

Township of Breitung Agenda-Special Board Meeting

**Township of Breitung Special Board Meeting 11/17/2022 to be held at the
Breitung Community Center at 11:00am
33 1st Avenue, Soudan, MN 55782**

- Call the meeting to order/Roll Call
- Acceptance of Agenda
- Approval of Minutes
 - 10/27/2022 Regular Board Meeting

Old Business

- Approval of 2022 Infrastructure Improvement Bids
- ATV Trails and Options

New Business

- Ordinance 93-07A Amendment to Ordinance No 93-07 An Ordinance Regulating the Parking of Vehicles on any Township of Breitung Roadway
 - Summary for Publishing
- Ordinance 88-01A Amendment to Ordinance No 88-01 An Ordinance to prevent, reduce or eliminate Blight
 - Summary for Publishing
- Approval by the Board to start the process of formally recording N 2nd St as a Town Road
- Conflict of Interest next steps-employee of TSWWB and/or Fire Department
- Meeting with Eagles Nest Township

Adjourn

Township of Breitung Regular Board Meeting 10-27-22 at 12:00Noon. In Person Meeting at the Breitung Community Center

Present In Person:

Board Members: Chairman Tim Tomsich, Supervisor Chuck Tekautz, Supervisor Greg Dostert Clerk Dianna Sundahl, Deputy Clerk Renee Pearson

Absent: Treasurer Jorgine Gornick

Public: Daniel Reing-Police Chief, Jodi Summit-Timberjay, Jessica Hanine-Tower News (arrived at 12:07pm), Matt Tuchel, Preston Tripp-JPJ, Keith Nyman, Jen Nemanich-Mesabi Bituminous (left @ 12:55pm), Gene Wright, Valeda McDonald, Rom Gorsma-Maintenance Supervisor, Trudy Hendricks, Joe Majerus-MN DNR, Brad Dekkers-MN DNR

Call to Order @ 12:00pmby Chairman Tim Tomsich

Acceptance of Agenda

Motion by Supervisor Dostert to accept the agenda as presented

2nd by Supervisor Tekautz

Motion Passed 3-0

Approval of Minutes

Motion by Supervisor Tekautz to approve the minutes of the 10/13/22 Special Board Meeting as presented

2nd by Supervisor Dostert

Motion passed 3-0

Approval of September 2022 Treasurers Report

Motion by Supervisor Tekautz to approve the September 2022 Treasurers Report as presented

2nd by Supervisor Dostert

Motion passed 3-0

Correspondence

- Habitat for Humanity Highlights-so noted
- St Louis County Housing Summit-so noted
- IRRR-The Ranger 10/05 and 10/19 edition-so noted
- IRRR-10/20 Update-so noted
- USDA Housing Loans and Grants-so noted
- Digital Estimating Team-so noted
- Hey Gov-so noted
- LMC-Rate Increase for Safety-so noted

Public Input-None

Reports:

- Police-See Attached, continue to be busy, lots of calls, looking at equipment and training for next year, working on blight and parking ordinance
- Fire-See Attached
- Road and Bridge-See Attached
- McKinley Park-All storage payments are in
- Recreation-Lights installed at the rink, MN Power coming on Monday
- Wastewater Board-met 10/26, Vermilion Solar Energy signed an agreement with MN Power, Force Main Project looking to start next month. Some budget discussion but will further discuss next month. Received a potential NOV from MPCA in regards to the RV Park in Tower. RV Park received an order to stop construction from the MPCA. MPCA has been on sight several times in the past week. TBWWB would like to see the City of Tower do a Corrective Action Report to the Board to prevent incidents in the future
- Ambulance Commission-Committee meetings with representatives from each township covered by the Commission met except for Greenwood Township. Looking at ways to purchase new ambulance without funds from Greenwood, as it is approximately 1 year out after ordering a new vehicle. Will ask the City of Tower if they would be willing to borrow the money if there is a gap in funds to purchase a new ambulance. Next meeting 11/9/22

Motion by Supervisor Dostert to accept the reports as presented

2nd by Supervisor Tekautz

Motion passed 3-0

Old Business:

Infrastructure Project 2022-2 bids received and opened. 1 bid from KGM in the amount of \$434,233.75, and the 2nd bid from Mesabi Bituminous in the amount of \$346,215.85

ATV Trails-Joe and Brad from the MN DNR were at the meeting to discuss plans, and ask the Board of their interest in connecting the trails. Chairman Tomsich mentioned that the Board is in favor of proposed option 1. The ATV Camp on State Property will be off the Murray Spur Road, and there is interest in connecting Tower-Soudan through trails. This would be a Township Trail and just a connection between the State Park and the existing Trail. The DNR is currently in the Design Phase. The State will be building a trail to the end of the State Park Boundary which is next to private land. The DNR can help build the trail, and the Prospectors Group is interested in this as well. The Board asked Clerk Sundahl to send letters to both adjoining property owners, Aaron Lustek and Wayne Kultala. Consensus by the Board to hold a

Special Meeting in November to discuss further. The Board is also looking to the future and expanding the current gravel pit. The purchasing of land would be beneficial to both endeavors.

