



**ORDINANCE #34**  
**CITY OF RICE LAKE, MINNESOTA**  
**SUBDIVISION ORDINANCE**  
**LAND SPLITS AND PLATTING**  
EFFECTIVE MAY 22, 2023

**CITY OF RICE LAKE SUBDIVISION ORDINANCE #34  
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**ARTICLE 1**  
**GENERAL PROVISIONS**

The City Council of Rice Lake hereby ordains as follows:

**Section 1.1 Purpose**

The purpose of the regulations specified in this ordinance is to administer all divisions and modifications to property boundaries in the City of Rice Lake to protect and promote the public health, safety, and general welfare; provide for the orderly, economical, and safe development of land; and facilitate adequate provision for transportation, water, sewage, storm drainage, schools, parks, playgrounds and other public services and facilities.

**Section 1.2 Title**

This Ordinance shall be known and may be cited as the “Subdivision Ordinance for the City of Rice Lake, St. Louis County, Minnesota” and its provisions shall apply to all lands to be subdivided within the municipal limits as they exist on the date the City adopts this Ordinance, or within the limits as they may be extended in the future.

**Section 1.3 Legal Authority**

This ordinance is enacted pursuant to Minnesota Statute 462.358.

**Section 1.4 Administration**

This ordinance shall be administered by the City Council in cooperation with the Planning Commission.

**Section 1.5 Decisions**

All actions of the City Council and Planning Commission pertaining to this ordinance shall require the vote of a majority of the members of the entire Council or Commission.

## ARTICLE 2 DEFINITIONS

**Applicant** - any person commencing proceedings under the terms of this ordinance to effect a division, modification, or plat of land hereunder for himself, herself, or for another

**Block** - an area of land within a plat that is entirely bounded by streets, or by streets and the entire boundaries of the plat, or a combination of such streets and plat boundaries with a river or lake, public park, railroad rights-of-way or municipal boundaries.

**Buildable Area** - the area upon which structures may be placed on a lot or parcel of land and excludes areas to meet setback requirements, bluffs, rights-of-way, historic sites, wetlands, designated floodways, land below the ordinary high water level of public waters, and other unbuildable areas as identified in the City Zoning Ordinance.

**Building Line** - A line parallel to a lot line or the ordinary high-water level at the required setback beyond where a structure may not extend.

**Cul-de-sac** - a street with a single means of ingress and egress and having a turnaround at its end for a safe and convenient reversal of traffic.

**Development Agreement** - agreement between the City Council and developer through which the City Council may agree to vest development use or intensity or refrain from interfering with subsequent phases of development through new legislation, in exchange for agreement to construct any and all improvements to existing City standards, or a higher standard in some cases, abide by all conditions of the City Council, perform all required tasks within the established time frame, warranty all improvements, and provide security in an amount acceptable to the City to ensure performance of the Agreement and all warranties. Said agreement shall be recorded immediately after the recording of the final plat.

**Easement** - an interest in land granted by a property owner that entitles the easement holder to a specified use of the land.

**Flag Lot** - a lot containing an area shaped like a “flag” which is the portion of the lot where all structures are to be located and an area shaped like a “pole” which is the portion of the lot where the vehicular access between the flag and its adjoining road shall be located.

**Lot** - a piece, parcel or plat of land occupied or capable of being occupied by one or more structures and intended as a unit for transfer of ownership.

**Lot Line Adjustment** - where platted lots share common boundaries and the common boundaries are redrawn to create new legal description, but no additional lots or parcels are created.

**Outlot** - a lot remnant or parcel of land, which is intended as open space, drainage or other use, for which no private development is immediately planned.

**Plat** - the drawing or map of a subdivision prepared for filing of record pursuant to MSA Ch. 505 and containing all elements and requirements set forth in this chapter.

**Plat, Final** - a drawing or map of a subdivision prepared in the manner required by MSA Ch. 505 and this Chapter, approved by the City Council and in such form as required by St. Louis County for the purpose of recording.

**Plat, Preliminary** - a drawing or map of a subdivision and supporting information prepared in the manner required by MSA Ch. 505 and this Chapter.

