



**CITY OF INVER GROVE HEIGHTS
CITY COUNCIL CHAMBERS**

**CITY COUNCIL WORKSESSION
MONDAY, NOVEMBER 4, 2019 at 6:00 p.m.**

A G E N D A

A. CALL TO ORDER – MAYOR TOURVILLE

1. Xcel Energy's Partners in Energy Program
2. 2020 Budget – CIP, Central Equipment, Utilities
3. Home Occupations
4. Discussion on Alarm Ordinance Changes
5. Town Hall Meetings

B. ADJOURN

CITY OF INVER GROVE HEIGHTS

MEMORANDUM

Xcel Energy's Partners in Energy Program

Meeting Date: November 4, 2019
Item Type: Work Session
Contact: Ally Sutherland, Environmental Specialist
Prepared by: Ally Sutherland, Environmental Specialist
Reviewed by: N/A

Fiscal/FTE Impact:

☒	None
☐	Amount included in current budget
☐	Budget amendment requested
☐	FTE included in current complement
☐	New FTE requested – N/A
☐	Other

PURPOSE/ACTION REQUESTED

Informational presentation on Xcel Energy's Partners in Energy Program.

SUMMARY

In 2016, the City of Inver Grove Heights joined the Minnesota Pollution Control Agency's GreenStep Cities program, by resolution, to make a formal commitment to pursuing environmental and sustainability initiatives. This free and voluntary program provides technical assistance for over 175 Best Practices actions to help cities achieve their sustainability and quality-of-life goals.

On June 27, 2019, the City of Inver Grove Heights was recognized at the League of Minnesota Cities Annual Conference for reaching Step 3 of the five-step program, by completing 17 of the 29 Best Practices. By participating in this program and related program's such as Dakota County's Community Funding Recycling program, the city demonstrates to residents, businesses and city employees that the City of Inver Grove Heights is committed to environmental, economic and social stewardship in our community.

Environmental programs supported by partner agencies provide the city resources to improve city operations that would otherwise be unavailable to staff. Existing environmental programs have recently provided the city: 1) technical assistance on current environmental and sustainability best practices to reduce staff time spent researching the information, 2) financial support to implement organics and recycling in city facilities and events, 3) technical assistance to study our internal fleet operations, and more.

As the city continues to adopt GreenStep Cities Best Practices for internal operations, the Community Development Department believes the city's sustainability initiatives should also be expanded to include community members. To do this, staff will be targeting the following GreenStep Cities Best Practices in 2020.

- **Efficient Existing Private Buildings**

- **Best Practice Action #2.2:** Create a marketing/outreach/incentive program to promote residential energy and water use reduction and energy efficiency.

- **Community Engagement and Benchmarking**

- **Best Practice Action #24.4:** Conduct a broad sustainability education and action campaign involving one or more of the following groups:
 - The entire community
 - Homeowners
 - Front yards/sidewalks, block clubs, neighborhood associations.
 - Congregations, and/or
 - Schools, colleges.

- **Green Business Development**

- **Best Practice Action #25.2** Create a marketing/outreach program to connect businesses with assistance providers, including utilities, who provide personalized energy, waste or sustainability audits and assistance.
- **Best Practice Action #25.6:** Promote green businesses that are recognized under a local, regional or national program.

To meet these GreenStep Cities Best Practices, the city will be applying for the Xcel Energy's community energy planning program, called Partners in Energy (PIE). Staff have invited Xcel Energy to present the program to the City Council to provide information on the program. Through these free services, Xcel Energy provides municipalities assistance with developing energy related goals, ultimately to provide businesses and residents tools to help reduce energy usage and save money. Having these resources available to community members provides another reason to promote Inver Grove Heights as a desirable location for new businesses and residents as well.

The following attachments include background information on the PIE program and Executive Summaries of Energy Action Plans developed by other Minnesotan cities who have completed the program.

The next round of community applications for the PIE program will be accepted in January 2020. Three communities in Minnesota will be selected to participate. Communities will be informed if they are accepted by February 2020 and program participation would begin in Spring 2020.

If accepted to the program, no financial or in-kind match is required to participate. Xcel Energy would be responsible for facilitating community planning workshops, generating energy data reports, designing an energy action plan with the community, and creating marking material. Staff in the Community Development Department would facilitate Xcel Energy's implementation as a part of existing environmental initiatives, with additional assistance from a stakeholder group developed after acceptance into the program. More information on the PIE program can be found at www.xcelenergycommunities.com.

Your plan. Your goals. Powered by Partners in Energy.

Each community we serve has its own unique priorities and vision for energy. Energy is a dynamic topic, and it's changing rapidly with new ways to save, the growth of renewables, electric vehicles and changing regulations. With these competing priorities and stretched resources, creating and maintaining an energy-conscious culture within your community can be a missed opportunity in meeting energy and sustainability goals.

Partners in Energy is here to help.

We understand how important your community energy initiatives are. That's why we offer Partners in Energy as a collaborative solution to reach your goals. We can jump-start your energy planning, help your team develop goals that match your priorities and provide support putting plans into action.

Support where you need it

Partners in Energy includes free services to empower communities. We match our support to fit your needs — whether it is to develop a comprehensive energy action plan or a plan to support a goal or vision already in place. Our energy planning resources will drive informed decisions on behalf of your community and incorporate input from everyone involved — residents, local businesses, staff and stakeholders. Once your plan is in place, we provide resources to help make it come to life. These resources can include marketing, project management, and tracking and reporting progress.

Your commitment can either be a two-year initiative or a shorter, accelerated timeline for a more laser-focused approach. Our solutions are scalable to fit the unique possibilities within your community. Regardless of where you start, you will have access to our energy advisory staff to take your planning to the next level.



Partners in Energy deliverables

1	Facilitation of interactive planning workshops.
2	Energy usage and program participation data reports to inform plan development and implementation tracking.
3	Development of energy action plan documents.
4	Outreach support and development of marketing materials to help implement your plan.
5	Energy expertise and guidance throughout the process.

Additional resources to boost results

In addition to our team, tools and resources, we provide opportunities for you to interact and network with other communities participating in Partners in Energy.

Community Summits 	Office Hours 	Online Portal 
Your team can attend in-person events with like-minded communities to share best practices. We provide educational opportunities that feature experts on current energy topics or opportunities to learn from each other.	Office Hours is a monthly webinar packed with useful information. Experts present on trending topics — ranging from energy efficiency, renewables or outreach — in an environment that offers an opportunity to ask questions and share experiences.	Our portal is designed to provide storage and access to documents related to your community's work. It connects you to a variety of community program materials, a collateral library, toolkits for outreach and education, as well as collaboration forums.

Commonly Asked Questions about Partners in Energy

Q. How can Partners in Energy benefit our community?

A. Partners in Energy provides your community with supplemental resources to drive energy planning and implementation. Your community can reach a common vision for your energy future, which can serve as a north star in making energy related decisions. Or, it may provide a path forward to meet environmental commitments. Your community is positioned as an environmental leader — and your businesses and residents are provided the tools to help them reduce greenhouse gas emissions and save energy and money. Recognition as a participating community and the resulting impacts can position your community as a desirable location for new businesses and motivate local businesses and residents to save energy and money and meet environmental commitments.

Q. What resources will the community need to provide?

- A.** Partners in Energy is designed to support your community in an initiative you ultimately own. Your community is responsible for providing:
- A single point of contact to support planning, lead implementation and recruit other community participants.
 - Meeting space for any workshops for community-based work to develop an energy action plan.
 - A timely review of documents developed through this process.
 - Any historical documents related to energy planning that are relevant to our current work.
 - Good faith evaluation of any recommendations that result from the collaboration.
 - A commitment to keeping our work moving forward in a timely fashion.

Q. What will Partners in Energy cost our community?

A. The services Xcel Energy provides are free for participating communities within our service territories in Colorado and Minnesota. Your community may identify implementation projects and outreach activities that may require budget dollars. If you are in a community served by Xcel Energy outside those states and interested in energy planning, please contact us to discuss options.



Ready to participate?

We accept applications biannually. Download an application to find out timing by visiting xcelenergy.com/PartnersInEnergy or contact us for questions at PartnersinEnergy@xcelenergy.com or 800.369.4362.

Minnesota Community Examples: Executive Summaries of Energy Action Plans

Partners in Energy, Xcel Energy

*View all Energy Action Plans and Executive Summaries at
www.xcelenergycommunities.com/info*

Hastings Energy Action Plan

Proud Past. Exciting Future.



Introduction

Hastings, known for its historic downtown, riverfront green space, and small town charm, has created a vision for its community to ensure all residents and businesses take advantage of opportunities to increase energy efficiency to save money and improve their quality of life. In the near term, this plan will increase the comfort and health of Hastings homes and businesses. Longer term, these actions will make Hastings more desirable for future residents, workers, and businesses.

Vision

Through increased education and engagement, Hastings residents and businesses will adopt energy-saving behaviors and increase their home or facility's energy efficiency to enhance their quality of life and save energy and money.

About this Plan

Residents, business leaders, City of Hastings staff, and utility representatives — leaders from all over our city — have worked together to create this Energy Action Plan with the help of Xcel Energy's Partners in Energy offering.

Partners in Energy supports communities like Hastings in developing and implementing their energy goals. Because the community worked together, the plan is unique to Hastings, and it charts the course toward an exciting energy future for our city.

Focus Areas

Three focus areas will help us accomplish our goals, and each one has exciting programs to bring our vision to life:

A. Residential Energy Efficiency

We'll encourage Hastings homeowners to:

- Complete a home energy audit
- Properly insulate and air seal their homes
- Recycle inefficient refrigerators and freezers
- Install high efficiency lighting

B. Business Energy Efficiency

We'll bring the advantages of energy efficiency to Hastings businesses with:

- "Business Blitz" visits to share great ideas
- Financing options to help with the upfront costs of energy improvements
- Help applying for equipment rebates

C. Electric Vehicles

We'll make it easy for residents and business owners to:

- Learn about rates and incentives to charge your electric vehicle
- Attend an electric vehicle showcase
- Attend a fleet electrification workshop



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An Xcel Energy Community Collaboration



Smart Ideas, Great Results

► How do we use Energy?

► Current energy use in Hastings

In 2017, our community

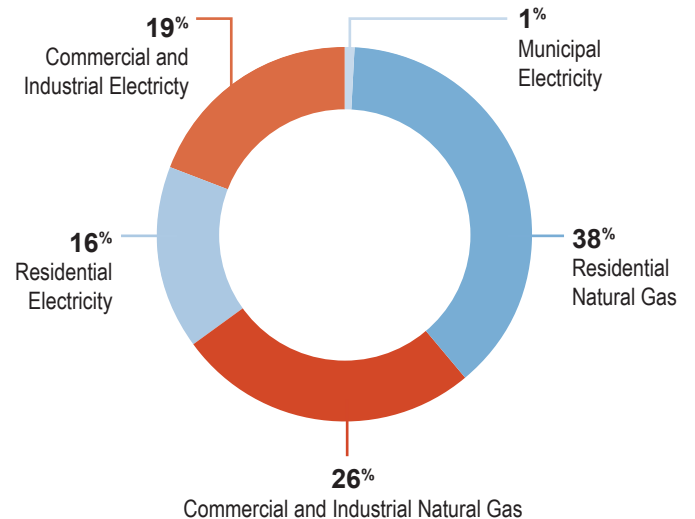


consumed
1.5 MMBtu
of energy



spending a combined
\$14.5 million in
all sectors

► Hastings total energy consumption



► By reaching this plan's near-term targets in 2019 and 2020, we will achieve:

19%

increase in combined
gas and electricity
savings

\$1.5m

combined residential
and business savings



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An Xcel Energy Community Collaboration



Northfield Energy Subcommittee Report



Vision

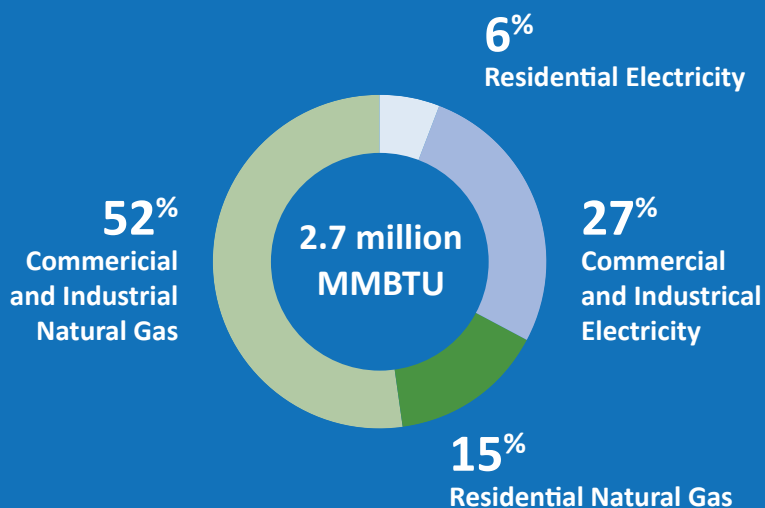
Northfield strives to ensure all citizens have access to clean, renewable, reliable, and affordable energy systems that will adapt to a changing climate by conserving energy, reducing our community-wide carbon footprint, and supporting sustainable energy solutions.

Carbon Reduction Goal

Achieve a **50%** reduction in energy-related carbon emissions from 2015 levels by **2030**, and consume **100%** carbon-neutral energy no later than **2050**.

Our Energy Snapshot*

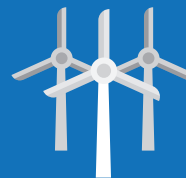
Energy Consumption



\$31 million spent across all sectors

*2017 data

Renewable Energy Support



Three college-owned wind turbines



81 solar panel installations



145 community solar garden subscribers



Almost **26 million kilowatt-hours (kWh)** of purchased green energy



Photo credit: City of Northfield



Photo credit: Carleton College



Photo credit: City of Northfield

18-Month Energy Action Jump Start

The 18-month Energy Action Jump Start includes 14 strategies and near-term targets to help Northfield hit the ground running towards meeting our carbon reduction targets.

