

**ORDINANCE 2008-01PC**

**CITY OF DUNDAS  
PLANNING COMMISSION  
STATE OF MINNESOTA**

*AN INTERIM ORDINANCE TO PROTECT THE PLANNING PROCESS  
WHILE CONDUCTING STUDIES TO CONSIDER ADOPTION OF  
REGULATIONS FOR ANNEXATION AREA*

**WHEREAS**, during the past few months, concerns have been raised by the Town Board of Bridgewater Township regarding the potential for development in the annexation area as defined in the Annexation Agreement dated July 12, 2004 between the City of Dundas and Bridgewater Township (the “Annexation Agreement”);

**WHEREAS**, Minnesota Statutes 462.355, Subd. 4, allows a municipality that is conducting studies for the purpose of considering adoption or amendment of an official control to adopt an interim ordinance for the purpose of protecting the planning process and the health, safety and welfare of its citizens;

**WHEREAS**, Minnesota Statutes provide that a board established under Minnesota Statutes 471.59, Subd. 2 through 8, has the authority granted to municipalities under Minnesota Statute 462.355, Subd. 4 to enact an interim ordinance;

**WHEREAS**, under the Annexation Agreement, the City of Dundas Planning Commission acts as a board established under Minnesota Statutes 471.59, Subd. 2 through 8;

**WHEREAS**, the City of Dundas Planning Commission desires to protect the planning process as defined in Minn. Stat. Chapter 462.355 and provide for a reasonable opportunity to study and hold hearings regarding adoption of zoning regulations for the annexation area described in the Annexation Agreement .

**NOW, THEREFORE**, the City of Dundas Planning Commission ordains:

1. Restrictions. From the effective date of this Ordinance and for a period not to exceed twelve (12) months from this date, no person, firm, partnership, corporation or other entity shall be granted a building permit to construct new commercial, industrial or agriculturally oriented business buildings within the annexation area described in the Annexation Agreement. This interim ordinance does not apply to construction, alteration, expansion or additions for single family homes or agricultural buildings related to typical farm operations.

2. Violations. Any person, firm, partnership, corporation, or other entity violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished pursuant to Minnesota Statutes Section 609.02, Subd. 3, or as subsequently amended. In the event of a violation of this Ordinance, the City of Dundas Planning Commission may institute appropriate actions or proceedings, including injunctive relief to prevent, restrain, correct, or abate such violations.

3. Authority. This Ordinance is adopted under the authority of Minnesota Statute 462.355, Subd. 4.

4. Appeals. In cases of hardship, any person aggrieved by the requirements of this Ordinance may apply to the City of Dundas Planning Commission for a waiver of the provisions of this interim ordinance. A waiver may be granted where the City of Dundas Planning Commission finds substantial hardship caused by the restrictions of this ordinance and finds the waiver will not unduly affect the integrity of the planning process or the purposes for which the interim ordinance is enacted.

5. Effective Date and Termination. This Ordinance shall take effect upon its passage and shall remain in effect for a period not to exceed twelve (12) months from the effective date of this Ordinance.

BE IT FURTHER RESOLVED, that all building permits for construction, alteration, expansion or additions to single family homes or agricultural buildings related to typical farm operations within the above described annexation area and not requiring a variance, conditional use permit, or other review and approval by the Planning Commission, shall be administered by Bridgewater Township.

**ADOPTED** by the City of Dundas Planning Commission, Dundas, Minnesota, on this 17<sup>th</sup> day of July 2008.

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John Cruz, Chair of Planning Commission

Attest:

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Erik Bjornard, Secretary of Planning Commission

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