













LEGEND

-  AGRICULTURE
-  COMMERCIAL
-  WITHIN CITY OF PERHAM
-  LAKE/SHORELAND
-  RESIDENTIAL
-  TOWNSHIP BOUNDARY
-  CORPORATE BOUNDARY
-  COUNTY STATE AID HIGHWAY
-  COUNTY ROAD
-  U.S. NUMBERED TRUNK HIGHWAY
-  STATE NUMBERED TRUNK HIGHWAY
-  CEMETERY



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LAND USE ORDINANCE PERHAM TOWNSHIP OTTER TAIL COUNTY PERHAM, MINNESOTA	
ZONING MAP FOR PERHAM TOWNSHIP	
Drawn By <u>HTE</u>	Project No. <u>P0304187</u>
Checked By <u>PR</u>	Date <u>NOVEMBER 2005</u>

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(Amended 09/21/2021)

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**Land Use Ordinance
Perham Township
Otter Tail County, MN**

Community Description

Perham Township is located in North Central Otter Tail County. It surrounds the city of Perham.

Perham Township has a population of approximately 931 residents and 316 households based upon the most recent U.S. Census.

Perham Township's physical characteristics are varied, which leads to various types of development.

The predominant land use is agricultural. The soils are mostly sands, which are very easy to irrigate. It must be irrigated, in fact for top production. This has led to a large specialty crop in the Township.

Scattered throughout the Township are areas of forestland, both natural and planted. These areas attract rural residents.

Little Pine Lake, Devil's Lake, and the Otter Tail River attract a concentrated area of rural residents. Because of its proximity to the City of Perham, Perham Township is very likely to grow.

There are several utilities with transmission and distribution lines in Perham Township. Lake Region Co-Op Electrical Association serves most of Perham Township with electricity except for small areas that are served by Otter Tail Power Co. Viking Gas Transmission Company has a pipeline that runs through Perham Township. ACS Communications currently has telephone, internet, and cable systems which serve its residents. The City of Perham provided natural gas to portions of Perham Township.

Community Development

The economy of Perham Township is predominantly agriculture and tourism. Many of its residents have employment outside of the Township but have elected to build and maintain homes or second residences in the Township because they enjoy the rural nature and character of the area. Perham Township's land use regulations are intended to preserve the character of land use in the Township as it develops and address and resolve issues of compatibility between various uses.

The Perham Township Board of Supervisors and its Citizens understand industry and commerce are a vital facet of their community development and are mindful that an adequate supply of livestock, poultry, swine, and other animals and grains are essential to the well being of its citizens as well as to the larger community. Their efficient and economic production must be the concern of all producers and consumers, if this nation is to have a continued abundance of high-quality nutritious food and agricultural products at a reasonable price and provide a profit to the producers.

The Perham Township Board of Supervisors and its Citizens are also mindful that animal manure provides beneficial qualities to the soil, aids in the production of agricultural crops and replenishes the soil with nutrients. However, when such manure is improperly stored, transported, or disposed of, it may negatively affect Perham Township's environment.

Goals and Policies

The Perham Township Board of Supervisors and its Citizens understand that any inappropriate activity whether emanating from improper maintenance of a home, farm, industrial or commercial activity can adversely affect the environment and may create a nuisance and be injurious to the public health, safety, comfort, convenience, and general welfare of its Citizens and result in the diminution of property values in the Township. The following goals and policies are adopted to accomplish these purposes.

Goal: To protect the health, safety, comfort, convenience, and general welfare of Perham Township's Citizens.

Policy: Require that all private or business activity not adversely affect the environment and not create a nuisance and require that such activities minimize any adverse impact on air, water, and other negative impacts.

Goal: To protect property values in the Township

Policy: To promote economic development to enhance the tax base in the Township and discourage development which may devalue property.

Goal: To provide safe and adequate roads.

Policy: Require that new developments which involve road construction plans be constructed according to Township Specifications, as outlined in the Ordinance or as determined by the Township Board, and must include road costs, inspection fees, and County recording fees within total development costs. Require that roads subjected to excessive wear or damage be repaired and restored by the party or persons causing such excessive wear or damage.

The Perham Township Board of Supervisors and its Citizens understand that a proper balance must be achieved between adopting such procedures and measures to protect the environment and necessity of fostering a strong and healthy economy in the Township including the production of livestock, grain, vegetables, mining, and other activities, whether the endeavors be accomplished by its private Citizens or public entities.

This Land Use Ordinance is deemed to provide such a balance of interests and is designed to undergird, support, and effectuate these goals and policies.

Land Use Ordinance

The Board of Supervisors of the Township of Perham ordains as follows:

Section I. General Provisions:

A. Title:

This Ordinance from the date of its passage shall be known, cited and referred to as the Perham Township Land Use Ordinance, and shall be known herein as "This Ordinance". The Perham Township shall be known herein as "Township".

B. Purpose:

This Ordinance is enacted to promote the health, safety, comfort, and general welfare of the inhabitants of the Township by securing safety from fire, panic, and other dangers, preventing the overcrowding of land, conserving the value of properties, to promote the orderly development of the residential areas, to conserve the natural and scenic characteristics of the area, and encouraging the most appropriate use of land. This Ordinance shall prescribe the penalties for violation of any of the provisions herein.

C. Scope:

From and after the effective date of this Ordinance, the use of all land and every building or portion of a building erected, altered with respect to height and area, added to, or relocated, and every use within a building or use accessory thereto, within the incorporated limits of the Township, shall be in conformity with the provisions of this Ordinance. Any existing building or structure and any existing use of properties not in conformity with the regulations herein prescribed shall be regarded as non-conforming, but may be continued, extended, or changed subject to the special regulation herein provided with respect to non-conforming properties or uses.

D. Interpretation:

When there is conflict between this Ordinance and any other applicable statute or administrative regulation, the stricter of the two will prevail.

E. Platted lots of Record:

Any platted lot which was legally recorded with the Register of Deeds or Register of Titles at the time of the adoption of this Ordinance, and which does not meet the requirements of this Ordinance as to area, width, or open space, may, nevertheless, be used for a single-family dwelling.

F. Legal authority and repeal of prior Ordinance:

This Ordinance is enacted pursuant to Minnesota Statutes 462.351 to 462.365. This Land Use Ordinance supersedes and repeals Perham Township Ordinance No. 1 enacted March 10th, 1964, and amendments thereto. Otter Tail County will continue to regulate

and enforce all areas of said Township designated as Lake/Shoreland Districts pursuant to the Otter Tail County Shoreline Management Ordinance.

Section II. Definitions:

For the purpose of this Ordinance, certain terms and words are defined as follows: Words used in the present tense shall include the future; words in the singular include the plural, and the plural the singular; the word "building" shall include the word "structure" and the word "lot" shall include the word "plot"; and the word "shall" is mandatory and not discretionary; the word "may" is permissive.

Accessory building – A subordinate building or portion of the main building which is located on the same lot as the main building and the use of which is clearly incidental to the use of the main building.

