

TITLE III: ADMINISTRATION

	Page
30. CITY COUNCIL	2
31. CITY OFFICIALS	6
32. DEPARTMENTS, BOARDS AND COMMISSIONS.....	8
33. CITY POLICIES	18
34. ETHICS.....	28
35. FINANCES AND TAXATION	33
36. EMERGENCY MANAGEMENT	34
37. ADMINISTRATIVE CITATIONS FOR ENFORCEMENT OF CERTAIN TRAFFIC OFFENSES	39
38. ADMINISTRATIVE CITATIONS FOR ENFORCEMENT OF THE CITY CODE...	41
39. RESTRICTIONS ON THE USE OF THE NAME “CITY OF CAMBRIDGE” AND CITY’S OFFICIAL SEAL AND LOGO.....	45

CHAPTER 30: CITY COUNCIL

Section	Page
30.01 Meetings.....	2
30.02 Presiding officer.....	3
30.03 Minutes	3
30.04 Order of business	3
30.05 Quorum and voting	4
30.06 Ordinances, resolutions, motions, petitions and communications.....	4
30.07 Council Committees.....	4
30.08 Council composition and election.....	5
30.09 Salaries for the Mayor and Council Members	5

§ 30.01 MEETINGS.

(A) Regular meetings of the Council shall be held on the first Monday of each month at 3:30 pm and on the third Monday at 6:00 pm. Any regular meeting falling upon a holiday shall be held on the next following business day at the same time and place or on another date as reasonably set by the Council. All meetings, including special and adjourned meetings, shall be held at Cambridge City Hall in Council Chambers, unless otherwise specifically posted.

(B) Special meetings of the Council may be called by the Mayor or by any two members of the Council by writing filed with the City Administrator. At least one day before the meeting the City Administrator shall notify each member of the time, place and purpose of the meeting by causing written notice thereof to be delivered to him or her personally if he or she can be found or, if he or she cannot be found, by leaving a copy at the home of the member with some person of suitable age and discretion. Special meetings may be held without prior written notice when all Council members are present at the meeting or consent thereto in writing. The consent shall be filed with the City Administrator prior to the beginning of the meeting. Any special meeting attended by all Council members shall be a valid meeting for the transaction of any business that may come before the meeting.

(C) At the first regular Council meeting in January of each year the Council shall:

- (1) Designate the depositories of city funds;
- (2) Designate the official newspaper;
- (3) Choose an Acting Mayor from the Council members, who shall perform the duties of the Mayor during a vacancy in the office of Mayor, until a successor has been appointed and qualifies; and
- (4) Appoint such officers and employees and such members of boards, commissions and committees as may be necessary.

(D) All Council meetings, including special and adjourned meetings, shall be open to the public.

(E) All regular, special and emergency meetings of the Council shall be conducted in accordance with the Minnesota Open Meeting Law (M.S. Chapter 13D, as it may be amended from time to time) after notice as required by law.

§ 30.02 PRESIDING OFFICER.

(A) The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the Acting Mayor shall preside. In the absence of both, the City Administrator shall call the meeting to order and shall preside until the Council members present at the meeting choose one of their member to act temporarily as presiding officer.

(B) The presiding officer shall preserve order, enforce the Code of Conduct – Council Bylaws as adopted by the City Council.

§ 30.03 MINUTES.

(A) Minutes of each Council meeting shall be kept by the City Administrator or his or her designee. Ordinances, resolutions and claims need not be recorded in full in the minutes if they appear in other permanent records of the City Administrator and can be accurately identified from the description given in the minutes.

(B) The minutes of each meeting shall be reduced to typewritten form, shall be signed by the Mayor and attested to by the City Administrator. At the next regular Council meeting, approval of the typed minutes shall be considered by the Council. The minutes need not be read aloud, but the presiding officer shall call for any additions or corrections. If there is no objection to a proposed addition or correction, it may be made without a vote of the Council. If there is an objection, the Council shall vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

§ 30.04 ORDER OF BUSINESS.

(A) Each meeting of the Council shall convene at the time and place appointed therefor. Council business shall be conducted in the following order:

- (1) Call to order;
- (2) Approval of minutes;
- (3) Consent agenda;
- (4) Work session;
- (5) Unfinished business;
- (6) New business;
- (7) Mayor's Report
- (8) Council Concerns and/or Committee Reports
- (9) City Attorney's Report

- (10) City Administrator's Report
- (11) Adjournment

(B) The order of business may be varied by the presiding officer and a citizen's forum may be placed on the agenda for the meeting held on the third Monday of each month.

§ 30.05 QUORUM AND VOTING.

(A) At all Council meetings a majority of all the Council members elected shall constitute a quorum for the transaction of business.

(B) The votes of the members on any question pending before the Council may be by voice vote, standing vote or in any other manner of voting which signifies the intention of the members; there shall be a roll call or call out vote and the names of those voting for and against the question shall be recorded in the minutes.

(C) A majority vote of the Council shall be necessary for approval of any ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all other cases.

§ 30.06 ORDINANCES, RESOLUTIONS, MOTIONS, PETITIONS AND COMMUNICATIONS.

(A) Every ordinance and resolution shall be presented in writing. All motions shall be recorded in the minutes and stated in full before they are submitted to a vote by the presiding officer. All petitions and other communications addressed to the Council shall be in writing and shall be read in full upon presentation of the same to the Council. They shall then be recorded in the minutes by title and filed with the minutes in the office of the City Administrator.

(B) Every ordinance and resolution passed by the Council shall be signed by the Mayor, attested by the City Administrator and filed in the electronic records management system. Proof of publication of every ordinance shall be attached to and filed with the ordinance. (Ord. 575, passed 10/15/2012)

(C) Every ordinance or resolution repealing a previous ordinance or resolution or a section or subdivision thereof shall give the number, if any, and the title of the ordinance or resolution to be repealed in whole or in part. No ordinance or resolution or section or subdivision thereof shall be amended by reference to the title alone, but such an amending ordinance or resolution shall set forth in full each section or subdivision to be amended.

§ 30.07 COUNCIL COMMITTEES.

(A) All council committees shall be appointed by the Mayor either upon his or her own initiative or upon the majority vote of all of the members of the Council.

(B) Each council committee shall consist of two members of the Council and the Chairperson of

each committee shall be designated by the Mayor. Each committee member shall serve as appointed unless excused by a majority of the members of the Council.

(C) Any matter brought before the Council for consideration may be referred by the presiding officer to the appropriate committee or to a special committee appointed by him or her for a written report and recommendation before it is considered by the Council as a whole. Each committee report shall be signed by a majority of the members and shall be filed with the City Administrator prior to the Council meeting at which it is to be submitted. Minority reports may be submitted. Each committee shall act promptly and faithfully on any matter referred to it.

(D) Council members may also serve on commissions or other community boards or advisory groups. Each such organization that is recognized by the Council, may have at least one Council member appointed to it, appointed, as in division (A). Any Council member appointed to such organization shall report monthly the activities of the organization in writing.

§ 30.08 COUNCIL COMPOSITION AND ELECTION.

The Council shall be composed of a Mayor and four Council Members. The Mayor and four Council Members shall be elected at large. Each Council Member and the Mayor shall serve for a term of four years and until a successor is elected and qualifies. The terms of Council Members shall be staggered so that two Council Members are elected during each election period.

The filing fee for municipal office (Mayor and Councilmember) shall be set at \$15.00 pursuant to Minn. Stat. §205.13, subd. 3(b) as may be amended from time to time.

§ 30.09 SALARIES FOR THE MAYOR AND COUNCIL MEMBERS

(A) Effective January 1, 2017, the annual salary of the Mayor of the City of Cambridge shall be \$7,500 for all regular council, special council, and officially assigned committee meetings payable in monthly installments.

(B) Effective January 1, 2017, the annual salary of each member of the Council of the City of Cambridge shall be \$5,600 for all regular and special council meetings payable in monthly installments.

(C) Effective January 1, 2007, the Mayor and Council members shall be authorized to receive a per diem fee of \$35 for each meeting attended for the Cambridge Economic Development Authority and officially assigned Planning Commission and Parks Trails and Recreation Commission board meetings.

CHAPTER 31: CITY OFFICIALS

Section	Page
31.01 City Administrator	6
31.02 Clerk and Treasurer office combined	7

§ 31.01 CITY ADMINISTRATOR.

(A) *Duties.* The duties of the City Administrator or his or her legally appointed designee shall include the duties of the Clerk. The City Administrator or his or her legally appointed designee shall give the required notice of each regular and special election, record the proceedings thereof, notify officials of their elections or appointments to office, certify to the County Auditor all appointments and the results of all municipal elections. He or she shall keep:

- (1) A minute book, noting therein all proceedings of the Council;
- (2) An ordinance book, in which he or she shall record at length all ordinances passed by the Council;
- (3) An accounting program, in which the City Administrator’s appointed designee shall enter all money transactions of the city, including the dates and amounts of all receipts and the person from whom the money was received and all expenses drawn against City funds with their payee and purpose of expenditure. Ordinances, resolutions and claims considered by the Council need not be given in full in the minute book if they appear in other permanent records of the City and can be accurately identified from the description given in the minutes.
- (4) The City Administrator or his or her legally appointed designee shall act as the Clerk of the city, shall be the custodian of its seal and records, shall sign its official papers, shall post and publish such notices, ordinances and resolutions as may be required and shall perform such other appropriate duties as may be imposed upon him or her by the Council.
- (5) With the consent of the Council, the City Administrator may appoint a deputy for whose acts he or she shall be responsible. In case of the City Administrator or his or her legally appointed designee’s absence from the city or disability, the Council may appoint a Deputy if there is none, to serve during the absence or disability. The Deputy may discharge any of the duties of the City Administrator or his or her legally appointed designee except that he or she shall not be a member of the Council.

(B) *Appointment.* The City Administrator or his or her legally appointed designee is appointed by a majority of the Council for an indefinite term, removal only by a majority of the Council.

The City Council will prepare a formal job description outlining the duties and the required knowledge, skills, and abilities required to perform the duties of the City Administrator position. The Council may amend the job description at its pleasure at any Council meeting.

§ 31.02 CLERK AND TREASURER OFFICE COMBINED.

