

WELCOME TO YOUR CITY COUNCIL MEETING

If you wish to participate in the discussion, the meeting provides several opportunities:

After the minutes are approved, the Mayor will ask if any visitors wish to be heard. Any item not on the agenda may be discussed. Items requiring action will then be placed next on the agenda for formal action.

During the discussion of agenda topics, anyone may comment **if** the Council is accepting public testimony. The Mayor **MAY** recognize you if you raise your hand. Please state your name and address for the City minutes. Discussion occurs before motions are made and seconded. Discussion also occurs after the motion is seconded and before the vote.

Should you wish to have information on past Council action, contact the City Administrator at City Hall. The City Council meets the second Tuesday of each month at 7:00 p.m. in the Baltic American Legion. Please call City Hall, 529-5497, regarding the accessibility of City Council meetings and information on this agenda. The City can provide alternative means of accessibility for disabled citizens. Please call at least 24 hours in advance.

JOINT MEETING BALTIC CITY COUNCIL & PLANNING COMMISSION
SEPTEMBER 14, 2021 7:00 PM BALTIC AMERICAN LEGION
210 ST. OLAF AVENUE BALTIC, SOUTH DAKOTA

- I. CALL TO ORDER JOINTLY AS PLANNING COMMISSION AND CITY COUNCIL AND ROLL CALL
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. NEW BUSINESS
 - a. Ordinance #288 zoning ordinance for medical marijuana establishments
 - i. Public Hearing: Planning Commission and City Council.
 - b. Ordinance #289 policies and procedures for licensing medical marijuana establishments
 - i. Public Hearing: Planning Commission and City Council.
- V. ADJOURNMENT OF PLANNING COMMISSION
- VI. CONTINUE MEETING AS CITY COUNCIL
- VII. APPROVAL OF MINUTES
 - a. 08-10-2021 Regular Session
 - b. 08-26-2021 Planning Session
 - c. 08-30-2021 Special Session
 - d. 09-07-2021 Special Session
- VIII. APPROVAL OF CALIMS PAYABLE
- IX. VISITORS TO BE HEARD
- X. NEW BUSINESS
 - a. First reading of Ordinance #288 Zoning
 - b. First reading of Ordinance #289 Licensing
 - c. First Reading of Ordinance #290 Water Rates
 - d. First Reading of Ordinance #291 Budget
 - e. Consideration of Resolution 2021-09 Fees
 - f. Consideration of condemnation of property 110 Moorefield
 - g. Consideration of Street Closure Permit
- XI. OLD BUSINESS
 - a. Consideration of quote for snowplow
- XII. EXECUTIVE SESSION
 - a. Executive Session: SDCL 1-25-2 Consulting with legal counsel
- XIII. ADJOURNMENT

ORDINANCE NO. 288

AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND ARTICLE 1 GENERAL PROVISIONS, ARTICLE 8 BUSINESS DISTRICT, ARTICLE 9 COMMERCIAL DISTRICT, ARTICLE 10 LIGHT INDUSTRIAL DISTRICT, ARTICLE 11 HEAVY INDUSTRIAL DISTRICT, ARTICLE 12 ADDITIONAL USE REGULATIONS, AND ARTICLE 20 DEFINITIONS OF THE BALTIC CODE OF ORDINANCES TITLE XV: LAND USAGE CHAPTER 151, SECTION 151.01 REVISED BALTIC ZONING REGULATIONS, AND THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the City Council of the City of Baltic, South Dakota that amendments be made to the Revised Baltic Zoning Regulations of the City of Baltic be by adding the following:

1. ARTICLE 1. GENERAL PROVISIONS

1.04.01 Prohibited Uses

All uses and structures not specifically listed as a permitted use or as a conditional use in a particular zoning district shall be prohibited in said district.