Infrastructure Project 2023

- Resolution 2022-30 Make Application and Accept CDBG Funds
Motion by Supervisor Dostert to pass the resolution as presented
2nd by Supervisor Tekautz
Motion passed 3-0
- Resolution 2022-31 Make Application and Accept IRRR Funds
Motion by Supervisor Tekautz to pass the resolution as presented
2nd by Supervisor Dostert
Motion passed 3-0

Stuntz Bay Road Project-Preston from JPJ stated no new updates

MN OSHA Safety Grant and Security Doors

Clerk Sundahl gave update to the Board on questions asked at previous meeting, grant application not difficult, Clerk would do a portion, then Safety Chair has a portion to submit. Inability to connect AI system into existing cameras. The Board asked Chief Reing to research other alternatives. Will discuss at Special Meeting in November.

St Louis County Ordinance 62-Update to Short Term Rentals

Update by Supervisor Dostert that the Lodging Tax Board met and have sent a letter to the County. No comments to be submitted by the Breitung Board to St Louis County.

Hwy 169-Noise Reduction, Signage, Speed Limit Postings

Supervisor Dostert spoke with engineers from MN Dot and received applications and fee schedules for different options. The "No Passing" alternative from Tower to Jasper St would be hard to enforce, best to have a Law Enforcement presence in that area. The cost is \$1508 per sign for Noise Reduction. Clerk Sundahl to gather further information from Tower on signage that has been installed in the Tower area.

New Business

October 2022 Bills

Motion by Supervisor Dostert to pay bills as presented
2nd by Supervisor Tekautz
Motion passed 3-0

Fire Department

- Training Officer Pay
Motion by Supervisor Tekautz to accept letter from Training Officer Steve Burgess stating he will perform the duties without pay for the remainder of this year and to send a thank you letter
2nd by Supervisor Dostert
Motion passed 3-0

- FEMA Grant-Safer Grant-Assistant Chief Tuchel discussed that the Breitung Fire and Rescue was not awarded the FEMA grant monies that was requested this year for new gear but would like to apply again next year. All information is being gathered for the "Safer Grant" application and will be submitted for reimbursement of turn out gear for 3 new fire fighters in the amount of approximately \$18,000.

Police Department

- Tacos with Cops Monies-Training and Equipment-Huge success, ran out of tacos well before 5:00pm. Will do again next year with more food. Chief Reing and Officer Nyman researching various items for purchase with the money received such as computer monitors, finger printing machine, and a medical bag for the squad car
- Police Contract with the City of Tower-Chairman Tomsich met with 2 members of the Tower City Council as well as the Tower Clerk Treasurer to begin discussion on a contract for the 2023 season. The City of Tower would like to keep the hours to 40 hours per week, but are open to discussion of P/T Officers during special events such as 4th of July, Halloween, and other days. Chairman Tomsich presented an estimate of costs for 2023. Breitung would like to include payment language for late payments, and when the November 2022 payment is due, Breitung will bill for 2 months as to be ahead on payments. Since this is a signed Contract payment request will not be needed from the Tower City Council.

Post Office Mats-The Post Office has lost their contract with the service who picked up and cleaned their mats, asking the township for an alternative. The Board asked Clerk Sundahl to follow up on this item with the Tower Postmaster.

Winter Help

Motion by Supervisor Tekautz to put an ad in the paper for Winter Help, primarily for skating/rink caretakers

2nd by Supervisor Dostert

Motion passed 3-0

Request for No Parking on Main St-Complaint received by the Clerk from a concerned citizen that parking on Main St is a safety concern because the road is narrow. Supervisor Tekautz stated he has received complaints about people parking on the sidewalk as well. No action taken and Chief Reing will observe during patrol and take necessary action

Mary Batinich Request-Resident at 26 Center St asked if campers can hook up to new sewer, the board stated that according to the Parking Ordinance this is not allowed because it is not designated as a Camp Ground. Clerk Sundahl to send a letter to resident stating this.