Accessory uses – Necessary accessory uses for packing, treating and/or storing produce; provided, however that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

Agriculture – The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, aquaculture, fish farming, floriculture, horticulture, viticulture, animal, and poultry husbandry, and truck gardening.

Agricultural building - Any structure existing or erected and used principally for agricultural purposes, with the exception of the human dwelling places.

Animal feedlot – See livestock feedlot

Animal unit – This Ordinance shall conform to the Minnesota Pollution Control Agency (MPCA) rule 7020.0300. A mature dairy cow over 1000 lbs. is 1.4 animal units (AU) A mature dairy cow under 1000 lbs. is 1.0 AU. A beef cow or steer is 1.0 AU. A calf is 0.2 AU. Swine over 300 lbs. is .4 AU. Swine 55 to 300 lbs. are 0.3 AU. Swine under 55 lbs. are .05 AU. Horses are 1.0 AU. Sheep and lambs are 0.1 AU. Fowl: 1000 lbs of live weight is 1.0 AU.

Automobile wrecking yards – See Junk Yard

Building – Any structure for the shelter, support, or enclosure of persons, animals, chattel or property of any kind, and when separated by party walls without openings, each portion of such building so separated shall be deemed a separate building.

Conditional use – The authorization given to the Town Board upon application notice, hearing, and approval for any conditional use as allowed by this Ordinance, subject to conditions imposed by the Ordinance.

Depth of lot – The mean horizontal distance between the mean front and the mean rear lot line. The greater frontage of a corner lot is its depth and its lesser frontage is its width.

Depth of rear yard – The mean distance between the rear line of the building and the rear lot line.

District – A section of the Township for which the regulations governing the height, area, use of buildings and premises are the same.

Dwelling – Any building or part thereof, which is designed or used exclusively for residential purposes by one or more human beings either temporarily or permanently.

Dwelling – Multiple, more than two families – A building designed for or occupied by more than two families.

Farmstead – Property on which structures and a farm dwelling are located for management, storage, and general farm operation.

Junkyard – Land or buildings where waste, discarded or salvaged materials are bought, sold, exchanged, stored, cleaned, packed, disassembled, or handled including, but not limited to, scrap accessory to any business or industrial use on the same lot. -OR- An area of land where three or more motor vehicles, recreational vehicles or pieces of farm equipment, not in running condition or currently unused, or parts thereof are located, unless stored within a building or garage, behind opaque fencing, or out of sight from all roads and adjacent property dwellings.

Livestock feedlot – The confined feeding, breeding, raising or holding of livestock in enclosures specifically designed as confinement areas in which animal manure may accumulate.

Lodging housing – A building or premises where lodging is provided for compensation.

Lot – One unit of a recorded plat or subdivision occupied or to be occupied by a building and its accessory buildings and including as a minimum such open spaces as are required under this Ordinance.

Lot area – Is the land area within the lot lines.

Lot lines – The lines bounding a lot.

Lot, width – The width of a lot is the mean smallest distance between the side lines.

Misdemeanor – A crime as defined in Minn. Statute 609.02, as amended.

Mobile home – A prefabricated dwelling unit designed to be moved without use of conventional house moving equipment and ready for occupancy after fabrication, except for minor incidental unpacking and assembly operations at the site of occupancy and constructed so as not to require a foundation. Shall include the words “trailer, house trailer, coach” and “manufactured home” as defined in Minn. Statute 327.31 subd. 6.

Mom-conforming use – A use lawfully in existence on the effective date of this Ordinance and not conforming to the regulations for the district in which it is intended.

Motorized Golf Cart - means any electric or gas powered vehicle with: (1) four low pressure or non-pneumatic tires; (2) an engine displacement less than 800 cubic centimeters; (3) and not capable of reaching speeds greater than 20 miles per hour.

Parcel – a unit of land that is or is treated as being distinct or separate from a lot, plot, or other such units, for example, hunting or hobby land.

Pasture – ground normally covered with grass or herbage used or suitable for grazing of horses, livestock, or poultry.

Plat – the drawing or map of a subdivision prepared for filing of record pursuant to Minn. Statute chapter 505 and containing all elements and requirements set forth therein and complying with this Ordinance.

Plot – a tract (other than one unit of a recorded plat or subdivision) occupied and used or intended to be occupied and used as a home site with dwellings and accessory buildings and having, as a minimum, such open spaces as required under this Ordinance.

Poultry lot – a place of confined feeding, hatching, raising, or holding of poultry in enclosures, yards, or pens where the animal manure may accumulate.

Permitted use – use permitted by this Ordinance, without requirements of special use permit, but subject to conditions imposed by this Ordinance, including issuance of building permit.

Premises – a lot or plot including the front, side, and rear yards for a dwelling.

Road – a public thoroughfare

Salvage – salable material recovered from discarded equipment and waste.

Site and use permit- the authorization given by the Township Land Use Enforcing Officer which outlines the requirements that shall be met prior to construction or locating a structure on property.

Structure – anything constructed or erected, the use of which requires location on the ground or attachment to something having a location on the ground.

Structural alterations – Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.

Subdivision – the separation of an area, parcel or tract of land under single ownership into two or more parcels, tracts, or lots, except where the resulting parcels, tracts and lots will be 2.5 acres or larger in size.

Township Road - means a road that is under the jurisdiction of Perham Township and is classified as a “Township Road”

Tract – an area of land that has defined borders.

Use – the purpose for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied or maintained.

Use accessory – a use incidental or accessory to the principal use of a lot or a building location on the same lot as the accessory use.

Variance – the authorization given for a use or structure not permitted under the terms of this Ordinance after application, notice, hearing and approval by the Town Board. The crucial points of the variance are:

- Undue hardship
- Unique circumstances; and
- Apply to individual property

Yard – any space in the same lot with a building open and unobstructed from the ground to the sky.

Section III. Classification of Districts

For the purpose of this Ordinance, the Township of Perham is hereby divided into land use districts, which shall be designated as follows:

A – Agricultural-Family District. The entire Township except as otherwise specifically stated in this section is zoned an “Agricultural-Family District.”

R – Residential-Family District. Any area which has been or is hereafter platted into residential lots is zoned as a “Residential-Family District”. At present, the provisions for an Agricultural-Family District shall apply, except that the Township may require appropriate private restrictive covenants for any new residential plat.

C – Commercial and Industrial District. Areas of the Township designated for commercial or industrial development.

L – Lake/Shoreland District. That portion of the Township regulated by the Shoreland Management Ordinance of Otter Tail County: 1000 feet from lakeshore and 300 feet from rivers and streams. This Ordinance recognizes that a sizable portion of the Township consists of areas also regulated by the Shoreland Management Ordinance or Otter Tail County. For these areas, Otter Tail County will continue to regulate and enforce all shoreline management provisions covered by that Ordinance.

CY – City. Land that lies within the City of Perham. (Amended 7/5/2006)

Section IV. Agricultural Family District

A. Purpose:

To provide a district whose primary purpose is to maintain, conserve, and enhance agricultural land and yet provide suitable areas of low-density single-family dwellings.

