

## **CHAPTER 31: BOARDS, COMMISSIONS, AND DEPARTMENTS**

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***Cross-reference:***

*Boards and commissions; advisory status, see § 30.02*

*Committees, see § 30.01*

**§ 31.01 RESERVED.*****FIRE DEPARTMENT*****§ 31.20 CONTINUATION OF DEPARTMENT.**

There is hereby continued in this city a Volunteer Fire Department consisting of a Chief(s) and other officers as the City Manager or City Council shall establish, and a number of firefighter as may be determined from time to time by the City Manager, but shall not be greater than 25.  
(Ord. passed 1-19-89; Am. Ord. 406, passed 12-19-13; Am. Ord. 495, passed 7-21-22)

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**§ 31.21 FIREFIGHTER APPOINTMENT.**

(A) The officers on the department shall be selected annually by the Chief from an eligibility list subject to confirmation by the City Manager-Clerk following consultation with the City Council. Each shall hold office for one year and until his or her successor has been duly qualified and appointed, except that an officer may be removed by the City Manager-Clerk for cause.

(B) Firefighters and probationary firefighters shall be appointed or removed by the City Manager-Clerk, who shall take into consideration recommendations of the Department officers and members of the Department.

(Ord. passed 1-19-89; Am. Ord. 406, passed 12-19-13; Am. Ord. 495, passed 7-21-22)

**§ 31.22 DUTIES OF CHIEF.**

(A) The Chief(s) shall have control of the firefighting apparatus and shall be solely responsible for its care and condition. He or she shall make an annual report to the Council at its meeting in June of each year on the condition of the equipment and needs of the Fire Department.

(B) He or she may submit additional reports and recommendations at any meeting of the Council, and shall report each suspension by him or her of a member of the Fire Department to the City Manager-Clerk as soon as reasonably practicable following the suspension.

(C) The Chief(s) shall be responsible for the proper training of Firefighters. The City Manager may discipline or suspend any member for refusal or neglect to obey orders or for violating Fire Department organization rules and regulations.

(Ord. passed 1-19-89; Am. Ord. 406, passed 12-19-13; Am. Ord. 495, passed 7-21-22)

**§ 31.23 RECORDS.**

The Chief shall keep in convenient form a complete record of all fires. The record shall include the time of the alarm, location of fire, cause of fire (if known), type of building, name of owner and tenant, purpose for which occupied, value of building and contents, members of the Department responding to the alarm, and other information as he or she may deem advisable or as may be required from time to time by the City Manager-Clerk or the State Department of Commerce.

(Ord. passed 1-19-89; Am. Ord. 406, passed 12-19-13; Am. Ord. 495, passed 7-21-22)

**§ 31.24 REGULATIONS.**

The Department may enact a department policy manual for its regulation as shall be necessary from time to time, all of which shall be subject to confirmation by the Council. All these regulations shall comply with all ordinances of this city as well as with all laws of the state, specifically including, but not by way of limitation, compliance with the State Human Rights Act (M.S. §§ 363.01 through 363.14, as amended from time to time), and comply with applicable federal laws.

(Ord. passed 1-19-89; Am. Ord. 406, passed 12-19-13; Am. Ord. 495, passed 7-21-22)

**§ 31.25 COMPENSATION.**

The members and officers of the Fire Department shall receive compensation for their services to the Department as shall be set annually by the Council. The City Manager-Clerk and Chief shall annually or at other periods of time recommend to the Council the basis for and amount of compensation.

(Ord. passed 1-19-89; Am. Ord. 406, passed 12-19-13; Am. Ord. 495, passed 7-21-22)

**§ 31.26 RELIEF ASSOCIATION.**

The city Fire Department Relief Association heretofore organized and maintained by the Department is hereby continued in accordance with law.