Resolution 2022-29-Resolution Accepting Donations

Motion by Supervisor Dostert to Accept the resolution as presented

2nd by Supervisor Tekautz

Motion passed 3-0

Next Regular Board Meeting: Thursday, December 1st, 2022 at 12:00pm

Next Special Town Meeting: Thursday, November 3rd, 2022 at 6:00pm

Next Special Board Meeting: Thursday, November 17th @ 11:00am

Adjourn:

Motion by Supervisor Dostert to Adjourn the Meeting at 1:45pm

2nd by Supervisor Tekautz

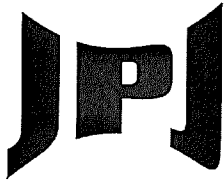
Motion Passed 3-0

Respectfully Submitted

Dianna Sundahl

Clerk, Breitung Township

DRAFT



Engineering
October 28, 2022

Land Surveying

Site Development

The Honorable Tim Tomsich
Chairman, Breitung Township
P.O. Box 56
Soudan, MN 55782

**Re: 2022 Infrastructure Improvements
Project No. 22-003**

Dear Chairman Tomsich:

On October 27, 2022, at 12:00 p.m., bids were received for the 2022 Infrastructure Improvements project. Two bids were received for the project, listed as follows:

Mesabi Bituminous, Inc.	\$346,215.85
P.O. Box 728	
Gilbert, MN 55741	

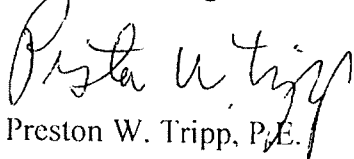
KGM Contractors, Inc.	\$434,233.75
9211 Highway 53	
Angora, MN 55703	

Mesabi Bituminous, Inc. was the low bidder on the project. We recommend if the project is awarded, that Mesabi Bituminous, Inc. be offered a contract for the Breitung Township, 2022 Infrastructure Improvements, Project No. 22-003, in the amount of \$346,215.85.

Enclosed are two copies of the Tabulation of Bids. If you have any questions, please do not hesitate to contact our office.

Sincerely,

JPJ Engineering, Inc.


Preston W. Tripp, P.E.

PWT/dj

Enclosures

425 Grant Street
5670 Miller Trunk Hwy

P.O. Box 656
Suite A

Hibbing, MN 55746
Duluth, MN 55811
www.jpjeng.com

218-262-5528
218-720-6219

218-262-5059 (Fax)
218-720-6267 (Fax)

BID TABULATION

I HEREBY CERTIFY THAT THE FOLLOWING
IS AN EXACT REPRODUCTION OF THE BIDS
RECEIVED FOR THE FOLLOWING PROJECT:

Justin W. Figg

OWNER: BREITUNG TOWNSHIP

PROJECT: 2022 INFRASTRUCTURE IMPROVEMENTS

PROJECT NO: 22-003

BID DATE: 27-Oct-22

BID TIME: 12:00 P.M.

