



**CITY OF NEWPORT
REGULAR COUNCIL MEETING
NEWPORT CITY HALL
DECEMBER 19, 2013 – 5:30 P.M.**

MAYOR: Tim Geraghty
COUNCIL: Tom Ingemann
Bill Sumner
Tracy Rahm
Steven Gallagher

City Administrator: Deb Hill
Supt. of Public Works: Bruce Hanson
Chief of Police: Curt Montgomery
Fire Chief: Mark Mailand
Executive Analyst: Renee Helm

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPT AGENDA
5. ADOPT CONSENT AGENDA – All items listed under this section are considered routine and non-controversial by the Council and will be approved by a single motion. An item may be removed from the consent agenda and discussed if a Council member, staff member, or citizen so requests.
 - A. Minutes of the December 5, 2013 Regular City Council Meeting
 - B. List of Bills in the Amount of \$194,789.81
 - C. **Resolution No. 2013-60** - Accepting Donations for Period of September 5 - December 12, 2013
 - D. Animal Licenses
 1. Kennel License for Jennifer Lessard
 2. Farm Animal Permit for Kim Brown
6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE
 - A. Eagle Scout Presentation
7. MAYOR'S REPORT
8. COUNCIL REPORTS
9. ADMINISTRATOR'S REPORT
 - A. **Resolution No. 2013-61** - Approving a Variance for Gary Banaszewski for Property Located at 1970 8th Avenue
 - B. Discussion Regarding Red Rock Gateway Area
 - C. **Ordinance No. 2013-10** - Approving a Zoning Amendment to Section 1300, General, Section 1340 Residential Districts, and Section 1350 Non-Residential Districts
 - D. **Resolution No. 2013-62** - Resolution Regarding Alleged Legal Non-Compliance of an Off-Sale Liquor License Holder (Resolution will be Issued at the Meeting)
 - E. Presentation on the Local Performance Measurement Report

Agenda for 12-19-13

F. Discussion Regarding Grievance - Information will be Issued at the Meeting

10. ATTORNEY'S REPORT

11. POLICE CHIEF'S REPORT

12. FIRE CHIEF'S REPORT

13. ENGINEER'S REPORT

A. MS4 SWPPP Application for Reauthorization

B. Update on the Wellhead Protection Plan

C. Set Possible Date for Plan Review with 2014 Street Project Residents

14. SUPERINTENDENT OF PUBLIC WORKS REPORT

15. NEW / OLD BUSINESS

16. ADJOURNMENT

Upcoming Meetings and Events:

- | | |
|--|--|
| 1. City Offices Closed for Christmas
Holiday and New Year Holiday | December 24 - 26, 2013 and January 1, 2014 |
| 2. City Council Meeting | January 2, 2013 5:30 p.m. |



**City of Newport
City Council Minutes
December 5, 2013**

1. CALL TO ORDER

Mayor Geraghty called the meeting to order at 5:30 P.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL -

Council Present – Tim Geraghty; Tom Ingemann; Bill Sumner; Tracy Rahm; Steven Gallagher

Council Absent –

Staff Present – Deb Hill, City Administrator; Bruce Hanson, Supt. of Public Works; Curt Montgomery, Police Chief; Mark Mailand, Fire Chief; Renee Helm, Executive Analyst; Fritz Knaak, City Attorney;

Staff Absent – John Stewart, City Engineer;

4. ADOPT AGENDA

Motion by Ingemann, seconded by Rahm to adopt the Agenda as presented. With 5 Ayes, 0 Nays, the motion carried.

5. ADOPT CONSENT AGENDA

Motion by Sumner, seconded by Ingemann to approve the Consent Agenda as presented which includes the following items:

- A. Minutes of the November 21, 2013 Regular City Council Meeting
- B. Minutes of the November 21, 2013 City Council Workshop Meeting
- C. List of Bills in the Amount of \$146,688.60
- D. Gambling Permit for Church of St. Thomas Aquinas

With 5 Ayes, 0 Nays, the motion carried.

6. VISITORS PRESENTATIONS/PETITIONS/CORRESPONDENCE

7. MAYOR'S REPORT –

Mayor Geraghty - Deb and I attended the Chamber breakfast this morning and they had an interesting speaker, one of the co-founders of Anytime Fitness. It was an interesting story. Also, just a reminder that the Holiday Train will be coming to Cottage Grove on December 14. Parking will start at 4:00 p.m. and the show will start at 5 or 6. They're expecting 30,000 people. Canadian Pacific is putting up heated tents for it. The next thing is a statement that I would like to read. This is my statement, not the City Council's statement.

The City of Newport, Washington County and the Washington County Housing and Redevelopment Authority have worked on the Newport Transit Station for over three years and it was with great pride that I was able to speak at the Transit Station groundbreaking. Senator Amy Klobuchar and Representative Betty McCollum were present as well as many other county commissioners of the Red Rock Corridor Commissioner and state officials.

The city sees the transit station as an important amenity critical to the eventual redevelopment of the 40 acres immediately adjacent to the I-494 and Highway 61.

The front page article of the November 26 *Pioneer Press* was disconcerting in view of the well-attended groundbreaking of the planned Red Rock Transit Station as well as implications to the residents and businesses in the County. The lack of due diligence demonstrated by the article is unsettling, portraying Newport in an unnecessarily negative way.

It's important to focus on the facts and the data, considering the many property owners who have invested in this area and made it home. There are dramatic differences between crossing the Wakota Bridge, standing downwind of the waste water lift station located in South St. Paul or walking across the parking lot of the forthcoming Red Rock Transit Station.

A consortium of four South St. Paul businesses involved in reprocessing bio-products recently conducted an odor study. Test sites on the east side of the Mississippi, including the transit site, were included in the study. There were a total of 27 testing sites located on both sides of the river. A total of 19 odor measurements were completed at the Red Rock Transit Station site over a 14 week period. Odor was detected on only one occasion indicating that odor is rarely an issue. The monitor described the odor as "garbage", one of 25 offending descriptors identified during the testing, but the source of the odor detected at the Red Rock site could not be determined. The odor scored 7 out of a possible 60 on the Olfactometer, which means it is strong enough to be detectable by the human nose but "not considered a strong odor unless the occurrence was prolonged and continuous" (as defined by testing consultants). An online odor complaint program which has been in place for over a year has registered only 5 complaints from the east side of the river out of a total of 190 complaints.

The issue of odors on this stretch of the Mississippi was associated historically with the stock yards. Significant improvements, both visual and environmental, have been made in the area over the past several decades since the departure of the stockyards.

The BridgePoint Business Park has replaced the stock yards and the remaining industries related to the meat packing industry have taken strides to reduce odors.

The City of South St. Paul is pursuing an odor ordinance which, if passed, would go into effect in January of 2014. South St. Paul is working closely with businesses to reduce odor emissions. Continued odor monitoring of the South St. Paul businesses will track progress in this area.

The Metropolitan Council will be upgrading the filter at the lift station, located in South St. Paul just south of the Wakota Bridge, which will largely eliminate any odors from the station. The Metropolitan Council is also studying a long range plan of replacing the bio filter with a carbon filter, a longer-term solution to eliminating any odors at the site.

Also, there has been only one complaint every summer about the Resource Recovery facility in Newport in the past few years. In each instance it has been determined that the odor did not originate from this facility.

The City of Newport will continue to assess and, wherever possible, work toward potential solutions to minimize odors. The City will keep in communication with the City of South St. Paul regarding the odor ordinance and complaint monitoring. The City will continue to investigate complaints from residents and businesses, and where needed pursue potential solutions.

The City of Newport in partnership with the Washington County HRA intends to keep moving forward with redevelopment around the transit station. Washington County HRA has been planning for redevelopment of this area since 2010; meeting with potential developers and community members where odor has never been identified as a deterrent to the successfulness of residential and commercial redevelopment. There are vibrant housing communities in former industrial areas across the Twin Cities and this is the future vision for the City of Newport.

The Red Rock Transit Station is the next step for our community; and this will be the beginning of the transformation of this area of our community.

8. COUNCIL REPORTS –

Councilman Gallagher - Excellent statement. I also went to the opening, which was very well attended and well done by our County Commissioner, Autumn Lehrke and the other staff.

Councilman Sumner - Nothing to report.

Councilman Ingemann – I was also at the groundbreaking ceremony for the transit station and all of the County Commissioners were there except a particular one that voted no.

Councilman Rahm – I was also at the groundbreaking ceremony and would like to thank Autumn Lehrke for her role. The event was very well attended and I thought it went smoothly. It's a start of a new opportunity for Newport as we move forward.

9. ADMINISTRATOR'S REPORT –

A. Employee Recognition

Police Chief Montgomery and Fire Chief Mailand recognized the following employees for their years of service with the City:

- Police Department:
 - Jeremy Brodin: 5 Years
 - Joel Muellner: 15 Years

- Fire Department
 - Dom Kluender: 5 Years
 - Dan Keller: 5 Years
 - Brandon Boche: 15 Years

Mayor Geraghty - Extend our thanks and gratitude to all of the them from the City.

B. Public Hearing - To Review Liquor License Applications for New Owners, Autumn and Derrick Lehrke, of the Red Rock Saloon

The Public Hearing opened at 5:41 p.m.

Mayor Geraghty - I assume we did the background checks.

Executive Analyst Helm - Yes, they came back clean so staff is recommending that the City Council approve the licenses before you.

The Public Hearing closed at 5:42 p.m.

Councilman Sumner - I'm pretty excited about having this new venture in the north end of town, part of our development. Brewing companies have been taking hold around the Twin Cities. I saw recently that St. Paul was going to expand the capacity. Do we have any restrictions on the amount of barrels that can be produced?

Councilman Ingemann - We're working on that with the Planning Commission.

Councilman Sumner - You've seen the two different amounts that are available in St. Paul versus Minneapolis.

Councilman Ingemann - Yes. There are two different types.

Admin. Hill - Sherri Buss, our planner, has been formulating our ordinance based on St. Paul's ordinance because they are the most up to date with it. St. Paul is reviewing their ordinance so she is waiting until then. She's on top of it.

Councilman Sumner - I just want to make sure that we address the capacity issue. If we follow St. Paul, it's less capacity than Minneapolis. I don't want to implement something and not have it up to the possible standards. When do you expect to have that done?

Executive Analyst Helm - Draft language will go back to the Planning Commission in January or February because Sherri wanted to wait until St. Paul approved their amendments.

Councilman Sumner - Do you have an idea of what size you expect to be operating at?

Autumn Lehrke - We plan on being Washington County's first brew pub. Because of that, we're limited to 3,500 barrels per year.

Councilman Sumner - What is Minneapolis' capacity?

Executive Analyst Helm - I believe the 3,500 barrel capacity is a State Regulation.

Councilman Rahm - The liquor licenses are existing already so we're not creating anything new right?

Councilman Ingemann - Yes, it's a transfer of ownership.

Mayor Geraghty - Is this yearly?

Executive Analyst Helm - Liquor licenses expire June 30 of each year so it'll come back to you in June.

Mrs. Lehrke - We plan on closing in a few weeks and will be renovating. We're hoping to get the brew pub started in the fall.

Motion by Geraghty, seconded by Sumner to approve the Liquor Licenses for Autumn and Derrick Lehrke for the Red Rock Saloon. With 5 Ayes, 0 Nays, the motion carried.

C. 2014 Budget Proposal

The Public Hearing opened at 6:05 p.m.

Admin. Hill presented on this item as outlined in the December 5, 2013 City Council packet.

Councilman Rahm - For LGA funding, did we have years where we got more LGA for the road construction?

Mayor Geraghty - During the construction period, there were some special appropriations that came in a number of years. It was a specific set aside for Newport.

Councilman Rahm - For a city the size of Newport, a reduction of \$718,000 is very significant but I wonder if we got more before 2008 and now it's coming down to an average. I understand that 2015 and 2016 are projected but our fund balance in 2016 is 69.5% which is high. As a Council we might want to be lower.

Admin. Hill - That is the year that one of our debt service levees comes off and if we have street projects, that

might change. It shows that we have some give with the budget in the next couple years.

Councilman Sumner - On the proposed certification, is the 2014 General Obligation Bond a one-time thing?

Admin. Hill - That will come off in 2029.

The Public Hearing closed at 6:15 p.m.

Mayor Geraghty - Thanks Deb for all your work on it.

Motion by Geraghty, seconded by Sumner to approve Resolution No. 2013-57 Approving a Levy Certification for Levy Year 2013, Payable 2014, and Adopting the 2014 General Fund Operating Budget, the 2014 Water, Sewer, Storm Water, and Streetlight Enterprise Funds, the 2014 Economic Development Authority Budget, and the 2014-2019 CIP. With 5 Ayes, 0 Nays, the motion carried.

D. Resolution No. 2013-58 - Adopting the 2014 Annual Fee Schedule

Executive Analyst Helm presented on this item as outlined in the December 5, 2013 City Council packet.

Councilman Rahm - I have some questions on the escrow fees. You chose these cities because of similar type of structure correct?

Executive Analyst Helm - Yes. Sherri is the consultant Scandia and Stillwater Township so she recommended we look at those and then Bayport and St. Paul Park are similar in size.

Councilman Rahm - I appreciate the analysis but my concern is that when we do comparisons that we use our area here like Cottage Grove and Woodbury. St. Paul Park is great because it's similar in size and on the river. Some of the recommended fees are sometimes twice as much as the average. Also, they're much higher than St. Paul Park. Do we think that will be a problem with getting businesses here? What are some of the fees in Cottage Grove? Ours are a little higher and I'm concerned about that. I understand that we give it back if we don't use it all.

Executive Analyst Helm - Sherri did note that for commercial items take more time and we sometimes have to bring in the engineer.

Councilman Rahm - So we're trying to recover costs better? I understand that.

Executive Analyst Helm - Yes, instead of sending out invoices and waiting for their check to come in.

Councilman Rahm - But again, for the commercial interim use permit, the average is \$375 and we're recommending \$1,500, that's quite a difference. If I was looking at places and saw that price, it might deter me a little bit.

Councilman Sumner - I had similar concerns that we not price ourselves out in the initial review stage.

Admin. Hill - We've had a couple instances this last year where they went well beyond the paid escrow. We're trying to balance it out because it's so much easier to get it upfront than have to invoice them afterwards.

Councilman Sumner - I would recommend that we clearly state that in the ordinance.

Executive Analyst Helm - That is on the application already.

Mayor Geraghty - Which one was \$1,500 again?

Councilman Rahm - Commercial Interim Use Permit. Looking at some of the peer cities, the most is \$500.

Executive Analyst Helm - Sherri recommended that the interim use and conditional use be the same fees because they both the same amount of time.

Councilman Rahm - And that's fine but there's quite a difference between the peer cities and the recommended. I just think some of those are outside the norm.

Admin. Hill - \$300 does not get a lot of staff time for a commercial request. Any conditional use permit seems to be more timely. An interim use permit is for a business that comes in and you don't want the business there for the long run so they are reviewed every two or three years. You have more control with an interim use.

Councilman Rahm - I wish we had Cottage Grove as a comparison even though they're a bigger city but they're on the Highway 61 corridor so businesses would be looking at everyone.

Mayor Geraghty - The only difference is that they have in-house staff.

Councilman Rahm - So it would be comparing apples to oranges.

Executive Analyst Helm - Yes and that's why we didn't look at them.

Councilman Gallagher - If you're going to open a business, would \$700 stop you?

Councilman Rahm - No. It also goes back to branding and attracting businesses here and if someone puts out an article saying that our fees are double that would hurt our brand.

Councilman Gallagher - What if we put deposit instead of escrow?

Councilman Ingemann - It's the same thing.

Councilman Gallagher - We don't have that statement though. We have on the bottom that some are based on the current escrow fee.

Executive Analyst Helm - Subdivisions, site plan reviews, final plats and planned unit developments are based on the current escrow fees which range from \$2,000 to \$4,500. So we should be charging a minimum of \$2,000 for all planning requests. Typically when a smaller request comes in we consult with Sherri to see what fee would work.

Councilman Rahm - She reviewed and recommended these?

Executive Analyst Helm - Yes, based on her experience with the planning requests that have come in.

Councilman Sumner - And believing she is giving us a realistic cost range instead of a supplemental cost range. I think there's a reason for it and I will vote for it but I had the same concerns. If they come here and find the amenities and site to their liking, they'll cover those additional costs.

Mayor Geraghty - This covers both planning and engineering?

Executive Analyst Helm - Yes.

Councilman Rahm - What if we reduce the \$1,500 to \$1,000 so that's the highest number there. They're a little closer in the range and more competitive. Do we need to approve this tonight?

Executive Analyst Helm - Before 2014.

Councilman Rahm - Should we come back and look at the values?

Councilman Ingemann - They're not out of line.

Mayor Geraghty - We can drop the \$1,500 to \$1,000 but they could end up owing more.

Councilman Rahm - If it was dropped down, I would support that because it's not out of line.

Councilman Gallagher - I'll make a motion to approve the Resolution and reducing the price for commercial conditional use permits and interim use permits from \$1,500 to \$1,000.

Councilman Sumner - Can we talk about other fees now? For the chicken permit, is that \$25 per chicken or \$25 for the whole permit?

Executive Analyst Helm - That's for the whole permit. The maximum amount of chickens is four. We haven't had anyone apply.

Councilman Sumner - What about the costs for books at the library, is there any option to deviate from those prices?

Mayor Geraghty - I think our policy allows for some discretion.

Councilman Sumner - I just know that there are times when books don't sell and if you reduce the price then they sell.

Executive Analyst Helm - We can do that.

Motion by Gallagher, seconded by Rahm to approve Resolution No. 2013-58 Adopting the 2014 Annual Fee Schedule as amended. With 5 Ayes, 0 Nays, the motion carried.

E. Resolution No. 2013-59 - Directing the City Administrator to Certify Unpaid Water, Sanitary Sewer, Storm Sewer and Street Lighting Charges to the County Treasurer/Auditor

Admin. Hill presented on this item as outlined in the December 5, 2013 City Council packet. Individuals have until December 18, 2013 to pay their delinquent bills.

Councilman Gallagher - The ones on here that are banks, do we know if they're vacant?

Admin. Hill - They're probably going through foreclosure.

Executive Analyst Helm - I'll double check the bank owned properties to see if they are vacant.

Mayor Geraghty - Do the banks get the water bills?

Admin. Hill - Yes.

Councilman Gallagher - And the vacant fees?

Executive Analyst Helm - When I'm notified that a house is vacant I send out the packet. I think we have two vacant homes currently.

Councilman Rahm - But they usually don't pay that fee until they're sold.

Executive Analyst Helm - They pay them when they register them as vacant.

Motion by Rahm, seconded by Ingemann to approve Resolution No. 2013-59 Directing the City Administrator to Certify Unpaid Water, Sanitary Sewer, Storm Sewer and Street Lighting Charges to the County Treasurer/Auditor as amended to a cost of \$27,328.59. With 5 Ayes, 0 Nays, the motion carried.

10. ATTORNEY'S REPORT –

Attorney Knaak presented on the monthly Prosecution Report as attached. Attorney Knaak will be providing statistics on the Hearing Officer's cases per Councilman Gallagher's request with the next report.

Councilman Gallagher - Fritz, what do you see as the most cases that you prosecute that actually go to court?

Attorney Knaak - The way it's supposed to work is the kinds of things that we say are more the DUI's, serious traffic offenses and ordinance violations. I would say it tends to be driving and license related.

Councilman Gallagher - So DWI's are not handled by the County?

Attorney Knaak - No. We do a fair number of gross misdemeanor cases.

11. POLICE CHIEF'S REPORT –

A. October 2013 Activity Report

B. Public Hearing - To Review Alleged Legal Non-Compliance of an Off-Sale Liquor License Holder

The Public Hearing opened at 6:24 p.m.

Chief Montgomery and Executive Analyst Helm presented on this item as outlined in the December 5, 2013 City Council packet.

Mayor Geraghty - When did the ownership change hands?

Executive Analyst Helm - The City Council approved the license for the new owners in June.

Attorney Knaak - If I may, you're in the public hearing phase of this. The City has a graduated discipline process. This would require a determination that there had been a violation. My recommendation is that you conduct the hearing, close it and take formal action at the next meeting. I will give you options in terms of what you would like to do, there will be findings of fact based on this and then a determination. The graduated discipline in this case is a one day suspension. You have some discretion but I would recommend that you not deviate from it.

Councilman Gallagher - Is there a civil penalty as well?

Attorney Knaak - I don't recall. Because you get to determine when that day is, that can amount to a substantial amount of money.

Councilman Gallagher - So New Year's Eve?

Attorney Knaak - If you wish, yes. There are other options. One variant would be that you would provide for a specific dollar amount. Generally, the one that gets remembered is the actual suspension.

Councilman Ingemann - Does this fall under the same thing as serving to a minor?

Attorney Knaak - Yes. There can be criminal consequences to this as well.

Councilman Ingemann - Serving to a minor has never come to the Council before.

Attorney Knaak - I don't think it has come before you as a criminal issue but it can when you're reviewing the renewal of a license.

Mayor Geraghty - Did we update this ordinance too?

Councilman Gallagher - I think we just did it.

Brian Her, Owner of Newport Liquor - I'm sorry for the mistake. I am more restrict right now to check more on everyone. Even though they use their credit card we need to make sure their name matches their ID before we sell to them. So right now, I'm responsible for that. I'll take what the Council sees as appropriate. I'm here to accept that mistake.

Councilman Rahm - Chief, can you tell us how you conduct the compliance check?

Chief Montgomery - Investigator Freemyer had an 18 year old male go into Newport Liquor to buy Coors Light and he came out with a 12-pack of Coors Light beer. The 18 year old male described the employee that sold it to him and Investigator Freemyer went inside and identified him. It should be noted that there is training through the County that is available to all liquor establishments. I highly suggest that that training be done for all employees so they don't make this mistake again.

Mayor Geraghty - Was that a cash sale?

Chief Montgomery - Yes.

Councilman Gallagher - Were there charges filed?

Chief Montgomery - Yes, they were sent in and are still pending.

The Public Hearing closed at 6:31 p.m.

Mayor Geraghty - We would like this to come back at our next meeting with our findings and recommendation.

Councilman Gallagher - Should we make the findings now?

Attorney Knaak - No, my recommendation is that you close the public hearing, which you did, and make the findings and vote on it at the next meeting. Sometimes there is some give and take or negotiations in these cases, which did not occur here.

12. FIRE CHIEF'S REPORT – Chief Mailand presented the recognition award to Brandon Boche who arrived after item 9.A. He also reminded the Council that the Annual Food and Toy Drive will be on December 8 from 10 to 1 at Newport Center. There are also barrels at Cloverleaf Bar and Grill and North Pole Restaurant until December 18. Cash donations to the Friends in Need Food Shelf are best. Finally, he thanked Public Works for plowing.

13. ENGINEER'S REPORT –
A. Partial Payment #3

Motion by Geraghty, seconded by Rahm to approve Partial Payment #3 in the amount of \$20,170.40. With 5 Ayes, 0 Nays, the motion carried.

14. SUPERINTENDENT OF PUBLIC WORKS REPORT – Superintendent Hanson reminded citizens that it is illegal to push snow into the public streets.

Councilman Sumner - How is our salt supply?

Superintendent Hanson - It's doing well so far but it'll go fast if we get more of these storms.

15. NEW/OLD BUSINESS

16. ADJOURNMENT

Motion by Geraghty, seconded by Ingemann, to adjourn the regular Council Meeting at 6:37 P.M. With 5 Ayes, 0 Nays, the motion carried.

Signed: _____
Tim Geraghty, Mayor

Respectfully Submitted,

Renee Helm
Executive Analyst

HOLSTAD & KNAAK, PLC

Attorneys at Law

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MEMORANDUM: MONTHLY NEWPORT PROSECUTION REPORT

TO: MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: FRITZ KNAAK, NEWPORT CITY ATTORNEY
DATE: December 3, 2013

This past month, our office has represented the City in a total of 58 prosecutions that were followed through to conviction or alternative disposition. They break down as follows:

Arraignments & Rule 8 Hearings:	23
Pretrials:	20
Omnibus Hearings:	6
Court Trials:	2
Jury Trials:	3
Revocation/Plea Hearings/Sentencing:	4

The report from the court Hearing Officer regarding Newport tickets for the month of November is summarized as follows:

Customers	32	
Citations	34	
Charges	53	73.33% Resolved
Disposed	28	
CFD/DUP	5	
Contest/NG	3	
DNQ	9	
Extension	6	
No Guidelines	0	
Parking	2	
Petty Misdemeanor	24	
Misdemeanor	27	

Non-Recurring Bills

Paid Chk# 015760	ARAMARK REFRESHMENT SERV.	12/19/2013	\$108.19	
Paid Chk# 015761	ARROW GLOBAL ASSET DISPOSITION	12/19/2013	\$333.49	Recycling electrical equipment
Paid Chk# 015762	ATOMIC-COLO, LLC	12/19/2013	\$128.56	Additional hours
Paid Chk# 015763	BUSINESS FORMS AND ACCOUNTING	12/19/2013	\$105.81	Forms w-2
Paid Chk# 015764	Cardmember Services	12/19/2013	\$2,644.28	Visa cards
Paid Chk# 015765	DONALD SALVERDA & ASSOC.	12/19/2013	\$600.00	Administrator leadership group
Paid Chk# 015766	EDS TROPHIES INC	12/19/2013	\$213.18	Recognition plaques
Paid Chk# 015767	FERGUSON WATERWORKS #2516	12/19/2013	\$179.80	Taping supplies
Paid Chk# 015770	GENERATOR SPECIALTY CO. INC	12/19/2013	\$309.88	#11 Repair
Paid Chk# 015771	IACP	12/19/2013	\$59.50	Training literature
Paid Chk# 015772	INSTRUMENTAL RESEARCH, INC.	12/19/2013	\$54.00	Coliform testing
Paid Chk# 015773	INVER GROVE FORD	12/19/2013	\$433.44	PD Repairs
Paid Chk# 015774	KREMER SERVICES, LLC	12/19/2013	\$88.15	DOT Inspection
Paid Chk# 015775	LIBERTY NAPA OF NEWPORT	12/19/2013	\$491.06	
Paid Chk# 015776	LITTLE FALLS MACHINE INC.	12/19/2013	\$969.19	Plow parts
Paid Chk# 015777	M/A ASSOCIATES	12/19/2013	\$138.00	Sidewalk salt
Paid Chk# 015778	MASTERTECH AUTO & TIRE INC.	12/19/2013	\$35.00	Resurface rotors
Paid Chk# 015779	MENARDS - COTTAGE GROVE	12/19/2013	\$10.29	PD door
Paid Chk# 015780	MERIT CHEVROLET	12/19/2013	\$33.55	#15 Repair
Paid Chk# 015781	MSA PROFESSIONAL SERVICES, INC	12/19/2013	\$41,638.50	Engineer fees
Paid Chk# 015782	NEOPOST	12/19/2013	\$801.00	Postage
Paid Chk# 015783	OXYGEN SERVICE CO.	12/19/2013	\$157.53	Welding supplies
Paid Chk# 015784	POMPS TIRE SERVICE	12/19/2013	\$534.85	PD Tires
Paid Chk# 015785	PROFESSIONAL WIRELESS COM.	12/19/2013	\$3,073.95	Control radios
Paid Chk# 015786	RIVERTOWN MULTIMEDIA	12/19/2013	\$583.98	Printed notices
Paid Chk# 015787	ST. PAUL PARK REFINING CO. LLC	12/19/2013	\$1,910.55	
Paid Chk# 015788	THE LOCK SHOP	12/19/2013	\$79.50	Warming house lock
Paid Chk# 015789	TINUCCIS RESTAURANT	12/19/2013	\$760.00	Appreciation event
Paid Chk# 015790	TKDA	12/19/2013	\$3,892.51	City planning
Paid Chk# 015791	UNIFORMS UNLIMITED, INC.	12/19/2013	\$194.96	Uniforms
Paid Chk# 015792	WASHINGTON CTY PROPERTY RECORS	12/19/2013	\$138.00	Resolution recordings
Paid Chk# 015793	FRIENDS IN NEED FOOD SHELF	12/19/2013	\$200.00	Holiday food train donation
Paid Chk# 015794	FIRE SAFETY USA, INC.	12/19/2013	\$10,000.00	Equipment for new fire truck

Recurring Bills

Paid Chk# 000238E	PSN	12/10/2013	\$131.85	Online payment fee
Paid Chk# 000239E	ING LIFE INSURANCE & ANNUITY	12/10/2013	\$410.99	MSRS
Paid Chk# 000240E	MN REVENUE	12/10/2013	\$2,100.63	State taxes
Paid Chk# 000241E	FEDERAL TAXES	12/10/2013	\$12,078.29	SS, Med, Federal
Paid Chk# 000242E	FEDERAL TAXES	12/10/2013	\$274.08	SS & Med Supplemental Payroll
Paid Chk# 000243E	FEDERAL TAXES	12/10/2013	\$6.08	SS & Med Redo of Supp. Payroll
Paid Chk# 015723	ATOMIC-COLO, LLC	12/5/2013	\$2,530.38	IT and computer support
Paid Chk# 015724	COMCAST	12/5/2013	\$126.40	
Paid Chk# 015725	DEBORA HILL	12/5/2013	\$135.93	Mileage and parking
Paid Chk# 015726	GOPHER STATE ONE-CALL	12/5/2013	\$87.10	
Paid Chk# 015750	CENTURY LINK	12/10/2013	\$279.81	Phone service
Paid Chk# 015751	COMCAST	12/10/2013	\$316.04	
Paid Chk# 015752	ING LIFE INSURANCE & ANNUITY	12/10/2013	\$1,823.00	
Paid Chk# 015753	MCNAMARA CONTRACTOR	12/10/2013	\$20,170.40	Final bill 2013 street project
Paid Chk# 015754	Metropolitan Council	12/10/2013	\$15,754.64	
Paid Chk# 015755	PERA	12/10/2013	\$8,704.12	
Paid Chk# 015756	SELECTACCOUNT	12/10/2013	\$808.67	
Paid Chk# 015757	WASHINGTON CTY PROPERTY RECORS	12/10/2013	\$3,409.48	1625/1629/1605 Cedar Lane Prop
Paid Chk# 015758	VERIZON	12/12/2013	\$148.14	Air cards
Paid Chk# 015759	XCEL ENERGY	12/12/2013	\$5,537.49	Gas and electricity
Paid Chk# 015769	G & K SERVICES	12/19/2013	\$498.57	Uniform cleaning
	Staff		\$48,557.02	
			\$194,789.81	

Cardmember Services

December

Hanson	Home Depot	City Hall PD door	42.9	yes
	Home Depot	City Hall PD door	152.12	yes
	Best Buy	Router for fire hall	310.63	yes
	Home Depot	City Hall PD door	22.05	yes
Neska	Pollution Control Agency	Coll. System Basics Train-Marson	300	yes
	U O M Soil Test Lab	Compost site soil test	74	yes
Mailand	WalMart	Boxes and latches	76.08	yes
	Northern Tool	Tarp and batteries	85.67	yes
Montgomery	Microsoft Store	Windows upgrade for police comp.	139.21	yes
	Microsoft Store	Windows upgrade for police comp.	139.21	yes
	Microsoft Store	Windows upgrade for police comp.	139.21	yes
	Microsoft Store	Windows upgrade for police comp.	139.21	yes
	Microsoft Store	Windows upgrade for police comp.	139.21	yes
	Microsoft Store	Windows upgrade for police comp.	139.21	yes
	Microsoft Store	Windows upgrade for police comp.	139.21	yes
	BestBuy	Voice Recorder	192.79	yes
	Norton	Antivirus	53.55	yes
	Minnesota Chiefs	Membership dues	230	yes
Helm	SuperAmerica	Election treats	7.99	yes
	Starbucks	Election coffee	14.94	yes
	Target	Library and office supplies	23.78	yes
	Joann Fabric	Library supplies	5.75	yes
	Office Max	Library and office supplies	47.65	yes
	Funky Chunky	Appreciation items	171.21	yes
Hill	Pizza Hut	Insurance update lunch	66.95	yes



City of Newport, MN

Financial Status Report

Period ended November 30, 2013

(Un-Audited)

Prepared by:
Administration Department



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Section 1 – Cash & Investment

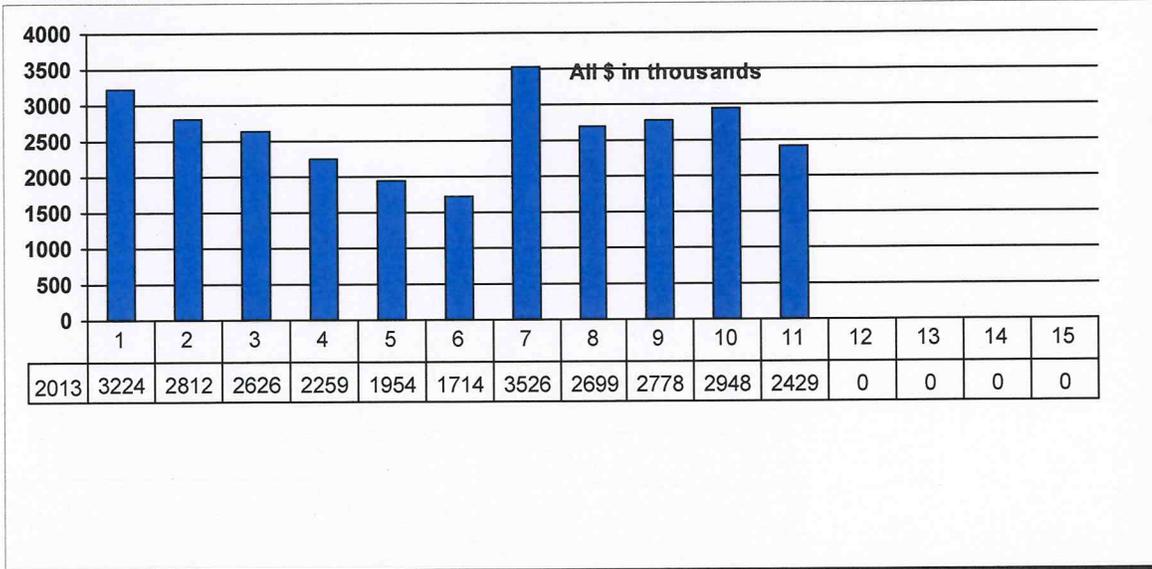
Purpose:

This report provides a detailed view of current cash, investments and rates of return for the specified time period. City funds are maintained in accordance with the City's Investment Policy which defines the manner in which the City accounts for and protects cash and investments.



CITY OF NEWPORT
***Check Reconciliation©**

Central Bank
10100 CASH
November 2013



Account Summary

Beginning Balance on	11/1/2013	\$2,962,777.77
+ Receipts/Deposits		\$83,024.42
- Payments (Checks and Withdrawals)		\$593,176.11
Ending Balance as of	11/30/2013	\$2,452,626.08

Cleared	\$2,452,626.08
Statement	\$2,452,626.08
Difference	\$0.00

Check Book Balance

Active	G 101-10100	GENERAL FUND	-\$209,761.52
Active	G 201-10100	PARKS SPECIAL FUND	\$11,332.46
Active	G 204-10100	HERITAGE PRESERVATIO	\$8,416.07
Active	G 205-10100	RECYCLING	\$24,955.35
Active	G 206-10100	FIRE ENGINE	\$0.00
Active	G 208-10100	BUY FORFEITURE	\$1,304.06
Active	G 225-10100	PIONEER DAY	\$19,708.08
Active	G 270-10100	EDA	\$600,197.09
Active	G 301-10100	G.O. CAPITAL IMP. PLAN 2	-\$118,822.22
Active	G 305-10100	2013 Street Assessments	\$10,184.45
Active	G 307-10100	GO TIF 1994B	\$0.00
Active	G 308-10100	CERIFICATES OF INDEBT	\$0.00
Active	G 313-10100	GO IMP BOND 2000B	\$0.00
Active	G 315-10100	\$690,000 BOND 2002A	-\$56,022.41
Active	G 316-10100	PFA/TRLF REVENUE NOT	\$250,994.07
Active	G 321-10100	EQUIP CERTIFICATE 2006	\$0.00
Active	G 322-10100	GO BONDS OF 2011A	-\$42,091.84
Active	G 401-10100	EQUIPMENT REVOLVING	\$87,786.82
Active	G 402-10100	TAX INC DIST 1	\$4.77

Active	G 405-10100	T.H. HWY 61	\$233,978.52
Active	G 409-10100	STREET RECONSTRUCTI	\$303,921.82
Active	G 411-10100	BUILDING FUND	\$40,006.42
Active	G 416-10100	4TH AVENUE RAVINE	\$12,756.82
Active	G 417-10100	NORTH RAVINE	\$732.19
Active	G 422-10100	2011A UTILITY CAPITAL	\$0.00
Active	G 423-10100	2011A EQUIPMENT CAPIT	\$1,634.95
Active	G 601-10100	WATER FUND	\$499,758.11
Active	G 602-10100	SEWER FUND	\$707,888.31
Active	G 603-10100	STREET LIGHT FUND	\$11,713.71
Active	G 604-10100	STORM WATER FUND	\$28,790.89
Cash Balance			\$2,429,366.97

Begining Balance	\$2,962,777.77	
+ Total Deposits	\$83,024.42	
- Checks Written	\$616,435.22	
Check Book Balance		\$2,429,366.97
Difference		\$0.00

City of Newport
INVESTMENTS
Nov-13

<u>TYPE</u>	<u>BOUGHT DATE</u>	<u>MATURITY DATE</u>	<u># OF DAYS</u>	<u>COST</u>	<u>RATE</u>	<u>GASB #40 Value</u>
SB (Morgan)						
BK China NY CD	10/21/2013	4/30/2014	192	120,000	0.30%	119,894.40
BK China NY CD	10/21/2013	10/30/2014	374	120,000	0.40%	119,719.20
BMW CD	6/28/2013	6/29/2015	728	120,000	0.75%	119,586.00
AMEX Cent.	7/5/2013	7/5/2016	1,092	120,000	1.10%	119,331.60
BMW CD	6/28/2013	6/28/2017	1,456	125,000	1.30%	123,527.50
AMEX Cent.	7/5/2013	7/5/2018	1,820	125,000	1.70%	121,757.50
Accrued Interest	all CDs above					2,698.28
Fed Farm Cr Bk	7/17/2013	7/17/2020	2,548	125,000	2.87%	126,966.63
Cash, Deposits						540.43
409-2013 Street Project						
Fifththird Bank CD	10/21/2013	4/30/2014	192	245,000	0.35%	244,833.40
BK of India NY CD	10/21/2013	4/23/2014	185	245,000	0.40%	244,892.20
sub total						1,343,747.14
NORTHLAND						
MNY MKT	Govmt security money market class B					17,224.17
GO BOND	10/6/2010	3/1/2015	365	240,000.00	1.85%	243,156.00
GO BOND	10/6/2010	3/1/2015	365	100,000.00	1.75%	101,469.00
Accrued Interest						936.14
subtotal						362,785.31
						Sub-total Investments GASB 40 1,706,532.45
Central Bank						
305-2013 Street Assessment						
Central Bank	10/17/2013	1/17/2015	547	60,000.00	0.40%	60,000.00
Central Bank	10/17/2013	4/17/2014	183	25,000.00	0.25%	25,000.00
Checking						2,452,626.08
						Total Cash, Investments and CD's 4,159,158.53

Section 2 – Budget Control Summary

Purpose:

This section provides a detailed summary on the General Fund and Enterprise Fund accounts as it corresponds to the annual budget. The variance provides a percentage of the amount of the budget that remains in each account.