Pursuant to the authority granted by M.S. § 412.591, Subd. 2, as it may be amended from time to time, the offices of Clerk and Treasurer in this city are continued as heretofore combined in the office of City Administrator or his or her legally appointed designee, and duties signed to either the Clerk or Treasurer by law or ordinance shall be performed by such City Administrator or his or her legally appointed designee.

CHAPTER 32: DEPARTMENTS, BOARDS AND COMMISSIONS

Section Page

Fire Department

32.01 Fire Department established8
32.02 Officers8
32.03 Duties of Chief9
32.04 Suspensions9
32.05 Duties of Assistant Chiefs9
32.06 Equipment care9
32.07 Policies and procedures9
32.08 Appointment of officers9

Planning Commission

32.20 Establishment10
32.21 Composition10
32.22 Organization10
32.23 Appropriations; expenses11
32.24 Duties and powers11
32.25 Comprehensive Plan12
32.26 Zoning Plan12
32.27 Official Map of Street Extension12

Parks, Trails and Recreation Commission

32.45 Establishment13
32.46 Composition13
32.47 Organization14
32.48 Duties and powers14
32.49 Appropriations and expenses15

Sister Cities Commission

32.50 Establishment16
32.51 Composition16
32.52 Organization16
32.49 Appropriations and Expenses17
32.53 Duties and powers17

FIRE DEPARTMENT

§ 32.01 FIRE DEPARTMENT ESTABLISHED.

The Fire Department of this city shall consist of not less than 20 nor more than 30 persons, hereinafter referred to as the Fire Department.

§ 32.02 OFFICERS.

The Chief, and Assistant Fire Chief, shall be the commanding officers of the Company, organized under this subchapter, and shall hold their offices for one year and until their successors are appointed. These officers shall be appointed by the Council, provided that the members of the Fire Department may recommend to the Council suitable persons for such offices.

§ 32.03 DUTIES OF CHIEF.

The Chief shall have sole command at fires over all members of the Fire Department of this city and shall have power to suspend any member of the Department pursuant to the Fire Department Standard Operating Guidelines.

§ 32.04 SUSPENSIONS.

It shall be the duty of the Chief to immediately report any disciplinary action or investigation to the City Administrator and the City Council when deemed appropriate by the City Administrator.

§ 32.05 DUTIES OF OFFICERS IN ABSENCE OF CHIEF.

In case the Chief is absent, the Assistant Fire Chief shall execute the duties of Chief. If the Chief and Assistant Fire Chief are absent, the most senior officer shall execute the duties of Chief and report those actions to the Chief as soon as possible.

§ 32.06 EQUIPMENT CARE.

The Chief shall have control and care of all equipment and property used by the Fire Department and belonging to this city. It shall be the duty of the Chief to see that all fire apparatus is kept in good condition and repair at the proper cost of this city.

§ 32.07 POLICIES AND PROCEDURES.

The Volunteer Fire Department may adopt policies and procedures for the operation of the department, which shall be effective upon approval by the City Council. Any provision of these policies and procedures, which may be called Standard Operating Guidelines, which is inconsistent with state and federal law, including the Veterans Preference Act, Minnesota Human Rights Act, and state laws requiring the City Council to control Fire Department Finances, shall be unenforceable and void.

§ 32.08 APPOINTMENT OF OFFICERS.

Firefighters and probationary firefighters shall be appointed by the City Council upon recommendation by the Chief of the Volunteer Fire Department. The process of recruitment,

selection, appointment and termination of firefighters and probationary firefighters shall, as required by state law, follow all of the provisions of the Veteran's Preference Act, M.S. §§ 43A.11 and 197.46, as they may be amended from time to time, and, as required by state law, there shall be no discriminate on the basis of age, race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, sexual orientation or disability (except based on a bona fide occupational qualification) as provided by the Minnesota Human Rights Act, M.S. §§ 363.03 and 363.06, as it may be amended from time to time. Firefighters may be removed pursuant to the Fire Department Standard Operating Guidelines.

PLANNING COMMISSION

§ 32.20 ESTABLISHMENT.

There is established a Planning Commission, hereinafter referred to as the "Commission." The Planning Commission shall be the city planning agency authorized by M.S. § 462.354, Subd. 1, as it may be amended from time to time. The Planning Commission is an advisory commission to the City Council.

§ 32.21 COMPOSITION.

(A) *Membership.* The Commission shall consist of seven members appointed by the City Council. Of the seven members, at least one member shall be appointed from the City Council; at least six members shall be residents of the City of Cambridge; and one member may be a resident of the extraterritorial planning areas identified by the city's Comprehensive Plan. Members other than the City Council representative shall be appointed from among persons in a position to represent the general public interest, and no person shall be appointed with private or personal interests likely to conflict with the general public interest.

(B) *Terms.* Terms of office for members other than the City Council representative shall be for three years, provided however that in first establishment of the Commission, two of the members shall be appointed for terms of one year, two for terms of two years and two of the members for terms of three years. The City Council representative shall be appointed annually by the Council. A member may not serve more than nine consecutive years. After a member has served for nine consecutive years, they would not be eligible for appointment to the Planning Commission for a period of one year.

(C) Members of the Commission shall serve at the will of the City Council and any member of the Commission may be removed from office by majority vote of the City Council. In addition, any member absent from three consecutive regular meetings or five meetings in one year shall be deemed to have forfeited their seat upon declaration of the Mayor, and a vacancy shall exist without formal removal proceedings.

§ 32.22 ORGANIZATION.

(A) *Officers.* The Commission shall elect a Chairperson and Vice-Chairperson from among those of its members who are not appointed ex-officio and may create such other offices as it may

determine. It shall provide itself with a Secretary, either by election from among its members or by appointment of an officer or employee of the city who is not a member of the Commission and shall not be entitled to vote. Terms of all elected offices shall be for one year with eligibility for re-election.

(B) *Rules.* The Commission shall follow the City Council & Commissions Code of Conduct and Council Bylaws as adopted by the City Council. The staff liaison assigned to the Commission by the City Administrator shall keep a record of attendance at its meetings and of resolutions, transactions, findings and determinations showing the vote of each member on each question requiring a vote, or if absent or abstaining from voting, indicating such fact. The records of the Commission shall be a public record.

(C) *Committees.* The Commission may establish committees and subcommittees from its membership to serve in an advisory capacity to assist the Commission in the conduct of its business.

(D) *Advisors.* The City Attorney, City Planner, City Administrator, City Engineer, City Building Official, consulting engineers and planners and Director of the Community Development Department shall serve as advisors to the Commission.

§ 32.23 APPROPRIATIONS; EXPENSES.

(A) The City Council shall make available to the Commission such appropriations as it may see fit for fees and expenses necessary in the conduct of its work. Subject to approval of the City Council and within limits set by appropriations or other funds made available, the Commission may contract for technical experts as may be deemed proper and may incur such other expenses as may be necessary and proper for the conduct of its affairs. The Commission shall have authority to expend all sums so appropriated and made available for its use from grants, gifts and other sources for the purposes and activities authorized by this subchapter.

(B) Members of the Commission shall receive a \$35.00 per diem for each Commission meeting attended.

§ 32.24 DUTIES AND POWERS.

(A) *Duties.* The Commission shall have the powers and duties given planning agencies generally by law, including the following:

(1) To acquire and maintain in current form such basic information and background data as is necessary for an understanding of past trends, present conditions and forces at work to cause changes in these conditions;

(2) To prepare and keep current a comprehensive development plan for meeting present requirements and such future needs as may be foreseen;

(3) To establish principles and policies for guiding action affecting development in the city and its environs;

(4) To prepare and recommend to the City Council ordinances, regulations and other proposals promoting orderly development along lines indicated as desirable by the comprehensive development plan;

(5) To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan and the ordinances;

(6) To advise the Council on matters which have an impact on the future development of the city, including, but not limited to major public improvements, annexations and vacations of streets or alleys;

(7) To keep the City Council and the general public informed and advised as to all planning and development matters;

(8) To conduct such public hearings as may be required to gather information necessary for the drafting, establishment, maintenance and administration of the comprehensive plan and ordinances and regulations related to it and to establish public committees for the purpose of collecting and compiling information necessary for the plan or for the purpose of promoting the accomplishment of the plan in whole or in part;

(9) To perform other duties which may be assigned by the City Council or which may have bearing on the preparation or accomplishment of the plan.

(B) *Powers.* All city employees shall, upon request and within a reasonable time, furnish to the Commission or its employees or agents such available records or information as may be required in its work. The Commission, or its employees or agents, may in the performance of official duties enter upon lands and make examinations or surveys in the same manner as other authorized city agents or employees and shall have such other powers as are required for the performance of official functions in carrying out the purposes of this subchapter.

§ 32.25 COMPREHENSIVE PLAN.

(A) *Amendments.* The Commission may from time to time amend or add to any plan whether previously submitted or not, or any section thereof, when deemed necessary or advisable. The Commission shall undertake a review of the Comprehensive Plan at least every ten years.

§ 32.26 ZONING PLAN.

The Commission shall prepare a proposed Zoning Plan. Before recommending such plan to the Council, the Planning Commission shall hold at least one public hearing thereon, notice of which shall be given as provided in this chapter.

§ 32.27 OFFICIAL MAP OF STREET EXTENSION.

(A) The Planning Commission shall prepare an official map of the platted and unplatted portions of the city, of adjoining territory, or both, or portions thereof, indicating upon such official map the

proposed future extension or widening of the streets of the city within such existing platted and developed territory or across such unplatted territory.

(B) After the map has been prepared and a public hearing on it has been duly held and notice of which has been given as provided in this chapter, it shall be submitted to the Council, which shall thereupon consider such map and may adopt it or any part of it with such amendments as it deems advisable. Before such adoption by the Council a public hearing shall held by the Council upon the proposal, notice of which hearing shall be given as provided in this chapter. After adoption, such official map shall be filed with the Register of Deeds.

(C) After the map has been adopted by the Council and filed with the Register of Deeds, whenever any existing street or highway is widened or improved, any new street is opened or lands for other public purpose are acquired by action of the city, the city shall not be required in any such proceedings to pay for any building or structure placed within the limits of any such street or outside of any building line that may have been established upon the existing street, nor within any area thus reserved for public purposes.