Mesabi Bituminous, Inc. P.O. Box 728 Gilbert, MN 55741 (218) 741-8291				KGM Contractors, Inc. 9211 Highway 53 Angora, MN 55703 (218) 666-5698			
BASE BID							
NO.	ITEM	UNIT	ESTIM. QTY.	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
2104	REMOVE BITUMINOUS PAVEMENT	SQ. YD.	5,595	\$4.50	\$25,177.50	\$4.00	\$22,380.00
2104	REMOVE SANITARY SEWER	LIN. FT.	50	\$3.15	\$157.50	\$26.00	\$1,300.00
2104	REMOVE SANITARY MANHOLES	EACH	4	\$525.00	\$2,100.00	\$1,600.00	\$6,400.00
2104	REMOVE PIPE CULVERT	LIN. FT.	164	\$4.20	\$688.80	\$20.00	\$3,280.00
2104	SALVAGE PIPE CULVERT	LIN. FT.	35	\$7.35	\$257.25	\$26.00	\$910.00
2105	COMMON EXCAVATION	CU. YD.	2,188	\$14.00	\$30,632.00	\$20.00	\$43,760.00
2105	SELECT GRANULAR BORROW (CV)	CU. YD.	1,189	\$18.00	\$21,402.00	\$25.00	\$29,725.00
2105	INSTALL SALVAGED PIPE CULVERT	LIN. FT.	35	\$55.65	\$1,947.75	\$38.00	\$1,330.00
2105	INSTALL SALVAGED APRON	EACH	1	\$1,155.00	\$1,155.00	\$1,150.00	\$1,150.00
2112	GEOTEXTILE SEPARATION FABRIC TYPE V	SQ. YD.	3,765	\$2.00	\$7,530.00	\$4.25	\$16,001.25
2211	AGGREGATE BASE CLASS 5 (CV)	CU. YD.	940	\$32.00	\$30,080.00	\$41.50	\$39,010.00
2221	AGGREGATE SHOULDERING	CU. YD.	12	\$100.00	\$1,200.00	\$50.00	\$600.00
2232	MILL BITUMINOUS PAVEMENT	SQ. YD.	2,445	\$5.40	\$13,203.00	\$3.50	\$8,557.50
2360	TYPE SP WEARING COURSE	TON	709	\$94.00	\$66,646.00	\$130.00	\$92,170.00
2360	TYPE SP NON-WEARING COURSE	TON	432	\$94.00	\$40,608.00	\$120.00	\$51,840.00
2501	18" RCP PIPE CULVERT	LIN. FT.	32	\$147.00	\$4,704.00	\$150.00	\$4,800.00
2501	24" RCP PIPE CULVERT	LIN. FT.	80	\$178.50	\$14,280.00	\$180.00	\$14,400.00
2501	18" RCP APRON	EACH	2	\$3,307.50	\$6,615.00	\$2,300.00	\$4,600.00
2501	24" RCP APRON	EACH	4	\$4,515.00	\$18,060.00	\$3,200.00	\$12,800.00
2506	ADJUST GATE VALVE AND BOX	EACH	6	\$100.00	\$600.00	\$800.00	\$4,800.00
2506	CONSTRUCT SANITARY MANHOLE	EACH	4	\$8,925.00	\$35,700.00	\$9,300.00	\$37,200.00
2563	TRAFFIC CONTROL	L.S.	1	\$3,500.00	\$3,500.00	\$5,000.00	\$5,000.00
2573	CONSTRUCTION SITE EXIT CONTROLS	L.S.	1	\$1,000.00	\$1,000.00	\$3,250.00	\$3,250.00
2573	CULVERT END CONTROL	EACH	10	\$250.00	\$2,500.00	\$250.00	\$2,500.00
2575	SEEDING	L.S.	1	\$500.00	\$500.00	\$2,500.00	\$2,500.00
2582	4" SOLID LINE PAVEMENT MARKINGS	LIN. FT.	625	\$2.00	\$1,250.00	\$5.00	\$3,125.00
2621	8" PVC SANITARY SEWER	LIN. FT.	50	\$168.00	\$8,400.00	\$185.00	\$9,250.00
2621	CONNECT TO EXISTING SAN SEWER	EACH	10	\$556.50	\$5,565.00	\$1,100.00	\$11,000.00
2625	PIPE INSULATION	SQ. YD.	7	\$108.15	\$757.05	\$85.00	\$595.00
TOTAL BASE BID					\$346,215.85		\$434,233.75

BID BOND FURNISHED:	Yes	Yes
RESPONSIBLE CONTRACTOR CERTIFICATION	Yes	Yes
REMARKS:	None	None

STATE OF MINNESOTA

HINKKONEN

30ft x 30ft square needed to cross private land

STATE OF MINNESOTA

Would require landowner permission from Wayne Kultala or Forest Concrete. Best Option for keeping Jasper St riders from using Jasper St as main travel route.

#1

FOREST CONCRETE PRODUCING

Tie Trail into Taconite State Trail to south and continue west to Tower and Soudan

Options 2 and 3 would both stay on MnDOT Right-of-Way and Township property. These options would require more signage and effort to keep ATVs from using Jasper St as main travel route.

Wayne Kultala

#2

#3

KULTALA WAYNEID

TOWN OF BREITUNG

WELLMANDELLER

PLANTON FRANKA & MARIE ZOE

ANTON FRANKA & MARIE ZOE

ORDINANCE 93-07

AN ORDINANCE REGULATING THE PARKING OF VEHICLES ON ANY TOWNSHIP OF BREITUNG:
ROADWAY

Be it ordained and enacted by the Town Board of Breitung as follows:

Section 1 No vehicle shall be parked on any Township street, roadway or throughfare between the hours of 12 a. m. (midnight) and 8 a. m. from October 15 to April 15 to facilitate efficient snow removal.

Section 2 No vehicle shall park at anytime within twenty (20) feet of any intersection or crosswalk, on any sidewalk or in front of any public or private driveway or within ten (10) feet of a fire hydrant.

