

# CHAPTER 10

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## LAND SUBDIVISION AND PLATTING REGULATION

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**Section 10.01. Purpose.** This chapter is adopted for the orderly, economic, and safe development of land and urban services and facilities, and to promote the public health, safety, and general welfare of the City pursuant to the authority contained in Minnesota Statutes, chapters 429, 471, and 505. This chapter shall include minimum physical standards and design requirements as to such urban services and facilities, and procedures for appeals from actions of the platting authority. Except as may be otherwise provided herein, the provisions of this chapter shall apply within the corporate limits of the City of New Ulm and also to unincorporated areas as to which the City Council has determined or hereafter does determine by resolution pursuant to Minnesota Statutes, sections 462.351 through 462.364 that such regulations shall apply.

**Section 10.02. Definitions.** The following terms, for this chapter, shall have the meanings stated:

**Subdivision 1.** The term "alley" means a public right-of-way less than 30 feet in width that provides secondary access to the property.

**Subd. 2.** The term "block" means a tract of land bounded by streets, shorelines, or boundary lines in the City.

**Subd. 3.** The term "boulevard reserve" means an easement established adjacent to a dedicated street for the purpose of establishing open space adjacent to the street, and which area is designated in the recorded plat as "boulevard reserve".

**Subd. 4.** The term "building setback line" means a line within a lot or other parcel of land, between which line and the adjacent boundary of the street upon which the lot abuts the erection of a building is prohibited.

**Subd. 5.** The term "collector street" means a street that carries traffic from minor streets to the major system of thoroughfares and highways, including the principal entrance streets of residential districts.

**Subd. 6.** The term "Comprehensive Plan" means the group of maps, charts, and texts that make up the Comprehensive Plan of the City.

**Subd. 7.** The term "cul-de-sac" means a minor street having one open end and being permanently terminated by a vehicle turn-around.

**Subd. 8.** The term "deflection angle" means the angle between a line and the prolongation of the preceding line.

**Subd. 9.** The term "design standards" means the specifications to land owners for the preparation of plats, both preliminary and final, indicating, among other things, the

1 optimum, minimum, or maximum dimensions of such items as right-of-way, blocks,  
2 easements, and lots.

3 **Subd. 10.** The term "double frontage lot" means an interior lot that has a pair of opposite  
4 lot lines along two substantially parallel streets.

5 **Subd. 11.** The term "developer" means a person proposing development and/or  
6 subdivision of property.

7 **Subd. 12.** The term "easement" means a grant by a property owner for the use of a strip  
8 of land for the purpose of constructing and maintaining any public utilities, storm drainage  
9 ways, or ponding areas.

10 **Subd. 13.** The term "final plat" means a drawing or map of the subdivision, meeting all  
11 requirements of the City and in such form as is required by the County for recording.

12 **Subd. 14.** The term "local street" or "minor street" means a street that is used for access  
13 to abutting properties.

14 **Subd. 15.** The term "lot" means a portion of a subdivision or other parcel of land intended  
15 for building development or for transfer of ownership, and including as a minimum such  
16 open spaces as are required and having frontage on a public street.

17 **Subd. 16.** The term "official map" means a map adopted within the Comprehensive Plan  
18 showing existing streets, proposed future streets, and the area needed for the widening  
19 of existing streets of the City; it may also show the location of existing and future public  
20 land and facilities within the City.

21 **Subd. 17.** The term "owner" includes the plural as well as the singular and, where  
22 appropriate, shall include a natural person, partnership, firm, association, public or quasi-  
23 public corporation, or any combination of them. It shall also include any developer acting  
24 on behalf of, or as agent for, the legal owner or beneficial owner.

25 **Subd. 18.** The words "parks" and "playgrounds" mean public lands and open spaces  
26 dedicated or reserved for recreation purposes.

27 **Subd. 19.** The term "percentage of grade" means the rise or fall of a slope in feet and  
28 tenths of a foot for each 100 feet of horizontal distance. The center line of a street shall  
29 be used to determine the street rise of grade.

30 **Subd. 20.** The term "pedestrian way" means a public or private right-of-way across a  
31 block or within a block to provide access for pedestrians, and which may be used for the  
32 installation of utility lines when approved by the Public Utilities Commission, Planning  
33 Commission, and City Council.

34 **Subd. 21.** The term "preliminary plat" means preliminary map tract or chart indicating the  
35 land out of the subdivision to be submitted to the Planning Commission for its  
36 consideration.

37 **Subd. 22.** The term "sidewalk" means a concrete walk way of four feet or more in width,  
38 having a minimum of 2% grade toward public right-of-way and running parallel to such  
39 right-of-way.

40 **Subd. 23.** The term "street" means a public right-of-way 60 feet or more in width,  
41 affording a primary access by pedestrians and vehicles to abutting properties, whether  
42 designated as a street, highway, thoroughfare, parkway, throughway, road, avenue,  
43 boulevard, place, or other designation.

44 **Subd. 24.** The term "street grade" means the center line grade of the street, which shall

1 be related to the property line grades as shown on standard street cross-sections on file  
2 in the City Engineer's office.

3 **Subd. 25.** The term "street width" means the shortest distance between lines of lots  
4 delineating the street.

5 **Subd. 26.** The term "subdivision" means the division of a lot, tract, or parcel of land into  
6 two or more lots, sites, or other divisions of land for the purpose of transfer of ownership  
7 or building development; and, if a new street is involved, any division of a parcel of land.  
8 The term includes re-subdivision and where appropriate to the context, relates either to  
9 the process of subdividing or to the land subdivided.

10 **Subd. 27.** The term "tangent" means a straight line departing from a curve, which line is  
11 perpendicular to the radius of that curve.

12 **Subd. 28.** The term "thoroughfare street" means an arterial street which is used primarily  
13 for heavy traffic, and which serves as an arterial traffic way between the various districts  
14 of the City.

15 **Subd. 29.** The term "variance" means a modification of the provisions of this chapter, as  
16 applied to a specific piece of property.

17 **Subd. 30.** The term "vertical curve" means the surface curvature on a street center line  
18 located between lines of different percentage of grade.

## 19 20 **Section 10.03. Rules and restrictions.**

### 21 **Subdivision 1. Basic rules.**

22 **A.** Any proposed subdivision plat presented to the City for approval shall be in  
23 conformity with the official map of the City, if the same shall be in existence at the time  
24 of such presentation.

25 **B.** No plat, re-plat, subdivision, or division of an existing parcel of land within the City  
26 shall be filed or accepted for filing by the Brown County Recorder unless it is  
27 accompanied by a certified copy of a resolution adopted by the City Council approving  
28 such plat, re-plat, subdivision or division.