**Registered Land Survey** - the drawing or map of a plat prepared by a professional licensed Land Surveyor for filing of record pursuant to Minnesota Statutes, Chapter 508.

**Right-of-Way** - a strip of land occupied or intended to be occupied by a street, trail, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for other special use.

**Street** - the entire width between property lines of a right-of-way or place dedicated, acquired or intended for the purpose of public use for vehicular traffic or access other than an alley.

**Subdivision** - the separation of an area, parcel or tract of land under single ownership into two or more parcels, tracts, lots, or long-term leasehold interests, where the creation of the leasehold necessitates the creation of streets, roads or alleys, for residential, commercial, industrial or other use, or any combination thereof, except those separations:

- a. Where all resulting parcels, tracts, lots, or interests will be 20 acres larger in size and 500 feet in width for residential uses;
- b. Where all resulting parcels, tracts, lots, or interests will be five acres or larger in size for commercial and industrial uses;
- c. Creating cemetery lots;
- d. Resulting from court orders. Any division of land so decreed which does not meet zoning chapter requirements for lot area, lot width, or which does not have the required frontage on a public right-of-way is not a buildable lot.

**Tax Parcel Combination** - where two or more lots with separate tax or property identification numbers are combined under one tax property identification number for the purpose of receiving a single-tax statement.

**Tax Parcel Split** - where one or more lots that are combined under one tax or property identification number for the purpose of receiving a single-tax statement are assigned new tax or property identification numbers for two or more of the platted lots.

**ARTICLE 3**  
**SCOPE OF REGULATIONS**

**Section 3.1 Approval Required**

No person shall divide or split land, convey land, or obtain a building permit without first obtaining approval as required by these regulations.

**Section 3.2 Exceptions to Required Platting**

The foregoing provisions as referenced in Minnesota Statute 462.358 do not apply to a conveyance if the land described:

- A. Was a separate parcel of record April 1, 1945 or the date of adoption of subdivision regulations under Laws 1945, Chapter 287, whichever is later.
- B. Was the subject of a written agreement to convey entered into prior to such time, or
- C. Was a separate parcel of not less than 2-1/2 acres in area and 150 feet in width on January 1, 1966, or
- D. Was a separate parcel of not less than five acres in area and 300 feet in width on July 1, 1980, or
- E. Is a single parcel of commercial or industrial land of not less than five acres and having a width of not less than 300 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than five acres in area or 300 feet in width, or
- F. Is a single parcel of residential or agricultural land of not less than 20 acres and having a width of not less than 500 feet and its conveyance does not result in the division of the parcel into two or more lots or parcels, any one of which is less than 20 acres in area or 500 feet in width.

**ARTICLE 4**  
**ADMINISTRATIVE LAND SPLITS**

**Section 4.1     Instances**

The Zoning Administrator may administratively approve a land split in the following instances provided that each parcel retains minimum lot size and building setbacks required by the zoning district in which the lots are located.

- A. A combination of two or more contiguous tax parcels into one parcel of record.
- B. A boundary adjustment relocating a property line between adjoining parcels, provided the split does not create a new tax parcel.
- C. A single-family residential lot split, other than the division of a single family attached dwelling, that contains not more than three splits, and where public improvements are not required. This does not include lot splits creating flag lots.

**Section 4.2     Process**

An application to subdivide property must be submitted to the Zoning Administrator on a form provided by the City accompanied by the following:

- A. An application fee set by the City Council.
- B. A certificate of survey map for abstract land or registered land survey for Torrens land. Not required for lot combinations.
- C. A full legal description of the existing property and resulting parcels documented by all current land title records. Not required for lot combinations.



**ARTICLE 5  
FLAG LOTS**

**Section 5.1     Instances**

Flag lots may be allowed in RES1, R1, R2, and SHORE Zoning Districts provided that:

- A. The resulting lots do not violate any provision of the Rice Lake Zoning Ordinance, Comprehensive Plan, or any other local ordinance.
- B. The width of the flag lot at the building line must meet the lot width requirements of the Rice Lake Zoning Ordinance.
- C. The pole portion of a flag lot must have a minimum width of 30 feet, be of uniform width, be a platted part of the flag lot, and connect to a public street. The driveway shall be set back a minimum of 10 feet from the neighboring property that was not used to create the flag lot and five feet from the mother property.
- D. The pole portion of the flag lot will not be included in calculating the minimum lot area.
- E. Only one flag lot may be created from an existing/mother property.
- F. Must be used exclusively for single family dwelling and accessory uses.
- G. The City must determine that the creation of the flag lot will not interfere with future development of roads or interior lands.
- H. The City must determine that the flag lot provides adequate accessibility of emergency responders.
- I. All flag lots must display an address at their closest point of access to a public street for emergency responders.