Section 3 The Chief of Police or any police officer shall have the authority to issue a written warning or a citation to any vehicle parked in violation of this ordinance and if after 24 hours of the citation the vehicle is not moved the said vehicle will be towed at the owner's expense. This violation constitutes a petty misdemeanor.

Passed by the Town Board of Breitung, Minnesota on the 29th day of January, 1993.

Timothy S. Tomsich

Timothy S. Tomsich, Chairman

Attest:

Margaret Lilya

Margaret Lilya, Town Clerk

Published in the Tower News on the 11th day of February, 1993.

ORDINANCE 93-07A

Amendment to Ordinance No 93-07

An Ordinance Regulating the Parking of Vehicles on any Township of Breitung Roadway

The Board of Supervisors of the Township of Breitung ordains:

Section 4 shall be added to Ordinance No 93-07 to read as follows, according to the Town Meeting dated 11/03/2022 under Minn. Stat, 365.10, subd. 17 General Welfare Ordinance in rural towns.

Section 4 In case of an emergency or immediate need for removal, a vehicle violating this ordinance shall be towed at the owner's expense. The Chief of Police or any police officer shall have the authority to issue a parking ordinance citation.

Section 5 shall be added to Ordinance No 93-07 to read as follows, according to the Town Meeting dated 11/03/2022 under Minn. Stat, 365.10, subd. 17 General Welfare Ordinance in rural towns.

Section 5 The parking ordinance citation fee shall be \$20. If the citation is not paid within 30 days an additional \$10 late fee will be added to the fine.

Ordinance No 93-07A was passed by the Township Board of the Township of Breitung, St Louis County Minnesota on the 17th day of November 2022.

Ayes:

Nays:

Chairman, Breitung Town Board
Timothy Tomsich

Attest:

Clerk, Breitung Township
Dianna Sundahl

Published in the Tower News on:
Sent to Duluth Law Library on:

ORDINANCE 93-07A

Amendment to Ordinance No 93-07

An Ordinance Regulating the Parking of Vehicles on any Township of Breitung Roadway

Summary for Publication

The following sections shall be changed and/or updated to read as follows: The full ordinance is in the Clerks Office at 33 First Avenue, Soudan, MN or on the Township Website.

Section 4 shall be added to Ordinance No 93-07 to read as follows:

Section 4 In case of an emergency or immediate need for removal, a vehicle violating this ordinance shall be towed at the owner's expense. The Chief of Police or any police officer shall have the authority to issue a parking ordinance citation.

Section 5 shall be added to Ordinance No 93-07 to read as follows:

Section 5 The parking ordinance citation fee shall be \$20. If the citation is not paid within 30 days an additional \$10 late fee will be added to the fine.

Ordinance No 93-07A was passed by the Township Board of the Township of Breitung, St Louis County Minnesota on the 17th day of November 2022 by a vote of: XYZ

ORDINANCE NO. 88-01

AN ORDINANCE TO PREVENT, REDUCE OR ELIMINATE BLIGHT, BLIGHTING FACTORS OR CAUSE OF BLIGHT WITHIN THE TOWNSHIP OF BREITUNG; TO PROVIDE FOR THE ENFORCEMENT HEREOF; AND TO PROVIDE PENALTIES FOR THE VIOLATION HEREOF.

The Township of Breitung does ordain as follows:

Section 1. Causes of Blight or Blighting Factors. It is hereby determined that the uses, structures, and activities and causes of blight or blighting factors described herein, if allowed to exist, will tend to result in blighted and undesirable neighborhoods so as to be harmful to the public welfare, health, and safety. The purpose of this ordinance is to protect the character and stability of the properties within the Township of Breitung and to avoid blight and blighted conditions. The owner and occupant shall comply with the regulations contained herein.

Section 2. Exterior Property Areas; Vacant Properties.

a. Sanitation. All exterior property areas and vacant areas shall be maintained in a clean and sanitary condition, safe and free from any hazard or dangerous condition, and free from any accumulation of refuse or garbage.

b. Free from noxious weeds and pests. All exterior property areas and vacant areas shall be kept free from species of weeds or plants growth, rodents, vermin, or other pests, which are noxious or detrimental to the public health.

c. Junk automobiles. In any area not zoned for junkyards or salvage yards, the storage of junk automobiles is prohibited. For the purpose of this ordinance, the term "junk automobiles" shall include any motor vehicle, part of a motor vehicle, or former motor vehicles, stored in the open, which is not currently licensed for use upon the highways of the State of Minnesota, and is either: a) unusable or inoperable because of lack of, or defects in component parts; or b) unusable or inoperable because of damage from collision, deterioration, or having been cannibalized; or c) beyond repair and therefore not intended for future use as a motor vehicle; or d) being retained on the property for possible use of salvageable parts. This regulation is in addition to any zoning regulations.

