

**CITY OF DELLWOOD  
ORDINANCE NUMBER 2018-04**

**AN ORDINANCE REQUIRING PROPERTY OWNERS TO DISPLAY ADDRESS NUMBERS ON HOMES OR BUILDINGS.**

**Be it Ordained by the Council of the City of Dellwood:**

Section 1. Purpose and Intent.

The purpose and intent of this Ordinance is to protect the health and safety of the public by requiring Street and/or Road addresses to be prominently displayed in a uniform manner, allowing easy identification of the property for emergency vehicles, City Inspectors, and other authorities.

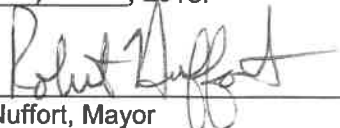
Section 2. Display of Street / Road Address Numbers.

Every owner of real property situated in the City of Dellwood shall display the official address numbers as follows:


- a) Address numbers are to be displayed on the front of the home or main building facing the street or roadway.
- b) Address numbers must be easily legible, a minimum of four (4) inches in height and in place at a point on the home or building which is clearly visible from the street or roadway and is not blocked from view by another building or vegetation, or any other object.
- c) Address numbers must be set on a background of contrasting color.
- d) In cases where the home or building is more than 50 feet from the travelled portion of the street or roadway, or is not clearly visible from the road, the address numbers shall be attached to a fence, gate, mailbox, entrance monument or other location which is clearly visible from the street or roadway and at a height which assures the numbers will not be obscured by snow accumulation or plowing.
- e) Trees, shrubs and other vegetation shall be trimmed so that numbers remain to be clearly visible from the street or roadway.
- f) Address numbers painted directly on a home or building or elsewhere under section (d) above are not acceptable.

Owners or occupants of homes or buildings which are not in compliance with this Ordinance may be cited under the Administration Citation Ordinance of the City.

PASSED BY THE CITY COUNCIL ON October 9, 2018.

  
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Robert Nuffort, Mayor

ATTEST:

  
\_\_\_\_\_  
Joanne Frane, City Clerk

Published in the White Bear Press on October 17, 2018.

ORDINANCE 2018-03

AN ORDINANCE AMENDING THE CITY OF DELLWOOD ZONING ORDINANCE  
REGARDING GARAGE SIZES & ACCESSORY BUILDINGS

THE CITY OF DELLWOOD ORDAINS:

Section 1. Code Amended. That Section 152.6.D of the Zoning Ordinance is hereby amended to read as follows:

D. GARAGES.

Garages are allowed in all residential districts subject to the following:

- 1) Attached garage means a garage design which shares one or more common walls with the principal dwelling.
- 2) The maximum allowable total garage space is limited to 1,200 square feet in the R-1 District and 1,500 square feet in the R-2 and F-E Districts as measured by all interior wall space. The total garage footprint area shall not exceed the total footprint area of the house.
- 3) The maximum height of an attached garage shall not exceed the height of the principal dwelling and shall otherwise conform to the current requirements of the Zoning Ordinance and Shoreland Ordinance.
- 4) The maximum height of a detached garage shall not exceed twenty (20) feet measured from the average adjacent grade level to the highest point of the roof.
- 5) Detached garages shall not be designed, built or used for purposes of living quarters, temporary, or permanent.
- 6) When in receipt of a conditional use permit these standards may be exceeded in the following manner:
  - a) In the case where a property has greater than two acres but less than 3 acres and an attached garage, there may be an additional detached garage up to 1,500 square feet in area placed on the property. In no case shall the total garage space exceed 3,000 square feet or exceed the footprint of the principal structure, whichever is less. In no instance shall there be more than two garages and no single garage attached or detached shall exceed 1,500 square feet in area.
  - b) In the case where a property has greater than three acres and an attached garage, there may be an additional detached garage up to 1,800 square feet in area. In no case shall the total garage space exceed 3,300 square feet or exceed the footprint of the principal structure, whichever is less. In no case shall there be more than two garages or shall the attached garage exceed 1,500 square feet in area.

c) The conditional use permit shall be granted when the following conditions are met:

1. The requirements of Section 152.11 D are satisfied.
2. The garage is generally compatible with the architectural appearance of the principle structure in terms of exterior building materials, color, roof materials, roof pitch, and character.
3. There is adequate space to accommodate the garage, septic areas, and other structures on the parcel.
4. The proposed structure shall not cause stormwater management issues.

7) All garages shall match the architectural character of the principal structure in terms of exterior building materials, color, roof materials, and general roof pitch.