At the core of the 18-month Energy Action Jump Start is accessible education and outreach. This will ensure everyone in the Northfield community is aware of the benefits of energy efficiency and renewable energy, and resources are available.

This outreach is focused on two target audiences:

SMALL CONSUMERS: inclusive of all residents, including homeowners and renters, small businesses, and nonprofit organizations.

LARGE CONSUMERS: inclusive of local institutions, such as the colleges and hospital, large businesses, and industrial businesses.

The City's Role in Fighting Climate Change

This plan includes 15 strategic priorities created to:

REDUCE: The City will reduce existing energy-related emissions through energy efficiency programs for its existing buildings, and by emphasizing strategic growth tactics from its own Comprehensive Plan for new buildings and developments.

RENEW: The City will encourage businesses and residences to expand use of on-site renewable energy resources and Xcel Energy's green power purchase programs.

EDUCATE: The City will publish its own annual energy data annually and be a source of information about existing energy efficiency incentives and green energy programs, as well as less familiar topics like net-zero energy construction and deep energy retrofits.

DEMONSTRATE: The City will normalize unfamiliar concepts by seeking opportunities to partner on or build net-zero energy or deep energy retrofit projects.

Guiding Principles

1. Pursue a sustainable energy future with clean energy available to all businesses and residents, with particular support for under-resourced households.
2. Increase overall energy literacy among residents and business owners and operators, including knowledge of where energy comes from, the environmental impacts of different types of energy generation, and what can be done to reduce energy use.
3. Expand renewable energy generation.
4. Lead by example and offer recognition for successful energy efforts.
5. Make energy efficiency feasible, affordable, and achievable for both residents and businesses.
6. Promote economic growth while increasing energy conservation and renewable energy generation.
7. Empower future generations to be self-motivated in working toward a sustainable energy future.
8. Inspire and support a high quality of life for future generations.

More About The Energy Subcommittee Report

This report was created by the Northfield Energy Subcommittee, which included over two dozen volunteers from Northfield residences, nonprofits, businesses, institutions, and industries. The City collaborated with the Xcel Energy's Partners in Energy offering to develop and implement our community's energy goals. The Energy Subcommittee created this report through a series of facilitated workshops.

The Northfield Energy Subcommittee is part of the Climate Action Plan Advisory Board, appointed by Mayor Rhonda Pownell to address Item Six in the City's 2018–2020 strategic plan, to “create a clear vision for climate action” by developing and implementing a Climate Action Plan. To see the full report and the Climate Action Plan, visit ci.northfield.mn.us.



Photo credit: City of Northfield

Strategic Priority Summary Matrix

Area A: Education and Engagement (EE)	
EE-1	Small Consumer Energy Engagement
EE-2	Large Consumer Energy Engagement
EE-3	Energy Marketing and Tourism
EE-4	Energy Reporting and Transparency
Area B: Policy and Planning (PP)	
PP-1	Building Energy Use Benchmarking and Disclosure
PP-2	Building Energy Efficiency Standards
PP-3	Energy Conscious Strategic Growth
PP-4	Forward-Thinking Utility System Expansion
PP-5	Renewable Energy Development Plan
PP-6	Community Energy Resilience Plan
Area C: Innovation and Demonstration (ID)	
ID-1	Deep Energy Efficiency Retrofits
ID-2	Net-Zero Energy Buildings
ID-3	Strategic Electrification
Area D: Supporting and Continuing the Plan (SC)	
SC-1	City Energy Coordinator Position
SC-2	Advancing and Updating the Plan

Want to Get Involved?

Are you passionate about energy conservation and renewable energy? Do you want to help Northfield residents and businesses save money on their energy bills? Join Northfield's Energy Task Force.

Contact Beth Kallestad, Program Coordinator at Beth.Kallestad@ci.northfield.mn.us.



JOIN THE MAHTOMEDI ENERGY CHALLENGE

Mahtomedi's recently adopted Energy Action Plan calls on all members of the community to take part in the Mahtomedi Energy Challenge to help the community achieve its energy vision and goals.

Our Energy Vision

Mahtomedi residents, schools, congregations, and businesses will work collaboratively to dramatically reduce our carbon footprint and position our community as a regional energy leader by engaging in activities that conserve energy, save money and use renewable energy.

Help make the vision a reality!

Residents:



**Sign up for
Home Energy Squad®**

Energy-saving solutions in one convenient visit.

 HomeEnergySquad.net  (866) 222-4595



**Subscribe to
Windsource®**

Easy to enroll in wind energy.

 xcelenergy.com/Windsource  (800) 895-4999

Businesses:



**Sign up for
Energy Smart**

Take the first step with a free energy assessment.

 mnenergysmart.com  (651) 292-3902



**Contact Xcel Energy's
Business Solutions Center**

Looking for your next energy saving opportunity?

 (855) 839-8862

Faith Communities:



**Complete a
Turn Key Assessment**

Full-service assessment and/or implementation services.

 xcelenergy.com/TurnKey



**Attend a Congregation
Energy Workshop**

Learn ways to save energy inside and outside your congregation. Contact Julie Drennen at

 Julie@Conservationminnesota.org

**MAHTOMEDI AND XCEL ENERGY ARE PLEASED TO WORK
TOGETHER TO ACHIEVE OUR COMMUNITY ENERGY GOALS.**



PARTNERS IN ENERGY
An Xcel Energy Community Collaboration



JOIN THE MAHTOMEDI ENERGY CHALLENGE

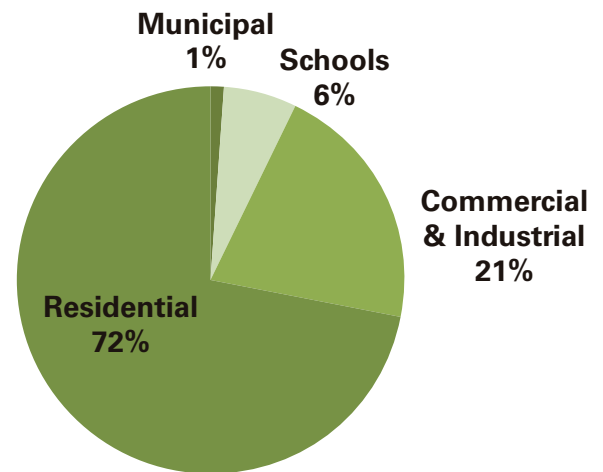
Our Current
Energy Costs

\$7.35 Million

SPENT ON ENERGY IN 2016

Amount spent on electricity and natural gas provided by Xcel Energy

Our 2016
Energy Use



GOALS

Carbon neutral by 2050

Residential



Triple total participation in energy conservation in 1 year

Business



Engage businesses and institutions in energy conservation

Renewables

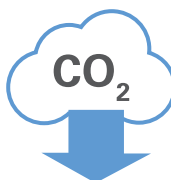


Double renewable energy subscribers within 1 year

By 2030 the community will:



Reduce energy use by 19%



Reduce energy related GHG emissions by 30%



Achieve cost savings of \$9.5 million

Executive Summary

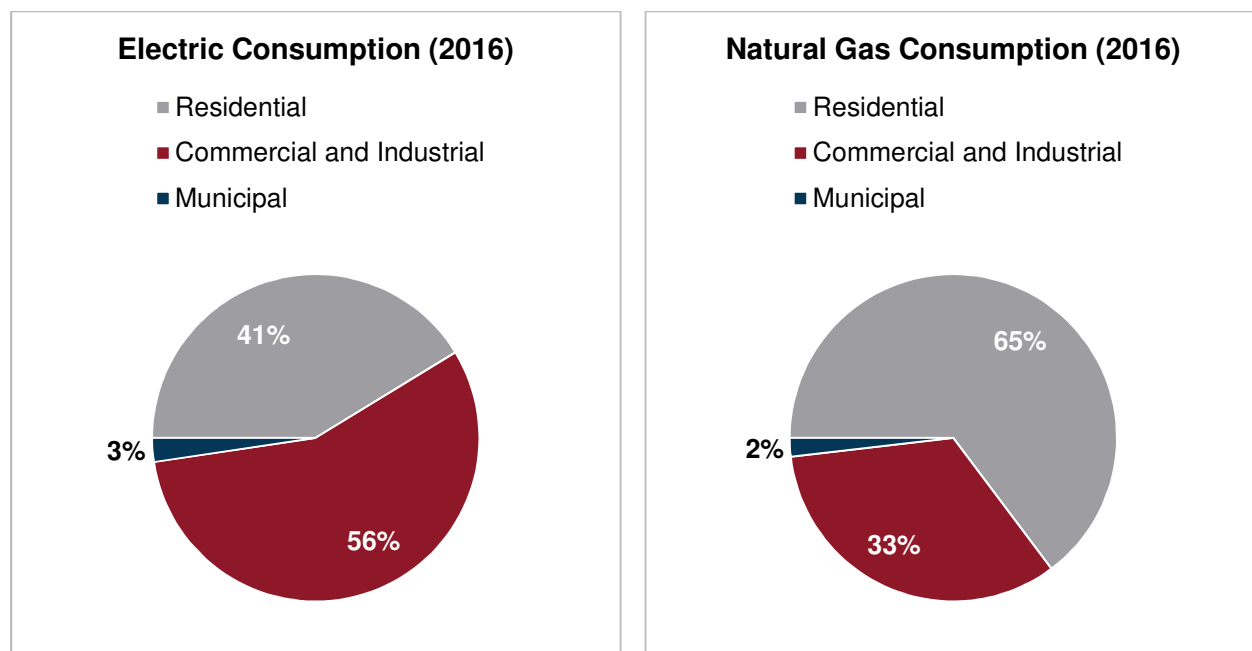
Rosemount is projected to grow significantly in the coming decades, and is committed to ensuring that growth is sustainable. Over the past few years, Rosemount made initial progress toward this end through a variety of actions. This plan represents renewed goals and priorities that will help propel Rosemount toward a more sustainable and affordable energy future. It offers a clear direction, based in data-informed decisions made by members of the Rosemount community.

Rosemount's Energy Action Plan sets measurable targets that will reduce energy use and save on energy costs, and outlines action steps to achieve them. The Rosemount Environment and Sustainability Task Force (REST) and City staff will lead implementation of this plan, with active engagement from residents, businesses and schools, as well as faith-based and community organizations. Working together, Rosemount will achieve environmental, social, and economic progress that will ultimately benefit future generations.



Community Energy Use

Rosemount is served by four utilities – Xcel Energy and Dakota Electric provide electricity, and Xcel Energy, Minnesota Energy Resources, and CenterPoint Energy provide natural gas service. While residences in Rosemount comprise the vast majority of premises, or locations of electricity or natural gas service, commercial and industrial customers consumed the majority (55 percent) of overall energy in 2016. Municipal facilities represent about 2 percent of the community's total energy consumption.



Our Vision

Our vision is that Rosemount will continue to foster pride in the community by becoming a leader in sustainability and energy conservation. Residents and businesses will demonstrate widespread support for renewable energy generation, as well as new, smart efficiency technologies. Energy efficiency will help the City of Rosemount and its residents save money, and broad community participation will ensure that savings benefit all. As a result, energy costs are kept low, ensuring the community remains affordable in the long-term.

Community-Wide Goal

Rosemount's overall energy goal, which addresses both electricity and natural gas use, is to **reduce energy use by 5 percent by 2020, and 15 percent by 2030**. To achieve this goal, Rosemount identified four key areas of focus: Residential energy, municipal energy, large energy users, and small- and medium-size businesses. In addition to the community-wide goal, specific goals and targets were set for each of these four areas. Over the next 18 months, Rosemount will take initial steps to achieve these goals with the support of Xcel Energy's Partners in Energy.

Focus Area Goals

Residential Energy	Goal: • Increase residential program participation 5% in year 1, and 10% in year 2 of implementation
Municipal Energy	Goals: • Reduce City energy use 10% by 2020 • Generate 75% of the City's energy with renewables
Large Energy Users	Goal: • 85% of the top 20% of energy users participate in energy conservation by 2020
Small and Medium-size Business	Goals: • Reduce small- and medium-size business electricity use by 2% per year • 25 small- and medium-size businesses participate in natural gas conservation programs

Impact

Rosemount spent an estimated \$28.7 million on energy across all sectors in 2016. Achieving all of the community's energy goals will save Rosemount residents and businesses more than \$1 million over the next three years. It will also reduce the community's annual carbon footprint by more than 19,000 metric tons of carbon dioxide equivalent (MTCO_{2e}), approximately equivalent to the carbon emitted from 4,100 passenger vehicles in one year.¹ In addition, achieving Rosemount's energy goals will form new and lasting partnerships to support action. Outreach and events will raise awareness about energy and cost saving opportunities. This will result in long-term, active participation from a broad array of community members.

¹ US Environmental Protection Agency (March 13, 2018). Greenhouse gas equivalencies calculator. Retrieved from <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>

November 4, 2019 Worksession

1. Hard copies will be available Monday
2. Capital Equipment Replacement Memo Attached (see below)

Item 2

MEMO

CITY OF INVER GROVE HEIGHTS

TO: Mayor and City Council
Joe Lynch, City Administrator

FROM: Scott D. Thureen, Public Works Director *SDT*

DATE: November 4, 2019

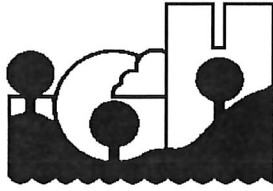
SUBJECT: 2020 Capital Equipment Replacement Request

Attached you will find memos from the Street Maintenance Superintendent, Utilities Superintendent, Park Superintendent and Deputy Police Chief providing background information for their Division/Department requests for equipment replacement.