Section 3. Exterior of Structures.

a. The exterior of all structures and accessory structures including detached garages, shall be maintained in a workmanlike state of maintenance and repair.

b. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, falling or loose stucco or substantial amounts of peeling paint.

c. All doors and windows shall be maintained in good repair, fit reasonably well within their frames, and be free of open breaks or holes.

Section 4. Interior areas of structures, including residential dwellings.

a. The interior of every structure shall be maintained in clean and sanitary condition, free of accumulations of garbage and refuse.

b. The interior of every structure shall be maintained free from infestation of noxious insects, rodents, and other pests.

c. All plumbing systems shall be properly installed, connected, and maintained in good working order, and must be kept free from obstructions, leaks, and defects.

d. The storage of excessive or unreasonable amounts of hazardous, flammable liquids shall be prohibited in areas not zoned for such use.

Section 5. Vacated structures; vacant properties. The owner of any dwelling which is unfit for human habitation, as determined by the enforcement officer in good faith, and the owner of any structure which has been vacant for a period of Sixty (60) days or more, shall make same safe and secure so that it is not hazardous to the health, safety, and welfare of the public, and does not constitute a public nuisance. Any such structure open at doors and windows, if unguarded, shall be deemed to be a hazard to the health, safety, and welfare of the public, and a public nuisance within the meaning of this ordinance. The owner of vacant lands shall make said lands safe and secure by barricading or fencing the property or the like, or by placing said lands in their natural unimproved condition and removing all dangerous conditions. Upon failure of the owner to comply, the Township of Breitung may have such structure or vacant property made safe and secure or remove the dangerous condition, and assess the cost to the owner by certifying such cost to the County Auditor as a special assessment against the property involved.

Section 6. Enforcement Officer. The Township Board Chairperson of the Township of Breitung is appointed as the enforcement officer, and it is the enforcement officer's duty to enforce the provisions of this ordinance.

Section 7. Inspection of structures, vacant properties, generally. The enforcement officer shall be authorized to make or cause to be made inspections to determine the condition of structures and premises and vacant properties in order to safeguard the health, safety, and welfare of the public. The enforcement officer, or the enforcement officer's designated representatives shall, with the permission of the owner, be authorized to inspect any vacant areas and the exterior areas of any premises, and the interior areas of structures at any reasonable time for the purpose of performing his duties under this ordinance. If the owner, operator, or person in possession of the structure shall refuse to consent to the inspection, or not be located after reasonable effort to do so, and there is probable cause to believe that a violation exists on that premises, a search warrant may be obtained.

Section 8. Compliance Order (Citation). Whenever the enforcement officer determines that any structure or the premises fail to meet the provision of this ordinance, the enforcement officer may issue a compliance order (citation) setting forth the violations of the ordinance and ordering the owner, occupant, operator, or agent to correct such violations. The compliance order (citation) shall:

- a. Be in writing;
- b. Describe the location and nature of the violations of this ordinance;
- c. Establish a time for the correction of such violation, which shall be at least Ten (10) days;
- d. Notify of ability to appeal to the Township Board;
- e. Be served upon the violator; either the owner, occupant, operator, or agent. Such notice shall be deemed to be properly served upon the violator if a copy thereof is:
 1. Served upon him personally, or
 2. Sent by registered or certified mail to that person's address or to the property address.

Section 9. Variance and appeals. Appeals of interpretation or requests for a variance shall be made in writing to the Township Board, and shall be filed with the Township Clerk within Ten (10) days after receipt of the compliance order (citation). The Township Board, in its discretion, may elect to hear appeals or requests for variance when made more than Ten (10) days after the receipt of the compliance order (citation), but such action by the Township Board is completely discretionary, and shall not delay or prevent criminal prosecution or other enforcement actions, unless the Township Board grants the appeal or grants the variance prior to the completion of the enforcement activities. The Township Board may grant variances in instances where the strict enforcement of this ordinance would cause undue hardship because of circumstances unique to the individual property under consideration, when it is demonstrated that such action will be in keeping with the spirit and intent of the ordinance.

Section 10. Enforcement and penalties. Violation of any provision of this ordinance shall constitute a misdemeanor. Each day that a violation is allowed to exist shall constitute an offense after a reasonable time has been allowed to affect compliance. Further, the provisions of this ordinance may be enforced by specific performance.

