

CITY OF CRYSTAL

ORDINANCE #2015 - 08

AN ORDINANCE AMENDING CHAPTERS 1 AND 2 OF
THE CRYSTAL CITY CODE

The City of Crystal ordains:

ARTICLE I. The following portions of Chapter I, Section 100 of the Crystal city code are hereby amended by deleting the ~~stricken~~ material and adding the double underlined material as follows:

100.01. Title. This codification of the ordinances of the city of Crystal may be referred to and cited as: "The Crystal city code of 1994." All such references shall be to the most current enactment of The Crystal city code unless the context of the reference expressly or impliedly indicates otherwise.

100.03. Citation; reference; numbering system. For the purposes of internal references in code and citation by its users, the following terms are used:

Chapter	Roman numerals (e.g. chapter XI)
Section	Arabic numerals (e.g. section 1100)
Subsection	Arabic numerals for section and subsection separated by decimal (e.g., subsection 110.01)
Clause	Arabic <u>English</u> letters, lower case, in parentheses (e.g. (a))

Reference or citations made in a form other than the foregoing will not defeat the intent of the council in enacting an ordinance or the intent of a user in citing the code when such intent is otherwise unclear. This code is to be construed liberally to carry out its intent and purposes.

100.05. Adoption by reference. Statutes or administrative rules or regulations of the state of Minnesota, codes and ordinances adopted by reference in this code are adopted pursuant to authority granted by Minnesota Statutes, section 471.62. Unless expressly indicated otherwise, the provisions adopted by reference shall include any subsequent amendments made to those provisions and any successor provisions. ~~At least one copy of any item so adopted, but not less than the number of copies required by law, must be kept in the office of the city clerk for use by the public.~~

100.07. Official statutes; codes; regulations; and ordinances. References in this code to Minnesota Statutes are to ~~Minnesota Statutes 2002 and Laws of Minnesota 2003~~ the most current enacting of the Minnesota Statutes, unless otherwise provided in this code. References in this code to rules and regulations of state agencies, codes, and ordinances of other municipalities are to the most current enactment of those documents in effect on August 1, 2003, unless otherwise provided.

100.09. Relation to state other law. It is the intent of the city council that the provisions of this code are the fullest exercise of the regulatory and other powers granted to it by state law and the city charter. Where this code imposes a more stringent rule or standard of conduct than contained in similar provisions of state law, rule or regulation, it is the intent of the council that the provisions of this code prevail over that state law, rule or regulation to the extent permitted by law. However, the provisions of this code do not necessarily preclude the application of other federal, state, and local laws, rules, regulations, and ordinances. Compliance in a given situation may require acting in accordance with regulations enacted by different regulatory bodies and obtaining permits and licenses required by those regulations.

100.10. Incorporation of Ordinances. The city clerk is authorized to work with the city attorney to incorporate amendments made to this code by ordinance adopted by the city council. This authorization includes the authority to renumber sections, subsections, and clauses as may be required, and to make typographical and other non-substantive corrections to the code as part of incorporating the amendments. The updated code shall constitute the official Crystal city code. Ordinances of a temporary or transitory nature shall not be incorporated into the code unless otherwise directed by the city council.

ARTICLE II. The following portions of Chapter I, Section 105 of the Crystal city code are hereby amended by deleting the ~~stricken~~ material and adding the double underlined material as follows:

105.01. Definitions; common terms. Subdivision 1. For purposes of this code, the terms defined in this section have the meanings given them.

Subd. 4. "Code", "this code" or "code of ordinances" means the most current enactment of the Crystal city code ~~adopted by ordinance in 1994~~, as organized, compiled and codified herein.

Subd. 12. "Local non-profit/civic organization" means (i) a non-profit ~~corporation~~ organization located in the city and ~~qualified under Section 501(c)(3) of the Internal Revenue Code~~, (ii) a club as defined in Minnesota Statutes, section 340A.101, subdivision 7, located in the city, (iii) the city, (iv) the ~~Crystal volunteer fire department~~ West Metro Fire Rescue District Firefighters Relief Association, (v) ~~Independent School District 281~~, or (vi) a volunteer committee organized for the sole purpose of sponsoring or assisting in the conduct of a civic celebration officially recognized by the city, or other organization identified as a local non-profit or civic organization by the city council.