Section 2. Code Amended. That Section 152.6.E.3 of the Zoning Ordinance shall hereby be amended to read as follows:

3. Accessory Buildings and uses are permitted provided that no more than one accessory building may be constructed or placed upon any land in residential zoning districts for purposes of household storage and/or workshop. No plumbing facilities are allowed in accessory buildings. An accessory building may not exceed 200 square feet in area or 10 feet in height from grade level. Accessory Dwelling Units, as defined in the Zoning Ordinance are allowed only in the F/E District under a Conditional Use Permit.

Section 3. Effective Date. This Ordinance shall be effective upon passage and publication.

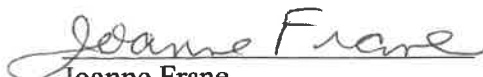
PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD THIS 9<sup>TH</sup> DAY OF OCTOBER, 2018.

APPROVED:



Robert Nuffort  
Mayor

ATTEST:



Joanne Frane  
City Clerk

(seal)

Published in White Bear  
PRESS  
10-17-2018

## ORDINANCE 2018-02

### AN ORDINANCE AMENDING THE CITY OF DELLWOOD SIGN ORDINANCE

#### THE CITY OF DELLWOOD ORDAINS:

Section 1. Code Amended. That Chapter 94 is hereby amended to read as follows:

#### CHAPTER 94 SIGN ORDINANCE

##### 94.01 Purpose.

The intent of this Chapter is to permit the use of signs that are compatible with their surroundings and are legible while at the same time assuring that the public is not endangered or distracted by unsafe or indiscriminate use of signs; that all signs are removed when required and the identity of the person placing a sign is known to the City.

The City Council has determined that the regulations in this Chapter are necessary for the following reasons, among others:

1. To preserve the residential character of residential neighborhoods.
2. To preserve order and cleanliness;
3. To avoid the appearance of clutter;
4. To protect property values;
5. To avoid litter and the growth of weeds around signs;
6. To reduce the traffic hazard caused by distractions to motorists and impairment of sight lines;
7. To ensure that the City remains an attractive place to live and work;
8. To reduce administrative burdens; and
9. To protect the health, safety, welfare, morals, convenience, and comfort of the public.

##### 94.02 Definitions.

1. Above-Roof Sign. A sign, any portion of which is displayed above the peak of a roof-line or beyond the outline of the building or roof as viewed from the front of the sign.
2. Animation Sign. A sign that displays a collection of static images joined together and shown consecutively so that they appear to move.
3. Dynamic Sign. A sign that exhibits any characteristics of movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign.
4. Electric Sign. Any sign containing electrical wiring, and/or is defined as dynamic, but not including signs illuminated by an exterior light source.
5. Flashing Signs. Illuminated signs or lighting that have flashing or intermittent lighting.
6. Moving Sign. Any sign that is animated or revolving, up and down or sideways, mechanically or otherwise.

7. Non-Conforming Sign: Any sign or combination of signs that were lawfully established and that do not comply with all applicable provisions of this Chapter.
8. Portable Signs. A mobile advertising device that is capable of being transported from one location to another and that is not permanently attached to the ground, a sign structure, or a building.
9. Projecting Sign. A sign attached to a building and projecting more than six (6) inches.
10. Revolving Sign. A sign that moves in an orbit, rolls, or turns on or around an axis or center.
11. Sign. Any letter, number, symbol, configuration or combination thereof designed and displayed to attract the attention of the public.
12. Spinning Signs. A sign that revolves quickly and repeatedly around one's own axis or displays a swift whirling motion.
13. Wall. All the exterior surface of a building from ground level to the highest point of the roof.
14. Directional Signs, so-called "Arrow Signs" and Off Premises Signs. These signs are installed to guide persons to a particular place or event, such as an Open House, Garage Sale, etc.

#### 94.03 General Provisions Applicable to All Signs.

##### A. The following types of signs are not permitted:

1. Projecting Signs.
2. Above-roof Signs.
3. Moving Signs.
4. Spinning, scrolling, or revolving signs.
5. Signs with animation or video capabilities.
6. Portable Signs except as permitted under Section 94.05 below.
7. Revolving Sign. A sign that moves in an orbit, rolls, or turns on or around an axis or center.
8. Above-Roof Sign. A sign, any portion of which is displayed above the peak of a roof-line or beyond the outline of the building or roof as viewed from the front of the sign.
9. Animation Sign. A sign that displays a collection of static images joined together and shown consecutively so that they appear to move.
10. Dynamic Sign. A sign that exhibits any characteristics of movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign.
11. Electric Sign. Any sign containing electrical wiring, and/or is defined as dynamic, but not including signs illuminated by an exterior light source.
12. Flashing Signs. Illuminated signs or lighting that have flashing or intermittent lighting.