B. Permitted Uses:

1. Agriculture: All uses within the definition of Agriculture including or accessory uses. This excludes feed lots holding greater than 50 AU (animal units). Feed lots within the Lake/Shoreland Management district, holding greater than 10 AU, must register with the MPCA.
2. Farm buildings and one two-family dwelling or two single-family dwellings (which may be mobile homes) provided they are for the purpose of the operation of the farm.

3. Residential single-family or two-family non-farm residential dwellings (not including mobile homes) and their normal accessory buildings.
 4. Remodeling of any of the above.
- C. Conditional Uses:
All uses other than permitted uses are defined to be a temporary or permanent conditional use. Conditional uses which may be compatible within the Land Use Districts, but by their nature shall be reviewed and approved by the Town Board to ascertain such compatibility. Examples of conditional uses are in the appendix.
- D. Dimensional Requirements & Setbacks:
1. Setbacks
 - a. Structures shall be set back from the township road right-of-way no less than forty (40) feet. Setbacks from the county road right-of-way shall conform with the Otter Tail County road standards. Setbacks for state road right-of-way shall be fifty (50) feet.
 - b. Setbacks from property lines shall be fifteen (15) feet AND meet the requirements regarding road right-of-way setbacks defined above in Section D:1:a. (amended 7/5/2006)
 2. Minimum Plot Size
 - a. Single-family dwellings and two-family dwellings, 2.5 acres of buildable land per dwelling.
 - b. Multiple-family dwellings, 5 acres for first two units plus 2.5 acres (unless in Shoreland Management or wetlands increase to 5 acres) for each additional unit of such additional amount determined by the Town Board to be necessary to assure proper development.
 - c. In areas regulated by the Otter Tail County Shoreland Management Ordinance, the minimum lot size shall be the same as set by that Ordinance.

Section IV -A. Commercial and industrial District

- A. Purpose:
The purpose of these provisions is to preserve and enhance shoreland areas and to provide management policies reasonably consistent with the classification of the lakes within the Township.
- B. County and State Regulations apply:
Those areas of the Township which constitute shorelands according to the Shoreland Management Ordinance, as amended, of Otter Tail County and in accordance with the rules and regulations of the Minnesota Department of Natural Resources statewide

standards and criteria for management of shoreland applicable state and county laws , rules, regulations, and ordinances pertaining to shorelands. (amended 7/05/2006)

C. Permitted Uses:

Private residential dwellings of the type permitted by the ordinances rules and regulations referred to in Section V, paragraph B.

D. Special Uses:

In reviewing, and approving applications for conditional use permits in the shoreland district, the Town Board and Administrators of this Ordinance shall consider the provisions of this Ordinance with respect to conditional uses in the agricultural single-family residence district, any provisions of the laws and regulations referred to in Section V, paragraph B judgment as may be appropriate in approving or denying conditional use within the district.

Section V. Lake/Shoreland District

A. Purpose:

The purpose of these provisions is to preserve and enhance shoreland areas and to provide management policies reasonably consistent with the classification of the lakes within the Township.

B. County and State regulations apply:

Those areas of the Township which constitute shorelands according to the Shoreland Management Ordinance, as amended, of Otter Tail County and in accordance with the rules and regulations of the Minnesota Department of Natural Resources statewide standards and criteria for management of shoreland applicable state and county laws, rules, regulations and ordinances pertaining to shorelands. (Amended 07/05/2006)

C. Permitted uses:

Private residential dwellings of the type permitted by the ordinances rules and regulations referred to in Section V, paragraph B.

D. Special uses:

In reviewing, and approving applications for conditional use permits in the shoreland district, the Town Board and administrators of this Ordinance shall consider the provisions of this Ordinance with respect to conditional uses in the agricultural single-family residence district, any provisions of the laws and regulations referred to in Section V, paragraph B judgment as may be appropriate in approving or denying conditional uses within the district.

Section VI. General Regulations

A. State Health Regulations:

Minnesota Department of Health regulations regarding water quality, sewage, and other sanitary waste are incorporated herein by reference and specifically made a part

hereof as fully as if set forth verbatim herein and shall be complied with in Perham Township.

B. Campgrounds and Mobile Home Parks:

No campgrounds, campsite or mobile home park shall be permitted within the Township unless it has been approved and licensed by the State of Minnesota in accordance with Chapter 327, Minnesota Statutes Annotated and all other applicable state laws and regulations and unless granted a special use permit for special use permits, the Town Board shall look for compliance with the provisions of Minn. Reg. Cons. 77, paragraph 2.43. incorporated herein above by reference and hereby made applicable to the entire Township.

The individual parking or placement of mobile homes except those parked on farmsteads pursuant to Section IV.B.2 shall be permitted only after the granting of a conditional use permit for such parking by the Town Board.

C. Abandonments, Public Nuisances:

No use, structure, sign, building, vehicle, machine, or any other piece or article of real estate or personal property may be abandoned or permitted in any public or private place, because of disuse or neglect, to become unsightly or offensive to the public, is declared a public nuisance. Non-use for a period of twelve (12) months shall be presumptive evidence of intention to abandon or of non-compliance to this Section. The first responsibility for compliance with this provision shall be upon the occupant of lands and buildings in use. The record owner of all lands shall be responsible in the event of non-compliance by the occupant or with respect to vacant land.

D. Private Driveways and Field Approaches:

1. No private driveway or field approach shall be constructed to connect to a Township Road except by written permission of the Town Board. Approaches to city, county, and state roads allowed only by permission of proper authorities.
2. No vegetation except field and garden crops shall be planted and no structures shall be erected so as to interfere with vision at an intersection. No farming in Township Road right-of-way for harvesting of hays may be allowed.

E. Signs:

Any sign hereafter erected or maintained shall conform with the provisions of this section.

1. Use and location regulations: the following types of signs, and not others shall be permitted.
 - a. Official traffic and road signs.
 - b. Only non-commercial signs such as professional name sign indicating the name and profession, no trespassing signs, and signs indicating the private nature of a driveway or premise shall be permitted, provided that the area on one side of any such sign shall not exceed six (6) square feet.
 - c. Identification signs for schools, churches, hospitals, or similar institutions, and for clubs, lodges, farms, or similar uses, are permitted, provided that

the area on one side of any such sign shall not exceed sixteen (16) square feet.

- d. Real estate signs, including signs advertising the sale or rental of premises, are permitted provided the area on one side of any such signs shall not exceed six (6) square feet; and signs indicating the location and direction of premises in the process of development, provided the area on one side of any such sign shall not exceed thirty-two (32) square feet.
- e. Campaign signs and temporary signs of contractors, architects, mechanics, and artisans are permitted provided that such signs shall be removed within 21 days after an election or completion of the work and further provided that such signs shall not exceed thirty-two(32) square feet.
- f. Business or industrial signs may be erected and maintained in conjunction with a commercial or industrial use, provided.
 - i. That the area on one side of all such signs erected on one road frontage of any one premises shall not exceed fifty (50) square feet, unless authorized by a special use permit; and
 - ii. Such sign, except a direction sign, is erected only on the premises on which the use to which the relates is conducted.
 - iii. All signs must be positioned to take into account traffic, other road signs and viewing and sight lines from neighbors.

