

DUNN CENTER

— NORTH DAKOTA —

COUNCIL RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUNN CENTER, NORTH DAKOTA, ESTABLISHING DEVELOPMENT REVIEW APPLICATION REQUIREMENTS AND ASSOCIATED FEES, BUILDING/ZONING PERMIT FEES, IMPACT/HOOK-UP FEES, AND GENERAL ENGINEERING STANDARDS FOR GOVERNING DEVELOPMENT-RELATED ACTIVITIES IN THE CITY.

WHEREAS, the City Council of the City of Dunn Center did on the _12th day of April 2011, following notice and public hearing, unanimously approved the adoption of the comprehensive plan for the City of Dunn Center.

WHEREAS, the City Council of the City of Dunn Center did on the 9th day of August 2011, following notice and public hearing, direct Mr. Cory Ravnaas, PE of Hyalite Engineers, PLLC to prepare recommendations for development-related review policies and procedures.

WHEREAS, the North Dakota Century Code (NDCC) 40-05-02 (6) gives the City of Dunn Center the power to fix the fees for issuance of building permits. To help defray the costs of providing administrative and managerial activities associated with building improvement projects in the city, the Council must now establish fees to provide said services

WHEREAS, to help the city govern and defray the administrative costs of plan and development review for the coming assessment year, the Council must now establish an orderly process for development and set fees to provide for the administrative review and to cover the cost of municipal service improvements to provide said services.

NOW, THEREFORE, pursuant to the provisions of said Resolution and the laws of the State of North Dakota,

BE IT RESOLVED AND IT IS HEREBY ORDERED BY THE COMMISSION OF THE CITY OF DUNN CENTER, STATE OF NORTH DAKOTA:

Section 1 – General Development and Infrastructure Policies

1. All development related activities in the City of Dunn Center will require review and permitting fees to be paid for by the applicant of any new proposed project. Development related review fees will be paid for by the applicant and the time the application(s) have been submitted.

2. All new construction (all types and sizes of construction as greater defined herewith) will require building permits and/or zoning permits as expressly defined in the zoning ordinance. The applicants for all new construction will be required to pay for the cost of a new permit and for the plan review of said permit. Building/zoning permits to be paid for when the permit is issued. If work commences on any project in advance of a building permit being issued, the applicant will be responsible for paying double the normal fees and work shall be stopped until the permit is issued.
3. All new construction and development activities impact existing municipal services off-site of the new project site. The cost of improving services to enable the town to develop and grow is to be partially paid for by the builder/developer/homeowner in the form of impact or hook-up fees. Impact/hook-up fees to be paid for prior to water service being turned on to the associated facilities.
4. All costs to extend city services (water, sewer, stormwater, and streets, etc.) to be borne by the applicant/developer unless alternative arrangements have been approved by resolution of the Dunn Center City Council.
5. The developer/builder/applicant shall pay for all materials (including curb stop valves) necessary to provide service to new facilities or developments in the City of Dunn Center. The materials provided/installed shall meet all city standards.
6. Water meters will be charged out/paid for at the time water service is requested and the cost of the meter will be the actual cost of the meter plus \$50 for installation of said meter (which will be done by the city water/sewer superintendent).

**Section 2 – Any Improvements within the City Right-Of-Way for Streets
(Infrastructure)**

1. All work must be reviewed by the City Engineer.
2. All work must be done in accordance with standard specifications and details, design requirements, and facilities plans as amended from time to time and completed for the city and approved by the City Engineer.
3. All work in the city R.O.W. or connecting to city infrastructure must be approved by the City Engineer and the North Dakota Department of Health (NDDOH).
4. All improvements to city infrastructure must be designed and stamped by a professional engineer licensed to do work in North Dakota.
5. Any/all work in the city R.O.W. must be done by a contractor licensed to do work in North Dakota. Said contractor shall post a bond in an amount sufficient to cover the cost of the planned improvements (only that portion of cost associated with work in the R.O.W.)
6. Water and sewer connections must include a sketch plan review with the city engineer and as-built drawings must be submitted before water will be turned on to new services.

Section 3 – Any Development-Related Applications

1. Applicant shall contact city auditor (or other defined city administrative staff) to schedule a preliminary meeting with either or both the zoning administrator and city engineer to establish review procedures, which are outlined in the attached development review application requirements and fee summary and associated checklists.
2. Applicant shall complete the required development review application and applicable checklists and shall provide the respective fees at the time the application is submitted to the City of Dunn Center.
3. The application will be reviewed within 30 days and an agenda item shall be placed on the next available City Council meeting (note that this may not be the next meeting if adequate public notice cannot be given).
4. The City Council with either approve, conditionally approve, or deny any proposed development application. Approvals will be accompanied by instructions regarding framework for final approval.
5. The city engineer and/or zoning administrator shall provide the city council with a staff report outlining suggested conditions of approval should the council vote to approve the application.
6. The development applications should be reviewed based on the criteria outlined in the associated checklist.