Subd. ____ . "Misdemeanor" means a crime for which a sentence of not more than 90 days or a fine of not more than \$1,000, or both, may be imposed.

Subd. ____ . "Official" means a person elected or appointed to the council, or appointed to a committee or other group created by the city council to serve the city on its behalf.

Subd. . “Petty misdemeanor” means a petty offense which is prohibited by statute or this code, does not constitute a crime, and for which a sentence of a fine of not more than \$300 may be imposed.

ARTICLE III. The following portions of Chapter I, Section 115, of the Crystal city code are hereby amended by deleting the ~~stricken~~ material and adding the double underlined material as follows:

115.01. General rule. A person who violates a provision of this code is guilty of a misdemeanor and ~~upon conviction thereof may be punished by a fine of not more than \$700 or such other amount set by law and imprisonment for a term not to exceed 90 days, or both.~~ Each act of violation and each day on which a violation occurs or continues is a separate violation.

115.07. Failure of officers to perform duties. The penalty imposed by this section does not apply to the failure of an ~~officer~~ official or employee of the city to perform a duty imposed by this code unless a penalty is specifically provided for such failure.

ARTICLE IV. The following portions of Chapter II, Section 200, of the Crystal city code are hereby amended by deleting the ~~stricken~~ material and adding the double underlined material as follows:

200.01. Regular and special meetings. Regular meetings of the council must be held on the first and third Tuesday of each month in the council chambers of the city hall at 7:00 p.m. unless otherwise specified by council resolution. Meetings may be adjourned from time to time to a specified date or subject to the call of the mayor or any three members of the council upon at least twelve hours' notice to each member of the council and such other notice required by law. Regular and special meetings of the council are held in compliance with section 3.01 of the charter. Meetings of the council must be open to the public in accordance with Minnesota Statutes, chapter 13D.

200.03. Quorum. A majority of council members ~~elected~~ constitutes a quorum, but a smaller number may adjourn from time to time.

ARTICLE V. The following portions of Chapter II, Section 211 of the Crystal city code are hereby amended by deleting the ~~stricken~~ material and adding the double underlined material as follows:

211.01. Salary schedule. Subdivision 1. The annual salary of the mayor and other members of the city council are in the amounts and for the calendar years shown below:

<u>Calendar Year</u>	<u>Mayor Salary</u>	<u>Councilmember Salary</u>
2013	\$10,514.69	\$8,088.83
2014	\$10,619.84	\$8,169.72

~~Notwithstanding the foregoing, the council may enact an ordinance to take effect before the next succeeding municipal election that reduces adjust the salaries of the mayor and the other~~

councilmembers as provided in Minnesota Statutes, section 415.11. The ordinance shall be in effect for 12 months, unless another period of time is specified in the ordinance, after which the salary of all the members reverts to the salary in effect immediately before the ordinance was enacted.

ARTICLE VI. As Minnesota Statute, chapter 211A adequately governs the City's responsibilities related to campaign finance reporting, the following portions of Chapter II, Section 215, of the Crystal city code are hereby amended by deleting the ~~stricken~~ material and adding the double underlined material as follows:

215.03. Election dates. Primary elections in the city are held on the second Tuesday in August. General elections are held on the first Tuesday after the first Monday in November of even numbered years. The council may set the date for a special or primary election by resolution.

215.09. Background: findings. Subdivision 1. Laws of Minnesota 1994, chapter 646, Laws of Minnesota 1995, chapter 8, and Minnesota Statutes, section 205.07 (collectively, the "Act") require the city to modify the election system provided for in chapter 4 of the city charter to provide for the election of members of the city council in either odd-numbered years or even-numbered years, but not both. The Act also requires that (i) members of the council be elected for four-year terms and (ii) the mayor be elected for either a two-year term or a four-year term. The Act applies to municipal elections for terms commencing in 1998.