F. Billboard:

Off-premises advertising signs may be erected on ground or wall locations but not roof location in the Commercial and Industrial District, subject to the following regulations.

- 1. Permitting – Site and Use Permit is required for all billboards.
- 2. Spacing – Off-premises advertising signs on the same street facing the same traffic flow shall not be placed closer than 600 feet apart.
- 3. Double face signs – off-premises advertising signs can be doubled faced and each side shall be considered facing traffic flowing in the opposite direction.
- 4. Size- Off-premises advertising signs shall not exceed thirty-five (35) feet in height, forty-eight (48) feet in length and seven hundred and fifty (750) square feet in total area.
- 5. Setbacks – Off-premises advertising signs shall conform to the districts where in they are located.
- 6. Exclusionary Areas – No off-premises advertising sign shall be directed or maintained within five hundred (500) feet of any park or within one hundred (100) feet of any residential zone, church, school, or playground.

G. Golf carts:

1. Authority. This Ordinance is adopted pursuant to Minnesota Statute 169.045.
2. Purpose. The purpose of this ordinance is to provide authority for the use of motorized golfcarts on Township Roads that are located within Perham Township:
 - a. Adopted an ordinance establishing standards and permitting the use of such vehicles on designated roadways within its jurisdiction pursuant to the authority granted by Minnesota Statute 169.045; and
 - b. b. Formally requested the Township to allow use of such vehicles on Township roadways through an official council/board action. The provisions of this ordinance are intended to promote the general health, safety and welfare of the Residents of Perham Township.
3. Operation of golf carts on Township Roads in Perham Township
 - a. Every person operating a motorized golf cart under permit on designated Township Roads has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statutes, Chapter 169, except when those provisions cannot reasonably be applied to motorized golf carts.
 - b. Motorized golf carts may only be operated on the right shoulder or the extreme right-hand side of the road.
 - c. Motorized golf carts may only be operated on Township Roads from sunrise to sunset, unless equipped with original equipment headlights, taillights and rear-facing brake lights.
 - d. Motorized golf carts may not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
 - e. Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minnesota Statutes, §169.522, and shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle as required by Minnesota Statutes, §169.70.
4. Permits required
 - a. 4.1 It shall be unlawful for any person to operate a motorized golf cart on Township Roads except when the vehicle is traveling on Township Roads.
 - b. 4.2 Perham Township shall be collecting the following information from applicants requesting a permit:
 - i. The name and address of the applicant.
 - ii. The model, make, and year of the motorized golf cart.
 - iii. Current driver's license; and
 - iv. Proof of insurance for the motorized golf cart that complies with the provisions of Minnesota Statutes, §65B.48, subd. 5 (motorcycle coverage).
 - c. 4.4 The applicant may be required to submit any other information and pay any fees as required by the township.
 - d. 4.5 Permits may be granted for a period of three years and may be renewed. A \$15.00 permit fee will be required.
 - e. 4.6 The operator of a motorized golf cart may, under permit, cross any street or highway intersecting a designated Township Road.

5: Effective Date:

A. This Ordinance shall be in effect from and after the date of its passage by the Perham Township Board of Supervisors. (Amended 09/21/2022)

H. Road Specifications:

1. The road right-of-way shall be a minimum of 66 feet. This road must be dedicated to the public.
2. The road right-of-way shall be clear of all trees, brush and buildings.
3. Dead-End roads must have a cul-de-sac with a minimum 60-foot radius, 120 foot diameter.
4. The top surface of the road must be 24 feet in width. If blacktopped, the asphalt surface should be 24 feet with 2 feet of Class 5 shoulders making a 28-foot top width.
5. Ditches shall be 3 feet below the crown of the road.
6. The road surface must have a minimum of 4 inches of compacted Class 5 material.
7. All township roads must be connected to a conforming road.
8. Proposed asphalt roads must meet these specs. Costs to prepare the roadbed for asphalt (Sub-grade Preparation, Clearing and Grubbing, Fabric (if needed) and Class 5) will be assessed to property owners benefiting from the proposed project. Costs of asphalt, surveying and engineering will be shared equally between affected property owners and Perham Township.
9. The Perham Town Board must approve any deviations from these specifications before the road will be accepted for maintenance.
10. Any new sub-divisions must adhere to the above specifications. Furthermore, prior to Perham Township taking a road and providing maintenance, the road must be built to the above specs including the twenty four (24) foot width blacktop with 2 foot Class 5 shoulders. (Amended 07/07/2020)

General Requirements: The current edition of the Minnesota Department of Transportation "Standard Specifications for Construction" is included by reference.

Grading Construction: Stumps and debris shall not be buried within the roadbed or in slopes and shall not be disposed of by pushing onto land adjacent to the platted roads.

In slopes and backslopes shall be 4:1 slope or flatter with a minimum flat ditch bottom width of five (5) feet. Ditch depth separation shall be three (3) feet from roadway centerline finished grade to ditch bottom finished grade.

No material from the upper one foot of the natural soils shall be used in the upper two feet of the roadbed. All topsoil shall be salvaged and a minimum of four inches of topsoil shall be spread on all new slopes and areas disturbed during grading operations.

No rocks having a diameter of 6 inches or larger shall be placed within the upper one foot of the roadbed.

All embankments shall be constructed in relatively uniform layers approximately parallel to the final grade and extending over the full width of the embankment. Layers in the upper two feet of the embankment shall be not more than 8 inches in thickness (loose measurement), and those below the upper two feet shall be not more than the 12 inches in thickness (loose measurement), Compaction shall be obtained by the Quality Compaction (Visual Inspection) method. All new slopes and disturbed areas shall be seeded after the topsoil has been replaced. The seed mixture and mulch shall meet the requirements of the current MnDOT Standard Specifications for Construction for roadside seeding.

Culvert Requirements: Person installing the culvert is responsible to purchase the culvert. All centerline culverts shall have steel aprons and a minimum diameter of 18 inches. All approach culverts shall have steel aprons and a minimum diameter of 15 inches. All culverts shall have a minimum of 12 inches of cover, excluding aggregate base and surfacing materials, and shall have adequate length to achieve 4:1 slopes or flatter for centerline culverts and 6:1 or flatter for approaches. All approaches needing a mailbox shall have a swing away post.

Pipe material shall be corrugated metal pipe (CMP) or reinforced concrete pipe (RCP). Plastic pipe is not allowed. (Amended 09/21/2022)

Surfacing Construction: All materials used for aggregate base and aggregate surfacing shall meet the requirements of 3138 of the MnDOT Standard Specifications for Construction; Class 5 Aggregate Base and Class 1 Aggregate Surfacing. Compaction shall be obtained by the Quality Compaction Method.

Plant-Mixed Bituminous pavement shall be constructed in accordance with all applicable provisions of the current MnDOT Standard Specifications for Construction, with the following clarification:

Minimum total thickness of the bituminous surface shall be 3-1/2 inches, placed in two layers; 2" base course and 1-1/2" wear course.