PARKS, TRAILS AND RECREATION COMMISSION

§ 32.45 ESTABLISHMENT.

There is hereby established a Parks, Trails and Recreation Commission, hereinafter referred to as the "Commission".

§ 32.46 COMPOSITION.

(A) *Membership.*

(1) The Commission shall consist of seven members appointed by the City Council from among the residents of the city. Of the seven members, at least one member shall be appointed from the City Council, at least one member from the Cambridge - Isanti Independent School District and one youth representative.

(2) Members other than the City Council, School District, and youth representatives shall be appointed from among persons in a position to represent the general public interest, and no person shall be appointed with private or personal interests likely to conflict with the general public interest. Members shall be appointed as follows: When a vacancy occurs or is about to occur, applications shall be requested from the residents of the city.

(B) *Terms.* Terms of office for members other than the City Council and youth representatives shall be for three years, provided however that in first establishment of the Commission, two of the members shall be appointed for terms of one year, two for terms of two years, and two of the members for terms of three years. The City Council and youth representatives shall be appointed annually by the Council with eligibility for reappointment. A member may not serve more than nine consecutive years. After a member has served for nine consecutive years, they would not be eligible for appointment to the Parks, Trails and Recreation Commission for a period of one year.

(C) *Removal from office; vacancies.*

(1) Members of the Commission shall serve at the will of the City Council and any member of the Commission may be removed from office by majority vote of the City Council.

(2) In addition, any member absent from three consecutive regular meetings or five meetings in one year shall be deemed to have forfeited their seat upon declaration of the Mayor, and a vacancy shall exist without formal removal proceedings.

(3) It shall be the duty of the chairman of the Commission to notify the City Council promptly of any vacancies occurring in membership, and the City Council shall fill such vacancies within 60 days from notification for the unexpired term of the original appointment.

§ 32.47 ORGANIZATION.

(A) *Officers.* The Commission shall elect a chairperson and vice chairperson from among those of its members who are not appointed ex-officio, and may create such other offices as it may determine. It shall provide itself with a secretary, either by election from among its members or by appointment of an officer or employee of the city who is not a member of the Commission and shall not be entitled to vote. Terms of all elected offices shall be for one year, with eligibility for re-election.

(B) *Rules.* The Commission shall be governed and operate pursuant to the City Council & Commissions Code of Conduct and Council Bylaws as adopted by the City Council. The staff liaison assigned to the Commission by the City Administrator shall keep a record of attendance at its meetings and of resolutions, findings and determinations showing the vote of each member on each question requiring a vote, or if absent or abstaining from voting, indicating such fact. The records of the Commission shall be a public record.

(C) *Meetings.* The Commission shall hold at least one regular meeting each month. Special meetings may be held at any time upon the call of the chair. Notice of the time and place of a special meeting shall be communicated to the members and publicly noticed at least three days prior to the meeting except in the event of emergency. All Commission meetings shall be open to the public.

(D) *Committees.* The Commission may establish committees and subcommittees from its membership to serve in an advisory capacity to assist the Commission in the conduct of its business.

(E) *Advisors.* The City Attorney, City Administrator, Public Works Director, City Engineer, City Building Official, consulting engineers and planners, and the Director of the Community Development Department shall serve as advisors to the Commission.

§ 32.48 DUTIES AND POWERS.

(A) *Purpose.* The Commission is established to review and to make recommendations to the

City Council on the development and organization of the city parks, trails and recreation programs.

(B) *Duties.* The Commission shall prepare, hold hearings on and recommend to the City Council such plans, programs and policies as it deems necessary to carry out the purposes of this subchapter. Such powers shall include, but not be limited to, the study of and recommendation to the City Council on the following:

(1) To hold meetings of its members, to consider such matters pertaining to parks, trails and public recreation programs in the city as shall be referred to the Commission by the Council, or as the members of the Commission themselves deem proper.

(2) Recommend capital park and trail projects to Council subject to available funding sources.

(3) Recommend policies affecting the use of the city's park and trail system.

(4) Recommend the allocation of park fields in a fair and equitable manner, based on recommendations from users and city staff.

(5) Work with a variety of organizations to ensure the offering of an appropriate array of recreation opportunities for the youth and adults of the city.

(6) Prepare and recommend a comprehensive plan for the future development of the city park, recreation and trail system, to be submitted to the City Council for implementation, and to maintain said plan, and recommend amendments of the plan to the City Council, as may become necessary or desirable.

(7) To act in an advisory capacity to the Council in all matters relating to a park, recreation and trail programs in the city.

(8) Any other plans and programs as may be assigned by the City Council from time to time.

(C) *Powers.* The Commission shall not be considered a park board under state law and shall have no powers to acquire or lease land, employ personnel, or enter into contracts or leases, or any similar powers authorized for a park board by state law.

§ 32.49 APPROPRIATIONS AND EXPENSES.

(A) The City Council shall make available to the Commission such appropriations as it may see fit for fees and expenses necessary to conduct its work.

(B) Members of the Commission shall a per diem of \$35 per Commission meeting attended.

SISTER CITIES COMMISSION

§ 32.50 ESTABLISHMENT.

There is hereby established a Sister Cities Commission, hereinafter referred to as the “Commission”.

§ 32.51 COMPOSITION.

(A) Membership. The Commission shall consist of seven to nine members appointed by the City Council from among the residents or business owners of the city. If desired, the City Council may appoint one member at large to the Commission that is not a resident or business owner of the City. Of the seven members, at least one member shall be appointed from the City Council. Furthermore, if a business owner is appointed, he/she may send a designee to represent them at Sister Cities Commission meetings.

(B) Terms. Terms of office for members other than the City Council shall be for three years, provided however that in first establishment of the Commission, a minimum of two of the members shall be appointed for terms of one year, a minimum of two members for terms of two years, and two of the members for terms of three years. The City Council representative shall be appointed annually by the Mayor. A member may not serve more than nine consecutive years. After a member has served for nine consecutive years, they would not be eligible for appointment to the Commission for a period of one year.

(C) Removal from office; vacancies.

(1) Members of the Commission shall serve at the will of the City Council and any member of the Commission may be removed from office by majority vote of the City Council.

(2) In addition, any member absent from three consecutive regular meetings or five meetings in one year shall be deemed to have forfeited their seat upon declaration of the Mayor, and a vacancy shall exist without formal removal proceedings.

(3) It shall be the duty of the chairman of the Commission to notify the City Council promptly of any vacancies occurring in membership, and the City Council shall fill such vacancies within 60 days from notification for the unexpired term of the original appointment.

§ 32.52 ORGANIZATION.

(A) Officers. The Commission shall elect a chairperson and vice chairperson from among those of its members. Officer terms shall be for one year, with eligibility for re-election at the annual organizational meeting held in February of each year.

(B) Rules. The Commission shall be governed and operate pursuant to the City Council & Commissions Code of Conduct and Council Bylaws as adopted by the City Council. The staff liaison assigned to the Commission by the City Administrator shall keep a record of attendance at its meetings and take minutes to record the Commission’s actions and showing the vote of each member on each question requiring a vote, or if absent or abstaining from voting, indicating such fact. The records of the Commission shall be a public record.

(C) Meetings. The Commission shall meet as needed to raise awareness of the Sister City

program, plan for, and support Sister City visits. Special meetings may be held at any time upon the call of the chair. Notice of the time and place of a special meeting shall be communicated to the members and a public notice posted on the City's official posting board at least three days prior to the meeting except in the event of emergency. All Commission meetings shall be open to the public.

(D) Committees. The Commission may establish subcommittees from its membership to serve in an advisory capacity to assist the Commission in the conduct of its business.

§ 32.49 APPROPRIATIONS AND EXPENSES.

The City Council may make available funding to the Commission to support its work.

§ 32.53 DUTIES AND POWERS.

(A) Purpose. To promote long-lasting, mutual goodwill and understanding between the City of Cambridge and its sister cities of Beli Manastir, Croatia; Ratvik, Sweden; and Yuasa, Japan.

(B) Duties.

1) Endeavor to promote mutual understanding and cooperation through an interchange in culture, education, economy and other fields and to promote the prosperity and welfare of the people of our two communities.

2) Establish a foundation to promote economic development, peace, amity and goodwill between Cambridge and our sister cities.

3) Encourage peer learning between municipal employees and elected officials through sister city activities will help our cities implement innovative policies and management techniques in sanitation, water, health, transportation, tourism, economic development, and education.

4) Foster trust, access, and expertise for local businesses in our communities to find new international opportunities since sister city relationships can provide access to new markets and introductions to new partners which will expand the resources available to our local businesses.

5) Recommend to City Council a schedule of sister city exchange visits and conduct fundraising activities to support the sister city exchanges.

CHAPTER 33: CITY POLICIES

Section	Page
General Provisions	
33.01	Precinct boundaries of city.....18
33.02	Polling place.....20
33.03	Absentee Ballot Board established20
33.04	Disposition of abandoned property.....20
33.05	Background Checks20