29 **C.** The provisions of this chapter shall apply to all lands currently within the City and  
30 also to additional areas over which the City may assert or acquire jurisdiction in the  
31 future.

32 **Subd. 2. Restrictions on filing and recording conveyances.** No conveyance of land  
33 shall be filed or recorded if the property is described therein by metes and bounds, or by  
34 reference to an unapproved registered land survey made after January 1, 1966, but this  
35 subdivision does not apply to a conveyance if the land:

36 **A.** was a separate parcel of record on January 1, 1966, or was the subject of a written  
37 agreement to convey entered into prior to such time; or,

38 **B.** was a separate parcel of land of not less than two and one-half acres in area and  
39 150 feet in width on January 1, 1966, or is a single parcel of land of not less than five  
40 acres and having a width of not less than 300 feet.

41 **C.** is approved for simple lot division pursuant to section 10.07.

42 In any case in which compliance with the foregoing restrictions will create an  
43 unnecessary hardship, and failure to comply does not interfere with the purpose of the

1 subdivision regulations, the City Council may waive such compliance by adoption of a  
2 resolution to that effect, and the conveyance may then be filed or recorded.

3 **Subd. 3. Exceptions.** The requirements of this chapter shall not apply to proposed  
4 subdivisions outside the corporate limits that have minimum lot areas of 40 acres or  
5 more. The provisions of sections 10.04 through 10.09 shall not apply to previously-  
6 approved subdivisions outside the corporate limits of the City.

7 **Subd. 4. Permits.** No permit for the erection of a building shall be issued unless the  
8 building is to be located on a parcel of land abutting on a street which has been  
9 designated on an approved plat or on the official map, or which has been otherwise  
10 approved by the City Council, and unless the building conforms to the established  
11 building line. This limitation on issuing permits shall not apply to planned developments  
12 approved by the City Council pursuant to chapter 9 of the City Code. No permit shall be  
13 issued for the construction of a building on any lot or parcel conveyed in violation of the  
14 provisions of this chapter.

15 **Subd. 5. Penalties and remedies.** Any owner of land who conveys a lot or parcel in  
16 violation of the provisions of this chapter shall be guilty of a misdemeanor for each lot or  
17 parcel so conveyed. In addition to the foregoing criminal penalty, the City may seek a  
18 court order to enjoin a conveyance in violation of this chapter.

19  
20 **Section 10.04. Design standards and required improvements.**

21 **Subdivision 1. Design standards.**

22 **A. Blocks.**

23 **1. Block length.** In general, intersecting streets that determine block lengths shall be  
24 provided at such intervals as to serve cross-traffic adequately and to meet existing  
25 streets. Where no existing plats control, the blocks in residential subdivisions shall not  
26 normally exceed 1800 feet in length, except where topography or other conditions  
27 justify a departure from this maximum. In blocks longer than 900 feet, dedicated  
28 pedestrian ways through the block at least 10 feet wide, at the blocks' approximate  
29 centers, may be required. Blocks for business or industrial use should normally not  
30 exceed 600 feet in length.

31 **2. Block width.** The width of the block shall normally be sufficient to allow two tiers of  
32 lots of appropriate depth. Blocks intended for business or industrial use shall be of  
33 such width as to be considered most suitable for their respective use, including  
34 adequate space for off-street parking and deliveries.

35 **B. Lots.**

36 **1.** The width, depth, and area of a lot shall not be less than the minimum requirements  
37 of the appropriate zoning district. For parcels outside the corporate limits to which the  
38 provisions of this chapter apply, the minimum lot area shall be 40 acres.

39 **2.** All lots must have at least the minimum required frontage on a public dedicated  
40 street.

41 **3.** Side lot lines shall be substantially at right angles or radial to the street line.

42 **4.** Double-frontage or lots with frontage on two parallel streets shall not be permitted,  
43 except where topographic or other conditions render subdividing otherwise  
44 unreasonable. Such double-frontage lots shall have an additional depth of at least 20

1 feet, in order to allow space for screen planting along the back lot line.

2 **5.** Lots abutting on a water course, drainage way, channel, or stream shall have an  
3 additional depth or width as required, to assure that building sites are not subject to  
4 flooding.

5 **6.** Setback or building lines shall not be less than the setback required by the  
6 provisions of chapter 9.

7 **7.** Corner lots for residential use shall have additional width to permit appropriate  
8 building setback from both streets as required in the provisions of chapter 9.

9 **C. Streets, alleys and sidewalks.**

10 **1.** The arrangement of thoroughfares and collector streets shall conform as nearly as  
11 possible to the Comprehensive Plan. Except for cul-de-sacs, streets normally shall  
12 connect with streets already dedicated in adjoining or adjacent subdivision, or provide  
13 for future connections to adjoining unsubdivided tracts, or shall be a reasonable  
14 projection of streets in the nearest subdivided tracts. The arrangement of  
15 thoroughfares and collector streets shall be considered in their relation to the  
16 reasonable circulation of traffic, to topographic conditions, to runoff storm water, to  
17 public convenience and safety, and in their appropriate relation to the proposed use of  
18 the area to be served.

19 **2.** Minor streets should be so planned as to discourage their use by non-local traffic.  
20 Dead-end streets are prohibited, but cul-de-sacs will be permitted where topography  
21 or other conditions justify their use. Permanent cul-de-sacs shall normally not be  
22 longer than 750 feet, including a terminal turnaround that shall be provided at the  
23 closed end, with a right-of-way radius of not less than 50 feet.

24 **3.** Where a final plat will include only part of the tract owned or intended for  
25 development by the owner, a tentative plan of a proposed future street system for the  
26 unsubdivided portion shall be prepared and submitted by the owner as a section of  
27 the preliminary plat.

28 **4.** When a tract is subdivided into larger than normal building lots or parcels, such lots  
29 or parcels shall be so arranged as to permit the logical location and openings of future  
30 streets and appropriate re-subdivision, with provision for adequate utility connections  
31 for such re-subdivision.

32 **5.** Under normal conditions, streets shall be laid out so as to intersect as nearly as  
33 possible at right angles, except where topography or other conditions justify  
34 variations. The minimum angle of intersection of streets shall be 80 degrees. Street  
35 intersection jogs with an offset of less than 125 feet shall be avoided.

36 **6.** Alleys shall be provided in commercial and industrial districts, except that this  
37 requirement may be waived where other definite and assured provision is made for  
38 service access, such as off-street loading, unloading, and parking, consistent with and  
39 adequate for the uses proposed, and alleys shall also be provided in residential  
40 districts unless waived by the City Council. Alleys, where provided, shall not be less  
41 than 20 feet wide for residential alleys and not less than 25 feet wide for commercial  
42 and industrial alleys. Dead-end alleys shall not be permitted, except that this  
43 requirement may be waived where an adequate turnaround is provided.