In addition, the Street Maintenance Superintendent has provided a spreadsheet showing the subject equipment and the estimated acquisition cost and the results of the Vehicle Condition Index (VCI) rating for each piece of equipment. Photos of the equipment will be a handout at the study meeting.

Staff from the various Divisions/Departments will be available to answer questions concerning their requests.

SDT/kf
Attachments



City of Inver Grove Heights
Streets/Central Equipment

MEMORANDUM

TO: Scott Thureen, Public Works Director

FROM: Barry Underdahl, Street Superintendent
Rick Jackson, Lead Mechanic

SUBJECT: Proposed 2020 Capital Equipment Replacements

DATE: October 31, 2019

During the annual review of the City's Vehicle Replacement Schedule twenty items came up for replacement in seven divisions. Upon review of these vehicles and equipment the twenty items were reduced to ten with the remaining vehicles and equipment items postponed to a later date. The final proposed list includes three in Streets, one for Utilities, one in Parks, one for Engineering, and four Interceptors for the Police Department.

Street Maintenance

The following equipment is recommended to be replaced in 2020. This list was reduced from six scheduled items down to three. The acquisition of these three items leaves a budget surplus in the replacement schedule. This surplus is due to; past delays in purchases, adjusting the replacement life cycle of dump trucks from 7 years to 10 years, excellent state contract pricing, and very good trade values.

Case Loader #306 (2006)

This loader is used for plowing snow and loading materials. It is an important piece of equipment especially for snow events. #306 was originally scheduled for replacement in 2016 but has been deferred four times.

Ford F350 Diesel Pickup #327 (2007)

This pickup is used for paint striping and winter anti-icing duties. A Graco Line Lazer paint striper is attached to the rear of the pickup with control equipment inside the cab and used to paint the center lines and fog lines on our roadways. In winter months a spray bar, pump and tank are mounted to allow the prewetting of roadways before winter weather events.

Staff recommends replacing this single rear wheel diesel pickup with an F450 dually 84" CA gasoline powered pickup with a flat bed. This will allow more capacity for paint during striping operations and more brine capacity for anti-icing. This will increase efficiency by preventing the need to return to the shop multiple times per day to refill the tank.

Graco Road Lazer #334 (2012)

This paint striping equipment is used annually to paint yellow center lines and white fog lines on city roadways. This model mounts behind truck #327 on a special hitch. The new Graco Line Lazer will be a pallet style mount with more capacity to be mounted on the replacement for #327 which will increase operational efficiencies.

Utilities Division

Two Utilities vehicles came due on the replacement schedule for 2019. One is being deferred and the other recommended for replacement. The attached memo, from the Utilities Superintendent, explains the one item recommended for replacement, a 2008 Ford Pickup.

Park Maintenance

Two Park Maintenance vehicles came due on the schedule for replacement. One item is being deferred and one is recommended for replacement in 2020. See the attached memo, from the Park Maintenance Superintendent, outlining the recommended equipment to be replaced.

Engineering

One Engineering vehicle came due on the replacement schedule. #702, a 2009 Ford F150 pickup, is recommended to be replaced and this vehicle repurposed for use by the Police Department Cadet Program. The cost overrun of the replacement #702 will be covered by the surplus remaining after the Street Division acquisitions.

Police Department

It is recommended to replace four Police vehicles in 2020 with four marked Interceptor SUVs. See the attached memo, from Deputy Chief of Police Sean Folmar, outlining the Police vehicles recommended for replacement.

*The acquisition of these items leaves a budget surplus in the equipment replacement schedule for the listed vehicles and equipment. Final costs may vary slightly depending on contract dates and vehicle or equipment manufacturing cutoff dates.



MEMORANDUM

TO: Barry Underdahl

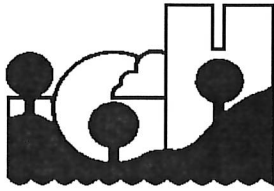
FROM: Dan Helling

SUBJECT: **2020 Utility Truck and Generator Replacement**

DATE: October 31, 2019

The following is a description of the one Utility Division vehicle recommended for replacement in 2020.

2008 Ford F250 Pickup #405 which is a Utility work truck. This is a 12-year-old truck with 55,600 miles used for Utilities maintenance such as checking and maintaining lift stations and wells. Due to a change in use of this vehicle, staff recommends the replacement of this truck with a 3/4 ton pickup with a utility box.



City of Inver Grove Heights
Park Maintenance Division

MEMO

TO: Barry Underdahl, Streets Superintendent

FROM: Brian Swoboda, Parks Superintendent

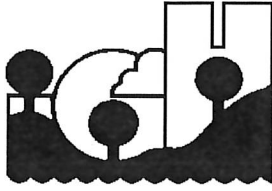
DATE: October 31, 2019

SUBJECT: Proposed 2020 Parks Capital Equipment Purchases

The following Parks equipment is recommended for replacement in 2020. The following is a description and explanation of why it should be replaced in 2020.

Trailer #544

This trailer, used by both Park and Street Departments, is nearing its useful life and showing its age. This trailer is used year around to haul equipment and materials such as mowers, painters, utility vehicles, supplies and goals, etc. Staff recommends replacing this trailer to ensure safe transportation and avoid major maintenance needs.



CITY OF INVER GROVE HEIGHTS

MEMORANDUM

TO: Scott Thureen, Public Works Director

FROM: Deputy Chief Sean Folmar

SUBJECT: 2020 vehicle replacement

DATE: October 31, 2019

For the calendar year 2020, the Police Department would like to replace the following vehicles;

4 Explorer Interceptor SUV's to replace the (3) 2017 and (1) 2018 Interceptor SUV's currently in service.

The Police Department is adding a staff of cadets for 2020 and need a vehicle for them to use on patrol. Previous discussions involved not purchasing a new vehicle for the start-up of the program, but rather to utilize a vehicle (pick-up truck) from another department that was being phased out. A vehicle from Engineering has been identified by public works and the Police Department is requesting that it be moved to the Police Department. The equipment needed to make it patrol ready will be paid for by the Police Department.

Vehicle #	Description	Vendor	Allocation Balance 12/31/2019	Vehicle	Trade Value	Equipment	Acquisition Cost
STREET MAINTENANCE							
#306	2006 Case Loader	Nuss Truck and Equipment	\$223,849.00	\$164,000.00	\$41,500.00	\$58,000.00	\$180,500.00
#327	2007 Ford F350 Diesel	Midway Ford/Truck Utilities	\$58,734.00	\$41,000.00	\$1,000.00	\$15,000.00	\$55,000.00
#334	2012 Road Lazer Paint Striper	CJ Spray/Graco	\$62,678.00		\$2,500.00	\$65,000.00	\$62,500.00
UTILITIES							
#405	2008 Ford F250	Midway Ford/Truck Utilities	\$39,267.00	\$30,000.00	\$2,500.00	\$11,700.00	\$39,200.00
PARK MAINTENANCE							
#544	2006 Felling Trailer	Titan Machinery	\$13,137.00	\$14,000.00	\$1,000.00		\$13,000.00
ENGINEERING							
702	2009 Ford F150 Pickup	Midway Ford	\$26,800.00	\$29,000.00	to Police	\$1,500.00	\$30,500.00
POLICE							
#1720	2017 Police Interceptor SUV	Ford of Hibbing	\$31,953.00	\$29,800.00	X-Gov't	\$4,390.00	\$34,190.00
#1723	2017 Police Interceptor SUV	Ford of Hibbing	\$36,872.00	\$29,800.00	X-Gov't	\$4,390.00	\$34,190.00
#1822	2018 Police Interceptor SUV	Ford of Hibbing	\$29,900.00	\$29,800.00	X-Gov't	\$4,390.00	\$34,190.00
#1825	2018 Police Interceptor SUV	Ford of Hibbing	\$38,041.00	\$29,800.00	X-Gov't	\$4,390.00	\$34,190.00

2020 Capital Equipment Purchases Vehicle Condition Index-Streets						
Factor	Points	Vehicle Numbers				
		306	327	334		
Age	One point for each year of chronological age, based on in service date.	14	13	8		
Miles/Hours	One point for each 10,000 miles of use. One point for each 325 hours of use.	6.3	2.1	2.5		
Type of Service	1, 3, or 5 points are assigned based on the type of service that vehicle receives. For instance, a police patrol car would be given a 5 because it is in severe duty service. In contrast, an administrative sedan would be given a 1.	5	3	4		
Reliability	Points are assigned as 1, 2, 3, 4 or 5 depending on the frequency or repair/downtime. A 5 would be assigned to a vehicle that has 4.0 to 5.0% downtime or more; 4 for 3.0 to 4.0% downtime; 3 for 2.0 to 3.0% downtime; 2 for 1.0 to 2.0% downtime; and 1 point would be assigned for vehicles with less than 1% downtime.	2	2	4		
Maintenance and Repair costs (M&R)	1 to 5 points are assigned based on total life M&R costs equal to or greater than the vehicle's original purchase price, while a 1 is given to a vehicle with life M&R costs equal to 20% or less of its original purchase cost.	1	1	3		
Condition	This category takes into consideration body condition, rust, interior condition, accident history, anticipated repairs, etc. A scale of 1 to 5 points is used with 5 being poor condition	3	4	3		
Cost per Mile	Points are assigned as 1, 2, 3, 4 or 5 depending on the cost per mile relative to class. A 5 would be assigned to a vehicle with costs per mile in excess of 20% for the class, 4 - 15%> than class; 3 - 10%> than class; 1 - equal to class.	1	1	2		
Total		32.3	26.1	26.5		
NOTATIONS FOR CHART VCI POINTS:						
Under 21 points	Condition I	Excellent				
21 to 25 points	Condition II	Good				
>25 to 30 points	Condition III	Qualifies for Replacement				
>30 points	Condition IV	Needs immediate consideration				

2020 Capital Equipment Purchases Vehicle Condition Index-Utilities									
Factor	Points	405	Vehicle Numbers						
Age	One point for each year of chronological age, based on in service date.	12							
Miles/Hours	One point for each 10,000 miles of use. One point for each 325 hours of use.	5.5							
Type of Service	1, 3, or 5 points are assigned based on the type of service that vehicle receives. For instance, a police patrol car would be given a 5 because it is in severe duty service. In contrast, an administrative sedan would be given a 1.	2							
Reliability	Points are assigned as 1, 2, 3, 4 or 5 depending on the frequency or repair/downtime. A 5 would be assigned to a vehicle that has 4.0 to 5.0% downtime or more; 4 for 3.0 to 4.0% downtime; 3 for 2.0 to 3.0% downtime; 2 for 1.0 to 2.0% downtime; and 1 point would be assigned for vehicles with less than 1% downtime.	1							
Maintenance and Repair costs (M&R)	1 to 5 points are assigned based on total life M&R costs equal to or greater than the vehicle's original purchase price, while a 1 is given to a vehicle with life M&R costs equal to 20% or less of its original purchase cost.	1							
Condition	This category takes into consideration body condition, rust, interior condition, accident history, anticipated repairs, etc. A scale of 1 to 5 points is used with 5 being poor condition	2							
Cost per Mile	Points are assigned as 1, 2, 3, 4 or 5 depending on the cost per mile relative to class. A 5 would be assigned to a vehicle with costs per mile in excess of 20% for the class, 4 - 15%> than class; 3 - 10%> than class; 1 - equal to class.	1							
Total		24.5							
NOTATIONS FOR CHART VCI POINTS:									
Under 21 points	Condition I	Excellent							
21 to 25 points	Condition II	Good							
>25 to 30 points	Condition III	Qualifies for Replacement							
>30 points	Condition IV	Needs immediate consideration							

2020 Capital Equipment Purchases Vehicle Condition Index-Parks			
Factor	Points	Vehicle Numbers	
Age	One point for each year of chronological age, based on in service date.	544	
Miles/Hours	One point for each year of chronological age, based on in service date.	14	
Type of Service	One point for each 10,000 miles of use. One point for each 325 hours of use.	3	
Reliability	1, 3, or 5 points are assigned based on the type of service that vehicle receives. For instance, a police patrol car would be given a 5 because it is in severe duty service. In contrast, an administrative sedan would be given a 1. Points are assigned as 1, 2, 3, 4 or 5 depending on the frequency or repair/downtime. A 5 would be assigned to a vehicle that has 4.0 to 5.0% downtime or more; 4 for 3.0 to 4.0% downtime; 3 for 2.0 to 3.0% downtime; 2 for 1.0 to 2.0% downtime; and 1 point would be assigned for vehicles with less than 1% downtime.	3	
Maintenance and Repair costs (M&R)	1 to 5 points are assigned based on total life M&R costs equal to or greater than the vehicle's original purchase price, while a 1 is given to a vehicle with life M&R costs equal to 20% or less of its original purchase cost.	1	
Condition	This category takes into consideration body condition, rust, interior condition, accident history, anticipated repairs, etc. A scale of 1 to 5 points is used with 5 being poor condition	4	
Cost per Mile	Points are assigned as 1, 2, 3, 4 or 5 depending on the cost per mile relative to class. A 5 would be assigned to a vehicle with costs per mile in excess of 20% for the class, 4 - 15%> than class; 3 - 10%> than class; 1 - equal to class.	1	
Total		27	
NOTATIONS FOR CHART VCI POINTS:			
Points Ranges:			
Under 21 points	Condition I	Excellent	
21 to 25 points	Condition II	Good	
>25 to 30 points	Condition III	Qualifies for Replacement	
>30 points	Condition IV	Needs immediate consideration	