Section 4 – Building Codes Adopted

1. The City of Dunn Center hereby adopts the minimum building code requirements for the State of North Dakota or the following codes (whichever is more stringent):
 - a. 2009 International Building Code (IBC)
 - b. 2009 International Residential Code (IRC)
 - c. 2009 International Existing Building Code (IEBC)
 - d. 2009 International Fuel Gas Code (IFGC)
 - e. 2009 International Mechanical Code (IMC)
 - f. 2008 National Electric Code (NEC)
 - g. 2009 Uniform Plumbing Code (UPC)
2. The City of Dunn Center requires contractors to adhere to minimum building code requirements and obtain all necessary permits, i.e. state electrical permit.

Section 5 – Professional Licensure Requirements for Applications

1. The city does not have a building inspector and plans to replace building permits with land-use or zoning permits as soon as the new zoning ordinance is in place and approved by the city council.
2. The city is not staffed for nor does it have the resources to employ a building inspector.
3. As an alternative to providing a building inspector, the City of Dunn Center requires that project of a certain size be designed and stamped by a licensed architect and/or structural engineer.

4. The following building construction activities require submission of plans prepared by a licensed architect and/or engineer:
 - a. Schools, churches, and public gathering places;
 - b. Structural modifications to existing buildings and foundations whereby the general public would be at risk if a modified structural element were to fail;
 - c. Any commercial or office building construction (including all remodels other than cosmetic)
 - d. Any industrial building construction or any industrial remodel construction that results in a structural modification of the building;
 - e. Any new residential improvement project > 1,000 square feet in size; and
 - f. Modular home foundations and foundation anchoring systems.
5. The following construction activities do not require plans to be stamped by a licensed architect and/or engineer:
 - a. Remodel of existing homes < 1,000 s.f.
 - b. Siding or re-roofing projects
 - c. Decks
 - d. Fences
 - e. Garages associated with residential projects (attached or detached)

Section 6 – Annexation Goals and Policies

The City of Dunn Center has established review criteria pertaining to the annexation of property into the incorporated limits of the city. These criteria are defined in terms for goals and policies and may be amended from time to time by the City Council. The goals and policies are as outlined on the official Annexation Checklist for the City of Dunn Center. Any annexation application will be reviewed for general conformance with these goals and policies.

Section 7 – Zoning

The City of Dunn Center has established review criteria related to amendments to the city's zoning map, the city's zoning ordinance, and the subdivision related portions of the zoning ordinance. These criteria are clearly defined on the Zoning Map or Zoning Ordinance Text Amendment Checklist and may be amended from time to time by the City Council. Any and all zoning related applications will be reviewed for general conformance with these goals and policies.

Section 8 - Subdivision

The City of Dunn Center has established a three-part process whereby lands can be subdivided within the jurisdictional or incorporated limits of the City. The three parts are as follows: 1) pre-application; 2) preliminary plat; and 3) final plat. The submission requirements and review criteria are outlined on the respective checklist applications for

each part to the subdivision process. The requirements and criteria may be changed from time to time by the City Council. Any and all subdivision related applications will be reviewed for general conformance with the application requirements, for conformance with the city's zoning ordinance, and for harmony with the city's comprehensive plan.

Section 9

That the regular session of the Council for the City of Dunn Center, North Dakota to be held at City Hall, 3 W. Main Street, Dunn Center, ND 58626, on the 6th day of September at 6:00 p.m., and the same is hereby designated as the time and place at which objections to the final adoption of the Resolution will be heard by said Council.

Section 10

That the City Clerk/Auditor of the City of Dunn Center, did publish in the Killdeer Herald a Notice signed by the City Clerk, stating that a resolution establishing development review application requirements and associated fees, building/zoning permit fees, impact/hook-up fees, and general engineering standards for governing development-related activities in the city is on file in the office of the City Clerk and subject to inspection for a period of six (6) days; that said notice shall state the time and place at which objections will be heard by the Council to the final adoption of the Resolution, and, that said Notice shall be published at least five (5) days before the date set by the Council for hearing objections and final adoption of this Resolution.

PASSED AND APPROVED by the City Council of the City of Dunn Center, North Dakota at a regular session thereof held on the 6th day of September 2011.



Scott Lynch, Mayor

Attest:



Lynnette Nodland, City Auditor

Approved as to Form:

_____, City Attorney