2. ARTICLE 8: BUSINESS DISTRICT

8.01 Permitted Use

Cannabis Dispensaries	12.02, 12.04, 12.05, 12.06, 12.11, 12.16
------------------------------	---

3. ARTICLE 9: COMMERCIAL DISTRICT

9.01 Permitted Use

Cannabis Dispensaries	12.02, 12.04, 12.05, 12.06, 12.11, 12.16
------------------------------	---

4. ARTICLE 10: LIGHT INDUSTRIAL DISTRICT

10.01 Permitted Use

Cannabis Testing Facility	12.02, 12.04, 12.05, 12.06, 12.11, 12.16
Cannabis Product Manufacturing Facility	12.02, 12.04, 12.05, 12.06, 12.11, 12.16
Cannabis Cultivation Facility	12.02, 12.04, 12.05, 12.06, 12.11, 12.16

5. ARTICLE 11: HEAVY INDUSTRIAL DISTRICT

11.01 Permitted Use

Cannabis Testing Facility	12.02, 12.04, 12.05, 12.06, 12.11, 12.16
Cannabis Product Manufacturing Facility	12.02, 12.04, 12.05, 12.06, 12.11, 12.16
Cannabis Cultivation Facility	12.02, 12.04, 12.05, 12.06, 12.11, 12.16

6. ARTICLE 12: ADDITIONAL USE REGULATIONS

12.16 CANNABIS DISPENSARIES.

A. Maximum Number of Cannabis Dispensaries.

1. In the development and execution of these regulations, it is recognized that there are some uses which because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a potential deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area.
2. The City of Baltic shall allow up to () cannabis dispensar(y/ies) provided the time, place, and manner of said dispensary complies with this ordinance.

B. Required Separation Distances

1. A cannabis dispensary shall be located not less than One-thousand Feet (1,000') from a public or private school existing before the date of the cannabis dispensary application;
2. Prescribed separation/setback distances from a public or private school existing before the date of the cannabis dispensary application are to be measured from the lot line of the property where the dispensary is proposed;
3. No cannabis establishment may be located within 500 feet of another cannabis establishment.

C. Other Locational Requirements

1. Permanent or temporary dispensaries are prohibited in all other zoning districts and not eligible for a home occupation use.
2. It shall be unlawful to operate a dispensary in a building which contains a residence or a mixed-use building with commercial and residential uses.
3. Drive-thru services shall not be permitted for a cannabis dispensary and all sales must be completed at the dispensary location.

D. Controlled Access - No cannabis establishment shall share premises with or permit access directly from another medical cannabis establishment, business that sells alcohol or tobacco, or, if allowed by law, other cannabis establishment.

E. Hours of operation:

1. Cannabis dispensaries are allowed to be open between the hours of 8:00 a.m. and 8:00 p.m. each day of the week.

F. Documentation of State Licensure.

- 1. No cannabis dispensary shall acquire, possess, store, deliver transfer, transport, supply, or dispense cannabis, cannabis products, paraphernalia without providing documentation of licensure from the State of South Dakota.**

G. The zoning official is authorized to issue permits (building/use) for cannabis dispensaries subject to following:

1. Submission of a site plan containing the following:

i. Any information required for applicable building permit;

ii. Ingress and egress plan;

iii. Parking plan;

iv. Lighting plan (including security lighting);

v. Screening/security fencing plan;

vi. Refuse plan;

vii. Hours of Operation;

viii. Any other information as lawfully may be required by the Zoning official to determine compliance with this ordinance.

2. Documentation of ability to meet setback/separation requirements.

3. Documentation of State Licensure.

H. All Cannabis Establishments are required to be constructed in conformance with the most recent edition of the International Building Code and International Fire Code adopted by City Council of the City of Baltic.

BE IT FURTHER ORDAINED by the City Council of the City of Baltic, South Dakota: that ARTICLE 20 DEFINITIONS, ARTICLE 20.02 , "Definitions" adopted by the Revised Baltic Zoning Regulations as amended of the City of Baltic be amended by adding the following:

CANNABIS (OR MARIJUANA): all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. (hemp) and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing

or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

CANNABIS CULTIVATION FACILITY: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

CANNABIS DISPENSARY: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

CANNABIS ESTABLISHMENT: a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

CANNABIS PRODUCT MANUFACTURING FACILITY: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

CANNABIS PRODUCTS: any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures.

CANNABIS TESTING FACILITY: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

Passed and adopted this __ day of _____, 2021.