2020 Capital Equipment Purchases Vehicle Condition Index-Engineering						
Factor	Points	702	Vehicle Numbers			
Age	One point for each year of chronological age, based on in service date.	11				
Miles/Hours	One point for each 10,000 miles of use. One point for each 325 hours of use.	3.2				
Type of Service	1, 3, or 5 points are assigned based on the type of service that vehicle receives. For instance, a police patrol car would be given a 5 because it is in severe duty service. In contrast, an administrative sedan would be given a 1.	3				
Reliability	Points are assigned as 1, 2, 3, 4 or 5 depending on the frequency or repair/downtime. A 5 would be assigned to a vehicle that has 4.0 to 5.0% downtime or more; 4 for 3.0 to 4.0% downtime; 3 for 2.0 to 3.0% downtime; 2 for 1.0 to 2.0% downtime; and 1 point would be assigned for vehicles with less than 1% downtime.	1				
Maintenance and Repair costs (M&R)	1 to 5 points are assigned based on total life M&R costs equal to or greater than the vehicle's original purchase price, while a 1 is given to a vehicle with life M&R costs equal to 20% or less of its original purchase cost.	1				
Condition	This category takes into consideration body condition, rust, interior condition, accident history, anticipated repairs, etc. A scale of 1 to 5 points is used with 5 being poor condition	2				
Cost per Mile	Points are assigned as 1, 2, 3, 4 or 5 depending on the cost per mile relative to class. A 5 would be assigned to a vehicle with costs per mile in excess of 20% for the class, 4 - 15%> than class; 3 - 10%> than class; 1 - equal to class.	1				
Total		22.2				
NOTATIONS FOR CHART VCI POINTS:						
Under 21 points	Condition I	Excellent				
21 to 25 points	Condition II	Good				
>25 to 30 points	Condition III	Qualifies for Replacement				
>30 points	Condition IV	Needs immediate consideration				

2020 Capital Equipment Purchases Vehicle Condition Index-Police						
Factor	Points					
Age	One point for each year of chronological age, based on in service date.	4	3	3	3	3
Miles/Hours	One point for each 10,000 miles of use. One point for each 325 hours of use.	8	8	8	8	8
Type of Service	1, 3, or 5 points are assigned based on the type of service that vehicle receives. For instance, a police patrol car would be given a 5 because it is in severe duty service. In contrast, an administrative sedan would be given a 1.	5	5	5	5	5
Reliability	Points are assigned as 1, 2, 3, 4 or 5 depending on the frequency or repair/downtime. A 5 would be assigned to a vehicle that has 4.0 to 5.0% downtime or more; 4 for 3.0 to 4.0% downtime; 3 for 2.0 to 3.0% downtime; 2 for 1.0 to 2.0% downtime; and 1 point would be assigned for vehicles with less than 1% downtime.	3	3	3	3	3
Maintenance and Repair costs (M&R)	1 to 5 points are assigned based on total life M&R costs equal to or greater than the vehicle's original purchase price, while a 1 is given to a vehicle with life M&R costs equal to 20% or less of its original purchase cost.	2	2	2	2	2
Condition	This category takes into consideration body condition, rust, interior condition, accident history, anticipated repairs, etc. A scale of 1 to 5 points is used with 5 being poor condition	3	3	3	3	3
Cost per Mile	Points are assigned as 1, 2, 3, 4 or 5 depending on the cost per mile relative to class. A 5 would be assigned to a vehicle with costs per mile in excess of 20% for the class, 4 - 15%> than class; 3 - 10%> than class; 1 - equal to class.	1	1	1	1	1
Total		26	25	25	25	25
NOTATIONS FOR CHART VCI POINTS:						
Under 21 points	Condition I	Excellent				
21 to 25 points	Condition II	Good				
>25 to 30 points	Condition III	Qualifies for Replacement				
>30 points	Condition IV	Needs immediate consideration				

INVER GROVE HEIGHTS

REQUEST FOR COUNCIL ACTION

HOME OCCUPATIONS - CASE NO. 19-27X

Meeting Date: November 4, 2019
Item Type: Work session
Contact: Heather Botten 651.450.2569
Prepared by: Heather Botten, Associate Planner
Reviewed by: Planning

**PURPOSE/ACTION REQUESTED**

The Council is to provide direction on a home occupation ordinance amendment.

BACKGROUND

At the June 10, 2019 City Council meeting Council directed staff to review Chapter 10-15-26 Home Occupations relating to a possible amendment to allow the storage of business equipment and materials in accessory structures. The Planning Commission discussed the home occupation ordinance at the July 16, 2019 meeting. The Commission provided a variety of perspectives and opinions. The Planning Commission tabled the discussion in order for staff to provide examples of other city ordinances and to provide more background on the City's enforcement procedures. Staff decided it was best to bring the item in front of Council for direction as the focus of the ordinance amendment could be taken in many directions.

ANALYSIS

The City currently allows home occupations that comply with Chapter 10-15-26 of the City Code. This includes requirements such as the business being engaged in only by persons living in the dwelling and only when the business is conducted entirely within the principle structure, not in an attached or detached accessory structure. This has included all aspects of a business, including the storage of commercial or industrial related equipment or materials in accessory buildings. This does not prohibit someone bringing their business truck or van home overnight as the City Code allows for a resident to have one commercially licensed vehicle not over a one-ton capacity to be parked at a residence of the owner/operator of said vehicle.

During the Planning Commission discussion, it was brought up to possibly review the entire home occupation ordinance as there may be some changes needed in the smaller lot residential districts, not just large lot residential. There are likely many business owners storing equipment or product in their garage and the City needs to determine if they are going to allow storage on all residential lots.

The attached staff report lists several things to consider when looking at an ordinance change. Staff does not support a change to the home occupation ordinance to allow the use of accessory buildings for business purposes based on the fact that businesses located in accessory buildings in residential areas are deemed incompatible and could compromise the quality of life in a residential neighborhood. This could result in adverse impacts to neighborhoods such as higher traffic volumes, noise, change in aesthetics, etc. It would also conflict with the City's comprehensive plan policy to maintain the rural character of established neighborhoods in the Agricultural and Estate residential districts.

Included for information purposes are the home occupation ordinances for the neighboring cities of Eagan, West St. Paul, and South St. Paul which all prohibit home occupation activity in accessory buildings. Also included for your review are the cities of Plymouth who allow an accessory building to be used for storage in relation to a home business and Bloomington who, with approval, allows home business activities in accessory buildings,

CONCLUSIONS AND RECOMMENDATIONS

Staff does not support a change to the home occupation ordinance to allow the storage of business equipment or materials in accessory structures.

Staff discussed different alternatives and came up with the recommendation that, if the City decides to allow the use of accessory buildings as part of a home business, this could be done by interim use permit (IUP). The interim use permit process:

- requires neighbor notification
- allows for conditions that could be specific to a location
- if the conditions of approval are not met the IUP could be revoked by City Council
- the IUP would not permanently stay with the property. A specific date and/or an event would terminate the use. For example, the IUP would be valid for three years or until the property was sold, whichever happened first.

Staff is requesting direction from Council on what path they would like to see the home occupation ordinance go down. Specifically, should **all** residential districts be included with an amendment and what type of process should be required, if any, to allow accessory buildings to be used as home occupations.

Attachments: July 16, 2019 - Planning Commission discussion
July 16, 2019 - Planning Staff Report
Examples of home business complaints January 2018- June 2019
Example ordinances:
Eagan
WSP
SSP
Plymouth
Bloomington

**RECOMMENDATION TO
CITY OF INVER GROVE HEIGHTS**

TO: Mayor and City Council of Inver Grove Heights

FROM: Planning Commission

DATE: July 16, 2019

SUBJECT: **Discussion of Chapter 10-15-26: Home Occupations**

Ms. Botten advised that City Council directed staff to review the Home Occupation ordinance relating to possibly allowing the storage of business-related materials and equipment within accessory structures. This discussion stems from an ordinance amendment that was submitted by a resident to allow the indoor storage of tree trimming and removal equipment on residential property. Currently the zoning code would consider this type of use a "Contractor's shop-indoor" which would be a permitted use in the I-1 and I-2 Industrial zoning districts and is prohibited in residential districts. The City does allow home businesses that comply with Chapter 10-15-26 of the City Code. This includes requirements such as the business being engaged in only by persons living in the dwelling and only when the business is conducted entirely within the principle structure, not in an attached or detached accessory structure. This has included all aspects of a business, including the storage of commercial or industrial related equipment or materials in accessory buildings. Another part of the City Code allows for a resident to have one commercially licensed vehicle not over a one-ton capacity to be parked at a residence of the owner/operator of said vehicle. The staff report lists several things to consider when looking at an ordinance change. Staff does not support a change to the home occupation ordinance to allow the use of accessory buildings for business purposes based on the fact that businesses located out of accessory buildings in residential areas are deemed incompatible, compromising the quality of life in a residential neighborhood. This could result in adverse impacts to neighborhoods such as higher traffic volumes, noise, change in aesthetics, etc. It would also conflict with the City's comprehensive plan policy to maintain the rural character of established neighborhoods in the Agricultural and Estate residential districts. The Code Enforcement Coordinator provided information relating to home occupation complaints received over the past year and a half, demonstrating that there are residents that have concerns with home occupations. The City is currently a reactive community, rather than proactive, when it comes to code violations. Staff checked with surrounding communities and found that home occupation activity within attached or detached accessory buildings are prohibited in the cities of Eagan, West St. Paul, South St. Paul, Lakeville, Cottage Grove, and Woodbury. Any recommended changes by the Planning Commission would be brought back to a City Council work session and then a public hearing with the Planning Commission.

Commissioner Scales stated he was aware of several violations that continued to exist and asked what the result was of the complaints listed in the report. He also asked for clarification of the City's enforcement ability.

Ms. Botten replied that she did not request an update on the resolution of the listed complaints. She explained that typically a property owner with a violation would be given a notice and a certain amount of time to comply with the ordinance. She was not sure how many notices were given, but if the property is not brought into compliance within the time limit it then goes to court.

Commissioner Scales asked if the City ever took anyone to court.

Ms. Botten replied in the affirmative.

Commissioner Scales struggled with prohibiting someone from storing their business equipment in their garage where it would not be seen by anyone if the doors were closed. From his point of view if they add any more code restrictions, they should first make sure they are enforcing the current codes on the books.

Commissioner Niemioja stated she would like to have seen the surrounding city ordinances included in the packet, as well as some benefits of allowing storage of business equipment in accessory structures. It is important to maintain the characteristics of single-family neighborhoods; however, she was not comfortable trying to force people to put home businesses in brick and mortar buildings. Home occupations are a growing industry and more people have the technology to allow them to work from home. Although maintaining the characteristics of residential neighborhoods is part of the comprehensive plan, so is creating and promoting economic development. Her research has shown that Bloomington allows for the accessory building to be used for storage on a case-by-case basis. Plymouth allows for 50% of the accessory building to be used for storage. They do not allow employees to be in there, but they have public policy supporting home occupations. Some of the ordinances from other cities include regulations that make things manageable for the neighborhood while also supporting people's home businesses (i.e. hours of operation, number of clients coming to the house). We want quiet neighborhoods but there are ways to do that.

Commissioner Robertson did not think all home occupations should be lumped together as some had greater impacts on neighborhoods than others. She gave two examples of home occupations in her neighborhood. One example is a house with an attached garage full of equipment. They do not use the equipment in the garage; however, because the garage is full there are two cars, three trucks and a boat that cannot go into that garage. At 5:30 AM the garage door opens, equipment gets shifted back and forth, loaded into the back of a pickup truck, and the cars get moved around to allow those trucks to load up equipment from the garage. In a typical residential neighborhood she does not think this is acceptable. Another example is a homeowner who monograms sweatshirts. Trucks deliver boxes of sweatshirts 2-3 times a week, the sewing is done in the garage, several women work for her doing the monogramming, and clients come and go ordering and picking up sweatshirts, etc. She would be very concerned if there was an ordinance in place that allowed these two uses in her neighborhood. Perhaps they could modify the regulations to allow certain types of occupations to function from the house.

Commissioner Lissarrague asked what Commissioners felt constituted a nuisance besides increased traffic.

Commissioner Simon stated noise.

Commissioner Robertson replied hours of operation, the impact of the parking and noise created by the necessary maneuvering to allow that business to operate in the accessory structure.

Commissioner Lissarrague understood the desire to be flexible for someone wanting to run a business out of their garage, but the person living next to a home occupation is entitled to peace and quiet.

Commissioner Scales struggled with the fact that it was difficult to judge what constitutes a nuisance as it differs from person to person. Therefore, instead of discussing which type of businesses would be allowed he would prefer to talk about hours of operation, etc.

Commissioner Niemioja stated samples of other ordinances would be helpful as they list limitations on hours of operation, storage, vehicles, etc.

Commissioner Simon stated the City has existing restrictions relating to noise in residential districts.

Commissioner Scales believed they should have separate rules for businesses.

Commissioner Robertson noted that ordinances were often tied to decibels rather than time.

Commissioner Weber asked if someone in the E-1 district would be in violation if they attached their house to their garage and stored their business equipment in the attached structure.

Ms. Botten replied in the affirmative, stating business equipment storage was allowed only in the principle dwelling.

Commissioner Weber asked if it was a violation to bring a truck home with the company name on the side.

Commissioner Robertson replied that homeowners are allowed to have a one-ton truck.

Commissioner Weber asked what if it was over a ton. He does not understand why the City is not allowing people to have more affordable businesses by storing their equipment in their accessory structures rather than having the overhead of a brick and mortar.

Commissioner Robertson stated one of staff's suggestions was that the use of accessory buildings for a home occupation have a minimum lot size of 2.5 acres.

Commissioner Weber agreed that setting minor guidelines would make having a home occupation more sustainable for everyone.

Commissioner Lissarrague asked Commissioner Weber if he purchased his property before or after his neighbor parked a semi-truck on his property.

Commissioner Weber replied that he knew it was there when he moved in but was told it needed to be parked inside. His problem was it ended up being parked outside and causing a traffic issue.