**Section 5.2     Process**

An application to create a flag lot must be submitted to the Zoning Administrator on a form provided by the City accompanied by the following:

- A. An application fee set by the City Council.
- B. A certificate of survey map for abstract land or registered land survey for Torrens land.
- C. A full legal description of the existing property and resulting parcels documented by all current land title records.
- D. Upon receipt of a complete application, the Zoning Official will set a date for a public hearing before the Planning Commission. Not less than ten days before the public hearing, the City will publish a notice in the official newspaper and send notice by mail to the Applicant and to the owners of all property wholly or partially within 350 feet of the property to be subdivided. Following the hearing, the Planning Commission must make a recommendation to the City Council.

E. After receipt of the recommendation of the Planning Commission, the City Council must make a decision within the time period specified in state law.

**ARTICLE 6  
PROCEDURES FOR FILING, REVIEW, AND APPROVAL OF PLATS**

**Section 6.1 Pre-application Conference**

Except in the case of an Administrative Land Split or one of the Exceptions to Required Platting, the Applicant shall confer with the Zoning Official or his/her representative to obtain information and guidance before incurring expenses in the preparation of plans, surveys, and other data. The Applicant is encouraged to prepare a sketch plan to serve as the basis for discussion.

**Section 6.2 Preliminary Plat**

**6.201 Application:** An application to plat property must be submitted to the Zoning Administrator on a form provided by the City accompanied by the following:

- A. An application fee set by the City Council.
- B. A full legal description of the existing property documented by all current land title records.
- C. A statement of the proposed use of all portions of the land to be platted.
- D. Owner's policy of title insurance or owner's encumbrance report. The City Attorney may require the Subdivider to also provide copies of recorded instruments that are referenced in the submitted title evidence.
- E. A boundary and topographic survey of the parcel being subdivided and nearby lands including: lot dimensions, all platted and recorded easements, natural features (lakes, creeks, floodplain, and wetlands), all existing structures and dimensions to show size and location, structure setbacks from all property lines, location of existing driveways, streets, utilities, existing two-foot contours, grade elevations at lot and building corners and lowest floor elevations.
- F. A preliminary plat that includes the proposed plat name, location and dimensions of existing and proposed easements, existing and proposed rights-of-way, and the following information for each lot proposed: lot dimension, lot area, buildable area, and driveways. The applicant shall submit three 22" x 34", one 11" x 17" and a digital copy.
- G. A drainage, grading and stormwater management plan.
- H. A street and utility plan that includes the proposed centerline grades of streets, street plans and profiles showing both existing and proposed grade lines, and detailed location and size of all utilities.
- I. A wetland delineation is required if the property includes any wetland areas as determined by the Zoning Official in consultation with the Technical Evaluation Panel (TEP). The delineation must be staked in the field for city staff and TEP verification during the growing season. Wetlands and wetland fill areas shall be shown on the preliminary and final plat.
- J. In shoreland areas, a line or contour representing the ordinary high water level, the "toe" and the "top" of bluffs, and the minimum building setback distances from the top of the bluff and the lake, river, or stream.
- K. A plan for soil erosion and sediment control both during construction and after development has been completed. The plan shall include gradients or waterways, design of velocity and erosion control measures, design of sediment control measures, and landscaping of the erosion and sediment control

system.