##### B. General Regulations.

1. Except as provided in sections 94.04 through 94.06 below, signs are not permitted on public streets or rights of way nor on any public property.
2. Signs may not exceed nine (9) square feet in area nor exceed five (5) feet in height as measured from adjacent ground level, except as otherwise provided herein.
3. Temporary signs advertising Parade of Homes promotions or school and church events may be displayed no earlier than one week prior to the event and must be removed within 2 days following the day of the event.
4. Seasonal Holiday decorations may be placed no earlier than six (6) weeks prior to the Holiday and may not contain any advertising or commercial message. Christmas Holiday decorations shall be removed by the following January 31<sup>st</sup>. Other Holiday decorations shall be removed within two (2) weeks following the Holiday.
5. Signs used for the protection of property such as “No Trespassing”, “No Solicitation”, “Invisible Fence”, etc. are allowed on the property and may be no larger than 1.5 square feet.
6. All signage shall adhere to the following safety standards:
  - a. Signs shall not exceed nine (9) square feet in area.
  - b. No part of such sign shall be closer than six (6) feet to the traveled portion of the roadway, including the shoulder, nor closer than two (2) feet to the edge of any sidewalk located in the public right of way. Except as permitted by Section 94.05 below.
  - c. Design Standards. Signs that become unsafe or deteriorated shall be ordered repaired or removed by the City.
  - d. Clearance from High Voltage Power Lines. Signs shall be located no less than six (6) feet horizontally or twelve feet vertically from overhead electrical lines. The term “overhead lines” as used in this Section means any electrical conductor, either bare or insulated, above the ground.
  - e. Traffic Flow. No sign shall be used at any location or in any manner where it may be confused or construed as a traffic control device or create a traffic hazard.
  - f. Sign Maintenance. The owner of any sign shall properly maintain and keep the sign in a safe, orderly condition and keep such sign, including all parts and supports, properly painted.
  - g. Each off-site sign shall contain the name and contact information of the person or firm placing the sign.
7. Minnesota Statutes Chapter 173 regulates signs alongside State Highways and is enforced in the City of Dellwood.

#### 94.04 Exclusions.

The following signs are excluded from the requirements of this Section:

1. Architectural details of buildings including corner-stones, crosses, or other identifying details that are part of the buildings.
2. Official Traffic Signs and Signals and other official governmental signs.
3. Names plate signs not exceeding more than one square foot in area, including the same and/or address of the occupant. House and building numbers shall not exceed

- six (6) inches in height.
- 4. Governmentally authorized historical markers.
- 5. Official governmental information signs.
- 6. Signs denoting the location of a utility line for purposes of safety warnings or maintenance are allowed with no commercial message attached.

94.05 Real Estate Signs: Signs for the purpose of selling or leasing individual residential lots or buildings within the City of Dellwood shall be permitted, under the following conditions:

- A. A single Real Estate Sign and/or Open House Sign may be displayed only on the property being offered for sale or lease, except as provided in Sub-Section 94.05(b) below.
  - a. Every sign must contain the name and contact information of the person or firm placing the sign.
  - b. Only one sign is permitted and it must be placed on the property being offered for sale or lease. If the property for sale or lease abuts two or more public streets, one sign may be placed at each street frontage. If the property abuts a lake or golf course, one sign may be placed within the property lines fronting the lake or golf course.
  - c. Such signs shall be removed within ten (10) days following the closing of a lease or purchase agreement.
  
- B. On-Site Signs: A single sign advertising a property for sale or lease may be placed on the subject property for a period of 300 days following the initial placement of the sign. If the property abuts more than one public roadway, a sign may be placed at each roadway frontage. The 300 day period may be extended for good cause upon written application to the City Clerk. Such signs shall in any event be removed within 10 days following the closing of a sale or lease agreement.
  
