

ORDINANCE NO. 338

CITY OF MAPLE PLAIN

**AN ORDINANCE AMENDING MAPLE PLAIN CITY CODE CHAPTER 1 ADDING
GENERAL PERMIT FEE AND APPEAL PROCEDURE**

THE CITY COUNCIL OF THE CITY OF MAPLE PLAIN DOES ORDAIN:

SECTION 1. AMENDMENT. The Maple Plain City Code Chapter 1 is hereby amended as set forth below to add the following sections:

Section 1-19. – General fee.

Whenever in this Code or in any ordinance of the City a permit is required where no specific fee has been established, the fee shall be the general fee provided in the City fee schedule.

Section 1-20. – Appeal procedure.

- (a) *Appeals.* The appeal procedure set forth in this section shall be followed as specified by reference in the Code and shall be available to any person directly and adversely affected by the order or decision of, or the imposition of conditions by, a city board, department, officer, or employee where no other procedure is specified in this Code.
- (1) A person wishing to appeal shall file with the City Administrator a written request for a hearing within 14 days after receipt of notification of the activity on which the appeal is based. The request shall specify the order, decision, or condition being appealed, and the date notification was received.
 - (2) The request shall thereupon be scheduled for a hearing at a regularly scheduled meeting of the City Council as set by the City Administrator.
 - (3) The City shall, upon receipt of the request, provide written notice of the time and place of the hearing to the requesting party.
 - (4) The person requesting an appeal shall submit to the City Administrator all testimony and evidence which they intend to present to the City Council at least 7 days prior to the scheduled hearing. Any testimony and evidence which has not been submitted to the City Administrator as provided herein shall not be heard or presented at the scheduled hearing.
 - (5) All testimony and evidence submitted by the person appealing and which is offered by the person, board, or department whose action, order, or conditions prompted the appeal shall be included in the published packet for the scheduled City Council meeting.
 - (6) The City Council shall hear relevant testimony and receive relevant evidence which has been submitted by the person appealing and that which is offered

by the person, board, or department whose action, order, or conditions prompted the appeal. As the trier of fact, the council or its designee shall make the determination of the relevancy of testimony or evidence.

(7) After considering all such evidence and testimony submitted and the report of the designee, if any, the City Council may order on the record such action as it, in its sole discretion, deems appropriate.

(b) *Exceptions.* The provisions of this section shall not be available in the following circumstances:

(1) Appeals resulting from the commencement of legal proceedings, whether civil or criminal.

(2) Where some other appeal procedure is specified in this Code.

(3) An appeal from the result of another appeal process set forth in this Code.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publications as required by law.

Adopted by the City Council of the City of Maple Plain this ____ day of _____, 2025.

Julie Maas-Kusske, Mayor

ATTEST:

Jacob Kolander, City Administrator

Published in the _____ on _____, 2025.