Section 11. Effective Date of Ordinance. The effective date of this Ordinance is MARCH 1, 1988

By Trusty S. Tansik

Attest Margaret Lila

ORDINANCE 88-01A

Amendment to Ordinance No 88-01

An Ordinance to prevent, reduce or eliminate blight. Blighting factors or cause of blight within the township of Breitung; To provide for the enforcement hereof: and to provide penalties for the violation hereof:

The Board of Supervisors of the Township of Breitung ordains:

The following sections shall be changed to read as follows, according to the Town Meeting dated 11/03/2022 under Minn. Stat, 365.10, subd. 17 General Welfare Ordinance in rural towns.

Section 6. Enforcement Officer. A chosen Supervisor of the Town Board will be appointed yearly as the Enforcement Officer, and it will be the duty of the Enforcement Officer together with local Law Enforcement to enforce the provisions of this ordinance.

Section 8. Compliance Order (Letter). Whenever the Enforcement Officer determines that any structure or the premises fail to meet the provision(s) of this ordinance, the Enforcement Office may issue a Compliance Order (Letter) setting forth the violations of the ordinance and ordering the owner, occupant, operator, or agent to correct such violations. The compliance Order (Letter) shall:

- a) Be in writing;
- b) Describe the location and nature of the violations of this ordinance;
- c) Establish a time for the correction of such violation, which shall be at least Ten (10) days;
- d) Notify of ability to appeal to the Township Board; If an appeal is received after Compliance Order Letter received, the township shall schedule a meeting with the letter recipient within 10 days of appeal request.
- e) Be served upon the violator; either the owner, occupant, operator, or agent. Such notice shall be deemed to be properly served upon the violator if a copy thereof is:
 1. Served upon him/(her) personally, or
 2. Sent by registered or certified mail to that person's address or to the property address or to the property address.
- f) If after 10 days the township has received no response and/or the violation remains in place, a Blight Ordinance Citation shall be issued.
- g) Section 10. Enforcement and Penalties. Violation of any provision of this ordinance shall constitute a petty misdemeanor. Further, the provisions of this ordinance may be enforced with a Blight Ordinance Citation and the fee shall be \$30.00. If the citation has not been paid within 30 days an additional \$10 late fee shall be added.

Ordinance No 88-01A was passed by the Township Board of the Township of Breitung, St Louis County Minnesota on the 17th day of November 2022.

Ayes:
Nays:

Chairman, Breitung Town Board
Timothy Tomsich

Attest:

Clerk, Breitung Township
Dianna Sundahl

Published in the Tower News on:
Sent to Duluth Law Library on:

DRAFT

ORDINANCE 88-01A

Amendment to Ordinance No 88-01

An Ordinance to prevent, reduce or eliminate blight. Blighting factors or cause of blight within the township of Breitung; To provide for the enforcement hereof: and to provide penalties for the violation hereof:

