

CITY OF LUCAN

ORDINANCE NO. 51

ORDINANCE NO. 51 (BEING A PART OF CHAPTER 5, URBAN AND RURAL SERVICE DISTRICTS, SECTION 5.101) SETTING FORTH URBAN AND RURAL SERVICE DISTRICTS IN THE CITY OF LUCAN, MINNESOTA, PURSUANT TO MINNESOTA STATUTES SEC. §272.67, AS AMENDED

The City Council of the City of Lucan, Minnesota, does ordain as follows:

Section 1. The City of Lucan hereby divides the area within its limits into an Urban Service District and a Rural Service District, constituting separate taxing districts for the purpose of all municipal property taxes, except those levied for the payment of bonds and judgments and interest thereon.

Section 2. The Urban Service District shall include all properties within the limits of the City of Lucan, except those set forth by ordinance as Rural Service District.

Section 3. The Rural Service District shall include only such unplatted and platted lands which need not be contiguous to one another as in the judgment of the City Council at the time of adoption of the ordinance, are rural in character, and are not developed for commercial, industrial, or urban residential purposes and for those reasons are not benefitted to the same degree as other lands by municipal services financed by general taxation. This ordinance may include lands outside the City of Lucan which, if annexed, shall be included in the Rural Service District. In the event lands within the Rural Service District include an occupied building site, the building site, which shall consist of five (5) acres, shall be included in the Urban Service District and the remaining land shall be included in the Rural Service District.

Section 4. The Rural Service District shall consist of those unplatted and platted lands described in the amended Exhibit A attached hereto and made a part hereof, all of which lands are rural in character and not developed for commercial, industrial or urban residential purposes.

Section 5. Whenever any parcel of land included in the Rural Service District is hereafter platted in whole or in part, or whenever application is made for a permit for construction of a commercial, industrial or residential building or improvement, or whenever such improvement or building is commenced without a permit, or otherwise fails to meet the criteria for includability in the Rural Service District, the governing body may make and enter an order by resolution transferring said parcel or part thereof from the Rural Service District to the Urban Service District. No parcel shall be included in a Rural Service District of five (5) acres or less and no parcel shall remain in a Rural Service District unless such parcel consists of five (5) acres or more; provided, however, that if a parcel consists of five (5) acres or more, a portion of which is

used as a residence, five (5) acres, including the residence, shall continue to be classified as urban.

Section 6. In the judgment of the Council of the City of Lucan, the tax to be levied on the lands included in the Rural Service District shall be levied on the same basis as the property taxes levied on Granite Rock Township property.

Section 7. Any parcel within a Rural Service District for five years without development shall be considered by the Council of the City of Lucan for exclusion from the Rural Service District. By amendment hereof, such parcel shall be included in the Urban Service District if any area adjacent thereto is determined by the Council of the City of Lucan to be substantially developed as urban property.

Section 8. (A) No City service beyond that normally provided by the townships of Redwood County will be provided by the City in a Rural Service District, except fire, police and planning services; (B) Land in a Rural Service District must be open, rural in character and maintained in farm crops or seeded; (C) Grading is not considered as development; provided grading is such as to hold storm runoff on the land and not produce storm runoff problems and provided graded areas are cropped or reseeded within one year; and (D) Any fill hauled in shall be graded off and seeded at least once a year.

Section 9. This ordinance shall take effect and be in force from and after its final passage and publication.

Adopted after public hearing held on May 5, 2014 by the City Council of the City of Lucan, Minnesota, on May 5, 2014.