Abandoned Vehicles

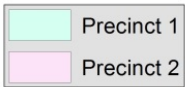
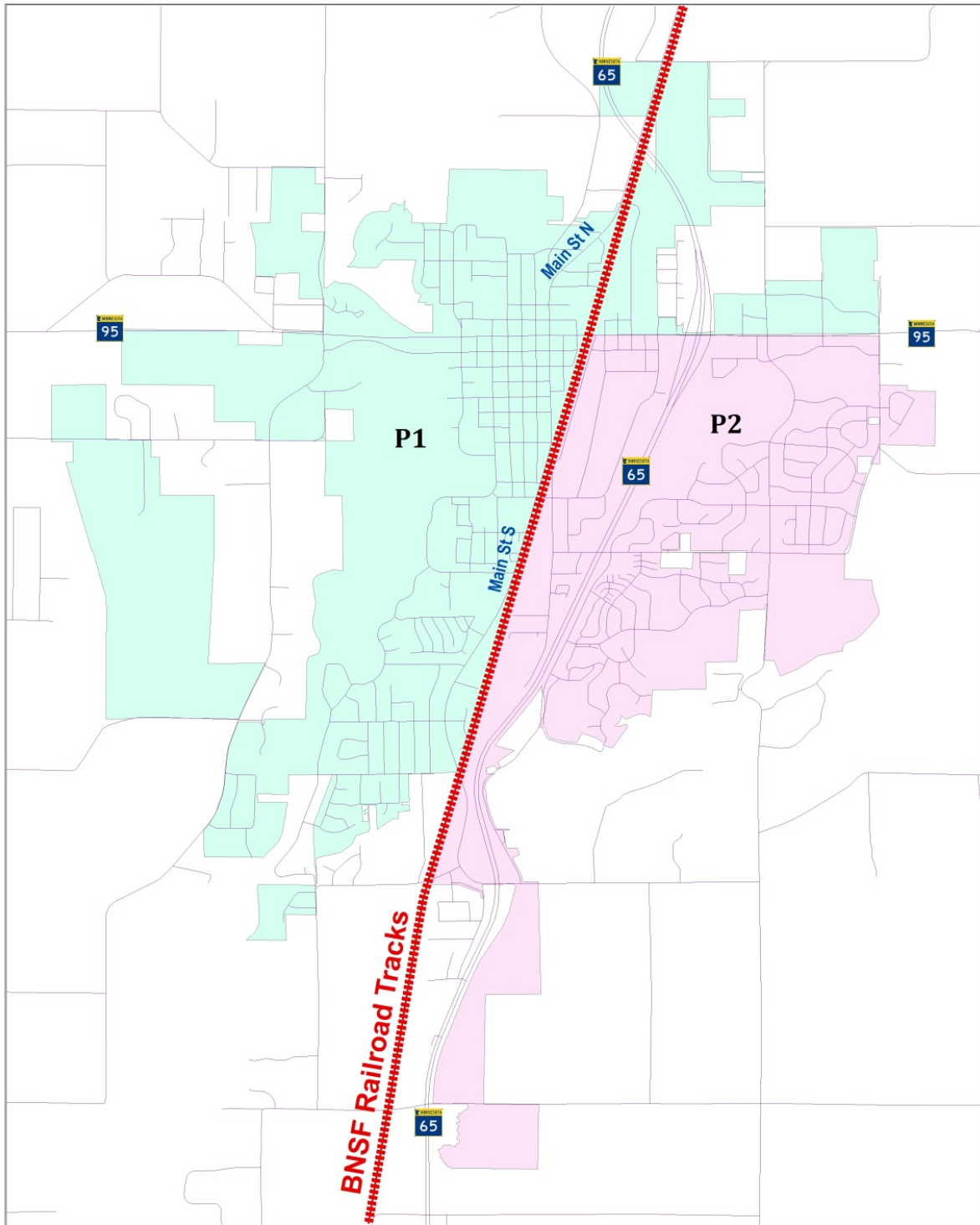
33.15	Findings and purpose22
33.16	Definitions.....22
33.17	Violation to abandon motor vehicle.....24
33.18	Authority to impound vehicles.....24
33.19	Sale; waiting periods.....25
33.20	Notice of taking and sale.....25
33.21	Right to reclaim.....26
33.22	Operator’s deficiency claim; consent to sale26
33.23	Disposition by impound lot.....26
33.24	Disposal authority27

GENERAL PROVISIONS

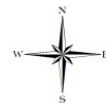
§ 33.01 PRECINCT BOUNDARIES OF CITY.

(A) *Purpose.* M.S. Chapter 204B, as it may be amended from time to time, allows the governing body of each city to establish boundaries for election precincts in that city. The Cambridge City Council, governing body of the City of Cambridge, wishes to establish election precincts for the city as set forth below, consistent with M.S. Chapter 204B, as it may be amended from time to time.

(B) *Precinct boundaries.* The city shall have two precincts for election purposes as permitted by Minnesota law. The boundaries of the precincts shall be as divided on the following map:



City of Cambridge Precinct Map



(C) *Council member elected at large.* City Council members shall be elected on and at large to represent the two precincts established by this section.

(D) *Future annexations.* It is the intention of the Cambridge City Council to include any properties annexed in the future in the contiguous precinct as set forth by this section.

§ 33.02 POLLING PLACE.

M.S. § 204B.16 allows the governing body of each municipality to designate a polling place for every precinct by ordinance. The Cambridge City Council, the governing body of the city, wishes to establish and designate the Cambridge City Hall, 300 3rd Avenue NE as the official polling place for Precincts 1 and 2 for City of Cambridge General and Special Elections.

§ 33.03 ABSENTEE BALLOT BOARD ESTABLISHED.

An Absentee Ballot Board will be established pursuant to Minnesota Statutes §203B.05 as may be amended from time to time as required for municipal elections.

§ 33.04 DISPOSITION OF ABANDONED PROPERTY.

(A) *Procedure.* Except for abandoned and junked vehicles, all property lawfully coming into possession of the city shall be disposed of as provided in this section which is adopted pursuant to M.S. § 471.195, as it may be amended from time to time.

(B) *Storage.* The department of the city acquiring possession of the property shall arrange for its storage. If city facilities are unavailable or inadequate, the department may arrange for storage at a privately-owned facility.

(C) *Claim by owner.* The owner may claim the property by exhibiting satisfactory proof of ownership and paying the city any storage or maintenance costs incurred by it. A receipt for the property shall be obtained upon release to the owner.

(D) *Sale.* If the property remains unclaimed in the possession of the city for 60 days, the property shall be sold to the highest bidder at a public auction, or on-line (Internet) auction site, or in any other manner authorized by law after ten days published notice setting forth the time and place of the sale and the property to be sold.

(E) *Disposition of proceeds.* The proceeds of the sale shall be placed in the City's general fund. If the former owner makes application and furnishes satisfactory proof of ownership within six months of the sale, the former owner shall be paid the proceeds of the sale of the property less the costs of storage and the proportionate part of the cost of published notice and other costs of the sale.

§ 33.05 BACKGROUND CHECKS

(A) PURPOSE:

The purpose and intent of this section is to establish regulations that will allow law enforcement access to Minnesota's Computerized Criminal History information for specified non-criminal purposes of background checks for licensing, employment and volunteer positions.

(B) CRIMINAL HISTORY BACKGROUND INVESTIGATIONS:

1. The Cambridge Police Department is authorized, as the exclusive entity within the City, to do a criminal history background investigation on applicants for the following licenses and full-time employment, part-time employment and volunteer positions with the City:

- a. all licenses and positions that include work with children or vulnerable adults;
- b. all licenses and positions that include access to private or confidential data;
- c. all licenses and positions that require the operation of City-owned motorized vehicles, regardless of whether the vehicle is operated on public streets;
- d. all licenses and positions that include the physical handling or management of monies, securities, bonds or public funds;
- e. all licenses and positions that include the handling or dispensing of hazardous materials, pawn shops, tobacco products, alcoholic beverages, or equipment or instruments capable of transmitting infectious diseases;
- f. all other licenses and positions where City Code expressly requires it.

2. In conducting the criminal history background investigation, in order to screen applicants, the Cambridge Police Department is authorized to access data maintained in the Minnesota Bureau of Criminal Apprehensions Computerized Criminal History information system in accordance with BCA policy. Any data that is accessed and acquired shall be handled in accordance with state and federal Computerized Criminal History requirements. A summary of the results of the Computerized Criminal History data may be released by the Cambridge Police Department to the licensing or hiring authority, including the City Council, Mayor, the City Administrator, City Attorney, and other city staff involved in the licensing and hiring processes.

3. Before the investigation is undertaken, the applicant must authorize the Cambridge Police Department by written consent to undertake the investigation. The written consent must fully comply with the provisions of Minn. Stat. Chap. 13 regarding the collection, maintenance and use of the information.

4. Except for the licenses and positions set forth in Minnesota Statutes Section 364.09, the city will not reject an applicant on the basis of the applicant's prior conviction unless the crime is directly related to the license or position sought and the conviction is for a felony, gross misdemeanor, or misdemeanor with a jail sentence. If the City rejects the applicant's request on this basis, the City shall notify the applicant in writing of the following:

- a. The grounds and reasons for the denial.

- b. The applicant complaint and grievance procedure set forth in Minnesota Statutes Section 364.06.
- c. The earliest date the applicant may reapply.
- d. That all competent evidence of rehabilitation will be considered upon reapplication.

ABANDONED VEHICLES

§ 33.15 FINDINGS AND PURPOSE.

M.S. Chapter 168B, and Minn. Rules Chapter 7035, as they may be amended from time to time, are hereby adopted by reference. Sections 33.15 through 33.25 of this code are adopted under the authority of M.S. § 168B.09, Subd. 2, as it may be amended from time to time. If any of these provisions are less stringent than the provisions of M.S. § 168B or Minn. Rules Chapter 7035, as it may be amended from time to time, the statute or rule shall take precedence.

§ 33.16 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Abandoned Vehicle.

(1) A motor vehicle, as defined in M.S. § 168B.011 as it may be amended from time to time, that:

(a) Has remained illegally:

1. For a period of more than 48 hours on any property owned or controlled by a unit of government, or more than four hours on that property when it is properly posted; or

2. On private property for a period of time, as determined under § 33.18(B), without the consent of the person in control of the property; and

(b) Lacks vital component parts or is in an inoperable condition that it has no substantial potential for further use consistent with its usual functions, unless it is kept in an enclosed garage or storage building.

(2) A classic car or pioneer car, as defined in M.S. § 168B.10 as it may be amended from time to time, is not considered an abandoned vehicle.

(3) Vehicles on the premises of junk yards and automobile graveyards that are defined, maintained, and licensed in accordance with M.S. § 161.242 as it may be amended from time to time, or that are licensed and maintained in accordance with local laws and zoning regulations, are not considered abandoned vehicles.

(4) A vehicle being held for storage by agreement or being held under police authority or pursuant to a writ or court order is not considered abandoned, nor may it be processed as abandoned while the police hold, writ or court order is in effect.

Department. The Minnesota Department of Public Safety.

Impound. To take and hold a vehicle in legal custody. There are two types of impounds: public and nonpublic.

Impound Lot Operator or Operator. A person who engages in impounding or storing, usually temporarily, unauthorized or abandoned vehicles. **Operator** includes an operator of a public or nonpublic impound lot, regardless of whether tow truck service is provided.