CITY OF NEWPORT

*Budget Control Summary

Current Period: November 2013

Account Descr	2013 Cumulative Budget	2013 Cumulative Actuals	2013 Cumulative Variance	2013 % Varianc	2013 Adopted Budget	2013 Forecast	Variance at Completion	2013 YTD Perf	2013 Est to Complete
FUND 101 GENERAL FUND									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$3,051,576.00	\$1,983,400.79	\$1,068,175.21	35.00%	\$0.00	\$3,051,576.00	-\$3,051,576.00	0.54	0.19
DEPT 45000 Parks (GENERAL)	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 45100 Recreation (GENERAL)	\$0.00	\$645.64	-\$645.64	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$3,051,576.00	\$1,984,046.43	\$1,067,529.57	34.98%	\$0.00	\$3,051,576.00	-\$3,051,576.00	0.52	0.19
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$426,858.23	-\$426,858.23	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 41000 Administration (GENERAL)	\$273,008.00	\$221,867.82	\$51,140.18	18.73%	\$0.00	\$273,008.00	-\$273,008.00	0.57	-0.19
DEPT 41110 Mayor and Council	\$24,090.00	\$19,676.23	\$4,413.77	18.32%	\$0.00	\$24,090.00	-\$24,090.00	0.35	-0.29
DEPT 41410 Elections	\$1,600.00	\$1,501.36	\$98.64	6.17%	\$0.00	\$1,600.00	-\$1,600.00	0.38	-0.22
DEPT 41600 Professional Services	\$291,146.00	\$280,238.63	\$10,907.37	3.75%	\$0.00	\$291,146.00	-\$291,146.00	0.87	0.07
DEPT 41910 Planning and Zoning	\$48,073.00	\$58,529.66	-\$10,456.66	-21.75%	\$0.00	\$48,073.00	-\$48,073.00	0.64	0.09
DEPT 41940 City Hall Bldg	\$18,795.00	\$10,615.90	\$8,179.10	43.52%	\$0.00	\$18,795.00	-\$18,795.00	0.66	-0.34
DEPT 42000 Police Department(GENERAL)	\$807,733.00	\$738,909.02	\$68,823.98	8.52%	\$0.00	\$807,733.00	-\$807,733.00	0.65	-0.14
DEPT 42100 Civil Defense	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 42260 Fire Protection	\$191,011.00	\$155,025.04	\$35,985.96	18.84%	\$0.00	\$191,011.00	-\$191,011.00	0.46	-0.27
DEPT 42280 Fire Stations No. 1	\$17,222.00	\$14,429.78	\$2,792.22	16.21%	\$0.00	\$17,222.00	-\$17,222.00	0.68	-0.33
DEPT 42290 Fire Station No. 2	\$2,772.00	\$2,189.88	\$582.12	21.00%	\$0.00	\$2,772.00	-\$2,772.00	0.27	-0.23
DEPT 43000 PW Street (GENERAL)	\$384,988.00	\$364,085.74	\$20,902.26	5.43%	\$0.00	\$384,988.00	-\$384,988.00	0.52	-0.03
DEPT 43100 Public Works Garage	\$15,750.00	\$19,631.76	-\$3,881.76	-24.65%	\$0.00	\$15,750.00	-\$15,750.00	2.14	1.14
DEPT 43160 Street Lighting	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 43260 Composting	\$5,000.00	\$5,233.07	-\$233.07	-4.66%	\$0.00	\$5,000.00	-\$5,000.00	0.10	-0.12
DEPT 45000 Parks (GENERAL)	\$361,308.00	\$350,865.77	\$10,442.23	2.89%	\$0.00	\$361,308.00	-\$361,308.00	0.76	0.07
DEPT 45100 Recreation (GENERAL)	\$3,000.00	\$3,074.72	-\$74.72	-2.49%	\$0.00	\$3,000.00	-\$3,000.00	0.19	-0.03
DEPT 45206 Parks Bldgs. & Warming Houses	\$5,500.00	\$4,572.16	\$927.84	16.87%	\$0.00	\$5,500.00	-\$5,500.00	0.16	-0.12
DEPT 45501 Library Bldg	\$23,570.00	\$20,056.73	\$3,513.27	14.91%	\$0.00	\$23,570.00	-\$23,570.00	0.61	0.06
DEPT 45550 Heritage Pres. Committee	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49470 Street Lights	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49754 Railroad Tower	\$1,120.00	\$584.61	\$535.39	47.80%	\$0.00	\$1,120.00	-\$1,120.00	0.28	-0.47
DEPT 49985 Special Contributions	\$5,000.00	\$1,621.00	\$3,379.00	67.58%	\$0.00	\$5,000.00	-\$5,000.00	0.32	-0.68
DEPT 49995 Miscellaneous Contingency	\$10,000.00	\$4,000.00	\$6,000.00	60.00%	\$0.00	\$10,000.00	-\$10,000.00	0.20	-0.30
Total Expenditure Accounts	\$2,490,686.00	\$2,703,567.11	\$212,881.11	-8.55%	\$0.00	\$2,490,686.00	-\$2,490,686.00	0.54	-0.09
Total FUND 101 GENERAL FUND	\$560,890.00	-\$719,520.68	\$1,280,410.68	228.28%	\$0.00	\$560,890.00	-\$560,890.00		



CITY OF NEWPORT

*Budget Control Summary

Current Period: November 2013

Account Descr	2013 Cumulative Budget	2013 Cumulative Actuals	2013 Cumulative Variance	2013 % Variance	2013 Adopted Budget	2013 Forecast	Variance at Completion	2013 YTD Perf	2013 Est to Complete
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$4,252.05	-\$4,252.05	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$4,252.05	\$4,252.05	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 205 RECYCLING	\$0.00	\$462.96	-\$462.96	0.00%	\$0.00	\$0.00	\$0.00		
FUND 206 FIRE ENGINE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	-\$0.14	\$0.14	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	-\$0.14	\$0.14	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 206 FIRE ENGINE	\$0.00	-\$0.14	\$0.14	0.00%	\$0.00	\$0.00	\$0.00		
FUND 208 BUY FORFEITURE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$1.04	-\$1.04	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$1.04	-\$1.04	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 208 BUY FORFEITURE	\$0.00	\$1.04	-\$1.04	0.00%	\$0.00	\$0.00	\$0.00		
FUND 225 PIONEER DAY									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$6,014.78	-\$6,014.78	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$6,014.78	-\$6,014.78	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$4,610.83	-\$4,610.83	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$4,610.83	\$4,610.83	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 225 PIONEER DAY	\$0.00	\$1,403.95	-\$1,403.95	0.00%	\$0.00	\$0.00	\$0.00		



CITY OF NEWPORT

*Budget Control Summary

Current Period: November 2013

Account Descr	2013 Cumulative Budget	2013 Cumulative Actuals	2013 Cumulative Variance	2013 % Variance	2013 Adopted Budget	2013 Forecast	Variance at Completion	2013 YTD Perf	2013 Est to Complete
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.30	-\$0.30	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.30	-\$0.30	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 307 GO TIF 1994B	\$0.00	\$0.30	-\$0.30	0.00%	\$0.00	\$0.00	\$0.00		
FUND 308 CERIFICATES OF INDEBTEDNESS									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	-\$0.53	\$0.53	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	-\$0.53	\$0.53	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 308 CERIFICATES OF INDEBTEDNES	\$0.00	-\$0.53	\$0.53	0.00%	\$0.00	\$0.00	\$0.00		
FUND 313 GO IMP BOND 2000B									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 313 GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 315 \$690,000 BOND 2002A									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$35,842.28	-\$35,842.28	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: November 2013

Account Descr	2013 Cumulative Budget	2013 Cumulative Actuals	2013 Cumulative Variance	2013 % Variance	2013 Adopted Budget	2013 Forecast	Variance at Completion	2013 YTD Perf	2013 Est to Complete
Total Revenue Accounts	\$0.00	\$35,842.28	-\$35,842.28	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$91,865.00	-\$91,865.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$91,865.00	\$91,865.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 315 \$690,000 BOND 2002A	\$0.00	-\$56,022.72	\$56,022.72	0.00%	\$0.00	\$0.00	\$0.00		
FUND 316 PFA/TRLF REVENUE NOTE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$76,016.74	-\$76,016.74	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$76,016.74	-\$76,016.74	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$124,705.70	-\$124,705.70	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$124,705.70	\$124,705.70	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 316 PFA/TRLF REVENUE NOTE	\$0.00	-\$48,688.96	\$48,688.96	0.00%	\$0.00	\$0.00	\$0.00		
FUND 321 EQUIP CERTIFICATE 2006A									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 321 EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 322 GO BONDS OF 2011A									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$18.97	-\$18.97	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: November 2013

Account Descr	2013 Cumulative Budget	2013 Cumulative Actuals	2013 Cumulative Variance	2013 % Variance	2013 Adopted Budget	2013 Forecast	Variance at Completion	2013 YTD Perf	2013 Est to Complete
Total Revenue Accounts	\$0.00	\$18.97	-\$18.97	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$112,655.00	-\$112,655.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$112,655.00	\$112,655.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 322 GO BONDS OF 2011A	\$0.00	-\$112,636.03	\$112,636.03	0.00%	\$0.00	\$0.00	\$0.00		
FUND 401 EQUIPMENT REVOLVING									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$75,155.41	-\$75,155.41	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$75,155.41	-\$75,155.41	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$197,026.44	-\$197,026.44	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$197,026.44	\$197,026.44	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 401 EQUIPMENT REVOLVING	\$0.00	-\$121,871.03	\$121,871.03	0.00%	\$0.00	\$0.00	\$0.00		
FUND 402 TAX INC DIST 1									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49995 Miscellaneous Contingency	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 402 TAX INC DIST 1	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00		
FUND 405 T.H. HWY 61									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$187.58	-\$187.58	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: November 2013

Account Descr	2013 Cumulative Budget	2013 Cumulative Actuals	2013 Cumulative Variance	2013 % Variance	2013 Adopted Budget	2013 Forecast	Variance at Completion	2013 YTD Perf	2013 Est to Complete
Total Revenue Accounts	\$0.00	\$187.58	-\$187.58	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$8,005.22	-\$8,005.22	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$8,005.22	\$8,005.22	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 405 T.H. HWY 61	\$0.00	-\$7,817.64	\$7,817.64	0.00%	\$0.00	\$0.00	\$0.00		
FUND 409 STREET RECONSTRUCTION									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$1,351,154.06	\$1,351,154.06	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$1,351,154.06	-\$1,351,154.06	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$598,170.02	-\$598,170.02	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$598,170.02	\$598,170.02	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 409 STREET RECONSTRUCTION	\$0.00	\$752,984.04	-\$752,984.04	0.00%	\$0.00	\$0.00	\$0.00		
FUND 411 BUILDING FUND									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$40,006.42	-\$40,006.42	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$40,006.42	-\$40,006.42	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 411 BUILDING FUND	\$0.00	\$40,006.42	-\$40,006.42	0.00%	\$0.00	\$0.00	\$0.00		
FUND 416 4TH AVENUE RAVINE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$10.06	-\$10.06	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: November 2013

Account Descr	2013 Cumulative Budget	2013 Cumulative Actuals	2013 Cumulative Variance	2013 % Variance	2013 Adopted Budget	2013 Forecast	Variance at Completion	2013 YTD Perf	2013 Est to Complete
Total Revenue Accounts	\$0.00	\$10.06	-\$10.06	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 416 4TH AVENUE RAVINE	\$0.00	\$10.06	-\$10.06	0.00%	\$0.00	\$0.00	\$0.00		
FUND 417 NORTH RAVINE									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$5,554.06	-\$5,554.06	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$5,554.06	-\$5,554.06	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$10,329.76	-\$10,329.76	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$10,329.76	\$10,329.76	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 417 NORTH RAVINE	\$0.00	-\$4,775.70	\$4,775.70	0.00%	\$0.00	\$0.00	\$0.00		
FUND 422 2011A UTILITY CAPITAL									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.44	-\$0.44	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Revenue Accounts	\$0.00	\$0.44	-\$0.44	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total Expenditure Accounts	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
Total FUND 422 2011A UTILITY CAPITAL	\$0.00	\$0.44	-\$0.44	0.00%	\$0.00	\$0.00	\$0.00		
FUND 423 2011A EQUIPMENT CAPITAL									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$284.57	-\$284.57	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00



CITY OF NEWPORT

*Budget Control Summary

Current Period: November 2013

Account Descr	2013 Cumulative Budget	2013 Cumulative Actuals	2013 Cumulative Variance	2013 % Varianc	2013 Adopted Budget	2013 Forecast	Variance at Completion	2013 YTD Perf	2013 Est to Complete
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$6.80	-\$6.80	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 43160 Street Lighting	\$48,460.00	\$47,884.68	\$575.32	1.19%	\$0.00	\$48,460.00	-\$48,460.00	0.24	-0.01
Total Revenue Accounts	\$48,460.00	\$47,891.48	\$568.52	1.17%	\$0.00	\$48,460.00	-\$48,460.00	0.14	0.00
Expenditure Accounts									
DEPT 43160 Street Lighting	\$0.00	\$3,211.21	-\$3,211.21	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49470 Street Lights	\$44,087.00	\$44,330.69	-\$243.69	-0.55%	\$0.00	\$44,087.00	-\$44,087.00	0.47	-0.03
Total Expenditure Accounts	\$44,087.00	\$47,541.90	\$3,454.90	-7.84%	\$0.00	\$44,087.00	-\$44,087.00	0.31	-0.02
Total FUND 603 STREET LIGHT FUND	\$4,373.00	\$349.58	\$4,023.42	92.01%	\$0.00	\$4,373.00	-\$4,373.00		
FUND 604 STORM WATER FUND									
Revenue Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$10.47	-\$10.47	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49460 Storm Water	\$30,000.00	\$20,657.90	\$9,342.10	31.14%	\$0.00	\$30,000.00	-\$30,000.00	0.17	-0.08
Total Revenue Accounts	\$30,000.00	\$20,668.37	\$9,331.63	31.11%	\$0.00	\$30,000.00	-\$30,000.00	0.11	-0.05
Expenditure Accounts									
DEPT 00000 ALL DEPARTMENTS	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00	\$0.00	0.00	0.00
DEPT 49460 Storm Water	\$301.00	\$6,929.56	-\$6,628.56	2202.18%	\$0.00	\$301.00	-\$301.00	7.67	7.34
Total Expenditure Accounts	\$301.00	\$6,929.56	\$6,628.56	-2202.18%	\$0.00	\$301.00	-\$301.00	5.76	5.51
Total FUND 604 STORM WATER FUND	\$29,699.00	\$13,738.81	\$15,960.19	53.74%	\$0.00	\$29,699.00	-\$29,699.00		
	\$569,444.00	-\$692,154.73	\$1,261,598.73	221.55%	\$0.00	\$569,444.00	-\$569,444.00		

FILTER: None

Section 3 – Cash Balances

Purpose:

This section provides a summary of the beginning cash balances for the year and ending cash balances at the end of each period, after receipts and disbursements. The funds listed in cash balances lists all City funds.



CITY OF NEWPORT
***Cash Balances**

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Current Period November 2013

Fund	2013 Begin Balance	Receipts	Disbursements	-----Transfers-----		JE Payroll	Balance	
				Rec/Disb	Journal Entry			
10100 Central Bank								
101 GENERAL FUND	\$335,721.29	\$2,406,030.79	\$1,906,976.35	\$0.00	(\$426,950.07)	(\$617,587.18)	(\$209,761.52)	In Bal
201 PARKS SPECIAL F	\$28,334.68	\$544.29	\$74,546.51	\$0.00	\$57,000.00	\$0.00	\$11,332.46	In Bal
204 HERITAGE PRESE	\$2,339.31	\$2.47	\$1,125.71	\$0.00	\$7,200.00	\$0.00	\$8,416.07	In Bal
205 RECYCLING	\$24,492.39	\$4,715.01	\$4,252.05	\$0.00	\$0.00	\$0.00	\$24,955.35	In Bal
206 FIRE ENGINE	\$0.14	\$0.00	\$0.00	\$0.00	(\$0.14)	\$0.00	\$0.00	In Bal
208 BUY FORFEITURE	\$1,303.02	\$1.04	\$0.00	\$0.00	\$0.00	\$0.00	\$1,304.06	In Bal
225 PIONEER DAY	\$18,304.13	\$6,014.78	\$4,610.83	\$0.00	\$0.00	\$0.00	\$19,708.08	In Bal
270 EDA	\$569,896.12	\$125,257.70	\$341,206.80	\$0.00	\$246,250.07	\$0.00	\$600,197.09	In Bal
301 G.O. CAPITAL IMP	\$5,643.58	\$1.70	\$124,467.50	\$0.00	\$0.00	\$0.00	(\$118,822.22)	In Bal
305 2013 Street Assess	\$0.48	\$95,253.95	\$85,069.50	\$0.00	(\$0.48)	\$0.00	\$10,184.45	In Bal
307 GO TIF 1994B	(\$0.30)	\$0.00	\$0.00	\$0.00	\$0.30	\$0.00	\$0.00	In Bal
308 CERIFICATES OF I	\$0.53	\$0.00	\$0.00	\$0.00	(\$0.53)	\$0.00	\$0.00	In Bal
313 GO IMP BOND 200	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
315 \$690,000 BOND 20	\$0.31	\$35,842.28	\$91,865.00	\$0.00	\$0.00	\$0.00	(\$56,022.41)	In Bal
316 PFA/TRLF REVEN	\$299,683.03	\$76,016.33	\$124,705.70	\$0.00	\$0.41	\$0.00	\$250,994.07	In Bal
321 EQUIP CERTIFICA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	In Bal
322 GO BONDS OF 20	\$70,544.19	\$18.97	\$112,655.00	\$0.00	\$0.00	\$0.00	(\$42,091.84)	In Bal
401 EQUIPMENT REV	\$209,657.85	\$155.41	\$197,026.44	\$0.00	\$75,000.00	\$0.00	\$87,786.82	In Bal
402 TAX INC DIST 1	\$4.77	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4.77	In Bal
405 T.H. HWY 61	\$241,796.16	\$187.58	\$8,005.22	\$0.00	\$0.00	\$0.00	\$233,978.52	In Bal
409 STREET RECONS	\$40,937.78	\$1,351,154.06	\$1,088,170.02	\$0.00	\$0.00	\$0.00	\$303,921.82	In Bal
411 BUILDING FUND	\$0.00	\$6.42	\$0.00	\$0.00	\$40,000.00	\$0.00	\$40,006.42	In Bal
416 4TH AVENUE RAV	\$12,746.76	\$10.06	\$0.00	\$0.00	\$0.00	\$0.00	\$12,756.82	In Bal
417 NORTH RAVINE	\$5,507.89	\$5,554.06	\$10,329.76	\$0.00	\$0.00	\$0.00	\$732.19	In Bal
422 2011A UTILITY CA	(\$0.44)	\$0.00	\$0.00	\$0.00	\$0.44	\$0.00	\$0.00	In Bal
423 2011A EQUIPMEN	\$494,389.05	\$284.57	\$494,538.67	\$0.00	\$1,500.00	\$0.00	\$1,634.95	In Bal
601 WATER FUND	\$469,661.17	\$203,542.91	\$102,650.04	\$0.00	\$0.00	(\$70,795.93)	\$499,758.11	In Bal
602 SEWER FUND	\$666,307.46	\$319,391.36	\$205,676.20	\$0.00	\$0.00	(\$72,134.31)	\$707,888.31	In Bal
603 STREET LIGHT FU	\$11,364.13	\$47,891.48	\$47,541.90	\$0.00	\$0.00	\$0.00	\$11,713.71	In Bal
604 STORM WATER F	\$15,052.08	\$20,668.37	\$6,929.56	\$0.00	\$0.00	\$0.00	\$28,790.89	In Bal
	\$3,523,687.56	\$4,698,545.59	\$5,032,348.76	\$0.00	\$0.00	(\$760,517.42)	\$2,429,366.97	

Section 4 – Revenue Summary

Purpose:

This section provides a summary view of revenues for the specified period compared to the current year budget as amended. Revenues are reported on a cash basis. Adjustments are required at the end of the fiscal year for audit purposed and are not reflected in the report.



CITY OF NEWPORT
***Revenue Summary**

FUND	Description	2013 YTD Budget	November 2013 Amt	2013 YTD Amt	YTD Balance	% of YTD Budget
101	GENERAL FUND	\$3,051,576.00	\$40,377.96	\$1,984,046.43	\$1,067,529.57	65.02%
201	PARKS SPECIAL FUND	\$0.00	\$151.84	\$57,544.29	-\$57,544.29	0.00%
202	POLICE FORFEITURE FUND	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
204	HERITAGE PRESERVATION C	\$0.00	\$0.15	\$7,202.47	-\$7,202.47	0.00%
205	RECYCLING	\$0.00	\$1.59	\$4,715.01	-\$4,715.01	0.00%
206	FIRE ENGINE	\$0.00	\$0.00	-\$0.14	\$0.14	0.00%
208	BUY FORFEITURE	\$0.00	\$0.08	\$1.04	-\$1.04	0.00%
225	PIONEER DAY	\$0.00	\$1.19	\$6,014.78	-\$6,014.78	0.00%
270	EDA	\$0.00	\$545.46	\$371,507.77	-\$371,507.77	0.00%
301	G.O. CAPITAL IMP. PLAN 2010	\$0.00	\$0.37	\$1.70	-\$1.70	0.00%
305	2013 Street Assessments	\$0.00	\$6,068.23	\$95,253.47	-\$95,253.47	0.00%
307	GO TIF 1994B	\$0.00	\$0.00	\$0.30	-\$0.30	0.00%
308	CERIFICATES OF INDEBTEDN	\$0.00	\$0.00	-\$0.53	\$0.53	0.00%
313	GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
315	\$690,000 BOND 2002A	\$0.00	\$0.00	\$35,842.28	-\$35,842.28	0.00%
316	PFA/TRLF REVENUE NOTE	\$0.00	\$19.42	\$76,016.74	-\$76,016.74	0.00%
321	EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
322	GO BONDS OF 2011A	\$0.00	\$4.57	\$18.97	-\$18.97	0.00%
401	EQUIPMENT REVOLVING	\$0.00	\$13.59	\$75,155.41	-\$75,155.41	0.00%
402	TAX INC DIST 1	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
405	T.H. HWY 61	\$0.00	\$15.67	\$187.58	-\$187.58	0.00%
409	STREET RECONSTRUCTION	\$0.00	\$2.65	\$1,351,154.06	-\$1,351,154.06	0.00%
411	BUILDING FUND	\$0.00	\$0.00	\$40,006.42	-\$40,006.42	0.00%
416	4TH AVENUE RAVINE	\$0.00	\$0.83	\$10.06	-\$10.06	0.00%
417	NORTH RAVINE	\$0.00	\$183.83	\$5,554.06	-\$5,554.06	0.00%
422	2011A UTILITY CAPITAL	\$0.00	\$0.00	\$0.44	-\$0.44	0.00%
423	2011A EQUIPMENT CAPITAL	\$0.00	\$32.04	\$284.57	-\$284.57	0.00%
601	WATER FUND	\$190,220.00	\$3,744.00	\$204,097.81	-\$13,877.81	107.30%
602	SEWER FUND	\$340,162.00	\$15,732.24	\$319,391.36	\$20,770.64	93.89%
603	STREET LIGHT FUND	\$48,460.00	\$956.01	\$47,891.48	\$568.52	98.83%
604	STORM WATER FUND	\$30,000.00	\$261.01	\$20,668.37	\$9,331.63	68.89%
		\$3,660,418.00	\$68,112.73	\$4,702,566.20	-\$1,042,148.20	128.47%

FILTER: None

Section 5 – Expenditure Summary

Purpose:

This section provides a summary and detailed view of expenses for the specified period compared to the current budget as amended. Expenses are reported on a cash basis and do not reflect any outstanding encumbrances. Adjustments are required at the end of the fiscal year for audit purposes and are not reflected in the report.



CITY OF NEWPORT
***Expenditure Summary**

FUND	Description	2013 YTD Budget	November 2013 Amt	2013 YTD Amt	Enc Current	YTD Balance	% YTD Budget
101	GENERAL FUND	\$2,490,686.00	\$155,384.74	\$2,703,567.11	\$0.00	-\$212,881.11	108.55%
201	PARKS SPECIAL FUND	\$0.00	\$1,198.66	\$74,546.51	\$0.00	-\$74,546.51	0.00%
204	HERITAGE PRESERVATION C	\$0.00	\$0.00	\$1,125.71	\$0.00	-\$1,125.71	0.00%
205	RECYCLING	\$0.00	\$0.00	\$4,252.05	\$0.00	-\$4,252.05	0.00%
208	BUY FORFEITURE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
225	PIONEER DAY	\$0.00	\$0.00	\$4,610.83	\$0.00	-\$4,610.83	0.00%
270	EDA	\$0.00	\$29,262.54	\$341,206.80	\$0.00	-\$341,206.80	0.00%
301	G.O. CAPITAL IMP. PLAN 2010	\$0.00	\$0.00	\$124,467.50	\$0.00	-\$124,467.50	0.00%
305	2013 Street Assessments	\$0.00	\$0.00	\$69.50	\$0.00	-\$69.50	0.00%
307	GO TIF 1994B	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
308	CERIFICATES OF INDEBTEDN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
313	GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
315	\$690,000 BOND 2002A	\$0.00	\$0.00	\$91,865.00	\$0.00	-\$91,865.00	0.00%
316	PFA/TRLF REVENUE NOTE	\$0.00	\$0.00	\$124,705.70	\$0.00	-\$124,705.70	0.00%
321	EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
322	GO BONDS OF 2011A	\$0.00	\$0.00	\$112,655.00	\$0.00	-\$112,655.00	0.00%
401	EQUIPMENT REVOLVING	\$0.00	\$13,162.60	\$197,026.44	\$0.00	-\$197,026.44	0.00%
402	TAX INC DIST 1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
405	T.H. HWY 61	\$0.00	\$0.00	\$8,005.22	\$0.00	-\$8,005.22	0.00%
409	STREET RECONSTRUCTION	\$0.00	\$349,744.37	\$598,170.02	\$0.00	-\$598,170.02	0.00%
411	BUILDING FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
416	4TH AVENUE RAVINE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
417	NORTH RAVINE	\$0.00	\$0.00	\$10,329.76	\$0.00	-\$10,329.76	0.00%
422	2011A UTILITY CAPITAL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
423	2011A EQUIPMENT CAPITAL	\$0.00	-\$1,500.00	\$493,038.67	\$0.00	-\$493,038.67	0.00%
601	WATER FUND	\$245,129.00	\$15,249.87	\$172,797.14	\$0.00	\$72,331.86	70.49%
602	SEWER FUND	\$310,771.00	\$22,789.17	\$277,810.51	\$0.00	\$32,960.49	89.39%
603	STREET LIGHT FUND	\$44,087.00	\$3,976.50	\$47,541.90	\$0.00	-\$3,454.90	107.84%
604	STORM WATER FUND	\$301.00	\$0.00	\$6,929.56	\$0.00	-\$6,628.56	2302.18%
		\$3,090,974.00	\$589,268.45	\$5,394,720.93	\$0.00	-\$2,303,746.93	174.53%

FILTER: None

Section 6 – Balance Sheets

Purpose:

The purpose of the GL Yearly Report is to provide a monthly snapshot of the funds' various assets, liabilities, and equity. Please note that the basic formula is:

$$\text{Assets} = \text{Liabilities} + \text{Equity}$$



CITY OF NEWPORT

GL Yearly

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Current Period: November 2013

FUND 101 GENERAL FUND

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 101-10100 Cash	\$335,721.29	\$52,476.22	\$163,913.36	\$2,524,767.83	\$3,070,250.64	(\$209,761.52)
G 101-10200 Petty Cash	\$74.73	\$0.00	\$0.00	\$0.00	\$0.00	\$74.73
G 101-10300 Bond Street Account	\$62,239.00	\$0.00	\$0.00	\$0.00	\$0.00	\$62,239.00
G 101-10400 Investments	(\$0.44)	\$0.00	\$0.00	\$220,000.00	\$377,399.04	(\$157,399.48)
G 101-10401 Northland Securities	\$355,794.26	\$0.00	\$0.00	\$0.00	\$0.00	\$355,794.26
G 101-10402 CDARS/Central Bank	\$312,321.07	\$0.00	\$0.00	\$0.00	\$0.00	\$312,321.07
G 101-10406 Smith Barney	\$101,930.27	\$0.00	\$0.00	\$0.00	\$0.00	\$101,930.27
G 101-10410 Smith Barney MM	\$533,506.17	\$0.00	\$0.00	\$0.00	\$0.00	\$533,506.17
G 101-10450 Interest Receivable	\$4,480.04	\$0.00	\$0.00	\$0.00	\$0.00	\$4,480.04
G 101-10500 Taxes Receivable-Current	\$26,552.41	\$0.00	\$0.00	\$0.00	\$0.00	\$26,552.41
G 101-10700 Taxes Receivable-Delinquent	\$84,605.12	\$0.00	\$0.00	\$0.00	\$0.00	\$84,605.12
G 101-13100 Due From Other Funds	(\$1.25)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1.25)
G 101-13200 Due From Other Government	\$4,565.76	\$0.00	\$0.00	\$0.00	\$0.00	\$4,565.76
G 101-15500 Prepaid Items	\$32,123.42	\$0.00	\$0.00	\$0.00	\$0.00	\$32,123.42
Total Asset	\$1,853,911.85	\$52,476.22	\$163,913.36	\$2,744,767.83	\$3,447,649.68	\$1,151,030.00
Liability						
G 101-20200 Accounts Payable	(\$58,188.25)	\$0.00	\$0.00	\$0.00	\$0.00	(\$58,188.25)
G 101-20800 Due to Other Governments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-21600 Accrued Wages & Salaries P	(\$15,202.21)	\$0.00	\$0.00	\$0.00	\$0.00	(\$15,202.21)
G 101-21701 Federal W/H Payable	(\$2,420.70)	\$9,167.93	\$9,167.93	\$114,873.67	\$114,873.67	(\$2,420.70)
G 101-21702 State Withholding Payable	\$11,537.44	\$3,876.50	\$3,876.50	\$47,912.80	\$47,912.80	\$11,537.44
G 101-21703 FICA Tax Withholding	(\$1,969.48)	\$6,310.84	\$6,310.84	\$85,746.22	\$85,746.22	(\$1,969.48)
G 101-21704 PERA	(\$4,436.99)	\$16,347.61	\$16,347.60	\$188,906.15	\$188,906.15	(\$4,436.99)
G 101-21705 Medica payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-21706 Garnishment	\$0.40	\$0.00	\$0.00	\$616.29	\$616.29	\$0.40
G 101-21707 Union Dues	\$1,486.18	\$270.00	\$433.70	\$3,295.00	\$4,845.35	(\$64.17)
G 101-21708 United Way	(\$0.45)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.45)
G 101-21709 Medicare	(\$764.48)	\$2,642.18	\$2,642.18	\$33,202.28	\$33,202.28	(\$764.48)
G 101-21710 Other Deductions	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 101-21711 NPERS - Life	(\$43.91)	\$61.43	\$64.00	\$922.86	\$864.00	\$14.95
G 101-21712 HSA Employee	(\$323.78)	\$1,522.34	\$1,522.34	\$14,499.36	\$19,316.36	(\$5,140.78)
G 101-21713 Dental Family	(\$1,657.97)	\$290.24	\$290.22	\$3,290.53	\$3,001.91	(\$1,369.35)
G 101-21714 LTD Employee	\$1,215.19	\$497.80	\$473.32	\$5,168.77	\$5,226.85	\$1,157.11
G 101-21715 MSRS Employee	(\$2,739.75)	\$821.98	\$821.98	\$9,899.26	\$9,899.26	(\$2,739.75)
G 101-21716 Health Insurance	(\$2,085.06)	\$602.00	\$555.80	\$6,192.90	\$6,160.20	(\$2,052.36)
G 101-21717 MNBA Life Ins.	(\$140.98)	\$0.00	\$61.44	\$552.87	\$675.84	(\$263.95)
G 101-21719 ING Employee	\$951.42	\$3,346.00	\$3,346.00	\$35,660.80	\$35,660.80	\$951.42
G 101-21721 Child Support	(\$228.57)	\$0.00	\$0.00	\$5,680.00	\$5,680.00	(\$228.57)
G 101-21722 Cobra Payment	(\$16.50)	\$3,072.60	\$1,027.61	\$13,111.60	\$12,129.08	\$966.02
G 101-21723 Insurance Recovery	\$0.00	\$0.00	\$0.00	\$0.00	\$2,721.00	(\$2,721.00)
G 101-22100 Escrow	(\$5,500.00)	\$639.91	\$6,097.54	\$6,965.41	\$15,697.54	(\$14,232.13)
G 101-22200 Deferred Revenues	(\$84,605.13)	\$0.00	\$0.00	\$0.00	\$0.00	(\$84,605.13)
Total Liability	(\$165,133.58)	\$49,469.36	\$53,039.00	\$576,496.77	\$593,135.60	(\$181,772.41)
Equity						
G 101-25300 Unreserved Fund Balance	(\$1,688,778.27)	\$163,759.60	\$48,752.82	\$2,894,424.15	\$2,174,903.47	(\$969,257.59)
Total Equity	(\$1,688,778.27)	\$163,759.60	\$48,752.82	\$2,894,424.15	\$2,174,903.47	(\$969,257.59)
Total 101 GENERAL FUND	\$0.00	\$265,705.18	\$265,705.18	\$6,215,688.75	\$6,215,688.75	\$0.00



CITY OF NEWPORT
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FUND 201 PARKS SPECIAL FUND

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 201-10100 Cash	\$28,334.68	\$151.84	\$1,198.66	\$57,544.29	\$74,546.51	\$11,332.46
Total Asset	\$28,334.68	\$151.84	\$1,198.66	\$57,544.29	\$74,546.51	\$11,332.46
Equity						
G 201-25300 Unreserved Fund Balance	(\$28,334.68)	\$1,198.66	\$151.84	\$74,546.51	\$57,544.29	(\$11,332.46)
Total Equity	(\$28,334.68)	\$1,198.66	\$151.84	\$74,546.51	\$57,544.29	(\$11,332.46)
Total 201 PARKS SPECIAL FUND	\$0.00	\$1,350.50	\$1,350.50	\$132,090.80	\$132,090.80	\$0.00



CITY OF NEWPORT
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Current Period: November 2013

FUND 204	HERITAGE PRESERVATION COMM	November 2013					Balance
		Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	
Asset							
	G 204-10100 Cash	\$2,339.31	\$0.15	\$0.00	\$7,272.47	\$1,195.71	\$8,416.07
	Total Asset	\$2,339.31	\$0.15	\$0.00	\$7,272.47	\$1,195.71	\$8,416.07
Equity							
	G 204-25300 Unreserved Fund Balance	(\$2,339.31)	\$0.00	\$0.15	\$1,195.71	\$7,272.47	(\$8,416.07)
	Total Equity	(\$2,339.31)	\$0.00	\$0.15	\$1,195.71	\$7,272.47	(\$8,416.07)
Total 204 HERITAGE PRESERVATION COMM		\$0.00	\$0.15	\$0.15	\$8,468.18	\$8,468.18	\$0.00



CITY OF NEWPORT

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FUND 205 RECYCLING

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 205-10100 Cash	\$24,492.39	\$1.59	\$0.00	\$4,715.01	\$4,252.05	\$24,955.35
Total Asset	\$24,492.39	\$1.59	\$0.00	\$4,715.01	\$4,252.05	\$24,955.35
Equity						
G 205-25300 Unreserved Fund Balance	(\$24,492.39)	\$0.00	\$1.59	\$4,252.05	\$4,715.01	(\$24,955.35)
Total Equity	(\$24,492.39)	\$0.00	\$1.59	\$4,252.05	\$4,715.01	(\$24,955.35)
Total 205 RECYCLING	\$0.00	\$1.59	\$1.59	\$8,967.06	\$8,967.06	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: November 2013

FUND 206 FIRE ENGINE

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 206-10100 Cash	\$0.14	\$0.00	\$0.00	\$0.14	\$0.28	\$0.00
Total Asset	\$0.14	\$0.00	\$0.00	\$0.14	\$0.28	\$0.00
Equity						
G 206-25300 Unreserved Fund Balance	(\$0.14)	\$0.00	\$0.00	\$0.28	\$0.14	\$0.00
Total Equity	(\$0.14)	\$0.00	\$0.00	\$0.28	\$0.14	\$0.00
Total 206 FIRE ENGINE	\$0.00	\$0.00	\$0.00	\$0.42	\$0.42	\$0.00



CITY OF NEWPORT
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FUND 208 BUY FORFEITURE

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 208-10100 Cash	\$1,303.02	\$0.08	\$0.00	\$1.04	\$0.00	\$1,304.06
Total Asset	\$1,303.02	\$0.08	\$0.00	\$1.04	\$0.00	\$1,304.06
Equity						
G 208-25300 Unreserved Fund Balance	(\$1,303.02)	\$0.00	\$0.08	\$0.00	\$1.04	(\$1,304.06)
Total Equity	(\$1,303.02)	\$0.00	\$0.08	\$0.00	\$1.04	(\$1,304.06)
Total 208 BUY FORFEITURE	\$0.00	\$0.08	\$0.08	\$1.04	\$1.04	\$0.00



CITY OF NEWPORT

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FUND 225 PIONEER DAY

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 225-10100 Cash	\$18,304.13	\$1.19	\$0.00	\$6,208.67	\$4,804.72	\$19,708.08
Total Asset	\$18,304.13	\$1.19	\$0.00	\$6,208.67	\$4,804.72	\$19,708.08
Liability						
G 225-20200 Accounts Payable	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00	\$0.03
Total Liability	\$0.03	\$0.00	\$0.00	\$0.00	\$0.00	\$0.03
Equity						
G 225-25300 Unreserved Fund Balance	(\$18,304.16)	\$0.00	\$1.19	\$4,804.72	\$6,208.67	(\$19,708.11)
Total Equity	(\$18,304.16)	\$0.00	\$1.19	\$4,804.72	\$6,208.67	(\$19,708.11)
Total 225 PIONEER DAY	\$0.00	\$1.19	\$1.19	\$11,013.39	\$11,013.39	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: November 2013

FUND 270 EDA

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 270-10100 Cash	\$569,896.12	\$545.46	\$29,262.54	\$377,526.81	\$347,225.84	\$600,197.09
G 270-10500 Taxes Receivable-Current	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$569,896.12	\$545.46	\$29,262.54	\$377,526.81	\$347,225.84	\$600,197.09
Liability						
G 270-20200 Accounts Payable	(\$7,192.93)	\$0.00	\$0.00	\$0.00	\$0.00	(\$7,192.93)
Total Liability	(\$7,192.93)	\$0.00	\$0.00	\$0.00	\$0.00	(\$7,192.93)
Equity						
G 270-25300 Unreserved Fund Balance	(\$562,703.19)	\$29,262.54	\$545.46	\$347,225.84	\$377,526.81	(\$593,004.16)
Total Equity	(\$562,703.19)	\$29,262.54	\$545.46	\$347,225.84	\$377,526.81	(\$593,004.16)
Total 270 EDA	\$0.00	\$29,808.00	\$29,808.00	\$724,752.65	\$724,752.65	\$0.00



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FUND 301 G.O. CAPITAL IMP. PLAN 2010A

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 301-10100 Cash	\$5,643.58	\$0.37	\$0.00	\$1.70	\$124,467.50	(\$118,822.22)
G 301-10500 Taxes Receivable-Current	\$1,589.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,589.00
Total Asset	\$7,232.58	\$0.37	\$0.00	\$1.70	\$124,467.50	(\$117,233.22)
Equity						
G 301-25300 Unreserved Fund Balance	(\$7,232.58)	\$0.00	\$0.37	\$124,467.50	\$1.70	\$117,233.22
Total Equity	(\$7,232.58)	\$0.00	\$0.37	\$124,467.50	\$1.70	\$117,233.22
Total 301 G.O. CAPITAL IMP. PLAN 2010A	\$0.00	\$0.37	\$0.37	\$124,469.20	\$124,469.20	\$0.00



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FUND 305 2013 Street Assessments

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 305-10100 Cash	\$0.48	\$6,068.23	\$0.00	\$180,324.79	\$170,140.82	\$10,184.45
G 305-10400 Investments	\$0.00	\$0.00	\$0.00	\$170,000.00	\$85,000.00	\$85,000.00
Total Asset	\$0.48	\$6,068.23	\$0.00	\$350,324.79	\$255,140.82	\$95,184.45
Liability						
G 305-22200 Deferred Revenues	\$0.00	\$0.00	\$0.00	\$0.30	\$0.30	\$0.00
Total Liability	\$0.00	\$0.00	\$0.00	\$0.30	\$0.30	\$0.00
Equity						
G 305-25300 Unreserved Fund Balance	(\$0.48)	\$0.00	\$6,068.23	\$140.52	\$95,324.49	(\$95,184.45)
Total Equity	(\$0.48)	\$0.00	\$6,068.23	\$140.52	\$95,324.49	(\$95,184.45)
Total 305 2013 Street Assessments	\$0.00	\$6,068.23	\$6,068.23	\$350,465.61	\$350,465.61	\$0.00



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FUND 307 GO TIF 1994B

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 307-10100 Cash	(\$0.30)	\$0.00	\$0.00	\$0.60	\$0.30	\$0.00
Total Asset	(\$0.30)	\$0.00	\$0.00	\$0.60	\$0.30	\$0.00
Equity						
G 307-25300 Unreserved Fund Balance	\$0.30	\$0.00	\$0.00	\$0.30	\$0.60	\$0.00
Total Equity	\$0.30	\$0.00	\$0.00	\$0.30	\$0.60	\$0.00
Total 307 GO TIF 1994B	\$0.00	\$0.00	\$0.00	\$0.90	\$0.90	\$0.00



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FUND 308 CERIFICATES OF INDEBTEDNESS	November 2013					
	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 308-10100 Cash	\$0.53	\$0.00	\$0.00	\$1.39	\$1.92	\$0.00
G 308-10500 Taxes Receivable-Current	\$0.03	\$0.00	\$0.00	\$0.03	\$0.03	\$0.03
G 308-10700 Taxes Receivable-Delinquent	\$0.30	\$0.00	\$0.00	\$0.30	\$0.30	\$0.30
Total Asset	\$0.86	\$0.00	\$0.00	\$1.72	\$2.25	\$0.33
Liability						
G 308-22200 Deferred Revenues	(\$0.30)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.30)
Total Liability	(\$0.30)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.30)
Equity						
G 308-25300 Unreserved Fund Balance	(\$0.56)	\$0.00	\$0.00	\$0.53	\$0.00	(\$0.03)
Total Equity	(\$0.56)	\$0.00	\$0.00	\$0.53	\$0.00	(\$0.03)
Total 308 CERIFICATES OF INDEBTEDNESS	\$0.00	\$0.00	\$0.00	\$2.25	\$2.25	\$0.00



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FUND 313 GO IMP BOND 2000B

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 313-10100 Cash	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 313-12200 Special Assess Rec-Delinque	(\$0.07)	\$0.00	\$0.00	\$0.07	\$0.07	(\$0.07)
Total Asset	(\$0.07)	\$0.00	\$0.00	\$0.07	\$0.07	(\$0.07)
Liability						
G 313-22200 Deferred Revenues	\$0.07	\$0.00	\$0.00	\$0.07	\$0.07	\$0.07
Total Liability	\$0.07	\$0.00	\$0.00	\$0.07	\$0.07	\$0.07
Equity						
G 313-25300 Unreserved Fund Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Equity	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total 313 GO IMP BOND 2000B	\$0.00	\$0.00	\$0.00	\$0.14	\$0.14	\$0.00



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FUND 315 \$690,000 BOND 2002A

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 315-10100 Cash	\$0.31	\$0.00	\$0.00	\$35,842.59	\$91,865.31	(\$56,022.41)
Total Asset	\$0.31	\$0.00	\$0.00	\$35,842.59	\$91,865.31	(\$56,022.41)
Equity						
G 315-25300 Unreserved Fund Balance	(\$0.31)	\$0.00	\$0.00	\$91,865.31	\$35,842.59	\$56,022.41
Total Equity	(\$0.31)	\$0.00	\$0.00	\$91,865.31	\$35,842.59	\$56,022.41
Total 315 \$690,000 BOND 2002A	\$0.00	\$0.00	\$0.00	\$127,707.90	\$127,707.90	\$0.00



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FUND 316 PFA/TRLF REVENUE NOTE

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 316-10100 Cash	\$299,683.03	\$19.42	\$0.00	\$76,016.74	\$124,705.70	\$250,994.07
G 316-12100 SA Recievable -Current	\$7,736.28	\$0.00	\$0.00	\$0.00	\$0.00	\$7,736.28
G 316-12200 Special Assess Rec-Delinque	\$10,023.12	\$0.00	\$0.00	\$0.00	\$0.00	\$10,023.12
G 316-12300 Special Assess Rec-Deferred	\$246,037.68	\$0.00	\$0.00	\$0.00	\$0.00	\$246,037.68
Total Asset	\$563,480.11	\$19.42	\$0.00	\$76,016.74	\$124,705.70	\$514,791.15
Liability						
G 316-22200 Deferred Revenues	(\$256,060.80)	\$0.00	\$0.00	\$0.00	\$0.00	(\$256,060.80)
Total Liability	(\$256,060.80)	\$0.00	\$0.00	\$0.00	\$0.00	(\$256,060.80)
Equity						
G 316-25300 Unreserved Fund Balance	(\$307,419.31)	\$0.00	\$19.42	\$124,705.70	\$76,016.74	(\$258,730.35)
Total Equity	(\$307,419.31)	\$0.00	\$19.42	\$124,705.70	\$76,016.74	(\$258,730.35)
Total 316 PFA/TRLF REVENUE NOTE	\$0.00	\$19.42	\$19.42	\$200,722.44	\$200,722.44	\$0.00



CITY OF NEWPORT

GL Yearly

Current Period: November 2013

FUND 321 EQUIP CERTIFICATE 2006A

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 321-10100 Cash	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total 321 EQUIP CERTIFICATE 2006A	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



CITY OF NEWPORT

GL Yearly

Current Period: November 2013

FUND 322 GO BONDS OF 2011A

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 322-10100 Cash	\$70,544.19	\$4.57	\$0.00	\$18.97	\$112,655.00	(\$42,091.84)
G 322-10500 Taxes Receivable-Current	\$1,075.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,075.00
Total Asset	\$71,619.19	\$4.57	\$0.00	\$18.97	\$112,655.00	(\$41,016.84)
Equity						
G 322-25300 Unreserved Fund Balance	(\$71,619.19)	\$0.00	\$4.57	\$112,655.00	\$18.97	\$41,016.84
Total Equity	(\$71,619.19)	\$0.00	\$4.57	\$112,655.00	\$18.97	\$41,016.84
Total 322 GO BONDS OF 2011A	\$0.00	\$4.57	\$4.57	\$112,673.97	\$112,673.97	\$0.00



CITY OF NEWPORT

GL Yearly

Current Period: November 2013

FUND 401 EQUIPMENT REVOLVING

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 401-10100 Cash	\$209,657.85	\$13.59	\$13,162.60	\$75,155.41	\$197,026.44	\$87,786.82
Total Asset	\$209,657.85	\$13.59	\$13,162.60	\$75,155.41	\$197,026.44	\$87,786.82
Equity						
G 401-25300 Unreserved Fund Balance	(\$209,657.85)	\$13,162.60	\$13.59	\$197,026.44	\$75,155.41	(\$87,786.82)
Total Equity	(\$209,657.85)	\$13,162.60	\$13.59	\$197,026.44	\$75,155.41	(\$87,786.82)
Total 401 EQUIPMENT REVOLVING	\$0.00	\$13,176.19	\$13,176.19	\$272,181.85	\$272,181.85	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: November 2013

FUND 405 T.H. HWY 61

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 405-10100 Cash	\$241,796.16	\$15.67	\$0.00	\$187.58	\$8,005.22	\$233,978.52
G 405-13200 Due From Other Government	(\$0.18)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.18)
Total Asset	\$241,795.98	\$15.67	\$0.00	\$187.58	\$8,005.22	\$233,978.34
Equity						
G 405-25300 Unreserved Fund Balance	(\$241,795.98)	\$0.00	\$15.67	\$8,005.22	\$187.58	(\$233,978.34)
Total Equity	(\$241,795.98)	\$0.00	\$15.67	\$8,005.22	\$187.58	(\$233,978.34)
Total 405 T.H. HWY 61	\$0.00	\$15.67	\$15.67	\$8,192.80	\$8,192.80	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: November 2013

FUND 409 STREET RECONSTRUCTION

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 409-10100 Cash	\$40,937.78	\$2.65	\$349,744.37	\$2,716,779.00	\$2,453,794.96	\$303,921.82
G 409-10400 Investments	\$0.00	\$0.00	\$0.00	\$490,000.00	\$0.00	\$490,000.00
G 409-10406 Smith Barney	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Asset	\$40,937.78	\$2.65	\$349,744.37	\$3,206,779.00	\$2,453,794.96	\$793,921.82
Equity						
G 409-25300 Unreserved Fund Balance	(\$40,937.78)	\$349,744.37	\$2.65	\$1,963,794.96	\$2,716,779.00	(\$793,921.82)
Total Equity	(\$40,937.78)	\$349,744.37	\$2.65	\$1,963,794.96	\$2,716,779.00	(\$793,921.82)
Total 409 STREET RECONSTRUCTION	\$0.00	\$349,747.02	\$349,747.02	\$5,170,573.96	\$5,170,573.96	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: November 2013

