) The purchaser shall be given a receipt in a form prescribed by the Registrar of Motor Vehicles which shall be sufficient title to dispose of the vehicle. The receipt shall also entitle the purchaser to register the vehicle and receive a certificate of title, free and clear of all liens and claims of ownership. Before a vehicle is issued a new certificate of title, it must receive a motor vehicle safety check.
- (B) **Unsold vehicles.** Abandoned or junk vehicles not sold by the city or public impound lots pursuant to division (A) of this section shall be disposed of in accordance with §240.12.

- (C) **Sale proceeds; public entities.** From the proceeds of a sale under this section by the city or public impound lot of an abandoned or unauthorized motor vehicle, the city shall reimburse itself for the cost of towing, preserving and storing the vehicle, and all administrative, notice and publication costs incurred in handling the vehicle pursuant to this chapter. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lien holder for 90 days and then shall be deposited in the treasury of the city.
- (D) **Sale proceeds; nonpublic impound lots.** The operator of a nonpublic impound lot may retain any proceeds derived from a sale conducted under the authority of division (A) of this section. The operator may retain all proceeds from sale of any personal belongings and contents in the vehicle that were not claimed by the owner or the owner's agent before the sale, except that any suspected contraband or other items that likely would be subject to forfeiture in a criminal trial must be turned over to the appropriate law enforcement agency.

240.11 Disposal Authority. The city may contract with others or may utilize its own equipment and personnel for the inventory of impounded motor vehicles and abandoned scrap metal and may utilize its own equipment and personnel for the collection, storage and transportation of these vehicles and abandoned scrap metal. The city may utilize its own equipment and personnel only for the collection and storage of not more than five abandoned or unauthorized vehicles without advertising for or receiving bids in any 120-day period.

240.12 Contracts; Reimbursement by MPCA.

- (A) **MPCA review and approval.** If the city proposes to enter into a contract with a person licensed by the MPCA pursuant to this section or a contract pursuant to §240.11, the MPCA may review the proposed contract before it is entered into by the city to determine whether it conforms to the MPCA's plan for solid waste management and is in compliance with MPCA rules. A contract that does so conform may be approved by the MPCA and entered into by the city. Where a contract has been approved, the MPCA may reimburse the city for the costs incurred under the contract that have not been reimbursed under §240.10. Except as otherwise provided in §240.11, the MPCA shall not approve any contract that has been entered into without prior notice to and request for bids from all persons duly licensed by the MPCA to be a party to a disposal contract pursuant to M.S. §116.07, as it may be amended from time to time; does not provide for a full performance bond; or does not provide for total collection and transportation of abandoned motor vehicles, except that the MPCA may approve a contract covering solely collection or transportation of abandoned motor vehicles where the MPCA determines total collection and transportation to be impracticable and where all other requirements herein have been met and the unit of government, after proper notice and request for bids, has not received any bid for total collection and transportation of abandoned motor vehicles.

- (B) **The city may perform work.** If the city utilizes its own equipment and personnel pursuant to its authority under §240.11, and the use of the equipment and personnel conforms to the MPCA's plan for solid waste management and is in compliance with MPCA rules, the city may be reimbursed by the MPCA for reasonable costs incurred which are not reimbursed under §240.10.
- (C) **The city required to contract work.** The MPCA may demand that the city contract for the disposal of abandoned motor vehicles and other scrap metal pursuant to the MPCA's plan for solid waste disposal. If the city fails to contract within 180 days of the demand, the MPCA, through the Department of Administration and on behalf of the city, may contract with any person duly licensed by the MPCA for the disposal.

Chapter 250 - Use of Criminal History Data

- 250.01 Provision of Data.** Upon the request of the City Administrator or designee, the Police Department shall provide certain criminal history data contained in the Minnesota Criminal Justice Information System. The data to be provided must only be about finalists for city positions of employment. The City Administrator or designee must obtain the consent of the finalists before requesting the data, but an applicant's failure to provide consent may disqualify the applicant from employment.
- 250.02 Criminal Record; Employment.** A criminal record does not constitute an automatic bar to employment and will be considered only as it relates to the functions and responsibilities of the position sought. Applicant will be notified of the reason for denial of employment if such denial was based on data from the MN Computerized Criminal History (CCH).