Construction Inspection and Warranty: Inspection of construction shall be performed. Procedures and methods shall be proposed to and approved by Perham Township. All costs for inspections shall be paid for by the Developer/Contractor including periodic inspections by the Perham Township Engineer and/or other designated Township representatives. Minimum inspection stages include:

- After topsoil removal, before placement of embankment
- Before and during disposal of stumps and debris
- Before and during installation of culverts
- Proof roll compaction verification prior to and during embankment construction
- Proof roll compaction verification prior to placement of surfacing

A two (2) year warranty period will begin upon Final Acceptance of Construction by the Perham Township.

Section VII. Conditional Use Permits:

A. Application Process:

Any proposed special use applications shall be presented by written application to the Town Board for determination of its appropriateness and suitability to the Township a whole.

In support of such determination of appropriateness and suitability, the Town Board may require supporting documentation, such as surveys, preliminary architectural drawings or sketches, of all buildings or groups of buildings showing the front, side and rear elevations of the proposed building, structure or other lot as the same shall appear after the work has been completed. Such surveys, drawings or sketches shall be considered by the Town Board in an endeavor to ascertain that such buildings, structures, and other improvements shall be so designed and constructed that they will not be of unsightly, undesirable or obnoxious appearance t the extent that they will hinder the orderly and harmonious development of the Township.

The application process shall be on the form prescribed by the Township and the applicants shall be the beneficial owners of the land plus the operators of the proposed development thereon, and if a change in ownership is anticipated, the future owners shall also be applicants.

B. Standards:

No Conditional Use shall be approved by the Town Board unless Board shall find:

1. That the conditional use will not be injurious to the use and employment of other property in the immediate vicinity for the purpose already permitted nor substantially diminish and impair property values within the general vicinity.
2. that the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominate in the area.
3. That the adequate utilities, access roads, drainage, and other necessary facilities have been, or can be, provided.
4. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibrations so that none of these will constitute n nuisance and to control lighted signs and other lights in such a manner that no disturbances to neighboring residents will result.

C. Hearing Process:

1. Owners of property which is situated within one half mile of the site of the proposed conditional use shall be given not less than ten (10) days' notice of the date the Town Board will consider said application, although failure of any property owner to receive such notification shall not invalidate the proceedings.
2. Notice shall be given the governing body of any city or village the incorporated limits of which lie within two (2) miles of the proposed conditional use. The obligation to give notice shall be upon the applicant, but the notice form shall be supplied by the Township. Notice shall be proved by the affidavit of the applicant that he (she) has mailed the notice to the address used by the Otter Tail County Treasurer for tax statement purposes by certified mail return receipt requested and the return receipts and the affidavit of mailing shall be filed the Township prior to the hearing.
3. The Town Board shall consider the application at its next regular meeting, after compliance with the provisions of Section VII, A through C above specified.
4. The applicants shall appear personally before the Town Board and answer any questions concerning the proposed special use (the requirement of personal appearance by one or more of the applicants may be waived in the discretion of the Town Board).
5. The Town Board shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to prevent such adverse effects.
6. The Town Board shall take action on the application within sixty (60) days after all requirements have been met. If it grants the conditional use permit, the Board may impose any special conditions it considers necessary to protect the public health, safety and welfare of the Township residents.
7. If the applicant failed to appear at the hearing, failed to file proof of mailing or the required notices, or failed to answer questions concerning the proposed uses of the property, the hearing shall not be considered complete, and a permit shall not be issued. The applicant may reapply for permit, which shall require another hearing.
8. The fee for filing a conditional use permit and other related fees shall be as set forth in Appendix B.
9. The applicant shall pay all costs incurred by the Town Board for the hearing process and related expenses.

Section VIII. Non-Conforming Uses:

Any lawful use existing at the time of adoption of this Ordinance may be continued after the adoption of this Ordinance except as follows:

- A. No non-conforming use shall be renovated, expanded or reconstructed unless a conditional use permit or variance for such purpose is granted, except that it may be

restored to its original use and size if damaged by any cause not to exceed fifty (50) percent of its replacement cost as satisfactorily demonstrated to the Town Board.

- B. If a non-conforming use ceases to be used and properly maintained for a period of twelve (12) consecutive months, or is changed to a conforming use, any subsequent use shall meet the requirements to the Town Board.
- C. Non-conforming use shall not be moved to any other part of its site or to another site where it would still constitute a non-conforming use. (Amended 07/05/2006)

Section IX. Variances:

The Town Board may grant a variance from the provisions of this Ordinance when in its opinion undue hardship may result from strict compliance. In granting any variance, the Town Board shall take into account the nature of proposed use of land and the existing use of land in the vicinity, the residential and working population of the vicinity and the probable effect of the proposed variance upon traffic patterns of all forms of transportation. NO variance shall be granted unless the Town Board finds:

- A. That there are special circumstance or conditions affecting said property, such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his land.
- B. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
- C. That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the vicinity.
- D. Application for and processing of variance requests shall be as provided for conditional use permits by Section VII.

Section X. Perham Township land use by Section:

SECTION	CY=WITHIN CITY OF PERHAM			
	NE ¼	SE ¼	SW ¼	NW ¼
1	A	A	A SE ¼, R	L*
2	L*	L*&R	L*, CY	L*, R
3	L*	A, CY NE ¼	A	L*
4	A, L*	A	A	A
5	A	A	A	A
6	A, L*	A	A, L*	A, L*
7	A	A	A	A
8	A	A	A	A
9	A No RR, C	A	A	A, C NE ¼
10	CY, R NE ¼, R N ½ of NE ¼ of SE ¼, R E ¼ of NW ¼, A W ¼ of NW ¼	A, CY S ¼	A, C Sof Hwy 80 CY SE ¼ S of Hwy 80	A
11	A	A	CY	CY
12	A	A N ½, R S ½	R	A
13	A	C, L*	C	A
14	A NE ¼, CY	CY, C Sof Hwy 80	CY	CY
15	CY	CY	A	A
16	A	A	A	A
17	A	A	A	A

SECTION	NE ¼	SE ¼	SW ¼	NW ¼
18	A	A	A	A
19	A	A	A	A
20	A	A	A	A
21	A	A	A	A
22	A, C S of Hwy 10 CY NE ¼	A, R W ½ of NE ¼ C E ½ of NE ¼	A	A, C E ½ of SE ¼
23	Entire Section -----A south of Highway 10, C north of Highway 10			
24	A, L**	A, L**	A, L**, C N of Hwy 10	A, C S of Hwy 80
25	A, L**	A, L**	A	A, L**
26	A	A	A	A, C W ¼ of SW ¼
27	A	A	A, C NW ¼ of SE ¼ C E ½ of SW ¼, C S ½ of NE ¼	A
28	A	A	A	A
29	A	A	A	A
30	A	A	A	A
31	A	A	A	A
32	A	A	A	A
33	A	A	A	A
34	A	A	A	A, C E ½ of NW ¼ C SW ¼ of NW ¼
35	A	A	A	A
36	A, L*	A, L*	A	A

(AMENDED 9-04-07)

Section XI. Amendment:

This Ordinance may be amended in whole or in part by the Town Board whenever the public necessity and convenience and the general welfare require such amendment by the following procedure specified as follows:

- A. Any proposed amendment may, at the Board’s discretion, be submitted to a committee created by the Board to consider the amendment and report to the Board as to the advisability of proposed amendment.
- B. An amendment may be initiated by the Town Board or by a petition of twenty five (25) residents.
- C. A time period of at least sixty (60) days shall occur before a hearing is held.
- D. Prior to approval of any amendment, at least one (1) public hearing shall be held. Notice of the hearing time, place, and purpose shall be published in the official newspaper at least ten (10) days prior to the hearing.
- E. A copy of the proposed amendment shall be made available to persons requesting it.
- F. The Town Board may act on the proposed amendment at any regular Town Board meeting following the hearing.