44 **7.** Dedication of half streets will not be approved, except where it is essential to the

1 reasonable development of the subdivision and in conformity with the other  
2 requirements of these regulations, where it is found that it will be practical to require  
3 the dedication of the other half when the adjoining property is subdivided, or where it  
4 becomes necessary to acquire the remaining half by condemnation so it may be  
5 improved in the public interest.

6 **8.** For all public ways hereafter dedicated and accepted, the minimum right-of-way  
7 widths for streets and thoroughfares shall be as shown in the Comprehensive Plan,  
8 and where not shown therein, the minimum right-of-way width for streets,  
9 thoroughfares, alleys, pedestrian ways, or sidewalks included in any subdivision shall  
10 not be less than the minimum dimensions for each classification as follows:

	Minimum
11 Arterial highway	80 feet
12 Thoroughfare	80 feet
13 Collector street	80 feet
14 Minor street	60 feet
15 Residential alley	20 feet
16 Industrial-commercial alley	25 feet
17 Pedestrian way	10 feet
18 Sidewalks	5 feet

19  
20 Where existing or anticipated traffic on thoroughfares warrants greater widths of right-  
21 of-way, these shall be required.

22 **9.** All proposed streets shall be offered for dedication as public streets. No private  
23 streets shall be permitted.

24 **10.** A tangent of at least 100 feet shall be introduced between reverse curves on  
25 arterial and collector streets, and 50 feet on other streets.

26 **11.** Where street center lines within a block have a deflection angle of more than 10  
27 degrees, there shall be a connecting curve with a radius adequate to insure a sight  
28 distance of not less than 200 feet for minor and collector streets, and of such greater  
29 radii as the Planning Commission shall determine for special cases.

30 **12.** The grades on all streets, thoroughfares, collector streets, and minor streets in  
31 any subdivision shall not be greater than the maximum grades for each classification,  
32 as follows:

33 Thoroughfares	5 %
34 Collector streets	5 %
35 Minor streets	8 %

36 In addition, there shall be a minimum grade of not less than 0.3% on all streets and  
37 thoroughfares.

38 **13.** All sidewalks shall be at least 5 feet wide if the street width is less than 80 feet,  
39 and at least 6 feet wide if the street width is 80 feet or greater, and all sidewalks shall  
40 be pitched and positioned in accordance with existing City Engineer's specifications.

41 **D. Water and sanitary sewer connection.** Prior to or concurrent with construction on  
42 any lot within the subdivision, connection shall be made with City water and sanitary  
43 sewer systems, and no private water or sewer disposal system shall be permitted,  
44 unless a variance is granted by the City Council. Such connections shall be made in

1 accordance with standards established by regulation or policies of the Public Utilities  
2 Commission.

3 **E. Easement.**

4 1. An easement for utilities, at least 10 feet wide, shall be dedicated along each side  
5 of the rear lot line of lots, and along any other lot line as may be deemed necessary to  
6 form a continuous right-of-way at least 20 feet in width. If necessary for the extension  
7 of water or sewer mains, lines, or similar utilities, easements of greater width may be  
8 required along lot lines or across lots.

9 2. Utility easements shall connect with easements established in adjoining properties.

10 3. Where a subdivision is traversed by a water course, drainage way, channel, or  
11 stream, a storm water easement, drainage right-of-way, or park dedication, whichever  
12 the Planning Commission may deem the most adequate, shall be dedicated. The  
13 width of such easements shall be determined by the City Engineer.

14 **F. Public sites, parks, and open spaces.**

15 **1. Findings and purpose.**

16 a. The City Council finds that the preservation and development of parks,  
17 playgrounds, and open space areas within the City are essential to maintaining a  
18 healthy and desirable environment for residents and persons employed within the  
19 City, and it also finds that the value and attractiveness of residential, commercial,  
20 and industrial developments to land owners, owners, purchasers, employers, and  
21 employees is significantly enhanced by the presence of such park and open space  
22 amenities.

23 b. Minnesota Statutes Section 462.358 Subd. 2b provides that municipal subdivision  
24 regulations may require that a reasonable portion of any proposed subdivision be  
25 dedicated to the public or preserved for conservation purposes or for public use as  
26 parks, playgrounds, trails, wetlands, or open space, and that the municipality may  
27 alternatively accept an equivalent amount in cash.

28 c. The City Council finds that it is appropriate that each development within the City  
29 contribute toward the City's park system in proportion to the benefit provided and the  
30 burden it will place upon that system. Therefore, these parkland donation regulations  
31 are established to require new developments to contribute toward the City's park  
32 system in rough proportion to the relative burden they will place upon that system.

33 d. That the City Council adopts a standard of 5 acres per 1000 residents in  
34 determining the amount of park dedication required for any given residential  
35 development. Assuming an average household size of 3.1 persons results in the  
36 need for 675 square feet of parkland dedication per unit to maintain the standard for  
37 residential development.

38 e. That the need for dedication of lands for parks, playgrounds and open spaces is  
39 contemplated in the City's Comprehensive Plan which also generally designates the  
40 location of future parks.

41 **2. Standards for accepting dedication of land for public purposes.** In considering  
42 the acceptance of the dedication of land for public purposes the following special  
43 provisions shall apply:

44 a. **Essential nexus.** There must be an essential nexus between the fees or

1 dedication requirement imposed under this section and the municipal purpose  
2 sought to be achieved by the required fee and/or dedication required. The fee and/or  
3 dedication requirement shall bear a rough proportionality to the need created by the  
4 proposed subdivision or development.

5 **b. Land dedication.** A park land dedication of 675 square feet per residential  
6 dwelling unit shall be required in the R-1, R-2 and R-3 zoning districts.

7 **c. Eligible Land.** To be eligible for park dedication, land dedicated must be located  
8 outside of the drainage ways, flood plains or ponding areas after the site has been  
9 developed. Absent unusual conditions, stormwater drainage areas and holding  
10 areas or ponds shall not be considered wetlands. Where wetlands have been  
11 determined to have a park function by the Park and Recreation Commission, credit  
12 against the park dedication requirement may be given for the wetland area and  
13 adjoining land areas below the high water level at a rate determined and approved  
14 by the City Council. If the trails and/or sidewalks are absent on an improved  
15 roadway adjacent to the dedicated parkland, the square footage and cost associated  
16 with the construction of the trails and sidewalks may be considered for park land  
17 dedication credit. If any public structural amenities (benches, etc) are proposed by  
18 the owner, those items may also be eligible for a parkland dedication credit, subject  
19 to the approval by the Park and Recreation Commission and City Council.  
20 Expenditures made for the improvements or other structural amenities will be  
21 refunded out of the parkland dedication funding source.