(Ord. passed 1-19-89; Am. Ord. 406, passed 12-19-13; Am. Ord. 495, passed 7-21-22)

***PLANNING COMMISSION*****§ 31.40 ESTABLISHMENT.**

The Planning Commission for this municipality is hereby continued as heretofore established. ('74 Code, § 220:00) (Am. Ord. 495, passed 7-21-22)

***Cross-reference:***

*Board of Adjustment and Appeals, see § 31.60*

**§ 31.41 COMPOSITION.**

(A) The Planning Commission shall consist of seven voting members. A minimum of five members shall be appointed from the resident population of the city and up to two members may be appointed from the surrounding community area. Any member may be removed by a majority vote of the Council.

(B) In addition to the seven members, the Council shall select one member for the Commission from among its own members to serve as a Planning Commission liaison. The Council member, City Manager-Clerk, City Attorney, and the City Zoning Administrator shall all be ex-officio members. ('74 Code, § 220:05) (Ord. 168, passed 5-12-76; Am. Ord. 168, passed 4-9-87; Am. Ord. 327, passed 3-15-01; Am. Ord. 495, passed 7-21-22)

**§ 31.42 LENGTH OF APPOINTMENT.**

(A) Members of the Planning Commission shall be appointed for terms of three years. Both original and successive appointees shall hold their offices until their successors are appointed and qualified. The terms of ex-officio members shall correspond to their respective official tenures. Vacancies during the term shall be filled by the Council for the unexpired portion of the term. Every appointed member shall, before entering upon the discharge of his or her duties, take an oath that he or she will faithfully discharge the duties of the office.

(B) All current appointments shall expire on December 31, 2007, and initial appointments under this ordinance shall be made on January 1, 2008 as follows: Two seats for one-year terms, two seats for two-year terms, and three seats for three-year terms. All appointments made after the initial appointment shall convert to three-year terms.

(Ord. 367, passed 2-15-07; Am. Ord. 495, passed 7-21-22; Am. Ord. 506, passed 12-14-22)

**§ 31.43 OFFICERS; MEETINGS AND RECORDS.**

The Commission shall elect a Chairperson from among its appointed members for a term of one year, and the Commission may create and fill other offices as it may determine. The Commission shall meet as needed. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record. On or before January 1 of each year the Commission shall submit to the Council a report of its work during the preceding year. Expenditures of the Commission shall be within amounts appropriated for the purpose by the Council. All members, excluding ex-officio members, of the Planning Commission shall receive \$50 per meeting to help defray their expenses.

('74 Code, § 220:15) (Am. Ord. 495, passed 7-21-22; Am. Ord. 506, passed 12-14-22)

**§ 31.44 PROGRAM OF WORK.**

(A) Upon the appointment and organization of the Commission, it shall proceed with the preparation and adoption of resolution of a program of work, outlining activities proposed to be undertaken in the exercise of its powers and the performance of its duties. The program will include:

- (1) An outline of data and information to be assembled as a basis for the Comprehensive Plan;
- (2) An outline of subjects to be covered by the Comprehensive Plan; and
- (3) An outline of types of procedure necessary to make the Comprehensive Plan effective.

(B) The Planning Commission may, by resolution, revise its program of work from time to time.  
(`74 Code, § 220:20) (Am. Ord. 495, passed 7-21-22)

**§ 31.45 COMPREHENSIVE PLAN; PREPARATION.**

It shall be the function and duty of the Planning Commission to prepare and recommend to the Council a Comprehensive Plan for the physical development of this municipality, including proposed public buildings, street arrangements and improvements, public utility services, parks, playgrounds, and other similar developments, the use of property, the density of population, and other matters relating to its physical development. The Plan may be prepared in sections, each of which shall relate to a major subject of the Plan, as outlined in the Commission's program of work.

(`74 Code, § 220:25) (Am. Ord. 495, passed 7-21-22)

**§ 31.46 PROCEDURE FOR ADOPTION OF PLAN.**

(A) Before recommending to the Council for adoption the Comprehensive Plan or any section of it or any substantial amendment thereof, the Commission shall hold at least one public hearing thereon, notice of the time and place of which shall be given by publication in a newspaper of general circulation at least ten days before the day of the hearing. The Council may amend and adopt the recommended Plan by a two-thirds vote for all its members.

(B) The Commission may from time to time recommend to the Council amendments or deletions to the Plan or section thereof as herein provided for the adoption of the original plan whenever changed conditions or further studies by the Commission indicate that an amendment or addition is necessary.