Section XII. Administration, Enforcement, and Penalties:

- A. This Ordinance shall be administered and enforced by the Town Board who may designate an enforcing officer, by appointment of the Town Board.
- B. The duties of the enforcing officer shall be as follows:
 - 1. Issue building site and use permits for all permitted uses.
 - 2. Issue building site and use permits for all conditional uses when authorized by the Town Board.
 - 3. Administer the terms of this Ordinance subject to any required approval of the Town Board.
 - 4. Keep necessary records.
- C. Any person who violates any of the terms and provisions of this Ordinance shall be notified of such violation and may be charged with a misdemeanor if violation is not corrected within a time specified by the Town Board. Any resulting fines or cash receipts shall be credited to the general revenue fund.

D. in the event of a violation or a threatened violation of the Ordinance, the Town Board, any member thereof or any other person, in addition to other remedies, may institute appropriate actions or proceedings in court or before administrative agencies other than the Town Board to prevent, restrain, correct or abate such violations or threatened violations.

E. Building Site & Use, Conditional Use and Variance Permits; Application and Fee. Written application on the form designated by the Township shall be made for all building site and conditional use permits. Written application shall be accompanied by fees as provided in Appendix B:

1. A building site and use permit shall be obtained prior to erecting, installing, altering, converting or moving an structure or part thereof. If there is no change in exterior dimensions of an existing structure, no building site and use permit is required.
2. Agricultural buildings: see Appendix B.
3. All structures except agricultural buildings: See Appendix B.
4. Conditional Use Permit: See Appendix B.
5. Variance: See Appendix B.

F. Should a court of competent jurisdiction declare any section, subsection, sentence, clause or phrase of this Ordinance for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

G. Effective Date.

This Ordinance shall be in full force and effect upon the due passage thereof. APPROVED BY THE BOARD OF TOWNSHIP SUPERVISORS OF THE TOWNSHIP OF PERHAM this 2nd day of September, 2003.


Supervisor

Supervisor

Supervisor

ATTEST:


Town Clerk




Appendix A.

Examples of Conditional Uses:

1. The offices of members of recognized professions, such as doctors of medicine and dentistry, chiropractors, and engineers, lawyers and architects, provided such professions are carried on in their respective residences.
2. Federal, state, or local governmental buildings and facilities.
3. Nursing homes, hospitals or sanatorium.
4. Resorts, campgrounds and other recreation-oriented commercial use.
5. Customary home occupation in the residence.
6. Accessory buildings other than private garages and customary agricultural structures.
7. Churches, schools, parks, playgrounds, and incidental uses when situated on the same site or unit or property.
8. Cemeteries.
9. Commercial enterprise within the agricultural district.
10. Junk and auto and machinery salvage yards.
11. Commercial grain storage and drying.
12. Livestock sales barns and accessory facilities.
13. Solid waste transfer stations, refuse areas, and sanitary facilities as per the State of Minnesota Pollution Control Agency and State Board of Health Regulations.
14. Agricultural oriented business such as; grain and feed sales, general repair and installation services, custom meat processing, the raising or housing of other animals, including, but not limited to, bison, elk, llamas, mink, dogs and cats (kennels), pheasants or other game birds (hunting clubs), or other exotic animals.
15. Commercial livestock and poultry feedlots, as per Minnesota Pollution Control Agency Regulations (SW51-54) over the size established as a permitted use by Section IV B.1. of this Ordinance. The MPCA regulations may be considered by the Town Board when considering such conditional uses, but the said regulations shall not be mandatory upon the Township.
16. Railroad right-of-way, regional pipelines, power substations, transmission and distribution lines, telephone equipment facilities, radio frequency transmission (RF) towers, and transmission lines or cables.

17. Such other conditional uses and structures as may from time to time be approved by the Town Board upon proper application.
18. Remodeling of any existing building for the above-listed purposes, including those in existence at the time of adoption of this Ordinance.

APPENDIX B .

PERMIT FEES:

(Amended October 4th, 2022)

1. Agricultural Buildings: \$25.00
 2. Approach fees and Road Inspection Fees: \$100.00
 - a. Approach permits require a \$500.00 deposit to be returned upon final inspection of Town Supervisor
 3. All structures except agricultural buildings:
 - a. Buildings: one dollar (\$1.00) per one thousand dollars (\$1000.00) or fracture thereof of the cost of the structure, with a minimum of fifty dollars (\$50.00)
 4. Conditional Use Permit (CUP): one hundred dollars (\$100.00) plus one additional dollar for each ten thousand dollars (\$10,000.00) or fraction thereof, of estimated construction costs.
 5. Variance Permit: One hundred dollars (\$100.00)
 6. After the fact permit application:
 - a. Agricultural buildings: double the normal fee
 - b. Approaches: double the normal fee.
 - c. Buildings: Minimum of \$900.00 with a maximum of double the value if maximum exceeds \$900.00. Building project will be shut down until permit can be approved by Town Supervisors at next monthly meeting.
 - d. Conditional Use Permit: double the normal fee
 - e. Variance permit: double the normal fee
- Golf Cart Permit: \$15.00 for 3 year permit

Appendix C.

Amendments and Ordinances:

**PERHAM TOWNSHIP LAND USE ORDINANCE
AMENDMENT No. 1
Dated July 5, 2006**

Section II. Definitions is amended to delete the definitions of yard front, yard rear and yard side from the ordinance.

Section IV D. Dimensional Requirements is amended as follows: The current Section IV, D:1 is replaced by the title Setbacks and becomes D:1:a. D:1:b is added to define the setbacks from property lines. D:2:d is deleted from the ordinance

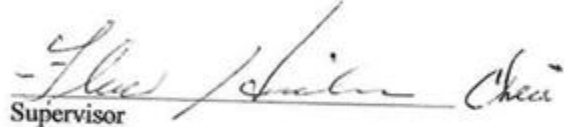
Section IV—A. Commercial and Industrial District is added to the ordinance to define the Commercial and Industrial setbacks and plot sizes.

Section VII C. Hearing Process is amended to add requirement number 9: The applicant shall pay all costs incurred by the town board for the hearing process and related expenses.