22 **d. Credit For Dedication.** When land is dedicated for park or trail purposes the  
23 owner shall receive a credit against the City's normal parkland dedication fee  
24 requirement in an amount equal to the predevelopment value of the area dedicated  
25 as agreed to by the owner and City. To the extent that the established value of the  
26 parkland so dedicated is less than the parkland dedication fee set by the City for the  
27 proposed subdivision, the owner shall pay the difference as a parkland dedication  
28 fee. The amount per acre calculated for credit purposes shall be the same amount  
29 paid to the owner by the City if the City requires additional parkland in excess of the  
30 minimum amount required by this section.

31 **e. Payment Options.** The City shall have the option of requiring, (i) the payment of  
32 a parkland dedication fee in lieu of the land dedication required herein, (ii) the actual  
33 dedication of parkland as required herein, or (iii) a combination of both. The amount  
34 of the parkland dedication fee shall be as set forth in the then current City fee  
35 schedule. In the event that the value of land dedicated exceeds the required  
36 parkland dedication fee amount applicable, the owner shall be paid the excess value  
37 in cash by the City

38 **f. Partial dedication and partial payment.** The City may permit or require the  
39 owner to provide a partial dedication of parkland and a partial cash payment in  
40 accordance with the requirements set forth above. In establishing the area to be  
41 dedicated for public parkland within a subdivision, the City may consider the open  
42 space, park, recreational or common areas and facilities, which the owner proposes  
43 to privately establish for the subdivision.

44 **g. Approval.** All park equipment and landscaping provided by the owner must be



1 approved by the Park and Recreation Commission.

2 **h. Prior dedication.** Where an owner proposes a further subdivision of a parcel for  
3 which dedication of land or cash has previously been made in connection with a  
4 prior subdivision, but for which an additional parkland dedication fee is required  
5 upon further subdivision, credit shall be given for the prior dedication or payments.

6 **i. Use of payments.** All parkland dedication fees shall be placed in a separate  
7 account and used only for the purposes for which the money was obtained. The  
8 special account will be used only for the acquisition and development of public open  
9 space, landscaping, signage, playgrounds, development of existing park and  
10 playground sites.

11 **3. Required improvements.** Owners shall be responsible for making certain  
12 improvements to the proposed development for park, playground and public open  
13 space purposes:

14 **a. Removal of debris.** Areas to be dedicated for public park, trail, or ponding shall  
15 be brought to a suitable condition by the owner prior to acceptance by the City. All  
16 dead trees, trash, junk, unwanted structures, and other similar undesirable elements  
17 shall be removed at the owner's expense.

18 **b. Grading and cover.** The owner shall provide finished grading and a cover of at  
19 least six (6") inches or more of topsoil on the park site. In addition, the owner shall  
20 be made responsible for seeding the park with a seed mixture approved by the Park  
21 and Recreation Director. Park dedication credit will be given for the cost of this work.  
22 Prior to the commencement of any such improvements, the City and owner shall  
23 agree upon the scope of work and estimated cost of such final grading.

24 **c. Trails outside rights-of-way.** Trails as part of the recreational system, outside of  
25 the right-of-way and public properties, shall be utilized toward parkland dedication,  
26 as long as the trail is dedicated to the City.

27 **Subd. 2. Basic improvements.**

28 **A. General.**

29 **1. Approval.**

30 **a.** No private construction will be done on the land in any subdivision until all  
31 municipal utilities have been installed and acceptable street access has been  
32 provided. The method of street access is subject to the approval of the City Engineer  
33 prior to construction.

34 **b.** Prior to the making of required improvements, the owner shall deposit with the  
35 Finance Director an amount equal to the City Engineer's estimated cost of such  
36 improvements, either in cash or an indemnity bond, with sureties satisfactory to the  
37 City, conditioned upon the payment of all expenses incurred by the City for  
38 engineering and legal fees and other expenses in connection with the making of  
39 such improvements.

40 **c.** No final plat shall be approved by the City Council without first receiving a report  
41 from the City Engineer certifying that the improvements described herein, together  
42 with the agreements and documents required herein, meet the minimum  
43 requirements of all applicable ordinances.

44 **d.** No final plat shall be approved by the City Council on land subject to flooding or

1 containing poor drainage facilities, or on land that would make adequate drainage of  
2 streets and lots impossible. However, if the owner agrees to make improvements  
3 that will, in opinion of the City Engineer, make the area completely safe for  
4 residential occupancy and provide drainage, the final plat of the subdivision may be  
5 approved.

6 **e.** A certified copy of the plat restriction shall be filed with the City Manager and  
7 County Recorder, which shall include a provision that, in all instruments of sale or  
8 conveyance given for properties contained in a plat for which street improvements  
9 have been made, the grantee shall agree to and approve such improvements and  
10 the assessment of their costs.

11 **f.** All required improvements to be installed under the provisions of this chapter shall  
12 be inspected during the course of the construction by the City Engineer or the City  
13 Engineer's designee. All the inspection costs pursuant thereto shall be paid by the  
14 owner as prescribed herein.

15 **2. City financing.** Upon recommendation of the City Engineer and with the approval  
16 of the City Council, any or all of the required improvements may be financed and  
17 assessed as provided by the City Charter or by Minnesota Statutes.

18 **3. Financing by owner.** If deemed advisable and in the best interests of the City, the  
19 City Council may require the owner to finance and pay for any or all improvements,  
20 including improvements required by the Public Utilities Commission. Prior to the  
21 making of such required improvements, the owner shall deliver to the City Manager a  
22 complete copy of all plans and specifications for the projected improvements. These  
23 plans and specifications must be approved by the City Council if the owner contracts  
24 the improvements to be done. The contract for improvements likewise must be  
25 submitted to the City Council and its approval secured. The City shall have the  
26 authority, from time to time, to examine the progress of the work to insure that it  
27 complies with the plans and specifications.

28 **B. Improvements.** The following improvements shall be constructed as provided for in  
29 this section. Programming of improvements shall be approved by the City Engineer.

30 **1. City obligation.** The City may construct, furnish, and install, at City expense, the  
31 following improvements. Furnishing of these improvements shall be commensurate  
32 with available City funds for such work and according to programs and priorities as  
33 established by the City Council. If the owner desires any of these improvements  
34 sooner than the City would be able to furnish them, then the costs of the following  
35 improvements shall be paid by the owner.