- C. Off-Site Signs: Portable temporary directional signs for "Open House", showing purposes are permitted under the following conditions:
  - 1. No sign shall exceed three (3) square feet in area.
  - 2. No sign shall be placed more than six (6) hours prior to a scheduled public showing and must be removed within one (1) hour after the close of the open house showing .
  - 3. No more than three (3) temporary directional signs may be placed. No more than one such sign may be placed at any street intersection. All such signs must state the times between which the property is open for showing to the public. Multiple signs for one Open House showing may not be placed at the same location. "Location" for purposes of this Ordinance means that no such sign may be located within 100 feet of another sign relating to the same Open House showing.
  - 4. Signs may not be left in place overnight.
  - 5. No part of such sign shall be closer than six (6) feet to the traveled portion of the roadway, including the shoulder, nor closer than two (2) feet to the edge of any sidewalk located in the public right of way.
  - 6. Minnesota Statutes chapter 173 regulates signs along State Highways and is enforced

in the City of Dellwood.

94.06 Off Site Portable Signs: Off-site portable signs advertising private garage sales and estate sales, to be held on the residential property owned by the Seller of the goods are allowed under the following conditions:

1. No sign may exceed three (3) square feet in area.
2. No sign may be placed more than six (6) hours prior to the starting time of the sale and must be removed within two (2) hours after the closing time of the sale.
3. No more than three (3) such signs may be in place at any one time. Only one (1) such sign may be placed at any street intersection. Signs pertaining to the same sale event must be located not less than 100 feet apart from one another.
4. Signs may not be left in place overnight.
5. No part of the sign may be placed closer than six (6) feet to the traveled portion or shoulder area of any public roadway nor closer than two (2) feet to the edge of any sidewalk located in the public right of way.

94.07 Campaign Signs. Campaign Signs of any size may be posted in any number in even numbered years from the 46 days before the State primary election until ten days following the State general election and in odd numbered years from the last day of candidate filing until ten days following the City election. All such signs shall be subject to the following requirements:

1. Signs are permitted on private property only and may be placed only upon approval of the property owner;
2. No such sign may be located in the road right-of-way nor closer than six (6) feet to the paved portion of the road.
3. The property owner on which campaign signs are located shall be responsible for the removal of such signs within ten days following the election.

94.08 Nonconforming Signs.

Nonconforming permanent signs lawfully existing and in place as of the effective date of this Ordinance shall be allowed to continue in use, but shall not be rebuilt if the sign is destroyed by any means to the extent of fifty percent or more of its value, altered other than to change the message, or relocated without being brought in to compliance with the requirements of this Chapter. After a nonconforming sign has been removed, it shall not be replaced by another conforming sign.

Whenever use of a nonconforming sign has been discontinued for a period of three months, such use shall not thereafter be resumed unless in conformance with the provisions of this Chapter or by Special Use Permit issued by the City of Dellwood.

94.09 Election Year Exemption.

To the extent that any section of the City Code conflicts with the provisions of M.S. Section 211B.045, as amended, the State law shall prevail.

94.10 Violations.



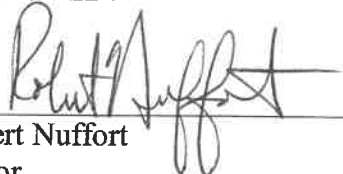
Any sign which is deemed by the City to be in violation of this Ordinance may be summarily removed and kept at the City Offices for 20 days, after which time the sign may be destroyed or otherwise disposed of, unless a request for review is filed with the City Clerk within ten (10) days following written notice to the sign owner as provided in Chapter 30 of the Dellwood City Code.

Violations of this Ordinance are misdemeanor offenses which may be prosecuted in the Washington County District Court. Violations may also be addressed by way of an Administrative Citation process as set forth in Chapter 30.16 of the Dellwood City Code.


Section 2. Effective Date. This Ordinance shall be effective upon passage and publication.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD THIS 12<sup>th</sup> DAY OF JUNE, 2018.

APPROVED:

  
Robert Nuffort  
Mayor

ATTEST:

  
Joanne Frane  
City Clerk

(seal)

Published in the  
White Bear Press  
June 27, 2018

## ORDINANCE 2018-01

### AN ORDINANCE AMENDING THE CITY CODE REGARDING ADMINISTRATIVE CITATIONS & NOTICE OF VIOLATIONS

THE CITY OF DELLWOOD ORDAINS:

**Section 1. Code Amended.** That Section 30.11-I-2 is hereby amended to read as follows:

2. Administrative Penalties (Section 30.16)
  - a. Administrative Fines (Section 30.16)
    - (1) 1<sup>st</sup> offense \$200
    - (2) 2<sup>nd</sup> offense \$400
    - (3) 3<sup>rd</sup> offense \$800
    - (4) 4<sup>th</sup> and subsequent offenses \$1000
  - b. Parking Violations (Section 71) \$75