L. Other documents or items as may be required by the Zoning Official.

- 6.202 Undeveloped Outlots:** An Applicant may identify portions of the land to be platted which the Applicant intends to reserve for future development as an undeveloped outlot, rather than showing planned development.
- 6.203 Initial Review:** Upon receipt of a complete application, the Zoning Official will provide a copy of the preliminary plat to the following as appropriate: City Engineer, Utilities Commission, Rice Lake Public Works Department, St. Louis County Health Department, St. Louis County Surveyor, St. Louis County Highway Department, Minnesota Department of Transportation, Minnesota Power, City of Duluth Comfort Systems (natural gas), Rice Lake Fire Department, Rice Lake Wetlands TEP, Department of Natural Resources.
- 6.204 Public Hearing:** Upon receipt of a complete application, the Zoning Official will set a date for a public hearing before the Planning Commission. Not less than ten days before the public hearing, the City will publish a notice in the official newspaper and send notice by mail to the Applicant and to the owners of all property wholly or partially within 350 feet of the property to be subdivided.
- 6.205 Sign Notice:** Sign notice postings shall be required for all platting applications. The creation and posting of the signs shall be the responsibility of the applicant. Sign notice means a sign with minimum dimensions of 24 in. by 30 in. posted as close as reasonably possible to each street frontage on the applicant's property with the text between 3 ft. and 5 ft. above grade level, with a title line reading 'Planning and Zoning Notice' in letters at least 3 in. tall and with the remainder of the text in letters at least ½ in. tall. Each sign must be posted at least two weeks before the date of the public hearing and must remain in place and legible through the date of the public hearing as shown on the sign. If the sign will not be legible at the stated height due to snow accumulations it may be placed higher, but at the lowest elevation that will be legible to the public. If snow obscures the sign during the posting period, the snow shall be removed and/or the sign shall be relocated so as to be legible within 24 hours after snowfalls ends. Evidence produced at or before the public hearing that one or more of the required signs were not in place or legible throughout that period shall be grounds for postponement of the public hearing and a requirement to repost the property. Required signs may not be posted in any portion of the public right-of-way.

Each required notice shall include the following information:

- A. The name of the applicant
  - B. The address of the property
  - C. A narrative description of the project including the proposed land uses, size (in square feet) and height (in feet and stories) of any proposed buildings or building expansions
  - D. The type of permit or approval being sought
  - E. Contact information where additional information can be obtained from the applicant (which may be an address, telephone number, web site, or e-mail address or other electronic site or method)
  - F. Contact information for the assigned City staff member
  - G. The date, time and place of the public hearing
- 6.206 Planning Commission Recommendation:** Following the hearing, the Planning Commission must make a recommendation to the City Council. The Planning Commission may recommend that the City Council

impose conditions on a preliminary plat approval in order to ensure compliance with this ordinance.

**6.207 City Council Decision:** After receipt of the recommendation of the Planning Commission, the City Council must consider the preliminary plat application and may hold whatever hearing it deems advisable. In evaluating the plat, the City Council must consider and adopt findings regarding compliance with this ordinance. The City Council may impose conditions on the preliminary plat approval. The City Council must make a decision within the time period specified in state law.

**6.208 Preliminary plat approval will be void if:** (1) a final application is not received and approved within one calendar year of preliminary plat approval; and (2) the City Council has not received and approved a written application for a time extension within the one calendar year period.

### **Section 6.3 Final Plat**

**6.301 Application:** A final plat application must be submitted to the Zoning Official on a form provided by the city accompanied by an application fee set by the City Council and shall include the following:

A. Final plat drawing prepared and certified by a land surveyor who is licensed in the state and presented in accordance with appropriate provisions of state statute and St. Louis County regulations. The applicant shall submit three 22" x 34", one 11" x 17" and a digital copy.

1. Scale not less than one inch to one hundred feet (1"=100') of plat for large scale copies, twenty-two inches by thirty four inches (22"x34"), the scale to be show graphically on a bar scale, date, and north arrow.

B. The name of the subdivision, which must not duplicate or too closely approximate the name of any existing plat recorded in St. Louis County.

C. Location by section, township, range, county and state, and including descriptive boundaries of the plat, based on an accurate transverse, giving angular and linear divisions.

D. The location of monuments must be shown and described on the final plat. Locations of such monuments must be shown in reference to existing official monuments on the nearest established street lines, including true angles and distances to such reference points or monuments.