36 **a.** Storm sewer, culverts, storm water inlets, and storm drainage facilities will be  
37 constructed where, in the opinion of the City, such provisions are necessary to  
38 insure adequate storm water drainage for the subdivision. However, in the case of  
39 drainage improvements needed in newly annexed areas or from trunk storm sewers  
40 serving the areas exceeding three acres, the City Council may assess the cost of  
41 the improvement in part or entirely against benefited property owners.

42 **b.** Street signs of standard design will be installed at each street intersection.

43 **c.** Curb, gutter, and street paving will be constructed upon resolution of the City  
44 Council, which resolution may be rendered upon petition by the abutting property

1 owners or upon the initiative of the City Council.

2 **2. Obligation of the owner.** The owner shall pay the proportionate amount of the  
3 following improvements on or for the owner's subdivision or development.

4 **a. Site grading.** Necessary site grading shall be accomplished by the owner.

5 **b. Street grading.** Street grading for the full width of right-of-way shall be  
6 accomplished by the owner. If no site grading is to be accomplished, the street  
7 grading will be included with subsequent street improvements. Street grading shall  
8 follow all underground utilities work within the street right-of-way. Where street  
9 grading is not to be immediately followed by street paving, the owner may be  
10 required to provide permanent grade markers at the right-of-way line of all streets of  
11 a standard approved by the City Engineer.

12 **c. Street improvements.** Street improvements including base, boulevard sodding,  
13 inlets, and leads, according to standard City specifications or as approved by the  
14 City Engineer, shall be constructed. All required underground work, including water  
15 and gas service between the mains and curb line, shall precede any permanent  
16 street improvements. Any improvements on a County road shall be approved by the  
17 County Engineer. Temporary construction may, at the discretion of the City  
18 Engineer, be required, for just cause, on any street, or portion thereof. The full  
19 driving width of all streets shall be improved with gravel as approved by the City  
20 Engineer. Reconstruction or alteration in any way of existing streets affected by the  
21 plat or improvements thereupon, shall be subject to the approval of the City  
22 Engineer. All costs therein incurred, for either temporary access or reconstruction,  
23 shall be borne by the owner.

24 **d. Sanitary sewer.** Where City sewer is, or will be, available at the boundary of the  
25 subdivision, it shall be constructed according to City specifications. The cost of any  
26 required pumping stations, deemed necessary by the Engineer, shall be assessed  
27 against the benefited property. If a variance has been granted by the City Council to  
28 permit private sewage disposal facilities, such facilities shall be constructed  
29 according to City and state specifications. Consideration shall be given to future  
30 availability of City sewer in such installations. Such information shall be recorded on  
31 the plat and in each deed so affected.

32 **e. Water.** If a variance has been granted by the City Council to permit private water  
33 systems, such systems shall be constructed according to City and state  
34 specifications.

35 **f. Trees.** Boulevard trees, if desired, shall be installed by the owner in accordance  
36 with City standards.

37 **g. Sidewalks.** All sidewalk installation shall be constructed in accordance with  
38 engineering specifications approved by the City Council. Unless specifically waived  
39 by the City Council, sidewalks shall be installed adjacent to all streets in newly-  
40 platted subdivisions concurrently with curb and gutter improvements.

41  
42 **Section 10.05. Electric, telephone, TV cable and other similar utility construction to**  
43 **be underground.**

44 **Subdivision 1. Underground construction required.** All utility lines hereafter installed,

1 constructed, or otherwise placed within the City for electric, telephone, TV cable, or other  
2 similar services to serve customers in newly platted areas, and which utilize metallic  
3 conductors to carry electric current, whether owned, installed, or constructed by the  
4 supplier, consumer, or any other person, shall be installed and placed underground in an  
5 approved, safe manner, subject only to the exceptions hereinafter stated.

6 **Subd. 2. Exceptions to application.** The following exceptions to the strict applicability of  
7 this section shall be allowed upon the conditions stated:

8 **A.** Aboveground placement, construction, modification, or replacement of meters,  
9 gauges, transformers, street lighting, and service connection pedestals shall be  
10 allowed.

11 **B.** Aboveground placement, construction, modification or replacement of lines  
12 commonly referred to as "high voltage" transmission lines upon which the conductor's  
13 normal operating voltage equals or exceeds 13,200 volts-phase-to-phase shall be  
14 allowed, provided that the Public Utilities Commission finds and determines that  
15 underground construction thereof is unreasonably burdensome. In making this  
16 determination, the Public Utilities Commission shall take into consideration the aesthetic  
17 consequences of overhead construction as well as the practical factors involved.

18 **C.** Aboveground placement, construction, modification, or replacement of lines shall be  
19 allowed in areas where the City Council, following consideration and recommendation  
20 by the Planning Commission, finds that:

21 1. Underground placement is impractical or not technically feasible due to  
22 topographical, subsoil, or other existing conditions which adversely affect  
23 underground utility placement.

- 24 2. Aboveground placement of temporary service line shall only be allowed:  
25 a. During the new construction of any project for a period not to exceed 24 months.  
26 b. During an emergency to safeguard lives or property within the City.  
27 c. For a period of not more than seven months when soil conditions make  
28 excavation impractical.

29 **Subd. 3. Repair and maintenance of existing installations.** Nothing in this section  
30 shall be construed to prevent repair, maintenance, replacement, or modification of  
31 existing overhead utility lines.

32 **Subd. 4. Owner responsibility.** All owners are responsible for complying with the  
33 requirements of this section, and prior to the final approval of any plat or development  
34 plan, shall submit to the Planning Commission written instruments from the Public Utilities  
35 Commission showing that all necessary arrangements with the Commission for  
36 installation of such utilities have been made.

37 **Subd. 5. Placement.**

38 **A.** All utility lines shall be placed within appropriate easements or dedicated public ways  
39 so as to cause minimum conflict with other underground services. Whenever feasible,  
40 all utilities shall be placed within the same trench.

41 **B.** The Public Utilities Commission shall maintain current maps revealing locations of  
42 underground installations whether such installations were installed prior to the adoption  
43 of this section or hereafter.  
44

1 **Section 10.06. Utility easements.**

2 **Subdivision 1. Location of easements.** Except as otherwise provided by this chapter,  
3 all electric and gas distribution lines, piping, roadways, curbs, walks, and other similar  
4 improvements shall be constructed only on a street or other public way or easement  
5 which is designated on an approved plat, or properly indicated on the official map of the  
6 City, or which has otherwise been approved by the City Council.

7 **Subd. 2. Vacation of easements.** The City Council may vacate any publicly owned utility  
8 easement or boulevard reserve, or any portion thereof, which is not being used for sewer,  
9 drainage, electric, telegraph, telephone, gas, or steam purposes, or for boulevard reserve  
10 purposes, in the same manner as vacation proceedings are conducted for streets, alleys,  
11 and other public ways.

