

ORDINANCE NO. 14 4th Series

AN ORDINANCE OF THE CITY OF EAST GRAND FORKS AMENDING CITY CODE TITLE XV LAND USEAGE BY ADDING SECTION 154 TO CREATE URBAN AND RURAL SERVICE DISTRICTS IN THE CITY OF EAST GRAND FORKS PURSUANT TO MINNESOTA STATUTE 272.67.

THE CITY OF EAST GRAND FORKS DOES ORDAIN:

Section 1.

Section 154.01 Urban and Rural Service Districts

A ESTABLISHMENT OF TAX DISTRICTS

Pursuant to Minnesota Statute 272.67, the City of East Grand Forks hereby divides the areas within its corporate limits into an Urban Service District and a Rural Service District. Said districts shall be constituted as separate taxing districts for the purpose of all municipal property taxes, except those levied for the payment of bonds and judgments and interest thereon.

B CRITERIA/DEFINITIONS

1. The Urban Service District shall include all properties located within the corporate limits of the City of East Grand Forks, except those properties which are included in a Rural Service District.
2. The Rural Service District shall include only unplatted lands, which need not be contiguous to one another, and which, in the judgment of the city council at the time of the adoption of the ordinance, are rural in character, and are not developed for commercial, industrial, or urban residential purposes, and, for these reasons, are not benefitted to the same degree as other lands located within the limits of the City of East Grand Forks and financed by general taxation.
3. In Rural Service Districts, the following regulations shall apply, unless otherwise provided herein:
 - a. The property must be rural in character;
 - b. The property must not be developed, or used for commercial, industrial or residential purposes;
 - c. The property must be unused and seeded, or used for agricultural purposes only. For purposes of this district, "agricultural purposes" shall include only the following uses:

Agricultural uses, included farm crops, and farm and agricultural related buildings and structures (not residential dwellings), subject to Minnesota Pollution Control standards, but not including feedlots, manure spreading, livestock, or other commercial or industrial operations.

- d. Farm and Ag-related buildings and structures existing (but no residential dwellings) at the time a property is first include in the Rural Service District may continue to be utilized for agricultural purposes. Existing buildings and structures may be repaired or replaced, if destroyed by wind or fire, but may not be expanded. No permit shall be granted to construct any new or additional buildings or structure.

The land described on the Exhibit A are hereby included in the Rural Service District.

C. CHANGES IN USE OF PROPERTY IN RS DISTRICT

Whenever application is made for a permit for construction of a commercial, industrial or residential building, or improvement, or whenever such improvement or building is commenced without a permit, the East Grand Forks City Council shall make and enter an order by resolution transferring such parcel, or part thereof, from the Rural Service District to the Urban Service District.

Any application for platting of the property shall also permit the governing body of the City of East Grand Forks to make and enter an order by resolution transferring such parcel from the Rural Service District to the Urban Service District.

D. TAX RATIO

In the judgment of the East Grand Forks City Council, the ratio which exists between the benefits resulting from tax-supported municipal service to parcels in the Rural Service District to parcels in the Urban Service District is approximately 20%. The property tax rate levied upon property in a Rural Service District shall therefore be 20% of the full municipal property tax rate.

E. ANNUAL REVIEW

Each year the City Council shall:

- 1.) review the status of all lands classified under this section to determine whether such lands continue to qualify for inclusion in said tax district;
- 2.) review tax rate applicable to such lands.

Section 2. City Code Chapter 10 entitled "General Provisions" Applicable to Entire City Code Including Penalty for Violation" and Section 10.99 entitled "General Penalty" are hereby adopted in their entirety, by reference, as though repeated verbatim herein.

Section 3. This ordinance shall take effect and be in force from and after its passage and publication and be given the Number 14, 4th Series.

Voting Aye: *Vetter, Pokrzywinski, Bockalew, Tweten, Olstad, Grassel, and DeMers.*
Voting Nay: *None.*
Absent: *None.*

The President declared the Ordinance passed.

ATTEST:

PASSED: June 16, 2015



Clerk-Administrator



President of Council

I hereby approve the foregoing Ordinance this 16th day of June, 2015.



Mayor