By: _____
Tracy Petersen, Mayor

ATTEST:

Michelle Siemonsma
Municipal Finance Officer

First Reading:
Second Reading:
Date Adopted:
Date Published:
Effective Date:

ORDINANCE 289

AN ORDINANCE AMENDING CITY OF BALTIC REVISED MUNICIPAL ORDINANCES TITLE XI: BUSINESS REGULATIONS BY ADDING CHAPTER 116 WHICH ENACTS LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED by the City Council of the City of Baltic that Title XI: Business Regulations of the Ordinances of the City of Baltic is hereby amended by adding a new Chapter 116 as follows:

CHAPTER 116.05: LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS

Section

- 116.01 Purpose and Intent
- 116.02 Definitions
- 116.03 License Required
- 116.04 License Application
- 116.05 Issuance of License
- 116.06 City Neutrality as to Applicants
- 116.07 Number of Cannabis Dispensaries
- 116.08 Expiration of License and Renewal
- 116.09 Suspension
- 116.10 Revocation
- 116.11 Suspension and Revocation Process
- 116.12 Appeal
- 116.13 Licenses not Transferrable
- 116.14 Hours of Operation for Dispensaries
- 116.15 Liability for Violations
- 116.16 Penalties

§ 116.01: PURPOSE AND INTENT

The City Council of the City of Baltic enacts the following licensing ordinances in order to ensure that cannabis establishments within the municipal boundaries of the City operate in a manner which complies with state laws and regulations, protects the health, safety, and welfare of the general public, prevents potential conflicts and issues arising from ownership and employees, recognizes certain safety and security considerations, and minimizes risk of unauthorized use or access of cannabis by the general public.

§ 116.02: DEFINITIONS

Unless an alternative definition is explicitly stated in this section, this chapter utilizes the definitions for cannabis-related terms which are defined by SDCL 34-20G-1.

Cannabis (or Marijuana): all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not

include the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

Cannabis Cultivation Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

Cannabis Dispensary: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

Cannabis Establishment: cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

Cannabis Product Manufacturing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

Cannabis Products: any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures

Cannabis Testing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

Department: the South Dakota Department of Health

§ 116.03: LICENSE REQUIRED

- (A) No cannabis establishment may be located or operate in the city without the appropriate valid and current cannabis establishment license issued by the city pursuant to this article. A violation of this provision is subject to the general penalty provision in § 116.16. Each day of the violation constitutes a separate offense.
- (B) No cannabis establishment may be located or operate in the city without the appropriate valid and current cannabis establishment registration certificate issued by the Department pursuant to rules promulgated under SDCL 34-20G. A violation of this provision is subject to the general penalty provision in § 116.16. Each day of the violation constitutes a separate offense.

§ 116.0504: LICENSE APPLICATION

- (A) An application for a cannabis establishment license must be made on a form provided by the city. No other application form will be considered.
- (B) The applicant must submit the following:

- (1) Application fee of \$5,000.00. The City will reimburse \$2,500 for applicants who fail to obtain a registration certificate from the South Dakota Department of Health.
- (2) An application that will include, but is not limited to, the following:
 - (a) The legal name of the prospective cannabis establishment;
 - (b) The physical address of the prospective cannabis establishment that meets the zoning requirements in Chapter 9.05 Zoning Regulations as well as any location requirements pursuant SDCL 34-20G and the administrative rules promulgated thereunder;
 - (c) The name, address, and birth date of each principal officer, owner, and board member of the proposed cannabis establishment;
 - (d) A sworn statement that no principal officer, owner, or board member has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction;
 - (e) Any additional information requested by the city.

§ 116.0505: ISSUANCE OF LICENSE

- (A) The city will issue a license unless:
 - (1) The applicant has made a false statement on the application or submits false records or documentation; or
 - (2) Any owners, principal officer, or board member of the applicant is under the age of twenty-one (21) years; or
 - (3) Any owner, principal officer, or board member of the applicant has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction; or
 - (4) The proposed location does not meet the applicable zoning requirements under Title XV: Land Usage Chapter 151. Zoning; or
 - (5) The proposed location does not meet all location requirements under SDCL 34-20G and the administrative rules promulgated thereunder; or
 - (6) The license is to be used for a business prohibited by state or local law, statute, rule, ordinance, or regulation; or
 - (7) Any owner, principal officer, or board member of the applicant has had a cannabis establishment license revoked by the city or a registration certificate revoked by the state; or
 - (8) Any applicant, or an owner, principal officer, or board member thereof, is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to any cannabis establishment; or

- (9) The applicant will not be operating the business for which the license would be issued.
- (B) In the case of an application for a cannabis dispensary license, the city will reject the application if the limit on the number of cannabis dispensaries has been reached.
- (C) The license must be posted in a conspicuous place at or near the entrance to the cannabis establishment so that it may be easily read at any time.