12  
13 **Section 10.07. Simple lot division.**

14 **Subdivision 1. When allowed.** Simple lot division procedure may be followed in the  
15 following cases:

16 **A.** Where no new building lot is created by the division.

17 **B.** Where a new building is created but,

18 1. A corner lot is subdivided into two parcels in an R-2 zone, or,

19 2. In a Business or Industrial District, a lot is divided into two parcels and each of the  
20 resulting parcels has four sides that are parallel to, or at right angles to, the lot lines  
21 existing before the division.

22 **Subd. 2. Procedure.** Procedure for approval of a simple lot division shall be the same as  
23 prescribed in section 10.06, subdivision 2, except as follows:

24 **A.** A plot plan and legal description of the properties after division shall be submitted in  
25 lieu of a plat.

26 **B.** If any proposed division will necessitate a variance from zoning requirements, a  
27 petition for such a variance may be processed concurrently with the petition for simple  
28 lot division.

29 **Subd. 3. Compliance with regulations.** Notwithstanding anything to the contrary herein,  
30 the City Council may, in its discretion, require compliance with all land subdivision  
31 regulations of this chapter for property that would otherwise qualify for simple lot division  
32 under this section.

33  
34 **Section 10.08. Preliminary plats.** The owner shall prepare and file a preliminary plat for  
35 the owner's own guidance and assistance as to requirements and compliance with law.

36 **Subdivision 1. Requirements.**

37 **A. Identification and description.**

38 1. Proposed name of subdivision, which name shall not duplicate the name of any plat  
39 heretofore recorded in the County.

40 2. Location by section, township, and range, or by other legal description.

41 3. Names and addresses of the owner and developer, if different than the owner,  
42 having control of the lands included in said preliminary plat, the designer of the plat,  
43 and the surveyor.

44 4. Graphic scale, not less than one inch to 100 feet.

1           5. North point.

2           6. Date of preparation.

3           **B. Existing conditions.**

4           1. Boundary line survey, including measured distances and angles, which shall close  
5 by latitude and departure with an error of closure not exceeding one foot in 7,500 feet.

6           2. Total acreage in said preliminary plat computed to one-tenth of an acre.

7           3. Location and names of existing or platted streets or other public ways, parks, and  
8 other public open spaces, permanent buildings and structures, easements and section  
9 and corporate lines within the tract and to a distance of 100 feet beyond the tract.

10          4. If the proposed subdivision is a rearrangement or a re-plat of any former plat, the lot  
11 and block arrangement of the original plat, along with its original names, shall be  
12 indicated by dotted or dashed lines. Also, any revised or vacated roadways of the  
13 original plat shall be so indicated.

14          5. Location and size of existing paved streets, railroads, sewers, water mains, gravel  
15 pits, culverts, or other underground facilities within the tract and to a distance of 100  
16 feet beyond the tract. Also such data as grades, invert elevations, and location of  
17 catch basins, manholes, and hydrants.

18          6. Boundary lines of adjoining platted or unplatted land within 100 feet of the tract.

19          7. Complete topographic map, with contour intervals not greater than two feet, water  
20 courses, marshes, rock outcrops, and other significant features, all superimposed on  
21 at least one print of the preliminary plat. United States Geodetic Survey data shall be  
22 used for all topographic mapping. High water elevation and date thereof shall be  
23 shown if parts of the platted property are wet or have been wet. In the case of a  
24 subdivision where no new street is involved, the required topographic map may be  
25 waived if it is deemed unnecessary by the City Engineer and the Planning  
26 Commission.

27          **C. Proposed development design features.**

28          1. Layout of proposed streets, showing right-of-way widths and proposed names of  
29 streets. The name of any street similar to or heretofore used in the City shall not be  
30 permitted unless the proposed street is an extension of an already named street, in  
31 which event the name shall be used. All street names shall be subject to the approval  
32 of the Planning Commission and City Council.

33          2. Locations and widths of alleys, pedestrian ways, and utility easements.

34          3. Proposed center line grades of all new streets and alleys, if any, and a complete set  
35 of profiles showing both existing and proposed grade lines.

36          4. Location, size, and approximate gradient of sewer lines, and a site grading plan of  
37 the entire development area showing final finished elevations and storm water  
38 drainage provisions, with contour intervals not greater than two feet.

39          5. Layout, numbers, and approximate dimensions of lots and the number or letter of  
40 each block.

41          6. Building setback lines with dimensions.

42          7. Location and size of proposed parks, playgrounds, churches, school sites, or other  
43 special uses of land to be considered for dedication to public use, or to be reserved by  
44 deed of covenant for the use of all property owners in the subdivision, and any

1 conditions of such dedication or reservation.

2 8. Vicinity sketch, at a legible scale, to show the relation of the plat to its surroundings,  
3 and surrounding zoning districts.

4 **Subd. 2. Procedure.**

5 **A. Filing.** The owner shall prepare and submit five copies of a preliminary plat, together  
6 with any necessary supplementary information. Copies of a preliminary plat of any  
7 proposed subdivision shall be filed with the City Manager. Every preliminary plat shall  
8 contain the required data set forth in this section.

9 **B. Consideration by the Planning Commission.**

10 1. A preliminary plat shall be filed at least 10 days prior to the Planning Commission  
11 meeting at which the same shall be considered. The City Engineer or City Planner  
12 shall prepare a report thereon, setting out whether or not said plat meets the  
13 requirements of law and the provisions of chapter 9. The City Engineer or City Planner  
14 shall present said report, together with the recommendations thereon, to the next  
15 meeting of the Planning Commission.

16 2. The Planning Commission shall consider the said plat at such regular, special, or  
17 adjourned meetings as it shall determine are necessary.

18 3. The Planning Commission shall have the authority to recommend approval or  
19 disapproval of said preliminary plat, to recommend approval with conditions attached,  
20 or to recommend disapproval until and unless certain conditions are first complied  
21 with.

22 4. Upon the making of its determination, the Planning Commission shall make findings  
23 that include all conditions it requires for recommendation of approval, or conditions  
24 upon which approval should be granted, and shall set forth the reasons for the  
25 recommendation of approval. A copy of the findings shall be sent forthwith to the  
26 owner and to the City Council, together with the plat if it is recommended for approval,  
27 conditionally or otherwise.

28 **C. Consideration by the City Council.**

29 1. Upon the adoption of a recommendation for approval by the Planning Commission,  
30 the said plat shall come before the City Council for review.

31 2. The City Council may hold such public hearings on the said plat as it shall in its  
32 discretion determine, and upon such notice as it shall provide.