FUND 411 BUILDING FUND

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 411-10100 Cash	\$0.00	\$0.00	\$0.00	\$40,006.42	\$0.00	\$40,006.42
Total Asset	\$0.00	\$0.00	\$0.00	\$40,006.42	\$0.00	\$40,006.42
Equity						
G 411-25300 Unreserved Fund Balance	\$0.00	\$0.00	\$0.00	\$0.00	\$40,006.42	(\$40,006.42)
Total Equity	\$0.00	\$0.00	\$0.00	\$0.00	\$40,006.42	(\$40,006.42)
Total 411 BUILDING FUND	\$0.00	\$0.00	\$0.00	\$40,006.42	\$40,006.42	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: November 2013

FUND 416 4TH AVENUE RAVINE

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 416-10100 Cash	\$12,746.76	\$0.83	\$0.00	\$10.06	\$0.00	\$12,756.82
G 416-13200 Due From Other Government	\$12,776.47	\$0.00	\$0.00	\$0.00	\$0.00	\$12,776.47
Total Asset	\$25,523.23	\$0.83	\$0.00	\$10.06	\$0.00	\$25,533.29
Liability						
G 416-20700 Due to Other Funds	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
Total Liability	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
Equity						
G 416-25300 Unreserved Fund Balance	(\$25,523.48)	\$0.00	\$0.83	\$0.00	\$10.06	(\$25,533.54)
Total Equity	(\$25,523.48)	\$0.00	\$0.83	\$0.00	\$10.06	(\$25,533.54)
Total 416 4TH AVENUE RAVINE	\$0.00	\$0.83	\$0.83	\$10.06	\$10.06	\$0.00



CITY OF NEWPORT

GL Yearly

Current Period: November 2013

FUND 417 NORTH RAVINE

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 417-10100 Cash	\$5,507.89	\$183.83	\$0.00	\$5,737.53	\$10,513.23	\$732.19
G 417-13200 Due From Other Government	\$41,563.00	\$0.00	\$0.00	\$0.00	\$0.00	\$41,563.00
Total Asset	\$47,070.89	\$183.83	\$0.00	\$5,737.53	\$10,513.23	\$42,295.19
Liability						
G 417-20200 Accounts Payable	(\$1,846.82)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,846.82)
G 417-20700 Due to Other Funds	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Liability	(\$1,846.82)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,846.82)
Equity						
G 417-24400 Fund Balance For Encumbra	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
G 417-25300 Unreserved Fund Balance	(\$45,224.32)	\$0.00	\$183.83	\$10,513.23	\$5,737.53	(\$40,448.62)
Total Equity	(\$45,224.07)	\$0.00	\$183.83	\$10,513.23	\$5,737.53	(\$40,448.37)
Total 417 NORTH RAVINE	\$0.00	\$183.83	\$183.83	\$16,250.76	\$16,250.76	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: November 2013

FUND 422 2011A UTILITY CAPITAL

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 422-10100 Cash	(\$0.44)	\$0.00	\$0.00	\$0.88	\$0.44	\$0.00
Total Asset	(\$0.44)	\$0.00	\$0.00	\$0.88	\$0.44	\$0.00
Equity						
G 422-25300 Unreserved Fund Balance	\$0.44	\$0.00	\$0.00	\$0.44	\$0.88	\$0.00
Total Equity	\$0.44	\$0.00	\$0.00	\$0.44	\$0.88	\$0.00
Total 422 2011A UTILITY CAPITAL	\$0.00	\$0.00	\$0.00	\$1.32	\$1.32	\$0.00



CITY OF NEWPORT

GL Yearly

Current Period: November 2013

FUND 423 2011A EQUIPMENT CAPITAL

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 423-10100 Cash	\$494,389.05	\$1,532.04	\$0.00	\$59,555.25	\$552,309.35	\$1,634.95
Total Asset	\$494,389.05	\$1,532.04	\$0.00	\$59,555.25	\$552,309.35	\$1,634.95
Equity						
G 423-25300 Unreserved Fund Balance	(\$494,389.05)	\$0.00	\$1,532.04	\$552,309.35	\$59,555.25	(\$1,634.95)
Total Equity	(\$494,389.05)	\$0.00	\$1,532.04	\$552,309.35	\$59,555.25	(\$1,634.95)
Total 423 2011A EQUIPMENT CAPITAL	\$0.00	\$1,532.04	\$1,532.04	\$611,864.60	\$611,864.60	\$0.00



CITY OF NEWPORT

GL Yearly

Current Period: November 2013

FUND 601 WATER FUND

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 601-10100 Cash	\$469,661.17	\$4,031.38	\$16,559.33	\$212,655.16	\$182,558.22	\$499,758.11
G 601-11500 Accounts Receivable	\$37,657.00	\$0.00	\$0.00	\$0.00	\$0.00	\$37,657.00
G 601-12300 Special Assess Rec-Deferred	\$11,871.38	\$0.00	\$0.00	\$0.00	\$0.00	\$11,871.38
G 601-15500 Prepaid Items	\$1,167.13	\$0.00	\$0.00	\$0.00	\$0.00	\$1,167.13
G 601-16100 Land	(\$0.50)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.50)
G 601-16200 Building and Improvements	\$123,291.00	\$0.00	\$0.00	\$0.00	\$0.00	\$123,291.00
G 601-16300 Improvements other building	\$2,962,267.40	\$0.00	\$0.00	\$0.00	\$0.00	\$2,962,267.40
G 601-16400 Equipment	\$294,264.08	\$0.00	\$0.00	\$0.00	\$0.00	\$294,264.08
G 601-16410 Accumulated dep. Equip.	(\$1,723,637.19)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,723,637.19)
G 601-21720 Online fees payable	(\$31.90)	\$59.80	\$29.90	\$861.12	\$840.19	(\$10.97)
G 601-26100 Contributions From City	(\$0.15)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.15)
Total Asset	\$2,176,509.42	\$4,091.18	\$16,589.23	\$213,516.28	\$183,398.41	\$2,206,627.29
Liability						
G 601-20200 Accounts Payable	(\$7,293.33)	\$0.00	\$0.00	\$0.00	\$0.00	(\$7,293.33)
G 601-21500 Accrued Interest Payable	(\$3,598.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$3,598.00)
G 601-21600 Accrued Wages & Salaries P	(\$1,174.09)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,174.09)
G 601-21701 Federal W/H Payable	(\$0.22)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.22)
G 601-21702 State Withholding Payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 601-21703 FICA Tax Withholding	(\$73.28)	\$0.00	\$0.00	\$0.00	\$0.00	(\$73.28)
G 601-21704 PERA	(\$84.92)	\$0.00	\$0.00	\$0.00	\$0.00	(\$84.92)
G 601-21707 Union Dues	(\$0.17)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.17)
G 601-21708 United Way	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 601-21709 Medicare	(\$16.78)	\$0.00	\$0.00	\$0.00	\$0.00	(\$16.78)
G 601-21711 NPERS - Life	(\$0.30)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.30)
G 601-21712 HSA Employee	(\$0.11)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.11)
G 601-21714 LTD Employee	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
G 601-21715 MSRS Employee	(\$0.08)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.08)
G 601-21718 Water sales tax payable	(\$1,993.12)	\$0.00	\$0.00	\$522.00	\$522.00	(\$1,993.12)
G 601-22510 General Obligation Bonds Pa	(\$236,000.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$236,000.00)
G 601-99999 Utility Overpayments	(\$0.46)	\$1,249.66	\$257.48	\$5,011.92	\$3,829.12	\$1,182.34
Total Liability	(\$250,234.61)	\$1,249.66	\$257.48	\$5,533.92	\$4,351.12	(\$249,051.81)
Equity						
G 601-25300 Unreserved Fund Balance	(\$1,926,274.81)	\$15,249.87	\$3,744.00	\$176,528.98	\$207,829.65	(\$1,957,575.48)
Total Equity	(\$1,926,274.81)	\$15,249.87	\$3,744.00	\$176,528.98	\$207,829.65	(\$1,957,575.48)
Total 601 WATER FUND	\$0.00	\$20,590.71	\$20,590.71	\$395,579.18	\$395,579.18	\$0.00



CITY OF NEWPORT

GL Yearly

Current Period: November 2013

FUND 602 SEWER FUND

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 602-10100 Cash	\$666,307.46	\$15,732.24	\$22,789.17	\$320,154.28	\$278,573.43	\$707,888.31
G 602-11500 Accounts Receivable	\$61,353.40	\$0.00	\$0.00	\$0.00	\$0.00	\$61,353.40
G 602-12300 Special Assess Rec-Deferred	\$11,870.30	\$0.00	\$0.00	\$0.00	\$0.00	\$11,870.30
G 602-13100 Due From Other Funds	\$0.29	\$0.00	\$0.00	\$0.00	\$0.00	\$0.29
G 602-15500 Prepaid Items	\$1,367.13	\$0.00	\$0.00	\$0.00	\$0.00	\$1,367.13
G 602-16100 Land	\$0.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.50
G 602-16200 Building and Improvements	\$417,170.00	\$0.00	\$0.00	\$0.00	\$0.00	\$417,170.00
G 602-16300 Improvements other building	\$1,950,830.15	\$0.00	\$0.00	\$0.00	\$0.00	\$1,950,830.15
G 602-16400 Equipment	\$56,342.75	\$0.00	\$0.00	\$0.00	\$0.00	\$56,342.75
G 602-16410 Accumulated dep. Equip.	(\$1,137,899.22)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,137,899.22)
G 602-16500 Construction in Progress	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 602-26100 Contributions From City	(\$0.36)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.36)
Total Asset	\$2,027,342.40	\$15,732.24	\$22,789.17	\$320,154.28	\$278,573.43	\$2,068,923.25
Liability						
G 602-20200 Accounts Payable	(\$5,165.70)	\$0.00	\$0.00	\$0.00	\$0.00	(\$5,165.70)
G 602-21500 Accrued Interest Payable	(\$4,418.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$4,418.00)
G 602-21600 Accrued Wages & Salaries P	(\$1,196.24)	\$0.00	\$0.00	\$0.00	\$0.00	(\$1,196.24)
G 602-21701 Federal W/H Payable	\$0.08	\$0.00	\$0.00	\$0.00	\$0.00	\$0.08
G 602-21702 State Withholding Payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 602-21703 FICA Tax Withholding	(\$74.28)	\$0.00	\$0.00	\$0.00	\$0.00	(\$74.28)
G 602-21704 PERA	(\$87.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$87.00)
G 602-21707 Union Dues	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.25
G 602-21709 Medicare	(\$16.75)	\$0.00	\$0.00	\$0.00	\$0.00	(\$16.75)
G 602-21711 NPERS - Life	(\$0.28)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.28)
G 602-21712 HSA Employee	\$0.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.47
G 602-21714 LTD Employee	(\$0.35)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.35)
G 602-21715 MSRS Employee	(\$0.08)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.08)
G 602-22510 General Obligation Bonds Pa	(\$304,000.00)	\$0.00	\$0.00	\$0.00	\$0.00	(\$304,000.00)
Total Liability	(\$314,957.88)	\$0.00	\$0.00	\$0.00	\$0.00	(\$314,957.88)
Equity						
G 602-25300 Unreserved Fund Balance	(\$1,712,384.52)	\$22,789.17	\$15,732.24	\$279,228.03	\$320,808.88	(\$1,753,965.37)
Total Equity	(\$1,712,384.52)	\$22,789.17	\$15,732.24	\$279,228.03	\$320,808.88	(\$1,753,965.37)
Total 602 SEWER FUND	\$0.00	\$38,521.41	\$38,521.41	\$599,382.31	\$599,382.31	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: November 2013

FUND 603 STREET LIGHT FUND

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 603-10100 Cash	\$11,364.13	\$956.01	\$3,976.50	\$60,586.26	\$60,236.68	\$11,713.71
G 603-11500 Accounts Receivable	\$9,741.47	\$0.00	\$0.00	\$0.00	\$0.00	\$9,741.47
G 603-12200 Special Assess Rec-Delinque	(\$0.24)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.24)
Total Asset	\$21,105.36	\$956.01	\$3,976.50	\$60,586.26	\$60,236.68	\$21,454.94
Liability						
G 603-20200 Accounts Payable	(\$4,560.24)	\$0.00	\$0.00	\$0.00	\$0.00	(\$4,560.24)
G 603-20700 Due to Other Funds	(\$0.48)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.48)
Total Liability	(\$4,560.72)	\$0.00	\$0.00	\$0.00	\$0.00	(\$4,560.72)
Equity						
G 603-25300 Unreserved Fund Balance	(\$16,544.64)	\$3,976.50	\$956.01	\$60,236.68	\$60,586.26	(\$16,894.22)
Total Equity	(\$16,544.64)	\$3,976.50	\$956.01	\$60,236.68	\$60,586.26	(\$16,894.22)
Total 603 STREET LIGHT FUND	\$0.00	\$4,932.51	\$4,932.51	\$120,822.94	\$120,822.94	\$0.00



CITY OF NEWPORT
GL Yearly

Current Period: November 2013

FUND 604 STORM WATER FUND

November 2013

	Begin Yr	MTD Debits	MTD Credits	YTD Debits	YTD Credits	Balance
Asset						
G 604-10100 Cash	\$15,052.08	\$261.01	\$0.00	\$20,741.99	\$7,003.18	\$28,790.89
G 604-11500 Accounts Receivable	\$3,392.80	\$0.00	\$0.00	\$0.00	\$0.00	\$3,392.80
G 604-12100 SA Recievable -Current	(\$0.07)	\$0.00	\$0.00	\$0.00	\$0.00	(\$0.07)
G 604-12200 Special Assess Rec-Delinque	\$2,730.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,730.00
Total Asset	\$21,174.81	\$261.01	\$0.00	\$20,741.99	\$7,003.18	\$34,913.62
Liability						
G 604-20200 Accounts Payable	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
G 604-20700 Due to Other Funds	\$0.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.19
Total Liability	\$0.19	\$0.00	\$0.00	\$0.00	\$0.00	\$0.19
Equity						
G 604-25300 Unreserved Fund Balance	(\$21,175.00)	\$0.00	\$261.01	\$7,003.18	\$20,741.99	(\$34,913.81)
Total Equity	(\$21,175.00)	\$0.00	\$261.01	\$7,003.18	\$20,741.99	(\$34,913.81)
Total 604 STORM WATER FUND	\$0.00	\$261.01	\$261.01	\$27,745.17	\$27,745.17	\$0.00
Report Total	\$0.00	\$731,920.50	\$731,920.50	\$15,279,636.07	\$15,279,636.07	\$0.00



MEMO

TO: Mayor and City Council
Deb Hill, City Administrator

FROM: Renee Helm, Executive Analyst

DATE: December 11, 2013

SUBJECT: Accepting Donations for the Period of September 5 - December 12, 2013

BACKGROUND

At its September 5, 2013 meeting, the City Council approved the City of Newport Donations Policy. Per the Policy, the City Council needs to approve all monetary donations and material donations that are estimated to cost more than \$50. Additionally, all monetary donations shall be deposited immediately. Since September 5, 2013, the City has received the following donations:

Name of Donor	Donated For	Donated Amount	Donated Date
Anchor Bank	Pioneer Day - For Corn Booth	\$238.17	September 23, 2013
Lady Slipper	10% of its Net Earnings for July and August 2013	\$804.18	October 15, 2013
St. Paul Park Newport Lions	Fire Truck	\$1,500	November 13, 2013
Helen Nicholson	Library and Community Center	Books - Estimated value of \$1,200	November 26, 2013
Dale Smith	Library and Community Center	Books - Estimated Value of \$200	November 30, 2013

Please find attached the Donation Application and Agreement Form for each received donation.

DISCUSSION

Please find attached Resolution No. 2013-60 which accepts the above donations. The City Council will need to discuss whether or not they would like to approve the Resolution. The Library and Community Center Attendant reviewed the material donations and recommends that the City accept both donations. In regards to the donation from Helen Nicholson, the Attendant is recommending that some of them be added to the collection and the remaining be sold as they are not a true need to the Library and Community Center. The Attendant recommends that all of the encyclopedias from Dale Smith be added to the collection.

RECOMMENDATION

It is recommended that the City Council approved Resolution No. 2013-60 accepting donations for the period of September 5 - December 12, 2013.

City of NEWPORT

DONATION APPLICATION AND AGREEMENT FORM

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Date: _____

Donor Information

Donor's Full Name: Anchor Bank Telephone: _____

Donor's Address: 1030 Hastings Avenue

City/State/Zip: St. Paul Park, MN 55071

Donation Information

Donated Item: \$238.17

Cost Estimate of the Donation (not to be filled out by City Staff or Volunteers): _____

If Applicable:

For: Pioneer Day - 50% of the total cost for the Corn Tent

In Honor Of: -

Location or Placement of Donation: -

Estimated Lifespan of Material Donation: -

Is the Donation Restricted: Yes No

If Yes, Terms of Donation Restriction: -

Donor Statement and Acknowledgements

I certify that all information I have provided in this application is complete to the best of my knowledge. I further certify that I have received, read, understand and agree to the City of Newport Donations Policy.

Applicant/Agent Printed Name: Becky Hecker Signature: _____

For Office Use

Received By: Renee Helm

Date Received: September 23, 2013

Approved By: _____ Date of Approval: _____

Reasons for Denial: _____

City of NEWPORT

DONATION APPLICATION AND AGREEMENT FORM

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Date: _____

Donor Information

Donor's Full Name: Lady Slipper Telephone: _____

Donor's Address: 346 S. McCarrons Blvd

City/State/Zip: Roseville, MN 55113

Donation Information

Donated Item: \$804.18

Cost Estimate of the Donation (not to be filled out by City Staff or Volunteers): _____

If Applicable:

For: 10% of its net earnings for July + August 2013 - General donation to the city

In Honor Of: -

Location or Placement of Donation: -

Estimated Lifespan of Material Donation: -

Is the Donation Restricted: Yes No

If Yes, Terms of Donation Restriction: -

Donor Statement and Acknowledgements

I certify that all information I have provided in this application is complete to the best of my knowledge. I further certify that I have received, read, understand and agree to the City of Newport Donations Policy.

Applicant/Agent Printed Name: _____ Signature: _____

For Office Use

Received By: Renee Helm

Date Received: October 15, 2013

Approved By: _____ Date of Approval: _____

Reasons for Denial: _____

City of NEWPORT

DONATION APPLICATION AND AGREEMENT FORM

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Date: _____

Donor Information

Donor's Full Name: St. Paul Park Newport Lions Telephone: _____

Donor's Address: PO Box 262

City/State/Zip: Newport, MN 55055

Donation Information

Donated Item: \$1,500

Cost Estimate of the Donation (not to be filled out by City Staff or Volunteers): -

If Applicable:

For: Fire Truck

In Honor Of: -

Location or Placement of Donation: -

Estimated Lifespan of Material Donation: -

Is the Donation Restricted: Yes No

If Yes, Terms of Donation Restriction: -

Donor Statement and Acknowledgements

I certify that all information I have provided in this application is complete to the best of my knowledge. I further certify that I have received, read, understand and agree to the City of Newport Donations Policy.

Applicant/Agent Printed Name: _____ Signature: _____

For Office Use

Received By: Renee Helton

Date Received: November 13, 2013

Approved By: _____ Date of Approval: _____

Reasons for Denial: _____

City of NEWPORT

DONATION APPLICATION AND AGREEMENT FORM

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Date: 26 Nov 13

Donor Information

Donor's Full Name: Helen Nicholson Telephone: [Redacted]

Donor's Address: 701 Green St.

City/State/Zip: Hudson WI

Donation Information

Donated Item: 51 Books

Cost Estimate of the Donation (not to be filled out by City Staff or Volunteers): \$ 1200.00

If Applicable:

For:

In Honor Of: DANIEL J Nicholson

Location or Placement of Donation: Newport Library

Estimated Lifespan of Material Donation:

Is the Donation Restricted: Yes No

If Yes, Terms of Donation Restriction:

Donor Statement and Acknowledgements

I certify that all information I have provided in this application is complete to the best of my knowledge. I further certify that I have received, read, understand and agree to the City of Newport Donations Policy.

Applicant/Agent Printed Name: DAVID A WESLEY Signature: David Wesley

For Office Use

Received By: Jamie Smith

Date Received: 11/26/13

Approved By: Date of Approval:

Reasons for Denial:

\$1200 donation:

Add to Collection:

United States Camouflage WWII

Analysis and Design of Airplane Structures

Lead Soldiers and Figurines

The Search for Speed under Sail 1700-1855

US Army History and Role of Armor

Japanese Army Air Force Camouflage and Markings WWII

The West Point Atlas of American Wars

The West Point Atlas of Civil Wars

The Sailing Ship: Six Thousand Years of History

US Army Tactical Operations Handbook

United States Naval Aviation 1910-1960

Soviet Combat Tanks

Bombers 1914-1919

Fighters 1914-1919

Rough Notes of Seven Campaigns

British Armored Cars 1914-1945

The Wars in Barbary

Military Field Work of the 18th and 19th Centuries

Military Field Work of 20th Century

El Alamein

Operation Compass 1940

Lake Peipus 1242

Khartoum 1885

Aircraft in Profile vol. 1

Age of Great Guns

Rising Sun Victorious

The Historical Encyclopedia of World War II

City of NEWPORT

DONATION APPLICATION AND AGREEMENT FORM

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Date: 11-30-13

Donor Information

Donor's Full Name: Dale Smith Telephone: [Redacted]
Donor's Address: 7684 Iverson Ave S
City/State/Zip: Cottage Grove, MN 55016

Donation Information

Donated Item: set of encyclopedia's
Cost Estimate of the Donation (not to be filled out by City Staff or Volunteers): \$200.00
If Applicable:
For:
In Honor Of:
Location or Placement of Donation:
Estimated Lifespan of Material Donation:
Is the Donation Restricted: Yes No
If Yes, Terms of Donation Restriction:

Donor Statement and Acknowledgements

I certify that all information I have provided in this application is complete to the best of my knowledge. I further certify that I have received, read, understand and agree to the City of Newport Donations Policy.

Applicant/Agent Printed Name: Dale Smith Signature: Dale Smith

For Office Use

Received By: Jamie Smith
Date Received: 11/30/13
Approved By: Date of Approval:
Reasons for Denial:

RESOLUTION NO. 2013-60

A RESOLUTION ACCEPTING DONATIONS FOR THE PERIOD OF SEPTEMBER 5 - DECEMBER 12, 2013

WHEREAS, The City of Newport, Minnesota is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

WHEREAS, The following persons and entities have offered to contribute the items set forth below to the City:

Name of Donor	Donated For	Donated Amount	Donated Date
Anchor Bank	Pioneer Day - For Corn Booth	\$238.17	September 23, 2013
Lady Slipper	10% of its Net Earnings for July and August 2013	\$804.18	October 15, 2013
St. Paul Park Newport Lions	Fire Truck	\$1,500	November 13, 2013
Helen Nicholson	Library and Community Center	Books - Estimated value of \$1,200	November 26, 2013
Dale Smith	Library and Community Center	Books - Estimated Value of \$200	November 30, 2013

WHEREAS, The City Council finds that it is appropriate to accept the donations offered.

NOW, THEREFORE, BE IT RESOLVED, That the Newport City Council hereby accepts the above donations and directs staff to write a letter of appreciation to each donor.

Adopted by this council this 19th day of December, 2013 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE: Geraghty _____
Ingemann _____
Sumner _____
Gallagher _____
Rahm _____

Signed: _____
Tim Geraghty, Mayor

ATTEST: _____
Deb Hill, City Administrator



**City of Newport, Minnesota
ANNUAL KENNEL LICENSE**

Name: Jennifer Lessard

Address: 1698 Kolff Street

Phone: [REDACTED]

Total Lot Size (Sq Ft): 1.9 acres

Size of Kennel (Sq Ft): Ø Kennel

Type of Animal to be Keneled: Ø Kennel

Breed(s): N/A 2 cocker mixes ; 2 yorkies

Maximum Adult Animals to be Keneled: N/A

Applicants Signature: Jennifer Lessard

Fee: \$50

Receipt #: 1919 Date: 12/03/13 Cash: _____ Check #: 5408

Approved by the Newport City Council on the _____ day of _____, 20__.

This license is valid until December 31, 20__.

City Administrator

Mayor



**City of Newport, Minnesota
ANNUAL FARM ANIMAL PERMIT**

Name of Applicant: Kim Brown

Address: 1675 Koiff St. Newport, MN 55055

Phone: [REDACTED]

Upon application made by the above name individual and approved by the Newport City Council at its regularly scheduled meeting of _____, and subject to the requirements of Newport City Code Section 600.21, _____ has been granted this permit for the farm animals identified below for property located at: _____

The applicant has also provided the following information to the City:

- Site Plan of Property, identifying property lines, location and size of pasturage area and shelters
- Kind and number of animals to be kept: 5 Horses
- If the applicant is keeping bees, a list of the property owners that were provided with written notification

Approved by the Newport City Council on the _____ day of _____, 20__.
This license is valid until December 31, 20__.

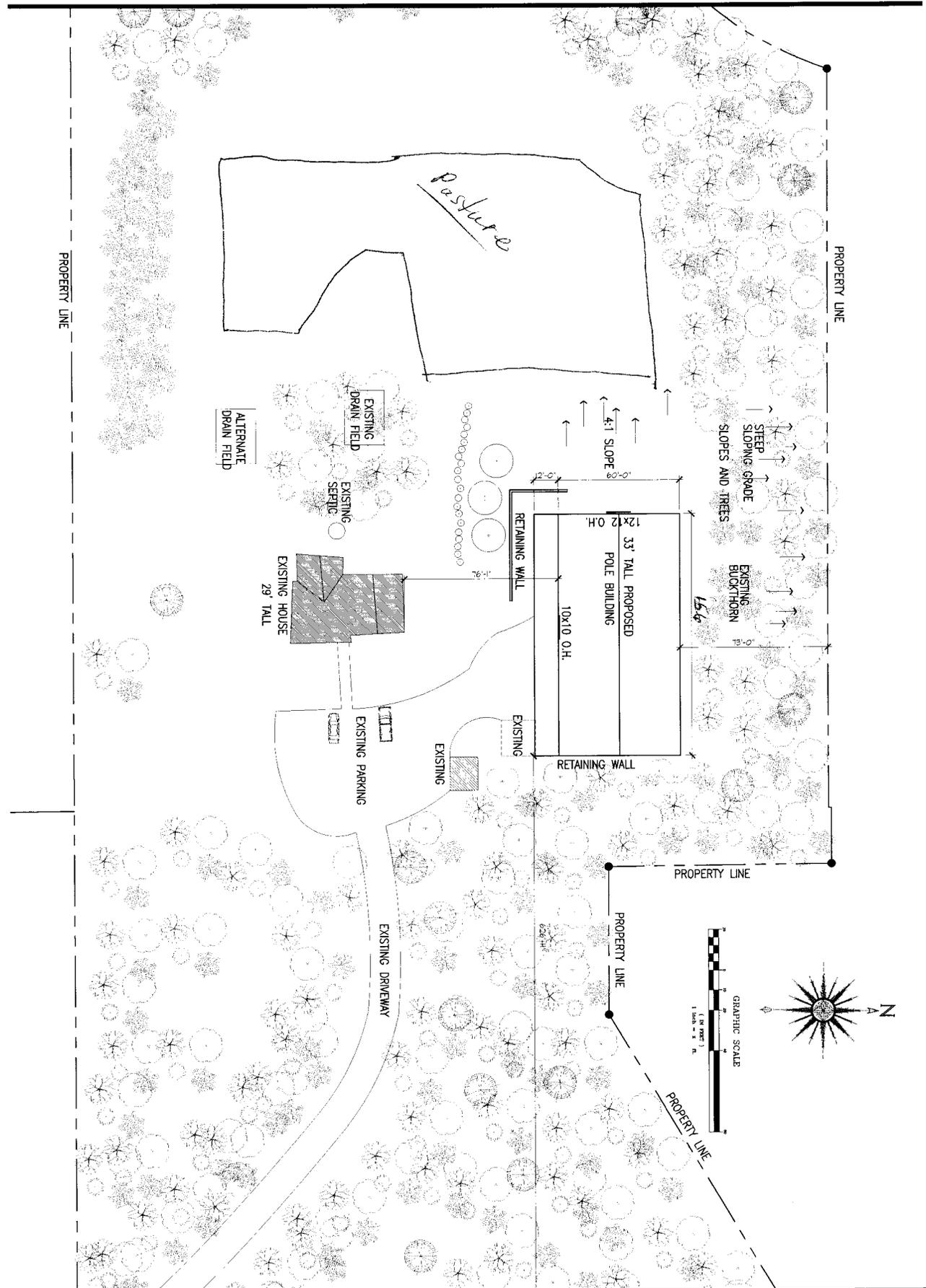
Kim Brown
Applicant

City Administrator

Mayor

Fee: \$25

Receipt #: 1897 Date: 11/27/13 Cash: _____ Check #: 4951



CONTRACTOR:
TODD FRANCS
952.280.2137

Project Title:
POLE BARN ADDITION
1675 KOLEF ST.
NEWPORT, MN
651.238.0866
KIM BROWN / OWNER

Issue Date: 8/27/2013
Drawn By: H. HORNE
612.862.1252

ALL DIMENSIONS AND
CONDITIONS TO BE
VERIFIED BY OTHERS

Revisions:

Item	Date
310 SET	8/27/13
REVISIONS CITY REVIEW	9/1/13
REVISIONS CITY REVIEW	9/1/13
REVISIONS CITY REVIEW	9/1/13
SET SET SHEET	9/18/13
CLARIFICATIONS	9/28/13
REVISIONS	9/28/13
REVISIONS	10/29/13

Sheet Title:
PROPOSED
SITE
PLAN

Sheet Number:

AS1
©2013

BACKGROUND

A previous owner of the home at 1970 8th Avenue remodeled the kitchen and reconstructed the stairway that went from the first floor to the basement in a location near the front entry to the home. The stairway that he installed is illegal. It does not meet Building Code requirements because the treads are too short (7" rather than the required 9") and the stairway is too steep.

The current owner has applied for a variance to rebuild the stairway to meet the Building Code requirements and create a safe stairway. His architect recommended that the stairway should be rebuilt in the current location. The footprint of the home is relatively small, and moving the stairway to another location within the home would require major changes to the existing structural elements of the building. The stairway and entry cannot be expanded to the north due to the location of the existing garage.

Installation of a stairway that is lengthened to meet code requirements will require expanding the stairway toward the front of the home and into the proposed entry addition (see plan submitted by the applicant). The applicant is requesting a variance to build a new entry structure at the front of the home to accommodate the stairway and a new entry area. The proposed structure includes an exterior landing/stair as well as the entry structure.

The new entry requires a variance from the front setback and the lot coverage requirement. The size of the proposed entry area is 10'x7'6". The proposed landing/stair is 3'x9'6". The area proposed to be added to the home therefore extends 13' from the front of the house toward the street. The proposed structure setback is 17' from the front property line. The expansion of the structure also requires a variance from the lot coverage requirement (maximum 25% in the R-1 District).

EVALUATION OF THE REQUEST

Comprehensive Plan

The property at 1970 8th Avenue is located in the R-1 Low-Density Single-Family Residential District. The Comprehensive Plan goals for the City's residential districts support protecting the character of existing residential neighborhoods and encourage reinvestment in those neighborhoods. The proposed use is consistent with the Comprehensive Plan.

Development Code Requirements: Lot sizes and Setbacks

The minimum lot size in the R-1 Zoning District is currently 9,100 square feet. The applicant's lot is 10,455 square feet in size, and meets the ordinance requirement.

The setback requirements in the R-1 Zoning District are as follows:

- Front yard setback: 30 feet
- Side yard setback for dwellings: 10 feet
- Side yard setback for garages: 5 feet
- Rear yard setback for dwellings: 30 feet
- Rear yard setback for garages: 5 feet



The applicant is requesting a variance to locate the new entry structure 17 feet from the property boundary on 8th Avenue rather than the required 30 feet. The existing home and garage (shown as “proposed” on the survey and constructed in October 2013 to replace the previous garage) meet the other setback requirements.

Building Height

The maximum building height in the R-1 District is 35 feet. The height of the proposed entry structure is approximately 14 feet, and the roof peak of the addition will be lower than the height of the dwelling. The height of the proposed addition meets the ordinance requirement.

Lot Coverage

The zoning ordinance allows a maximum 25% lot coverage in the R-1 District. The existing lot coverage on the parcel is approximately 38%, based on the survey submitted with the application. The existing lot coverage is therefore nonconforming.

The proposed entry structure is 10'x7'6". The proposed landing is 3'x9'6". The total impervious surface that the applicant proposes to add is 103.5 square feet. Nonconforming buildings may be expanded up to 20% of the area of the building footprint without a variance if the proposed expansion meets all of the setback and dimensional requirements of the zoning district. The footprint of the existing home is 1020 square feet. While the proposed expansion is less than 20% of the footprint of the home, it does not meet the front setback requirement. The proposed expansion would expand the lot coverage to approximately 40% of the lot. Since the proposed expansion does not meet the setback requirement, the applicant must also obtain a variance from the lot coverage standard for the proposed addition.

Stormwater Management

The Planner discussed the request for a variance from the coverage requirement with the City Engineer. The Engineer concluded that if the City grants the variance, it would not be practical to require stormwater management practices on the small parcel in order to mitigate for the additional lot coverage. Therefore, based on the Engineer's recommendation, the Planner has not included conditions related to stormwater management for the variance.

ORDINANCE REQUIREMENTS FOR EVALUATING A VARIANCE REQUEST

Section 1310.11 of the Zoning Ordinance states that the City may approve variances if they meet the following criteria:

- Granting the variance is consistent with the Comprehensive Plan, and in harmony with the general purposes and intent of the zoning ordinance.
- Strict enforcement of the zoning ordinance would result in “practical difficulties, “ which are defined as follows:
 - The property owner is proposing to use the property in a reasonable manner that is not permitted by the Zoning Ordinance.
 - The plight of the landowner is due to circumstances unique to the property and not created by the landowner.
 - Granting the variance will not alter the essential character of the locality.
 - Economic conditions alone shall not constitute the practical difficulties.



- Granting the variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of public streets, or increase the danger of fire, or endanger public safety, or substantially diminish or impair property values within the neighborhood.
- The requested variance is the minimum action required to eliminate the practical difficulty.
- Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

Findings

The following are the Planner's findings based on the request and the conditions for approving a variance

- *Variances shall only be permitted when they are consistent with the Comprehensive Plan and in harmony with the general purposes and intent of the official control.*

The purpose of the R-1 District is to preserve, create and enhance areas for low-density single-family residential dwellings in areas identified in the Comprehensive Plan. The Plan encourages reinvestment in the existing single family homes in the R-1 District. The purpose of the Zoning Ordinance is to promote the health, safety and welfare of the residents of Newport. Granting the variance request will allow an investment that will bring the home into compliance with the Building Code and allow for safe occupancy of the dwelling for the current and future owners. The requested variance is therefore consistent with the goals of the Comprehensive Plan and in harmony with the general purposes of the Zoning Ordinance.

- *The proposed use is reasonable.*

Single family homes are permitted uses in the R-1 Zoning District. The City requires that homes comply with the Building Code. Therefore, the proposed use is a reasonable use.

- *The request is due to circumstances that are unique to the property, and were not created by the landowner.*

The practical difficulties related to the addition of the entry structure were caused by the actions of a previous owner, who constructed a stairway that does not meet building code requirements and is unsafe. The proposed addition will permit construction of a stairway that meets the code requirements and will not require major structural alteration to the home. The entry cannot be located to the north side of the structure due to the location of the garage. The practical difficulties are therefore related to the actions of a previous owner and the locations of the existing home and garage. The owner/applicant did not create the practical difficulties.

- *The variance, if granted, will not alter the essential character of the area.*

The home will remain a single-family residence. While the setback of the Banaszewski home will vary from surrounding homes with the addition of the entry structure, it is



relatively small, and the Planner suggests that the addition will not alter the essential single-family character of the area.

- *Economic considerations alone do not constitute practical difficulties.*

The variance request is based on the need to replace an existing stairway that is illegal and unsafe, not on economic considerations.

- *The proposed variance will not impair an adequate supply of light and air to adjacent properties, substantially increase the congestion of public streets, increase the danger of fire or endanger public safety, or substantially diminish or impair property values within the neighborhood.*

The addition of an entry structure in the proposed location will not impair the supply of light or air to adjacent properties, increase street congestion, increase the danger of fire or endanger public safety, or impair property values within the neighborhood.

- *The requested variance should be the minimum action required to eliminate the practical difficulty.*

The proposed addition is the minimum size needed to accommodate a new stairway that meets code requirements and to replace the existing small entry area. The new stairway cannot be accommodated in another location where a larger setback could be maintained due to the location of the existing driveway and plumbing within the home. The variance is the minimum action required to eliminate the practical difficulty.

- *Practical difficulties include, but are not limited to inadequate access to direct sunlight for solar energy systems.*

Granting the variance request will not affect access to direct sunlight for solar energy systems.

The findings support granting the variance.

PLANNING COMMISSION PUBLIC HEARING AND DISCUSSION

The Planning Commission held a public hearing on the Banaszewski variance request at its regular meeting on December 12. The Commission received no written or verbal comments from the public regarding the application. Council Member Tom Ingemann suggested that there may be other options to replace the stairway that would not require a variance. The applicant and Commission discussed other potential locations and designs for the stairway, but determined that none would work without major structural alteration. The Commission also discussed the variance for the coverage requirement, and while the levels of impervious surface and impacts on stormwater management are a general concern, the Commission agreed with the Engineer's recommendation that the amount of additional surface requested for the variance is small, and does not require new best management practices.

The Commission reviewed the Planner's findings, and recommended approval of the variance request.



ACTION REQUESTED

The City Council can take the following actions for this request:

1. Approval
2. Approval with conditions
3. Denial with findings
4. Table the request, if additional information is needed to make a decision

PLANNING COMMISSION FINDINGS AND RECOMMENDATIONS

The Planning Commission recommends that the City Council approval a variance for the property at 1970 8th Avenue to construct an entry addition and landing a minimum of 17 feet from the front property line, and to permit up to 40 percent lot coverage by impervious surfaces on the parcel. The recommendation is based on the following findings:

1. The variance request is consistent with the Comprehensive Plan's goals to permit single-family uses in the R-1 Zoning District and encourage reinvestment in those uses. It is also in harmony with the purpose of the Zoning Ordinance to promote the health, safety and welfare of the residents of Newport. Granting the variance request will allow an investment in the existing single-family home that will bring the home into compliance with the Building Code and allow for safe occupancy of the dwelling for the current and future owners.
2. The proposed single-family use is a reasonable use in the R-1 District.
3. The practical difficulties were created by a previous owner who constructed a stairway that does not meet Building Code requirements and is unsafe. The location of the proposed addition is the only practical location given the small size of the home, the existing structure, and the location of the existing garage.
4. The proposed addition is small in size, and granting the variance would not alter the essential single-family character of the neighborhood.
5. The proposed entry addition will not impair the supply of light or air to adjacent properties, increase street congestion, increase the danger of fire or endanger public safety, or impair property values within the neighborhood.
6. The variance is the minimum action needed to rebuild the stairway to meet the requirements of the Building Code.
7. Granting the variance will not affect access to direct sunlight for solar energy systems.

The Planning Commission recommends the following conditions:

1. The proposed entry addition shall conform to the plan submitted to the City and dated September 13, 2013. The size of the entry area shall be a maximum of 10'x7'6", with a landing/stair that is 3'x9'6" in size as indicated on the site plan and building plan.
2. The Applicant shall obtain a building permit for the proposed entry addition.



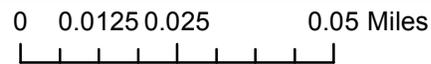
3. The entry addition shall be no taller than the principal structure, and shall be constructed of materials that are compatible to the colors and materials on the exterior of the home.
4. The applicant shall pay all fees and escrow associated with this application.





Parcel ID: 2502822340026

Parcel Address:
1970 8TH AVE, CITY OF NEWPORT



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of NEWPORT Planning Request Application

Newport City Hall ♦ 596 7th Avenue ♦ Newport ♦ Minnesota ♦ 55055 ♦ Telephone 651-459-5677 ♦ Fax 651-459-9883

Application Date: 10-9-13 Public Hearing Date December 12, 2013

Applicant Information

Name: GARY BANASTZEWSKI Telephone: 651 458 5068
Mailing Address: 1970 8th Ave Telephone: 651 253 7969
City/State/Zip: Newport MN 55055

Property Owner Information

Name: GARY BANASTZEWSKI Telephone: 651 458 5068
Mailing Address: 1970 8th Ave Telephone: 651 253 7969
City/State/Zip: Newport MN 55055

Project Information

Location of Property: 1970 8th Ave Newport MN 55055

Legal Description of Property and P.I.D. #: 2502822340026

Subdivision Name Oakridge Terrace Lot 22 Block 3 Subdivision
CD 55095

Zoning District: _____ Flood Plain: AE 0.2% Annual Chance Flood Hazard

- Comprehensive Plan Amendment \$500 or Actual Cost plus \$50 for Additional Staff Hours (10 Hr Min)
- Rezoning \$500 plus Escrow
- Zoning Amendment \$500
- Variance \$300 plus Escrow + \$1,000
- Conditional Use Permit
 - Residential \$300 plus Escrow
 - Commercial \$450 plus Escrow
- Subdivision Approval
 - Minor Subdivision \$300 plus Escrow and \$2,000 for Parkland Dedication Fee
 - Major Subdivision \$500 plus Escrow, \$50 per Lot, \$200 for Final Plat, and 10% of land value or fee for Parkland Dedication Fee
- Other: _____
- Applicable Zoning Code Chapter: _____
- Review by Engineer Cost: _____
- Total Cost: _____

The City of Newport requires that any developer or every person, company, or corporation that is seeking to commence construction or major alterations of a structure, and land subdivisions or lot combinations must first submit detailed site plans to the City. The person submitting site plans must also submit prepayment to the City to cover any expenses that the City incurs by investing extensive amounts of time reviewing these plans. Any funds in excess of those actually reimbursing the City for its expenses will be returned to the applicant upon completion of the project. The fees are as follows:

Site Plan Review - Residential

- 8 Units or Less \$2,000
- 9 to 40 Units \$3,200
- 41 Units or More \$4,500

Site Plan Review - Commercial

- 0 to 5,000 sq ft bldg \$2,000
- 5,001 to 10,000 sq ft bldg \$3,000
- 10,001 to 50,000 sq ft bldg \$3,750
- 50,001 sq ft plus bldg \$4,500

Preliminary Plat

- Under 10 Acres \$3,500
- Over 10 Acres \$6,500

Present Use of Property: Home

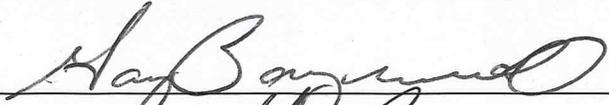
State Reason for Planning Request:

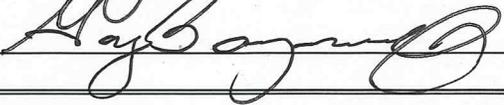
Front Interway on The
House 10' x 7' 8"

Variance 10'

ALL MATERIALS/DOCUMENTATION, INCLUDING A SITE-PLAN, MUST BE SUBMITTED WITH APPLICATION THAT IS APPLICABLE TO PLANNING REQUEST.

I HEREBY DECLARE THAT ALL STATEMENTS MADE ON THIS REQUEST AND ON THE ADDITIONAL MATERIAL ARE TRUE.