**Section 2. Code Amended.** That Section 30.16 is hereby amended to read as follows:

#### 30.16 ADMINISTRATIVE ENFORCEMENT OF CODE REGULATIONS; ADMINISTRATIVE CITATIONS AND PENALTIES

- A. Purpose and intent. The administrative enforcement procedures established within this Chapter are intended to provide the City of Dellwood with an informal, cost-effective and more efficient supplement or alternative to criminal prosecution or civil litigation for certain violations of the adopted City Code. The City of Dellwood retains the right, at its sole discretion, to enforce provisions of this Code by bringing criminal charges or commencing civil litigation in any case where the City determines it is appropriate or necessary but finds that an administrative process is beneficial to the residents of the City and further finds that that such a process is a legitimate and necessary alternative method of enforcing Code violations.
- B. General provisions.
  1. Administrative Offenses. Violations of any section or chapter of the City Code, and any violation of the terms and/or conditions of any license, permit, or other approval issued pursuant to the City Code, are administrative offenses that may be subject to an administrative citation and administrative fines.
  2. Continuing Violations. Each day a violation exists constitutes a separate and distinct offense for which a separate penalty can be imposed. The City Code Enforcement officer can exercise discretion in imposing an administrative fine for more than one day of a continuing offense.
  3. Schedule of Fines. The City Council shall adopt as part of the fee schedule in Section 30.11, a schedule of administrative fines for offenses for which an

administrative citation may be issued.

4. **No Limitation on Remedies.** Nothing herein is intended or shall require the City to utilize the administrative citation process or otherwise pursue the remedies outlined in this section. The City retains the right to pursue any and all other remedies authorized by law to enforce the City Code or penalize violations of city ordinances, including, but not limited to, issuance of a stop work order, abatement, criminal prosecution, and/or application for civil penalties or injunctive relief.
5. **Code Enforcement Officer.** The Code Enforcement Officer shall be any person so appointed to carry out such duties so assigned by the City Council or their designee.

C. Procedure.

1. **Administrative Notice.** A Code Enforcement Officer or designee may issue, either in person or by United States first class mail, an administrative notice to a person suspected, alleged or known to have committed a code offense and/or to be the owner of property upon which a code offense is being committed. The Administrative Notice shall identify the code offense, the location upon which the code offense is alleged to have occurred or is occurring, and the corrective action for the code offense. The administrative notice may also state that the alleged violator has, at the discretion of the Code Enforcement Officer, no more than twenty (20) days to correct or abate the code offense. Immediate compliance may be required upon the existence of a condition which may constitute a threat to public health or safety. If the alleged violator and/or owner of property upon which a code offense is being committed is unable to correct or abate the code offense within the prescribed time, that person may request in writing an extension of no more than thirty (30) additional days from the Code Enforcement Officer. Any extension granted shall be in writing and shall specifically state the date of expiration, which shall be determined at the discretion of the Code Enforcement Officer. If the code offense is not corrected or abated, as outlined in the administrative notice, within the prescribed time or any extension thereto, the Code Enforcement Officer may issue a citation.
2. **Exceptions to Administrative Notice.** For violations of any of the following sections, the City shall not be required to issue an administrative notice and may proceed directly to an administrative citation.
  - a. **Repeat Offenders.** If the same owner or person commits a subsequent violation within twelve (12) months of after an administrative notice or citation has been issued for the same or similar offense, administrative notice shall not be required for the new violation.
  - b. **License and Permit Violations.** For any license violations, including not

having a license or for violations of Permits and/or Variances, administrative notice shall not be required.