§ 116.06: CITY NEUTRALITY AS TO APPLICANTS

- (A) Upon request from the Department as to the City's preference of applicants, the City will neither support nor oppose any registration certificate application under consideration by the Department. Likewise, if inquiry is made by the Department, the City will abstain from endorsing any application as beneficial to the community.

§ 116.07: NUMBER OF CANNABIS DISPENSARIES

- (A) No more than ____ (__) cannabis dispensar(y/ies) shall be allowed to operate in the City at any time.

§ 116.08: EXPIRATION OF LICENSE AND RENEWAL

- (A) Each license expires one year from the date of issuance and may be renewed only by making application as provided in Section 116.04. Application for renewal must be submitted at least thirty (30) days before the expiration date. The license holder must continue to meet the license requirements to be eligible for a renewal.
- (B) The renewal fee is \$5,000.00. The City will reimburse \$2,500 for applicants who fail to obtain a renewal of their registration certificate from the Department.
- (C) Failure to renew a license in accordance with this section may result in additional fees. Upon expiration of the license, the city may order closure of the cannabis establishment.
- (D) If a license holder has not operated an establishment for which it holds a license in the preceding twelve (12) months, the license will not be renewed.

§ 116.09: SUSPENSION

- (A) A license may be suspended if the license holder or an employee or agent of the license holder:
 - (1) Violates or is otherwise not in compliance with any section of this article.
 - (2) Consumes or smokes or allows any person to consume or smoke cannabis on the premises of the cannabis establishment.
 - (3) Knowingly dispenses or provides cannabis or cannabis products to an individual or business to whom it is unlawful to provide cannabis or cannabis products.

- (B) A license may be suspended if the license holder has its Department-issued registration certificate suspended, revoked, or not renewed by the Department or if the registration certificate is expired.
- (C) A license may be suspended if the license holder creates or allows to be created a public nuisance at the cannabis establishment.

§ 116.10: REVOCATION

- (A) A license may be revoked if the license is suspended under Section 116.0509 and the cause for the suspension is not remedied.
- (B) A license may be revoked if the license is subject to suspension under Section 116.0509 because of a violation outlined in that section and the license has been previously suspended in the preceding 24 months.
- (C) A license is subject to revocation if a license holder or employee of a license holder:
 - (1) Gave false or misleading information in the material submitted during the application process;
 - (2) Knowingly allowed possession, use, or sale of non-cannabis controlled substances on the premises;
 - (3) Operated the cannabis establishment or the business of the cannabis establishment for which a license is required under this article while the license was suspended;
 - (4) Repeated violations of Section 116.09;
 - (5) Operated a function of a cannabis establishment for which the license holder was not licensed (e.g., a licensed cannabis cultivation facility conducting cannabis testing functions without a cannabis testing establishment license);
 - (6) A license holder, or an owner, principal officer, or board member thereof, is delinquent in payment to the city, county, or state for any taxes or fees related to the cannabis establishment;
 - (7) A license holder, or an owner, principal officers, or board member thereof, has been convicted of, or continues to employ an employee who has been convicted of, a disqualifying felony offense as defined by SDCL 34-20G;
 - (8) The license holder has its Department-issued registration certificate suspended, revoked, or not renewed or the registration certificate is expired;
 - (9) The license holder allows a public nuisance to continue after notice from the City.

§ 116.11. SUSPENSION AND REVOCATION PROCESS

- (A) The license holder will receive a notice of intent to suspend or notice of intent to revoke informing the license holder of the violation and the city's intention to suspend or revoke the license. The notice will be hand delivered to the license holder or an employee or agent of the license holder or sent by certified mail, return receipt requested to the physical address of the cannabis establishment.

- (B) If the license holder disputes the suspension or revocation, the license holder has ten (10) days from the postmark date on the notice or the date the notice was hand delivered to request a hearing before a hearing panel, which will consist of the Mayor, City Administrator, and Chair of the Planning Commission.
- (C) A suspension will be for thirty (30) days and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder exercises its rights to process and appeal, in which case the suspension takes effect upon the final determination of suspension.
- (D) A revocation will be for one (1) year and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder appeals the revocation, in which case the revocation takes effect upon the final determination of revocation.
- (E) The license holder who has had the license revoked may not be issued any cannabis establishment license for one year from the date the revocation became effective.