Junk Vehicle. Pursuant to M.S. § 168B.011, subd. 3 is defined as a vehicle that:

- (1) Is three years old or older;
- (2) Is extensively damaged, with the damage including things as broken or missing wheels, motor, drive train or transmission;
- (3) Is apparently inoperable;
- (4) Does not have a valid, current registration plate; and
- (5) Has an approximate fair market value equal only to the approximate value of the scrap in it.

Motor Vehicle or Vehicle. Has the meaning given “motor vehicle” in M.S. § 169.011, as it may be amended from time to time.

Motor Vehicle Waste. Solid waste and liquid wastes derived in the operation of or in the recycling of a motor vehicle, including such things as tires and used motor oil, but excluding scrap metal.

MPCA or Agency. The Minnesota Pollution Control Agency.

Nonpublic Impound Lot. An impound lot that is not a public impound lot.

Public Impound Lot. An impound lot owned by or contracting with a unit of government under § 33.24.

Unauthorized Vehicle. A vehicle that is subject to removal and impoundment pursuant to § 33.18(B), or M.S. § 168B.035 or 168B.04, sub. 2 as it may be amended from time to time, but is not a junk vehicle or an abandoned vehicle.

Unit Of Government. Includes a state department or agency, a special purpose district, and a

county, statutory or home rule charter city, or town.

Vital Component Parts. Those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle, including such things as the motor, drive train and wheels.

§ 33.17 VIOLATION TO ABANDON MOTOR VEHICLE.

Any person who abandons a motor vehicle on any public or private property, without the consent of the person in control of the property, is guilty of a misdemeanor.

Penalty, see § 10.99

§ 33.18 AUTHORITY TO IMPOUND VEHICLES.

(A) *Abandoned or junk vehicles.* The City Administrator or his or her designee or any peace officer of the city may take into custody and impound any abandoned or junk vehicle if the vehicle is on public property. If the abandoned or junk vehicle is located on private property, the vehicle shall not be removed or impounded until the provisions of § 33.18(C) are complied with.

(B) *Unauthorized vehicles.* The City Administrator, or his or her designee or any peace officer of the city may take into custody and impound any unauthorized vehicle under M.S. § 168B.04 as it may be amended from time to time. A vehicle may also be impounded after it has been left unattended in one of the following public or private locations for the indicated period of time:

(1) In a public location not governed by M.S. § 168B.035 as it may be amended from time to time:

(a) On a highway and properly tagged by a peace officer, four hours;

(b) Located so as to constitute an accident or traffic hazard to the traveling public, as determined by a peace officer, immediately; or

(c) That is a parking facility or other public property owned or controlled by a unit of government, properly posted, four hours; or

(2) On private property, only with the express permission of the owner of the property, a resident or other person in control of the premises:

(a) That is single-family or duplex residential property, immediately;

(b) That is private, nonresidential property, properly posted, immediately;

(c) That is private, nonresidential property, not posted, 24 hours; or

(d) That is any residential property, properly posted, immediately.

(3) If under division (B)(2) of this section, permission is not granted, then the city shall

not remove and impound any vehicle until the procedure established in division (B)(2) of this section have been followed.

(C) If the vehicle is on private property, the City Administrator or his or her designee, Code Enforcement Officer, or any peace officer employed or whose services are contracted for by the city may take into custody and impound any abandoned or junk vehicle on private property only with the permission of the owner of the property, a resident, or other person in control of the premises. If permission is denied, the city may declare the existence of the abandoned or junk vehicle to be a nuisance and proceed to abate the nuisance as provided for in §§ 92.15 through 92.23. Once the abatement procedure has been completed, the city may apply for an order from a court of competent jurisdiction authorizing the removal and impoundment of the vehicle and, after the order has been granted, the city may then remove and impound the vehicle.

§ 33.19 SALE; WAITING PERIODS.

(A) *Sale after 45 days.* An impounded vehicle is eligible for disposal or sale under § 33.23, 45 days after notice to the owner, if the vehicle is determined to be:

(1) A junk vehicle, except that it may have a valid, current registration plate and still be eligible for disposal or sale under this subdivision; or

(2) An abandoned vehicle.

(B) *Sale after 45 days.* An impounded vehicle is eligible for disposal or sale under § 33.23, 45 days after notice to the owner, if the vehicle is determined to be an unauthorized vehicle.

§ 33.20 NOTICE OF TAKING AND SALE.

(A) *Contents; notice given within five days.* When an impounded vehicle is taken into custody, the city or impound lot operator taking it into custody shall give notice of the taking within five days. The notice shall:

(1) Set forth the date and place of the taking; the year, make, model and serial number of the impounded motor vehicle if the information can be reasonably obtained; and the place where the vehicle is being held;

(2) Inform the owner and any lienholders of their right to reclaim the vehicle under § 33.21; and

(3) State that failure of the owner or lienholders to exercise their right to reclaim the vehicle and contents within the appropriate time allowed under § 33.19 shall be deemed a waiver by them of all right, title and interest in the vehicle and contents and a consent to the transfer of title to and disposal or sale of the vehicle and contents pursuant to § 33.23.

(B) *Notice by mail or publication.* The notice shall be sent by mail to the registered owner, if any, of an impounded vehicle and to all readily identifiable lienholders of record. The Department

makes this information available to impound lot operators for notification purposes. If it is impossible to determine with reasonable certainty the identity and address of the registered owner and all lienholders, the notice shall be published once in a newspaper of general circulation in the area where the motor vehicle was towed from or abandoned. Published notices may be grouped together for convenience and economy.

(C) *Unauthorized vehicles; notice.* If an unauthorized vehicle remains unclaimed after 30 days from the date the notice was sent under division (B) of this section, a second notice shall be sent by certified mail, return receipt requested, to the registered owner, if any, of the unauthorized vehicle and to all readily identifiable lienholders of record.

§ 33.21 RIGHT TO RECLAIM.

(A) *Payment of charges.* The owner or any lienholder of an impounded vehicle shall have a right to reclaim the vehicle from the city or impound lot operator taking it into custody upon payment of all towing and storage charges resulting from taking the vehicle into custody within 15 or 45 days, as applicable under § 33.19, after the date of the notice required by § 33.20.

(B) *Lienholders.* Nothing in this chapter shall be construed to impair any lien of a garagekeeper under the laws of this state, or the right of a lienholder to foreclose. For the purposes of this section, **Garagekeeper** is an operator of a parking place or establishment, an operator of a motor vehicle storage facility, or an operator of an establishment for the servicing, repair or maintenance of motor vehicles.

§ 33.22 OPERATOR'S DEFICIENCY CLAIM; CONSENT TO SALE.

(A) *Deficiency claim.* The nonpublic impound lot operator has a deficiency claim against the registered owner of the vehicle for the reasonable costs of services provided in the towing, storage and inspection of the vehicle minus the proceeds of the sale or auction. The claim for storage costs may not exceed the costs of:

(1) Twenty-five days storage for a vehicle described in § 33.19(A); and

(2) Fifty-five days storage for a vehicle described in § 33.19(B).

(B) *Implied consent to sale.* A registered owner who fails to claim the impounded vehicle within the applicable time period allowed under § 33.19 is deemed to waive any right to reclaim the vehicle and consents to the disposal or sale of the vehicle and its contents and transfer of title.

§ 33.23 DISPOSITION BY IMPOUND LOT.

(A) *Auction or sale.*

(1) If an abandoned or unauthorized vehicle and contents taken into custody by the city or any impound lot is not reclaimed under § 33.21, it may be disposed of or sold at auction or sale when eligible pursuant to §§ 33.20 and 33.21.

(2) The purchaser shall be given a receipt in a form prescribed by the Registrar of Motor Vehicles which shall be sufficient title to dispose of the vehicle. The receipt shall also entitle the purchaser to register the vehicle and receive a certificate of title, free and clear of all liens and claims of ownership. Before a vehicle is issued a new certificate of title, it must receive a motor vehicle safety check.

(B) *Unsold vehicles.* Abandoned or junk vehicles not sold by the city or public impound lots pursuant to division (A) of this section shall be disposed of in accordance with § 33.24.

(C) *Sale proceeds; public entities.* From the proceeds of a sale under this section by the city or public impound lot of an abandoned or unauthorized motor vehicle, the city shall reimburse itself for the cost of towing, preserving and storing the vehicle, and all administrative, notice and publication costs incurred in handling the vehicle pursuant to this chapter. Any remainder from the proceeds of a sale shall be held for the owner of the vehicle or entitled lienholder for 90 days and then shall be deposited in the city's general fund after the 90 days has passed.

(D) *Sale proceeds; nonpublic impound lots.* The operator of a nonpublic impound lot may retain any proceeds derived from a sale conducted under the authority of division (A) of this section. The operator may retain all proceeds from sale of any personal belongings and contents in the vehicle that were not claimed by the owner or the owner's agent before the sale, except that any suspected contraband or other items that likely would be subject to forfeiture in a criminal trial must be turned over to the appropriate law enforcement agency.

§ 33.24 DISPOSAL AUTHORITY.

The city may contract with others or may utilize its own equipment and personnel for the inventory of impounded motor vehicles and abandoned scrap metal and may utilize its own equipment and personnel for the collection, storage and transportation of these vehicles and abandoned scrap metal.

CHAPTER 34: ETHICS

Section	Page
34.01 Statement of policy	28
34.02 Creation and purpose	28
34.03 Applicability	28
34.04 Definitions.....	29
34.05 Responsibilities of public official	29
34.06 Standards of service and conduct.....	30
34.07 Fair treatment for employees	30
34.08 Prohibition of special treatment	30
34.09 Conflict of interest	31
34.10 Prohibited political activities	32
34.98 Violations.....	32

§ 34.01 STATEMENT OF POLICY.

Proper and efficient operation of municipal government in the city requires that its public officials be independent, impartial and responsible to the citizens; that municipal governmental decisions and policy be made in accord with the proper procedures established by the city; that municipal public office not be used for personal gain; and that the citizens of the city have confidence in the integrity of its municipal government.

§ 34.02 CREATION AND PURPOSE.

In recognition of the above-stated policy, there is established this Code of Ethics for all public officials of the city. The purpose of this code is to establish ethical standards of conduct for all public officials by delineating those actions that are incompatible with the best interest of the city and by directing disclosure by public officials of private, financial or other interests in matters affecting the city.

§ 34.03 APPLICABILITY.