3. Citation. Upon receiving no response or compliance following issuance of the administrative notice, the Code Enforcement Officer may issue a citation. The citation shall be given to the person responsible for the violation and/or to the owner of the property upon which the alleged violation has occurred, either by personal service or by United States first class mail. Said citation shall state the nature of the code offense, the time and date said alleged code offense occurred, the civil penalty applicable to that code offense as set forth in a schedule of civil penalties which shall be adopted by resolution of the City Council from time to time, and the manner for paying the civil penalty, or requesting a review before the City Council.
4. Responding to a Citation. Once a citation is issued, the alleged violator and/or the owner of the property upon which the alleged violation has occurred shall, within ten (10) days of the time of issuance of the citation, either pay the civil penalty set forth in the citation or request a hearing in writing according to the procedure set forth below. The civil penalty may be paid either in person at City Hall, or by United States first class mail, postage prepaid and postmarked within said prescribed fourteen (14) days. Payment of the civil penalty shall be deemed to be an admission of the code offense.
5. Payment of Penalty.
  - a. Payment of a Penalty and Correction of Violation. If within the prescribed time limits, the owner pays the administrative civil penalty and corrects the City Code violation, no further action will be taken against the owner or the owner's real property for that same violation.
  - b. Payment of Penalty without Correction of Violation. If the owner pays the administrative civil penalty but fails to correct the City Code violation, the City may issue subsequent administrative citations, initiate criminal proceedings, or initiate any other proceeding or remedies available in order to enforce correction of the City Code violation.
  - c. No Payment of Penalty and No Correction of Violation. If the owner fails to pay the administrative civil penalty and fails to correct the City Code violation, the City may do any of the following, or any combination thereof:
    - (1) Assess the administrative civil penalty against the property pursuant to Minnesota Statutes Chapter 429.
    - (2) Issue a subsequent administrative citation.
    - (3) Initiate criminal proceedings.
    - (4) Initiate any other enforcement action authorized by law including

abatement actions.

D. Appeal and Hearing.

1. Requesting a Hearing. Any person receiving an administrative citation may contest the alleged violation and the amount of the administrative civil penalty. In order to contest any part of the administrative citation, the owner or individual contesting the citation must notify the City Clerk in writing within ten (10) calendar days after the citation is mailed or otherwise delivered. The written request shall state the name of the individual, indicate whether they are contesting the alleged violation, the amount of the penalty, or both and must also specify the reason and facts upon which the individual is contesting the citation.
2. City Council Review. The City Council shall conduct an informal hearing to determine if a violation has occurred. The Council shall consider the record and any additional evidence presented at the hearing before making a determination. The Council shall receive and give weight to evidence, including hearsay evidence that has probative value commonly accepted by reasonable and prudent people in the conduct of their affairs. The City will have the burden of proving the existence of a violation and the reasonableness of any required corrective action by a preponderance of the evidence. The determination of the enforcement officer will be given substantial weight by the Council in determining the reasonableness of any required corrective action.
3. Authority of City Council. The Council has the authority to do any of the following, or a combination thereof:
  - a. Make a finding that a violation has occurred;
  - b. Reduce, stay, or waive a scheduled administrative civil penalty either unconditionally or upon compliance with reasonable conditions;
  - c. Require compliance with the City Code within a specified timeframe;
  - d. Make a finding that no violation has occurred and dismiss the administrative citation.
4. Owner/Individual Found in Violation. If the violation is sustained by the Council, the violator shall pay the penalty imposed plus an additional administrative hearing fee as prescribed by the City to cover the cost incurred by the City associated with the hearing within fourteen (14) days of the date of the decision.

E. Judicial review. The City Council's decision is final without any further right of administrative appeal. Further appeal shall be to the Minnesota Court of Appeals under the Minnesota Rules of Civil Procedure.

F. Violation a misdemeanor. The following are misdemeanors, punishable in accordance with state law:

1. Failure to pay an administrative fine imposed by administrative citation within fourteen (14) days after it has been imposed unless the matter is contested to the

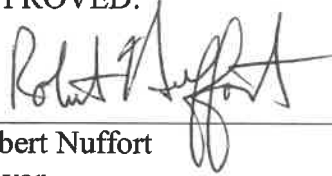
City as provided herein.

2. Failure to pay an administrative penalty imposed by the City Council unless an appeal has been taken to the Court of Appeals. If the final determination in the administrative penalty process is a finding that no violation occurred, then the City may not prosecute a criminal violation in district court based on the same set of facts. This does not preclude the City from pursuing a criminal prosecution for a violation for the same provision based on a different set of facts. A different date of violation will constitute a different set of facts.
- G. Traffic Related Ordinance Violations; Vehicle Equipment Violations. The City may not issue Administrative Citations or impose administrative penalties to enforce any offense listed in Appendix A to Minnesota Statute Section 169.999, even though a similar offense may be a violation of an Ordinance of the City, unless such offense is a violation of a separate Ordinance enacted by the City pursuant to M.S.169.999, as amended.

**Section 3. Effective Date.** This Ordinance shall be effective upon passage and publication.


PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DELLWOOD THIS 12<sup>th</sup> DAY OF JUNE, 2018.

APPROVED:



Robert Nuffort  
Mayor

ATTEST:



Joanne Frane  
City Clerk

(seal)

Published in the  
White Bear Press  
June 27, 2018