§ 116.12: APPEAL

An applicant or license holder who has been denied a license or renewal of a license or who has had a license suspended or revoked under this article may appeal to the City Council by submitting a written appeal within ten (10) days of the postmark on the notice of denial, nonrenewal, suspension, or revocation. The written appeal must be submitted to City Hall 130 St. Olaf Avenue, Baltic, South Dakota, 57003. The appeal will be considered by the City Council at a regularly scheduled meeting within one month of the receipt of the appeal.

§ 116.13: LICENSES NOT TRANSFERRABLE

No cannabis establishment license holder may transfer the license to any other person or entity either with or without consideration, nor may a license holder operate a cannabis establishment at any place other than the address designated in the application.

§ 116.14: HOURS OF OPERATION FOR DISPENSARIES

No cannabis dispensary may operate between the hours of 8:00 p.m. and 8:00 a.m. any day of the week.

§ 116.15: LIABILITY FOR VIOLATIONS

Notwithstanding anything to the contrary, for the purposes of this article, an act by an employee or agent of a cannabis establishment that constitutes grounds for suspension or revocation will be imputed to the cannabis establishment license holder for purposes of finding a violation of this article, or for purposes of license denial, suspension, or revocation, only if an officer, director or general partner or a person who managed, supervised or controlled the operation of the cannabis establishment, knowingly allowed such act to occur on the premises.

§ 116.16: PENALTIES

Any person who operates or causes to be operated a cannabis establishment without a valid license or in

violation of this article is subject to a suit for injunction as well as prosecution for ordinance violations. Such violations are punishable by a maximum fine of five hundred dollars (\$500.00). Each day a cannabis establishment so operates is a separate offense or violation.

Severability. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

Passed and adopted this ____ day of _____, 2021.

By: _____
Tracy Petersen, Mayor

ATTEST:

Michelle Siemonsma
Municipal Finance Officer

First Reading:
Second Reading:
Date Adopted:
Date Published:
Effective Date:

ORDINANCE NO. 290
CITY OF BALTIC, SOUTH DAKOTA
AN ORDINANCE TO AMEND TITLE V PUBLIC WORKS CHAPTER 53 WATER, OF THE
REVISED ORDINANCES OF THE CITY OF BALTIC, SOUTH DAKOTA. PROVIDING FOR
A CHANGE OF WATER RATES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BALTIC, SOUTH
DAKOTA:

Section 1. That Chapter 53 Water of the Ordinances of the City of Baltic South Dakota, is hereby amended by replacing section 53.04 Water Rates with the following section 53.04 Water Rates:

Section 53.04 Water Rates

The following rates are hereby established for each consumer taking water from the municipal water system: \$8.31 per 1,000 gallons of water usage per month, subject to a monthly minimum charge of \$24.93, if less than 3,000 gallons is used in the month.

Section 2. Any Ordinance in conflict with this ordinance is repealed. This ordinance shall be in full force and effect as of November 1, 2021 if by that time this ordinance has been passed, adopted, recorded and published as provided by law.

First Reading: September 14, 2021

Second Reading: September 21, 2021

Passage and Adoption:

Publication:

Effective Date:

Tracy Petersen, Mayor

ATTEST:

Michelle Siemonsma
Municipal Finance Officer

(SEAL)

City of Baltic
Ordinance No. 291
2022 Appropriation Ordinance

Be it ordained by the City of Baltic that the following sums are appropriated to meet the obligations of the municipality.