(A) *Board of construction.* It is intended that this Code of Ethics be construed broadly so as to encompass all questionable situations and actions.

(B) *Advisory opinions.*

(1) *How requested.* Where any public official has a doubt as to the applicability of any provision of this Code to a particular situation or as to the definition of terms used herein, the Council may apply to the City Attorney for an advisory opinion. The public official shall have the opportunity to present his or her interpretation of the facts at issue and the applicability of provisions of this Code before the advisory opinion is rendered.

(2) *Status of advisory opinion.* The opinion rendered by the City Attorney, until amended or revoked, shall be binding on the city, the City Council and the City Attorney in any subsequent actions concerning the public official who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the public official's request for the advisory opinion. The opinion shall not be binding in any action initiated by any citizen.

(3) *Availability of information.* Any advisory opinion of the City Attorney shall be made public upon request. However, the names of all persons or business entities mentioned in the opinion, except that of the public official requesting the opinion, shall be deemed private information and shall not be disclosed by the City Attorney, unless the persons or business entities mentioned in the opinion waive such confidentiality.

§ 34.04 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Business Entity. Any business, proprietorship, firm, partnership, person in representative or fiduciary capacity, association, venture, trust or corporation.

Interest. Direct or indirect financial or material benefit realized by a public official as a result of a contract or transaction which is or may be the subject of an official act or action by or with the city, except for such contracts or transactions which confer a similar benefit on a significant number of persons who are not public officials. For the purposes of this Code, a public official shall be deemed to have an interest in the affairs of:

(1) A member of the family of a Council member which includes the Council member's spouse, parent, child, spouse of a child, brother, sister or spouse of a brother or sister.

(2) Any person or business entity with whom a contractual relationship exists with the public official.

(3) Any business entity in which the public official is an employee, officer, director or member.

(4) Any business entity in which in excess of 5% of the total stock or total legal and beneficial ownership is controlled or owned directly or indirectly by the public official.

Public Official. Any person, officer or employee holding a position by election, appointment or employment in the service of the city, whether paid or unpaid, including members of any board, committee or commission thereof.

§ 34.05 RESPONSIBILITIES OF PUBLIC OFFICIAL.

Public officials are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the Constitution of the United States and the Constitution of the State of

Minnesota. Public officials must carry out impartially the laws of the State of Minnesota, Isanti County and the City of Cambridge. Public officials must undertake their official duties with the highest standards of morality and discharge the specific duties of their respective offices, regardless of personal considerations, recognizing that the public interest must be their primary concern. Their conduct in carrying out their official responsibilities must be above reproach.

§ 34.06 STANDARDS OF SERVICE AND CONDUCT.

A Council member of the city shall discharge the duties of the position of Council member in good faith, in a manner that the Council member reasonably believes to be in the best interests of the city and with the care an ordinarily prudent person in a like position would exercise under similar circumstances. A Council member who so performs those duties is not liable by reason of being or having been a Council member of the city.

(A) *Adherence to objectives.* All public officials of the city should be loyal to the political objectives expressed by the electorate and the programs developed by appropriate municipal action to achieve those objectives. Appointed officials and employees should adhere to the rules of work and performance established as the standards for the positions by their appointing authorities.

(B) *Exercising of care and skill.* The duty to exercise reasonable care and skill, measured by the degree of care and skill than an ordinarily prudent person serving as a Council member of a similar municipality would exercise.

(C) *Interests of the city.* The duty of loyalty to the city requires a Council member to prefer the interests of the city over the Council member's own interests or the interests of others.

(D) *Providing of information.* All Council members must provide information to other Council members where the Council member or Council members have relevant information to a transaction for consideration by the Council. This assures that the same information will be imparted to all Council members. Likewise, a Council member who has taken action purportedly on behalf of or in the name of the city is obligated to inform other Council members and the City Administrator of such action.

(E) *Conformance with law/cooperation.* Public officials shall not exceed their authority or breach the law or ask others to do so. They should work in full cooperation with other public officials, unless prohibited from doing so by law or by legally recognized confidentiality of their work.

§ 34.07 FAIR TREATMENT FOR EMPLOYEES.

Council members shall not cause employees to suffer recriminations, abuse or humiliation for acting in a forthright, proper, honest and candid manner in performing their duties.

§ 34.08 PROHIBITION OF SPECIAL TREATMENT.

(A) *Use of public property.* No public official shall request or permit the use of city-owned

vehicles, equipment, materials or property for personal convenience or profit, except when such items are available to the public generally or are provided pursuant to municipal policy for the use of the public official in the conduct of Cambridge municipal businesses.

(B) *Equal treatment of citizens.* No public official shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

§ 34.09 CONFLICT OF INTEREST.

No public official shall engage in any business or transaction or shall have an interest which is incompatible with the discharge in the public interest of his or her official duties or which would tend to impair his or her independence of judgment or action in the performance of his or her official duties. Conflicts of interest include, but are not limited to the following.

(A) *Incompatible employment.* No public official shall engage in or accept private employment or render services for private interests when the employment or service is incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of those official duties.

(B) *Use of information.* No public official shall use any information gained exclusively from his or her public position or endeavors to in any way further his or her interest.

(C) *Disclosure of confidential information.* No public official shall, without proper legal authorization, disclose confidential information concerning the property, governmental or other affairs of the city.

(D) *Gifts and favors.* Public officials shall comply with the provision of M.S. § 471.895, as it may be amended from time to time, no public official shall accept any gift of more than token value, whether in the form of a service, loan, thing or promise, from any person, firm or corporation which to the public official's knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the city. For purposes of this section, token value shall mean a gift, a favor or thing worth no more than \$25.

(E) *Representation of private industries.* No public official whose salary is paid in full or in part by the city shall undertake any of the following actions.

(1) *Appearances before city agencies.* Except as provided in subsection (4), no public official shall appear on behalf of the private interests of any person or entity before any agency, board, committee, commission or other entity of the city.

(2) *Proceedings involving the city.* Except as provided in subsection (4), no public official shall represent the private interests of a person or entity in any threatened or commenced legal action or legal proceeding in which the city is a party when the private interests are contrary to the interests of the city.

(3) *Consultation/advice to private interests.* No public official shall counsel or provide

advice regarding the private interests of any person or entity with respect to a threatened or commenced legal action or legal proceeding in which the city is a party when the private interests are contrary to the city's interests.

(4) *Representation exception.* A public official may represent his or her own private interests before the city in matters or proceedings set forth in subsections (1) and (2) of this sections if:

(a) The public official renounces his or her public position and authority at all times relevant to representation of his or her own interests; and

(b) The representation is limited to the public official's own interests and does not directly encompass representation of the private interests of another person or entity.

(F) *Contracts with the city.* Except as otherwise provided in M.S. §§ 471.87 through 471.89, as they may be amended from time to time, no public official shall take part in the making of a sale, lease or contract for the city when he or she has an interest in the transaction; nor shall a member of the Cambridge City Council be directly or indirectly interested in any contract the City Council makes.

(G) *Interest in legislation.* No public official shall use his or her official position with the city to influence the passage or defeat of legislation, whether at the municipal or state level, in which the public official has an interest.

§ 34.10 PROHIBITED POLITICAL ACTIVITIES.

(A) *Solicitations.* No public official shall in any way solicit funds for any political party or for any political purpose from another public official.

(B) *Promises and appointments.* No public official shall promise an appointment to any city position or any other benefit or reward emanating from the official powers of the public official to a person in exchange for political activity.

§ 34.98 VIOLATIONS.

(A) *City Council members.* Any member of the City Council who violates this Code should consider whether voluntary resignation or other disciplinary action is indicated to promote the best interest of the city. The remainder of the City Council may censure any member of the Council who violates this Code.

(B) *Other public officials.* Any appointed officials or other employees of the city may be subject to suspension or dismissal from office as a result of violation of this Code.

CHAPTER 35: FINANCES AND TAXATION

Section	Page
35.01 Annual audit.....	33
35.02 Accounting Standards	33

§ 35.01 ANNUAL AUDIT.

Beginning with the year in which this section became effective and each year thereafter, there shall be an audit of the financial affairs of this city by the Public Examiner or a Public Accountant in accordance with minimum auditing procedures prescribed by the Public Examiner of the State of Minnesota.

§ 35.02 ACCOUNTING STANDARDS.

The City will conduct its accounting and investment practices in accordance with Minnesota State Law and the Governmental Accounting Standards Board (GASB) policies.

CHAPTER 36: EMERGENCY MANAGEMENT

Section	Page
36.01 Policy and purpose	34
36.02 Definitions.....	34
36.03 Establishment of emergency management organization.....	35
36.04 Powers and duties of Director.....	35
36.05 Local emergencies	37
36.06 Emergency regulations.....	37
36.07 Emergency management a government function.....	38
36.08 Participation in labor disputes or politics.....	38
36.99 Penalty.....	38

§ 36.01 POLICY AND PURPOSE.

Because of the existing possibility of the occurrence of disasters of unprecedented size and destruction resulting from fire, flood, tornado, blizzard, destructive winds or other natural causes, or from sabotage, hostile action, or from hazardous material mishaps of catastrophic measure; and in order to insure that preparations of this city will be adequate to deal with those disasters, and generally, to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of this city, it is hereby found and declared to be necessary:

- (A) To establish a city emergency management organization responsible for city planning and preparation for emergency government operations in time of disasters.
- (B) To provide for the exercise of necessary powers during emergencies and disasters.
- (C) To provide for the rendering of mutual aid between this city and other political subdivisions of this state and of other states with respect to the carrying out of emergency-preparedness functions.
- (D) To comply with the provisions of M.S. § 12.25, as it may be amended from time to time, which requires that each political subdivision of the state shall establish a local organization for emergency management.

§ 36.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Disaster. A situation which creates an immediate and serious impairment to the health and safety of any person, or a situation which has resulted in or is likely to result in catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.

Emergency. An unforeseen combination of circumstances which calls for immediate action to prevent from developing or occurring.

Emergency Management. The preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize, and repair injury and damage resulting from disasters caused by fire, flood, tornado, and other acts of nature, or from sabotage, hostile action, or from industrial hazardous material mishaps. These functions include, without limitation, fire-fighting services, police services, emergency medical services, engineering, warning services, communications, radiological, and chemical, evacuation, congregate care, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services and other functions related to civil protection, together with all other activities necessary or incidental for carrying out the foregoing functions. Emergency management includes those activities sometimes referred to as “civil defense” functions.