Chapter 255 - Economic Development Authority and District

255.01 Background; Findings.

- (A) The city is authorized by M.S. Ch. 469 (Act), as it may be amended from time to time, to establish an Economic Development Authority (EDA) to coordinate and administer economic development and redevelopment plans and programs of the city.
- (B) It is found and determined by the City Council that the encouragement and financial support of economic development and redevelopment in the city is vital to the orderly development and financing of the city and in the best interests of the health, safety, prosperity and general welfare of the citizens of the city.
- (C) It is further found and determined that the economic development and redevelopment of the city can best be accomplished by the establishment of an EDA and establishing an Economic Development District as authorized by the Act.

255.02 Enabling Resolution.

- (A) The Economic Development Authority of the City of Princeton (EDA) is established.
- (B) An Economic Development District is created that encompasses the corporate limits of the City of Princeton as they may be amended from time to time.
- (C) The EDA consists of a governing body of seven commissioners. Two of the commissioners shall be members of the City Council and two commissioners may be residents of area townships. All commissioners shall be appointed by the Mayor with the approval of the City Council. The terms for those initially appointed shall be appointed for one, two, three, four, five and two members for six years. Thereafter, all commissioners shall be appointed for six-year terms. A vacancy is created in the membership of the commission when a City Council member of the Authority ends Council membership. The EDA has all the powers and duties set forth in M.S. §§ 469.090 to 469.108, as these sections may be amended from time to time, and other law, except as limited by this chapter.
- (D) The following items apply to the EDA and its operation:
 - (1) The sale of bonds or other debt obligations of the EDA must be approved by the City Council;
 - (2) The EDA must follow the budget process for the city departments in accordance with city policies, ordinances and resolutions;
 - (3) Development and redevelopment actions of the EDA must be in conformance with the City Comprehensive Plan and official controls implementing the Comprehensive Plan;
 - (4) The EDA must submit work plans for development and redevelopment to the City Council for approval on a minimum of an annual basis and report activities to the City Council upon request;
 - (5) The administrative structure and management practices and policies of the EDA must be approved by the City Council;
 - (6) All activities of the EDA must comply with all local ordinances, including all applicable zoning laws;
 - (7) The EDA may enter into any agreements necessary to administer the Revolving Loan Fund;
 - (8) The EDA may acquire and dispose of real estate/property in order to carry-out

the development and redevelopment activities detailed in the plan presented to the City Council;

- (9) The proceeds of land sales should first be applied to any obligation of the city related to the property. Any proceeds beyond the city's costs may be retained by the EDA to further the development and redevelopment activities detailed in the annual EDA plan presented to the City Council.
- (E) As provided in the Act, it is the intention of the City Council that nothing in this chapter nor any activities of the EDA are to be construed to impair the obligations of the city under any of its contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the city.

255.03 Implementation.

- (A) The City Council will from time to time and at the appropriate time adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this chapter.
- (B) The Mayor, City Administrator and other appropriate city officials are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to this chapter.
- (C) Nothing in this chapter is intended to prevent the city from modifying this enabling resolution to impose new or different limitations on the EDA as authorized by the Act.

Chapter 260 - Housing and Redevelopment Authority

260.01 Housing and Redevelopment Authority.

- (A) The Housing and Redevelopment Authority of the city, created by Resolutions 66-33, 67-4 and 67-7 is hereby continued. The Authority shall have all of the powers and duties provided by M.S. §§ 469.001 to 469.047, as they may be amended from time to time, which are hereby adopted by reference.
- (B) The Authority shall consist of five members appointed by the City Council and shall serve for five year terms. Members at the time this code is adopted shall continue in office until their term expires.

Chapter 265 - Planning Commission

265.01 Establishment. Pursuant to M.S. §462.354, as it may be amended from time to time, there is hereby established a Planning Commission for the City of Princeton.

265.02 Composition. The Planning Commission shall consist of five regular members who shall be residents of the city and three ex-officio members who shall each be a member of the

Municipal Board or Municipal Planning Commission and be from the Municipalities of Baldwin, Greenbush and Princeton.

265.03 Appointment.

- (A) **Regular members.** The five regular members shall be appointed by the City Council for staggered three-year terms. Any vacancy shall be filled by the appointing authority for the remainder of the term. The absence of any member from three consecutive meetings or four meetings in a calendar year shall create a vacancy. The City Council may remove any member by a four-fifths majority vote after a public hearing. Members shall serve until a successor is qualified.
- (B) **Ex-officio members.** The three ex-officio members shall be appointed by their respective municipal boards and shall serve staggered three-year terms. Any vacancy shall be filled by the appointing authority for the remainder of the term. If a member ceases to be a member of the municipal board or planning commission, a vacancy shall be created. The Council may remove any member by a four-fifths majority vote after a public hearing.