	General Fund	Special Park	Capitol Accumulation	Gross Receipts	Capitol Project Building	Street Assessment
410 General Government						
411 Legislative	\$83,774.99					
413 Elections	\$2,730.00					
414 Financial Administr	\$76,524.99					
419 Other	\$26,940.00		\$5,000.00	\$6,400.00		
420 Public Safety						
Police	\$67,249.00					
Fire	\$20,000.00					
Animal Control	\$3,000.00					
ambulance	\$5,000.00					
Protective Inspection	\$36,569.99					
Other Protection	\$300.00					
430 Public Works						
431 Highways and Stre	\$100,872.00		\$25,000.00			\$48,836.00
431.5 Highways and Str	\$0.00					
432 Sanitation	\$100,808.00					
440 Health and Welfare						
441 Health, West Nile	\$5,990.00					
450 Culture and Recreation					\$46,987.00	
451 Recreation	\$0.00					
452 Parks	\$95,462.00	\$2,510.00	\$0.00			
455 Libraries	\$3,600.00					
460 Conservation and Development						
465 Economic Develop	\$88,200.99					
470 Debt Service						
470 debt service	\$47,053.00					
490 Miscellaneous						
493 Liquor	\$350.00					
Transfer Out	\$8,342.00		\$10,000.00	\$0.00		
Total 2022 Appropriations	<u>\$772,767.00</u>	<u>\$2,510.00</u>	<u>\$40,000.00</u>	<u>\$6,400.00</u>	<u>\$46,987.00</u>	<u>\$48,836.00</u>

The following designates the fund or funds that the money derived from the following sources is applied to:

	General Fund	Special Park	Capitol Accumulation	Gross Receipts	Capitol Project Building	Street Assessment
Governmental Funds						
Unobligated Cash Balance	\$5,150.00		\$40,000.00	\$0.00	\$31,487.00	\$0.00
310 Taxes	\$485,270.00		\$53,000.00	\$6,200.00		
320 Licenses and Permits	\$9,450.00					
330 Intergovernmental Revenue	\$45,000.00					
340 charges for goods and services	\$171,150.00					
350 Fines and Forfeitures	\$500.00					
360 Miscellaneous Revenue	\$61,397.00	\$2,510.00	\$700.00	\$200.00	\$500.00	\$48,836.00
390 Other Sources - Transfers In	\$0.00		\$27,720.00		\$15,000.00	
Total Means of Finance	<u>\$777,917.00</u>	<u>\$2,510.00</u>	<u>\$121,420.00</u>	<u>\$6,400.00</u>	<u>\$46,987.00</u>	<u>\$48,836.00</u>

Proprietary Funds:

	Water Fund	Sewer Fund
Beginning Retained Earnings (Cash)	\$48,823.00	\$0.00
Estimated Revenue	\$346,323.00	\$311,929.00
Total Available	\$395,146.00	\$311,929.00
Less Appropriations	\$256,430.98	\$253,929.79
Estimated Surplus	\$89,892.02	\$57,999.21
Estimated Surplus Retained	\$89,892.02	\$57,999.21
Estimated Surplus to Be Transferred to Governmental Funds	zero	zero

First Reading: September 14, 2021

Second Reading: September 21, 2021

Approval and Passage:

Publication:

Comments:

The sales tax monies will be split between the General fund (75%) the Capitol Improvement fund (25%)
The Finance Officer is directed to certify the dollar amount of tax levies made in this ordinance to the County Auditor.
Dated

Attest:

Michelle Siemonsma
Municipal Finance Officer

SEAL

Tracy Peterson
Mayor

CITY OF BALTIC

RESOLUTION 21-09

WHEREAS, the City of Baltic has determined the need to set the following fees and fines:

FEES

Camping	\$20.00 for any site.
Camping Violations	\$100.00 Non-compliance \$20.00 Fee Collection Fine
Picnic Shelter Reservation Fee	\$10.00 per shelter
Temporary Malt Beverage License	\$25.00 per event
Animal License	\$5.00 per animal neutered or spayed \$10.00 per animal intact
Nuisances	
Grass Mowing	\$125.00 per hour/ man with one-hour minimum
Property Clean-up	\$125.00 per hour / man with one-hour minimum
Plus mileage	\$1.00 per mile
Plus tonnage	\$64.00 per ton Plus surcharge fee
Transient Merchant, Auctioneers, Peddler, Solicitors License	\$35.00 each (good for 6 months)
Circus	\$50.00 per day
Menageries	\$50.00 per day
Sideshow	\$25.00 per day
Carnival	\$50.00 per day
Water reconnection, or valve turnoff (other than emergency)	
After Hours between 5:00 PM and 9:00 AM	
And all-day Saturday or Sunday & Holidays	\$65.00 per valve turn
Weekdays between 9:00AM & 5:00 PM	\$40.00 per valve turn
Water Meter tampering fee	\$250.00
Water Meter estimation fee	\$15.00
Water Tapping	\$1250.00
Sewer Tapping	\$1250.00
Mosquito Spraying fee	\$1.25 per month per utility account
Tournament	\$100.00 per field/day (includes bases and 1 st chalk)
Outdoor Event, tournaments, Etc.	
Paper & Electronic Copies	\$ 0.75 for first page, \$ 0.50 per page thereafter

Credit Card use fee \$ 1.00 plus 3% of transaction

Zoning Fees: Each fee applies plus hearing notice publication costs.