(`74 Code, § 220:30) (Am. Ord. 495, passed 7-21-22)

**§ 31.47 EXECUTION OF PLAN.**

(A) Upon the adoption of the Comprehensive Plan or any section thereof, it shall be the duty of the Planning Commission to recommend to the Council reasonable and practicable means for putting into effect the Plan or section thereof in order that the same will serve as a pattern and guide for the orderly physical development of this municipality and as a basis for the efficient expenditure of the funds thereof relating to the subjects of the Plan.

(B) These means shall consist of any proposed revision of the current existing zoning plan, the control of subdivision plats, a plan of future streets, coordination of the normal public improvements, a long-term program of capital expenditures, and other matters as will accomplish the purposes of this section.

(74 Code, § 220:35) (Am. Ord. 495, passed 7-21-22)

**§ 31.48 COMPENSATION.**

The members and officers of the Planning Commission shall receive compensation for their services as shall be set annually by the Council. The City Manager-Clerk shall annually or at other periods of time recommend to the Council the basis for and amount of compensation.

(Ord. 495, passed 7-21-22)

***BOARD OF ADJUSTMENTS AND APPEALS*****§ 31.60 ESTABLISHMENT; COMPOSITION AND POWERS.**

The Council for the city is hereby designated and appointed the Board of Adjustments and Appeals for the city with authority to exercise those powers granted to the Board of Adjustments and Appeals under city ordinances, including those powers set forth in §§ 156.165 et seq.

(Ord. 280, passed 2-14-85; Am. Ord. 495, passed 7-21-22)

***Cross-reference:***

*Flood plain districts; zoning appeals and variances, see § 153.132*

*Planning Commission, see §§ 31.60 through 31.63*

*Sign variances, see § 156.138*

*Zoning appeals and variances, see §§ 156.165 et seq.*

***PARKS AND RECREATION ADVISORY COMMISSION*****§ 31.75 ESTABLISHMENT; MEMBERSHIP.**

There is hereby established a Parks and Recreation Commission for the city, pursuant to M.S. § 412.11, as amended from time to time. The Commission shall consist of nine voting members, who shall be appointed by the City Council, with names of candidates submitted 30 days prior to selection at January's regular Council meeting. The term of each member shall be three years. Vacancies during the term shall be filled by the Council for the unexpired portion of the term. There is no limit to the number of times of service, but reappointments are not to be automatic. A City Council member shall be appointed by the City Council as a liaison and shall serve as an ex-officio member of the Commission. ('74 Code, § 235:00) (Ord. 166, passed 9-10-75; Am. Ord. 295, passed 11-17-88; Am. Ord. 495, passed 7-21-22)

**§ 31.76 MEETINGS; RULES OF PROCEDURE; OFFICERS.**

The Commission shall meet as needed. The Commission shall establish meeting dates, but special meetings may be called by an officer of the Commission upon three days' notice to all members. The Commission shall establish rules of procedure as may be deemed necessary. The Commission shall select a Chairperson and a Secretary from its membership who shall serve for terms of one year, beginning with the first meeting of the year.

('74 Code, § 235:05) (Ord. 166, passed 9-10-75; Am. Ord. 295, passed 11-17-88; Am. Ord. 495, passed 7-21-22)

**§ 31.77 DUTIES.**

The Commission shall submit to the City Council annually, prior to June 15, a report pertaining to the current status of the parks and recreation facilities and programs, and shall include, but not be limited to, any proposals which may be necessary for the acquisition, development, and proper use of park properties and recreation programming as may be deemed appropriate. Other reports shall be submitted to the city as requested or as the Commission deems appropriate in light of the matter under consideration.

('74 Code, § 235:10) (Ord. 166, passed 9-10-75; Am. Ord. 295, passed 11-17-88; Am. Ord. 495, passed 7-21-22)

**§ 31.78 DIRECTOR OF PARKS.**

The City Council shall appoint a Director of Parks among the city's regular full-time employees. ('74 Code, § 235:15) (Ord. 166, passed 9-10-75)