265.04 Officers. At the first meeting of each year, the Planning Commission shall appoint from its regular members a Chair, Vice-Chair and such other officers as it deems advisable.

265.05 Powers. The Planning Commission shall have the following powers:

- (A) Adopt bylaws and rules for its procedure;
- (B) Conduct all public hearings required by law and other public hearings it deems appropriate or directed by the City Council;
- (C) Provide recommendations to the City Council on any item related to planning, zoning or development;
- (D) Other powers contained in M.S. Ch. 462, as it may be amended from time to time, which it may exercise unless limited by this chapter or other ordinance;
- (E) Conduct such reviews, investigations and studies which are related to its duties, provided all such work shall be done within funding levels approved by the City Council;
- (F) Form standing or ad hoc committees. Membership on committees may consist of regular and ex-officio members.

265.06 Duties. The Planning Commission shall have the following duties:

- (A) Conduct at least one regular meeting per month;
- (B) Maintain a record of its proceedings;

- (C) Exercise the powers conferred in M.S. §462.354, as it may be amended from time to time, except it shall be advisory in the following actions:
- (1) Rezoning;
 - (2) Zoning ordinance adoption or amendment;
 - (3) Subdivision ordinance adoption or amendment;
 - (4) Comprehensive plan adoption or amendment.

265.07 Staff. The City Council shall ensure staff support is provided to the Commission to assist with the duties required of the Commission.

265.08 Compensation. The Commission members shall receive no compensation for attendance at meetings, except as provided by resolution of the City Council.

Chapter 270 - Park and Recreation Facilities Hours

270.01 Definitions.

- (A) “Park” means city-owned real estate leased, purchased, dedicated or otherwise used by the public for recreation or leisure activities.
- (B) “Recreation facilities” means city-owned buildings or equipment purchased, constructed, leased or dedicated for use by the public for recreation or leisure activities.

270.02 Hours of Operation.

- (A) All city park and recreation facilities shall be open and available for public use from sunrise until 10:00 p.m., at which time they shall be closed to all people and activities.
- (B) The following exceptions are hereby made:
- (1) **Riverside Park** – open at sunrise; close at 10:00 p.m., except that overnight camping in the campground is permitted.
 - (2) **Triangle Park** - open at sunrise; close at 10:00 p.m., except that overnight camping in the campground is permitted.
 - (3) **Mark Park** – open at sunrise, close at 10:00 p.m., except to accommodate league softball and baseball games only.
 - (4) **Civic Center** – by reservation and payment of rent, open at sunrise and close at 1:00 a.m.

270.99 Penalty. Any person violating any provision of this chapter shall be guilty of a petty

misdemeanor and, upon conviction thereof, shall be punished as provided by §100.99.

Chapter 275 - Overnight Camping in Riverside Park

275.01 Purpose. The purpose of this chapter is to regulate the use of Riverside Park for overnight camping, to promote the availability of campsites, enhance tourism in the city, and prevent the use of Riverside Park for residential purposes.

275.02 Regulations and Fees.

- (A) No person or persons shall be permitted to leave refuse or an unsightly campsite in Riverside Park. Litter created by campers will be the responsibility of the campers.
- (B) No open fires shall be permitted in the camping area. Only charcoal grills and gas or electric heating devices may be used in the campsite area. Open fires must be contained in the city-installed fire ring east of the campsite area.
- (C) Fees:
 - Campsite using electricity: \$7/evening for first 10 days; \$15/evening thereafter
 - Campsite without electricity: \$5/evening for first 10 days; \$10/evening thereafter

275.03 Termination of camping privileges. The City reserves the right to immediately terminate any person's or organization's camping privilege in the event of any violation of the regulations contained in this ordinance or in the event of any alleged violation of any city, state or federal law.

275.99 Penalty. Any person or organization violating any provision of this chapter is guilty of a petty misdemeanor and shall be punished as provided by § 100.99.

Chapter 280 - Motor Vehicle Accidents; Fire Department Responses

280.01 Purpose.

- (A) Whereas, the City Council of the City of Princeton has determined that a significant amount of activity of the Princeton Fire and Rescue Department (PFRD) is in response to motor vehicle accidents;
- (B) Whereas, most of the expense of providing fire and rescue services falls primarily on the property tax, which is not paid by motor vehicles; and
- (C) Whereas, the city desires to recover a portion of the cost of responding to those motor vehicle accidents.