E. Location of lots, outlots, street rights-of-way, public highways, alleys, and parks, trails and other features, with accurate dimensions in fee and decimals of feet, with the length of radii and/or arc of all curves, and with all other information necessary to reproduce the plat on the ground must be shows. Dimensions must be shown from all angle points of curve to lot lines.

F. Lots must be numbered clearly, blocks are to be numbered, with numbers show clearly in the center of the block.

G. Total square footage per lot, acreage per block and total acres in plat, to be submitted separately from the plat.

H. The exact locations, widths and names of all streets to be dedicated.

I. Location, purpose and width of all easements to be dedicated.

J. An executed copy of restrictive covenants to be submitted separately from the plat.

K. Statement dedicating all easements as follows: "Easements for installation and maintenance of utilities and drainage facilities are reserved over, under and along the designated areas marked 'utility and drainage easements'."

L. Statement dedicating all streets, alleys and other public areas not previously dedicated as follows: "Streets, alleys and other public areas shown on this plat and not heretofore dedicated to public use hereby so dedicated."

**6.302 Review:** Upon receipt of the final plat, the Zoning Official will provide a copy of the final plat to the following as appropriate: City Engineer, Utilities Commission, Rice Lake Public Works Department, St. Louis County Health Department, St. Louis County Surveyor, St. Louis County Highway Department, Minnesota Department of Transportation, Minnesota Power, City of Duluth Comfort Systems (natural gas), Rice Lake Fire Department, Rice Lake Wetlands TEP, Department of Natural Resources.

**6.303 City Council Decision:** Upon receipt of a completed application, the City Council shall set a date for final plat consideration. In evaluating the final plat, the City Council must consider and adopt findings regarding compliance with the preliminary plat approval and with this ordinance. The City Council may impose conditions on the final plat approval, which shall include a development agreement. The City Council must make a decision within the time period specified in state law.

**6.304 Final plat approval will be void if:** (1) a final plat is not recorded with St. Louis County within one calendar year of preliminary plat approval; and (2) the City has not received and approved a written request for a time extension within one calendar year of final plat approval.

**ARTICLE 7  
DESIGN STANDARDS**

**Section 7.1 Conformity with Comprehensive Plan and Zoning Relations**

The plat must be consistent with the City of Rice Lake Comprehensive Plan, shall be suited to the purpose for which it is to be platted, and the use and proposed structures shall be consistent with the Rice Lake Zoning Ordinance.

**Section 7.2 Lots and Blocks**

- 7.201 Area:** The minimum lot area and width shall not be less than that established by the City of Rice Lake Zoning Ordinance in effect at the same time of adoption of the final plat.
- 7.202 Frontage:** The entire required frontage of each lot must abut on a street that has been officially accepted by the City of Rice Lake or other governmental body with jurisdiction over such street, except as provided for flag lots and cul-de-sacs.
- 7.203 Side Lot Lines:** Side lot lines should be at right angles to street lines, radial to curved street lines or radial to accommodate site specific topographic conditions.
- 7.204 Double Frontage:** Lots with double frontage shall not be allowed except where lots back on arterial streets or highways, or where topographic conditions render plats otherwise unreasonable.
- 7.205 Water Courses:** Lots abutting upon a water course, drainage way, channel, or stream in a DNR designate Shoreland Zone shall be required to abide by the regulations of the Shoreland Zoning District provisions of the Rice Lake Zoning Ordinance.
- 7.206 Natural Features:** In the platting of any land, due regard shall be shown for all natural features such as tree growth, water courses, historic sites or similar conditions which, if preserved, will add attractiveness, stability, and sustainability to the proposed development.
- 7.207 Lot Remnants:** All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allowed to remain as unusable parcels.
- 7.208 Block Length:** In residential areas, blocks shall be generally not less than 600 feet nor more than 1,400 feet in length measured along the greatest dimension of the enclosed block area unless minor variations are necessitated by topography or to conform to an adjoining plat.
- 7.209 Block Width:** Blocks shall be generally wide enough to allow two tiers of lots except where adjoining a lake, stream, railroad or thoroughfare or where one tier of lots is necessary because of topographic conditions.
- 7.210 Commercial:** Blocks for commercial and industrial areas may vary from the provisions of this section if the nature of the use requires other treatment.
- 7.211 Markers:** All plat boundary corners, block corners, street intersection corners, and a point of tangency and curvature shall be marked with survey monuments consisting of galvanized pipes with caps (minimum 1 ½ inch diameter) or minimum one inch deformed steel rods 36 inches in length. Lot corners shall be marked with survey monuments consisting of iron pipes, iron rods or other metal markers. All

U.S., state, county, and township and other official benchmarks, monuments or triangulation stations in or adjacent to the property shall be preserved in precise position.