SIGNATURE OF APPLICANT: 

SIGNATURE OF OWNER (IF APPLICABLE): 

For Office Use

Fee: \$300 + \$1,000 Date Paid: 10/29/13 Receipt #: 1789
escrow

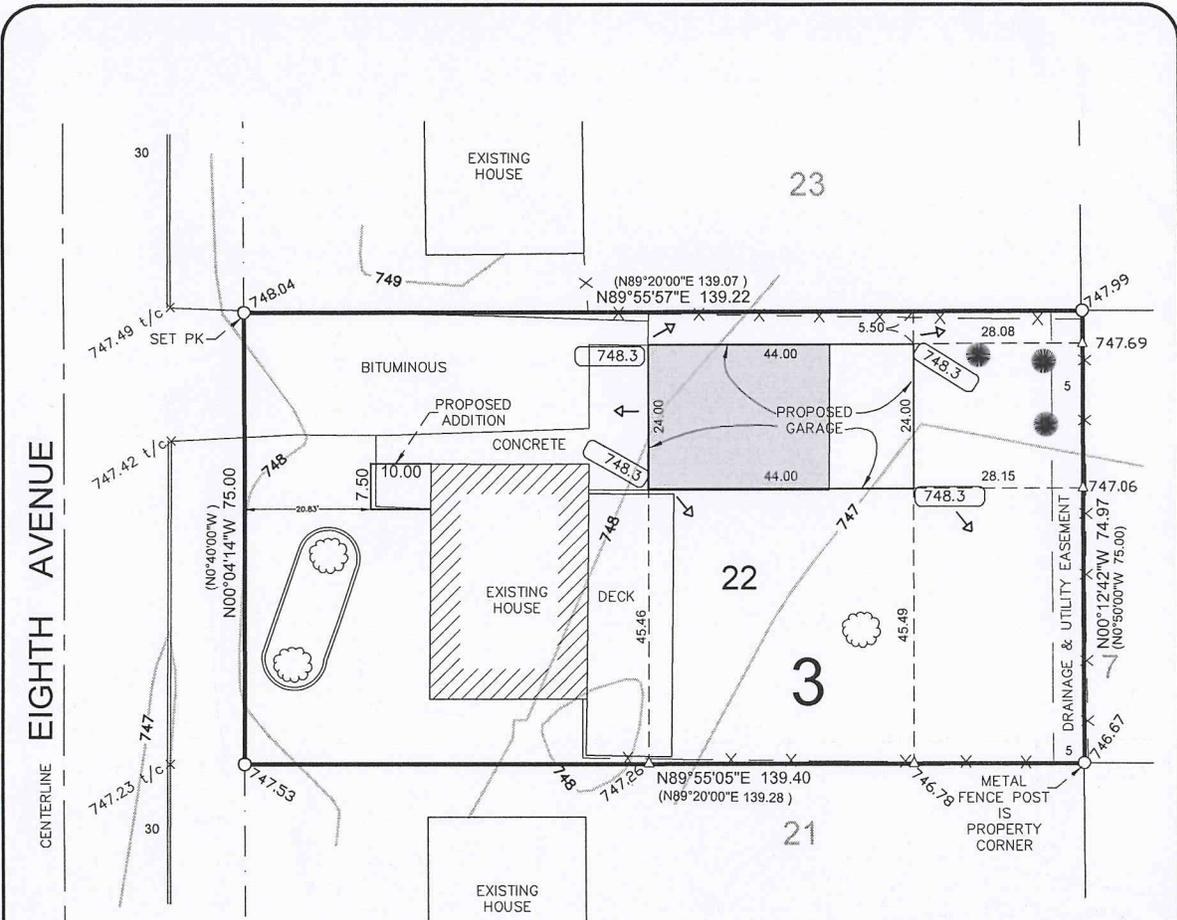
Publication of Notice Date: _____

Public Hearing Date: December 12, 2013

P.C. Resolution #: _____

Council Action Date: _____

Council Resolution #: _____



ADDRESS
 1970 8TH AVENUE
 NEWPORT, MN 55055

PROPERTY DESCRIPTION
 Lot 22, Block 3, OAKRIDGE TERRACE,
 Washington County, Minnesota.

ELEVATION DATA
 EXISTING GARAGE FLOOR EL.=748.5
 PROPOSED GARAGE FLOOR EL.=748.5

NOTE:

- BENCHMARK IS TOP NUT HYDRANT AT CORNER 8th AVENUE AND 20th STREET. ELEVATION = 750.64

- DENOTES GARAGE TO BE DEMOLISHED.
- DENOTES DIRECTION OF PROPOSED DRAINAGE.
- △ DENOTES OFFSET STAKE.
- DENOTES A PLACED 1" BY 18" IRON PIPE HAVING A PLASTIC CAP BEARING LAND SURVEYOR LICENSE NO. 48634.
- 912.96 DENOTES EXISTING SPOT ELEVATION.
- 912.96 t/c DENOTES EXISTING SPOT ELEVATION, TOP CURB.
- (912.96) DENOTES PROPOSED SPOT ELEVATION.
- X — DENOTES EXISTING FENCE.
- () DENOTES PLAT DIMENSION.



BEARINGS SHOWN HEREON ARE ORIENTED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD 83, 1996 ADJUSTMENT (HARN)

CERTIFICATE OF SURVEY FOR:

GARY BANASZEWSKI



JOHNSON & SCOFIELD INC.
 SURVEYING AND ENGINEERING

507 VERMILLION STREET, HASTINGS, MN 55033
 (651)438-0000

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Mitchell A. Scofield
 Mitchell A. Scofield
 Minnesota License No. 48634
 Date: September 13, 2013

BK. NA	PG. NA	W.O.#	DRAWING NUMBER
SHEET 1 OF 1 SHEETS		13-441	S-5251

RESOLUTION NO. 2013-61

A RESOLUTION APPROVING A VARIANCE REQUESTED BY GARY BANASZEWSKI, 1970 8TH AVENUE, NEWPORT, MN 55055, FOR PROPERTY LOCATED AT 1970 8TH AVENUE, NEWPORT, MN 55055

WHEREAS, Gary Banaszewski, 1970 8th Avenue, Newport, MN 55055, has submitted a request for a Variance; and

WHEREAS, the property is located at 1970 8th Avenue, Newport, MN 55055, and is more fully legally described as follows:

**PID #25.028.22.34.0026 - SUBDIVISIONNAME OAKRIDGE TERRACE LOT 22 BLOCK 3
SUBDIVISIONCD 55095**

WHEREAS, The described property is zoned Low Density Single Family Residential (R-1); and

WHEREAS, Minnesota Statutes 394.27 states that the criteria for granting a variance include that variances are permitted when they are in harmony with the general purpose and intent of the official control and are consistent with the comprehensive plan; that the request shall be reasonable under the development code; the need for the variance is due to circumstances that are unique to the property and were not created by the landowner; the variance, if granted, will not alter the essential character of the area; economic considerations alone do not constitute practical difficulties; the proposed variance will not impair an adequate supply of light and air to adjacent properties, substantially increase the congestion of public streets, increase the danger of fire or endanger public safety, or substantially diminish or impair property values within the neighborhood; the requested variance should be the minimum action required to eliminate the practical difficulties; and practical difficulties include, but are not limited to inadequate access to direct sunlight for solar energy systems; and

WHEREAS, Following publication, posted, and mailed notice thereof, the Newport Planning Commission held a Public Hearing on December 12, 2013; and

WHEREAS, the Planning Commission's findings related to the request for approval of a Variance include the following:

1. The variance request is consistent with the Comprehensive Plan's goals to permit single-family uses in the R-1 Zoning District and encourage reinvestment in those uses. It is also in harmony with the purpose of the Zoning Ordinance to promote the health, safety and welfare of the residents of Newport. Granting the variance request will allow an investment in the existing single-family home that will bring the home into compliance with the Building Code and allow for safe occupancy of the dwelling for the current and future owners.
2. The proposed single-family use is a reasonable use in the R-1 District.
3. The practical difficulties were created by a previous owner who constructed a stairway that does not meet Building Code requirements and is unsafe. The location of the proposed addition is the only practical location given the small size of the home, the existing structure, and the location of the existing garage.
4. The proposed addition is small in size, and granting the variance would not alter the essential single-family character of the neighborhood.
5. The proposed entry addition will not impair the supply of light or air to adjacent properties, increase street congestion, increase the danger of fire or endanger public safety, or impair property values within the neighborhood.

- 6. The variance is the minimum action needed to rebuild the stairway to meet the requirements of the Building Code.
- 7. Granting the variance will not affect access to direct sunlight for solar energy systems.

WHEREAS, The Planning Commission recommended Council approval of the proposed rezoning, Resolution No. P.C. 2013-12.

NOW, THEREFORE, BE IT RESOLVED That the Newport City Council Approves a Variance for 1970 8th Avenue to Allow a 17 Foot Setback from the Front Property Line and to Permit up to 40 Percent Lot Coverage by Impervious Surfaces on the Parcel with the Following Conditions:

- 1. The proposed entry addition shall conform to the plan submitted to the City and dated September 13, 2013. The size of the entry area shall be a maximum of 10'x7'6"', with a landing/stair that is 3'x9'6" in size as indicated on the site plan and building plan.
- 2. The Applicant shall obtain a building permit for the proposed entry addition.
- 3. The entry addition shall be no taller than the principal structure, and shall be constructed of materials that are compatible to the colors and materials on the exterior of the home.
- 4. The applicant shall pay all fees and escrow associated with this application.

Adopted this 19th day of December, 2013 by the Newport City Council.

Motion by: _____, Seconded by: _____

VOTE:	Geraghty	_____
	Ingemann	_____
	Sumner	_____
	Gallagher	_____
	Rahm	_____

Signed: _____
 Tim Geraghty, Mayor

ATTEST: _____
 Deb Hill, City Administrator



Memo To: City of Newport
From: Barbara Dacy, Executive Director 
Date: December 16, 2013
RE: Branding Proposal for Red Rock Redevelopment

Background

The HRA and the City of Newport plan to help facilitate a major, long-term development in the Red Rock redevelopment area with the transit station as a catalyst. The City of Newport has articulated a vision for the redevelopment as a thriving, transit-friendly, higher-density area with green space, an enhanced and accessible riverfront, access to trails, innovative storm water treatment, and more. The highly visible site serves as the face of Newport and as an entry point to Washington County for those arriving on I-494. The redevelopment will create jobs in the area and could produce up to \$50 million in real estate value and concomitant tax revenues.

The next steps in the redevelopment process are first, to design the necessary infrastructure improvements, including an innovative storm-water management plan and second, develop a strong brand. Metropolitan Council LCDA (Livable Communities Demonstration Account) grant applications are due in May and implementation of storm-water infrastructure is an eligible use of LCDA funds. Metro Council staff indicated that a proposal should include a clear connection to the Mississippi River, which is the key amenity in the project area, and that the approach to storm-water management must be innovative. The City of Newport is considering a proposal to study and design an innovative storm-water management system for the site.

The Washington County HRA has received a proposal to develop a strong brand and name for the Red Rock redevelopment. The HRA has seen the branding work done by the City of Newport and will work with the city as best as possible to coordinate with city branding and messaging. The following describes the objectives and benefits of developing a brand and the scope of the proposal.

Objectives

The objectives of the branding work for the redevelopment area are as follows:

- Develop a strong and effective brand position for the project that targets developers primarily, and funders, secondarily
- Develop a unique name that provides some independence and distinction from the Red Rock Corridor rapid bus line
- Develop a visual identity, including a logo, and key messages
- Develop a marketing plan that outlines actionable tactics targeted toward key audiences
- Enable spokespeople at the HRA and the City of Newport to use consistent and effective language to communicate about the project

Long-Term Benefits

The long-term benefits of developing a strong brand will:

- Provide a guide for communications about this project

- Ensure consistent messages for press and marketing
- Imprint a new, vibrant image of the redevelopment area and attract on-going reinvestment
- Associate a brand with a sense of place, that continues to attract people and businesses to the area
- Provide a tailored message to shape perceptions of and promote the community
- Provide visuals and messaging for marketing events and show-casing

Next Steps

Washington County HRA has employed the services of Nancy Doyle Brown to assist the agency in developing a messaging platform. Ms. Brown helps agencies and nonprofits strengthen relationships, raise visibility, and increase support through effective branding and messaging. She also offers guidance on naming, communications strategy, event planning, media strategy, and crisis communications. Her approach is to adapt proven strategies to the unique needs and culture of each organization. Ms. Brown developed a proposal to provide the following services:

1. Insight gathering and competitive analysis

Through internal conversations at the HRA and the City of Newport, develop an understanding of current perceptions of the development. Conduct external interviews with developers to understand their interests, goals, and decision-making processes as they relate to the redevelopment area. Analyze competition of other development opportunities.

2. Creative session to develop brand positioning

Facilitate a session with Newport and HRA staff to identify the best brand positioning for the redevelopment area, aligning its strengths with the compelling interests of key audiences.

3. Creative session to develop name and tagline

Facilitate a session with Newport and HRA staff to develop a name and tagline for the redevelopment area that aligns with the brand positioning.

4. Development of visual identity and key messages

Based on the positioning statement, work with graphic design partner to produce a visual identity that conveys the brand, including a logo, fonts, and colors. Develop key messages.

5. Development of marketing plan

Work with Newport and HRA staff to develop a marketing plan that identifies actionable tactics for communicating to key audiences. Train staff at the HRA and Newport on using the logo and messages. Support implementation of the marketing plan and brand standards through follow-up at 1, 3, and 5 months.

Deliverables:

- Name and tagline for Newport redevelopment.
- Visual identity/logo.
- Electronic Brand Standards guide.
- Marketing plan with actionable tactics.
- Develop 2 to 3 key marketing materials identified as immediate needs in the marketing plan. Services include writing, graphic design, and production oversight.

No action is needed on this item. The HRA will be responsible for the costs of this contract.



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651.292.4400
tkda.com

Memorandum

To:	<u>Newport City Council</u>	Reference:	<u>Red Rock Redevelopment Area-</u>
Copies To:	<u>Deb Hill, City Administrator</u>		<u>Proposed Innovative Stormwater</u>
	<u>Renee Helm, Executive Analyst</u>		<u>Management Project</u>
	<u>Barb Dacy, Washington County HRA</u>	Project No.:	<u>15252.000</u>
	<u>John Stewart, PE, City Engineer</u>		
From:	<u>Sherri Buss, RLA AICP, City Planner</u>	Routing:	
Date:	<u>November 27, 2013</u>		

BACKGROUND

In 2012, the City and the Washington County HRA submitted a Livable Communities grant application to the Metropolitan Council to support redevelopment in the Red Rock Gateway Area. The application would have supported a 65-unit housing development and related infrastructure near the new Transit Station. (Redevelopment plans for the entire Red Rock Gateway area include 450 new housing units.) Unfortunately, the proposal was not selected for funding in 2012.

The HRA has had discussions with the Metro Council regarding the 2013 application and a new application submittal for 2014. Metro Council staff indicated that some additions to the proposal would increase the chances that it will be funded in 2014. Metro Council staff indicated that the proposal should include:

- Some connection(s) to the Mississippi River, which is the key amenity in the project area
- An innovative approach to implementing the proposed redevelopment

City and HRA staff met to discuss options that could be incorporated into the proposal to address the comments from the Metro Council and increase the potential for funding in 2014. Staff agreed that it is not practical for the City to pursue redevelopment of the properties along the Mississippi River in the redevelopment area at this time, and examined other options for creating a connection to the River. Staff agreed that a strategy to connecting with the river could include the following:

- An innovative approach to stormwater management within the Red Rock Redevelopment area that could include both stormwater and groundwater. All of the stormwater and shallow groundwater from the area currently goes directly to the river with minimal treatment. The strategy could include options to clean stormwater before it goes to the river, as well as capturing and utilizing groundwater that flows through the

site. One concept is to develop a “flowing stream” fed by ground water that will enhance the development and help treat and infiltrate stormwater runoff into the bedrock. The “flowing stream” could be incorporated in a buffer area along the spur trackage, or as part of an open space or park area.

The stormwater management approach could also serve as a signature amenity and organizing element for the redevelopment. Other communities have used this strategy successfully—including the Phalen Corridor area in Saint Paul, the Arbor Lakes area in Maple Grove, and the Brookdale Shopping Center redevelopment.

The high bedrock in the redevelopment area is a challenge for stormwater management as well as building construction. However, the geology of the site and availability of groundwater present some opportunities for innovative approaches to stormwater management and aesthetic elements such as a “creek” or other surface features that could turn a challenging element of the site into an asset.

- A trail connection from the Red Rock Redevelopment Area to the river utilizing Mn/DOT right-of-way, including an overlook near the Wakota Bridge and interpretive information about the area’s history, geography and the stormwater management approach. Staff have contacted Mn/DOT about the proposed trail connection, and Mn/DOT has expressed encouragement for this concept.

The staff team requested that the City’s Engineer and Planner develop a proposal for the City Council to consider that includes a scope of work and cost estimate for completing an engineering and design study for an innovative stormwater management system and trail for the Red Rock Redevelopment Area.

The proposed study should be completed by May, 2014. The pre-application for the Livable Communities Grant funds is due in April, 2014, and the full application is due in July, 2014. The HRA staff indicated that the prospective housing developer that will be part of the application will need to utilize the information from the stormwater study to develop the housing site concept that would be submitted with the full application in July.

PROPOSED STUDY

The City Engineer and Planner have developed work scope and cost estimate to develop an innovative stormwater management approach in the Red Rock Area that includes an engineering analysis of the existing and proposed stormwater system, and work by landscape architects to design the system as an amenity and unifying design element for the redevelopment area. The Engineer and Planner would work with the City’s Maintenance Supervisor and other staff on this team effort.

The steps in the study would include:

MSA will complete the following:

1. An engineering analysis of the existing stormwater conditions of the site and pre-development runoff-conditions for key storm events.



2. Analysis of the existing groundwater conditions on the site. City staff are aware that there is significant ground water travelling from the bluffs to the east through this site relatively close to the surface on a year-round basis. This resource may be available to support landscape amenities in the area.
3. An engineering analysis of the future stormwater conditions on the site using the proposed redevelopment scenarios created in earlier studies. This will include modeling of the stormwater treatment needed for future development based on the City's stormwater requirements and Watershed District rules.
4. Research and identification of potential innovative methods that could be used to manage stormwater and groundwater on the site, such as water re-use, infiltration and groundwater re-charge, aeration and treatment of runoff, etc.
5. Graphic summary of the site's stormwater system and potential management options and locations.

TKDA will complete the following:

6. TKDA's landscape architects will use the information developed by MSA to develop two conceptual design options for the stormwater system and trail in the redevelopment area, including aesthetic elements of the stormwater system to enhance the future uses planned for the area.
7. Facilitate a discussion with the City and HRA staff team, City officials, Watershed District representatives, prospective housing developer, and others as needed to select a preferred option for stormwater management, the interpretive trail, and the aesthetic elements of the system.
8. Complete an illustrative, detailed design plan of the preferred stormwater and trail option in a "plan" view, and 4-5 illustrative elevation views of the stormwater system and trail with future land uses.
9. Provide the proposed plan and elevations to the prospective housing developer and HRA in a suitable format for use in the Livable Communities grant application.

MSA and TKDA will complete the following:

10. A cost estimate for the proposed stormwater system.
11. 1-2 additional meetings with the Watershed District, City Planning Commission, Council, and/or residents to present the study results and proposed system design.
12. Final report and graphics based on comments.

MSA and TKDA have developed cost estimates to complete the study. The Washington County HRA requested an informal cost estimate from another consultant to complete this effort, and the estimate was approximately \$80,000. MSA and TKDA have worked to develop a scope for the study that includes the necessary tasks for this effort at a lower cost. The detailed cost estimates for each firm are attached. The existing knowledge that the firms have in the area will help us to complete this study at the costs we estimate, as follows:

MSA—Engineering Study	\$19,940.00
TKDA—Landscape Design	<u>15,134.00</u>
TOTAL ESTIMATE	\$35,074.00



Completing this study now will lay out a comprehensive approach to stormwater management that will address the Metro Council's desire for an innovative approach to connecting with the Mississippi River and to redevelopment of the area. The products of the study will be useful to all of the public and private entities doing work in the redevelopment area for the foreseeable future. The study outcomes and products will identify:

- Key stormwater management facilities and potential locations for those facilities on the site, to guide redevelopment and infrastructure plans for the area.
- Opportunities for stormwater features that may become significant amenities for redevelopment.
- Standards and stormwater system information that developers can use in future site plans and development proposals.
- Costs and maintenance needs for the future stormwater system, to assist the City in long-term planning and negotiations with potential developers.
- Opportunities for future grant applications for the stormwater management system and for amenities such as trails and interpretive improvements

POTENTIAL GRANT FUNDING

Staff have research potential options for funding to assist with the innovative stormwater design study and the implementation of the proposed system design. The options include the following:

- MPCA Clean Water or Section 319 Funds—These programs fund implementation efforts to clean up surface waters. The applications are very competitive. The programs would not be a source for the study, but could be a source for funding the implementation of an innovative system if it could show benefits to the Mississippi River.
- South Washington Watershed District Cost Share and Coordinated Capital Improvement Program (CCIP) Funds—The District's programs usually fund implementation efforts, so these funds could be available to help to implement stormwater best management practices in the Red Rock area.

John Loomis of the District staff indicated that the Board is also willing to listen to proposals for other efforts for the CCIP Funds. He indicated that the City could submit information about the proposed innovative stormwater study to the Board, and they could determine if it would be of interest for District funding. The maximum District funding is 35% of any project. Funds are usually allocated in April.

REQUEST FOR COUNCIL ACTION

The Washington County HRA staff and City staff request that the Council review the background and rationale for the innovative stormwater study, and approve the proposed study so that it may begin in early 2014 and be completed by May, 2014.



AREA 2

AREA 1

MSA City of Newport Stormwater Management Inovative Alternatives		Area 1	
Task No.	Description	Est. Hours	Estimated Cost
1	Determine existing surface impermeability and calculate pre development runoff conditions for 2year and 100 year storm events	10	\$ 1,200.00
2	Evaluate potential for ground water recharge across project area	20	\$ 2,000.00
3	Determine available subsurface ground water flow that is available for intercept across north east corner of spur track	20	\$ 2,100.00
4	Evaluate future surface impermeability and calculate post development runoff conditions for 2 year and 100 year storm events	10	\$ 1,000.00
5	Model storm water detention and treatment facilities needed for compliance with SWWD and City of Newport Stormwater regulations	12	\$ 1,200.00
6	Research potential uses for BMP Treatment technologies, including, wet ponds flow through water feature (ground water & surface runoff, infiltration and groundwater recharge, aeration and chemical treatment of runoff. Prepare preliminary unit sizing and locations of BMP applications	50	\$ 5,500.00
7	Conduct public information meeting to solicit comment from public , planning commission, city council, watershed commissioners on best available storm water management techniques appropriate to site.	4	\$ 480.00
8	Consider input from informational meeting to develop a storm water master plan for project site	10	\$ 1,000.00
9	Review Stormwater master plan with CC and SWWD	4	\$ 460.00
	Soil Borings		\$ 5,000.00
	Engineering Services	140.00	\$ 19,940.00

**Red Rock Gateway Area
 Innovative Stormwater Design—Landscape Design and Illustrative Graphics
 TKDA Cost Estimate
 November 19, 2013**

Description: TKDA will work with the City engineer to develop 2 conceptual options for managing stormwater and creating a trail connection to the Mississippi River for the Red Rock Gateway Redevelopment Area. The Engineer will provide the analysis of stormwater and groundwater pre- and post-development, and analysis of potential best management practices. TKDA’s Landscape Architects will review the conceptual options with the Engineer, City and Washington County HRA staff to select a preferred option.

TKDA will complete the detailed landscape design for the preferred option, create an illustrative plan view and 4-5 illustrative elevation views at various locations on the site. TKDA will complete the cost analysis for landscape design, and participate in presenting the work products at 2-3 City meetings. Based on comments, we will complete revisions to the graphic products to provide a final product for use in the Metro Council Livable Cities Grant Application.

Task	Hours	Estimated Cost
Develop 2 concept design options for stormwater management, trail and related amenities at sketch level. (Includes 1 meeting with City staff)	24	2,956.00
Detailed design of preferred option for Red Rock Area and creation of plan view illustrative graphic	40	3,784.00
4-5 Illustrative elevation views of preferred option and narrative description	42	5,318.00
Cost estimate	4	992.00
2-3 meetings with City staff, Planning Commission, and City Council to present products	8	1,092.00
Revisions and produce final graphics suitable for use with Livable Cities grant application	4	992.00
TOTAL	122	\$15,134.00



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Memorandum

To:	Newport City Council	Reference:	Amendments to the Zoning Ordinance--Accessory Structures in the RE District
Copies To:	Deb Hill, City Administrator		
	Renee Helm, Executive Analyst		
From:	Sherri Buss, RLA AICP, Planner	Project No.:	15252.000
Date:	December 16, 2013	Routing:	

Background

During the discussion of Kim Brown’s CUP and Variance application at the September meeting, the Planning Commission members identified several concerns about the regulation of accessory structures in the Residential Estates (RE) District. Commissioners noted that the current ordinance does not include a size limitation for accessory structures, and this was a significant concern for residents who spoke at the public hearing on the Brown Variance request. The Commission requested that staff provide a comparison to the requirements that other communities use in similar districts.

The Commission discussed the ordinance at its October and November meetings, and identified several changes that they believe will improve regulation of accessory structures.

Planning Commission Recommendations

At their meeting on December 12, The Commission recommended a revised ordinance section for Accessory Structures (1340.04) for Council consideration. Key revisions to the ordinance include the following:

- Added a table with the proposed number and area of accessory structures permitted in the RE District. The table includes a maximum structure area based on lot size in the RE District. Lots less than 2 acres in size could have a maximum of 2 accessory structures with a total area of 2,000 square feet. Lots between 2 and 4.99 acres in size could have a maximum of 2 accessory structures with a total area of 2,500 square feet. Lots greater than five acres in size could have a maximum of two accessory structures up to 2,500 square feet in area, or up to 3,500 square feet in area with a Conditional Use Permit. The numbers and sizes of accessory structures permitted are similar to those permitted in Cottage Grove, Woodbury, and other cities in Washington County.
- Maintained the requirement for additional setbacks above 2,000 square feet and increased the minimum rear setback to 20 feet.

- Added a requirement related to potential subdivision of properties so that this does not result in “orphan” accessory structures or nonconforming structures. This is common in other ordinances.
- Added a requirement that accessory structures cannot be used as dwellings. This provision is also common in other ordinances.
- Clarified references to accessory structure requirements in the Shoreland and Floodplain Overlay Districts, and added a cross-reference to the Home Occupations section.
- Added the requirement that accessory buildings may not be built before a primary structure and require a building permit. This has always been required, but it was not located in this section of the ordinance. Most ordinances include these basic requirements in the accessory structures section.
- Eliminate duplication that it exists between Sections 1340.04 and 1300.07.
- Correct an omission on the table in Section 1350.13 to indicate that the minimum width for lots in the MX-3 district is 30 feet, similar to the other MX Districts.

The revised ordinance is attached for Council consideration on December 19.

Additional Information—Accessory Structure Standards in other Communities

The sections that follow summarize the accessory structure standards in other cities in Washington County. The Planning Commission used this information to make its recommendations for amending the existing zoning ordinance requirements for accessory structures.

Cottage Grove

- The Agriculture and large-lot Residential districts in Cottage Grove allow up to 2 accessory structures, with a total maximum area of 2500 square feet.
- Property owners can have slightly larger structures if they obtain a CUP. In the sewered area, a property could have up to 3,000 total square feet of accessory structures, and in the unsewered area, up to 3,500 total square feet of accessory structures if a CUP is approved. The CUP would include conditions for screening and wider setbacks, and would require that the structure be changed or moved to meet ordinance standards if the property is subdivided.
- Properties that meet the agriculture definition can have an unlimited number of accessory structures with a total of 300 square feet per acre (i.e., a 10 acre parcel could have a total of 3,000 square feet of accessory structures if it meets the agriculture definition).

City of Forest Lake

- The following are the maximum areas of detached accessory structures permitted based on lot size:
 - Lots between from 2.5 to 5 acres: 2,500 square feet (2 structures)
 - Lots greater than 5 acres to 10 acres: 3,000 square feet (2 structures)
 - Lots greater than 10 acres to 20 acres: 3,500 square feet (2 structures)
 - Lots greater than 20 acres, no limit provided they are agricultural structures



City of Woodbury

- The following are the maximum areas of detached accessory structures permitted based on lot size (properties are allowed one garage, attached or detached in addition to the number and size of structures for each district):
 - Urban Reserve, lots less than 5 acres in size: 1,000 square feet (1 structure)
 - Urban Reserve, lots 5 acres or larger: 2,000 square feet (2 structures)
 - Rural Estate: 1,000 square feet (1 structure)

City of Hugo

- The following are the maximum areas of detached accessory structures permitted based on lot size:
 - Lots between 1.5 and 2.99 acres in size: 1,500 square feet (2 structures)
 - Lots between 3 and 4.99 acres in size: 2,000 square feet (2 structures)
 - Lots between 5 and 9.99 acres in size: 3,500 square feet (2 structures)

Request for Council Action

The Planning Commission requests that the Council consider its recommendations for amending the zoning ordinance sections on Accessory Structures.





MEMO

TO: Mayor and City Council
Deb Hill, City Administrator

FROM: Renee Helm, Executive Analyst

DATE: December 16, 2013

SUBJECT: Ordinance Amendments

BACKGROUND

At the last couple meetings, the Planning Commission have been discussing amending Section 1340, Residential Districts, to regulate the size of accessory structures in the RE District. Sherri Buss has provided draft language for that. Upon reviewing the Zoning Code, Ms. Buss found that Section 1300.07 addresses accessory buildings and uses in the following Subdivisions:

Subd. 1 Time of Construction. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

Subd. 2 Swimming Pools. Where noncommercial swimming pools are constructed as accessory structures in residential districts, a safety fence shall be required subject to the requirements of this title.

Subd. 3 Air Conditioning Units. All air conditioning units excluding window units shall be located a minimum of twenty (20) feet from all lot lines, but not within the front yard.

Subd. 4 Attached Accessory Buildings. If an accessory building is attached to the main building, it shall be made structurally a part of the main building and shall comply in all respects with the requirements of this Chapter applicable to the main building. An accessory building, unless attached to and made a part of the main building shall not be closer than five (5) feet to the main building, except as otherwise provided in this Chapter.

Subd. 5 Detached Accessory Buildings. A detached accessory building shall not be placed closer to the public right-of way than the front of the principal structure on the lot.

Ms. Buss moved Subdivisions 1, 3, 4 and 5 to Section 1340 and asked me to review the Code to see if Subdivision 2 could be moved or removed. After reviewing the Code, I found that swimming pools are addressed in Section 1130 of the City Code so Subdivision 2 can be removed.

I also reviewed Section 1300 in its entirety and found that the numbering for Section 1300.01, Definitions, was off, so I renumbered those. I also found that there was not a definition for "Adult Use." After reviewing other municipalities for their definitions staff is recommending that the following definition be added:

"Adult Use" shall include adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult steam room/bath-house/sauna facilities, adult companionship establishments, adult rap/conversation parlors, adult health/sports clubs, adult cabarets, adult novelty businesses, adult motion

picture arcades, adult modeling studios, adult hotels/motels, adult body painting studios, and other premises, enterprises, establishments, businesses, or places open to some or all members of the public at or in which there is an emphasis on the presentation, display, depiction, or description of "specified sexual activities" or "specified anatomical areas" which are capable of being seen by members of the public. Activities classified as obscene as defined by Minn. Stats. § 617.241 are not lawful and are not included in the definition of adult uses.

At their December 12, 2013 meeting, the Planning Commission asked that definitions be added for "Specified Anatomical Areas" and "Specified Sexual Activities." After reviewing what Woodbury has for their definitions, staff is recommending that the following definitions be added:

Subd. 116 Specified Anatomical Areas. "Specified Anatomical Areas" shall consist of the following:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Subd, 117 Specified Sexual Activities. "Specified Sexual Activities" shall consist of the following:

- A. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquierism, sapphism, zoerasty; or
- B. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence; or
- C. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
- D. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast; or
- E. Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint or any such persons; or
- F. Erotic or lewd touching, fondling or other sexually oriented contact with an animal by a human being; or
- G. Human excretion, urination, menstruation, vaginal or anal irrigation

Since the numbering changed throughout Section 1300, I cross-referenced it with the rest of the Zoning Code to see if any references to Section 1300 needed to be changed and found the below references:

- **Section 1340.04, Subdivision 3** - Was referencing Section 1300.01, Subdivision 16. Has been changed to reference Subdivision 17
- **Section 1350.13(A)** - An asterisk at the end of the table was referencing Section 1300.09. Has been changed to reference Section 1300.08.

DISCUSSION

The Planning Commission approved Resolution No. P.C. 2013-13 recommending that the City Council approve the Ordinance Amendments at its December 12, 2013 meeting with the addition of the definitions for "Specified Anatomical Areas" and "Specified Sexual Activities." The City Council will need to discuss whether or not they would like to approve the attached Ordinance No. 2013-10 amending Section 1300, 1340, and 1350 in regards to the above and Ms. Buss' draft.

RECOMMENDATION

It is recommended that the City Council approve Ordinance No. 2013-10 as presented.

**CITY OF NEWPORT
ORDINANCE 2013-10**

**AN ORDINANCE OF THE CITY OF NEWPORT, MINNESOTA, APPROVING A ZONING AMENDMENT TO
SECTION 1300 GENERAL, SECTION 1340 RESIDENTIAL DISTRICTS, AND SECTION 1350 NON-
RESIDENTIAL DISTRICTS**

THE CITY COUNCIL OF THE CITY OF NEWPORT, MINNESOTA, HEREBY ORDAINS THAT:

Section 1300 – General

1300.01 Definitions

Subd. 1 Abandonment.

Subd. 2 Abut.

Subd. 3 Accessory Building or Accessory Structure.

Subd. 4 Accessory Use.

Subd. 5 Adult Use. "Adult Use" shall include adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult steam room/bath-house/sauna facilities, adult companionship establishments, adult rap/conversation parlors, adult health/sports clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotels/motels, adult body painting studios, and other premises, enterprises, establishments, businesses, or places open to some or all members of the public at or in which there is an emphasis on the presentation, display, depiction, or description of "specified anatomical areas" (as defined in Subd. 116) or "specified sexual activities," (as defined in Subd. 117), which are capable of being seen by members of the public. Activities classified as obscene as defined by Minn. Stats. § 617.241 are not lawful and are not included in the definition of adult uses.

Subd. 6 Agriculture.

Subd. 7 Alley.

Subd. 8 Apartment.

Subd. 9 Automobile Salvage Yard.

Subd. 10 Basement.

Subd. 11 Berm.

Subd. 12 Billboard.

Subd. 13 Block.

Subd. 14 Buildable Area.

Subd. 15 Building.

Subd. 16 Building, Accessory.

Subd. 17 Building Height.

Subd. 18 Building, Principal.

Subd. 19 Canopy or Marquee.

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Subd. 23 Conditional Use.

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Subd. 25 Corner Lot.

Subd. 26 Covered Storage Building.

Subd. 27 Density.

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Subd. 29 Duplex.

Subd. 30 Dwelling.

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Subd. 41 Filling.
Subd. 42 Floodplain.
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Subd. 44 Floor Area, Livable.
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Subd. 49 Garage, Private.
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Subd. 51 Garage, Truck.
Subd. 52 Grade
Subd. 53 Grade, Street.
Subd. 54 Group Home.
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Subd. 58 Horticulture.
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Subd. 60 Intermediate Care Home.
Subd. 61 Intermediate Care Institution.
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Subd. 64 Kennel (commercial or hobby).
Subd. 65 Loading Space or Loading Area.
Subd. 66 Lot.
Subd. 67 Lot Area.
Subd. 68 Lot, Corner.
Subd. 69 Lot Coverage.
Subd. 70 Lot Depth.
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Subd. 73 Lot Line, Front.
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Subd. 75 Lot of Record.
Subd. 76 Lot Width.
Subd. 77 Manufactured Single-family Dwelling.
Subd. 78 Mobile Home.
Subd. 79 Mobile Home Park.
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Subd. 81 Motel.
Subd. 82 Motor Vehicle.
Subd. 83 Motor Vehicle Body Work.
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Subd. 86 Motor Vehicle, Small.
Subd. 87 Multi-family Conversion.
Subd. 88 Municipal Water and Sewer Systems.
Subd. 89 Municipal/Public Facilities.
Subd. 90 Nameplate.
Subd. 91 Nonconforming Use.
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Subd. 93 Nonconforming Sign.
Subd. 94 Nonconforming Structure.
Subd. 95 Nursing Care Home.
Subd. 96 Nursing Care Institution.
Subd. 97 Ordinary High Water Level or Ordinary High Water Mark.

Subd. 98 Outdoor Furnaces. "Outdoor Furnaces" shall mean Any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space ordinarily occupied by humans.

Subd. 99 Parking Space.
Subd. 100 Person.
Subd. 101 Planned Development District (PDD).
Subd. 102 Plot.
Subd. 103 Protected Waters.
Subd. 104 Public Access.
Subd. 105 Public Open Space.
Subd. 106 Public Utility.
Subd. 107 Public Waters.
Subd. 108 Rest Home, Convalescent Home, or Nursing Home.
Subd. 109 Screen.
Subd. 110 Semi-public Uses.
Subd. 111 Setback or Setback Line.
Subd. 112 Shoreland.
Subd. 113 Shore Impact Zone.
Subd. 114 Sign.
Subd. 115 Slope.

Subd. 116 Specified Anatomical Areas. "Specified Anatomical Areas" shall consist of the following:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Subd. 117 Specified Sexual Activities. "Specified Sexual Activities" shall consist of the following:

- A. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquierism, sapphism, zooerasty; or
- B. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence; or
- C. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
- D. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast; or

- E. Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint or any such persons; or
- F. Erotic or lewd touching, fondling or other sexually oriented contact with an animal by a human being; or
- G. Human excretion, urination, menstruation, vaginal or anal irrigation

Subd. 118 Story.

Subd. 119 Street, Public.

Subd. 120 Structural Alterations.

Subd. 121 Structure.

Subd. 122 Structure, Accessory.

Subd. 123 Structure, Principal.

Subd. 124 Subdivision.

Subd. 125 Tent Garages.

Subd. 126 Townhouse.

Subd. 127 Transit Station.

Subd. 128 Use.

Subd. 129 Use, Accessory.

Subd. 130 Use, Interim.

Subd. 131 Use, Permitted.

Subd. 132 Use, Principal.

Subd. 133 Utility Facility.

Subd. 134 Utility Facility, Community or Regional.

Subd. 135 Utility Facility, Neighborhood.

Subd. 136 Variance.

Subd. 137 Vehicle, Small.

Subd. 138 Wholesale Sales.

Subd. 139 Yard.

Subd. 140 Yard, Front.

Subd. 141 Yard, Rear.

Subd. 142 Yard, Side.

Subd. 143 Zoning Administrator.

Subd. 144 Zoning Districts.

Subd. 145 Zoning Map.

Section 1300.02 Rules of Construction

Section 1300.03 Purpose and Intent

Section 1300.04 Scope, Interpretation, Etc.

Section 1300.05 Relationship to Existing City Ordinances

Section 1300.06 Area Regulations

Section 1300.07 Exceptions to General Yard Regulations

Section 1300.08 Exceptions to Front Yard Setbacks

Section 1300.09 Areas under Water

Section 1300.10 Height Regulations

Section 1300.11 One Principal Structure Per Lot

Section 1300.12 Moving of Structures

Section 1300.13 Removal of Soil, Sand or Other Material

Section 1300.14 Truck or Bus Parking in Residential Districts

Section 1300.15 Violations

Section 1300.16 Outdoor Furnaces

Section 1340 – Residential Districts

1340.03 Residential Lot Area, Depth, Width, Coverage, Setbacks and Heights.

The following minimum requirements shall be required in all residential districts:

	RE	R-1A	R-1	R-2	R-3
Minimum Lot Area per Unit (Square Feet)					
Dwellings, single-family	2 Acres	15,000	9,100	9,100	9,100
Dwellings, two family	--	--	--	7,800	7,800
Dwellings, more than two family	--	--	--	5,750	3,000
Other uses	2 Acres	1 Acre	1 Acre	1 Acre	1 Acre
Minimum Lot Depth in Feet	200	150	130	130	130
Minimum Lot Width in Feet (Number in parenthesis is the lot width for a corner lot)					
Dwellings, single-family	160 / (200)	100 / (120)	70 / (90)	70 / (90)	70 / (90)
Dwellings, two family	--	--	--	120 / (140)	120 / (140)
Dwellings, more than two family	--	--	--	120 / (140)	120 / (140)
Other uses	160	100	70	120	120
Minimum Front Yard in Feet***	40	30	30	30	30
Minimum Side Yard in Feet (Number in parenthesis is the setback for a corner lot, street side)					
Dwellings, single-family or two family	20 / (40)	10 / (30)**	10 / (30)**	10 / (30)	10 / (30)
Dwellings, more than two family	--	--	--	20 / (40)	20 / (40)
Garages or Accessory Structures***	20 / (40)	5 / (30)	5 / (30)	10 / (30)	10 / (30)
Other uses	20	30	30	20	20
Minimum Rear Yard in Feet					
Dwellings, single-family or two family	50	30	30	30	30
Dwellings, more than two family	--	--	--	30	30
Garages or Accessory Structures***	20	5	5	30	30
Other uses	50	40	40	40	40
Maximum Lot Coverage, All Structures	20%	20%	25%	30%	30%
Maximum Building Height in Feet ***	35 feet or 3 stories, whichever is greater, in all districts, but in no case higher than 1,000 feet U.S.G.S. sea level elevation; 25 feet in Shoreland Management Overlay District				
Public Sewer Required	No	Yes	Yes	Yes	Yes

* Regardless of the setback standards noted in this table, the distance between a proposed foundation wall and an existing foundation wall on an adjacent lot may not be less than fifteen (15) feet

** Side setbacks for substandard lot widths in R-1A: 10% of lot width (25% for Corner Lot, Street Side). Side setbacks for substandard lot widths in R-1: 15% of lot width (33% for Corner Lot, Street Side)

*** See additional standards in Subsection 1340.04.

1340.04 Single Family Residential Garage, Accessory Structure and Driveway Standards.

The following standards shall apply to all garages and accessory structures for single family homes and duplexes in all zoning districts, and shall be in addition to the standards in Subsections 1340.03, 1370.03 (Shoreland Management District) and 1370.05 (Floodplain Management Districts). The intent of these standards shall be to reduce the impact of multiple vehicles and of large accessory structures on the residential character of the City.

Subd. 1 Construction. No accessory building or structure shall be constructed on a lot prior to construction of the primary structure. Building permits are required for all accessory structures.

Subd. 2 Number. A residential lot, other than a river riparian lot, may have no more than two (2) accessory structures. A river riparian lot may have a guest cottage and a water-oriented accessory structure as regulated in Section 1370 of this Chapter, the Shoreland Management Section.

Subd. 3 Height. No garage, whether attached or detached, nor any accessory structure shall be taller than the principal structure on the lot as measured by the building height definition from Section 1300.01 Subd. 17 Building Height.

Subd. 4 Location. A detached accessory building shall not be located in any required front yard.

Subd. 5 Square Footage. Except in the RE district, the total footprint of all garage space, whether attached or detached, and of all accessory structure space for single-family residential uses shall be no larger than the footprint of the principal structure, and shall total a maximum of 2,000 square feet; except that a residential lot shall be allowed at least five hundred (500) square feet of garage space regardless of the house size, as long as the required setbacks and other standards are met.

In the **RE District**, the number and size of accessory structures permitted on residential lots is as follows:

Size of Parcel in RE DISTRICT	Number of Accessory Structures	Total Area of Accessory Structures (footprint)
Less than 2 acres	2	Total footprint of all accessory structures may be no larger than the footprint of the principal structure, up to a maximum of 2,000 square feet. Minimum 500 square feet of accessory structures is permitted on all parcels regardless of house size if required setbacks are met.
2.0-4.99Acres	2	2500 square feet
5.0 Acres or greater	2	Up to 2,500 total square feet is permitted. 2,500 total square feet to 3,500 maximum total square feet of accessory structures may be permitted with a Conditional Use Permit.

Subd 6 Structure Area in the RE District between 2,500 and 3,500 square feet. In order for the footprint of all accessory structures in the RE district to exceed 2,500 square feet, the following conditions must be satisfied through obtaining a conditional use permit pursuant to Section 1310.10 of this Chapter:

- A. The parcel shall not be re-platted, split or subdivided such that it results in a lot size of less than 3 acres without first removing or altering the structure so that it conforms to the standards in this chapter.
- B. The site must demonstrate that the accessory structures do not encroach upon existing septic systems and that an alternative septic system area is protected.
- C. Plantings consisting of a combination of trees and shrubs shall be installed within the set back area providing a buffer between the accessory structure (s) and future development on adjacent property.
- D. Any accessory structure or garage other than a garage attached to the principal structure on the site shall not be placed closer to the public right-of-way that constitutes the front yard of the parcel than the primary structure unless the structure is completely screened from public view by natural vegetation including trees and shrubbery.
- E. All the other subdivisions of this section apply to the RE district.

Subd. 7 Compatibility. All accessory structures of any size shall be constructed of durable, finished materials and shall be compatible in color to the principal structure. All accessory structures over one hundred fifty (150) square feet in area shall be compatible with the principal structure in terms of design, roof style, roof pitch, color, and exterior finish materials.