Commissioner Lissarrague asked Commissioner Weber if he reported the violation and, if so, what was done about it.

Commissioner Weber replied that he reported it a couple times and each time a warning was given. He was not sure of the final resolution as the property owner passed away.

Commissioner Lissarrague had a problem with just giving warnings and questioned whether the City could enforce their current ordinances.

Commissioner Robertson suggested the Planning Commission make recommendations for regulations for home occupations (i.e. lot size, number of employees) rather than saying we are not going to make any changes because the current ones are not being enforced.

Commissioner Lissarrague asked if the Commission could recommend enforcement.

Commissioner Robertson replied in the affirmative.

Commissioner Weber stated the only thing they can change today is recognize that the home occupation rules were written awhile back, and many people now work from home rather than travel to brick and mortar buildings. Many types of home businesses would not have people coming out to their house and he supports allowing people to work out of their accessory structures as long as they are mindful of their neighbors.

Commissioner Robertson stated they need to go beyond asking people to be mindful of their neighbors.

Commissioner Weber agreed, stating they should add business restrictions.

Commissioner Niemioja said other cities do this by using conditional use permits to give them more control. Home businesses should have a procedure in place to move forward with the City.

Commissioner Weber stated there would be a lot of after-the-facts.

Commissioner Niemioja agreed that some businesses may have to be grandfathered in. Some of the language needs to be updated, such as the one-ton towing capacity. Almost all vehicles now have a one-ton towing capacity; other cities use poundage or storage rather than towing capacity.

Commissioner Weber did not think there was much difference between someone storing equipment in an accessory structure and someone having farm animals and equipment all over their property.

Commissioner Robertson stated they could address a lot of neighborhood concerns by establishing a minimum lot size. They should not lump all home occupations together; however, as working on a computer in your home is much different from backing up to equipment.

Commissioner Weber stated in his opinion backing up a trailer to a piece of equipment is no different than someone backing up to their boat.

Commissioner Lissarrague stated the difference is the person would likely not go fishing every day like the person backing up to a bobcat. He asked if there was a limit on employees.

Ms. Botten replied that currently outside employees were not allowed.

Commissioner Robertson asked for clarification of who would be allowed.

Ms. Botten replied whoever was residing in that dwelling.

Commissioner Niemioja stated that other cities consider home occupations to be successful if they are indistinguishable from dwellings with no business use. She knows of several indistinguishable home occupations in the City that are in violation of the code in one aspect or another but are mindful of their neighbors and receive no complaints.

Commissioner Robertson asked what kind of businesses they were.

Commissioner Niemioja replied they were merchandising businesses with large trucks that can haul more than a ton.

Commissioner Weber commented that some people receive deliveries from Amazon daily. Some people would consider that a nuisance while others would not.

Commissioner Lissarrague stated he would have a problem with a cabinet maker making noise from 7 AM-5 PM every day.

Commissioner Weber suggested they set some general guidelines rather than talk about the code on a business by business basis.

Commissioner Scales questioned how we would treat small home businesses if there was a minimum lot size.

Commissioner Weber asked how the current code would apply to someone embroidering shirts out of their house.

Ms. Botten replied if work was being done in the home it would be okay; if it was being done in the garage or there were other employees it would be a violation.

Commissioner Lissarrague asked about clients and deliveries coming to the home.

Commissioner Weber did not understand why it was a problem in an attached garage.

Commissioner Robertson referred to one of the examples she gave previously where construction equipment was stored in the attached garage. It was never used there but was loaded and unloaded several times a day. As a result, there were always several vehicles stored outside and they were constantly being moved around.

Commissioner Scales asked if Commissioner Robertson would still consider that a problem if it occurred after 7 AM.

Commissioner Robertson replied that for her it would not be a problem. In this case they had to be on site by 7 AM so the vehicle maneuvering occurred around 5:30 AM.

Commissioner Scales stated they could suggest adding limitations that would prevent that. He stated that the trades are a hot market right now and he had a problem with disallowing welders, handymen, etc. from storing equipment and vehicles in their garages.

Commissioner Niemioja advised that other communities differentiate between certain permitted home occupations and others that need more control. She questioned whether they should address minimum lot sizes and nuisance items and then talk about perhaps allowing certain types of home occupations regardless of lot size.

Commissioner Weber replied that City Code already addresses many smaller home businesses.

Commissioner Robertson agreed, but stated they need to address the newer home occupations that do not fit that definition and probably do not need to be in an industrial warehouse setting.

Commissioner Weber asked if they could say the current home occupation code works well for

smaller residential areas, but then add a subsection for the estate or larger zoning districts.

Commissioner Scales asked if Commissioners agreed that they should find a way to allow home occupations.

Commissioner Robertson said we have an existing definition for home occupations, and she sees no need to change that.

Commissioner Weber said we need to amend the existing code so it either broadens or restricts what is going on in the City. Currently it is limiting what people are wanting to do in their homes.

Ms. Botten stated she was hearing Commissioners say that if there is a change that goes forward it would probably be a subsection of our existing ordinance. She is also hearing that Commissioners may not have enough information in front of them to see what other cities do and what a good avenue would be to go down. If Commissioners would like to table the request, staff could bring it back in August with examples from the cities she and Commissioner Niemioja listed. Commissioners should contact staff with any other cities they know of that allow businesses in accessory dwellings.

Commissioner Niemioja supported tabling the request. She would like to look at the entire code as there may be some changes needed even in the smaller lot residential districts. She believes there are likely many business owners storing equipment or product in their garage and the City needs to determine if they are going to allow storage.

Commissioner Weber stated the important issue is whether we are going to allow storage in accessory structures.

Commissioner Robertson stated that is too narrow. Personally, she does not care what people put in their accessory structure as long as the building is compliant in every other way. She has an issue; however, with the parking problem created when things that would normally be stored in the garage are now stored outside to make room for the business storage.

Commissioner Lissarrague stated that he lives on a five-acre parcel. After he purchased his home his neighbor started a woodworking business which resulted in noise from early morning until late in the evening five days a week. Even though he lives on a larger lot it became a big problem for him. People buy into certain areas because of what they anticipate the quality of life to be and just because someone owns a 2.5 acre parcel it does not give them the right to become a nuisance to their neighbors.

Commissioner Scales stated that issue could be solved by creating nuisance regulations.

Commissioner Lissarrague stated the City must have enforcement.

Commissioner Weber stated the community needs to know that we are reactive rather than proactive and that they must call the City and complain if there is a problem.

Commissioner Niemioja asked if staff could provide Commissioners with the current code regarding how nuisances are handled by code enforcement and/or police.

Commissioner Weber suggested that the code enforcement coordinator attend the Planning Commission meeting.

Ms. Botten replied that if the code enforcement coordinator could not attend the meeting, she would have her write a memo explaining her process.

Commissioner Wippermann stated that historically in the case of commercial versus residential in the same area, residential has had the priority. Accessory structures even have a condition requiring it be for personal use only. The activities associated with businesses impact people's quality of life and he did not support having commercial uses in residential areas. Current guidelines already allow a significant number of commercial uses in residential areas and he was not sure more should be added.

Commissioner Scales suggested that Commissioners think about if running a business out of the garage and just storing equipment there were the same thing or should be handled separately.

Commissioner Lissarrague stated there were two other home businesses on his street that are not a nuisance and are respectful of the neighborhood.

Commissioner Simon asked for a general outline of the consequences of violating the ordinance and she would also like to know the outcome of the complaints listed in the report.

Ms. Botten replied she would ask the code compliance coordinator to supply that information.

Commissioner Robertson stated that even simple storage can be a nuisance because of the other variables that go along with it.

Commissioner Niemioja stated that looking at other cities' ordinances would be helpful as they have regulations such as allowing only a certain percentage of the accessory structure to be used for commercial, or allowing residents to have stock in trade as long they are not selling, repairing, or manufacturing on the property.

Mr. Hunting advised that staff will bring this back at a future meeting once they gather all the information.

Commissioner Robertson asked if this would eventually require a public hearing.

Commissioner Scales replied in the affirmative.

Commissioner Niemioja would like to know what kind of teeth the City has as far as enforcement.

Commissioner Niemioja stated that perhaps having a permitting process that is handled on the front end will help later with the enforcement.

P L A N N I N G R E P O R T
CITY OF INVER GROVE HEIGHTS

MEETING DATE: July 16, 2019

CASE NO: 19-27X

APPLICANT: City of Inver Grove Heights

REQUEST: Zoning Ordinance Amendment

REVIEWING DIVISIONS: Planning

PREPARED BY: Heather Botten
Associate Planner

BACKGROUND

At the June 10, 2019 City Council meeting Council directed staff to review Chapter 10-15-26 Home Occupations relating to a possible update of the code requirements to allow the storage of business equipment and materials in accessory structures. The Planning Commission is to discuss the ordinance and suggest changes, if they feel necessary. These changes would then be brought to a City Council work session for review and then back to the Planning Commission for a public hearing.

The request to review the ordinance stems from a code amendment from a resident to allow Indoor Storage of Tree Trimming and Removal Equipment on residential property. Currently the zoning code would consider this type of use a "*Contractor's shop – indoor*" which would be a permitted use in the I-1 and I-2, Industrial zoning districts. A contractor's shop is currently prohibited on residential property.

ANALYSIS

Currently City Code does not allow Home Occupations in attached or detached accessory structures, only in the principal structure. The historical interpretation of this part of the ordinance has included all aspects of a business, such as the storage of commercial or industrial related equipment and materials in accessory buildings.

The concerns of allowing commercial and industrial uses on residential property would be:

1. Historically the City has not wanted businesses to be located out of garages/accessory buildings in residential areas as such uses are deemed incompatible, compromising the quality of life in a residential neighborhood.
2. There may be higher traffic volumes than a typical residential lot, including possible commercial vehicles, in addition to equipment coming and going on a regular basis. Allowing commercial operations leads to frequent vehicle visits by employees, customers, suppliers, and related business deliveries to occur in a residential neighborhood.

3. Adverse impact to the abutting properties in that there could be noises and other business activities that are inconsistent with residential uses.
4. It would conflict with a 2040 Comprehensive Plan policy to maintain the rural character of established neighborhoods in the Agricultural and Estate Districts.
5. Not paying fair business tax; unfair to similar small businesses who operate out of an industrial/commercial district.
6. Allowing commercial and industrial uses to be operated out of residential property takes away from the possibility of filling a vacant commercial or industrial space in the City.

ZONING CODE REVIEW

The City does allow home businesses that comply with Section 10-15-26 of the City Code (see attached). This includes requirements such as the business being engaged in only by persons residing in the subject dwelling and the home business being conducted entirely within the dwelling, not in attached or detached accessory structures. Examples of permitted home occupations include daycares, licensed massage therapy, beauty shop, and home offices.

Additionally, City Code allows for a resident to have one commercially licensed vehicle not over one-ton capacity to be parked at the residence of the owner or operator of said vehicle (Section 10-15A-3c). This provides the opportunity for a homeowner to bring a business truck or van home after work.

When discussing a possible code amendment to expand the home occupation ordinance, some things to consider are:

- Would employees be allowed?
- Would the homeowner of the stored material have to own the equipment stored on the property or could they store equipment for their employer or even their neighbor?
- If a *contractor's shop – indoor* is allowed on residential property it may be difficult to regulate what is stored inside the buildings; if tree trimming parts are ok, what about mulch/rock, merchandise purchased with the intent to sell on-line, or car parts?
- Should there be a maximum percentage of space utilized in the accessory building to not interfere with the primary residential use of the property?
- If an owner stores industrial equipment in a residential accessory building would they be able to use their home address for the business or should they have an office off site?
- Would trailers (enclosed or open) be allowed if they are stored outside?
- Should there be hours of operation to try and limit the impact to the neighbors?
- Once commercial/industrial equipment is allowed to be stored inside an accessory building it is easy to have equipment filter into outside storage. It would be difficult to enforce material/equipment stored within a privacy fence on residential property.

Lot size. Should there be a minimum lot size requirement? Converting or constructing a new accessory structure for the storage of commercial/industrial equipment would seem to have a greater negative impact in neighborhoods with small lot sizes. The minimum lot size in the E-1 district is 2.5 acres. If a change is proposed to allow the use of accessory buildings for a home occupation, staff suggests this as the minimum lot size.

Setbacks. An accessory structure in urban residential areas has setbacks of five feet side yard and eight feet rear yard. In the E-1 district (2.5 acre minimum lot size) setbacks are 10 feet for side yard and 50 feet for rear yard. Accessory structures greater than 1,000 gross square feet require 50 foot setbacks. If a building is constructed in an Industrial district that is abutting a residential district a **100-foot** setback would be required. Consideration should be taken to have larger setbacks for structures that would be used for something other than a residential use.

Impervious surface and maximum structure size. It would seem reasonable to impose the existing maximum impervious surface standards and maximum number and size of accessory structures in all residential areas of the city.

Parking/storage. There would be a definite impact on garage parking spaces and storage areas. Converting an accessory building into storage for a business eliminates enclosed parking spaces and storage space for the residential use. This could result in more vehicles, toys and yard equipment being parked or stored outside, on the driveway or yard. Adding more paving for parking pads next to the driveway increases impervious surface which adds a burden to the storm water system as well as aesthetic impacts for the neighborhood.

Building code. What about building code issues with the conversion of an existing or new detached accessory structure? The Chief Building Official stated that if the building is open to the public then it would require a change of occupancy. This change could include different electric, plumbing, windows/egress, and energy/insulation code requirements.

Code enforcement. The Rental and Code Enforcement Coordinator provided information relating to home occupation complaints received from January 2018 – June 2019 (see attached). This information is provided to demonstrate concerns relating to home businesses from Inver Grove residents.

RECOMMENDATION

Staff does not support a change to the home occupation ordinance to allow the use of detached or attached accessory buildings for business purposes based on the concerns listed in the report.