Variance request	\$75.00
Rezoning request	\$75.00
Conditional use request	\$75.00
Street or Alley Vacation	\$75.00
Platting request	\$75.00
Plan review commercial	25 % of permit cost
Plat reviews	simple \$150.00 larger \$350.00

Trailer Park License Max \$5,000.00 annual, case by case

FINES

False Alarm \$0.00 for first offense
\$50.00 for second offense
\$100.00 for third offense
\$200.00 for each additional offense (within 12
Calendar months)

Parking Ban-Snow Removal and Events. \$25.00

Abandoned, Wrecked or Dismantled Vehicle \$25.00 per day

Burning Ban \$50.00 first offense
\$100.00 each additional offense

Unauthorized Dumping \$75.00 first offense
\$175.00 second and each additional offense

Stop Work Order Violation \$100.00

Performing work without a Building Permit \$100.00 for siding and re-roofing.
Others \$100.00 plus 25% of the permit fee

Re-inspection fee \$70.00, during normal business hours.
\$90.00 After hours plus milage.

Animals Impoundment fee \$50.00 plus costs of boarding first violation
\$75.00 plus costs of boarding second violation
\$500.00 Third and subsequent violation not more than

Fines for failure to license. \$50.00 First violation each animal
\$75.00 Second in 12-month period
\$500.00 Third and subsequent violation up to

Animal control may impose fines \$95.00 First violation
\$145.00 Second violation in 12 months
\$175.00 Each additional offense

Sidewalk Snow Removal within 24 hours	\$0.00 First violation warning \$25.00 Second violation \$50.00 Third violation
Fines for moving Buildings 91.02	\$200.00
Violation of Excavation and construction Sections 91.15,91.16,91.17, 91.18, 91.20, 91.21 91.22.	\$200.00
Violation of Section 93 Trees and Vegetation	\$40.00 up to \$500.00 each day would be a separate Violation.
General license provision failure to get license	\$250.00
Transient and Peddlers failure to get license	\$250.00
Fireworks violations	\$25.00 plus \$25.00 increase per subsequent violation
Truck route violation	\$95.00

New garbage Rate 2022

Commercial Dumpsters:	
Commercial tote	\$30.00/month
2 yard	\$50.00/month
3 yard	\$60.00/month
4 yard	\$70.00/month
6 yard	\$90.00/month
Large Family 2 totes	\$45.60/month
Residential rate	\$25.80/month
Residential Senior Citizen rate	\$15.60/month
XL Family 3 totes	\$67.40/month

BE IT RESOLVED the City of Baltic hereby authorizes these fees and fines to take effect Septembers 14 2021 and hereby designates these charges to be enforced and collected by the appropriate agency.

Passed and Adopted this day of .

ATTEST:

Tracy Peterson
Mayor

Michelle Siemonsma
Municipal Finance Officer

In my best judgment the cost of rehabbing this house is more than it would be worth.

Expenses would include:

- Sidewalk replacement.
- Driveway replacement.
- Foundation replacement on front and back porches.
- Replacement of sills on front porch and back porch.
- New roof house. (With some deck replacement.)
- New roof garage.
- The gutting of the interior of house to update wiring
- The removal of old ducts.
- The repainting of the house and a garage. (Possible lead paint issues)
- The removal of old cistern.
- The repair of house foundation.

Bill Pearson

107.6 Transfer of ownership. It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

SECTION 110 DEMOLITION

110.1 General. The *code official* shall order the *owner* or owner's authorized agent of any *premises* upon which is located any structure, which in the *code official's* or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the *code official* shall order the *owner* or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the building official.

COST OF SUCH DEMOLITION OR EMERGENCY

REPAIRS. The costs shall include the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a *code official*, the governing body or board of appeals.