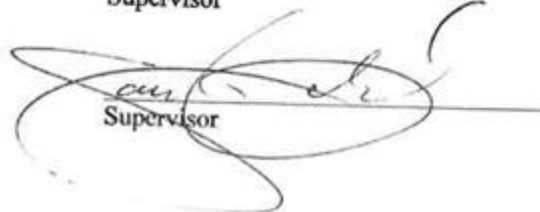
The Index is amended to include the changes defined above.

The original pages; the Index page and pages numbered 9, 10, 11, and 17 are replaced by the amended pages; the amended Index page and amended pages numbered 9, 10, 11, and 17 respectively within the ordinance. The originals are attached to the end of the ordinance under Appendix E, titled Original Pages Replaced.

This Amendment shall be in full force and effect upon the due passage thereof.
APPROVED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PERHAM this 5th day of July, 2006.


Supervisor


Supervisor


Supervisor

ATTEST:


Town Clerk

PERHAM TOWNSHIP LAND USE ORDINANCE
Amendment No. 2
Dated September 4, 2007

Section X – The Land Use by Section on page 20 is amended for Section 24 of Perham Township. The SW ¼ of Section 24 is defined as A, L**, C N of Hwy 10.

The original page 20 is replaced by the amended page 20 and the original page 20 is attached to the end of the ordinance under Appendix E, titled Original Pages Replaced.

This Amendment shall be in full force and effect upon the due passage thereof.
APPROVED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PERHAM this 4th day of September, 2007



Supervisor



Supervisor



Supervisor

ATTEST:



Town Clerk

**PERHAM TOWNSHIP ROAD SPECIFICATION
AMENDMENT No. 1
Dated July 7th, 2020**

The Road Specifications of Perham Township were amended by a carried motion of Supervisors at the July 7th, 2020 Board Meeting.

The original pages; the index page, pages numbered 27 and 28 containing original Township Road Standards and pages 29 and 30 due to sequencing of Ordinance are replaced by the amended pages; the amended index page and amended pages numbered 27, 28, and 29 containing updated Road Specifications, and pages numbered 30 and 31 for number sequencing.

This Amendment shall be in full force and effect upon the due approval of the Board of Supervisors.

APPROVED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PERHAM on the 5th day of July, 2020.


Chairperson


Supervisor


Supervisor

Attest:

Town Clerk

**ORDINANCE REGULATING THE USE OF GOLF CARTS ON TOWNSHIP ROADS
IN PERHAM TOWNSHIP
Dated OCTOBER 4TH, 2020**

Section 1: GENERAL PROVISIONS

- 1.1 Authority. This Ordinance is adopted pursuant to Minnesota Statute 169.045.
- 1.2 Purpose. The purpose of this ordinance is to provide authority for the use of motorized golf carts on Township Roads that are located within Perham Township:
- a. Adopted an ordinance establishing standards and permitting the use of such vehicles on designated roadways within its jurisdiction pursuant to the authority granted by Minnesota Statute 169.045; and
 - b. Formally requested the Township to allow use of such vehicles on Township roadways through an official council/board action. The provisions of this ordinance are intended to promote the general health, safety and welfare of the Residents of Perham Township.

Section 2: DEFINITIONS

- 2.1 "Motorized Golf Cart" means any electric or gas powered vehicle with: (1) four low pressure or non-pneumatic tires; (2) an engine displacement less than 800 cubic centimeters; (3) and not capable of reaching speeds greater than 20 miles per hour.
- 2.2 "Township Road" means a road that is under the jurisdiction of Perham Township and is classified as a "Township Road"

Section 3: OPERATION OF GOLF CARTS on TOWNSHIP ROADS IN PERHAM TOWNSHIP

- 3.1 Every person operating a motorized golf cart under permit on designated Township Roads has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statutes, Chapter 169, except when those provisions cannot reasonably be applied to motorized golf carts.
- 3.2 Motorized golf carts may only be operated on the right shoulder or the extreme right-hand side of the road.
- 3.3 Motorized golf carts may only be operated on Township Roads from sunrise to sunset, unless equipped with original equipment headlights, taillights and rear-facing brake lights.
- 3.4 Motorized golf carts may not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- 3.5 Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minnesota Statutes, §169.522, and shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle as required by Minnesota Statutes, §169.70.

Section 4: PERMITS REQUIRED

4.1 It shall be unlawful for any person to operate a motorized golf cart on Township Roads except when the vehicle is traveling on Township Roads.

4.2 Perham Township shall be collect the following information from applicants requesting a permit:

- a. The name and address of the applicant;
- b. The model, make, and year of the motorized golf cart;
- c. Current driver's license; and
- d. Proof of insurance for the motorized golf cart that complies with the provisions of Minnesota Statutes, §65B.48, subd. 5 (motorcycle coverage).

4.4 The applicant may be required to submit any other information and pay any fees as required by the township.

4.5 Permits may be granted for a period of three years and may be renewed. A \$15.00 permit fee will be required.

4.6 The operator of a motorized golf cart may, under permit, cross any street or highway intersecting a designated Township Road.

Section 5: EFFECTIVE DATE

5.1 This Ordinance shall be in effect from and after the date of its passage by the Perham Township Board of Supervisors. **APPROVED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PERHAM THIS 4TH DAY OF OCTOBER, 2022.**


Chairperson


Supervisor


Supervisor

Attest:

Town Clerk

**ORDINANCE TO CHANGE CULVERT SPECIFICATIONS
TO APPROACHES IN PERHAM TOWNSHIP**

Dated OCTOBER 4TH, 2022

The Board of Supervisors of the Town of Perham ordains:

Section 1:

1.1 Purpose. The purpose of this ordinance is to adopt changes to the requirements of culverts installed within the Township of Perham.

Section 2:

2.1 Culvert Requirements. Person installing the culvert is responsible to purchase the culvert. All centerline culverts shall have steel aprons and a minimum diameter of 18 inches. All approach culverts shall have steel aprons and a minimum diameter of 15 inches. All culverts shall have a minimum of 12 inches of cover, excluding aggregate base and surfacing materials, and shall have adequate length to achieve 4:1 slopes or flatter for centerline culverts and 6:1 or flatter for approaches. All approaches needing a mailbox shall have a swing away post. Pipe material shall be corrugated metal pipe (CMP) or reinforced concrete pipe (RCP). Plastic pipe is not allowed.

Section 3:

3.1 Construction Inspection and Warranty. Inspection of construction shall be performed. Procedures and methods shall be proposed to and approved by Perham Township. All costs for inspections shall be paid for by the Developer/Contractor including periodic inspections by the Perham Township Engineer and/or other designated Township representatives. Minimum inspection stages include:

After topsoil removal, before placement of embankment

Before and during disposal of stumps and debris

Before and during installation of culverts

Proof roll compaction verification prior to and during embankment construction

Proof roll compaction verification prior to placement of surfacing


Section 4:


4.1 Penalty. Any approach found to be placed adjacent to a Township Road without a valid permit will be assessed double the permit fees (\$200) and subject to inspection by a representative of Perham Township. Should the access approach be found to be deficient in the required width and elevation, determined it will alter drainage in the Township Road right-of-way, placed in such a manner that the sight distance of the oncoming traffic may create a safety

hazard, or have been built using substandard or no drainage culvert, the landowner will be required to remove the approach or correct the deficiency at the landowner's expense within the time period of 1 month from the time of inspection as well as submit the required approach permit fees. If the landowner does not comply with the requirements stated within this policy, the Township Supervisors will cause the approach to be corrected and the landowner will be responsible for the entire cost billed from Perham Township.