Attachments: Chapter 10-15-26: Home Occupations
Home business complaints - January 2018-June 2019

10-15-26: HOME OCCUPATIONS:

- A. Generally: In general, occupations and businesses in the city are to be conducted in commercial and industrial zoning districts, not in residential zoning districts. Exceptions to this generality include agricultural activities within agricultural zoning districts as regulated in this title, daycare as defined in section [10-2-2](#) of this title, and home occupations, provided they conform to the standards of this section.
- B. Definition: "Home occupation" means any gainful occupation meeting all of the following requirements:
1. Engaged in only by persons residing in the subject dwelling.
 2. Conducted entirely within the dwelling, not in attached or detached accessory structures.
 3. Evidence of the occupation shall not be visible from the street.
 4. No signs other than those permitted in R districts are permitted.
 5. No stock in trade is stored on the premises.
 6. On site retail sales are not involved.
 7. Entrance to the home occupation is gained exclusively from within the dwelling.
 8. When the home occupation is a beauty/barber shop, entrance to the home occupation shall be a separate, direct entrance and shall not be from within the dwelling.
- C. Professional Home Occupations: A professional person may use his/her residence for consultation, emergency treatment, or performance of religious rites, but not for the general practice of his/her profession when such general practice will involve the need for more than three (3) parking spaces for the occupant and visitors. No accessory building or attached garage shall be used for such home occupation. (Ord. 1098, 11-8-2004)
- D. Other Home Occupations: Home occupations include minor repair services, photo or art studios, dressmaking, teaching limited to three (3) students at any one time, in home daycare as licensed by the state, licensed massage therapy in accordance with the regulations of [title 4, chapter 8](#) of this code and similar uses; however, a home occupation shall not be interpreted to include tourist homes, restaurants or similar uses. (Ord. 1311, 3-28-2016)

HOME BUSINESS COMPLAINTS: January 2018 – June 2019

99th St East

RP (reporting party) states in a written complaint:

"3 skid loaders, 2 - 1-ton snow plows, 2 storage metal (shipping) storage containers and 1 large front end loader with a bucket and plow blade is all sitting on the property. I know the owner has his own business, but is this allowed? Looks like a **** hole with all of the equipment around. The front end loader is parked right along the tree line by the driveway."

Construction business on-site confirmed through inspection.

Courthouse Blvd

RP filed a complaint about a tree trimming business. They stated there was an industrial woodchipper making loud noise, some sort of crane in the yard, several people (possibly employees) frequently coming and going, and "beeping" noises from trucks and equipment constantly backing up and moving around.

Business confirmed through online advertisement and inspection.

Astrid Ave

RP states the property owner is operating some sort of business that involves buying and selling items. RP states there are numerous shipments brought to the house several times a week with a steady flow of traffic from customers. Outdoor storage of items such as hot tubs, scrap wood, machinery, several doors, several windows, etc.

Business confirmed through online advertisement and inspection.

Alverno Ave

RP states the owner's sons are operating a scrapping business and the property has turned into a scrapyard.

Business confirmed through inspection

Aviary Path

RP states there appears to be a business on-site with several trailers frequently coming and going from property.

Inspection was inconclusive. Trailers on-site, but nothing to indicate a business (no signs, no decals on trailers, no employee vehicles, etc). Explained to RP there was not enough evidence to indicate there was a business.

Carmen Ave

RP states there is a home business involving electronics repair. RP states the owner's son fixes equipment and runs tests of the electronics by turning the volume up and down repeatedly, causing a disturbance to the neighborhood.

Staff spoke with homeowner who stated it was just a hobby for his son, not a business. Without more proof it is a business, the case was closed and RP was told to contact Police on a noise complaint when necessary.

Concord Blvd

RP states there is an illegal dog kennel being operated from the home and provided staff with an advertisement on Rover.com for the kennel. RP states dogs are left outside barking and some dogs have been escaping the fence and roaming the neighborhood.

Business confirmed through inspection and online advertisement.

59th St

RP states the property owner is operating an auto repair business and leaving junk vehicles and vehicle parts in the street.

Inspection confirmed junk vehicle and refuse violations, though could not confirm if a business was being operated.

65TH St

RP states there is a catering business being run out of the home. States the occupant makes meals specifically from June 5 – July 11th (cultural foods) and leaves gas cylinders scattered throughout the deck and property and is frequently loading her vehicle for deliveries and coming and going from the property.

Staff made contact with resident who explained she cooks for friends and family during their religious holiday time but stated it is not a business.

75th St

RP states the property owner drives a large, commercial work truck/dump truck and stores it at the property, thinks it may be a home business. The truck is left to idle/warm up in the mornings and is very loud. RP states it's probably damaging the street due to its size.

Parking violation confirmed through inspection though not a home business. Notice sent

Upper 79th Ct

RP states the property owner buys and sells items, then stores them in the driveway and yard covered in tarps until they can be sold. States property is unkempt and messy.

Business confirmed through inspection and conversation with property owner.

Adam Ave

RP states there is a landscaping business being operated from the property. RP was able to provide the name of the company and stated the trucks are loud and operations begin at 6:30 each morning, often disturbing the neighborhood. Work trucks and trailers are being stored in the street overnight, including a woodchipper. One of the vehicles is not licensed.

Business confirmed through online advertisement and inspection

Babcock Trail

RP states there is some sort of landscaping or tree trimming business on site.

Inspection found a large swath of trees had been cut down and it appeared the equipment was being used for a project on the property. No indication of business.

Barnes Ave

RP states there is a stone business being operated from the property and that stone slabs and other business equipment are being stored on the property with business vehicles frequently coming and going. RP states a forklift is often used to move the slabs, producing a loud 'beeping' noise.

Business confirmed through online advertisement and inspection

Cahill Ct

RP states there is a business onsite. Owner buys and sells Big Wheel childrens cars (the larger ones kids can "drive") and has several of them (10+) stored in the driveway along with junk vehicles.

Violation confirmed through inspection though business violation couldn't be confirmed.

Cleadis Way

RP reports there is a snow removal and landscaping business on the property with business and employee vehicles coming and going and business equipment stored on site. States the traffic is frequent and vehicles are loud.

Business confirmed through inspection and decals on vehicles.

Additional home occupation complaints and inquiries that Planning Staff has been involved in over the past couple years:

- A resident who was building 4-wheelers on his property and then selling to stores
- A resident who had a retail boat display at his property
- Carpet installers who want to keep stock in their garages
- Numerous auto repair and small engine repair and landscaping businesses inquiries
- People wanting to convert barns into reception venues

Eagan

Section 11.70 Subd 23

Home occupations. Home occupations shall be subject to the following requirements:

- A. The occupation shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes and shall not change the character thereof.
- B. No more than three persons shall be engaged in the home occupation, one of whom resides outside of the dwelling.
- C. No home occupation activity shall be allowed within a detached or attached accessory building or garage.
- D. Evidence of the home occupation shall not be visible from the street.
- E. No signs shall be present other than those permitted in R zoning districts.
- F. No home occupation shall involve over-the-counter sales.
- G. Entrance to the home occupation shall be gained from within the principal structure.
- H. The home occupation shall not utilize more than three off-street parking spaces for the occupant and visitors.

West. St. Paul

153.052 PERMITTED ACCESSORY USES.

Within any R-1A One-Family Use District, the following uses shall be permitted accessory uses:

- (C) Home occupations as defined herein, provided that:
 - (1) Only persons residing in the dwelling shall be engaged in the occupation;
 - (2) The occupation shall be conducted entirely within the principal structure;
 - (3) Evidence of the occupation shall not be visible from the street;
 - (4) No stock or warehousing for the occupation shall be stored on the premises;
 - (5) Over-the-counter retail sales are not involved;
 - (6) There shall be no more than three parking spaces for the occupant and visitors;
 - (7) No accessory building or attached garage shall be used for the home occupation; and
 - (8) Property cannot be used as a meeting location for employees.

South St. Paul

Sec. 118-121. - R-1, single-family district.

(2) Accessory uses.

a. Garages used as an accessory to the dwelling and located upon the same lot or an adjacent lot under single ownership, intended or capable of providing for the storage of motor vehicles and in which no business, occupation or service for profit is in any way conducted, as regulated herein by the performance standards [section 118-208](#).

f. Home occupations, as defined in [section 118-8](#), provided that:

1. Entrance to the home occupation is gained from within the structure;
2. The occupation shall be conducted entirely within the principal structure;
3. No accessory building or attached garage shall be used for the home occupation;
4. Evidence of the occupation shall not be visible from the street;
5. No stock or warehousing for the occupation shall be stored on the premises;
6. No more than three parking spaces are needed at any given time in addition to the parking spaces required by the resident occupants;
7. Home occupations such as massage are limited to no more than one client waiting for services and no more than one client receiving services at any given time; and
8. Home occupations such as teaching are limited to three students at any given time.

Plymouth

SECTION 21145. - HOME OCCUPATIONS (some parts removed to condense the ordinance for IGH council review)

21145.01. - Purpose. The purpose of this section is to maintain the character and integrity of residential areas and to provide a means through the establishment of specific standards and procedures by which home occupations can be conducted in residential neighborhoods without jeopardizing the health, safety and general welfare of the surrounding neighborhood. In addition, this section is intended to provide a mechanism enabling the distinction between those home occupations having minimal or no secondary impact, and those which have potential for adverse effects upon surrounding properties.

21145.03. - Procedures and Permits.

Subd. 1. **Permitted Home Occupations.** Permitted home occupations, as defined in this Chapter, are exempt from permitting and licensing requirements but shall comply with the applicable provisions of Section 21145.04.

Subd. 2. **Licensed Home Occupations.** Licensed home occupations, as defined in this Chapter, shall require a "home occupation license" which shall be applied for, reviewed and processed in accordance with the procedural provisions of Section 21030.04, Subd. 2.(a) of this Chapter.

Subd. 3. **Declaration of Conditions.** The Zoning Administrator and City Council may impose such conditions on the granting of a home occupation license as may be necessary to carry out the purpose and provisions of this section.

Subd. 4. **Effect of Permit.** A "home occupation license" may be issued for a period of one (1) year after which the license may be reissued for periods of up to three (3) years each by the Zoning Administrator.

Subd. 5. **Transferability.** Home occupation licenses shall not run with the land and shall not be transferable.

21145.04. - Requirements.

Subd. 1. **General Provisions.** All home occupations shall comply with the following general provisions:

- (a) No home occupation shall produce light, glare, noise, odor or vibration that will in any way have an objectionable effect upon adjacent properties.
- (b) No equipment shall be used in the home occupation which will create electrical interference to adjacent properties.
- (c) Any home occupation shall be clearly incidental and secondary to the residential use of the premises, shall not change the residential character thereof, and shall result in no incompatibility or disturbance to the adjacent residential uses.
- (d) No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
- (e) The home occupation shall meet all applicable fire and building codes.
- (f) There shall be no exterior display or exterior signs or interior display or interior signs which are visible from outside the dwelling.
- (g) All home occupations shall comply with the provisions of the City Nuisance Ordinance.
- (h) No home occupation shall be conducted between the hours of 10:00 p.m. and 7:00 a.m.
- (i) Excepting incidental materials, no commodities shall be sold on the premises.
- (j) Not over twenty-five (25) percent of the gross floor area of the home (excludes attached or detached accessory structures) shall be used for a home occupation.
- (k) Parking of commercial vehicles/trailers shall comply with Section 21105.11, Subd. 2 of this Chapter.

- (l) No more than one delivery to or shipment from the home in conjunction with the home occupation by a vehicle over 20,000 gross vehicle weight rating (GVWR) shall be made per week (Sunday through Saturday) to the property.
- (m) There shall be no exterior storage of equipment, materials, or trailers used in the home occupation, except for the one (1) fully enclosed trailer that may be allowed pursuant to Section 21105.11 of this Chapter.
- (n) All home occupations shall be conducted entirely within the principal dwelling, except that up to fifty (50) percent of the total floor area of accessory structures (e.g., attached garage, detached garage, shed) on a site may be used for storage of equipment, trailers, or materials related to the home occupation, provided that no assembly, display, manufacturing, repair, or other business operations are conducted within an accessory structure. Furthermore, in no case shall the total floor area of accessory structures devoted to related storage of materials, trailers, or equipment exceed 500 square feet.

Subd. 2. **Permitted Home Occupations.** In addition to compliance with all of the general provisions outlined in Subd. 1 of this subsection, permitted home occupations shall comply with the following provisions:

- (a) No person other than those who reside on the premises shall be employed by the home occupation.
- (b) Not more than one (1) client or customer per day shall come to the premises in question for purposes pertaining to the conduct of the home occupation.
- (c) On-street parking facilities shall not be utilized to accommodate parking demand.

Subd. 3. **Licensed Home Occupations.** In addition to compliance with all of the general provisions outlined in Subd. 1 of this subsection, licensed home occupations shall comply with the following provisions:

- (a) No person other than those who reside on the premises shall engage in business activities on the premises. The business may employ others provided no more than two (2) employee vehicles are regularly parked outside, and provided all work activities by employees are performed off the premises.
- (b) Examples of licensed home occupations include: massage therapy, barber and beauty services, photography studio, lessons, saw sharpening, small appliance repair and the like.
- (c) The home occupation may involve any of the following: stock-in-trade incidental to the performance of the service but not sold on the premises, repair service or manufacturing which requires equipment other than customarily found in a home.
- (d) Licensed home occupations may be allowed to accommodate their parking demand through utilization of on-street parking. In such cases where on-street parking facilities are necessary, however, the Zoning Administrator shall maintain the right to establish the maximum number of on-street spaces permitted and increase or decrease that maximum number when and where changing conditions require additional review.
- (e) There shall not be more than ten (10) client appointments per day upon the premises.