If an accessory building is attached to the main building, it shall be made structurally a part of the main building and shall comply in all respects with the requirements of this Chapter applicable to the main building. An accessory

building, unless attached to and made a part of the main building, shall not be closer than five (5) feet to the main building, except as otherwise provided in this Chapter

Subd. 8 Additional Setback, Square Feet. A garage, whether attached or detached, or an accessory structure shall provide an additional one (1) foot of setback beyond the minimum front, side, or rear yard setbacks required in Subsection 1340.03, for every twenty (20) square feet of area over nine hundred (900) square feet of area in garages or accessory structures on the lot, except:

- A. An addition to an existing accessory structure which cannot meet the additional setbacks described above may extend an existing building edge at the existing setback line, but no closer to the lot line than the existing setback, and in no case closer than the minimum setbacks set forth in Subsection 1340.03.
- B. Such an extended building edge may be no more than thirty-six (36) feet in length along any single property line. Any portion of an extended building edge longer than thirty-six (36) feet in length must meet the additional setbacks described above in this Subdivision.
- C. In the RE district, a garage, whether attached or detached, or an accessory structure shall provide an additional one (1) foot of setback beyond the minimum front, side and rear yard setbacks required in Subsection 1340.03, for every forty (40) square feet of area or portion thereof over two thousand (2,000) square feet of area in garages or accessory structures on the lot.

Subd. 9 Additional Setbacks, Height. A detached garage or an accessory structure shall provide an additional two (2) foot of setback beyond the minimum required front, side, or rear yard setbacks for every one (1) foot of height of its eave line over eight (8) feet.

Subd. 10 Door Openings. In the RE district, on lots at least three acres in size, there shall be no limit on the height of door openings for garages or other accessory structures. In all other cases, all door openings shall be eight (8) feet in height or less, except that one door opening in one accessory structure per lot may be a maximum of twelve (12) feet in height. In all districts, any door opening over eight (8) feet in height shall be turned perpendicular to the front lot line so as not to face any public street, or, if facing a public street, it shall be set back an additional ten (10) feet beyond the minimum front yard setback required in Subsection 1340.03 for every one (1) foot of height of the door opening over eight (8) feet.

Subd. 11 Subdivision. No land shall be subdivided so as to have an accessory structure without a primary structure, or to have a larger building or structure than permitted by this ordinance. When a property is developed or redeveloped and an existing accessory structure made nonconforming, the structure must be brought into conformance as part of the development approval or removed from the property.

Subd. 12 Use of Accessory Structures. No accessory building shall at any time be used as a habitable building. No accessory structure in a residential district shall at any time be used for a commercial or industrial use. Use of accessory structures for home occupations is governed by Section 1340.07, Subdivision 2.

Subd. 13 Air Conditioning Units. All air conditioning units excluding window units shall be located a minimum of twenty (20) feet from all lot lines, but not within the front yard.

Subd. 14 Intermodal container or shipping containers. All intermodal containers in residential districts shall be considered to be accessory structures, and shall meet all code requirements for accessory structures in residential districts, including those in Sections 1340.03, 1340.04, 1370.03 and 1370.05.

Subd. 15 Driveways. One driveway access to a public roadway is permitted for each lot.

1340.041 Covered Storage Building Standards.

The intent of this section is to regulate the installation and maintenance of covered storage buildings, also known as tent garages or temporary carports. More specifically the intent of this section is to minimize the potential for these structures to become unsightly as seen from public right-of-ways or adjacent residential properties. The following standards and conditions apply to covered storage buildings:

Subd. 1 Permitted As Accessory Structures. “Covered Storage Buildings” are a permitted use as an accessory structure only in residential districts and shall not be permitted in General Business, Light Industrial, General Industrial, and Industrial Storage Districts or for any commercial use or purpose within the Mixed-Use Districts. Covered Storage Buildings shall comply with the standards outlined in Section 1340.04. In addition, the following criteria shall be applied to covered storage buildings permitted as an accessory structure:

Section 1350 – Non-Residential Districts

1350.13 Dimensional Requirements for lots and structures in non-residential districts

A. Non-residential district requirements

Requirements	MX-1	MX-2	MX-3	MX-4	B-1	I-1	I-2	I-S
Minimum lot area in square feet	2,400	4,000	None	2,400	15,000	30,000	30,000	30,000
Minimum lot depth in feet	80	100	None	80	150	200	200	200
Minimum lot width in feet	30	40	30	30	100	100	100	100
Maximum lot coverage by all buildings (%)	80%	50%	None	80%	30%	40%	50%	50%
<i>Structure setback standards***</i>								
Minimum front yard setback	0	10**	0	0	20	20	20	50
Minimum front yard if across collector or minor street from any residential district	10	10**	10	10	50	50	50	100
Minimum side yard	0	5	5	5	10	20	20	50
Minimum side yard if adjacent to any residential district	10	10	10	10	50	50	50	100
Minimum rear yard	20	20	20	20	20	20	20	50
Minimum rear yard if adjacent to any residential district	20	20	20	20	50	50	50	100
<i>Parking and driving aisle setback in feet</i>								
Minimum front yard	20	Not allowed	Not allowed	20	20	20	20	20
Minimum front yard if across collector or minor street from any R district	50	Not allowed	Not allowed	50	50	50	50	50
Minimum side yard	5	5	5	5	5	5	5	5
Minimum side yard if adjacent to any R district	5	5	5	30	30	30	30	30
Minimum rear yard	5	5	5	5	5	5	5	5
Minimum rear yard if adjacent to any R	10	10	10	50	50	50	50	50

Requirements	MX-1	MX-2	MX-3	MX-4	B-1	I-1	I-2	I-S
district								
Maximum building height in feet*	40 3-sty	28 2-sty	See table B.,below	40	40	40	40	40
Maximum height of storage tank in IS district								55
Public utilities required, including sewer	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

*Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements for increases in height adjacent to single-family residential uses included in this chapter apply.

** See section 1300.08 Exceptions to Front Yard Setbacks

***Structure setbacks for the MX-1 and MX-2 are as noted by the dimensional provisions unless otherwise specifically approved in a development plan as outlined in a Planned Unit Development.

The foregoing Ordinance was moved by Councilmember _____ and seconded by Councilmember _____.

The following Councilmembers voted in the affirmative:

The following Councilmembers voted in the negative:

Effective Date

This Ordinance becomes effective upon its passage and publication according to law.

Adopted by the City Council of the City of Newport, Minnesota on the 19th day of December, 2013.

Signed: _____
Tim Geraghty, Mayor

Attest: _____
Deb Hill, City Administrator

CHAPTER 1300 – GENERAL ZONING

Section 1300 – General

1300.01 Definitions.

The following words and terms, wherever they appear in this Chapter, shall be defined as follows:

Subd. 1 Abandonment. "Abandonment" shall mean to cease or discontinue a use or activity of a property for a period of twelve (12) consecutive months or more unless otherwise specified.

Subd. 2 Abut. "Abut" shall mean to border upon a parcel of land so as to share all or part of a common property line with another parcel of land.

Subd. 3 Accessory Building or Accessory Structure. See building, accessory.

Subd. 4 Accessory Use. See use, accessory.

Subd. ~~4.15~~ Adult Use. ~~(there may be multiple definitions pertaining to adult uses).~~ "Adult Use" shall include adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult steam room/bath-house/sauna facilities, adult companionship establishments, adult rap/conversation parlors, adult health/sports clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotels/motels, adult body painting studios, and other premises, enterprises, establishments, businesses, or places open to some or all members of the public at or in which there is an emphasis on the presentation, display, depiction, or description of "specified anatomical areas" (as defined in Subd. 116) or "specified sexual activities," (as defined in Subd. 117), which are capable of being seen by members of the public. Activities classified as obscene as defined by Minn. Stats. § 617.241 are not lawful and are not included in the definition of adult uses.

Subd. ~~4.2~~ Adult Use.—

Subd. ~~5-6~~ Agriculture. "Agriculture" shall mean the growing and marketing of fruits, vegetables, grains, trees, shrubs, flowers, or other plants, for commercial or private purposes, but not including the growing or raising of animals except as otherwise provided for by this Code.

Subd. ~~6-7~~ Alley. "Alley" shall mean any dedicated public right-of-way providing a secondary means of access to abutting property.

Subd. ~~7-8~~ Apartment. "Apartment" shall mean a room or group of rooms in a residential structure which includes bath and kitchen facilities and is intended or designed for use as an independent residence for a family or individual.

Subd. ~~8-9~~ Automobile Salvage Yard. "Automobile Salvage Yard" shall mean a commercial use carried on outside of an enclosed building involving the dismantling or storage of vehicles or equipment, and any other lot used for wrecking or storing of inoperable motor vehicles or their parts.

Subd. ~~9-10~~ Basement. "Basement" shall mean, a story of a building having more than half its height below the average level of the adjoining finished grade. A basement shall be counted as a story for the purpose of height regulations, if occupied for business or residential purposes.

Subd. ~~10-11~~ Berm. "Berm" shall mean a landscaped mound of earth.

Subd. ~~11-12~~ Billboard. "Billboard" shall mean any advertising sign where the advertised goods or services are not furnished at the location of the sign.

Subd. ~~12-13~~ Block. "Block" shall mean a tract of land bounded by streets, or a combination of streets and public or private open space, cemeteries, railroad rights-of-way, shorelines, waterways, or City corporate limits.

Subd. ~~13-14~~ Buildable Area. "Buildable Area" shall mean the space remaining on a lot for building purposes after the setback and open space requirements of this Chapter have been met.

Subd. ~~14-15~~ Building. "Building" shall mean a structure having a roof supported by columns or walls. When separated by dividing walls without openings, each portion of such a structure shall be deemed a separate building.

Subd. ~~15-16~~ Building, Accessory. "Building, Accessory" shall mean a subordinate building or structure on the same lot as a principal building, or part of the principal building, exclusively occupied by or devoted to a use incidental to the main use of the property.

Subd. ~~16-17~~ Building Height. "Building Height", unless otherwise specifically noted in this Chapter, shall mean the vertical distance measured from the average elevation of the finished grade adjacent to a building to 1) the highest point on a building with a flat roof, 2) the deck line of a mansard type roof, or 3) the average height between the eaves and the peak of the highest gable of a pitched, hip, or gambrel roof. For purposes of calculating building height, the finished grade shall be the highest point within five (5) feet of the front of a building or, if the lowest grade within five (5) feet of any side of the building is more than ten (10) feet lower than the front, then the finished grade from which the height is measured shall be considered ten (10) feet above said lowest grade.

Subd. ~~17-18~~ Building, Principal. "Building, Principal" shall mean a building or structure occupied by or devoted to the principal or main use of the property.

Subd. ~~18-19~~ Canopy or Marquee. "Canopy" or "Marquee" shall mean any roof like structure extending out from the side of a building.

Subd. ~~19-20~~ City. "City" shall mean the City of Newport.

Subd. ~~19-21~~ Cluster Development. "Cluster development" shall mean a development planned and constructed so as to group housing units into relatively tight patterns while providing a unified network of open space and wooded areas, and meeting the overall density regulations of this Ordinance, the Zoning Ordinance and the Comprehensive Plan.

Subd. ~~20-22~~ Comprehensive Plan. "Comprehensive Plan" shall mean a compilation of policy statements, goals, standards and maps for guiding the physical, social and economic development, both private and public, of the City and its environs. A comprehensive plan shall represent the recommendations of the Planning Commission and City Council for the future development of the community.

Subd. ~~21-23~~ Conditional Use. "Conditional Use" shall mean a permitted use which may be appropriate in a given zoning district but which requires special planning considerations in each

instance, and which shall only be allowed in a specific location under conditions specified by this Code and by the City Council.

Subd. ~~22-24~~ Condominium. "Condominium" shall mean a multiple dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of state and local laws.

Subd. ~~23-25~~ Corner Lot. See lot, corner.

Subd. ~~23-16~~ Covered Storage Building. "Covered Storage Building" shall mean a temporary enclosure that is a moveable tent-like shelter that is typically constructed with wooden or metal framework and covered with a tarpaulin of plastic or canvas like material. These structures are most typically used for sheltering vehicles, RVs, or other materials stored outside residential neighborhoods.

Subd. ~~24-27~~ Density. "Density" shall mean a measure of the intensity of residential use on the land, expressed in terms of lot area per dwelling unit or dwelling units per acre. For such calculations, the land area shall be exclusive of water area and floodplain, but may include protected wetlands and hydric soils.

Subd. ~~25-28~~ Driveway. "Driveway" shall mean a private road or path which is wholly located on the lot which it services and which affords vehicle access to a public road.

Subd. ~~26-29~~ Duplex. See dwelling, two family.

Subd. ~~27-30~~ Dwelling. "Dwelling" shall mean a structure designed and used exclusively for residential purposes for the occupancy of a family or families.

Subd. ~~28-31~~ Dwelling, Attached (group, row, or townhouse). "Dwelling, Attached" (group, row or townhouse) shall mean a dwelling joined to one (1) or more other dwellings by a party wall or walls.

Subd. ~~29-32~~ Dwelling, Detached. "Dwelling, Detached" shall mean a dwelling entirely surrounded by open space, and not attached or connected structurally to any other dwelling.

Subd. ~~30-33~~ Dwelling, Multiple Family. "Dwelling, Multiple Family" shall mean a dwelling containing two (2) or more dwelling units, whether a townhouse, apartment, condominium, or other type of dwelling.

Subd. ~~31-34~~ Dwelling, Single Family. "Dwelling, Single Family" shall mean a detached dwelling designed exclusively for occupancy by one (1) family only.

Subd. ~~32-35~~ Dwelling, Two Family. "Dwelling, Two Family" shall mean a dwelling designed with two dwelling units, exclusively for occupancy by two (2) families living independently of each other.

Subd. ~~33-36~~ Dwelling Unit. "Dwelling Unit" shall mean, one (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having separate permanently installed cooking and sanitary facilities.

Subd. ~~34-37~~ Excavation. "Excavation" shall mean the removal, relocation, or recovery by any means of soil, rock, minerals, debris, or organic substances other than vegetation from a parcel of land.

Subd. ~~35-38~~ Family. "Family" shall mean any number of individuals related by blood, legal adoption or marriage, or six (6) or less unrelated individuals living together in a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, licensed residential care facility, or hotel as herein described.

Subd. ~~36-39~~ Fence. "Fence" shall mean a partition, structure, wall or gate erected as a diving marker, visual or physical barrier, or enclosure.

Subd. ~~37-40~~ Fill. "Fill" shall mean sand, gravel, earth or other materials deposited on, moved onto, or placed on a parcel of land.

Subd. ~~38-41~~ Filling. "Filling" shall mean the placement of fill on a parcel of land.

Subd. ~~39-42~~ Floodplain. "Floodplain" shall mean the area subject to inundation by a one hundred (100)-year flood as designated and mapped by the Federal Emergency Management Agency.

Subd. ~~40-43~~ Floor Area. "Floor Area" shall mean the sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls, or for a structure without walls (e.g., a carport), the total ground area covered by roof, not including area under a typical overhang dimension.

Subd. ~~41-44~~ Floor Area, Livable. "Floor Area, Livable" shall mean the floor area of a dwelling excluding all areas occupied by basements, garages, porches, attics, stairways, storage, utility and heating rooms.

Subd. ~~42-45~~ Floor Area Ratio (F.A.R.). "Floor area ratio (F.A.R.)" shall mean the floor area of the building or buildings on a zoning lot divided by the area of such zoning lot, or, in the case of planned unit developments, by the net size area. The floor area ratio requirements shall determine the maximum floor area allowable for the building or buildings, including both principal and accessory buildings, in direct ratio to the gross area of the zoning lot.

Subd. ~~43-46~~ Footcandle. "Footcandle" shall mean a standard unit of illumination intensity.

Subd. ~~44-47~~ Frequency. "Frequency" shall mean the oscillations per second in a sound wave.

Subd. ~~45-48~~ Frontage. "Frontage" shall mean that part of a lot fronting on one side of a street between the side lot lines or between a street right-of-way and a side lot line.

Subd. ~~46-49~~ Garage, Private. "Garage, Private" shall mean an accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the dwelling unit to which it is accessory.

Subd. ~~47-50~~ Garage, Public. "Garage, Public" shall mean any building, except a private garage, used for the storage or care of motor-driven vehicles, or a building where any such vehicles are equipped for operation, are repaired, or are kept for remuneration, hire, or sale.

Subd. ~~48-51~~ Garage, Truck. "Garage, Truck" shall mean a building used or intended to be used for the storage of motor trucks, truck trailers, tractors, and commercial vehicles exceeding one and one-half (1-1/2) tons capacity.

Subd. ~~49-52~~ Grade "Grade" shall mean the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

Subd. ~~50-53~~ Grade, Street. "Grade, Street" shall mean the established elevation of the street in front of the building measured at the center of such front. Where no street grade has been established, the City engineer shall establish such street grade or its equivalent for the purpose of this Chapter.

Subd. ~~50-14~~ Group Home. "Group Home" shall mean a home that is licensed by the commissioner of health as a rooming and/or boardinghouse and receives 50% (percent) or more of its residents under a contract or other arrangement with the state or local government human services agency. Provides lodging for people who are mentally ill, physically disadvantaged or chemically dependant.

Subd. ~~51-55~~ Halfway House. "Halfway House" shall mean a home, operated and supervised by a governmental or non-profit agency, for not more than nine persons who have demonstrated a tendency toward chemical abuse, mental illness, or antisocial or criminal conduct, together with not more than two persons providing supervision and other services to such persons, eleven of whom live together as a single housekeeping unit. The term shall not include licensed facilities as defined by Minn. Stat. §245A.11

Subd. ~~52-56~~ Handicapped or Infirm Institution. "Handicapped or Infirm Institution" shall mean an institutional facility housing more than six persons who are physically or mentally handicapped or infirm, and providing primarily residential care rather than medical treatment.

Subd. ~~53-57~~ Home Occupation. "Home Occupation" shall mean any gainful occupation or profession clearly secondary to the main use of the dwelling as a residence, which is conducted entirely within the dwelling, and which meets the requirements of this Code.

Subd. ~~54-58~~ Horticulture. "Horticulture" shall mean the use of land for the growing or production for income, of fruits, vegetables, flowers, nursery stock, and trees, including forestry, ornamental plants and trees, and cultured sod.

Subd. ~~55-59~~ Impervious Surface. "Impervious Surface" shall mean a material providing a hard surface which substantially prevents the absorption of water into the ground.

Subd. ~~56-60~~ Intermediate Care Home. "Intermediate Care Home" shall mean a facility providing accommodations for not more than seven occupants needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

Subd. ~~57-61~~ Intermediate Care Institution. "Intermediate Care Institution" shall mean an institutional facility providing accommodation for more than seven persons needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

Subd. ~~62-58~~ Intermodal Container. "Intermodal container", "freight container" or "shipping container" shall mean a reusable transport and storage unit for moving products and raw materials between locations or countries. A typical container has doors fitted at one end, and is constructed of corrugated weathering steel.

Subd. ~~59-63~~ Junkyard. "Junkyard" shall mean land or buildings where waste, discarded or salvaged materials are bought, sold, stored, exchanged, cleaned, packed, disassembled or handled on a commercial basis including but not limited to, scrap metal, rags, paper, hides, rubber products, glass products, lumber products and products resulting from the wrecking of automobiles or other vehicles.

Subd. ~~60-64~~ Kennel (commercial or hobby). "Kennel (commercial or hobby)" shall mean any structure or premises on which four (4) or more domestic animals over six (6) months of age are kept.

Subd. ~~61-65~~ Loading Space or Loading Area. "Loading Space," or "Loading Area" shall mean that portion of a lot or plot designed to serve the purpose of loading or unloading all types of vehicles.

Subd. ~~62-66~~ Lot. "Lot" shall mean a parcel of land, separated from other parcels by description, intended for building development or for transfer of ownership.

Subd. ~~63-67~~ Lot Area. "Lot Area" shall mean the total surface area of a lot within the lot lines, excluding public right-of-way or street easements.

Subd. ~~64-68~~ Lot, Corner. " Lot, Corner" shall mean a lot bordered by a public right-of-way containing a public street or planned for a public street on at least two (2) adjacent sides.

Subd. ~~65-69~~ Lot Coverage. "Lot Coverage" shall mean the area of a lot occupied by impervious material, including but not limited to buildings, paved surfaces, and driveways.

Subd. ~~66-70~~ Lot Depth. "Lot Depth" shall mean the mean horizontal distance between the center points of the front and rear lot lines for standard lots. For lots of non-standard shape, the Zoning Administrator shall determine the lot depth.

Subd. ~~67-71~~ Lot, Double Frontage. "Lot, Double Frontage" shall mean a lot having frontage on two (2) streets which do not intersect at a corner of the lot.

Subd. ~~68-72~~ Lot, Interior. "Lot, Interior" shall mean a lot other than a corner lot.

Subd. ~~69-73~~ Lot Line, Front. "Lot Line, Front" shall mean the boundary of a lot abutting a street easement or right-of-way. On a corner lot, the shortest street lot line shall be considered the front lot line.

Subd. ~~70-74~~ Lot Line, Rear. "Lot Line, Rear" shall mean the lot line or lot lines most nearly parallel to and furthest from the front lot line.

Subd. ~~71-75~~ Lot of Record. "Lot of Record" shall mean any lot for which a deed, registered land survey, or other legal record was recorded in the office of the register of deeds or the register of titles for Washington County, Minnesota, prior to August 7, 1964, and which contains identical lot dimensions as were present on that date.

Subd. ~~72-76~~ Lot Width. "Lot Width" shall mean the horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building setback line.

Subd. ~~73-77~~ Manufactured Single-family Dwelling. "Manufactured Single-family Dwelling" shall mean a structure, not affixed to or part of real estate, transportable in one or more sections, which in a traveling mode is eight (8) body feet or more in width, or forty (40) body feet, or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a

permanent chassis and designed to be used as a single-family dwelling with or without a permanent foundation when connected to required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in it, except for accessory manufactured single-family dwellings and temporary manufactured single-family dwellings, as defined in this Chapter. . A manufactured single-family dwelling shall be construed to remain a manufactured single-family dwelling, subject to all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. A manufactured single-family dwelling shall not be construed to be a travel trailer or other form of recreational vehicle.

Subd. ~~74-78~~ Mobile Home. "Mobile Home" shall have the same meaning as manufactured single-family dwelling.

Subd. ~~75-79~~ Mobile Home Park. "Mobile Home Park", a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use.

Subd. ~~76-80~~ Modular Manufactured or Prefabricated Home. "Modular Manufactured or Pre-fabricated Home" shall mean a nonmobile housing unit that is entirely or mostly fabricated off site and transported to a building site where final installations are made, permanently affixing the module to the site. A modular manufactured home shall be considered the same as a single-family dwelling under the standards in this Code, provided it meets the standards for floor area and other minimum standards.

Subd. ~~77-81~~ Motel. "Motel" shall mean a combination or group of two (2) or more detached, semi-detached or connected permanent dwellings occupying a building site integrally owned and used as a unit to furnish overnight transient living accommodations of a fee.

Subd. ~~78-82~~ Motor Vehicle. "Motor Vehicle" shall mean any self-propelled vehicle not operated exclusively on railroad tracks, and any vehicle propelled or drawn by a self-propelled vehicle, including but not limited to cars, trucks, buses, motorcycles, campers, recreational vehicles, and trailers.

Subd. ~~79-83~~ Motor Vehicle Body Work. "Motor Vehicle Body Work" shall mean repair or straightening or automobile body, frame, or fender, including painting.

Subd. ~~80-84~~ Motor Vehicle Repair. "Motor Vehicle Repair" shall mean repairs, replacement of parts, and motor service to automobiles, not including body work or painting.

Subd. ~~81-85~~ Motor Vehicle Sales. "Motor Vehicle Sales" shall mean the sale or trade of new or used motor vehicles, whether cars, trucks, buses, campers, motorcycles, or other motorized vehicles, including the display of new or used vehicles, or the possession of new or used vehicles for sale or trade.

Subd. ~~82-86~~ Motor Vehicle, Small. "Motor Vehicle, Small" shall mean any motor vehicle less than twenty (20) feet in length and less than seven (7) feet in height, and commonly used or intended as a passenger car.

Subd. ~~83-87~~ Multi-family Conversion. "Multi-family Conversion" shall mean the alteration of an existing building for use as a multiple family dwelling, meeting all applicable building codes and standards in this Chapter.

Subd. ~~84-88~~ Municipal Water and Sewer Systems. "Municipal Water and Sewer Systems" shall mean utility systems serving a group of buildings, lots, or an area of the City, with the design and construction of such utility systems as approved by the City engineer.

Subd. ~~84-19~~ Municipal/Public Facilities. "Municipal/Public Facilities" shall mean any buildings and property owned or operated by municipal, school district, county, state or other governmental unit.

Subd. ~~85-90~~ Nameplate. "Nameplate" shall mean a sign indicating the name and/or the address of a building, or the name of an occupant thereof and/or the practice of a permitted occupation therein.

Subd. ~~86-91~~ Nonconforming Use. "Nonconforming Use" shall mean any legal use existing upon the effective date of the adoption of this Chapter and which does not conform to the provisions of this Chapter.

Subd. ~~86-192~~ Nonconforming Lot. "Nonconforming Lot" shall mean any lot lawfully existing prior to the date that new zoning provisions were adopted making said lot inconsistent with the provisions of the newly adopted zoning chapter.

Subd. ~~86-293~~ Nonconforming Sign. "Nonconforming Sign" shall mean any legal sign existing prior to the date that new zoning provisions were adopted making said sign inconsistent with the provisions of the newly adopted zoning chapter. .

Subd. ~~86-394~~ Nonconforming Structure. "Nonconforming Structure" shall mean any legal structure or building existing prior to the date that new zoning provisions were adopted making said structure inconsistent with the provisions of the newly adopted zoning chapter.

Subd. ~~87-95~~ Nursing Care Home. "Nursing Care Home" shall mean a facility providing skilled nursing care and medical supervision at a lower level than that available in a hospital to no more than nine persons.

Subd. ~~88-96~~ Nursing Care Institution. "Nursing Care Institution" shall mean an institutional facility providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.

Subd. ~~89-97~~ Ordinary High Water Level or Ordinary High Water Mark. "Ordinary High Water Level", or "Ordinary High Water Mark" shall mean the boundary of "public waters" and "wetlands", as defined by Minnesota Statutes, Chapter 103G, an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel.

Subd. 98 Outdoor Furnaces. "Outdoor Furnaces" shall mean Any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space ordinarily occupied by humans."

Subd. ~~90-99~~ Parking Space. "Parking Space" shall mean an area of land exclusive of driveways and aisles, usable for the parking of a motor vehicle, and of a size, shape and location meeting the standards in this Code.

Subd. ~~91-100~~ Person. "Person" shall include an individual, a firm, a partnership, a corporation, a company, an unincorporated association of persons such as a club, and an owner.

Subd. ~~92-101~~ Planned Development District (PDD). "Planned Development District (PDD)" shall mean a zoning district intended to allow a flexible, creative and efficient approach to the use of the land, providing a mutual benefit to the developer and to the City. In a PDD a tract of land can be developed as a unit rather than as individual lots, wherein two or more buildings may be located in relationship to each other rather than to lot lines with regard to use, location and in accordance with the requirements of this Code, as well as provisions agreed to between the City and developers.

Subd ~~93-102~~ Plot. "Plot" shall mean a tract of land, other than one unit of a recorded plat or subdivision occupied and used or intended to be occupied and used as a building site and improved or intended to be improved by the erection thereon of a building and accessory building and having a frontage upon a public street or highway and including such open spaces as required under this Chapter.

Subd. ~~94-103~~ Protected Waters. "Protected Waters" shall mean any waters of the state designated or otherwise defined as protected by the State or as the result of regulations adopted by the State. However, no lake, pond or flowage of less than ten (10) acres in size and no river or stream having a total drainage area less than two (2) square miles shall be regulated for the purposes of these regulations.

Subd. ~~95-104~~ Public Access. "Public Access" shall mean an area owned and/or operated by a governmental entity for the launching and retrieval of water craft from the public waters, or other recreational activities adjacent to public waters.

Subd. ~~96-105~~ Public Open Space. "Public Open Space" shall mean any publicly owned open area, including but not limited to the following: parks, playgrounds, school sites, and parkways.

Subd. ~~97-106~~ Public Utility. "Public Utility" shall mean any person, firm, corporation, municipal department, or board fully authorized by the City to furnish and furnishing to the public, electricity, gas, steam, communication services, telegraph services, transportation, water, or other essential public service.

Subd. ~~98-107~~ Public Waters. "Public Waters" shall mean any waters as defined in Minnesota Statutes, Chapter 103G

Subd. ~~99-108~~ Rest Home, Convalescent Home, or Nursing Home. "Rest Home", "Convalescent Home" or "Nursing Home" shall mean a private home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, but not containing equipment for surgical care or for treatment of disease or injury.

Subd. ~~100-109~~ Screen. "Screen" shall mean a barrier accomplished by a variety of means, intended to prevent visibility through the barrier. If accomplished by landscape materials, the screen shall be at least eighty (80) percent opaque.

Subd. ~~101-110~~ Semi-public Uses. "Semi-public Uses" shall mean uses owned by private or private nonprofit organizations which are open to some but not all of the public such as: denominational cemeteries, private schools, clubs, lodges, recreation facilities and churches.

Subd. ~~102-111~~ Setback or Setback Line. "Setback" or "Setback Line" shall mean the mean horizontal distance between the property line or street right-of-way, or street easement and the line of the structure or the allowable building line as defined by the yard regulations of this Code.

Subd. ~~103-112~~ Shoreland. "Shoreland" shall mean any land adjacent to public waters as defined by the Shoreland Management section of this Chapter.

Subd. ~~104-113~~ Shore Impact Zone. "Shore Impact Zone" shall mean land located between the ordinary high water level of a public water and a line parallel to it at a setback of fifty (50) percent of the required structure setback.

Subd. ~~105-114~~ Sign. "Sign" shall mean any structure, device or representation, with or without lettering, designed or intended to bring attention to the location, products or services or an individual, residence, business or institution.

Subd. ~~106-115~~ Slope. "Slope" shall mean the amount a land surface rises or falls from a horizontal plane. Slope can be expressed as a fraction or percentage, arrived at by dividing the distance of the vertical rise or fall from the horizontal plane by the horizontal distance.

Subd. 116 Specified Anatomical Areas. "Specified Anatomical Areas" shall consist of the following:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Subd. 117 Specified Sexual Activities. "Specified Sexual Activities" shall consist of the following:

- A. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquierism, sapphism, zoerasty; or
- B. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence; or
- C. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
- D. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast; or
- E. Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint or any such persons; or
- F. Erotic or lewd touching, fondling or other sexually oriented contact with an animal by a human being; or
- A-G. Human excretion, urination, menstruation, vaginal or anal irrigation

Subd. ~~107-118~~ Story. "Story" shall mean that portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no such floor above, the space between such floor and the ceiling next above it. A level containing independent apartment or living quarters shall be counted as a full story, whether or not that level is completely usable or finished.

Subd. ~~108-119~~ Street, Public. "Street, Public" shall mean a thoroughfare which affords a principal means of access to abutting property and which has been accepted by the City as a public street.

Subd. ~~109-120~~ Structural Alterations. "Structural Alterations" shall mean any change in the supporting members of a building such as bearing walls, columns, beams, or girders, or any substantial changes in the roof and exterior walls.

Subd. ~~110-121~~ Structure. "Structure" shall mean anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground. When a structure is divided into separate parts by a wall without openings, each part shall be deemed a separate structure.

Subd. ~~111-122~~ Structure, Accessory. See building, accessory.

Subd. ~~112-123~~ Structure, Principal. See building, principal.

Subd. ~~113-124~~ Subdivision. "Subdivision" shall mean the division of a parcel of land into two (2) or more lots or parcels, for the purpose of transfer of ownership or building development.

Subd. ~~113-125~~ Tent Garages. See **Subd. ~~23-16~~ Covered Storage Building.**

Subd. ~~114-126~~ Townhouse. "Townhouse" shall mean a single structure consisting of three (3) or more dwelling units each having a private entrance on the first story at or near the ground level with no other dwelling unit connected to the other dwelling unit except by a party wall with no openings.

Subd. ~~115-127~~ Transit Station. "Transit Station" shall mean a parcel or portion thereof that is used for loading and unloading of public transit riders including the platform, station facilities, public open space and park-and-ride lots. Transit Station is inclusive of all public transit modes.

Subd. ~~116-128~~ Use. "Use" shall mean the purpose for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied or maintained.

Subd. ~~117-129~~ Use, Accessory. "Use, Accessory" shall mean a use subordinate to the principal use on a lot and exclusively used for purposes incidental to those of the principal use.

Subd. ~~118-130~~ Use, Interim. "Use, Interim" shall mean a temporary use of a property until a particular date, or until the occurrence of a particular event, as determined by the City Council.

Subd. ~~119-131~~ Use, Permitted. "Use, Permitted" shall mean a use which may be lawfully established in a particular district, provided it conforms with all requirements, regulations, and performance standards of such district.

Subd. ~~120-132~~ Use, Principal. "Use, Principal" shall mean the main use of land for an activity which is an allowable use of the zoning district in which the land is located.

Subd. ~~121-133~~ Utility Facility. "Utility Facility" shall mean any above-ground structure or facility, other than a principal building, owned by a governmental entity, a non-profit organization, a corporation, or any other entity defined as a public utility for any purpose by State statute and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Streets are exempt from this definition, as are wires or pipes and supporting poles or structures within a public right-of-way for electric power, telephone, telegraph, cable television, gas, water, and sewer service.

Subd. ~~122-134~~ Utility Facility, Community or Regional. "Utility Facility, Community or Regional" shall mean any utility facility other than a neighborhood facility as defined in Subd. 124 below.

Subd. ~~123-135~~ Utility Facility, Neighborhood. "Utility Facility, Neighborhood" shall mean a utility facility designed to serve the immediate neighborhood and that must, for reasons related to the purpose of the utility, be located in or near the neighborhood where the facilities are proposed to be located.

Subd. ~~124-136~~ Variance. "Variance" shall mean a modification or variation of the provisions of this Chapter, as applied to a specific piece of property. A variance may be granted to the numerical standards of the Code, but not for the permissible use of a property.

Subd. ~~125-137~~ Vehicle, Small. "Vehicle, Small" shall mean any motor vehicle up to twenty (20) feet in length and up to seven (7) feet in height, commonly used as a passenger vehicle, not including trucks of any kind. See Subd. ~~8286~~.

Subd. ~~126-138~~ Wholesale Sales. "Wholesale Sales" shall mean on-premise sale of goods primarily to customers engaged in the business of reselling the goods.

Subd. ~~127-139~~ Yard. "Yard" shall mean an open space on the same lot with a building or structure, which is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in this Chapter.

Subd. ~~128-140~~ Yard, Front. "Yard, Front" shall mean a yard extending across the front of a lot between the side yard lines and lying between the front street line of the lot or right-of-way and the required front yard setback line, which front yard shall be provided on both street frontages of corner lots and double frontage lots.

Subd. ~~129-141~~ Yard, Rear. "Yard, Rear" shall mean a yard lying between the required rear yard setback line and rear line of the lot, for the full width of the lot.

Subd. ~~130-142~~ Yard, Side. "Yard, Side" shall mean a yard on the same lot with a building between the side yard setback line and the side line of the lot and extending from the front lot line to the rear yard.

Subd. ~~131-143~~ Zoning Administrator. "Zoning Administrator" shall mean the person authorized to administer and enforce this Chapter.

Subd. ~~132-144~~ Zoning Districts. "Zoning Districts" shall mean the areas of the City designated for specific uses with specific requirements for use or development.

Subd. ~~133-145~~ Zoning Map. "Zoning Map" shall mean the map or maps incorporated into this Chapter as a part thereof designating the zoning districts.

~~**Subd. 134 Outdoor Furnaces**—"Any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space ordinarily occupied by humans."~~

1300.02 Rules of Construction. The language set forth in the text of this Chapter shall be interpreted in accordance with the following rules of construction:

- A. Words used in the present tense shall include the future; words in the singular shall include the plural, and the plural the singular.
- B. "Person" shall include an individual, association, syndicate, organization, partnership, trust company, corporation or any other legal entity.
- C. "Shall" is to be construed as being mandatory and not discretionary.
- D. "May" is to be construed as being permissive.
- E. "Lot" shall include the words "plot", "piece" and "parcel".
- F. "Used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for".

1300.03 Purpose and Intent. The purpose and intent of this Chapter shall be:

- A. To promote the general public health, safety, morals, comfort and general welfare of the inhabitants of the city.
- B. To promote the character and preserve and enhance the stability of properties and areas within the city;
- C. To divide the city into zones or districts as to the use, location, construction, reconstruction, alteration and use of land and structures for residence, business and industrial purposes;
- D. To provide adequate light, air, privacy and safety;
- E. To prevent the overcrowding of land, undue concentration of population;
- F. To promote the proper use of land and structures;
- G. To fix reasonable standards to which buildings, structures and land shall conform for the benefit of floor space than stores selling smaller items, as determined by the Zoning Administrator.
- H. To prohibit the use of buildings, structures and lands that are incompatible with the intended use or development of lands within the specified zones;
- I. To promote the safe, rapid and efficient movement of people and goods;

- J. To facilitate the provision of public services;
- K. To limit congestion in the public streets and protect the public health and welfare by providing for the off-street parking of vehicles and vehicle loading areas;
- L. To protect against fire, explosion, panic, noxious fumes, offensive noise, vibration, dust, odor, heat, glare, other pollution and hazards in the interest of the public health, comfort and general welfare;
- M. To define and limit the powers and duties of the administrative officers and bodies provided for herein.
- N. To implement the Comprehensive Plan.

1300.04 Scope, Interpretation, Etc.

Subd. 1 Scope. From and after the effective date of this Chapter, the use of all land and every building or portion of a building erected, altered with respect to height, area, or use, added to or relocated, and every use within a building or use accessory thereto, in the city shall be in conformity with the provisions of this Chapter.

Subd. 2 Interpretation. The provisions of this Chapter should be the minimum requirements for the promotion of the public health, safety, morals, convenience and general welfare. Where the provisions of this Chapter impose greater restrictions than those of any statute, code provision, other ordinance or regulation, the provisions of this Chapter shall be controlling. Where the provisions of any statute, other code provision ordinance or regulation impose greater restrictions than this Chapter, the provisions of such statute, other code provision, ordinance or regulation shall be controlling.

Subd. 3 Private Agreements. This chapter shall not abrogate any easement, covenant, or any other private agreement where such is legally enforceable, provided that where the regulations of this Chapter are more restrictive (or impose higher standards or requirements) than such easements, covenants, or other private agreements, the requirements of this Chapter shall govern.

1300.05 Relationship to Existing City Ordinances. To the extent that the provisions of this Chapter are the same in substance as the previously adopted provisions that they replace in the City's zoning, subdivision, or other land use control ordinances, they shall be considered as continuations thereof and not as new enactments unless otherwise specifically provided. In particular, a situation that did not constitute a lawful, nonconforming situation under the previously adopted zoning ordinance does not achieve lawful nonconforming status under this Chapter merely by the repeal of the previous zoning ordinance and the adoption of a new ordinance.

1300.06 Area Regulations. No lot area shall be so reduced or diminished that the lot area, yards or other open spaces shall be smaller than prescribed by this Chapter, nor shall the density of population be increased in any manner except in conformity with the area regulations as hereinafter provided.

1300.07 Accessory Buildings and Uses

~~**Subd. 1 Time of Construction.** No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.~~

~~**Subd. 2 – Swimming Pools.** Where noncommercial swimming pools are constructed as accessory structures in residential districts, a safety fence shall be required subject to the requirements of this title.~~

~~**Subd. 3 – Air Conditioning Units.** All air conditioning units excluding window units shall be located a minimum of twenty (20) feet from all lot lines, but not within the front yard.~~

~~**Subd. 4 – Attached Accessory Buildings.** If an accessory building is attached to the main building, it shall be made structurally a part of the main building and shall comply in all respects with the requirements of this Chapter applicable to the main building. An accessory building, unless attached to and made a part of the main building shall not be closer than five (5) feet to the main building, except as otherwise provided in this Chapter.~~

~~**Subd. 5 – Detached Accessory Buildings.** A detached accessory building shall not be placed closer to the public right of way than the front of the principal structure on the lot.~~

1300.087 Exceptions to General Yard Regulations. Measurements for yard regulations shall be taken from the nearest point of the wall of a building to a lot line in question, subject to the following qualifications:

- A. Cornices, canopies, or eaves may extend into the required minimum front yard a distance not exceeding three (3) feet.
- B. Fire escapes may extend into the required front yard a distance not exceeding four (4) feet, six (6) inches;
- C. A landing place or uncovered porch may extend into the required front, side, or rear yards a distance not exceeding six (6) feet, if the landing place or porch has its floor no higher than the entrance floor of the building. An open railing may be placed around such place in the front yard only, and not in the side or rear yards;
- D. A wall or fence or hedge not to exceed the maximum height allowed in the underlying zoning district may occupy part of the required front, side, or rear yard;
- E. On double frontage lots, the required front yard shall be provided on both streets;
- F. On a corner lot, the lot line opposite the narrowest street frontage shall be considered the rear lot line for the purposes and standards in this Code, unless the Zoning Administrator determines that unusual conditions exist that warrant designating another lot line or lot lines as the rear.
- G. The required front yard of a corner lot shall not contain any wall, fence, or other structure, tree, shrub, or other growth which may cause danger to traffic on a street or public road by obscuring the view;
- H. The required front yard of a corner lot shall provide an unobstructed view between the two intersecting streets within a triangular area from the intersection of the street easement or right-of-way lines back thirty (30) feet along each side, from two (2) feet off the ground to a height of ten (10) feet, except for tree trunks less than twelve (12) inches in diameter.
- I. In determining the depth of a rear or side yard for any building where the rear or side yard opens into an alley, driveway easement or joint driveway, one-half the width of the alley, driveway

easement or joint driveway, up to fifteen (15) feet, may be considered as a portion of the rear or side yard subject to the following qualifications:

| **1300.09-08** Exceptions to Front Yard Setbacks.

Subd. 1 Twenty-five Percent Occupancy. When more than twenty-five (25) percent of the frontage on one side of the street between intersections is occupied by structures having setbacks from street rights-of-way that are greater or lesser than required by this ordinance, the average setback of all existing buildings between the intersections, or to a distance of two hundred (200) feet in either direction, whichever is closer, shall be maintained by all new or relocated structures.

Subd. 2 Preexisting Structures. In the event a building is to be built where there is such an established setback different from that required in this ordinance and there are existing buildings on both sides of the said new building, the front setback shall not be required to be greater than that which would be established by connecting a straight line between the forward most portions of the first adjacent building on each side.

| **1300.1009** Areas under Water. All areas within the corporate limits of the city which are under water and not shown as included within any zone shall be subject to all of the regulations of the zone which immediately adjoins the water area. If the water area adjoins two (2) or more zones, the boundaries of each zone shall be construed to extend into the water area in a straight line until they meet the other district at a half-way point.

| **1300.110** Height Regulations.

Subd. 1 Slope. Where the average slope of a lot within proposed building lines is greater than one (1) foot rise or fall in seven (7) feet of horizontal distance, one (1) additional story shall be permitted on the downhill side of any building.

Subd. 2 Increases. Height limitations set forth elsewhere in this Chapter may be increased by conditional use permit when applied to the following structures:

- A. Church spires, belfries, or domes;
- B. Water towers;
- C. Flagpoles;
- D. Agricultural structures in RE district;
- E. Any other use in any zoning district, only with findings that the use can be adequately protected by the City's fire-fighting equipment, and that it will not have an adverse effect on surrounding property.

| **1300.1211** One Principal Structure per Lot. There shall be no more than one principal structure or principal building per lot, except as otherwise provided for in this Code. The Zoning Administrator shall make the determination whether a structure is a principal structure as intended by the provisions of this Chapter.

| **1300.1312** Moving of Structures.

Subd. 1 Purpose. The purpose of this section of the Zoning Chapter is to maintain a harmonious and high standard of residential development, and to protect such areas from adverse effects through ensuring that both new and relocated dwellings from other areas shall meet specified requirements.

Subd. 2 General.

- A. All of the requirements associated with the moving of a building or structure shall apply only to destinations within the City of Newport city limits.
- B. No building or structure shall be moved within the City of Newport, unless a building permit for the building or structure has been obtained as provided in this Chapter.
- C. Except as is otherwise provided by Law, no building or structure shall be moved within the City of Newport, unless such building or structure was in full compliance with the State Building Code prior to the moving.

Subd. 3 Applications.