Subd. 2. ~~The council has investigated the facts and determined that it is in the best interests of the city and its citizens that the regular municipal election be held in even-numbered years and that the term of the mayor be four years.~~

Subd. 3. ~~It appears to be the intent of the Act that the transition to biennial elections be accomplished by ordinance of the city. The council has found and determined that the adoption of this ordinance is necessary to enable the city to comply with the terms of the Act.~~

Subd. 4. ~~The city staff has prepared a schedule of elections and terms that will enable the city to comply with the Act. The schedule, embodied in subd. 5, is approved (Added, Ord. No. 96-14, Sec. 1)~~

Subd. 5. Transition schedule. In the years 1997 and thereafter, the general municipal election will be held on the first Tuesday after the first Monday in November in the years, for the terms, and for the respective offices described in the following table:

<u>Year of Election</u>	<u>Office</u>	<u>Term</u>	<u>Next Election</u>	<u>Term</u>
1997	Ward 3	98-99-00	2000	4 Years
	Ward 4	98-99-00	2000	4 Years
	Section 1	98-99-00	2000	4 Years
1998	Ward 1	99-00-01-02	2002	4 Years
	Ward 2	99-00-01-02	2002	4 Years
	Section 2	99-00-01-02	2002	4 Years

Subd. 6. The city clerk is authorized and directed to take all actions necessary to provide for an orderly transition from the existing election schedule to the schedule set forth in subdivision 5. (Added, Ord. No. 96-14, Sec. 1)

215.11. ~~Campaign contributions.~~ Subdivision 1. Preliminary; background. It is found and determined by the city council of the city of Crystal that it is necessary and desirable that the public be fully informed of all contributions of over \$100 made to any person who is a candidate for the office of mayor or councilmember be made a matter of public record. This section establishes a system for the filing, recording and publication of the same of such contributions. The requirements of this subsection are in addition to any similar requirements of state law. (Added, Ord. 2004-14, Sec. 1)

Subd. 2. Definitions.

a) ~~Candidate~~ means the mayor or councilmember or person who has filed an affidavit of candidacy for the office of mayor or councilmember in the city.

b) ~~Campaign contribution~~ means anything of monetary value that is given or loaned to a candidate or candidate's committee for a political purpose. The term does not include a service provided without compensation by an individual.

e) ~~Persons~~ means a natural person or corporation or any legal entity as defined by law or the code except:

1) the candidate; or

2) the candidate's spouse.

d) ~~Source~~ means a natural person, a corporation or partnership or any legal entity as defined by law or this code.

e) It is the intent of this subsection that the terms candidate, committee, person and source has the meanings given them by Minnesota Statutes, chapter 211A. (Added, Ord. 2004-14, Sec. 2).

Subd. 3. Procedures.

a) ~~Filing; forms.~~ A candidate or candidate's committee must file a report each year listing each contribution in that year from any source of more than \$100. The report must be made on a form or forms approved by resolution of the city council and prepared by the city clerk. The report must be filed with the clerk no later than January 31 of each year following the year that is the subject of the report, and in a year when the candidate's name appears on the ballot, the candidate shall file a report (a) ten days before the primary election, if any; (b) ten days before the general election or special election, and (c) 30 days after a general or special election. (Added, Ord. 2004-14, Sec. 3)

b) ~~Forms; content.~~ The form of the report approved by council resolution must include:

1) the name and address of the candidate or candidate's committee;

2) the name and address of the person responsible for filing the report;

3) the amount of the contributions received since the last annual report

until five days prior to the submission of the report;

4) the name and address of any person making a total contribution of more than \$100 in the reporting year; and

5) such other information deemed necessary by the city council. (Added, Ord. 2004-14, Sec. 2)

Subd. 4. Availability; publication. The clerk must maintain the reports filed pursuant to this section in such a manner so as to make them easily accessible to members of the public. The clerk must, if so directed by the city council, make the reports, or a summary of the reports, available on the city's website. (Added, Ord. 2004-14, Sec. 4)

Subd. 5. Indexing. The monetary limitation of this subsection must be adjusted annually on July 1 by use of the consumer price index published annually by the United States Department of Labor. (Added, Ord. 2004-14, Sec. 5)

Subd. 6. Penalty. Violation of this subsection is a misdemeanor. (Added, Ord. 2004-14, Sec. 6)

ARTICLE VII. This ordinance is effective upon adoption and 30 days after publication.

First Reading: December 15, 2015

Second Reading: January 5, 2016

Council Adoption: January 5, 2016

Publication: January 14, 2016

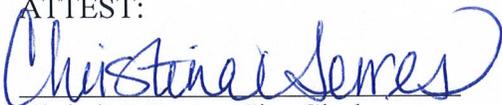
Effective Date: February 13, 2016

BY THE CITY COUNCIL



Jim Adams, Mayor

ATTEST:


Christina Serres, City Clerk