Subd. 4. **Prohibited Home Occupation Activities.**

- (a) Auto repair, whether for consideration or not, of vehicles which are not registered to a resident of the dwelling, or to a son or daughter, sibling, parent, grandparent, or grandchild of a resident on the property.
- (b) Businesses, educational programs or similar gatherings which meet on a regular basis and have more than five (5) non-residents in attendance at a time.
- (c) Gun or ammunition sales/repair.
- (d) Music instruction or recording studios, unless conducted within a single-family detached dwelling.
- (e) Pet care facilities, except for pet grooming.

21145.06. - Inspection.

The City hereby reserves the right upon issuing any home occupation license to inspect the premises in which the occupation is being conducted to ensure compliance with the provisions of this section or any conditions additionally imposed.

Bloomington

21.302.13 HOME BUSINESSES.

(a) *Purpose.* To accommodate residents who desire to start a home business while ensuring that said businesses:

(1) Are imperceptible from normal residential activity and do not adversely impact the character of the surrounding residential area;

(2) Are secondary and incidental to the residential use of the dwelling unit; and

(3) Do not adversely affect the health, safety or welfare of other persons residing in the area.

(b) *Review and approval.*

(1) A conditional use permit is required for Type II home businesses. See § [21.501.04](#) for conditional use permit requirements.

(c) *Types of home businesses.*

(1) *Type I.* Type I home businesses are of a type that the City Council has historically found do not adversely affect the health, safety or welfare of other persons residing in the area. Examples of Type I home businesses are listed below. This list is intended to be illustrative not exhaustive.

(A) Professional home offices or studios;

(B) Home beauty shops;

(C) Tutoring, music, fitness, or dance instruction for no more than two students at any one time;

(D) Licensed therapeutic massage;

(E) Watch repair, dressmaking, tailoring and similar crafts; or

(F) Animal grooming for no more than four animals at any one time.

(G) Firearm Office where no firearm(s) or ammunition are stored or inventoried on the premises.

(2) *Type II.* Type II home businesses are businesses of a type that the City Council has historically found to have the potential to adversely affect the health, safety or welfare of other persons residing in the area. Examples of Type II home businesses are listed below. This list is intended to be illustrative not exhaustive.

(A) Music, dance, or fitness schools;

(B) Repair shops not expressly prohibited by the city code;

(C) Cottage food operations, subject to the requirements in M.S. § 28A.152, as it may be amended from time to time;

(D) Photography studios and similar uses; or

(E) A Type I home business reclassified as a Type II home business by virtue of a conditional use permit approved by the City Council.

(3) *Prohibited home businesses.* The following home businesses are prohibited without limitation:

- (A) Motor vehicle or boat repair, service or painting;
- (B) Small engine and major household appliance repair;
- (C) The sale, lease, or trade of firearm(s) or ammunition, where firearm(s) or ammunition are stored or inventoried on the premises;
- (D) Manufacturing;
- (E) Taxidermy shops;
- (F) Unlicensed massage;
- (G) Escort businesses;
- (H) Body art establishments; and
- (I) Animal kenneling.

(d) *Standards.*

(1) *Health, safety and welfare.*

(A) Home businesses must not endanger the health, safety or welfare of the community by reason of blight, noise, smoke, dust, odor, glare, vibration, fire hazard, increased vehicular traffic including deliveries, unsanitary or unsightly conditions, or similar conditions that have a reasonable likelihood of disturbing the peace, comfort, repose or quiet enjoyment of the indoor and outdoor spaces of neighboring residential properties.

(2) *Where allowed.* See § 21.209 of this code for the classification of home businesses within the zoning districts.

(A) Type II home businesses are not permitted in accessory dwelling units, two-family dwellings, townhomes, or in multi-family dwellings.

(3) *Prohibited activities.* Activity that produces light, glare, noise, odor, dust, smoke or vibration perceptible beyond the boundaries of the premises and distinguishable from neighboring residential uses is prohibited.

(4) *Gross floor area (GFA).* Home businesses may occupy no more than 25 percent of the total gross floor area (GFA) of the principal residential dwelling unit.

(5) *Use of accessory buildings or garages.*

(A) Type I home businesses may not use or be located in accessory buildings or garages.

(B) As provided in subsection (b) below, the Planning Commission may approve Type II home business activities in accessory buildings or garages if it finds that the

proposed activities would not alter the residential character of the neighborhood if performed within an accessory building or garage.

(6) *Alterations.* No interior or exterior alterations may be made to dwelling units to accommodate a home business that would be:

- (A) Inconsistent with the residential character of the surrounding area; or
- (B) Not customarily found in a primary residential dwelling.

(7) *Separate entrances.* The space devoted to or used by the home business must not have its own separate entrance and must be completely contained within the principal residential dwelling unit so as to have no exterior visibility. Any entrance leading to the space devoted to or used by the home business must also lead to the remainder of the home.

(A) *Exception.* Type II home businesses permitted by the Planning Commission to operate from an accessory building or garage are exempt from this provision.

(8) *Exterior displays and signage.* Exterior display, exterior signage, advertisement or other exterior indication of a home business is limited to one non-illuminated sign not to exceed one and one-half square feet in area as per [Chapter 19, Article X](#).

(9) *Exterior storage.* Exterior storage or display of trailer, equipment or materials, tools, supplies, stock-in-trade, products or by-products used or produced in conjunction with a home business is prohibited.

(10) *Vehicle parking and storage.* Vehicles used in conjunction with a home business must comply with the parking and storage provisions of § [21.301.06](#) of this code.

(11) *Garbage disposal.* All rubbish and garbage disposal facilities must be properly screened in compliance with [Chapter 19](#) or [21](#) of this code and no single container may exceed the 96-gallon container size used for single-family residential property.

(12) *Primary residence requirement.* The owner of the home business must use the dwelling unit as the person's primary residence, as evidenced by the person's driver's license, vehicle registration, voter registration or other clear and convincing evidence.

(13) *Employees.*

(A) *Type I home businesses.* No more than one person having their primary residence elsewhere, as evidenced by the person's driver's license, vehicle registration, voter registration or other clear and convincing evidence, may work on the premises at any time.

(B) *Type II home businesses.* No more than two persons having their primary residence elsewhere, as evidenced by the person's driver's license, vehicle registration, voter registration or other clear and convincing evidence, may work on the premises at any time.

(14) *On site sales.* No retail, wholesale or other sales activity may be conducted on site other than by telephone, mail, internet or other electronic medium. Also no items may be displayed for sale on the premises.

(15) *Deliveries and pick-ups.* Type I and II home businesses may receive up to four deliveries and pick-ups per day.

(16) *Client visits.*

(A) *Type I home businesses.* The total number of clients upon the premises must not exceed six customers per day and must not exceed two clients at any one time.

(B) *Type II home businesses.* As provided in subsection (b) above, the Planning Commission may determine the number and intensity of client visits per day and time.

(17) *Hazardous materials.* Toxic, explosive, flammable, radioactive or other restricted materials used, sold, or stored on the site in connection with the home enterprise must conform to the city code and Uniform Fire Code for residential uses.

(e) *Enforcement.* The city will enforce the standards of this section based on verified, on-going violations.

(f) *Penalty.* Violation of the standards set forth in this section shall be enforceable in all of the following manners, without limitation: civil injunctive action; the assessment of civil administrative fines and penalties that are assessable against the property; as well as criminal misdemeanor prosecution.

Item No. 4

Chapter 3 ALARM SYSTEMS Police Alarm Systems

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5-3-1 : TITLE:

This chapter shall be known, cited, and referred to as the *ALARM ORDINANCE*. (1974 Code § 907.01)

5-3-2 : POLICY AND PURPOSE:

~~To protect the public health, safety and welfare, the city council deems it necessary to provide for the special and express regulations of alarm systems which are designed to signal the presence of a hazard requiring urgent attention and to which public safety personnel are expected to respond. The city council finds that the regulation of alarm systems is necessary in order to reduce the increasing frequency of false alarms in the city. The great number of and increasing frequency of these false alarms require intensive and time consuming efforts by the police and fire departments and thereby distract from and reduce the level of services available to the rest of the community. This diminishes the ability of the city to promote the general health, welfare and safety of the community. In consideration for the necessity on the part of the city to provide numerous public safety services to all segments of the community, without an undue concentration of public services in one area to the detriment of members of the general public, it is hereby decided that the alarm systems shall be regulated through the permit process described in this chapter. (1974 Code § 907.03)~~

WHEREAS, the purpose of this ordinance, finds that excessive false alarms unduly burden the Inver Grove Heights Police Department's limited law enforcement resources. The purpose of this ordinance is to establish reasonable standards for users and to ensure that alarm users are held responsible for their use of alarm systems.

5-3-3 : DEFINITIONS:

As used herein, unless otherwise indicated, the following terms are defined and have the meanings as follows:

ALARM ADMINISTRATOR: means a person or persons designated by the City to administer the provisions of this ordinance.

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ALARM COMPANY: means a person, company, firm, or corporation subject to the licensing requirements, and engaged in selling, leasing, installing, servicing or monitoring alarm systems; this person shall be licensed in compliance with city, county and state laws.

ALARM PERMIT: means a permit issued to an alarm user by the City allowing the operation of an alarm system within the City.

ALARM SIGNAL: An audible or visual signal, or both, indicating the existence of an emergency condition. Audible devices may be bells, horns, chimes, speakers or similar devices. For the purpose of this chapter, the "alarm signal" may be a local alarm or an

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~~alarm transmitted to a monitoring agency which then notifies the police and/or fire department.~~ means a detectable signal; audible or visual, generated by an alarm system, to which law enforcement is requested to respond.

~~ALARM SYSTEM: A single device or a combination of approved compatible devices with the necessary electrical interconnection and energy to produce an alarm signal in the event of an emergency. The alarm signal, when initiated, must be connected to a monitoring agency which notifies the police and/or fire department of an emergency to which public safety personnel initiate a response, or emits an audible local signal which is reported to the police and/or fire department to which public safety personnel initiate a response.~~ means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other activity to which law enforcement is requested to respond, but does not include motor vehicle or boat alarms, fire alarms, domestic violence alarms, or alarms designed to elicit a medical response.

~~ALARM USER: The person, firm, partnership, association, corporation, company, or organization of any kind on whose premises an alarm system is located. "Alarm user" includes persons occupying dwelling units for residential purposes.~~ means any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning, leasing, or operating an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

ALARM USER AWARENESS CLASS: means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.

~~CALENDAR YEAR: The period from January 1 through December 31 of each year.~~

~~CITY: means the City of Inver Grove Heights or its agent.~~

~~COMPLIANCE STANDARDS: means equipment and installation methods shall comply with all appropriate nationally recognized testing laboratories and American National Standards Institute (ANSI) requirements.~~

FALSE ALARM:

- ~~A. Any deliberate or accidental activation of an alarm system that initiates a response by the police and/or fire department where an emergency situation does not exist. "False alarm" includes, but is not limited to:~~
- ~~1. The deliberate activation of an alarm system when no such emergency actually exists; or~~
 - ~~2. The activation of an alarm system through mechanical failure, malfunction, or improper installation; or~~
 - ~~3. The negligent use or maintenance of the alarm system by its owner or lessee or by the owner's or lessee's employees or agents.~~
- ~~B. "False alarm" does not include activation of the alarm system by a utility company or by power outages or by climatic conditions such as tornadoes, lightning, earthquakes, other violent conditions of nature, or any other conditions which are~~

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clearly beyond the control of the alarm manufacturer, installer or owner.

C. "False alarm" does not include activation of an alarm system as the result of an effort or order to upgrade, install, test or maintain the system, if the police chief and, where applicable, the central monitoring agency for the alarm system are each notified in advance of said upgrade, installation, test or maintenance.

D. "False alarm" does not include alarms within the first thirty (30) days of installation.

means the activation of an alarm system when, upon inspection by the Police Department, there is no evidence of unauthorized entry, robbery, or other such crime attempted in or on the premises which would have activated a properly functioning alarm system. Notwithstanding the foregoing, a false alarm does not include an alarm which can reasonably be determined to have been caused or activated by unusually violent conditions of nature.

~~FIRE ALARM SYSTEM: An alarm system designed, installed, or operated to prompt a response by the city fire department.~~

~~PERSON: Any individual, partnership, corporation, association, cooperative or other entity.~~

LOCAL ALARM: means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of a structure and is not monitored by a remote monitoring facility, whether installed by an alarm company or user.

PERMIT YEAR: means a 12-month period beginning on the day and month on which an alarm permit is issued.

~~POLICE ALARM SYSTEM: An alarm system designed, installed, or operated to prompt a response by the city police department.~~

POLICE CHIEF: The police chief of the city, or his designee. (1974 Code § 907.05)

RUNAWAY ALARM: means an alarm system that produces repeated alarm signals that do not appear to be caused by separate human action. The Police Department may in its discretion discontinue police responses to alarm signals from what appears to be a runaway alarm.

VERIFY: means an attempt by the alarm system monitoring company to contact the alarm site and/or alarm user by telephone and/or other means, whether or not actual contact with a person is made, to determine whether an alarm signal is valid before requesting law enforcement response. A second call shall be made to an alternate number provided by the alarm user if the first attempt fails.