- A. Each permit for the moving of a structure or building shall include the following:
 - 1. A site plan of both the existing and the proposed sites including an illustration of how and where the structure will be located during and after the moving operation.
 - 2. A designated route and any stops the building or structure must make.
 - 3. A legal description of the property to which the building is to be moved to.
 - 4. An illustration and description of the electrical, natural gas, cable TV, sewer and water and any other utilities serving the existing and proposed sites; showing locations and type.
 - 5. An illustration showing all trees to be removed or partially removed from the existing and proposed sites.
 - 6. An administrative fee in an amount to be set annually by the City Council by Resolution, in addition to the building permit fee, which shall cover all City Administrative costs such as police, fire street supervision, tree inspection, and other City costs associated with the transfer of the building or structure. Additional unanticipated administration costs, incurred by the City during the move shall be paid by the applicant prior to issuance of a certificate of occupancy.
 - 7. Each application for a permit to move a building or structure shall be reviewed and approved by the City of Newport Public Works, Police, Fire Marshall, Building Inspection, and Zoning Departments prior to being submitted to the City Council for final approval.
- B. Each application for a permit to move a structure or building within the City of Newport, shall be reviewed by the City Planning Commission for a determination of architectural compatibility with other adjacent structures to the proposed site and for other requirements of this code.

- C. All applications for a permit to move a structure or building within the City of Newport shall be reviewed as to requirements of such things as minimum lot size, setbacks, proper zone, height regulations and other Zoning Code requirements.

Subd. 4 Moving Operations.

- A. All moving operations of the structure within public property shall be performed only from 10:00 P.M. to 6:00 A.M., unless the City Clerk-Administrator approves otherwise in writing.
- B. No structure shall be raised on moving blocks more than seven (7) calendar days prior to or fourteen (14) days after completion of an approved move. In no case shall an exposed vacant basement be left unfenced by the applicant. A minimum of a four (4) foot high safety fence shall be placed around the entire perimeter of an exposed basement.
- C. All exposed basements shall be filled in or backfilled with clean granular fill within seven (7) calendar days after removal of the structure from the lot. If the exposed basement is left uncovered more than seven (7) calendar days, the City Clerk-Administrator may direct the Public Works Director to fill in the basement. All City costs attributable to such filling shall be considered an unanticipated City administration expense to be paid by the landowner.
- D. All excavations and basements at the proposed site of the structure shall be filled in or backfilled within twenty-one (21) days after the completion of the move, unless the city Clerk-Administrator grants an extension of time because of frost conditions.
- E. All fine grading, seeding and sodding at the proposed site shall be completed prior to issuance of a certificate of occupancy, unless the City Clerk-Administrator grants an extension of time because of frost or other weather conditions.
- F. Building movers must meet all State of Minnesota requirements, including those imposed by Minnesota Statute 221.81.

| **1300.1413** **Removal of Soil, Sand or Other Material.** The use of land for the removal of more than ten (10) cubic yards of topsoil, sand or gravel, and other material from the land is not permitted in any zone except by permit established by the City.

| **1300.154** **Truck or Bus Parking in Residential Districts.** Parking, either on-street or off-street, of vehicles licensed by any state at over twelve thousand (12,000) pounds, except for deliveries and unloading, shall be prohibited in all residential districts on lots less than two (2) acres in size.

| **1300.16-15** **Violations.** No person shall use or occupy any lands or premises within the City contrary to the terms of this Chapter, or in any manner violate the terms thereof or the terms of any condition imposed under its authority, and any person so doing, upon conviction, shall be guilty of a misdemeanor.

| **1300.17-16** **Outdoor Furnaces.** Outdoor furnaces as defined in this zoning ordinance are not permitted within Newport City Limits.

CHAPTER 1300 – GENERAL ZONING

Section 1300 – General

1300.01 Definitions.

The following words and terms, wherever they appear in this Chapter, shall be defined as follows:

Subd. 1 Abandonment. "Abandonment" shall mean to cease or discontinue a use or activity of a property for a period of twelve (12) consecutive months or more unless otherwise specified.

Subd. 2 Abut. "Abut" shall mean to border upon a parcel of land so as to share all or part of a common property line with another parcel of land.

Subd. 3 Accessory Building or Accessory Structure. See building, accessory.

Subd. 4 Accessory Use. See use, accessory.

Subd. 5 Adult Use. "Adult Use" shall include adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult steam room/bath-house/sauna facilities, adult companionship establishments, adult rap/conversation parlors, adult health/sports clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotels/motels, adult body painting studios, and other premises, enterprises, establishments, businesses, or places open to some or all members of the public at or in which there is an emphasis on the presentation, display, depiction, or description of "specified anatomical areas" (as defined in Subd. 116) or "specified sexual activities," (as defined in Subd. 117), which are capable of being seen by members of the public. Activities classified as obscene as defined by Minn. Stats. § 617.241 are not lawful and are not included in the definition of adult uses.

Subd. 6 Agriculture. "Agriculture" shall mean the growing and marketing of fruits, vegetables, grains, trees, shrubs, flowers, or other plants, for commercial or private purposes, but not including the growing or raising of animals except as otherwise provided for by this Code.

Subd. 7 Alley. "Alley" shall mean any dedicated public right-of-way providing a secondary means of access to abutting property.

Subd. 8 Apartment. "Apartment" shall mean a room or group of rooms in a residential structure which includes bath and kitchen facilities and is intended or designed for use as an independent residence for a family or individual.

Subd. 9 Automobile Salvage Yard. "Automobile Salvage Yard" shall mean a commercial use carried on outside of an enclosed building involving the dismantling or storage of vehicles or equipment, and any other lot used for wrecking or storing of inoperable motor vehicles or their parts.

Subd. 10 Basement. "Basement" shall mean, a story of a building having more than half its height below the average level of the adjoining finished grade. A basement shall be counted as a story for the purpose of height regulations, if occupied for business or residential purposes.

Subd. 11 Berm. "Berm" shall mean a landscaped mound of earth.

Subd. 12 Billboard. "Billboard" shall mean any advertising sign where the advertised goods or services are not furnished at the location of the sign.

Subd. 13 Block. "Block" shall mean a tract of land bounded by streets, or a combination of streets and public or private open space, cemeteries, railroad rights-of-way, shorelines, waterways, or City corporate limits.

Subd. 14 Buildable Area. "Buildable Area" shall mean the space remaining on a lot for building purposes after the setback and open space requirements of this Chapter have been met.

Subd. 15 Building. "Building" shall mean a structure having a roof supported by columns or walls. When separated by dividing walls without openings, each portion of such a structure shall be deemed a separate building.

Subd. 16 Building, Accessory. "Building, Accessory" shall mean a subordinate building or structure on the same lot as a principal building, or part of the principal building, exclusively occupied by or devoted to a use incidental to the main use of the property.

Subd. 17 Building Height. "Building Height", unless otherwise specifically noted in this Chapter, shall mean the vertical distance measured from the average elevation of the finished grade adjacent to a building to 1) the highest point on a building with a flat roof, 2) the deck line of a mansard type roof, or 3) the average height between the eaves and the peak of the highest gable of a pitched, hip, or gambrel roof. For purposes of calculating building height, the finished grade shall be the highest point within five (5) feet of the front of a building or, if the lowest grade within five (5) feet of any side of the building is more than ten (10) feet lower than the front, then the finished grade from which the height is measured shall be considered ten (10) feet above said lowest grade.

Subd. 18 Building, Principal. "Building, Principal" shall mean a building or structure occupied by or devoted to the principal or main use of the property.

Subd. 19 Canopy or Marquee. "Canopy" or "Marquee" shall mean any roof like structure extending out from the side of a building.

Subd. 20 City. "City" shall mean the City of Newport.

Subd. 21 Cluster Development. "Cluster development" shall mean a development planned and constructed so as to group housing units into relatively tight patterns while providing a unified network of open space and wooded areas, and meeting the overall density regulations of this Ordinance, the Zoning Ordinance and the Comprehensive Plan.

Subd. 22 Comprehensive Plan. "Comprehensive Plan" shall mean a compilation of policy statements, goals, standards and maps for guiding the physical, social and economic development, both private and public, of the City and its environs. A comprehensive plan shall represent the recommendations of the Planning Commission and City Council for the future development of the community.

Subd. 23 Conditional Use. "Conditional Use" shall mean a permitted use which may be appropriate in a given zoning district but which requires special planning considerations in each instance, and which shall only be allowed in a specific location under conditions specified by this Code and by the City Council.

Subd. 24 Condominium. "Condominium" shall mean a multiple dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of state and local laws.

Subd. 25 Corner Lot. See lot, corner.

Subd. 26 Covered Storage Building. "Covered Storage Building" shall mean a temporary enclosure that is a moveable tent-like shelter that is typically constructed with wooden or metal framework and covered with a tarpaulin of plastic or canvas like material. These structures are most typically used for sheltering vehicles, RVs, or other materials stored outside residential neighborhoods.

Subd. 27 Density. "Density" shall mean a measure of the intensity of residential use on the land, expressed in terms of lot area per dwelling unit or dwelling units per acre. For such calculations, the land area shall be exclusive of water area and floodplain, but may include protected wetlands and hydric soils.

Subd. 28 Driveway. "Driveway" shall mean a private road or path which is wholly located on the lot which it services and which affords vehicle access to a public road.

Subd. 29 Duplex. See dwelling, two family.

Subd. 30 Dwelling. "Dwelling" shall mean a structure designed and used exclusively for residential purposes for the occupancy of a family or families.

Subd. 31 Dwelling, Attached (group, row, or townhouse). "Dwelling, Attached" (group, row or townhouse) shall mean a dwelling joined to one (1) or more other dwellings by a party wall or walls.

Subd. 32 Dwelling, Detached. "Dwelling, Detached" shall mean a dwelling entirely surrounded by open space, and not attached or connected structurally to any other dwelling.

Subd. 33 Dwelling, Multiple Family. "Dwelling, Multiple Family" shall mean a dwelling containing two (2) or more dwelling units, whether a townhouse, apartment, condominium, or other type of dwelling.

Subd. 34 Dwelling, Single Family. "Dwelling, Single Family" shall mean a detached dwelling designed exclusively for occupancy by one (1) family only.

Subd. 35 Dwelling, Two Family. "Dwelling, Two Family" shall mean a dwelling designed with two dwelling units, exclusively for occupancy by two (2) families living independently of each other.

Subd. 36 Dwelling Unit. "Dwelling Unit" shall mean, one (1) or more rooms in a dwelling designed for occupancy by one (1) family for living purposes and having separate permanently installed cooking and sanitary facilities.

Subd. 37 Excavation. "Excavation" shall mean the removal, relocation, or recovery by any means of soil, rock, minerals, debris, or organic substances other than vegetation from a parcel of land.

Subd. 38 Family. "Family" shall mean any number of individuals related by blood, legal adoption or marriage, or six (6) or less unrelated individuals living together in a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, licensed residential care facility, or hotel as herein described.

Subd. 39 Fence. "Fence" shall mean a partition, structure, wall or gate erected as a diving marker, visual or physical barrier, or enclosure.

Subd. 40 Fill. "Fill" shall mean sand, gravel, earth or other materials deposited on, moved onto, or placed on a parcel of land.

Subd. 41 Filling. "Filling" shall mean the placement of fill on a parcel of land.

Subd. 42 Floodplain. "Floodplain" shall mean the area subject to inundation by a one hundred (100)-year flood as designated and mapped by the Federal Emergency Management Agency.

Subd. 43 Floor Area. "Floor Area" shall mean the sum of the gross horizontal areas of the several floors of a building, measured from the exterior faces of the exterior walls, or for a structure without walls (e.g., a carport), the total ground area covered by roof, not including area under a typical overhang dimension.

Subd. 44 Floor Area, Livable. "Floor Area, Livable" shall mean the floor area of a dwelling excluding all areas occupied by basements, garages, porches, attics, stairways, storage, utility and heating rooms.

Subd. 45 Floor Area Ratio (F.A.R.). "Floor area ratio (F.A.R.)" shall mean the floor area of the building or buildings on a zoning lot divided by the area of such zoning lot, or, in the case of planned unit developments, by the net size area. The floor area ratio requirements shall determine the maximum floor area allowable for the building or buildings, including both principal and accessory buildings, in direct ratio to the gross area of the zoning lot.

Subd. 46 Footcandle. "Footcandle" shall mean a standard unit of illumination intensity.

Subd. 47 Frequency. "Frequency" shall mean the oscillations per second in a sound wave.

Subd. 48 Frontage. "Frontage" shall mean that part of a lot fronting on one side of a street between the side lot lines or between a street right-of-way and a side lot line.

Subd. 49 Garage, Private. "Garage, Private" shall mean an accessory building designed or used for the storage of motor-driven vehicles owned and used by the occupants of the dwelling unit to which it is accessory.

Subd. 50 Garage, Public. "Garage, Public" shall mean any building, except a private garage, used for the storage or care of motor-driven vehicles, or a building where any such vehicles are equipped for operation, are repaired, or are kept for remuneration, hire, or sale.

Subd. 51 Garage, Truck. "Garage, Truck" shall mean a building used or intended to be used for the storage of motor trucks, truck trailers, tractors, and commercial vehicles exceeding one and one-half (1-1/2) tons capacity.

Subd. 52 Grade "Grade" shall mean the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than five (5) feet from the building, between the building and a line five (5) feet from the building.

Subd. 53 Grade, Street. "Grade, Street" shall mean the established elevation of the street in front of the building measured at the center of such front. Where no street grade has been established, the City engineer shall establish such street grade or its equivalent for the purpose of this Chapter.

Subd. 54 Group Home. "Group Home" shall mean a home that is licensed by the commissioner of health as a rooming and/or boardinghouse and receives 50% (percent) or more of its residents under a contract or other arrangement with the state or local government human services agency. Provides lodging for people who are mentally ill, physically disadvantaged or chemically dependant.

Subd. 55 Halfway House. "Halfway House" shall mean a home, operated and supervised by a governmental or non-profit agency, for not more than nine persons who have demonstrated a tendency toward chemical abuse, mental illness, or antisocial or criminal conduct, together with not more than two persons providing supervision and other services to such persons, eleven of whom live together as a single housekeeping unit. The term shall not include licensed facilities as defined by Minn. Stat. §245A.11

Subd. 56 Handicapped or Infirm Institution. "Handicapped or Infirm Institution" shall mean an institutional facility housing more than six persons who are physically or mentally handicapped or infirm, and providing primarily residential care rather than medical treatment.

Subd. 57 Home Occupation. "Home Occupation" shall mean any gainful occupation or profession clearly secondary to the main use of the dwelling as a residence, which is conducted entirely within the dwelling, and which meets the requirements of this Code.

Subd. 58 Horticulture. "Horticulture" shall mean the use of land for the growing or production for income, of fruits, vegetables, flowers, nursery stock, and trees, including forestry, ornamental plants and trees, and cultured sod.

Subd. 59 Impervious Surface. "Impervious Surface" shall mean a material providing a hard surface which substantially prevents the absorption of water into the ground.

Subd. 60 Intermediate Care Home. "Intermediate Care Home" shall mean a facility providing accommodations for not more than seven occupants needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

Subd. 61 Intermediate Care Institution. "Intermediate Care Institution" shall mean an institutional facility providing accommodation for more than seven persons needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

Subd. 62 Intermodal Container. "Intermodal container", "freight container" or "shipping container" shall mean a reusable transport and storage unit for moving products and raw materials between locations or countries. A typical container has doors fitted at one end, and is constructed of corrugated weathering steel.

Subd. 63 Junkyard. "Junkyard" shall mean land or buildings where waste, discarded or salvaged materials are bought, sold, stored, exchanged, cleaned, packed, disassembled or handled on a commercial basis including but not limited to, scrap metal, rags, paper, hides, rubber products, glass products, lumber products and products resulting from the wrecking of automobiles or other vehicles.

Subd. 64 Kennel (commercial or hobby). "Kennel (commercial or hobby)" shall mean any structure or premises on which four (4) or more domestic animals over six (6) months of age are kept.

Subd. 65 Loading Space or Loading Area. "Loading Space," or "Loading Area" shall mean that portion of a lot or plot designed to serve the purpose of loading or unloading all types of vehicles.

Subd. 66 Lot. "Lot" shall mean a parcel of land, separated from other parcels by description, intended for building development or for transfer of ownership.

Subd. 67 Lot Area. "Lot Area" shall mean the total surface area of a lot within the lot lines, excluding public right-of-way or street easements.

Subd. 68 Lot, Corner. " Lot, Corner" shall mean a lot bordered by a public right-of-way containing a public street or planned for a public street on at least two (2) adjacent sides.

Subd. 69 Lot Coverage. "Lot Coverage" shall mean the area of a lot occupied by impervious material, including but not limited to buildings, paved surfaces, and driveways.

Subd. 70 Lot Depth. "Lot Depth" shall mean the mean horizontal distance between the center points of the front and rear lot lines for standard lots. For lots of non-standard shape, the Zoning Administrator shall determine the lot depth.

Subd. 71 Lot, Double Frontage. "Lot, Double Frontage" shall mean a lot having frontage on two (2) streets which do not intersect at a corner of the lot.

Subd. 72 Lot, Interior. "Lot, Interior" shall mean a lot other than a corner lot.

Subd. 73 Lot Line, Front. "Lot Line, Front" shall mean the boundary of a lot abutting a street easement or right-of-way. On a corner lot, the shortest street lot line shall be considered the front lot line.

Subd. 74 Lot Line, Rear. "Lot Line, Rear" shall mean the lot line or lot lines most nearly parallel to and furthest from the front lot line.

Subd. 75 Lot of Record. "Lot of Record" shall mean any lot for which a deed, registered land survey, or other legal record was recorded in the office of the register of deeds or the register of titles for Washington County, Minnesota, prior to August 7, 1964, and which contains identical lot dimensions as were present on that date.

Subd. 76 Lot Width. "Lot Width" shall mean the horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building setback line.

Subd. 77 Manufactured Single-family Dwelling. "Manufactured Single-family Dwelling" shall mean a structure, not affixed to or part of real estate, transportable in one or more sections, which in a traveling mode is eight (8) body feet or more in width, or forty (40) body feet, or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a single-family dwelling with or without a permanent foundation when connected to required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in it, except for accessory manufactured single-family dwellings and temporary manufactured single-family dwellings, as defined in this Chapter. . A manufactured single-family dwelling shall be construed to remain a manufactured single-family dwelling, subject to

all regulations applying thereto, whether or not wheels, axles, hitch, or other appurtenances of mobility are removed and regardless of the nature of the foundation provided. A manufactured single-family dwelling shall not be construed to be a travel trailer or other form of recreational vehicle.

Subd. 78 Mobile Home. "Mobile Home" shall have the same meaning as manufactured single-family dwelling.

Subd. 79 Mobile Home Park. "Mobile Home Park", a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use.

Subd. 80 Modular Manufactured or Prefabricated Home. "Modular Manufactured or Pre-fabricated Home" shall mean a nonmobile housing unit that is entirely or mostly fabricated off site and transported to a building site where final installations are made, permanently affixing the module to the site. A modular manufactured home shall be considered the same as a single-family dwelling under the standards in this Code, provided it meets the standards for floor area and other minimum standards.

Subd. 81 Motel. "Motel" shall mean a combination or group of two (2) or more detached, semi-detached or connected permanent dwellings occupying a building site integrally owned and used as a unit to furnish overnight transient living accommodations of a fee.

Subd. 82 Motor Vehicle. "Motor Vehicle" shall mean any self-propelled vehicle not operated exclusively on railroad tracks, and any vehicle propelled or drawn by a self-propelled vehicle, including but not limited to cars, trucks, buses, motorcycles, campers, recreational vehicles, and trailers.

Subd. 83 Motor Vehicle Body Work. "Motor Vehicle Body Work" shall mean repair or straightening or automobile body, frame, or fender, including painting.

Subd. 84 Motor Vehicle Repair. "Motor Vehicle Repair" shall mean repairs, replacement of parts, and motor service to automobiles, not including body work or painting.

Subd. 85 Motor Vehicle Sales. "Motor Vehicle Sales" shall mean the sale or trade of new or used motor vehicles, whether cars, trucks, buses, campers, motorcycles, or other motorized vehicles, including the display of new or used vehicles, or the possession of new or used vehicles for sale or trade.

Subd. 86 Motor Vehicle, Small. "Motor Vehicle, Small" shall mean any motor vehicle less than twenty (20) feet in length and less than seven (7) feet in height, and commonly used or intended as a passenger car.

Subd. 87 Multi-family Conversion. "Multi-family Conversion" shall mean the alteration of an existing building for use as a multiple family dwelling, meeting all applicable building codes and standards in this Chapter.

Subd. 88 Municipal Water and Sewer Systems. "Municipal Water and Sewer Systems" shall mean utility systems serving a group of buildings, lots, or an area of the City, with the design and construction of such utility systems as approved by the City engineer.

Subd. 89 Municipal/Public Facilities. "Municipal/Public Facilities" shall mean any buildings and property owned or operated by municipal, school district, county, state or other governmental unit.

Subd. 90 Nameplate. "Nameplate" shall mean a sign indicating the name and/or the address of a building, or the name of an occupant thereof and/or the practice of a permitted occupation therein.

Subd. 91 Nonconforming Use. "Nonconforming Use" shall mean any legal use existing upon the effective date of the adoption of this Chapter and which does not conform to the provisions of this Chapter.

Subd. 92 Nonconforming Lot. "Nonconforming Lot" shall mean any lot lawfully existing prior to the date that new zoning provisions were adopted making said lot inconsistent with the provisions of the newly adopted zoning chapter.

Subd. 93 Nonconforming Sign. "Nonconforming Sign" shall mean any legal sign existing prior to the date that new zoning provisions were adopted making said sign inconsistent with the provisions of the newly adopted zoning chapter. .

Subd. 94 Nonconforming Structure. "Nonconforming Structure" shall mean any legal structure or building existing prior to the date that new zoning provisions were adopted making said structure inconsistent with the provisions of the newly adopted zoning chapter.

Subd. 95 Nursing Care Home. "Nursing Care Home" shall mean a facility providing skilled nursing care and medical supervision at a lower level than that available in a hospital to no more than nine persons.

Subd. 96 Nursing Care Institution. "Nursing Care Institution" shall mean an institutional facility providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.

Subd. 97 Ordinary High Water Level or Ordinary High Water Mark. "Ordinary High Water Level", or "Ordinary High Water Mark" shall mean the boundary of "public waters" and "wetlands", as defined by Minnesota Statutes, Chapter 103G, an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel.

Subd. 98 Outdoor Furnaces. "Outdoor Furnaces" shall mean Any equipment, device or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space ordinarily occupied by humans."

Subd. 99 Parking Space. "Parking Space" shall mean an area of land exclusive of driveways and aisles, usable for the parking of a motor vehicle, and of a size, shape and location meeting the standards in this Code.

Subd. 100 Person. "Person" shall include an individual, a firm, a partnership, a corporation, a company, an unincorporated association of persons such as a club, and an owner.

Subd. 101 Planned Development District (PDD). "Planned Development District (PDD)" shall mean a zoning district intended to allow a flexible, creative and efficient approach to the use of the land, providing a mutual benefit to the developer and to the City. In a PDD a tract of land can be developed as a unit rather than as individual lots, wherein two or more buildings may be located in relationship to each other rather than to lot lines with regard to use, location and in accordance with the requirements of this Code, as well as provisions agreed to between the City and developers.

Subd 102 Plot. "Plot" shall mean a tract of land, other than one unit of a recorded plat or subdivision occupied and used or intended to be occupied and used as a building site and improved or intended to be improved by the erection thereon of a building and accessory building and having a frontage upon a public street or highway and including such open spaces as required under this Chapter.

Subd. 103 Protected Waters. "Protected Waters" shall mean any waters of the state designated or otherwise defined as protected by the State or as the result of regulations adopted by the State. However, no lake, pond or flowage of less than ten (10) acres in size and no river or stream having a total drainage area less than two (2) square miles shall be regulated for the purposes of these regulations.

Subd. 104 Public Access. "Public Access" shall mean an area owned and/or operated by a governmental entity for the launching and retrieval of water craft from the public waters, or other recreational activities adjacent to public waters.

Subd. 105 Public Open Space. "Public Open Space" shall mean any publicly owned open area, including but not limited to the following: parks, playgrounds, school sites, and parkways.

Subd. 106 Public Utility. "Public Utility" shall mean any person, firm, corporation, municipal department, or board fully authorized by the City to furnish and furnishing to the public, electricity, gas, steam, communication services, telegraph services, transportation, water, or other essential public service.

Subd. 107 Public Waters. "Public Waters" shall mean any waters as defined in Minnesota Statutes, Chapter 103G

Subd. 108 Rest Home, Convalescent Home, or Nursing Home. "Rest Home", "Convalescent Home" or "Nursing Home" shall mean a private home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, but not containing equipment for surgical care or for treatment of disease or injury.

Subd. 109 Screen. "Screen" shall mean a barrier accomplished by a variety of means, intended to prevent visibility through the barrier. If accomplished by landscape materials, the screen shall be at least eighty (80) percent opaque.

Subd. 110 Semi-public Uses. "Semi-public Uses" shall mean uses owned by private or private nonprofit organizations which are open to some but not all of the public such as: denominational cemeteries, private schools, clubs, lodges, recreation facilities and churches.

Subd. 111 Setback or Setback Line. "Setback" or "Setback Line" shall mean the mean horizontal distance between the property line or street right-of-way, or street easement and the line of the structure or the allowable building line as defined by the yard regulations of this Code.

Subd. 112 Shoreland. "Shoreland" shall mean any land adjacent to public waters as defined by the Shoreland Management section of this Chapter.

Subd. 113 Shore Impact Zone. "Shore Impact Zone" shall mean land located between the ordinary high water level of a public water and a line parallel to it at a setback of fifty (50) percent of the required structure setback.

Subd. 114 Sign. "Sign" shall mean any structure, device or representation, with or without lettering, designed or intended to bring attention to the location, products or services or an individual, residence, business or institution.

Subd. 115 Slope. "Slope" shall mean the amount a land surface rises or falls from a horizontal plane. Slope can be expressed as a fraction or percentage, arrived at by dividing the distance of the vertical rise or fall from the horizontal plane by the horizontal distance.

Subd. 116 Specified Anatomical Areas. "Specified Anatomical Areas" shall consist of the following:

- A. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and
- B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Subd. 117 Specified Sexual Activities. "Specified Sexual Activities" shall consist of the following:

- A. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquierism, sapphism, zoerasty; or
- B. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence; or
- C. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
- D. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast; or
- E. Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint or any such persons; or
- F. Erotic or lewd touching, fondling or other sexually oriented contact with an animal by a human being; or
- G. Human excretion, urination, menstruation, vaginal or anal irrigation

Subd. 118 Story. "Story" shall mean that portion of a building included between the surface of any floor and the surface of the floor next above it, or, if there is no such floor above, the space between such floor and the ceiling next above it. A level containing independent apartment or living quarters shall be counted as a full story, whether or not that level is completely usable or finished.

Subd. 119 Street, Public. "Street, Public" shall mean a thoroughfare which affords a principal means of access to abutting property and which has been accepted by the City as a public street.

Subd. 120 Structural Alterations. "Structural Alterations" shall mean any change in the supporting members of a building such as bearing walls, columns, beams, or girders, or any substantial changes in the roof and exterior walls.

Subd. 121 Structure. "Structure" shall mean anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground. When a structure is divided into separate parts by a wall without openings, each part shall be deemed a separate structure.

Subd. 122 Structure, Accessory. See building, accessory.

Subd. 123 Structure, Principal. See building, principal.

Subd. 124 Subdivision. "Subdivision" shall mean the division of a parcel of land into two (2) or more lots or parcels, for the purpose of transfer of ownership or building development.

Subd. 125 Tent Garages. See **Subd. 26 Covered Storage Building.**

Subd. 126 Townhouse. "Townhouse" shall mean a single structure consisting of three (3) or more dwelling units each having a private entrance on the first story at or near the ground level with no other dwelling unit connected to the other dwelling unit except by a party wall with no openings.

Subd. 127 Transit Station. "Transit Station" shall mean a parcel or portion thereof that is used for loading and unloading of public transit riders including the platform, station facilities, public open space and park-and-ride lots. Transit Station is inclusive of all public transit modes.

Subd. 128 Use. "Use" shall mean the purpose for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied or maintained.

Subd. 129 Use, Accessory. "Use, Accessory" shall mean a use subordinate to the principal use on a lot and exclusively used for purposes incidental to those of the principal use.

Subd. 130 Use, Interim. "Use, Interim" shall mean a temporary use of a property until a particular date, or until the occurrence of a particular event, as determined by the City Council.

Subd. 131 Use, Permitted. "Use, Permitted" shall mean a use which may be lawfully established in a particular district, provided it conforms with all requirements, regulations, and performance standards of such district.

Subd. 132 Use, Principal. "Use, Principal" shall mean the main use of land for an activity which is an allowable use of the zoning district in which the land is located.

Subd. 133 Utility Facility. "Utility Facility" shall mean any above-ground structure or facility, other than a principal building, owned by a governmental entity, a non-profit organization, a corporation, or any other entity defined as a public utility for any purpose by State statute and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals. Streets are exempt from this definition, as are wires or pipes

and supporting poles or structures within a public right-of-way for electric power, telephone, telegraph, cable television, gas, water, and sewer service.

Subd. 134 Utility Facility, Community or Regional. "Utility Facility, Community or Regional" shall mean any utility facility other than a neighborhood facility as defined in Subd. 124 below.

Subd. 135 Utility Facility, Neighborhood. "Utility Facility, Neighborhood" shall mean a utility facility designed to serve the immediate neighborhood and that must, for reasons related to the purpose of the utility, be located in or near the neighborhood where the facilities are proposed to be located.

Subd. 136 Variance. "Variance" shall mean a modification or variation of the provisions of this Chapter, as applied to a specific piece of property. A variance may be granted to the numerical standards of the Code, but not for the permissible use of a property.

Subd. 137 Vehicle, Small. "Vehicle, Small" shall mean any motor vehicle up to twenty (20) feet in length and up to seven (7) feet in height, commonly used as a passenger vehicle, not including trucks of any kind. See Subd. 86.

Subd. 138 Wholesale Sales. "Wholesale Sales" shall mean on-premise sale of goods primarily to customers engaged in the business of reselling the goods.

Subd. 139 Yard. "Yard" shall mean an open space on the same lot with a building or structure, which is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in this Chapter.

Subd. 140 Yard, Front. "Yard, Front" shall mean a yard extending across the front of a lot between the side yard lines and lying between the front street line of the lot or right-of-way and the required front yard setback line, which front yard shall be provided on both street frontages of corner lots and double frontage lots.

Subd. 141 Yard, Rear. "Yard, Rear" shall mean a yard lying between the required rear yard setback line and rear line of the lot, for the full width of the lot.

Subd. 142 Yard, Side. "Yard, Side" shall mean a yard on the same lot with a building between the side yard setback line and the side line of the lot and extending from the front lot line to the rear yard.

Subd. 143 Zoning Administrator. "Zoning Administrator" shall mean the person authorized to administer and enforce this Chapter.

Subd. 144 Zoning Districts. "Zoning Districts" shall mean the areas of the City designated for specific uses with specific requirements for use or development.

Subd. 145 Zoning Map. "Zoning Map" shall mean the map or maps incorporated into this Chapter as a part thereof designating the zoning districts.

1300.02 Rules of Construction. The language set forth in the text of this Chapter shall be interpreted in accordance with the following rules of construction:

- A. Words used in the present tense shall include the future; words in the singular shall include the plural, and the plural the singular.
- B. "Person" shall include an individual, association, syndicate, organization, partnership, trust company, corporation or any other legal entity.
- C. "Shall" is to be construed as being mandatory and not discretionary.
- D. "May" is to be construed as being permissive.
- E. "Lot" shall include the words "plot", "piece" and "parcel".
- F. "Used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for".

1300.03 Purpose and Intent. The purpose and intent of this Chapter shall be:

- A. To promote the general public health, safety, morals, comfort and general welfare of the inhabitants of the city.
- B. To promote the character and preserve and enhance the stability of properties and areas within the city;
- C. To divide the city into zones or districts as to the use, location, construction, reconstruction, alteration and use of land and structures for residence, business and industrial purposes;
- D. To provide adequate light, air, privacy and safety;
- E. To prevent the overcrowding of land, undue concentration of population;
- F. To promote the proper use of land and structures;
- G. To fix reasonable standards to which buildings, structures and land shall conform for the benefit of floor space than stores selling smaller items, as determined by the Zoning Administrator.
- H. To prohibit the use of buildings, structures and lands that are incompatible with the intended use or development of lands within the specified zones;
- I. To promote the safe, rapid and efficient movement of people and goods;
- J. To facilitate the provision of public services;
- K. To limit congestion in the public streets and protect the public health and welfare by providing for the off-street parking of vehicles and vehicle loading areas;
- L. To protect against fire, explosion, panic, noxious fumes, offensive noise, vibration, dust, odor, heat, glare, other pollution and hazards in the interest of the public health, comfort and general welfare;

- M. To define and limit the powers and duties of the administrative officers and bodies provided for herein.
- N. To implement the Comprehensive Plan.

1300.04 Scope, Interpretation, Etc.

Subd. 1 Scope. From and after the effective date of this Chapter, the use of all land and every building or portion of a building erected, altered with respect to height, area, or use, added to or relocated, and every use within a building or use accessory thereto, in the city shall be in conformity with the provisions of this Chapter.

Subd. 2 Interpretation. The provisions of this Chapter should be the minimum requirements for the promotion of the public health, safety, morals, convenience and general welfare. Where the provisions of this Chapter impose greater restrictions than those of any statute, code provision, other ordinance or regulation, the provisions of this Chapter shall be controlling. Where the provisions of any statute, other code provision ordinance or regulation impose greater restrictions than this Chapter, the provisions of such statute, other code provision, ordinance or regulation shall be controlling.

Subd. 3 Private Agreements. This chapter shall not abrogate any easement, covenant, or any other private agreement where such is legally enforceable, provided that where the regulations of this Chapter are more restrictive (or impose higher standards or requirements) than such easements, covenants, or other private agreements, the requirements of this Chapter shall govern.

1300.05 Relationship to Existing City Ordinances. To the extent that the provisions of this Chapter are the same in substance as the previously adopted provisions that they replace in the City's zoning, subdivision, or other land use control ordinances, they shall be considered as continuations thereof and not as new enactments unless otherwise specifically provided. In particular, a situation that did not constitute a lawful, nonconforming situation under the previously adopted zoning ordinance does not achieve lawful nonconforming status under this Chapter merely by the repeal of the previous zoning ordinance and the adoption of a new ordinance.

1300.06 Area Regulations. No lot area shall be so reduced or diminished that the lot area, yards or other open spaces shall be smaller than prescribed by this Chapter, nor shall the density of population be increased in any manner except in conformity with the area regulations as hereinafter provided.

1300.07 Exceptions to General Yard Regulations. Measurements for yard regulations shall be taken from the nearest point of the wall of a building to a lot line in question, subject to the following qualifications:

- A. Cornices, canopies, or eaves may extend into the required minimum front yard a distance not exceeding three (3) feet.
- B. Fire escapes may extend into the required front yard a distance not exceeding four (4) feet, six (6) inches;
- C. A landing place or uncovered porch may extend into the required front, side, or rear yards a distance not exceeding six (6) feet, if the landing place or porch has its floor no higher than the entrance floor of the building. An open railing may be placed around such place in the front yard only, and not in the side or rear yards;

- D. A wall or fence or hedge not to exceed the maximum height allowed in the underlying zoning district may occupy part of the required front, side, or rear yard;
- E. On double frontage lots, the required front yard shall be provided on both streets;
- F. On a corner lot, the lot line opposite the narrowest street frontage shall be considered the rear lot line for the purposes and standards in this Code, unless the Zoning Administrator determines that unusual conditions exist that warrant designating another lot line or lot lines as the rear.
- G. The required front yard of a corner lot shall not contain any wall, fence, or other structure, tree, shrub, or other growth which may cause danger to traffic on a street or public road by obscuring the view;
- H. The required front yard of a corner lot shall provide an unobstructed view between the two intersecting streets within a triangular area from the intersection of the street easement or right-of-way lines back thirty (30) feet along each side, from two (2) feet off the ground to a height of ten (10) feet, except for tree trunks less than twelve (12) inches in diameter.
- I. In determining the depth of a rear or side yard for any building where the rear or side yard opens into an alley, driveway easement or joint driveway, one-half the width of the alley, driveway easement or joint driveway, up to fifteen (15) feet, may be considered as a portion of the rear or side yard subject to the following qualifications:

1300.08 Exceptions to Front Yard Setbacks.

Subd. 1 Twenty-five Percent Occupancy. When more than twenty-five (25) percent of the frontage on one side of the street between intersections is occupied by structures having setbacks from street rights-of-way that are greater or lesser than required by this ordinance, the average setback of all existing buildings between the intersections, or to a distance of two hundred (200) feet in either direction, whichever is closer, shall be maintained by all new or relocated structures.

Subd. 2 Preexisting Structures. In the event a building is to be built where there is such an established setback different from that required in this ordinance and there are existing buildings on both sides of the said new building, the front setback shall not be required to be greater than that which would be established by connecting a straight line between the forward most portions of the first adjacent building on each side.

1300.09 Areas under Water. All areas within the corporate limits of the city which are under water and not shown as included within any zone shall be subject to all of the regulations of the zone which immediately adjoins the water area. If the water area adjoins two (2) or more zones, the boundaries of each zone shall be construed to extend into the water area in a straight line until they meet the other district at a half-way point.

1300.10 Height Regulations.

Subd. 1 Slope. Where the average slope of a lot within proposed building lines is greater than one (1) foot rise or fall in seven (7) feet of horizontal distance, one (1) additional story shall be permitted on the downhill side of any building.

Subd. 2 Increases. Height limitations set forth elsewhere in this Chapter may be increased by conditional use permit when applied to the following structures:

- A. Church spires, belfries, or domes;
- B. Water towers;
- C. Flagpoles;
- D. Agricultural structures in RE district;
- E. Any other use in any zoning district, only with findings that the use can be adequately protected by the City's fire-fighting equipment, and that it will not have an adverse effect on surrounding property.

1300.11 One Principal Structure per Lot. There shall be no more than one principal structure or principal building per lot, except as otherwise provided for in this Code. The Zoning Administrator shall make the determination whether a structure is a principal structure as intended by the provisions of this Chapter.

1300.12 Moving of Structures.

Subd. 1 Purpose. The purpose of this section of the Zoning Chapter is to maintain a harmonious and high standard of residential development, and to protect such areas from adverse effects through ensuring that both new and relocated dwellings from other areas shall meet specified requirements.

Subd. 2 General.

- A. All of the requirements associated with the moving of a building or structure shall apply only to destinations within the City of Newport city limits.
- B. No building or structure shall be moved within the City of Newport, unless a building permit for the building or structure has been obtained as provided in this Chapter.
- C. Except as is otherwise provided by Law, no building or structure shall be moved within the City of Newport, unless such building or structure was in full compliance with the State Building Code prior to the moving.

Subd. 3 Applications.

- A. Each permit for the moving of a structure or building shall include the following:
 - 1. A site plan of both the existing and the proposed sites including an illustration of how and where the structure will be located during and after the moving operation.
 - 2. A designated route and any stops the building or structure must make.
 - 3. A legal description of the property to which the building is to be moved to.

4. An illustration and description of the electrical, natural gas, cable TV, sewer and water and any other utilities serving the existing and proposed sites; showing locations and type.
 5. An illustration showing all trees to be removed or partially removed from the existing and proposed sites.
 6. An administrative fee in an amount to be set annually by the City Council by Resolution, in addition to the building permit fee, which shall cover all City Administrative costs such as police, fire street supervision, tree inspection, and other City costs associated with the transfer of the building or structure. Additional unanticipated administration costs, incurred by the City during the move shall be paid by the applicant prior to issuance of a certificate of occupancy.
 7. Each application for a permit to move a building or structure shall be reviewed and approved by the City of Newport Public Works, Police, Fire Marshall, Building Inspection, and Zoning Departments prior to being submitted to the City Council for final approval.
- B. Each application for a permit to move a structure or building within the City of Newport, shall be reviewed by the City Planning Commission for a determination of architectural compatibility with other adjacent structures to the proposed site and for other requirements of this code.
- C. All applications for a permit to move a structure or building within the City of Newport shall be reviewed as to requirements of such things as minimum lot size, setbacks, proper zone, height regulations and other Zoning Code requirements.

Subd. 4 Moving Operations.

- A. All moving operations of the structure within public property shall be performed only from 10:00 P.M. to 6:00 A.M., unless the City Clerk-Administrator approves otherwise in writing.
- B. No structure shall be raised on moving blocks more than seven (7) calendar days prior to or fourteen (14) days after completion of an approved move. In no case shall an exposed vacant basement be left unfenced by the applicant. A minimum of a four (4) foot high safety fence shall be placed around the entire perimeter of an exposed basement.
- C. All exposed basements shall be filled in or backfilled with clean granular fill within seven (7) calendar days after removal of the structure from the lot. If the exposed basement is left uncovered more than seven (7) calendar days, the City Clerk-Administrator may direct the Public Works Director to fill in the basement. All City costs attributable to such filling shall be considered an unanticipated City administration expense to be paid by the landowner.
- D. All excavations and basements at the proposed site of the structure shall be filled in or backfilled within twenty-one (21) days after the completion of the move, unless the city Clerk-Administrator grants an extension of time because of frost conditions.
- E. All fine grading, seeding and sodding at the proposed site shall be completed prior to issuance of a certificate of occupancy, unless the City Clerk-Administrator grants an extension of time because of frost or other weather conditions.

- F. Building movers must meet all State of Minnesota requirements, including those imposed by Minnesota Statute 221.81.

1300.13 Removal of Soil, Sand or Other Material. The use of land for the removal of more than ten (10) cubic yards of topsoil, sand or gravel, and other material from the land is not permitted in any zone except by permit established by the City.

1300.14 Truck or Bus Parking in Residential Districts. Parking, either on-street or off-street, of vehicles licensed by any state at over twelve thousand (12,000) pounds, except for deliveries and unloading, shall be prohibited in all residential districts on lots less than two (2) acres in size.

1300.15 Violations. No person shall use or occupy any lands or premises within the City contrary to the terms of this Chapter, or in any manner violate the terms thereof or the terms of any condition imposed under its authority, and any person so doing, upon conviction, shall be guilty of a misdemeanor.

1300.16 Outdoor Furnaces. Outdoor furnaces as defined in this zoning ordinance are not permitted within Newport City Limits.

Section 1340 - Residential Districts**1340.01 Purpose**

The residential districts are established to accomplish the general purposes of this Chapter and for the following specific purposes:

- A. To preserve existing living qualities of residential neighborhoods;
- B. To ensure future high quality amenities including, but not limited to, the provision of adequate light, air, privacy, freedom from noise and convenience of access to property;
- C. To increase convenience and comfort by providing usable open space and recreation space on the same lot as the housing units they serve;
- D. To prevent additions or alterations of structures which would damage the character or desirability of existing residential areas;
- E. To protect residential areas, to the extent possible and appropriate in each area, against unduly heavy motor vehicle traffic;
- F. To encourage a variety of dwelling types and a wide range of population densities with emphasis on home ownership; and
- G. To implement the goals and policies of the Comprehensive Plan.

1340.02 Intent.

The specific intent of each residential district is as follows:

Subd. 1 RE - Residential Estate District. This district shall be intended:

- A. For residential areas without public utilities;
- B. To preserve lands in their natural state or in agricultural uses pending the proper timing for the economical provision of utilities, streets, parks, and other public facilities so that orderly development will occur; and
- C. To preserve and extend areas for single-family dwellings at very low densities within spacious environments
- D. Any lot or parcel of land located in a Residential Estates Zone (RE) served by municipal sewer shall be treated as a Single Family Residential (R-1) parcel and shall be required to meet all requirements of R-1 zoning. (see Ordinance No. 98-2).

Subd. 2 R-1A - River Residential District. This district shall be intended to preserve, create, and enhance areas for low-density single-family development along and near the Mississippi River where public utilities are available.

Subd. 3 R-1 - Low Density Single Family Residential District. This district shall be intended to preserve, create and enhance areas for low-density single-family dwelling development as an extension of existing residential areas and to allow low-density development in areas indicated as such in the comprehensive plan where public utilities are available;

Subd. 4 R-2 - Medium Density Residential District. This district shall be intended to allow development of townhouses, row houses, and other types of low-density multifamily units in areas consistent with the comprehensive plan and serviced by public utilities;

Subd. 5 R-3 - High Density Residential District. This district shall be intended to create, preserve and enhance areas for multi-family use at higher densities for both permanent and more transient families. It is typically appropriate only in areas served by public utilities, with good accessibility to thoroughfares, public services, commercial areas, and where such development fits the comprehensive plan and planning policies.