Section 5: EFFECTIVE DATE

5.1 This Ordinance shall be in effect from and after the date of its passage by the Perham Township Board of Supervisors. **Approved by the Board of Supervisors of the Township of Perham this 4th day of October, 2022**


Chairperson


Supervisor


Supervisor

Attest:

Town Clerk

**ORDINANCE TO AMEND FEES TO BUILDING PERMIT PENELITIES
AND ADD GOLF CART PERMIT FEE
IN PERHAM TOWNSHIP
Dated OCTOBER 4TH , 2022**

The Board of Supervisors of the Town of Perham ordains:

Section 1. Schedule Adopted. The attached fee schedule is hereby adopted. The fees contained in the schedule replace any fee amounts previously adopted by the Town Board on the same items.

Section 2. Not Codified. This ordinance is transitory in nature and shall not be codified. The fee schedule established hereby shall be available to the public upon reasonable request and available for public inspection at the Township Office and on the Township Website.

Section 3. Zoning Fees. The Town is authorized by Minnesota Statutes, section 462.353, subdivision 4 to impose fees to offset its costs to administer and enforce its zoning ordinance. The zoning fees the Town collects shall be used to offset the Town's costs related to the administration and enforcement of its zoning ordinance and will not be transferred or used for purposes unrelated to planning and zoning.

Section 4. Reasonableness. The Town Board determines the fees established on the attached fee schedule are fair, reasonable, proportionate, and have a nexus to the actual costs the Town incurs related to providing the services to which they relate.

Section 5. Collection. The Town may refuse to process any request for failure to submit all required fees and any required escrow amounts. The Town may collect any fees or other amounts that are due and not paid as a service charge pursuant to Minnesota Statutes, section 366.012 by certifying the amount to the county auditor for collection together with the property taxes imposed on any property the person owns in the state.

Section 6. Effect. The fees set out in the attached fee schedule apply notwithstanding any other fees the Town has established which may be inconsistent. Any other fees imposed by the Township which do not appear on the attached fee schedule remain in full force and effect.

Section 7. Effective Date. This ordinance is effective upon the first day of publication and applies to any requests for a service included on the schedule made on or after its effective date.

Adopted this 4th day of October 2022 by the Town Board of Supervisors

FEE SCHEDULE

Adopted on October 4th, 2022

- a. Agricultural Buildings: \$25.00
- b. Approach fees and Road Inspection Fees: \$100.00
 - a. Approach permits require a \$500.00 deposit to be returned upon final inspection of Town Supervisor
- c. All structures except agricultural buildings:
 - a. Buildings: one dollar (\$1.00) per one thousand dollars (\$1000.00) or fraction thereof of the cost of the structure, with a minimum of fifty dollars (\$50.00)
- d. Conditional Use Permit (CUP): one hundred dollars (\$100.00) plus one additional dollar for each ten thousand dollars (\$10,000.00) or fraction thereof, of estimated construction costs.
- e. Variance Permit: One hundred dollars (\$100.00)
- f. After the fact permit application:
 - a. Agricultural buildings: double the normal fee
 - b. Approaches: double the normal fee.
 - c. Buildings: Minimum of 900.00 and maximum of double the value with building project on hold until Building Permit is approved by Town Board at the next Monthly Board meeting
 - d. Conditional Use Permit: double the normal fee
 - e. Variance permit: double the normal fee
- g. Golf Cart Permit: \$15.00 for 3 year permit


Chairperson


Supervisor


Supervisor

Attest:
 10-24-2022

Town Clerk

**PERHAM TOWNSHIP ORDINANCE
AMENDMENT No. 1
Dated October 4th, 2022**

The following Ordinances were amended with carried motions by the Perham Township Supervisors at the September 21st, 2022, special meeting to discuss said Ordinances.

The Culvert Specifications of Perham Township were amended by a carried motion of Supervisors at the September 21st, 2022, Board Meeting.

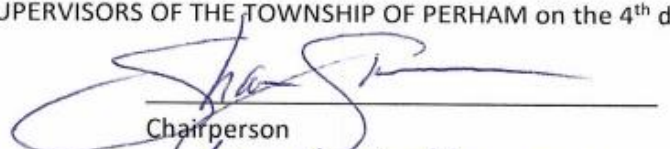
The Permit fees, specifically late fee penalties of Perham Township were amended by a carried motion of Supervisors at the September 21st, 2022, Board Meeting.

An Ordinance outlying the use and permit specifications of golf carts on the Perham Township roads were passed by a carried motion of Supervisors at the September 21st, 2022, Board Meeting.


The original pages; the index page, page numbered 26 listing Permit Fees, page 28 containing original Township Road Standards pertaining to culverts, and page 30 due to sequencing of Ordinance are replaced by the amended pages; the amended index page and amended pages numbered 26, 28, and 30 containing updated permit fees, updated Road Specifications pertaining to culverts, carried Golf Cart permit Ordinance. Page 31 has been added as continued Ordinance pertaining to Golf Cart permits.

This Amendment shall be in full force and effect upon the due approval of the Board of Supervisors.


APPROVED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PERHAM on the 4th day of October, 2022.



Chairperson



Supervisor



Supervisor

Attest:


Town Clerk

PERHAM TOWNSHIP ORDINANCE

AMENDMENT No 2

Dated November 1st, 2022

The Original pages of the Perham Township Ordinance were changed to format the Ordinance in one uniform font and one consecutive outline.

The signed Ordinance Amendments to this Ordinance dated the 2nd day of September 2003 have been moved to the end of this document. Future Amendments and Ordinance changes will be included in sequential order in this location titled Appendix d.

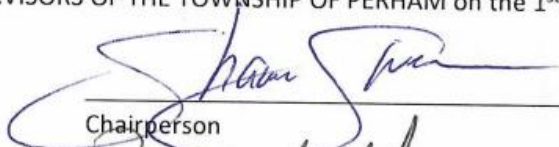
The pages of this Ordinance have been adjusted to allow for sequential page numbering throughout the Ordinance beginning with page 1 and ending with page 37.

The Ordinance that this Ordinance is replacing is on file with Perham Township Documents for the purposes of reference, validation, and record retention.

No language has been altered, omitted, or added to the original Ordinance dated the 2nd day of September 2003.

This Ordinance shall be in full force and effect upon the due approval of the Board of Supervisors.

APPROVED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PERHAM on the 1st day of November, 2022.



Chairperson



Supervisor

Supervisor

Attest:



Town Clerk