5-3-4 : **ALARM PERMIT REQUIREMENTS FOR USERS:**

A. Permit Required; Types: No person shall use operate or install an alarm system without first obtaining a permit for such alarm system from the City. ~~an alarm user permit for each alarm system on the alarm user's premises. Such permit shall be obtained prior to the installation and prior to the operation of the alarm system. Alarm user permits shall be of three (3) types: 1) permits for police alarm systems; 2) permits for fire alarm systems; and 3) permits for combination police/fire alarm~~

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~~systems.~~ A fee may be required for the initial registration and annual renewals. Each alarm permit shall be assigned a unique permit number, and the user shall provide the permit number to the alarm company to facilitate law enforcement dispatch.
(1974 Code § 907.07)

- B. Application For Permit: ~~Every applicant for an alarm permit shall file with the police chief, on forms provided by the city, an application stating: The permit shall be requested on an application form provided by the City. An alarm user has the duty to obtain an application from the City.~~
- ~~1. The name, address and telephone number of the applicant;~~
 - ~~2. A description of the building property where the alarm system will be located;~~
 - ~~3. Building location and street number;~~
 - ~~4. The number of separate alarm systems to be used;~~
 - ~~5. A description of the type(s) of alarm system(s) to be used, including name and model number of the manufacturer (i.e., police emergency, medical emergency, fire);~~
 - ~~6. The name of the person or company who will install or, for systems installed prior to June 1, 1994, the person or company who did install the alarm system at the location; and~~
 - ~~7. The names, addresses and telephone numbers of two (2) persons or companies who can be contacted in the event of an alarm activation. In the event the names, mailing addresses or telephone numbers of the persons or companies to be contacted change, the applicant must supply corrected information to the police chief within five (5) days of the change.~~
- C. Review And Issuance Of Permit: The police chief shall review and be responsible for the issuance, reissuance, and renewal of all alarm user permits. (1974 Code § 907.09)
- D. Transfer of Possession ~~Nontransferability Of Permit: Alarm user permits are not transferable from one person to another or from one location to another. (1974 Code § 907.07)~~ When the possession of the premises at which an alarm system is maintained is transferred, the person (user) obtaining possession of the property shall file an application for an alarm permit within 30 days of obtaining possession of the property. Alarm permits are not transferable.
- E. Reporting Updated Information: Whenever the information provided on the alarm permit application changes, the alarm user shall provide correct information to the City within 30 days of the change. In addition, each year after the issuance of the permit, permit holders will receive from the City a form requesting updated information. The permit holder shall complete and return this form to the City whether or not any of the requested information has changed; failure to comply will constitute a violation and may result in a civil penalty.
- F. Multiple Alarm Systems: If an alarm user has one or more alarm systems protecting two or more separate structures having different addresses and/or tenants, a separate permit shall be required for each structure and/or tenant.
- G. False Alarms; Automatic Revocation; Reissuance:

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- ~~1. A third false police alarm or a third false fire alarm and any false alarm thereafter in any calendar year will result in automatic revocation of the applicable alarm-user permit, unless the permit is reissued in accordance with this section. When the police chief determines that such a false police or fire alarm has occurred, the police chief shall notify the alarm user of that determination. The alarm user's permit will be revoked unless, within ten (10) working days of the date of the notice, the alarm user complies with subsection F3 of this section and also submits the required permit fee or establishes to the satisfaction of the police chief that the alarm activation was not a "false alarm" within the meaning of this chapter.~~
- ~~2. A false alarm that occurs during the ten (10) day period for reissuance of an alarm user permit shall be treated as requiring an additional reissued permit. For each such false alarm, the alarm user shall pay the permit fee for a reissued permit as provided by this section.~~
- ~~3. As a condition for reissuing an alarm user permit revoked under this subsection, the alarm user shall provide the police chief with evidence that the alarm system has been properly serviced and that its deficiencies have been corrected.~~
- ~~4. An alarm user whose permit has been revoked may obtain a reissued permit by paying the permit fee for reissuance and by satisfying the provisions of this chapter. A new application is not required, provided that the information on the original application is still accurate. (1974 Code § 907.11)~~
- ~~5. The fee for a reissued permit shall be as established by resolution of the city council. (1974 Code § 907.15)~~

~~F. Suspension Or Revocation Of Permit:~~

- ~~1. Grounds: In addition to the automatic revocation process described in subsection E of this section, the police chief may suspend up to ninety (90) days or revoke up to one year any alarm user permit if the police chief finds that any of the following has occurred:~~
 - ~~a. That any provision or condition of this chapter has been violated by an alarm user or his agents.~~
 - ~~b. That an alarm system has actuated an excessive number of false alarms.~~
 - ~~c. That the alarm user has knowingly made false statements in or regarding the application for an alarm user's permit.~~
 - ~~d. That the alarm user has failed to correct or remove violations of this chapter within the time period specified by the police chief in an oral or written notice to the alarm user.~~
 - ~~e. That the continued use of the alarm system constitutes a substantial threat to the public peace, health, safety or welfare.~~
- ~~2. Investigation: All alleged violations defined in subsection F1 of this section shall be investigated by the police department. The alarm user shall be given notice of the proposed revocation or suspension and be provided an opportunity to~~

informally present evidence to the police chief prior to the final decision on revocation or suspension.

3. ~~Conditions For Permit Reactivation Or Reissuance: The police chief may impose reasonable conditions for the reactivation of a suspended alarm user permit or the reissuance of a revoked alarm user permit.~~

4. ~~Reactivation Or Reissuance Of Permit: A suspended permit will be reactivated at the end of the period of suspension or upon satisfaction of all conditions imposed under this chapter, whichever is later, and without payment of a reissued permit fee. An alarm user whose permit has been revoked must apply for a reissued permit in accordance with this section. (1974 Code § 907.17)~~

G. ~~Notice And Appeal: Where notice of suspension, automatic revocation, or other revocation is required to be given to an alarm user under this chapter, the notice shall be sent by certified mail to the alarm user's last known address. The notice shall inform the alarm user of: the action to be taken on the permit; the conditions, if any, for reissuance or reactivation of the alarm user's permit; the alarm user's right to an informal hearing before the police chief; and the alarm user's right to appeal the police chief's decision to the city council. The police chief's decision may be appealed to the city council, provided such appeal is filed in writing with the city clerk within fifteen (15) days after mailing of the police chief's decision to the alarm user. If an appeal is taken, the alarm user shall be given at least ten (10) days' advanced, written notice as to when the city council will consider the appeal. The alarm user may present any oral or written evidence to the council on the issues of whether revocation or suspension is justified and on the conditions for reissuance. (1974 Code § 907.19)~~

5-3-5 : Duties of the Alarm User:

- A. Maintain the premises and the alarm system in a method that will reduce or eliminate false alarms; and
- B. Provide the alarm company the permit number, (the number must be provided to the communications center by the alarm company to facilitate dispatch).
- C. Respond or cause a representative to respond to the alarm system's location within a reasonable amount of time when notified by the Inver Grove Heights Police Department.
- D. Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.
- E. An alarm user must obtain a new permit and pay any associated fees if there is a change in address or ownership of the location of the alarm-system.

5-3-6 Duties of the Alarm Company

- A. Any person engaged in the alarm business in the city shall comply with the following:
 - 1. Obtain and maintain the required state, county and/or city license(s).

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2. Provide name, address, and telephone numbers of the alarm company license holder or a designee who can be called in an emergency, 24 hours a day; and be able to respond to an alarm call, when notified, within a reasonable amount of time.
3. Be able to provide the most current contact information for the alarm user; and to contact a key holder for a response, if requested.
- B. Prior to activation of the alarm system, the alarm company must provide instructions explaining the proper operation of the alarm system to the alarm user.
- C. Provide written information of how to obtain service from the alarm company for the alarm system.
- D. An alarm company performing monitoring services shall:
 1. Attempt to verify, by calling the alarm site and/or alarm user by telephone, to determine whether an alarm signal is valid before requesting dispatch. This shall require, as a minimum that a second call be made to a different number, if the first attempt fails to reach an alarm user who can properly identify themselves to attempt to determine whether an alarm signal is valid, EXCEPT in the case of a panic or robbery-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means.
 2. Provide alarm user registration number to the communications center to facilitate dispatch and/or cancellations.
 3. Communicate any available information about the location of the alarm.
 4. Communicate a cancellation to the law enforcement communications center as soon as possible following a determination that response is unnecessary.

5-3-7 Prohibited Acts

1. It shall be unlawful to activate an alarm system for the purpose of summoning law enforcement when no burglary, robbery, or other crime dangerous to life or property is being committed or attempted on the premises, or otherwise to cause a false alarm.
2. It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than 15 minutes.

5-3-8 Enforcement of Provisions:

- A. **Excessive false alarms/Failure to register.** *It is hereby found and determined that three or more false alarms within a permit year is excessive, constitutes a public nuisance, and shall be unlawful. Civil penalties for false alarms within a permit year shall be assessed against an alarm user as per current fee schedule set by city council*
- B. **Other Civil Penalty(ies).** *Violations will be enforced through the assessment of civil penalty(ies) set by city council.*
- C. **Payment of Civil Penalty(ies).** *Civil penalty(ies) shall be paid within (30) days from the date of the invoice.*

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D. Discontinuance of law enforcement response. The failure of an alarm user to make payment of any civil penalty(ies) assessed under this ordinance within 30 days from the date of the invoice shall result in discontinuance of law enforcement response to alarm signals that may occur at the premises described in the alarm user's permit until payment is received. In addition, failure to register and obtain a permit may result in no law enforcement response to an unregistered alarm.

E. Civil Non-criminal violation. A violation of any of the provisions of this ordinance shall be a civil violation and shall not constitute a misdemeanor or infraction.

5-3-9 Alarm User Awareness Class:

A. The City may establish an Alarm User Awareness Class and may request the assistance of the area alarm companies to assist in developing and conducting the class. The class shall inform alarm users of the problems created by false alarms and instruct alarm users how to help reduce false alarms. The City may grant the option of attending a class in lieu of paying one assessed fine, not to exceed \$100.

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5-3-10 Appeals:

A. Appeals process. Assessments of civil penalty(ies) and other enforcement decisions made under this ordinance may be appealed by filing a written notice of appeal with the Inver Grove Heights Police Department within 10 days after the date of notification of the assessment of civil penalty(ies) or other enforcement decision. The failure to give notice of appeal within this time period shall constitute a waiver of the right to contest the assessment of penalty (ies) or other enforcement decision. Appeals shall be heard through an administrative process established by the City. The hearing officer's decision is subject to review in the district court by proceedings in the nature of certiorari.

B. Appeal standard. The hearing officer shall review an appeal from the assessment of civil penalty(ies) or other enforcement decisions using a preponderance of the evidence standard. Notwithstanding a determination that the preponderance of the evidence supports the assessment of civil penalty(ies) or other enforcement decision, the hearing officer shall have the discretion to dismiss or reduce civil penalty(ies) or reverse any other enforcement decision where warranted.

5-3-11 Confidentiality:

A. In the interest of public safety, all information contained in and gathered through the alarm registration applications, no response records, applications for appeals and any other alarm records shall be held in confidence by all employees and/or representatives of the City.

5-3-12 Government Immunity:

A. Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed

and governmental immunity as provided by law is retained. By applying for an alarm registration, the alarm user acknowledges that the Inver Grove Heights Police Department response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

~~5-3-5~~**5-3-13 ALARM SYSTEMS WITH TAPED OR PRERECORDED MESSAGES PROHIBITED:**

No person may install, monitor, use or possess an operative alarm which utilizes taped or prerecorded messages which deliver a telephone alarm message to the police department or fire department. (1974 Code § 907.13)

~~5-3-6~~**5-3-14 : MAINTENANCE OF FIRE ALARM SYSTEMS:**

~~5-3-14~~ All fire alarm systems, except for those in single family dwellings, shall be maintained in accordance with the fire prevention policy, as promulgated by the city fire marshal, on maintenance of fire alarm systems. Maintenance shall include at least an annual cleaning, inspection and testing of all fire alarm systems and initiating and signaling devices that are interconnected to the fire alarm system. Automatic fire-sprinkler systems water flow initiating devices shall be tested and inspected in accordance with the fire prevention policy. (1974 Code § 907.23)

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~~5-3-7~~**5-3-15 : REGISTRATION OF INSTALLERS:**

(Rep. by Ord. 1270, 10-14-2013)

~~5-3-8~~**5-3-16 : EXEMPTIONS:**

A. The provisions of this chapter are not applicable to audible alarms affixed to automobiles.

B. The provisions of this chapter are not applicable to schools, colleges or alarm systems operated by political subdivisions. (1974 Code § 907.07)

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5-3-17 MISDEMEANOR VIOLATION:

Any person operating or installing an alarm system in violation of this chapter shall be guilty of a misdemeanor. (1974 Code § 907.21)

5-3-18 Severability:

A. The provisions of this ordinance are severable. If a court determines that a word, phrase, clause, sentence, paragraph, subsection, section, or other provision is invalid or that the application of any part of the provision to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

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This ordinance shall take effect on _____, 20

~~5-3-9~~**5-3-1 : MISDEMEANOR VIOLATION:**

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~~Any person operating or installing an alarm system in violation of this chapter shall be guilty of a misdemeanor. (1974 Code § 907.21) 5-3-18~~

Possibly Monthly “town hall” type meetings.

In an effort to find ways to engage with the community more I am proposing that the city host a once a month meeting Prior to a Reg Council Meeting. Same week each month it starts at 6pm and has a hard stop of 7pm so the regular council meeting can begin. This way it is consistent and residents may have an easier time remembering when it is.

I am thinking Each month 1 department will be responsible for a brief presentation and then open it up to residents with questions. Parks, Police, Fire, Public Works, Administration, Community Development, Finance

I also think we as a city commit to doing this for the entirety of 2020 and then evaluate next November to see if we think these meetings were beneficial to the city or not, to determine if it should continue in 2021. Committing to a full year offers the resident’s an opportunity to come in and learn about different topics and departments. Knowing the Meeting will not last longer than an hour and be concentrating on 1 department.

If a topic might overlap between dept’s then both dept’s could attend the meeting.

I would encourage all council members to be present but as this is more focused on the specific departments it would not be required for all of council to be in attendance.

I would like to see these posted as meetings obviously but I would also ask that the Communications Department create events on Social media so people are getting reminders and the event can have the description showing what will be discussed at that month’s session.

I would like to see us decide on doing these so that they can be part of the Meeting Schedule that is approved in December for the next year.