1340.03 Residential Lot Area, Depth, Width, Coverage, Setbacks and Heights.

The following minimum requirements shall be required in all residential districts:

	RE	R-1A	R-1	R-2	R-3
Minimum Lot Area per Unit (Square Feet)					
Dwellings, single-family	2 Acres	15,000	9,100	9,100	9,100
Dwellings, two family	--	--	--	7,800	7,800
Dwellings, more than two family	--	--	--	5,750	3,000
Other uses	2 Acres	1 Acre	1 Acre	1 Acre	1 Acre
Minimum Lot Depth in Feet	200	150	130	130	130
Minimum Lot Width in Feet (Number in parenthesis is the lot width for a corner lot)					
Dwellings, single-family	160 / (200)	100 / (120)	70 / (90)	70 / (90)	70 / (90)
Dwellings, two family	--	--	--	120 / (140)	120 / (140)
Dwellings, more than two family	--	--	--	120 / (140)	120 / (140)
Other uses	160	100	70	120	120
Minimum Front Yard in Feet***	40	30	30	30	30
Minimum Side Yard in Feet (Number in parenthesis is the setback for a corner lot, street side)					
Dwellings, single-family or two family	20 / (40)	10 / (30)**	10 / (30)**	10 / (30)	10 / (30)
Dwellings, more than two family	--	--	--	20 / (40)	20 / (40)
Garages or Accessory Structures***	20 / (40)	5 / (30)	5 / (30)	10 / (30)	10 / (30)
Other uses	20	30	30	20	20
Minimum Rear Yard in Feet					
Dwellings, single-family or two family	50	30	30	30	30
Dwellings, more than two family	--	--	--	30	30
Garages or Accessory Structures***	<u>40</u> <u>20</u>	5	5	30	30
Other uses	50	40	40	40	40
Maximum Lot Coverage, All Structures	20%	20%	25%	30%	30%
Maximum Building Height in Feet ***	35 feet or 3 stories, whichever is greater, in all districts, but in no case higher than 1,000 feet U.S.G.S. sea level elevation; <u>25 feet in Shoreland Management Overlay District</u>				
Public Sewer Required	No	Yes	Yes	Yes	Yes

* Regardless of the setback standards noted in this table, the distance between a proposed foundation wall and an existing foundation wall on an adjacent lot may not be less than fifteen (15) feet

** Side setbacks for substandard lot widths in R-1A: 10% of lot width (25% for Corner Lot, Street Side). Side setbacks for substandard lot widths in R-1: 15% of lot width (33% for Corner Lot, Street Side)

***See additional standards in Subsection 1340.04.

1340.04 Single Family Residential Garage, Accessory Structure and Driveway Standards.

The following standards shall apply to all garages and accessory structures for single family homes and duplexes in all zoning districts, and shall be in addition to the standards in Subsections 1340.03, 1370.03 (Shoreland Management District) and 1370.05 (Floodplain Management Districts). The intent of these standards shall be to reduce the impact of multiple vehicles and of large accessory structures on the residential character of the City.

Subd. 1 Construction. No accessory building or structure shall be constructed on a lot prior to construction of the primary structure. Building permits are required for all accessory structures.

Subd. 2 Number. A residential lot, other than a river riparian lot, may have no more than two (2) accessory structures. A river riparian lot may have a guest cottage and a water-oriented accessory structure as regulated in Section 1370 of this Chapter, the Shoreland Management Section.

Subd. 3 Height. No garage, whether attached or detached, nor any accessory structure shall be taller than the principal structure on the lot as measured by the building height definition from Section 1300.01 Subd. ~~16-17~~ Building Height.

Subd. 4 Location. A detached accessory building shall not be located in any required front yard.

Subd. 35 Square Footage. Except in the RE district, the total footprint of all garage space, whether attached or detached, and of all accessory structure space for single-family residential uses shall be no larger than the footprint of the principal structure, and shall total a maximum of 2,000 square feet; except that a residential lot shall be allowed at least five hundred (500) square feet of garage space regardless of the house size, as long as the required setbacks and other standards are met. _____

In the **RE d**District, the number and size of accessory structures permitted on residential lots is as follows:

<u>Size of Parcel in RE DISTRICT</u>	<u>Number of Accessory Structures</u>	<u>Total Area of Accessory Structures (footprint)</u>
<u>Less than 2 acres</u>	<u>2</u>	<u>Total footprint of all accessory structures may be no larger than the footprint of the principal structure, up to a maximum of 2,000 square feet. Minimum 500 square feet of accessory structures is permitted on all parcels regardless of house size if required setbacks are met.</u>
<u>2.0-4.99Acres</u>	<u>2</u>	<u>2500 square feet</u>
<u>5.0 Acres or greater</u>	<u>2</u>	<u>Up to 2,500 total square feet is permitted. 2,500 total square feet to 3,500 maximum total square feet of accessory structures may be permitted with a Conditional Use Permit.</u>

~~the footprint of all accessory structure space may be larger than the footprint of the principal structure, but no larger than two thousand (2,000) square feet in area except on individual parcels in excess of 3 acres as authorized through a conditional use permit.~~

Subd 6 Structure Area in the RE District between 2,500 and 3,500 square feet. In order for the footprint of all accessory structures in the RE district to exceed 2,050 square feet, the following conditions must be satisfied through obtaining a conditional use permit pursuant to Section 1310.10 of this Chapter:

- A. The parcel shall not be re-platted, split or subdivided such that it results in a lot size of less than 3 acres without first removing or altering the structure so that it conforms to the standards in this chapter.
- B. The site must demonstrate that the accessory structures do not encroach upon existing septic systems and that an alternative septic system area is protected.
- C. Plantings consisting of a combination of trees and shrubs shall be installed within the set back area providing a buffer between the accessory structure (s) and future development on adjacent property.
- D. Any accessory structure or garage other than a garage attached to the principal structure on the site shall not be placed closer to the public right-of-way that constitutes the front yard of the parcel than the primary structure unless the structure is completely screened from public view by natural vegetation including trees and shrubbery.
- E. All the other subdivisions of this section apply to the RE district.

Subd. 47 Compatibility. All accessory structures of any size shall be constructed of durable, finished materials and shall be compatible in color to the principal structure. All accessory structures over one hundred fifty (150) square feet in area shall be compatible with the principal structure in terms of design, roof style, roof pitch, color, and exterior finish materials.

If an accessory building is attached to the main building, it shall be made structurally a part of the main building and shall comply in all respects with the requirements of this Chapter applicable to the main building. An accessory building, unless attached to and made a part of the main building, shall not be closer than five (5) feet to the main building, except as otherwise provided in this Chapter

Subd. 58 Additional Setback, Square Feet. A garage, whether attached or detached, or an accessory structure shall provide an additional one (1) foot of setback beyond the minimum front, side, or rear yard setbacks required in Subsection 1340.03, for every twenty (20) square feet of area over nine hundred (900) square feet of area in garages or accessory structures on the lot, except:

- A. An addition to an existing accessory structure which cannot meet the additional setbacks described above may extend an existing building edge at the existing setback line, but no closer to the lot line than the existing setback, and in no case closer than the minimum setbacks set forth in Subsection 1340.03.
- B. Such an extended building edge may be no more than thirty-six (36) feet in length along any single property line. Any portion of an extended building edge longer than thirty-six (36) feet in length must meet the additional setbacks described above in this Subdivision.
- C. In the RE district, a garage, whether attached or detached, or an accessory structure shall provide an additional one (1) foot of setback beyond the minimum front, ~~and~~ side and rear yard setbacks required in Subsection 1340.03 ~~up to a total maximum setback of one hundred (100) feet~~ 03, for every forty (40) square feet of area or portion thereof over two thousand (2,000) square feet of area in garages or accessory structures on the lot. ~~The rear yard setback shall have a maximum setback of fifty (50') feet.~~

Subd. 69 Additional Setbacks, Height. A detached garage or an accessory structure shall provide an additional two (2) foot of setback beyond the minimum required front, side, or rear yard setbacks for every one (1) foot of height of its eave line over eight (8) feet.

Subd. 710 Door Openings. In the RE district, on lots at least three acres in size, there shall be no limit on the height of door openings for garages or other accessory structures. In all other cases, all door openings shall be eight (8) feet in height or less, except that one door opening in one accessory structure per lot may be a maximum of twelve (12) feet in height. In all districts, any door opening over eight (8) feet in height shall be turned perpendicular to the front lot line so as not to face any public street, or, if facing a public street, it shall be set back an additional ten (10) feet beyond the minimum front yard setback required in Subsection 1340.03 for every one (1) foot of height of the door opening over eight (8) feet.

Subd. 11 Subdivision. No land shall be subdivided so as to have an accessory structure without a primary structure, or to have a larger building or structure than permitted by this ordinance. When a property is developed or redeveloped and an existing accessory structure made nonconforming, the structure must be brought into conformance as part of the development approval or removed from the property.

Subd. 12 Use of Accessory Structures. No accessory building shall at any time be used as a habitable building. No accessory structure in a residential district shall at any time be used for a commercial or industrial use. Use of accessory structures for home occupations is governed by Section 1340.07, Subdivision 2.

Subd. 13 Air Conditioning Units. All air conditioning units excluding window units shall be located a minimum of twenty (20) feet from all lot lines, but not within the front yard.

Subd. 8134 Intermodal container or shipping containers. All intermodal containers in residential districts shall be considered to be accessory structures, and shall meet all code requirements for accessory structures in residential districts, including those in Sections 1340.03, 1340.04, 1370.03 and 1370.05.

Subd. 9145 Driveways. One driveway access to a public roadway is permitted for each lot.

1340.041 Covered Storage Building Standards.

The intent of this section is to regulate the installation and maintenance of covered storage buildings, also known as tent garages or temporary carports. More specifically the intent of this section is to minimize the potential for these structures to become unsightly as seen from public right-of-ways or adjacent residential properties. The following standards and conditions apply to covered storage buildings:

Subd. 1 Permitted As Accessory Structures. “Covered Storage Buildings” are a permitted use as an accessory structure only in residential districts and shall not be permitted in General Business, Light Industrial, General Industrial, and Industrial Storage Districts or for any commercial use or purpose within the ~~MX 1 Mixed Use “Downtown” or MX 2 Mixed Use “Mainstreet”~~ Mixed-Use Districts. Covered Storage Buildings shall comply with the standards outlined in Section 1340.04. In addition, the following criteria shall be applied to covered storage buildings permitted as an accessory structure:

- A. Placement on Lot: The structure shall not be located in any front yard.

- B. Screening: The structure shall be screened from public right-of-way and adjacent property with shrubbery, trees or fencing.
- C. Maintenance: Lawn areas around the structure shall be kept clear of tall weeds and grass. The condition of the structure shall comply with the standards found in Ordinance 2002-11, Chapter 8. Section 811 Building and Property Maintenance.
- D. Number per Residential Lot: Only one (1) structure shall be permitted per residential lot.

Subd. 2 Allowed with Conditions:

- A. Placement on Lot: Structures shall not be placed in any front yard or adjacent to the driveway if located in the front yard. All other building setbacks must be met as established by the underlying zoning district.
- B. Maintenance: Lawn areas around the structure shall be kept clear of tall weeds and grass.
- C. Lot Coverage and Structure Height: Except as provided herein, all standards relating to structure height, lot coverage, and number of accessory structures on the lot as outlined in Section 1340.04 shall be met.

Subd. 3 Building Permit Required. Installation of covered storage buildings over 336 square feet or 10 feet in height require a building permit from building inspections.

1340.05 Credits and Allowances for Multiple Dwellings.

The following lot area credits and allowances shall be applied for multiple dwellings in R-2 and R-3 districts but in no event shall the minimum lot area with allowances be less than five thousand (5,000) square feet per dwelling unit in the R-2 district nor less than two thousand two hundred (2,200) square feet in the R-3 district based on the following schedule:

- A. For each parking space provided within or beneath a principal structure, subtract three hundred (300) square feet;
- B. If the site upon which the multiple dwelling is being constructed is adjacent to a site zoned for a commercial use, subtract three hundred (300) square feet;
- C. If the adjacent site is zoned R-1 or R-1A, add three hundred (300) square feet per unit for that portion of the multiple dwelling site within one hundred fifty (150) feet of the R-1 or R-1A district;
- D. If the total lot coverage is less than twenty (20) percent, subtract one hundred fifty (150) square feet per unit;
- E. For each unit containing bedrooms in excess of two (2), add three hundred (300) square feet.

1340.06 Special Regulations for the R-2 and R-3 Residential Districts.

Subd. 1 Minimum Floor Area for Multiple Family Dwellings. The minimum floor area of an efficiency dwelling unit shall be not less than four hundred (400) net square feet, that of a one-bedroom dwelling unit shall be not less than seven hundred (700) net square feet, and that of a

two-bedroom dwelling unit shall be not less than nine hundred (900) net square feet. Units containing three (3) or more bedrooms shall have an additional one hundred fifty (150) net square feet of floor area for each bedroom in excess of two (2) bedrooms.

For purposes of measurement, the net floor area of a dwelling unit shall mean that area within a building used as a single dwelling unit, and shall be measured from the inside walls to the center of partitions bounding the dwelling unit being measured, but shall not include public stairways, public entries, public foyers, public balconies, or unenclosed public porches, separate utility rooms, furnace areas or rooms, storage areas not within the apartment, or garages.

Subd. 2 Design and Construction Requirements.

- A. Design Review. If a Conditional Use Permit is required, the plans for a multiple dwelling must be approved by the City Council upon a recommendation by the Planning Commission after review of the plans set forth in paragraph (B) below. The Planning Commission and Council may designate conditions or guarantees in connection with the Conditional Use Permit, which will substantially secure the provisions of the district. In granting the permit, the Planning Commission and council shall consider the requirements of paragraph (B) below and may consider other factors affecting the public health, safety and welfare.
- B. Building Design and Construction. A building permit and Conditional Use Permit, if required, for a multiple dwelling building shall not be issued unless the applicant's building plans, including the site plan, are certified by an architect registered in the state stating that the design of the building and site has been prepared under his direct supervision. Any building of type I or II construction, as provided in the state building code, shall have its electrical, mechanical and structural systems designed by registered engineers. Provisions of this paragraph shall not prohibit the preparation of the site plan by a professional site planner. Such plans shall include the following:
 - 1. Complete details of the proposed site development including location of buildings, driveways, parking spaces, lot dimensions, lot area and yard dimensions;
 - 2. Complete landscaping plans including species and size of trees and shrubs proposed;
 - 3. Complete plans for proposed sidewalks to service parking, recreation and service areas within the proposed development;
 - 4. Complete plans for storm water drainage systems sufficient to drain and dispose of all surface water accumulations within the area;
 - 5. Complete structural, electrical and mechanical plans for the buildings;
 - 6. Complete plans and specifications for exterior wall finishes proposed for all principal and accessory buildings.
- C. Type of Construction. Any building more than two and one-half (2 1/2) stories in height shall be of type I or type II construction as provided in the state building code.
- D. Efficiency Dwelling Units. No more than twenty (20) percent of the dwelling units in any one (1) building shall be efficiency dwelling units.

- E. Closets and Bulk Storage. The following minimum amounts of closet and bulk storage shall be provided for each dwelling unit:
1. One-bedroom unit: ten (10) lineal feet of closet space and eighty (80) cubic feet of bulk storage. Only closet space having a minimum clear finish to finish depth of two (2) feet, zero (0) inches, shall be considered in determining the lineal feet of closet provided;
 2. Two-bedroom unit: twenty-four (24) lineal feet of closet space and one hundred (100) cubic feet of bulk storage. Only closet space having a minimum clear finish to finish depth of two (2) feet, zero (0) inches, shall be considered in determining the lineal feet of closet provided;
 3. Three (3) or more bedrooms: for each bedroom in excess of two (2) in any one (1) dwelling unit, an additional ten (10) lineal feet of closet space and fifty (50) cubic feet of bulk storage volume shall be required.
- F. Sound. Party and corridor partitions and floor systems shall be of a type rated by a laboratory regularly engaged in sound testing as capable of accomplishing an average sound transmission loss (using a nine-frequency test) of not less than fifty (50) decibels. Door systems between corridors and dwelling units shall be of solid core construction and include gaskets and closure plates. Room relationships, hallway designs, door and window placements and plumbing and ventilating installations shall be such that they assist in the control of sound transmission from unit to unit.
- G. Projecting air conditioning and heating units. Air conditioning or heating units projecting through exterior walls or windows shall be so located and designed that they neither unnecessarily generate nor transmit sound nor disrupt the architectural amenities of the building. Units projecting more four (4) inches beyond the exterior finish of a building wall shall be permitted only with the written consent of the building inspector, which shall be given when building structural systems prevent compliance.
- H. Trash incinerators and garbage. Except with townhouse and multiple residence sites of four (4) or less units, no exterior trash or garbage disposal or storage shall be permitted. In the case of townhouse and multiple residences with four (4) or less units, there shall be no exterior incineration, and any storage shall be completely enclosed by walls 6' in height.
- I. Elevators. Any multiple residence building of three (3) stories or more shall be equipped with at least one (1) public elevator.
- J. Accessory Buildings. Exteriors of accessory buildings shall have the same exterior finish as the principal structure.

Subd. 3 Recreations and Open Space. Multiple family residential projects shall contain an adequate amount of land for park, recreation or local open space use, exclusive of sump and drainage areas which shall not be less than twenty (20) percent of the gross area of the property and shall consist principally of land within the building setback lines.

1340.07 Special Regulations for All Residential Districts.

Subd. 1 Dwelling and Manufactured Single Family Dwellings. All dwellings and manufactured single-family dwellings constructed or established after the adoption of this Code shall meet the following criteria:

- A. The dwelling and manufactured single-family dwelling shall be placed on and secured to a permanent foundation of concrete, masonry, or treated wood;
- B. The dwelling and manufactured single-family dwelling shall have a minimum length and width of twenty (20) feet at all points, providing that such measurements shall not include overhangs and other projections beyond the principal exterior walls;
- C. The dwelling and manufactured single-family dwelling shall include an attached or detached private garage on the lot;
- D. The dwelling shall comply with the state building code and the manufactured single family dwelling shall comply with applicable Minnesota Statutes.

Subd. 2 Home Occupations. All home occupations shall meet the following requirements:

- A. The number of employees shall be limited to one (1) person in addition to family members residing within the home;
- B. The area within the dwelling used by the home occupation shall not exceed twenty (20) percent of the dwelling's livable floor area;
- C. On-site sales shall be prohibited, except those clearly incidental to services provided in the dwelling;
- D. Any interior or exterior alterations of a dwelling for a home occupation shall be prohibited, except those customarily found in a dwelling;
- E. Vehicles associated with a home occupation shall be limited to one automobile, pick-up truck or van on the premises, which shall be parked in a garage if the name of the home occupation or advertising appears on the vehicle. Any vehicles associated with a rural home occupation must be parked in a specified storage area or accessory structure;
- F. Unusual parking and traffic patterns shall not be created, which are not normally found in the neighborhood, and in no case shall customer vehicles be parked on public or private roads;
- G. Only one (1) sign shall be permitted. Such sign shall be a non-illuminated nameplate of not more than three (3) square feet in area, and shall be attached to the entrance of the dwelling and, in the case of a rural home occupation; it may be attached to the dwelling or the accessory structure.

Subd. 3 Residential Building Design Review Standards. All residential units proposed for construction on existing vacant lots or lots that become vacant by reason of demolition or destruction of existing structures within the R-1 District west of State Trunk Highway 61 shall require a Design Permit, and shall be reviewed according to the following process and standards:

- A. Site Plan Review and Review Process

1. Initial Meeting. The Applicant shall first meet with the Zoning Administrator. The Zoning Administrator will explain the goals and intent of the Design Permit, Site Plan and Design Review process, along with the guidelines, application requirements and schedule.
 2. Design Permit, Site Plan and Building Elevations. The Applicant shall apply for a Design Permit for the proposed residential building. The application shall include submission of a Site Plan to the City and approval of a Design Permit before building permits are issued for new residential buildings on a vacant lot. The site plan shall be drawn to scale and show the following: site location, all proposed buildings, driveways, sidewalks, and other impervious surfaces, the number of dwelling units the building is intended to accommodate, and building elevations drawn to scale.
 3. Application Submission and Filing Fee. The Applicant must submit the Site Plan and building elevations to the City along with a permit application and filing fee set by the City Council.
 4. Site Plan Review. The Zoning Administrator shall review and may approve the site plans and Design Permit. The Zoning Administrator shall notify the Planning Commission of all approved plans. The Zoning Administrator may request that the Planning Commission review the site plan and building elevations and provide comments or recommend conditions for approval. The Planning Commission may hold a public hearing on the application. Notice of the public hearing must be published in the City legal newspaper at least 10 days before the hearing and notice mailed to property owners within 350 feet of the site. At the hearing, the Planning Commission will either recommend approval, approval with conditions, or disapproval of the proposed Site Plan.
 5. HPC Review: The Zoning Administrator may refer the site plan and elevations to the Newport Heritage Preservation Commission for review if the site is adjacent to or would impact an identified historic structure or site. HPC comments shall be presented at the public hearing.
 6. Approval. If the application is approved, the Zoning Administrator will issue a Design Permit to the applicant and a copy to the Building Inspector.
 7. Appeal. The applicant or any interested person aggrieved with the Zoning Administrator's decision may, within 10 days, revise and resubmit the application to the Zoning Administrator or appeal the decision to the City Council.
 8. Building Permit: After the application is approved, the plans may be completed and submitted to the Building Inspector for Building Permit review. The final plans will also be reviewed for Design Permit compliance by the Zoning Administrator. The Building Inspector or Zoning Administrator will monitor compliance with the Design Permit and any conditions of approval.
- B. Building Design Standards
1. Relationship to Adjacent Buildings. All new buildings proposed on existing vacant lots or lots that become vacant through demolition shall relate to the design of adjacent traditional buildings in scale, size, proportions and character. This can be achieved by maintaining similar setbacks, façade divisions and proportions, porch elements, roof form

and lines, rhythms and proportions of openings, building materials, details and colors. Historic architectural styles need not be replicated.

2. A primary entrance shall face an improved abutting street or be located off of a front porch, foyer, courtyard or similar architectural feature, and set back at least eight (8) feet from the side lot line.
3. For principal structures, above grade window and door openings shall comprise at least fifteen (15) percent of the total area of exterior walls facing a public street or sidewalk. In addition, above grade window and door openings shall comprise at least ten (10) percent of the total area of all exterior walls. Windows in garage doors shall count as openings; the area of garage doors themselves shall not count as openings. Windows shall be clear or translucent.
4. Residential structures shall be set back far enough from the street to provide a private yard area between the boulevard and the front door. Landscaping, steps, porches, grade changes, and low ornamental fences or walls may be used to provide increased privacy and livability.
5. Building materials and architectural treatments used on sides of buildings facing an abutting public street and on accessory structures should be similar to those used on principal facades.
6. The design and siting of the building should seek to preserve existing trees on the site and immediately adjacent lots. The landscape design should consider permeable materials for paths and driveways to protect existing mature trees in sensitive areas.

Section 1340 - Residential Districts**1340.01 Purpose**

The residential districts are established to accomplish the general purposes of this Chapter and for the following specific purposes:

- A. To preserve existing living qualities of residential neighborhoods;
- B. To ensure future high quality amenities including, but not limited to, the provision of adequate light, air, privacy, freedom from noise and convenience of access to property;
- C. To increase convenience and comfort by providing usable open space and recreation space on the same lot as the housing units they serve;
- D. To prevent additions or alterations of structures which would damage the character or desirability of existing residential areas;
- E. To protect residential areas, to the extent possible and appropriate in each area, against unduly heavy motor vehicle traffic;
- F. To encourage a variety of dwelling types and a wide range of population densities with emphasis on home ownership; and
- G. To implement the goals and policies of the Comprehensive Plan.

1340.02 Intent.

The specific intent of each residential district is as follows:

Subd. 1 RE - Residential Estate District. This district shall be intended:

- A. For residential areas without public utilities;
- B. To preserve lands in their natural state or in agricultural uses pending the proper timing for the economical provision of utilities, streets, parks, and other public facilities so that orderly development will occur; and
- C. To preserve and extend areas for single-family dwellings at very low densities within spacious environments
- D. Any lot or parcel of land located in a Residential Estates Zone (RE) served by municipal sewer shall be treated as a Single Family Residential (R-1) parcel and shall be required to meet all requirements of R-1 zoning. (see Ordinance No. 98-2).

Subd. 2 R-1A - River Residential District. This district shall be intended to preserve, create, and enhance areas for low-density single-family development along and near the Mississippi River where public utilities are available.

Subd. 3 R-1 - Low Density Single Family Residential District. This district shall be intended to preserve, create and enhance areas for low-density single-family dwelling development as an extension of existing residential areas and to allow low-density development in areas indicated as such in the comprehensive plan where public utilities are available;

Subd. 4 R-2 - Medium Density Residential District. This district shall be intended to allow development of townhouses, row houses, and other types of low-density multifamily units in areas consistent with the comprehensive plan and serviced by public utilities;

Subd. 5 R-3 - High Density Residential District. This district shall be intended to create, preserve and enhance areas for multi-family use at higher densities for both permanent and more transient families. It is typically appropriate only in areas served by public utilities, with good accessibility to thoroughfares, public services, commercial areas, and where such development fits the comprehensive plan and planning policies.

1340.03 Residential Lot Area, Depth, Width, Coverage, Setbacks and Heights.

The following minimum requirements shall be required in all residential districts:

	RE	R-1A	R-1	R-2	R-3
Minimum Lot Area per Unit (Square Feet)					
Dwellings, single-family	2 Acres	15,000	9,100	9,100	9,100
Dwellings, two family	--	--	--	7,800	7,800
Dwellings, more than two family	--	--	--	5,750	3,000
Other uses	2 Acres	1 Acre	1 Acre	1 Acre	1 Acre
Minimum Lot Depth in Feet	200	150	130	130	130
Minimum Lot Width in Feet (Number in parenthesis is the lot width for a corner lot)					
Dwellings, single-family	160 / (200)	100 / (120)	70 / (90)	70 / (90)	70 / (90)
Dwellings, two family	--	--	--	120 / (140)	120 / (140)
Dwellings, more than two family	--	--	--	120 / (140)	120 / (140)
Other uses	160	100	70	120	120
Minimum Front Yard in Feet***	40	30	30	30	30
Minimum Side Yard in Feet (Number in parenthesis is the setback for a corner lot, street side)					
Dwellings, single-family or two family	20 / (40)	10 / (30)**	10 / (30)**	10 / (30)	10 / (30)
Dwellings, more than two family	--	--	--	20 / (40)	20 / (40)
Garages or Accessory Structures***	20 / (40)	5 / (30)	5 / (30)	10 / (30)	10 / (30)
Other uses	20	30	30	20	20
Minimum Rear Yard in Feet					
Dwellings, single-family or two family	50	30	30	30	30
Dwellings, more than two family	--	--	--	30	30
Garages or Accessory Structures***	20	5	5	30	30
Other uses	50	40	40	40	40
Maximum Lot Coverage, All Structures	20%	20%	25%	30%	30%
Maximum Building Height in Feet ***	35 feet or 3 stories, whichever is greater, in all districts, but in no case higher than 1,000 feet U.S.G.S. sea level elevation; 25 feet in Shoreland Management Overlay District				
Public Sewer Required	No	Yes	Yes	Yes	Yes

* Regardless of the setback standards noted in this table, the distance between a proposed foundation wall and an existing foundation wall on an adjacent lot may not be less than fifteen (15) feet

** Side setbacks for substandard lot widths in R-1A: 10% of lot width (25% for Corner Lot, Street Side). Side setbacks for substandard lot widths in R-1: 15% of lot width (33% for Corner Lot, Street Side)

***See additional standards in Subsection 1340.04.

1340.04 Single Family Residential Garage, Accessory Structure and Driveway Standards.

The following standards shall apply to all garages and accessory structures for single family homes and duplexes in all zoning districts, and shall be in addition to the standards in Subsections 1340.03, 1370.03 (Shoreland Management District) and 1370.05 (Floodplain Management Districts). The intent of these standards shall be to reduce the impact of multiple vehicles and of large accessory structures on the residential character of the City.

Subd. 1 Construction. No accessory building or structure shall be constructed on a lot prior to construction of the primary structure. Building permits are required for all accessory structures.

Subd. 2 Number. A residential lot, other than a river riparian lot, may have no more than two (2) accessory structures. A river riparian lot may have a guest cottage and a water-oriented accessory structure as regulated in Section 1370 of this Chapter, the Shoreland Management Section.

Subd. 3 Height. No garage, whether attached or detached, nor any accessory structure shall be taller than the principal structure on the lot as measured by the building height definition from Section 1300.01 Subd. 17 Building Height.

Subd. 4 Location. A detached accessory building shall not be located in any required front yard.

Subd. 5 Square Footage. Except in the RE district, the total footprint of all garage space, whether attached or detached, and of all accessory structure space for single-family residential uses shall be no larger than the footprint of the principal structure, and shall total a maximum of 2,000 square feet; except that a residential lot shall be allowed at least five hundred (500) square feet of garage space regardless of the house size, as long as the required setbacks and other standards are met.

In the **RE District**, the number and size of accessory structures permitted on residential lots is as follows:

Size of Parcel in RE DISTRICT	Number of Accessory Structures	Total Area of Accessory Structures (footprint)
Less than 2 acres	2	Total footprint of all accessory structures may be no larger than the footprint of the principal structure, up to a maximum of 2,000 square feet. Minimum 500 square feet of accessory structures is permitted on all parcels regardless of house size if required setbacks are met.
2.0-4.99Acres	2	2500 square feet
5.0 Acres or greater	2	Up to 2,500 total square feet is permitted. 2,500 total square feet to 3,500 maximum total square feet of accessory structures may be permitted with a Conditional Use Permit.

Subd 6 Structure Area in the RE District between 2,500 and 3,500 square feet. In order for the footprint of all accessory structures in the RE district to exceed 2,500 square feet, the following conditions must be satisfied through obtaining a conditional use permit pursuant to Section 1310.10 of this Chapter:

- A. The parcel shall not be re-platted, split or subdivided such that it results in a lot size of less than 3 acres without first removing or altering the structure so that it conforms to the standards in this chapter.
- B. The site must demonstrate that the accessory structures do not encroach upon existing septic systems and that an alternative septic system area is protected.
- C. Plantings consisting of a combination of trees and shrubs shall be installed within the set back area providing a buffer between the accessory structure (s) and future development on adjacent property.
- D. Any accessory structure or garage other than a garage attached to the principal structure on the site shall not be placed closer to the public right-of-way that constitutes the front yard of the parcel than the primary structure unless the structure is completely screened from public view by natural vegetation including trees and shrubbery.
- E. All the other subdivisions of this section apply to the RE district.

Subd. 7 Compatibility. All accessory structures of any size shall be constructed of durable, finished materials and shall be compatible in color to the principal structure. All accessory structures over one hundred fifty (150) square feet in area shall be compatible with the principal structure in terms of design, roof style, roof pitch, color, and exterior finish materials.

If an accessory building is attached to the main building, it shall be made structurally a part of the main building and shall comply in all respects with the requirements of this Chapter applicable to the main building. An accessory building, unless attached to and made a part of the main building, shall not be closer than five (5) feet to the main building, except as otherwise provided in this Chapter

Subd. 8 Additional Setback, Square Feet. A garage, whether attached or detached, or an accessory structure shall provide an additional one (1) foot of setback beyond the minimum front, side, or rear yard setbacks required in Subsection 1340.03, for every twenty (20) square feet of area over nine hundred (900) square feet of area in garages or accessory structures on the lot, except:

- A. An addition to an existing accessory structure which cannot meet the additional setbacks described above may extend an existing building edge at the existing setback line, but no closer to the lot line than the existing setback, and in no case closer than the minimum setbacks set forth in Subsection 1340.03.
- B. Such an extended building edge may be no more than thirty-six (36) feet in length along any single property line. Any portion of an extended building edge longer than thirty-six (36) feet in length must meet the additional setbacks described above in this Subdivision.
- C. In the RE district, a garage, whether attached or detached, or an accessory structure shall provide an additional one (1) foot of setback beyond the minimum front, side and rear yard setbacks required in Subsection 1340.03, for every forty (40) square feet of area or portion thereof over two thousand (2,000) square feet of area in garages or accessory structures on the lot.

Subd. 9 Additional Setbacks, Height. A detached garage or an accessory structure shall provide an additional two (2) foot of setback beyond the minimum required front, side, or rear yard setbacks for every one (1) foot of height of its eave line over eight (8) feet.

Subd. 10 Door Openings. In the RE district, on lots at least three acres in size, there shall be no limit on the height of door openings for garages or other accessory structures. In all other cases, all door openings shall be eight (8) feet in height or less, except that one door opening in one accessory structure per lot may be a maximum of twelve (12) feet in height. In all districts, any door opening over eight (8) feet in height shall be turned perpendicular to the front lot line so as not to face any public street, or, if facing a public street, it shall be set back an additional ten (10) feet beyond the minimum front yard setback required in Subsection 1340.03 for every one (1) foot of height of the door opening over eight (8) feet.

Subd. 11 Subdivision. No land shall be subdivided so as to have an accessory structure without a primary structure, or to have a larger building or structure than permitted by this ordinance. When a property is developed or redeveloped and an existing accessory structure made nonconforming, the structure must be brought into conformance as part of the development approval or removed from the property.

Subd. 12 Use of Accessory Structures. No accessory building shall at any time be used as a habitable building. No accessory structure in a residential district shall at any time be used for a commercial or industrial use. Use of accessory structures for home occupations is governed by Section 1340.07, Subdivision 2.

Subd. 13 Air Conditioning Units. All air conditioning units excluding window units shall be located a minimum of twenty (20) feet from all lot lines, but not within the front yard.

Subd. 14 Intermodal container or shipping containers. All intermodal containers in residential districts shall be considered to be accessory structures, and shall meet all code requirements for accessory structures in residential districts, including those in Sections 1340.03, 1340.04, 1370.03 and 1370.05.

Subd. 15 Driveways. One driveway access to a public roadway is permitted for each lot.

1340.041 Covered Storage Building Standards.

The intent of this section is to regulate the installation and maintenance of covered storage buildings, also known as tent garages or temporary carports. More specifically the intent of this section is to minimize the potential for these structures to become unsightly as seen from public right-of-ways or adjacent residential properties. The following standards and conditions apply to covered storage buildings:

Subd. 1 Permitted As Accessory Structures. “Covered Storage Buildings” are a permitted use as an accessory structure only in residential districts and shall not be permitted in General Business, Light Industrial, General Industrial, and Industrial Storage Districts or for any commercial use or purpose within the Mixed-Use Districts. Covered Storage Buildings shall comply with the standards outlined in Section 1340.04. In addition, the following criteria shall be applied to covered storage buildings permitted as an accessory structure:

- A. Placement on Lot: The structure shall not be located in any front yard.
- B. Screening: The structure shall be screened from public right-of-way and adjacent property with shrubbery, trees or fencing.

- C. Maintenance: Lawn areas around the structure shall be kept clear of tall weeds and grass. The condition of the structure shall comply with the standards found in Ordinance 2002-11, Chapter 8. Section 811 Building and Property Maintenance.
- D. Number per Residential Lot: Only one (1) structure shall be permitted per residential lot.

Subd. 2 Allowed with Conditions:

- A. Placement on Lot: Structures shall not be placed in any front yard or adjacent to the driveway if located in the front yard. All other building setbacks must be met as established by the underlying zoning district.
- B. Maintenance: Lawn areas around the structure shall be kept clear of tall weeds and grass.
- C. Lot Coverage and Structure Height: Except as provided herein, all standards relating to structure height, lot coverage, and number of accessory structures on the lot as outlined in Section 1340.04 shall be met.

Subd. 3 Building Permit Required. Installation of covered storage buildings over 336 square feet or 10 feet in height require a building permit from building inspections.

1340.05 Credits and Allowances for Multiple Dwellings.

The following lot area credits and allowances shall be applied for multiple dwellings in R-2 and R-3 districts but in no event shall the minimum lot area with allowances be less than five thousand (5,000) square feet per dwelling unit in the R-2 district nor less than two thousand two hundred (2,200) square feet in the R-3 district based on the following schedule:

- A. For each parking space provided within or beneath a principal structure, subtract three hundred (300) square feet;
- B. If the site upon which the multiple dwelling is being constructed is adjacent to a site zoned for a commercial use, subtract three hundred (300) square feet;
- C. If the adjacent site is zoned R-1 or R-1A, add three hundred (300) square feet per unit for that portion of the multiple dwelling site within one hundred fifty (150) feet of the R-1 or R-1A district;
- D. If the total lot coverage is less than twenty (20) percent, subtract one hundred fifty (150) square feet per unit;
- E. For each unit containing bedrooms in excess of two (2), add three hundred (300) square feet.

1340.06 Special Regulations for the R-2 and R-3 Residential Districts.

Subd. 1 Minimum Floor Area for Multiple Family Dwellings. The minimum floor area of an efficiency dwelling unit shall be not less than four hundred (400) net square feet, that of a one-bedroom dwelling unit shall be not less than seven hundred (700) net square feet, and that of a two-bedroom dwelling unit shall be not less than nine hundred (900) net square feet. Units containing three (3) or more bedrooms shall have an additional one hundred fifty (150) net square feet of floor area for each bedroom in excess of two (2) bedrooms.

For purposes of measurement, the net floor area of a dwelling unit shall mean that area within a building used as a single dwelling unit, and shall be measured from the inside walls to the center of partitions bounding the dwelling unit being measured, but shall not include public stairways, public entries, public foyers, public balconies, or unenclosed public porches, separate utility rooms, furnace areas or rooms, storage areas not within the apartment, or garages.

Subd. 2 Design and Construction Requirements.

- A. Design Review. If a Conditional Use Permit is required, the plans for a multiple dwelling must be approved by the City Council upon a recommendation by the Planning Commission after review of the plans set forth in paragraph (B) below. The Planning Commission and Council may designate conditions or guarantees in connection with the Conditional Use Permit, which will substantially secure the provisions of the district. In granting the permit, the Planning Commission and council shall consider the requirements of paragraph (B) below and may consider other factors affecting the public health, safety and welfare.
- B. Building Design and Construction. A building permit and Conditional Use Permit, if required, for a multiple dwelling building shall not be issued unless the applicant's building plans, including the site plan, are certified by an architect registered in the state stating that the design of the building and site has been prepared under his direct supervision. Any building of type I or II construction, as provided in the state building code, shall have its electrical, mechanical and structural systems designed by registered engineers. Provisions of this paragraph shall not prohibit the preparation of the site plan by a professional site planner. Such plans shall include the following:
1. Complete details of the proposed site development including location of buildings, driveways, parking spaces, lot dimensions, lot area and yard dimensions;
 2. Complete landscaping plans including species and size of trees and shrubs proposed;
 3. Complete plans for proposed sidewalks to service parking, recreation and service areas within the proposed development;
 4. Complete plans for storm water drainage systems sufficient to drain and dispose of all surface water accumulations within the area;
 5. Complete structural, electrical and mechanical plans for the buildings;
 6. Complete plans and specifications for exterior wall finishes proposed for all principal and accessory buildings.
- C. Type of Construction. Any building more than two and one-half (21/2) stories in height shall be of type I or type II construction as provided in the state building code.
- D. Efficiency Dwelling Units. No more than twenty (20) percent of the dwelling units in any one (1) building shall be efficiency dwelling units.
- E. Closets and Bulk Storage. The following minimum amounts of closet and bulk storage shall be provided for each dwelling unit:

1. One-bedroom unit: ten (10) lineal feet of closet space and eighty (80) cubic feet of bulk storage. Only closet space having a minimum clear finish to finish depth of two (2) feet, zero (0) inches, shall be considered in determining the lineal feet of closet provided;
 2. Two-bedroom unit: twenty-four (24) lineal feet of closet space and one hundred (100) cubic feet of bulk storage. Only closet space having a minimum clear finish to finish depth of two (2) feet, zero (0) inches, shall be considered in determining the lineal feet of closet provided;
 3. Three (3) or more bedrooms: for each bedroom in excess of two (2) in any one (1) dwelling unit, an additional ten (10) lineal feet of closet space and fifty (50) cubic feet of bulk storage volume shall be required.
- F. Sound. Party and corridor partitions and floor systems shall be of a type rated by a laboratory regularly engaged in sound testing as capable of accomplishing an average sound transmission loss (using a nine-frequency test) of not less than fifty (50) decibels. Door systems between corridors and dwelling units shall be of solid core construction and include gaskets and closure plates. Room relationships, hallway designs, door and window placements and plumbing and ventilating installations shall be such that they assist in the control of sound transmission from unit to unit.
- G. Projecting air conditioning and heating units. Air conditioning or heating units projecting through exterior walls or windows shall be so located and designed that they neither unnecessarily generate nor transmit sound nor disrupt the architectural amenities of the building. Units projecting more four (4) inches beyond the exterior finish of a building wall shall be permitted only with the written consent of the building inspector, which shall be given when building structural systems prevent compliance.
- H. Trash incinerators and garbage. Except with townhouse and multiple residence sites of four (4) or less units, no exterior trash or garbage disposal or storage shall be permitted. In the case of townhouse and multiple residences with four (4) or less units, there shall be no exterior incineration, and any storage shall be completely enclosed by walls 6' in height.
- I. Elevators. Any multiple residence building of three (3) stories or more shall be equipped with at least one (1) public elevator.
- J. Accessory Buildings. Exteriors of accessory buildings shall have the same exterior finish as the principal structure.

Subd. 3 Recreations and Open Space. Multiple family residential projects shall contain an adequate amount of land for park, recreation or local open space use, exclusive of sump and drainage areas which shall not be less than twenty (20) percent of the gross area of the property and shall consist principally of land within the building setback lines.

1340.07 Special Regulations for All Residential Districts.

Subd. 1 Dwelling and Manufactured Single Family Dwellings. All dwellings and manufactured single-family dwellings constructed or established after the adoption of this Code shall meet the following criteria:

- A. The dwelling and manufactured single-family dwelling shall be placed on and secured to a permanent foundation of concrete, masonry, or treated wood;
- B. The dwelling and manufactured single-family dwelling shall have a minimum length and width of twenty (20) feet at all points, providing that such measurements shall not include overhangs and other projections beyond the principal exterior walls;
- C. The dwelling and manufactured single-family dwelling shall include an attached or detached private garage on the lot;
- D. The dwelling shall comply with the state building code and the manufactured single family dwelling shall comply with applicable Minnesota Statutes.

Subd. 2 Home Occupations. All home occupations shall meet the following requirements:

- A. The number of employees shall be limited to one (1) person in addition to family members residing within the home;
- B. The area within the dwelling used by the home occupation shall not exceed twenty (20) percent of the dwelling's livable floor area;
- C. On-site sales shall be prohibited, except those clearly incidental to services provided in the dwelling;
- D. Any interior or exterior alterations of a dwelling for a home occupation shall be prohibited, except those customarily found in a dwelling;
- E. Vehicles associated with a home occupation shall be limited to one automobile, pick-up truck or van on the premises, which shall be parked in a garage if the name of the home occupation or advertising appears on the vehicle. Any vehicles associated with a rural home occupation must be parked in a specified storage area or accessory structure;
- F. Unusual parking and traffic patterns shall not be created, which are not normally found in the neighborhood, and in no case shall customer vehicles be parked on public or private roads;
- G. Only one (1) sign shall be permitted. Such sign shall be a non-illuminated nameplate of not more than three (3) square feet in area, and shall be attached to the entrance of the dwelling and, in the case of a rural home occupation; it may be attached to the dwelling or the accessory structure.

Subd. 3 Residential Building Design Review Standards. All residential units proposed for construction on existing vacant lots or lots that become vacant by reason of demolition or destruction of existing structures within the R-1 District west of State Trunk Highway 61 shall require a Design Permit, and shall be reviewed according to the following process and standards:

- A. Site Plan Review and Review Process
 - 1. Initial Meeting. The Applicant shall first meet with the Zoning Administrator. The Zoning Administrator will explain the goals and intent of the Design Permit, Site Plan and Design Review process, along with the guidelines, application requirements and schedule.