### **Section 7.3 Streets**

- 7.301** The plat must take into consideration access to existing streets and future extension of street where appropriate.
- 7.302** Streets must be designed and located with consideration to existing and planned streets, reasonable circulation patterns, topographical conditions, stormwater runoff, public conveyance safety.
- 7.303** If required by the City Engineer, a traffic study for the plat shall be completed by a qualified professional and shall include traffic generation, traffic distribution of the existing capacity of existing streets, and resulting level of service of existing streets at the plat build out.
- 7.304** Streets and sidewalks must be designed in accordance with standards and specifications as required in Rice Lake Ordinance # 30.

### **Section 7.4 Water Supply**

- 7.401** When a plat is located within 1,000 feet of a City water main, the plat design shall include water mains designed and constructed in accordance with Rice Lake Ordinance # 38
- 7.402** When a plat is located more than 1,000 feet from a City waterline, consideration should be given by the Applicant to providing a private water supply system within the plat.

### **Section 7.5 Sewage Disposal**

- 7.501** When a plat is located within 1,000 feet of a City sewer main, the plat design shall include sewer mains designed and constructed in accordance with Rice Lake Ordinance # 38
- 7.502** When a plat is located more than 1,000 feet from a City sewer main, provision must be made for sanitary sewage facilities, consisting of a central treatment plant or individual sewage treatment systems for each lot, with any and all proposed sewage facilities being subject to any regulations then currently in force.
- 7.503** With respect to any plat or lot not provided with public sewer, soil tests shall be made by the Applicant to determine whether the proposed lot size will meet minimum standards of health and sanitation. Such tests shall be made under the direction of, and subject to approval by St. Louis County.

### **Section 7.6 Stormwater**

- 7.601** The plat design must include stormwater management in accordance with Rice Lake ordinance # 35.

### **Section 7.7 Easements**

- 7.701** Utility easements shall be shown on the preliminary and final plat or registered land survey for use in erecting, construction and maintaining poles, wires, conduits, storm sewers, sanitary sewers, surface drainage, water mains, electrical lines and other public utilities reasonably required.



**ARTICLE 8  
AGREEMENTS AND SECURITIES**

**Section 8.1 Development Agreement**

Prior to approval of the final plat and prior to installation of any required improvements, the Applicant shall enter into a development agreement with the City requiring the Applicant to furnish and construct the improvements at his or her sole cost and in accordance with plans and specifications and usual contract conditions approved by the City.

**Section 8.2 Financial Guarantee**

Prior to approval of the final plat and prior to installation of any required improvements, the Applicant must deposit with the City a letter of credit, cash escrow, or other financial guarantee acceptable to the City Attorney in an amount equal to 125% of an actual bid cost or estimate approved by the City Engineer for constructing the required improvements.

**Section 8.3 Time Period**

The Applicant will have the time period agreed to in a development agreement to complete the required improvements in such a manner as to allow the City to accept for maintenance. If said construction is not completed in the time allotted, the City may use the full value of the financial guarantee to complete the remaining construction to City standards and specifications. If the amount of funds recovered is insufficient to cover the cost of actual construction, the Council may assess the remaining cost to the properties within the plat or take other actions per terms of the development agreement.

**Section 8.4 Inspections**

All of the required improvements must be inspected during the course of their construction by the City Engineer or designee. All of the inspection costs must be paid by the Applicant.

**Section 8.5 Stop-Work Order**

Any violation or non-conformance with the specifications for required improvements will be grounds for the City to issue a stop-work order on the site. In that event, no further operation with regard to the construction of required improvements within the affected plat will be allowed until the original violation or non-conformance is corrected.