Emergency Management Forces. The total personnel resources engaged in city-level emergency management functions in accordance with the provisions of this chapter or any rule or order thereunder. This includes personnel from city departments, authorized volunteers, and private organizations and agencies.

Emergency Management Organization. The staff responsible for coordinating city-level planning and preparation for disaster response. This organization provides city liaison and coordination with federal, state, and local jurisdictions relative to disaster preparedness activities and assures implementation of federal and state program requirements.

§ 36.03 ESTABLISHMENT OF EMERGENCY MANAGEMENT ORGANIZATION.

There is hereby created within the city government an emergency management organization which shall be under the supervision and control of the City Emergency Management Director, called the Director. The Director shall be appointed by the Mayor with approval of the City Council for an indefinite term and may be removed by him or her at any time. The Director shall serve with a salary as established by the City Council and shall be paid his or her necessary expenses. The Director shall have direct responsibility for the organization, administration and operation of the emergency preparedness organization, subject to the direction and control of the Mayor.

§ 36.04 POWERS AND DUTIES OF DIRECTOR.

(A) The Director, with the consent of the Mayor, shall represent the city on any regional or state conference for emergency management. The Director shall develop proposed mutual aid agreements with other political subdivisions of the state for reciprocal emergency management aid and assistance in an emergency too great to be dealt with unassisted, and shall present these agreements to the Council for its action. These arrangements shall be consistent with the State Emergency Plan.

(B) The Director shall make studies and surveys of the human resources, industries, resources,

and facilities of the city as deemed necessary to determine their adequacy for emergency management and to plan for their most efficient use in time of an emergency or disaster. The Director shall establish the economic stabilization systems and measures, service staffs, boards, and sub-boards required, in accordance with state and federal plans and directions subject to the approval of the Mayor.

(C) The Director shall prepare a comprehensive emergency plan for the emergency preparedness of the city and shall present the plan to the Council for its approval. When the Council has approved the plan, it shall be the duty of all city agencies and all emergency preparedness forces of the city to perform the duties and functions assigned by the plan as approved. The plan may be modified in like manner from time to time. The Director shall coordinate the emergency management activities of the city to the end that they shall be consistent and fully integrated with the emergency plans of the federal government and the state and correlated with emergency plans of the county and other political subdivisions within the state.

(D) In accordance with the State and City Emergency Plan, the Director shall institute training programs, public information programs and conduct practice warning alerts and emergency exercises as may be necessary to assure prompt and effective operation of the City Emergency Plan when a disaster occurs.

(E) The Director shall utilize the personnel, services, equipment, supplies, and facilities of existing departments and agencies of the city to the maximum extent practicable. The officers and personnel of all city departments and agencies shall, to the maximum extent practicable, cooperate with and extend services and facilities to the city's emergency management organization and to the Governor upon request. The head of each department or agency in cooperation with the Director shall be responsible for the planning and programming of those emergency activities as will involve the utilization of the facilities of the department or agency.

(F) The Director shall, in cooperation with those city departments and agencies affected, assist in the organizing, recruiting, and training of emergency management personnel, which may be required on a volunteer basis to carry out the emergency plans of the city and state. To the extent that emergency personnel are recruited to augment a regular city department or agency for emergencies, they shall be assigned to the departments or agencies and shall be under the administration and control of the department or agency.

(G) Consistent with the state emergency services law, the Director shall coordinate the activity of municipal emergency management organizations within the city and assist in establishing and conducting training programs as required to assure emergency operational capability in the several services as provided by M.S. § 12.25, as it may be amended from time to time.

(H) The Director shall carry out all orders, rules, and regulations issued by the Governor with reference to emergency management.

(I) The Director shall prepare and submit reports on emergency preparedness activities when requested by the Mayor.

36.05 LOCAL EMERGENCIES.

(A) A local emergency may be declared only by the Mayor or his or her legal successor. It shall not be continued for a period in excess of three days except by or with the consent of the Council. Any order, or proclamation declaring, continuing, or terminating a local emergency shall be given prompt and general publicity and shall be filed in the office of the City Administrator.

(B) A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or inter-jurisdictional disaster plans, and may authorize aid and assistance thereunder.

(C) No jurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions. However, an inter-jurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions. Penalty, see § 36.99

§ 36.06 EMERGENCY REGULATIONS.

(A) Whenever necessary, to meet a declared emergency or to prepare for an emergency for which adequate regulations have not been adopted by the Governor or the Council, the Council may by resolution promulgate regulations, consistent with applicable federal or state law or regulation, respecting: the conduct of persons and the use of property during emergencies; the repair, maintenance, and safeguarding of essential public services, emergency health, fire, and safety regulations, drills or practice periods required for preliminary training, and all other matters which are required to protect public safety, health, and welfare in declared emergencies.

(B) Every resolution of emergency regulations shall be in writing; shall be dated; shall refer to the particular emergency to which it pertains, if so limited, and shall be filed in the office of the City Administrator. A copy shall be kept posted and available for public inspection during business hours. Notice of the existence of these regulations and their availability for inspection at the City Administrator's Office shall be conspicuously posted at the front of the city hall or other headquarters of the city or at other places in the affected area as the Council shall designate in the resolution. By resolution, the Council may modify or rescind a regulation.

(C) The Council may rescind any regulation by resolution at any time. If not sooner rescinded, every regulation shall expire at the end of 30 days after its effective date or at the end of the emergency to which it relates, whichever comes first. Any resolution, rule, or regulation inconsistent with an emergency regulation promulgated by the Council shall be suspended during the period of time and to the extent conflict exists.

(D) During a declared emergency, the city is, under the provisions of M.S. § 12.31, as it may be amended from time to time and notwithstanding any statutory or Charter provision to the contrary, empowered, through its Council, acting within or without the corporate limits of the city, to enter into contracts and incur obligations necessary to combat the disaster by protecting the health and safety of persons and property and providing emergency assistance to the victims of a disaster. The city may exercise these powers in the light of the exigencies of the disaster without compliance with

the time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering rental equipment agreements, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditure of public funds, including, but not limited to, publication of resolutions, publication of calls for bids, provisions of personnel laws and rules, provisions relating to low bids, and requirement for bids.

§ 36.07 EMERGENCY MANAGEMENT A GOVERNMENT FUNCTION.

All functions and activities relating to emergency management are hereby declared to be governmental functions. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this resolution or under the worker's compensation law, or under any pension law, nor the right of any person to receive any benefits or compensation under any act of Congress.

§ 36.08 PARTICIPATION IN LABOR DISPUTES OR POLITICS.

The emergency management organization shall not participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes, nor shall it be employed in a labor dispute.

§ 36.99 PENALTY.

Any person who violates any provision of this chapter or any regulation adopted thereunder relating to acts, omissions, or conduct other than official acts of city employees or officers is guilty of a misdemeanor.

CHAPTER 37: ENFORCEMENT OF ADMINISTRATIVE OFFENSES

Section	Page
37.01 Purpose	39
37.02 Scope/Relation to criminal proceedings.....	39
37.03 General Provisions and Administrative Offense.....	39
37.04 Administrative Citation	39
37.05 Payment.....	39
37.06 Administrative Hearing	40
37.07 Hearing officer	40
37.08 Failure to pay.....	40
37.09 Disposition of penalties.....	40
37.99 Offenses and penalties.....	40

§ 37.01 PURPOSE.

Administrative offense procedures established pursuant to this chapter are intended to provide the public and the city with an informal, cost effective, and expeditious alternative to traditional criminal charges for violations of certain ordinance provisions.

§ 37.02 SCOPE/RELATION TO CRIMINAL PROCEEDINGS.

Chapter 37 is intended to apply to certain traffic-related offenses as defined by Minnesota State Statute 169.333. The City, in its discretion, may choose not to initiate an administrative offense and may bring criminal charges in the first instance.

§ 37.03 GENERAL PROVISIONS AND ADMINISTRATIVE OFFENSE.

A traffic-related administrative offense is a violation of a provision of this code that is designated as an administrative offense in a resolution duly adopted by the City Council. Such resolution shall establish administrative penalties for each administrative offense.

§ 37.04 ADMINISTRATIVE CITATION.

Any officer of the Cambridge Police Department or any other person employed by the city, and having authority to enforce a code provision designated as an administrative offense, shall, upon determining that there has been a violation, notify the violator, or in the case of a vehicular violation, attach to the vehicle a notice of the violation. Said notice shall set forth the nature, date and time of violation, the name of the official issuing the notice, and the amount of the scheduled penalty.

§ 37.05 PAYMENT.

Once such notice is given, the alleged violator must, within 30 days after the issuance of the notice of the violation, pay the amount set forth on the schedule of penalties for the violation, or within 10 days may request a hearing in writing, as is provided for hereafter. The penalty may be paid in

person or by mail, and payment shall be deemed to be an admission of the violation.

§ 37.06 ADMINISTRATIVE HEARING.

(A) Any person contesting an administrative offense pursuant to this chapter may, within 10 days after the issuance of the notice of the violation, request a hearing. The request must be in writing and addressed to the Chief of Police. The Request must include the violators name and contact information, case or citation number, date of offense and a brief description of why a hearing is being requested. A form may be prescribed by the Chief of Police.

(B) The City shall establish certain dates and times when administrative hearings will be held but hearings should be conducted within 60 days from the time of request.

(C) A hearing officer shall conduct an informal hearing to determine if a violation has occurred. The hearing officer shall have authority to dismiss the violation or reduce or waive the penalty. If the violation is sustained by the hearing officer, the violator shall pay the penalty imposed, and a library fee to cover the cost of the hearing, within 30 days or within the time specified by the hearing officer.

§ 37.07 HEARING OFFICER.

The hearing officer shall be a neutral third party appointed by the City Council. The hearing officer is authorized to hear and determine any controversy relating to administrative offenses provided for in this chapter.

§ 37.08 FAILURE TO PAY.