2. Design Permit, Site Plan and Building Elevations. The Applicant shall apply for a Design Permit for the proposed residential building. The application shall include submission of a Site Plan to the City and approval of a Design Permit before building permits are issued for new residential buildings on a vacant lot. The site plan shall be drawn to scale and show the following: site location, all proposed buildings, driveways, sidewalks, and other impervious surfaces, the number of dwelling units the building is intended to accommodate, and building elevations drawn to scale.
 3. Application Submission and Filing Fee. The Applicant must submit the Site Plan and building elevations to the City along with a permit application and filing fee set by the City Council.
 4. Site Plan Review. The Zoning Administrator shall review and may approve the site plans and Design Permit. The Zoning Administrator shall notify the Planning Commission of all approved plans. The Zoning Administrator may request that the Planning Commission review the site plan and building elevations and provide comments or recommend conditions for approval. The Planning Commission may hold a public hearing on the application. Notice of the public hearing must be published in the City legal newspaper at least 10 days before the hearing and notice mailed to property owners within 350 feet of the site. At the hearing, the Planning Commission will either recommend approval, approval with conditions, or disapproval of the proposed Site Plan.
 5. HPC Review: The Zoning Administrator may refer the site plan and elevations to the Newport Heritage Preservation Commission for review if the site is adjacent to or would impact an identified historic structure or site. HPC comments shall be presented at the public hearing.
 6. Approval. If the application is approved, the Zoning Administrator will issue a Design Permit to the applicant and a copy to the Building Inspector.
 7. Appeal. The applicant or any interested person aggrieved with the Zoning Administrator's decision may, within 10 days, revise and resubmit the application to the Zoning Administrator or appeal the decision to the City Council.
 8. Building Permit: After the application is approved, the plans may be completed and submitted to the Building Inspector for Building Permit review. The final plans will also be reviewed for Design Permit compliance by the Zoning Administrator. The Building Inspector or Zoning Administrator will monitor compliance with the Design Permit and any conditions of approval.
- B. Building Design Standards
1. Relationship to Adjacent Buildings. All new buildings proposed on existing vacant lots or lots that become vacant through demolition shall relate to the design of adjacent traditional buildings in scale, size, proportions and character. This can be achieved by maintaining similar setbacks, façade divisions and proportions, porch elements, roof form and lines, rhythms and proportions of openings, building materials, details and colors. Historic architectural styles need not be replicated.

2. A primary entrance shall face an improved abutting street or be located off of a front porch, foyer, courtyard or similar architectural feature, and set back at least eight (8) feet from the side lot line.
3. For principal structures, above grade window and door openings shall comprise at least fifteen (15) percent of the total area of exterior walls facing a public street or sidewalk. In addition, above grade window and door openings shall comprise at least ten (10) percent of the total area of all exterior walls. Windows in garage doors shall count as openings; the area of garage doors themselves shall not count as openings. Windows shall be clear or translucent.
4. Residential structures shall be set back far enough from the street to provide a private yard area between the boulevard and the front door. Landscaping, steps, porches, grade changes, and low ornamental fences or walls may be used to provide increased privacy and livability.
5. Building materials and architectural treatments used on sides of buildings facing an abutting public street and on accessory structures should be similar to those used on principal facades.
6. The design and siting of the building should seek to preserve existing trees on the site and immediately adjacent lots. The landscape design should consider permeable materials for paths and driveways to protect existing mature trees in sensitive areas.

**Local Performance Measurement Program
City of Newport**

At its April 18, 2013 meeting, the City Council approved a resolution to participate in the Local Performance Measurement Program. As part of the resolution, the City Council adopted the 13 performance measures outlined below. Results for #1, 3, 7, 11, 14, 21, 25, 26, and 28 were gathered through a City-wide survey that was offered to residents and businesses August 15 – September 30, 2013. An article regarding the survey was in the Fall Newsletter which was distributed to 1,372 households. The survey had two questions at the end regarding the responsiveness of the City Council and City Administrator. There was a total of 51 surveys completed, which results in a response rate of 3.72% and is too low for the results to have substantive meaning. Below are the results for the 13 performance measures.

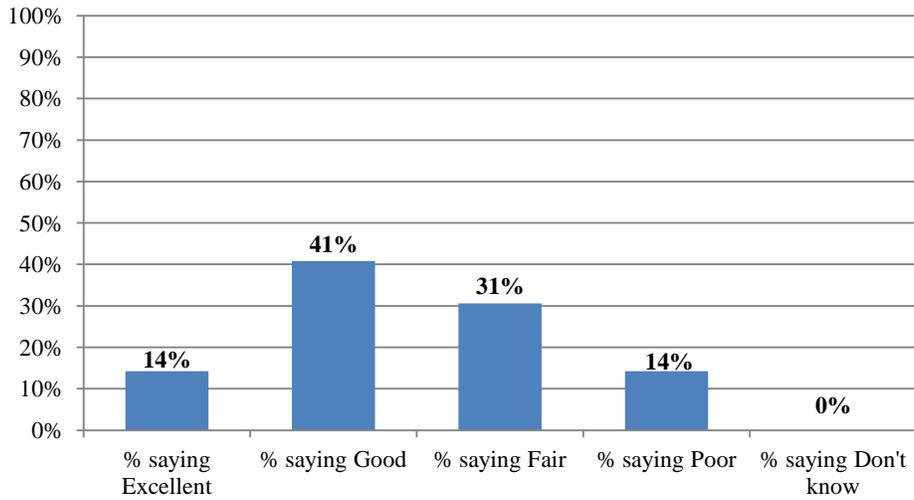
General

1. Rating of the overall quality of services provided by the City.

Survey Asked: How would you rate the overall quality of services provided by Newport?

	Number of Responses	Percentage
Excellent	7	14%
Good	20	41%
Fair	15	31%
Poor	7	14%
Don't Know	0	0%
Total	49	100%

Overall quality of city services

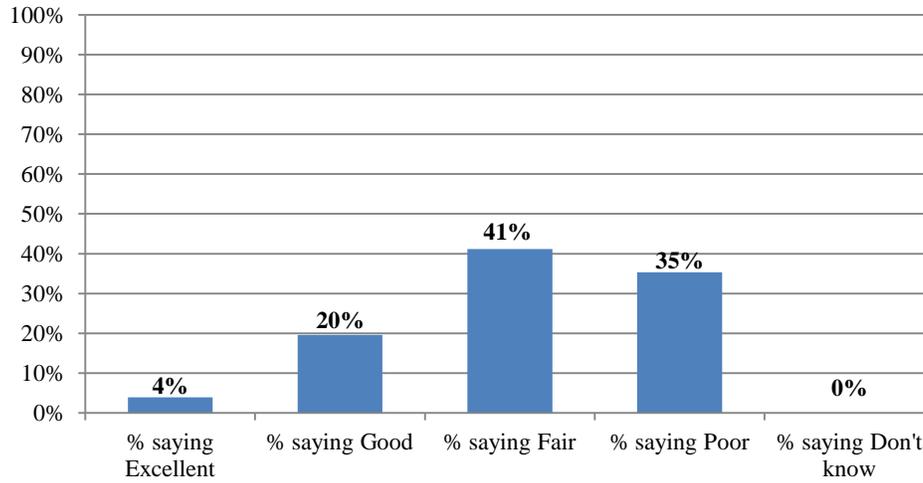


3. Rating of the overall appearance of the City.

Survey Asked: How would you rate the overall appearance of Newport?

	Number of Responses	Percentage
Excellent	2	4%
Good	10	20%
Fair	21	41%
Poor	18	35%
Don't Know	0	0%
Total	51	100%

Overall appearance of city

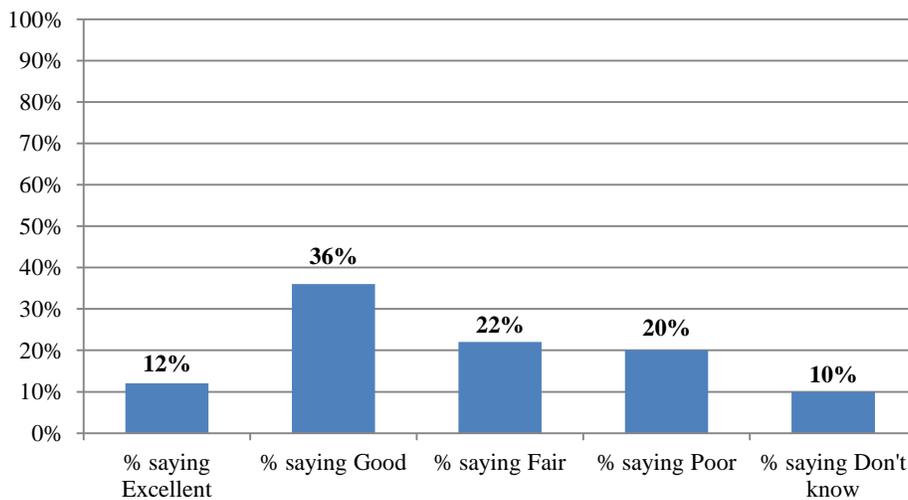


7. Rating of the quality of City recreational programs and facilities.

Survey Asked: How would you rate the overall quality of Newport recreational programs and facilities (e.g. parks, trails, park facilities, etc.)

	Number of Responses	Percentage
Excellent	6	12%
Good	18	36%
Fair	11	22%
Poor	10	20%
Don't Know	5	10%
Total	50	100%

Overall quality of park and rec programs and facilities



Police Services

10. Part I and II Crime Clearance Rates

Part I Crimes					
Year	Population	Number	Rate Per 1,000 Pop.	Cleared	Percent Cleared
2008	3,606	158	43.82	22	13.92%
2009	3,558	155	43.56	15	9.68%
2010	3,435	142	41.34	25	17.61%
2011	3,449	131	37.98	24	18.32%
2012	3,495	177	50.64	24	13.56%

2012 Part I Crimes					
City	Population	Number	Rate Per 1,000 Pop	Cleared	Percent Cleared
Bayport	3,335	43	12.89	5	11.63%
Oak Park Heights	4,839	224	46.29	64	28.57%
St. Paul Park	5,262	213	40.48	44	20.66%
Washington County	239,974	6,046	25.19	1,265	20.92%

Part II Crimes					
Year	Population	Number	Rate Per 1,000 Pop.	Cleared	Percent Cleared
2008	3,606	302	83.75	198	65.56%
2009	3,558	295	82.91	218	73.90%
2010	3,435	295	85.88	214	72.54%
2011	3,449	334	96.84	241	72.16%
2012	3,495	296	84.69	238	80.41%

2012 Part II Crimes					
City	Population	Number	Rate Per 1,000 Pop	Cleared	Percent Cleared
Bayport	3,335	143	42.88	127	88.81%
Oak Park Heights	4,839	384	79.36	227	59.11%
St. Paul Park	5,262	460	87.42	368	80.00%
Washington County	239,974	10,472	43.64	6,277	59.94%

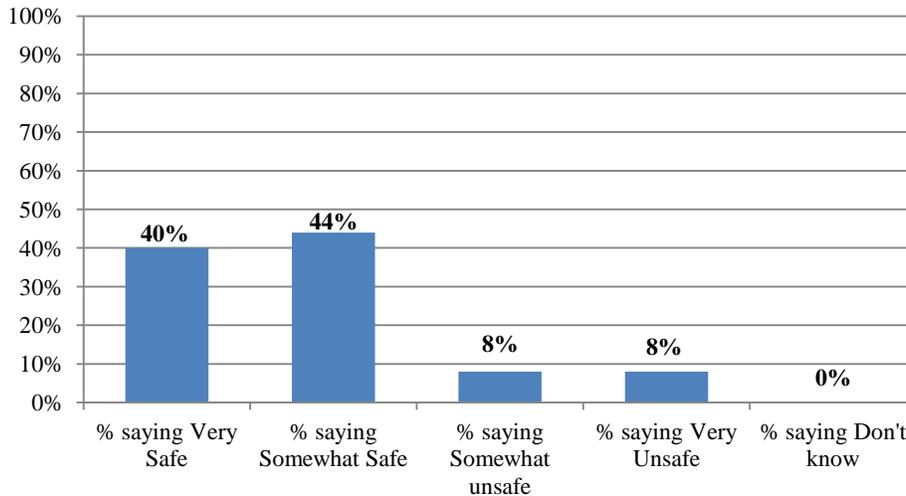
Data is from the Minnesota Department of Public Safety’s Uniform Crime Reports. Please note that Part I Crimes include crimes such as murder, robbery, major assault, auto theft, and arson and Part II Crimes include crimes such as fraud, vandalism, narcotics, DUI’s, and disorderly conduct.

11. Rating of safety in the community

Survey Asked: How would you describe your overall feeling of safety in Newport?

	Number of Responses	Percentage
Very Safe	20	40%
Somewhat Safe	22	44%
Somewhat Unsafe	4	8%
Very Unsafe	4	8%
Don't Know	0	0%
Total	50	100%

Overall feeling of safety



Fire and EMS Services

13. Insurance industry rating of fire services.

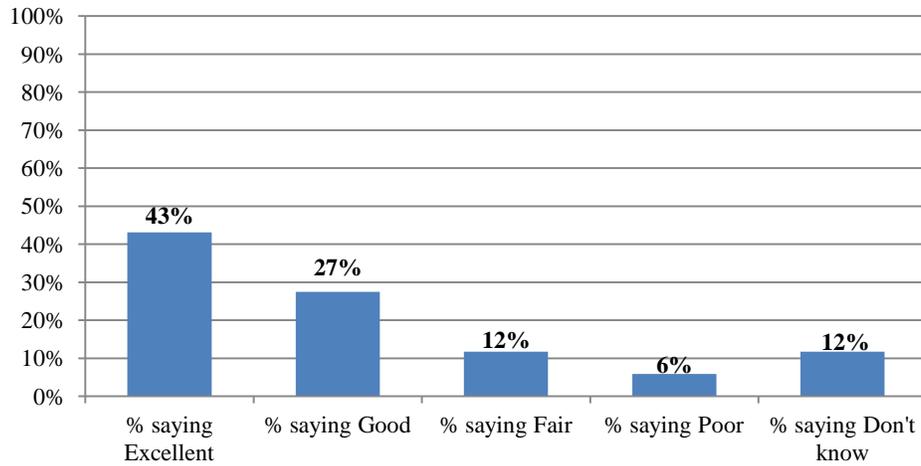
The City last completed an Insurance Services Office (ISO) Report in 1994 and received an insurance industry rating of 5 out of 10. The Report surveys the City's Fire Department based on Receiving and Handling Fire Alarms, Fire Department, Water Supply, and Divergence. Please note that Divergence is a reduction in credit to reflect a difference in the relative credits for Fire Department and Water Supply.

14. Rating of the quality of fire protection services.

Survey Asked: How would you rate the overall quality of fire protection services in Newport?

	Number of Responses	Percentage
Excellent	22	43%
Good	14	27%
Fair	6	12%
Poor	3	6%
Don't Know	6	12%
Total	51	100%

Overall quality of fire protection



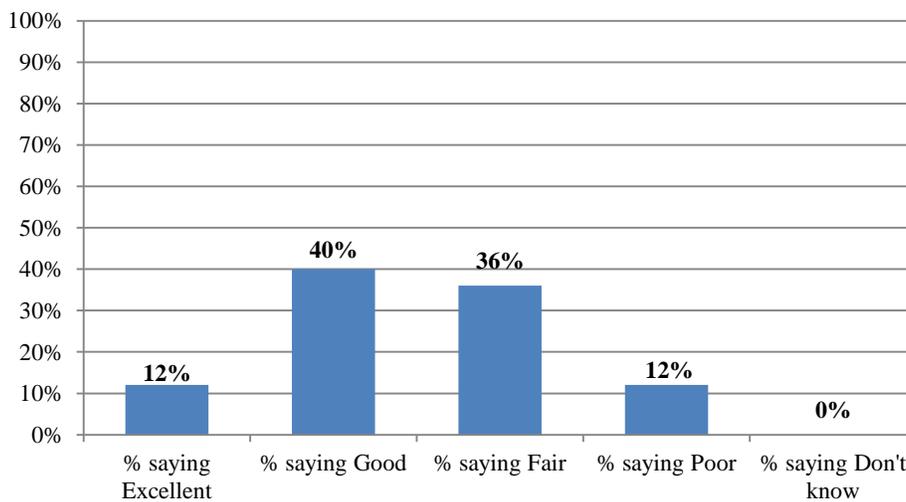
Streets

21. Rating of the road conditions in the City.

Survey Asked: How would you rate the overall condition of Newport streets?

	Number of Responses	Percentage
Excellent	6	12%
Good	20	40%
Fair	18	36%
Poor	6	12%
Don't Know	0	0%
Total	50	100%

Overall condition of city streets

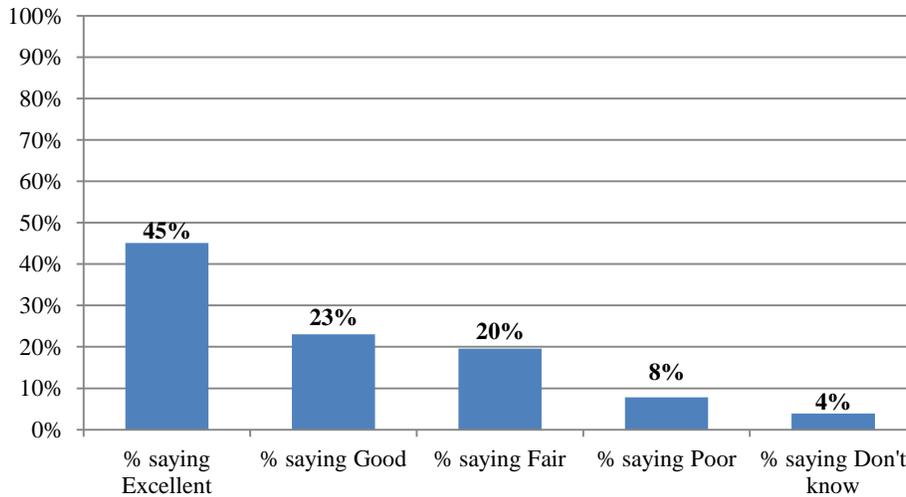


25. Rating of the quality of snowplowing on City streets.

Survey Asked: How would you rate the overall quality of snowplowing on Newport streets?

	Number of Responses	Percentage
Excellent	23	45%
Good	12	23%
Fair	10	20%
Poor	4	8%
Don't Know	2	4%
Total	51	100%

Overall quality of snowplowing



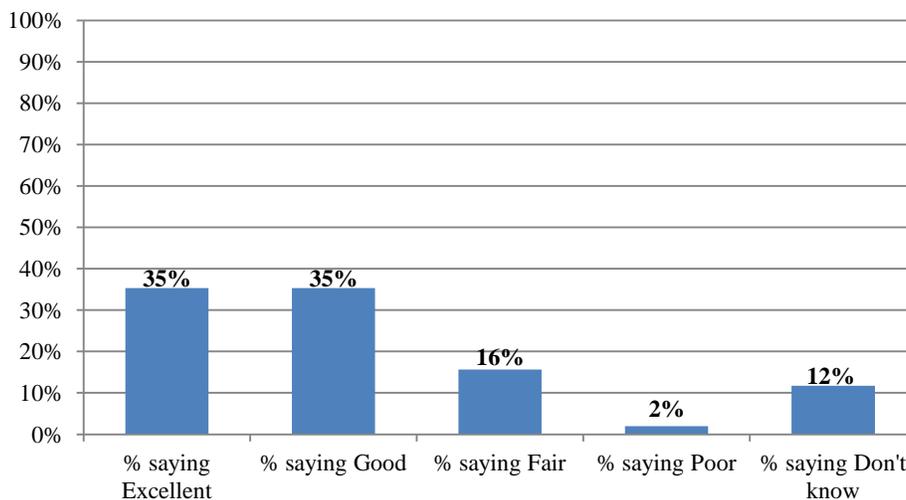
Water

26. Rating of the dependability and quality of the City's water supply.

Survey Asked: How would you rate the dependability and overall quality of Newport water supply?

	Number of Responses	Percentage
Excellent	18	35%
Good	18	35%
Fair	8	16%
Poor	1	2%
Don't Know	6	12%
Total	51	100%

Dependability and quality of water



27. Operating cost per 1,000,000 gallons of water pumped/produced.

Year	Water Pumped	Operating Cost	Cost per 1,000,000 gallons pumped
2008	107,480,000	\$189,080	\$1,759.21
2009	98,815,000	\$207,374	\$2,098.61
2010	96,158,000	\$229,341	\$2,385.04
2011	95,734,000	\$217,058	\$2,267.30
2012	100,946,000	\$172,741	\$1,711.22

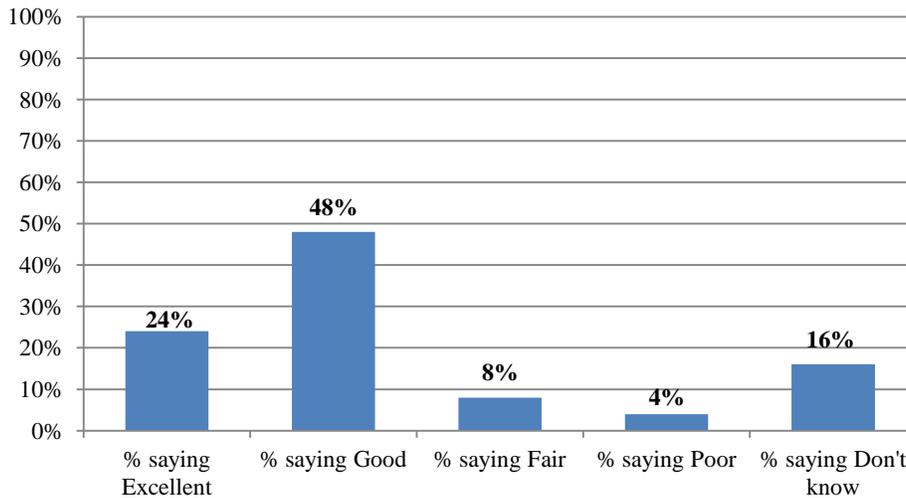
Sanitary Sewer

28. Rating of the dependability and quality of the City’s sanitary sewer service.

Survey Asked: How would you rate the dependability and overall quality of Newport sanitary sewer service?

	Number of Responses	Percentage
Excellent	12	24%
Good	24	48%
Fair	4	8%
Poor	2	4%
Don’t Know	8	16%
Total	50	100%

Dependability and quality of sanitary sewer



29. Number of sewage blockages on the City system per 100 connections.

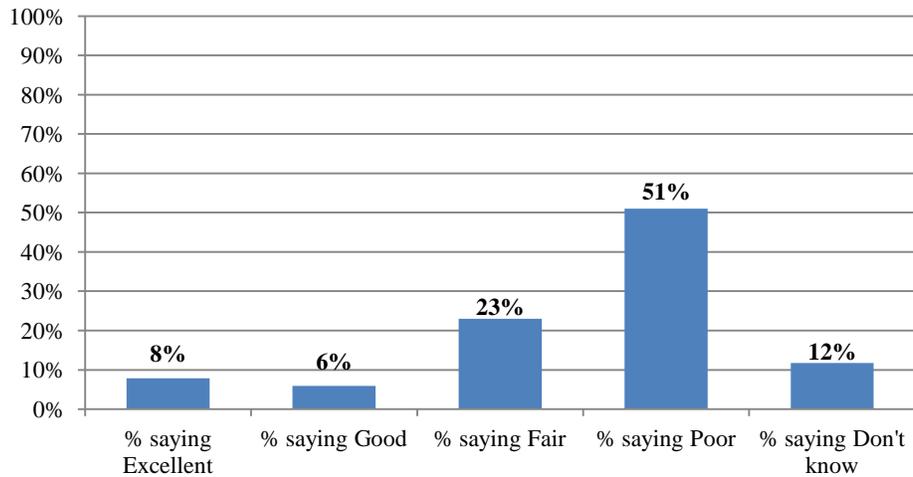
There were 0 sewage blockages in 2012.

Additional Questions from the Survey:

Survey Asked: How would you rate the overall responsiveness of the City Council?

	Number of Responses	Percentage
Excellent	4	8%
Good	3	6%
Fair	12	23%
Poor	26	51%
Don't Know	6	12%
Total	51	100%

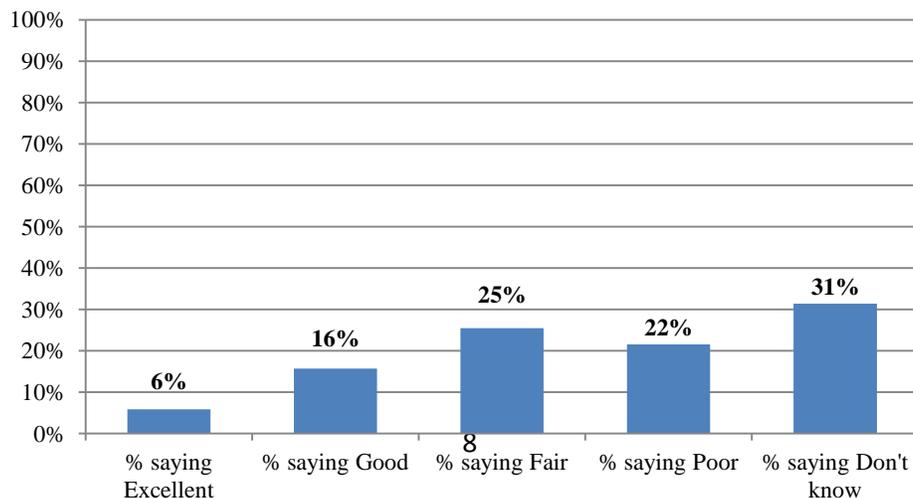
Overall responsiveness of city council



Survey Asked: How would you rate the overall responsiveness of the City Administrator?

	Number of Responses	Percentage
Excellent	3	6%
Good	8	16%
Fair	13	25%
Poor	11	22%
Don't Know	16	31%
Total	51	100%

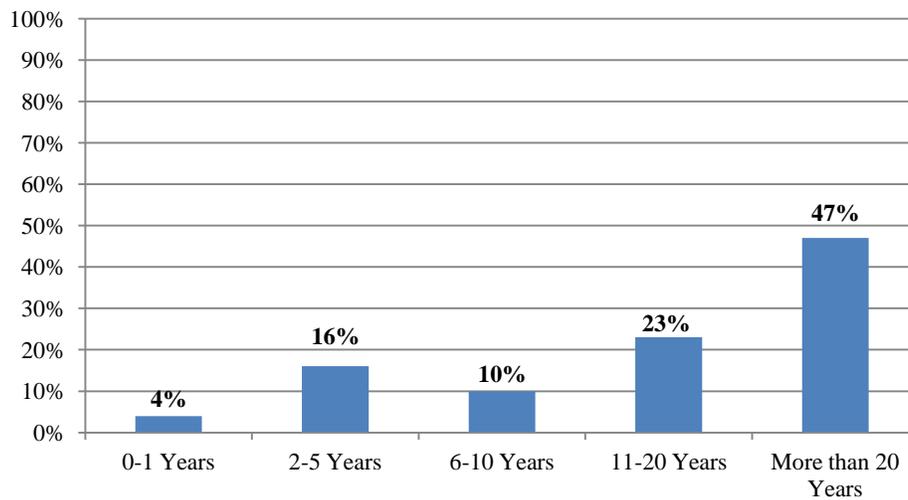
Overall responsiveness of city administrator



Survey Asked: How many years have you lived in Newport?

	Number of Responses	Percentage
0-1 Years	2	4%
2-5 Years	8	16%
6-10 Years	5	10%
11-20 Years	12	23%
More than 20 Years	24	47%
Total	51	100%

How many years in Newport





Minnesota Pollution Control Agency

520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 SWPPP Application for Reauthorization

for the NPDES/SDS General Small Municipal Separate Storm Sewer System (MS4) Permit MNR040000 reissued with an effective date of August 1, 2013
Stormwater Pollution Prevention Program (SWPPP) Document

Doc Type: Permit Application

Instructions: This application is for authorization to discharge stormwater associated with Municipal Separate Storm Sewer Systems (MS4s) under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit Program. **No fee** is required with the submittal of this application. Please refer to "Example" for detailed instructions found on the Minnesota Pollution Control Agency (MPCA) MS4 website at <http://www.pca.state.mn.us/ms4>.

Submittal: This MS4 SWPPP Application for Reauthorization form must be submitted electronically via e-mail to the MPCA at ms4permitprogram.pca@state.mn.us from the person that is duly authorized to certify this form. All questions with an asterisk (*) are required fields. All applications will be returned if required fields are not completed.

Questions: Contact Claudia Hochstein at 651-757-2881 or claudia.hochstein@state.mn.us, Dan Miller at 651-757-2246 or daniel.miller@state.mn.us, or call toll-free at 800-657-3864.

General Contact Information (*Required fields)

MS4 Owner (with ownership or operational responsibility, or control of the MS4)

*MS4 permittee name: _____ *County: _____
(city, county, municipality, government agency or other entity)

*Mailing address: _____

*City: _____ *State: _____ *Zip code: _____

*Phone (including area code): _____ *E-mail: _____

MS4 General contact (with Stormwater Pollution Prevention Program [SWPPP] implementation responsibility)

*Last name: _____ *First name: _____
(department head, MS4 coordinator, consultant, etc.)

*Title: _____

*Mailing address: _____

*City: _____ *State: _____ *Zip code: _____

*Phone (including area code): _____ *E-mail: _____

Preparer information (complete if SWPPP application is prepared by a party other than MS4 General contact)

Last name: _____ First name: _____
(department head, MS4 coordinator, consultant, etc.)

Title: _____

Mailing address: _____

City: _____ State: _____ Zip code: _____

Phone (including area code): _____ E-mail: _____

Verification

- I seek to continue discharging stormwater associated with a small MS4 after the effective date of this Permit, and shall submit this MS4 SWPPP Application for Reauthorization form, in accordance with the schedule in Appendix A, Table 1, with the SWPPP document completed in accordance with the Permit (Part II.D.). Yes
- I have read and understand the NPDES/SDS MS4 General Permit and certify that we intend to comply with all requirements of the Permit. Yes

Certification (All fields are required)

- Yes - I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

I certify that based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of civil and criminal penalties.

This certification is required by Minn. Stat. §§ 7001.0070 and 7001.0540. The authorized person with overall, MS4 legal responsibility must certify the application (principal executive officer or a ranking elected official).

By typing my name in the following box, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

Name: _____
(This document has been electronically signed)

Title: _____ Date (mm/dd/yyyy): _____

Mailing address: _____

City: _____ State: _____ Zip code: _____

Phone (including area code): _____ E-mail: _____

Note: *The application will not be processed without certification.*

Stormwater Pollution Prevention Program Document

I. Partnerships: (Part II.D.1)

- A. List the **regulated small MS4(s)** with which you have established a partnership in order to satisfy one or more requirements of this Permit. Indicate which Minimum Control Measure (MCM) requirements or other program components that each partnership helps to accomplish (List all that apply). Check the box below if you currently have no established partnerships with other regulated MS4s. If you have more than five partnerships, hit the tab key after the last line to generate a new row.

No partnerships with regulated small MS4s

Name and description of partnership	MCM/Other permit requirements involved

- B. If you have additional information that you would like to communicate about your partnerships with other regulated small MS4(s), provide it in the space below, or include an attachment to the SWPPP Document, with the following file naming convention: *MS4NameHere_Partnerships*.

II. Description of Regulatory Mechanisms: (Part II.D.2)

Illicit discharges

- A. Do you have a regulatory mechanism(s) that effectively prohibits non-stormwater discharges into your small MS4, except those non-stormwater discharges authorized under the Permit (Part III.D.3.b.)? Yes No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

Ordinance Contract language
 Policy/Standards Permits
 Rules
 Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_IDDEreg*.

2. If **no**:

Describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

Construction site stormwater runoff control

A. Do you have a regulatory mechanism(s) that establishes requirements for erosion and sediment controls and waste controls? Yes No

1. If **yes**:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- Ordinance Contract language
 Policy/Standards Permits
 Rules
 Other, explain: _____

b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_CSWreg*.

B. Is your regulatory mechanism at least as stringent as the MPCA general permit to Discharge Stormwater Associated with Construction Activity (as of the effective date of the MS4 Permit)? Yes No

If you answered **yes** to the above question, proceed to C.

If you answered **no** to either of the above permit requirements listed in A. or B., describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C. Answer **yes** or **no** to indicate whether your regulatory mechanism(s) requires owners and operators of construction activity to develop site plans that incorporate the following erosion and sediment controls and waste controls as described in the Permit (Part III.D.4.a.(1)-(8)), and as listed below:

- | | |
|--|--|
| 1. Best Management Practices (BMPs) to minimize erosion. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. BMPs to minimize the discharge of sediment and other pollutants. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. BMPs for dewatering activities. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Site inspections and records of rainfall events | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. BMP maintenance | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. Management of solid and hazardous wastes on each project site. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 7. Final stabilization upon the completion of construction activity, including the use of perennial vegetative cover on all exposed soils or other equivalent means. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 8. Criteria for the use of temporary sediment basins. | <input type="checkbox"/> Yes <input type="checkbox"/> No |

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

Post-construction stormwater management

A. Do you have a regulatory mechanism(s) to address post-construction stormwater management activities? Yes No

1. If **yes**:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- Ordinance Contract language
 Policy/Standards Permits
 Rules
 Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

Direct link:

Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_PostCSWreg*.

- B. Answer **yes** or **no** below to indicate whether you have a regulatory mechanism(s) in place that meets the following requirements as described in the Permit (Part III.D.5.a.):

1. **Site plan review:** Requirements that owners and/or operators of construction activity submit site plans with post-construction stormwater management BMPs to the permittee for review and approval, prior to start of construction activity. Yes No
2. **Conditions for post construction stormwater management:** Requires the use of any combination of BMPs, with highest preference given to Green Infrastructure techniques and practices (e.g., infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):
 - a. For new development projects – no net increase from pre-project conditions (on an annual average basis) of: Yes No
 - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of Total Suspended Solids (TSS).
 - 3) Stormwater discharges of Total Phosphorus (TP).
 - b. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of: Yes No
 - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of TSS.
 - 3) Stormwater discharges of TP.
3. **Stormwater management limitations and exceptions:**
 - a. Limitations
 - 1) Prohibit the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) when the infiltration structural stormwater BMP will receive discharges from, or be constructed in areas: Yes No
 - a) Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
 - b) Where vehicle fueling and maintenance occur.
 - c) With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
 - d) Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.
 - 2) Restrict the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), without higher engineering review, sufficient to provide a functioning treatment system and prevent adverse impacts to groundwater, when the infiltration device will be constructed in areas: Yes No
 - a) With predominately Hydrologic Soil Group D (clay) soils.
 - b) Within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features.
 - c) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13.
 - d) Where soil infiltration rates are more than 8.3 inches per hour.
 - 3) For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), the permittee's regulatory mechanism(s) may allow exceptions as described in the Permit (Part III.D.5.a(3)(b)). The permittee's regulatory mechanism(s) shall ensure that a reasonable attempt be made to obtain right-of-way during the project planning process. Yes No

4. **Mitigation provisions:** The permittee's regulatory mechanism(s) shall ensure that any stormwater discharges of TSS and/or TP not addressed on the site of the original construction activity are addressed through mitigation and, at a minimum, shall ensure the following requirements are met:
- a. Mitigation project areas are selected in the following order of preference: Yes No
 - 1) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
 - 2) Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
 - 3) Locations in the next adjacent DNR catchment area up-stream
 - 4) Locations anywhere within the permittee's jurisdiction.
 - b. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. Yes No
 - c. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part. Yes No
 - d. Mitigation projects shall be completed within 24 months after the start of the original construction activity. Yes No
 - e. The permittee shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part. Yes No
 - f. If the permittee receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management in Part III.D.5.a(2), the permittee shall apply any such payment received to a public stormwater project, and all projects must be in compliance with Part III.D.5.a(4)(a)-(e). Yes No
5. **Long-term maintenance of structural stormwater BMPs:** The permittee's regulatory mechanism(s) shall provide for the establishment of legal mechanisms between the permittee and owners or operators responsible for the long-term maintenance of structural stormwater BMPs not owned or operated by the permittee, that have been implemented to meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)). This only includes structural stormwater BMPs constructed after the effective date of this permit and that are directly connected to the permittee's MS4, and that are in the permittee's jurisdiction. The legal mechanism shall include provisions that, at a minimum:
- a. Allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines that the owner and/or operator of that structural stormwater BMP has not conducted maintenance. Yes No
 - b. Include conditions that are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party. Yes No
 - c. Include conditions that are designed to protect/preserve structural stormwater BMPs and site features that are implemented to comply with the Permit (Part III.D.5.a(2)). If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) continue to be met. Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within twelve (12) months of the date permit coverage is extended, these permit requirements are met:

III. Enforcement Response Procedures (ERPs): (Part II.D.3)

- A. Do you have existing ERPs that satisfy the requirements of the Permit (Part III.B.)? Yes No

1. If **yes**, attach them to this form as an electronic document, with the following file naming convention: *MS4NameHere_ERPs*.
2. If **no**, describe the tasks and corresponding schedules that will be taken to assure that, with twelve (12) months of the date permit coverage is extended, these permit requirements are met:

B. Describe your ERPs:

IV. Storm Sewer System Map and Inventory: (Part II.D.4.)

A. Describe how you manage your storm sewer system map and inventory:

B. Answer **yes** or **no** to indicate whether your storm sewer system map addresses the following requirements from the Permit (Part III.C.1.a-d), as listed below:

1. The permittee's entire small MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes. Yes No
2. Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinate. Yes No
3. Structural stormwater BMPs that are part of the permittee's small MS4. Yes No
4. All receiving waters. Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C. Answer **yes** or **no** to indicate whether you have completed the requirements of 2009 Minnesota Session Law, Ch. 172. Sec. 28: with the following inventories, according to the specifications of the Permit (Part III.C.2.a.-b.), including:

1. All ponds within the permittee's jurisdiction that are constructed and operated for purposes of water quality treatment, stormwater detention, and flood control, and that are used for the collection of stormwater via constructed conveyances. Yes No
2. All wetlands and lakes, within the permittee's jurisdiction, that collect stormwater via constructed conveyances. Yes No

D. Answer **yes** or **no** to indicate whether you have completed the following information for each feature inventoried.

1. A unique identification (ID) number assigned by the permittee. Yes No
2. A geographic coordinate. Yes No
3. Type of feature (e.g., pond, wetland, or lake). This may be determined by using best professional judgment. Yes No

If you have answered **yes** to all above requirements, and you have already submitted the Pond Inventory Form to the MPCA, then you do not need to resubmit the inventory form below.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

E. Answer **yes** or **no** to indicate if you are attaching your pond, wetland and lake inventory to the MPCA on the form provided on the MPCA website at: <http://www.pca.state.mn.us/ms4>, according to the specifications of Permit (Part III.C.2.b.(1)-(3)). Attach with the following file naming convention: *MS4NameHere_inventory*. Yes No

If you answered **no**, the inventory form must be submitted to the MPCA MS4 Permit Program within 12 months of the date permit coverage is extended.

V. Minimum Control Measures (MCMs) (Part II.D.5)

3. Do you have a process for receiving and documenting citizen input? Yes No

If you answered **no** to the above permit requirement, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

C. MCM 3: Illicit discharge detection and elimination

1. The Permit (Part III.D.3.) requires that, within 12 months of the date permit coverage is extended, existing permittees revise their current program as necessary, and continue to implement and enforce a program to detect and eliminate illicit discharges into the small MS4. Describe your current program:
2. Does your Illicit Discharge Detection and Elimination Program meet the following requirements, as found in the Permit (Part III.D.3.c.-g.)?
- a. Incorporation of illicit discharge detection into all inspection and maintenance activities conducted under the Permit (Part III.D.6.e.-f.)Where feasible, illicit discharge inspections shall be conducted during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). Yes No
 - b. Detecting and tracking the source of illicit discharges using visual inspections. The permittee may also include use of mobile cameras, collecting and analyzing water samples, and/or other detailed procedures that may be effective investigative tools. Yes No
 - c. Training of all field staff, in accordance with the requirements of the Permit (Part III.D.6.g.(2)), in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. Yes No
 - d. Identification of priority areas likely to have illicit discharges, including at a minimum, evaluating land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge. Yes No
 - e. Procedures for the timely response to known, suspected, and reported illicit discharges. Yes No
 - f. Procedures for investigating, locating, and eliminating the source of illicit discharges. Yes No
 - g. Procedures for responding to spills, including emergency response procedures to prevent spills from entering the small MS4. The procedures shall also include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061. Yes No
 - h. When the source of the illicit discharge is found, the permittee shall use the ERPs required by the Permit (Part III.B.) to eliminate the illicit discharge and require any needed corrective action(s). Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

3. List the categories of BMPs that address your illicit discharge, detection and elimination program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
BMP categories to be implemented	Measurable goals and timeframes

4. Do you have procedures for record-keeping within your Illicit Discharge Detection and Elimination (IDDE) program as specified within the Permit (Part III.D.3.h.)? Yes No
- If you answered **no**, indicate how you will develop procedures for record-keeping of your Illicit Discharge, Detection and Elimination Program, within 12 months of the date permit coverage is extended:
5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

D. MCM 4: Construction site stormwater runoff control

1. The Permit (Part III.D.4) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a construction site stormwater runoff control program. Describe your current program:
2. Does your program address the following BMPs for construction stormwater erosion and sediment control as required in the Permit (Part III.D.4.b.):
- a. Have you established written procedures for site plan reviews that you conduct prior to the start of construction activity? Yes No
 - b. Does the site plan review procedure include notification to owners and operators proposing construction activity that they need to apply for and obtain coverage under the MPCA's general permit to *Discharge Stormwater Associated with Construction Activity No. MN R100001*? Yes No
 - c. Does your program include written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee? Yes No
 - d. Have you included written procedures for the following aspects of site inspections to determine compliance with your regulatory mechanism(s):
 - 1) Does your program include procedures for identifying priority sites for inspection? Yes No
 - 2) Does your program identify a frequency at which you will conduct construction site inspections? Yes No
 - 3) Does your program identify the names of individual(s) or position titles of those responsible for conducting construction site inspections? Yes No
 - 4) Does your program include a checklist or other written means to document construction site inspections when determining compliance? Yes No
 - e. Does your program document and retain construction project name, location, total acreage to be disturbed, and owner/operator information? Yes No
 - f. Does your program document stormwater-related comments and/or supporting information used to determine project approval or denial? Yes No
 - g. Does your program retain construction site inspection checklists or other written materials used to document site inspections? Yes No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

(<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes

BMP categories to be implemented	Measurable goals and timeframes

- Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

F. MCM 6: Pollution prevention/good housekeeping for municipal operations

- The Permit (Part III.D.6.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement an operations and maintenance program that prevents or reduces the discharge of pollutants from the permittee owned/operated facilities and operations to the small MS4. Describe your current program:
- Do you have a facilities inventory as outlined in the Permit (Part III.D.6.a.)? Yes No
- If you answered **no** to the above permit requirement in question 2, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:
- List the categories of BMPs that address your pollution prevention/good housekeeping for municipal operations program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. For an explanation of measurable goals, refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes

BMP categories to be implemented	Measurable goals and timeframes

5. Does discharge from your MS4 affect a Source Water Protection Area (Permit Part III.D.6.c.)? Yes No
- a. If **no**, continue to 6.
- b. If **yes**, the Minnesota Department of Health (MDH) is in the process of mapping the following items. Maps are available at <http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>. Is a map including the following items available for your MS4:
- 1) Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330? Yes No
- 2) Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13? Yes No
- c. Have you developed and implemented BMPs to protect any of the above drinking water sources? Yes No
6. Have you developed procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater, according to the Permit (Part III.D.6.d.)? Yes No
7. Do you have inspection procedures that meet the requirements of the Permit (Part III.D.6.e.(1)-(3)) for structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas? Yes No
8. Have you developed and implemented a stormwater management training program commensurate with each employee's job duties that:
- a. Addresses the importance of protecting water quality? Yes No
- b. Covers the requirements of the permit relevant to the duties of the employee? Yes No
- c. Includes a schedule that establishes initial training for new and/or seasonal employees and recurring training intervals for existing employees to address changes in procedures, practices, techniques, or requirements? Yes No
9. Do you keep documentation of inspections, maintenance, and training as required by the Permit (Part III.D.6.h.(1)-(5))? Yes No
- If you answered **no** to any of the above permit requirements listed in **Questions 5 – 9**, then describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

10. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

VI. Compliance Schedule for an Approved Total Maximum Daily Load (TMDL) with an Applicable Waste Load Allocation (WLA) (Part II.D.6.)

- A. Do you have an approved TMDL with a Waste Load Allocation (WLA) prior to the effective date of the Permit? Yes No
1. If **no**, continue to section VII.
2. If **yes**, fill out and attach the MS4 Permit TMDL Attachment Spreadsheet with the following naming convention: *MS4NameHere_TMDL*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VII. Alum or Ferric Chloride Phosphorus Treatment Systems (Part II.D.7.)

- A. Do you own and/or operate any Alum or Ferric Chloride Phosphorus Treatment Systems which Yes No

are regulated by this Permit (Part III.F.)?

1. If **no**, this section requires no further information.
2. If **yes**, you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your small MS4, then you must submit the Alum or Ferric Chloride Phosphorus Treatment Systems Form supplement to this document, with the following naming convention: *MS4NameHere_TreatmentSystem*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VIII. Add any Additional Comments to Describe Your Program