280.02 Service Charges.

- (A) There shall be imposed a service charge as listed in Appendix E Fee Schedule when the Department responds to motor vehicle accidents or other emergencies involving a motor vehicle. The Council may change the amount of the service charge by adopting an ordinance setting the new fee. The fee is intended to recover a portion of the cost of responding to motor vehicle accidents.
- (B) The service charge shall only be imposed at motor vehicle accidents where the PFRD actually renders aid or assistance to those involved in the motor vehicle accident.
- (C) In the event that multiple motor vehicles are involved, the service charge shall be divided up among the motor vehicles requiring assistance from the PFRD in the accident as equally as practical.
- (D) The City Administrator shall have the authority to develop procedures to implement the intent of this chapter. An administrative fee of up to 10% may be credited to the Finance Department for billing purposes. The balance of the money must be credited to the city's portion of providing fire protection or other fire-related expenses.
- (E) Amounts past due over 60 days shall be assessed a finance charge of 6% per year or the maximum allowed by law if under 6%.
- (F) The city shall be authorized to use any legal means to collect past due charges.
- (G) The chapter shall be effective only within the corporate limits of the City of Princeton.

280.03 Effective Date. This chapter shall be effective January 1, 2003.

Chapter 285 - Administrative Offense Procedures

285.01 Purpose. Administrative offense procedures established pursuant to this chapter are intended to provide the public and the city with an informal, cost effective and expeditious alternative to traditional criminal charges for violations of certain ordinance provisions. The procedures are intended to be voluntary on the part of those who have been charged with administrative offenses. At any time prior to the payment of the administrative penalty as is provided for hereafter, the individual may withdraw from participation in the procedures, in which event the city may bring criminal charges in accordance with the law. Likewise, the city, in its discretion, may choose not to initiate an administrative offense and may bring criminal charges in the first instance. In the event a party participates in the administrative offense procedures, but does not pay the monetary penalty which may be imposed, the city will seek to collect costs of the administrative offense procedures as part of a subsequent criminal sentence in the event the party is charged and is adjudicated guilty

of the criminal violation.

- 285.02 Administrative Offense Defined.** An administrative offense is a violation of a provision of this code and is subject to the administrative penalties set forth in the schedule of offenses and penalties referred to in §285.08.
- 285.03 Notice.** Any officer of the Princeton Police Department, or any other person employed by the city, authorized by the City Council, and having authority to enforce this code, shall, upon determining that there has been a violation, notify the violator, or in the case of a vehicular violation, attach to the vehicle a notice of the violation. The notice shall set forth the nature, date and time of the violation, the name of the official issuing the notice and the amount of the scheduled penalty.
- 285.04 Payment.** Once the notice is given, the alleged violator may, within seven days of the time of issuance of the notice, pay the amount set forth on the schedule of penalties for the violation or notify the city in writing that they contest the violation. The penalty may be paid in person or by mail, and payment shall be deemed to be an admission of the violation.
- 285.05 Contested Case.** Any person contesting an administrative offense shall have the administrative penalty vacated and criminal charges shall be filed in accordance with the law allowing them the opportunity to contest the violation in the court system.
- 285.06 Failure to Pay.** In the event a party charged with an administrative offense fails to pay the penalty and does not notify the city that they are contesting the violation, a misdemeanor or petty misdemeanor charge may be brought against the alleged violator in accordance with applicable statutes or, if applicable, the fine may be levied as an assessment against the property owner. If the penalty is paid or if an individual is found to not have committed the administrative offense by the courts, no such charge may be brought by the city for the same violation.
- 285.07 Disposition of Penalties.** All penalties collected pursuant to this chapter shall be paid to the City's Finance Director and may be deposited in the city's general fund.
- 285.08 Offenses and Penalties.** Offenses which may be charged as administrative offenses and the penalties for such offenses may be established by resolution of the City Council from time to time. Copies of such resolutions shall be maintained in the office of the City Clerk.
- 285.09 Subsequent Offenses.** In the event a party is charged with a subsequent administrative offense within a 12-month period of paying an administrative penalty for the same or substantially similar offense, the subsequent administrative penalty shall be increased by 25% above the previous penalty, except as otherwise provided by resolution.