**Section 8.6 As-Builts and Acceptance**

After having completed all of the required construction to the satisfaction of the City Engineer in accordance with the City's standards and specifications, the Applicant must submit the following to the City: a record of all improvements as built in the format designated by the City Engineer, the appropriate inspection fee and all required agreements and documents. After those items have been submitted to the City, the Applicant may request final acceptance of the streets and appurtenances by the City for maintenance. Final acceptance must be evidenced in writing by the City Engineer.

**ARTICLE 9  
FEES**

**Section 9.1 Establishment of Fees**

Fees and charges, as well as expenses incurred by the City for engineering, planning, attorney, and other services related to the processing of the subdivision application, shall be as set out below and shall be collected by the Zoning Administrator for deposit in the City's accounts. The City Council may also establish charges for public hearings, special meetings, or other such City Council or Planning Commission actions as are necessary to process application.

<u>Request</u>	<u>Fee</u>	<u>Escrow</u>
Admin Land Split (except Combinations)	\$ 75.00	\$ 0.00
Lot Combination	\$ 25.00	\$ 0.00
Flag Lot	\$ 400.00	\$ 100.00
Preliminary Plat	\$ 450.00 plus \$10 per lot.	\$ 600.00
Final Plat	\$ 1200.00	\$ 1350.00
Variance	\$ 600.00	\$ 675.00
Applicable Recording Fees	\$ As required by St. Louis County	

**Section 9.2 Collection of Fees**

Such fees, charges, and estimated expenses, as well as an escrow deposit if so required by the Zoning Administrator, shall be collected prior to City action on any application. All such applications must be accompanied by a written agreement between the City and the applicant/land owner (when the land owner and applicant are not the same person or entity, both the land owner and applicant must sign the agreement) whereby the applicant/land owner agrees to pay all applicable fees, charges, and expenses as set forth by City Council resolution, and which allows the City to assess that the above fees, charges, and expenses against the land owner if such monies are not paid within 30 days after a bill is sent to the applicant/land owner. The fees referred to above are only an estimate of the expense the City may incur. The applicant is responsible for any and all fees incurred by the City that result from his/her request. All charges are due and payable upon billing by the City. If the escrow is exhausted, the applicant shall replenish it back to its original amount within 10 days of request by the City. All monies left over in the escrow after completion of processing of the application shall be returned to the party who deposited the escrow, provided all applicable City expenses and fees have been fully paid. The City may refuse to issue a plat if billings for fees and expenses remain unpaid.

**ARTICLE 10  
VARIANCES**

Application for variances from the specific provisions of this ordinance for any plat or lot split or flag lot shall be made in accordance with and subject to the provisions of Section 8.5 of Rice Lake Zoning Ordinance # 22.

**ARTICLE 11**  
**VIOLATIONS AND ENFORCEMENT**

**Section 11.1 Penalty**

Any person who conveys a lot or parcel without the approval required by this ordinance must forfeit and pay to the City a penalty of not less than \$1000 for each lot or parcel conveyed.

**Section 11.2 Permits**

No certificate of occupancy, building permit or other City approval will be issued for any land in a plat or lot split or flag lot that is in violation of this ordinance, until the violation has been corrected and appropriate fines and penalties have been paid.

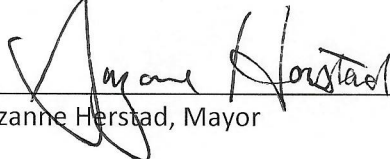
**Section 11.3 Legal Action**

A person who violates this ordinance is guilty of a misdemeanor. The City may commence proceedings at law or in equity to prevent any violation of this ordinance, to prevent unlawful construction, to recover damages, to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises. Nothing in this section prevents the City from taking other actions permitted by law, and the penalties and remedies provided here and under law are cumulative.

**ARTICLE 12  
EFFECTIVE DATE**

This ordinance shall be effective upon its passage and publication as required by law.

PASSED, ADOPTED AND APPROVED by the City of Rice Lake, St. Louis County, Minnesota, this 22<sup>nd</sup> day of May, 2023.

  
\_\_\_\_\_  
Suzanne Herstad, Mayor

  
\_\_\_\_\_  
Attest: Toni Blomdahl, Clerk/Treasurer