Summary for Publication

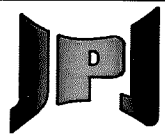
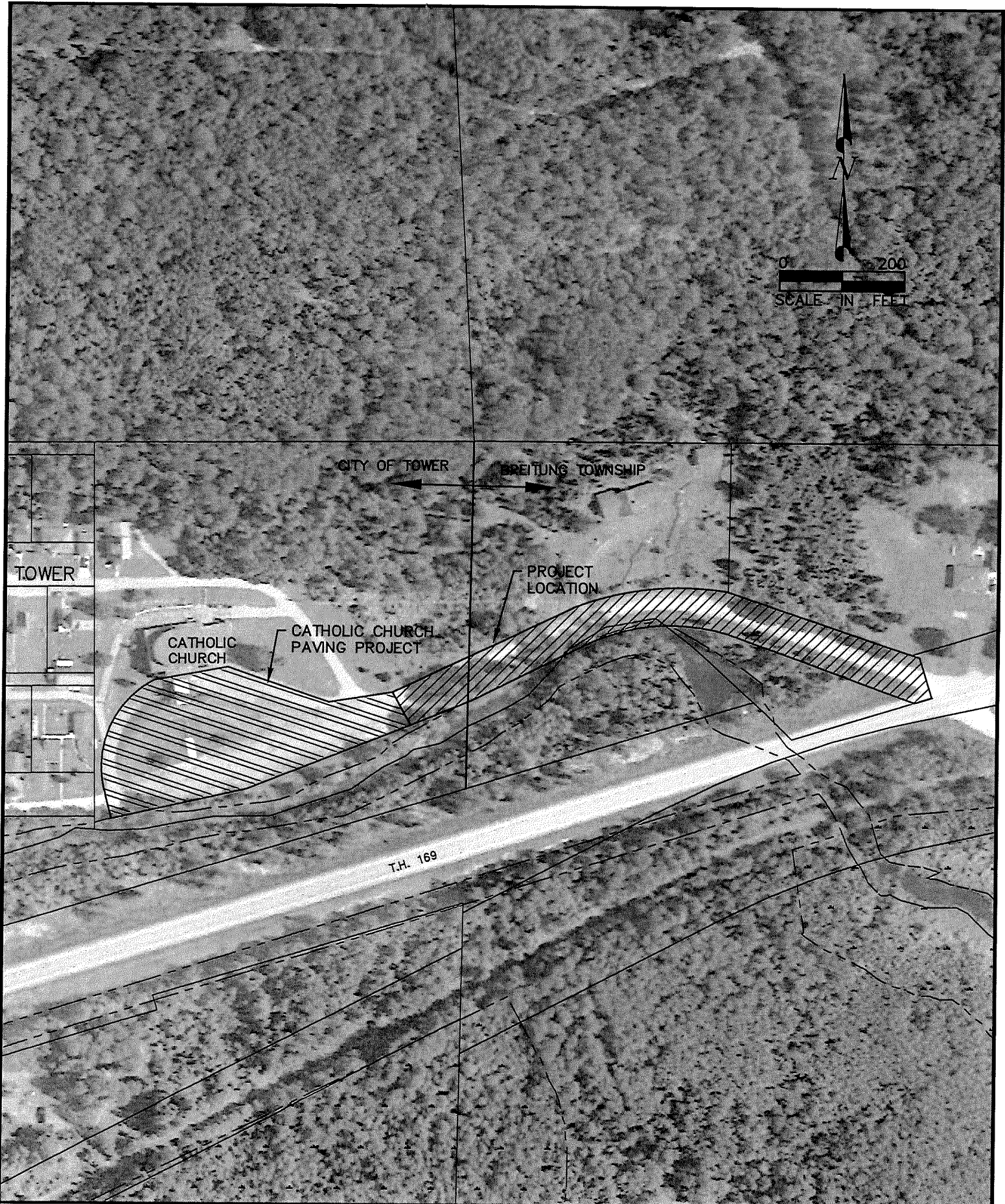
The following sections shall be changed and/or updated to read as follows: The full ordinance is in the Clerks Office at 33 First Avenue, Soudan, MN or on the Township Website.

Section 6. Enforcement Officer. A chosen Supervisor of the Town Board will be appointed yearly as the Enforcement Officer, and it will be the duty of the Enforcement Officer together with local Law Enforcement to enforce the provisions of this ordinance.

Section 8. Compliance Order (Letter). Whenever the Enforcement Officer determines that any structure or the premises fail to meet the provision(s) of this ordinance, the Enforcement Office may issue a Compliance Order (Letter) setting forth the violations of the ordinance and ordering the owner, occupant, operator, or agent to correct such violations. The compliance Order (Letter) shall:

- a) Be in writing;
- b) Describe the location and nature of the violations of this ordinance;
- c) Establish a time for the correction of such violation, which shall be at least Ten (10) days;
- d) Notify of ability to appeal to the Township Board; If an appeal is received after Compliance Order Letter received, the township shall schedule a meeting with the letter recipient within 10 days of appeal request.
- e) Be served upon the violator; either the owner, occupant, operator, or agent. Such notice shall be deemed to be properly served upon the violator if a copy thereof is:
 1. Served upon him/(her) personally, or
 2. Sent by registered or certified mail to that person's address or to the property address or to the property address.
- f) If after 10 days the township has received no response and/or the violation remains in place, a Blight Ordinance Citation shall be issued.
- g) Section 10. Enforcement and Penalties. Violation of any provision of this ordinance shall constitute a petty misdemeanor. Further, the provisions of this ordinance may be enforced with a Blight Ordinance Citation and the fee shall be \$30.00. If the citation has not been paid within 30 days an additional \$10 late fee shall be added.

Ordinance No 88-01A was passed by the Township Board of the Township of Breitung, St Louis County Minnesota on the 17th day of November 2022 by a vote of XYZ



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CATHOLIC CHURCH ROAD IMPROVEMENTS

BREITUNG TOWNSHIP

PROJECT NUMBER

SHEET NUMBER