33 3. The City Council shall have authority to approve, disapprove, modify, or amend the  
34 recommendation of the Planning Commission, and it may refer the same to the  
35 Planning Commission for further study. A referral to the Planning Commission shall  
36 not be deemed a final action thereon by the City Council, and the Planning  
37 Commission shall report back thereon no later than 45 days following the City Council  
38 meeting at which it was referred.

39 4. Upon final decision by the City Council, it shall make findings.

40 5. Upon decision by the City Council, the City Manager shall transmit a copy of the  
41 findings, or notice of adoption without change, to the owner.

42 6. The approval of the preliminary plat shall not constitute an acceptance of the  
43 subdivision, but it shall be deemed to be an authorization to proceed with the  
44 preparation of the final plat.

1 7. The approval of the preliminary plat by the City Council shall be effective for a  
2 period of one year from the date of such approval.

3 8. The owner may file a final plat limited to such portion of the preliminary plat that the  
4 owner proposes to record and develop at the time, provided that such portion must  
5 conform to all requirements of this chapter. If some portion, or all, of the final plat has  
6 not been submitted to the Planning Commission for approval within the time  
7 hereinabove provided, a preliminary plat must again be submitted to the Planning  
8 Commission and the City Council for approval, unless the Commission and the City  
9 Council shall waive this requirement.

10  
11 **Section 10.09. Final plats.**

12 **Subdivision 1. Requirements.**

13 **A. Contents.**

14 1. The final plat prepared for recording purposes shall be prepared in accordance with  
15 all provisions of law.

16 2. Name of subdivision; names shall not duplicate or too closely approximate the  
17 name of any existing subdivision in the City.

18 3. Location by section, township, range, County and State, including descriptive  
19 boundaries of the subdivision based on an accurate description, giving angular and  
20 linear dimensions which must mathematically close. The allowable error of closure on  
21 any portion of a final plat shall be one foot in 7,500 feet.

22 4. The location of monuments shall be shown and described on the final plat.  
23 Locations of such monuments shall be shown in reference to existing official  
24 documents or the nearest established street lines, including true angles and distances  
25 to such reference points or monuments. Permanent markers shall be placed at each  
26 corner of every block or portion of a block, points of curvature and points of tangency  
27 on street lines, and at each angle point on the boundary of the subdivision. A  
28 permanent marker shall be deemed to be a steel rod or pipe, one half inch or larger in  
29 diameter, extending at least three feet below the finished grade. In situations where  
30 conditions prohibit the placing of markers in the locations prescribed above, offset  
31 markers will be permitted. The exact location of all markers shall be shown on the final  
32 plat, together with accurate interior angles, bearings, and distances. Permanent  
33 monuments shall be placed at all quarter section points within the subdivision or on its  
34 perimeter.

35 5. Location of lots, streets, public highways, alleys, sidewalks, parks, and other  
36 features, with accurate dimensions in feet and decimals of feet, with the length of radii  
37 and arcs of all curves, and with all other information necessary to reproduce the plat  
38 on the ground. Dimensions shall be shown from all angle points and points of curve to  
39 lot lines.

40 6. Boundary lines and description of boundary lines of any areas, other than streets  
41 and alleys, which are to be dedicated or reserved for public use.

42 7. Lots shall be numbered clearly. If blocks are to be numbered, or lettered, these  
43 shall be shown clearly in the center of the block.

44 8. Building setback lines on front and side streets with dimensions.



1 9. Name and address of owner, developer if different than owner, and surveyor  
2 making the plat.

3 10. Scale of plat (the scale to be shown graphically and in feet per inch), date, and  
4 north point.

5 11. Statement dedicating all easements as follows: "Easements for installation and  
6 maintenance of utilities and drainage facilities are reserved in the strips marked 'utility  
7 easements', together with a right-of-way over and across the same".

8 12. Statement dedicating all streets, sidewalks, pedestrian ways, alleys, and other  
9 public areas not previously dedicated as follows: "Streets, sidewalks, alleys,  
10 pedestrian ways, and other public areas shown on the plat and not heretofore  
11 dedicated to public use are hereby so dedicated".

12 13. Statement establishing building setback lines as follows: "Building setback lines  
13 are hereby established as shown on the accompanying plat and no building or portion  
14 thereof shall be built between such line and the street line".

15 **B. Certificates required.**

16 1. Notarized certification by owner, and by any mortgage holder of record, of the  
17 adoption of the plat and the dedication of streets and other public areas.

18 2. Notarized certification by a registered land surveyor, to the effect that the plat  
19 represents a survey made by the surveyor, and that monuments and markers shown  
20 therein exist as located and that all dimension and geodetic details are correct.

21 3. Certification showing that all taxes and special assessments due on the property  
22 have been paid in full.

23 4. Space for Certificates of Approval to be filled in by the signatures of the City  
24 Engineer, Chair of the City Planning Commission, President of the City Council,  
25 Mayor, and City Manager.

26 5. The form for approval by County authorities as required.

27 **C. Supplementary documents and information.**

28 1. A complete set of street profiles showing grade lines as constructed.

29 2. Copies of any private restrictions affecting the subdivision or any part thereof.

30 **Subd. 2. Procedure.**

31 **A. Filing.** The owner shall submit a final plat together with any necessary  
32 supplementary information. The original and five copies of the final plat shall be filed  
33 with the City Manager, and one of the five copies shall be on a reproducible medium.

34 **B. Consideration by the Planning Commission.**

35 1. The final plat shall be submitted to the City Manager at least 10 days prior to the  
36 Planning Commission meeting at which the same shall be considered. The City  
37 Engineer or City Planner shall prepare a report thereon, setting out whether or not  
38 said final plat is in substantial agreement with the preliminary plat, if any, and if not, in  
39 which particulars it varies therefrom, and whether or not it conforms to the  
40 requirements of law, and whether the final plat meets all the conditions attached to the  
41 final approval of the preliminary plat.

42 2. The Planning Commission shall consider the said final plat at a regular, special, or  
43 adjourned meeting.

44 3. The Planning Commission shall have the authority to recommend approval or

1 disapproval of said final plat. If it shall determine that it cannot recommend approval  
2 unless certain conditions are attached, it shall by findings set forth the conditions for  
3 approval and forthwith send a copy of such to the owner, and all further action on the  
4 plat shall be suspended until the owner shall respond thereto, provided that if no  
5 further action is taken by the owner within a period of three months from the date of  
6 the adoption of such conditions, the plat shall be deemed to be disapproved.

7 **4.** Final action by motion on the final plat shall be communicated forthwith to the  
8 owner by the Secretary of the Planning Commission, and a copy of the findings shall  
9 be sent to the City Council, together with the plat and such other data as the  
10 Commission shall determine.