In the event a party charged with an administrative offense fails to pay the administrative citation, a misdemeanor or petty misdemeanor charge may be brought against the alleged violator in accordance with applicable statutes, or the City may use traditional debt collection methods to collect the fine amount and any associated fees. If the penalty is paid or if an individual is found not to have committed the administrative offense by the hearing officer, no such charge may be brought by the city for the same violation.

§ 37.09 DISPOSITION OF PENALTIES.

All penalties collected pursuant to this chapter shall be paid to the city's Finance Director and may be deposited in the city's general fund. Minnesota Statute 169.999 Sub (5) sets the fine amount for certain traffic offenses and requires that a portion of the fine payment shall be dispersed to both the State Commissioner of Finance and the police department for law enforcement purposes.

§ 37.99 OFFENSES AND PENALTIES.

(A) Offenses that may be charged as administrative offenses and the penalties for such offenses may be established by resolution of the City Council from time to time. Copies of such resolutions shall be maintained in the office of the City Administrator.

**CHAPTER 38: ADMINISTRATIVE CITATIONS FOR ENFORCEMENT OF THE CITY
CODE**

Section	Page
38.01 Purpose.....	41
38.02 Scope.....	41
38.03 General Provisions	41
38.04 Notice of Violation and Administrative Citation Procedure.....	41
38.05 Administrative Hearing.....	42
38.06 Hearing Officer	43
38.07 Penalties and Civil Recovery	43

§ 38.01 PURPOSE.

Administrative offense procedures established pursuant to this chapter are intended to provide the public and the city with an informal, cost effective, and expeditious alternative to traditional criminal charges for violations of certain ordinance provisions.

§ 38.02 SCOPE.

The administrative citation procedures and penalties in this chapter may be used for any violation of city code except those governed by Chapter 37 of the City Code. The provisions of this chapter may be used concurrently with or in addition to any other procedure or remedy, criminal or civil, the City may pursue under City Code, state law, or federal law.

§ 38.03 GENERAL PROVISIONS.

(A) A violation of any provision of the city code is considered an administrative offense subject to the issuance of an administrative citation and civil penalties pursuant to this chapter. Each day a violation exists constitutes a separate offense. Violations may also be considered criminal offenses and charged out accordingly.

(B) In cases where code violations involve real property, both the responsible party and the property owner may be held accountable for violations occurring on the said property after proper notice is given.

(C) Persons authorized to enforce city code violations include, but is not limited to, any licensed Police Officer, any Police Reserve Officer, Community Service Officer, or police personnel approved by the Chief of Police, any designated City Code Enforcement personnel, Building Official, Building Inspector, Zoning Administrator, Fire Chief, Deputy Fire Chief, and the City Administrator. Persons may be restricted to enforcement of offenses within their respective departments.

§ 38.04 NOTICE OF VIOLATION AND ADMINISTRATIVE CITATION PROCEDURE.

(A) A person authorized to enforce provisions of the city code may issue an administrative citation upon belief that a code violation has occurred.

(B) If the code violation involves real property, a Property Maintenance Concern Letter must be sent to the property owner and the tenant notifying them of the violations before an administrative citation is issued, unless this is a subsequent violation within a 12 month period, at which time the letter can accompany any citation issued.

(C) The citation must be issued in person or by US first class mail to the person responsible for the violation and to the property owner identified by the Isanti County Property Record. The owner of the property is responsible for the actions of the property tenants and shall ensure compliance with city codes as it affects their property.

(D) The person responsible for the violation must either pay the scheduled civil penalty and bring the property into compliance within 10 days, or request a hearing within 10 days after issuance of the citation.

(E) A property owner or tenant may request an extension to come into compliance, which may be granted or denied by the City. If an extension to come into compliance is requested and granted, and the property owner or tenant does not come into compliance by the extension date, the administrative fine imposed with the citation for the violation shall not be rescinded. Additionally, a request for an extension to the compliance deadline shall constitute an admission to the violation, and a waiver of a right to request a hearing and under subparts (D) of 3804 and Subpart (C) of 38.05.

(F) The City reserves the authority to use the abatement process as outlined in Chapter 92 Nuisances, Section 92.21, in lieu of or in addition to the process as outlined in this Chapter.

(G) The City Administrator and the Chief of Police are authorized to promulgate rules and forms to affect the procedures herein.

§ 38.05 ADMINISTRATIVE HEARING.

(A) Any person contesting an administrative offense pursuant to this chapter may, with 10 days after the issuance of the administrative citation, request a hearing, except for those persons who requested an extension as indicated in 38.04 (D).

(B) If requesting a hearing for code violations not involving real property, the request must be in writing and executed by the person cited. It must be addressed to the Chief of Police and minimally state the violators name and contact information, case or citation number, date and type of the offense and a brief description of why a hearing is being requested. A form may be prescribed by the Chief of Police.

(C) If requesting a hearing for a code violation involving real property, the request must be in writing and addressed to the City's Code Enforcement Officer and executed by the property owner, tenant, person cited, or person with an ownership interest in the property. It must minimally state the location involved, date, and type of offense, the name and contact information of that person, that person's relationship to the property involved, the property owner's current name and contact information, and a brief statement why the hearing is being requested. In cases where a non-owner tenant is seeking a hearing, and where action is required to bring the property into compliance, the

property owner will be notified and should be present during any hearing to represent their interest and responsibilities. The City is not required to hold more than one hearing per property for same or similar offenses. Failure to bring a property into compliance will result in potential criminal, civil or abatement action being taken against both the property owner and the tenant.

(D) The City may designate certain days when administrative hearings will be held, but hearings should be conducted within 90 days from the time of request if not sooner. The City may at any time, dismiss an administrative citation and issue a criminal citation if it is believed this is a better course of action to gain compliance.

(E) A hearing officer shall conduct an informal hearing to determine if a violation has occurred. The hearing officer shall have the authority to dismiss the violation or reduce or waive the penalty. If the violation is sustained by the hearing officer, the person(s) found responsible shall pay the penalty imposed and a library fee equal to the cost of the hearing within thirty days (30) of the date of the decision or within the time specified by the hearing officer. If the case involves real property and code violations requiring attention, the property shall also be brought into compliance by the date specified by the hearing officer. Both the property owner and tenant may be held responsible for this.

§ 38.06 HEARING OFFICER.

The hearing officer shall be a neutral third party appointed by the City Council. The hearing officer is authorized to hear and determine any controversy relating to administrative offenses of the city code.

§ 38.99 PENALTIES AND CIVIL RECOVERY.

(A) An administrative offense may be subject to a civil penalty not less than \$20.00 nor shall it exceed \$2,000. The City Council must adopt a schedule of civil penalties for offenses initiated by administrative citation. The City Council may adopt a schedule of fees to be paid to administrative hearing officers.

(B) Subsequent offenses. In the event a person or property owner is charged with a subsequent administrative offense within a 12-month period of paying an administrative penalty for the same or substantially similar offense, the subsequent administrative penalty may be doubled except as otherwise provided by resolution.

(C) Any person cited for an administrative offense must either pay the scheduled civil penalty within 30 days, or request a hearing within 10 days after citation issuance.

(D) Any person, tenant, or property owner, cited for an administrative offense involving code or zoning violations upon real property, must either pay the scheduled civil penalty within 30 days, and bring the property into compliance within 10 days or request a hearing within 10 days after citation issuance.

(E) Payment of the civil penalty constitutes admission of the violation.

- (F) If a civil penalty is not paid within the time specified, a lien will be placed upon the real property upon which the violation occurred. A lien may be assessed against the property and collected in the same manner as taxes.
- (G) A personal obligation may be collected by any appropriate legal means. The City may use traditional debt collection methods to collect the fine and any associated fees.
- (H) A late payment fee of 10% can be assessed for each 30 day period, or part there-of, that the fine remains unpaid after the due date.
- (I) During the time the civil penalty remains unpaid, no city approval will be granted for a license, permit, or other city approval sought by the violator of for property under the violator's ownership or control.
- (J) If the citation is not paid and the violations not corrected a Criminal Citation may be issued as well.
- (K) The City reserves the authority to use the abatement process as outlined in Chapter 92 Nuisances, Section 92.21, in lieu of or in addition to the process as outlined in this chapter.

CHAPTER 39: RESTRICTIONS ON USE OF THE NAME “CITY OF CAMBRIDGE” AND CITY’S OFFICIAL SEAL AND LOGO

Section	Page
39.01 Definitions	45
39.02 Regulations Governing Use	45
39.03 Injunction for Unauthorized Use.....	45
39.04 Administrative Penalty	46

§39.01 Definitions

As used in this Chapter, the following shall mean:

City Name. City of Cambridge, City of Cambridge, MN, or Cambridge, MN.

Corporate Seal. Contains the words "City of Cambridge Corporate Seal, Isanti County, Minnesota" typecast in a circular format.

Logo.



Organization. Intended to and shall mean and include all formal and informal groups, associations, and aggregates of persons, groups and/or associations which are not themselves legal entities, whether singular or plural.

Person. Intended to and shall mean and include any and all persons, whether natural or corporate, and all other entities and organizations, whether singular or plural.

Property. Means all real property as well as all tangible and intangible personal property.

§ 39.02 Regulations Governing Use

It shall be unlawful for any person to use the name, logos, or official seal of the City of Cambridge, whether directly or indirectly, expressly or by implication, in a way that creates the perception that the city, and/or its departments, agencies or programs, are involved in, or supports or endorses in any way, a person or organization in any pursuit, activity, or thing of any kind whatsoever, including but not limited to causes or events.

License for use. Nothing in this article shall restrict the City Administrator from entering into a licensing agreement with any person or organization for the use of the city's name, logos or official seal for any purpose and without monetary consideration, provided such licensing agreement is in writing and signed by the City Administrator. However, the City Administrator, may from time to time be authorized by resolution of the City Council to enter into licensing agreements with revenue generating potential on behalf of the city for the use of the city's name, logos or official seal.

§39.03 Injunction for unauthorized use.

In the event that a person intends to use the city's name, logo and/or official seal without the city's consent, the city shall have the right to seek an injunction to prevent such use. In the event that a person uses the city's name, logo or official seal without the city's consent, the city shall have the right to an injunction to prevent future use as well as damages for the unauthorized use of the city's name, logo or official seal.

§39.04 Administrative Penalty

In addition to the right to seek an injunction, the City may issue an administrative citation as provided by Chapter 38 of the City Code.