11 **C. Consideration by the City Council.**

12 **1.** Upon the adoption of the motion of approval or disapproval by the Planning  
13 Commission, the final plat shall come before the City Council for review.

14 **2.** If the City Council is not satisfied with the final plat as presented, it may: (1)  
15 disapprove the same; (2) set forth such condition and requirements as it shall require  
16 to be fulfilled before the same is approved; or (3) refer the same to the Planning  
17 Commission for such further action as it shall determine. Upon such referral, the  
18 Planning Commission shall act thereon at the next meeting and report back to the City  
19 Council no later than 45 days after the said action of the City Council.

20 **3.** If the City Council shall determine to approve the plat, it shall do so by resolution,  
21 and the resolution shall provide for the acceptance of all streets, alleys, easements or  
22 other public ways, parks, and other spaces dedicated to public purposes.

23 **4.** The action of the City Council finally determining the matter shall be communicated  
24 by the City Manager to the owner, and if the plat be disapproved, the City Manager  
25 shall set forth the reasons given by the City Council for such determination.

26 **D. City Attorney's approval.** Before any such final action shall be taken, the plat and  
27 abstracts of title shall be referred to the City Attorney for examination and opinion both  
28 as to title and proceedings, together with the date for hearing thereon, which shall afford  
29 sufficient time for examination, preparations of opinions, and publication of the  
30 necessary notice of hearing.

31 **E. Hearing.** After the City Attorney's examination of title and proceedings, the City shall  
32 prepare a notice of time and place for a public hearing thereon, which notice shall be  
33 published once in the official newspaper of the City at least 10 days prior to the date of  
34 hearing. At such public hearing before the City Council, all persons interested in the plat  
35 shall be heard and the City Council may thereafter approve or disapprove the plat, but  
36 failure of the City Council to act on the final plat within 60 days after the hearing shall be  
37 deemed approval. The grounds for disapproval shall be set forth in findings served upon  
38 the owner.

39  
40 **Section 10.10. Variances.** An application for a variance to the requirements of this chapter  
41 may be submitted in writing to the City Manager, stating fully and clearly all facts relied  
42 upon by the applicant. The application may be supplemented with maps, plans, or other  
43 additional data that may aid the Planning Commission in the analysis of the proposed  
44 variance. Overall plans for any development shall be included, with such covenants,

1 restrictions, or other legal provisions necessary. Such application shall be forthwith  
2 transmitted to the Planning Commission for consideration and recommendation to the City  
3 Council in accordance with the standards and procedures set forth in subdivisions 2  
4 through 4 of section 9.81 of the City Code.

5  
6 **Section 10.11. Numbering of houses and buildings.** The following system of house  
7 numbering upon the streets and avenues in the City of New Ulm is hereby adopted, and  
8 houses and buildings shall be assigned numbers in accordance with the following plan:

9 **Subdivision 1. Northwesterly/southeasterly streets.** All streets running Northwesterly  
10 and Southeasterly shall be divided by Center Street, and Center Street shall be used as  
11 the starting point for numbering such streets Northwesterly and Southeasterly  
12 respectively. That part of any street running Northwesterly from Center Street shall, for  
13 the purpose of this ordinance, receive the additional designation of "North" as "N.  
14 Minnesota Street", and that part of any street running Southeasterly from Center Street,  
15 shall receive the additional designation of "South" as "S. Minnesota Street."

16 **Subd. 2. Streets parallel with Center Street.** Front Street shall be used as the starting  
17 point for numbering all streets running parallel with Center Street, and the numbers on  
18 such streets shall commence with 100 on Front Street and run therefrom Southwesterly  
19 along such streets. The number below 100 on such streets may be assigned to parts on  
20 such streets, or other streets running Northeasterly from said Front Street.

21 **Subd. 3. Streets within outlots.** The starting point for numbering all streets platted  
22 within outlots shall be determined by the City Council, but shall in general follow the  
23 method set forth in the preceding two paragraphs.

24 **Subd. 4. Numbering within blocks.** Numbers shall be assigned to every 25 feet or less  
25 lineal front distance in each block. If more than one doorway exists on such distance,  
26 such additional doorway may be designated by the addition of a 1/2 to the regular number  
27 of such distance. The even numbers shall always be used on the right hand side, and the  
28 odd numbers shall always be used on the left hand side of all streets, from their  
29 respective starting points. The numbering of each street, except as herein otherwise  
30 provided for, shall commence with 1 at its starting point, and every consecutive block  
31 after the first block from the starting point, shall commence with such consecutive 100 as  
32 such block is distant in blocks from the starting point of such street. All whole numbers  
33 shall be at least 3 inches in height and placed on, above, or immediately adjoining the  
34 doorway or other conspicuous place, so that the same are at all times in plain sight from  
35 the sidewalk on such street.

36 **Subd. 5. Map.** The Finance Director shall cause to be prepared and keep in the Finance  
37 Director's office a map or maps of convenient size, on which shall be shown the  
38 numbering of houses and buildings, which now are or hereafter may be erected on any  
39 street or avenue in this City, as provided in this section, and shall furnish to any owner,  
40 occupant, or agent of any such house or buildings, upon application and without charge,  
41 such information as will enable such person to procure and display the correct numbers  
42 upon the premises in question.

43 **Subd. 6. Placement of numbers.** The City Council shall give public notice by resolution,  
44 published once in the official newspaper of said City, whenever it requires all owners of

1 houses and buildings within said City or certain limits thereof designated in such  
2 resolution, to place the correct numbers upon such houses and buildings within said  
3 limits; whereupon it shall be the duty of all such owners of houses and buildings on the  
4 streets designated within said limits to obtain from the Finance Director the correct  
5 numbers of their respective houses and buildings, and to cause said numbers to be  
6 properly placed and to maintain in a conspicuous place on such houses and buildings, in  
7 conformity with the provisions of this section, within 30 days from the date of publication  
8 of such notice.

9 **Subd. 7. Unauthorized numbers.** No person shall display on any house or building  
10 fronting on any street, avenue, alley, or public ground, any numbering different from the  
11 numbers authorized herein to be placed thereon.

12 **Subd. 8. Violation.** Any person failing to comply with the provisions of this section shall  
13 be guilty of a misdemeanor. Each day such violation shall continue shall be and  
14 constituted a separate offense hereunder.

15  
16 **Section 10.12. Misrepresentations.** It is unlawful for any person to misrepresent that any  
17 improvement on any street has been constructed according to the plans and specifications  
18 approved by the City Council, or has been supervised or inspected by the City or any  
19 designated agency, when in fact such improvements have not been so constructed,  
20 supervised, or inspected.