Mayor

ATTEST:



Clerk

AMENDED EXHIBIT "A"

**LANDS WITHIN THE CITY OF LUCAN, MINNESOTA
INCLUDED IN RURAL SERVICE DISTRICT**

Parcel #	Owner(s)/Description	Deeded Acres	Tillable Acres
84-021-1011	Stanley & Wendy L. Rohlik W1/2NE1/4, Sec. 21-111-38	80	79
84-021-1012	Stanley & Wendy L. Rohlik Part of NE1/4NE1/4, Sec. 21-111-38	12	11.2
84-022-2241	Gwendolyne Bruns Tract in W1/2/nw1/4, Sec. 22-111-38	8.9	8.8
84-022-2250	Our Lady of Victory Church W1/2NW1/4 S. of Railroad, Except tracts, Sec. 22/111-28	28.69	28.69
84-021-1270	Gary L. Jensen Family Trust	6.32	6.32

AFFIDAVIT OF PUBLICATION

Wabasso Standard

Wabasso, Minnesota
State of Minnesota
County of Redwood

Duane L. Durham, being duly sworn on oath, says that he is the publisher and employee of the newspaper known as *The Wabasso Standard*, and has full knowledge of the facts which are stated below:

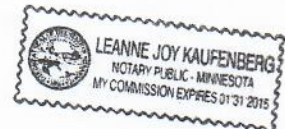
(A) The newspaper has complied with all of the requirements constituting qualifications as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed notice which is attached, was cut from the columns of said newspaper, and was printed and published once each week, for 1 successive week(s); it was first published on -WEDNESDAY-, the 16th day of APRIL, 2014.

By: Duane L. Durham
Publisher

Subscribed and sworn before me on the 16th day of APRIL, 2014.

By: Leanne Kaufenberg
Notary Public



OFFICIAL PUBLICATION

City of Lucan

AMENDMENT TO ORDINANCE NO. 51

URBAN AND RURAL SERVICE DISTRICTS and EXHIBIT "A"

The City Council of Lucan ordains:

Section 3 of Ordinance No. 51 is amended to read: The Rural Service Districts shall include only such unplatted and platted lands which need not be contiguous to one another as in the judgment of the City Council at the time of adoption of the ordinance, are rural in character, and are not developed for commercial, industrial, or urban residential purposes and for these reasons are not benefited to the same degree as other lands by municipal services financed by general taxation. This ordinance may include lands outside the City of Lucan which, if annexed, shall be included in the Rural Service District. In the event lands within the Rural Service District include an occupied building site, the building site, which shall consist of five acres, shall be included in the Urban Service District and the remaining land shall be included in the Rural Service District.

Section 5 of Ordinance No. 51 is amended to read: Whenever any parcel of land included in the Rural Service District is hereafter platted in whole or in part, or whenever application is made for a permit for construction of a commercial, industrial or residential building or improvement; or whenever such improvement or building is commenced without a permit; or otherwise fails to meet the criteria for includability in the Rural Service District, the governing body may make and enter an order by resolution transferring said parcel or part thereof from the Rural Service District to the Urban Service District. No parcel shall be included in a Rural Service District of five acres or less and no parcel shall remain in a Rural Service District unless such parcel consists of five acres or more; provided, however, that if a parcel consists of five acres or more, a portion of which is used as a residence, five acres, including the residence, shall continue to be classified as urban.

Exhibit "A" of Ordinance No. 51 is amended to read: Lands Within the City of Lucan, Minnesota Included in Rural Service District.

Parcel#	Owner(s)/Description	Deeded Acres	Tillable Acres
84-021-1011	Stanley & Wendy L. Rohlik W1/4NE1/4, Sec. 21-111-38	80	79
84-021-1012	Stanley & Wendy Rohlik Part of NE1/4NE1/4, Sec. 21-111-38	12	11.2
84-022-2241	Gwendolyne Bruns Tract in W1/2NW1/4, Sec. 22-111-38	8.9	8.08
84-022-2250	Our Lady of Victory Church W1/2NWNW1/4 S. of Railroad, Except tracts, Sec. 22-111-38	28.69	28.69
84-021-1270	Gary L. Jensen Family Trust	6.32	6.32

A printed copy of Amended Ordinance No. 51 and Exhibit "A" in its entirety is available at the office of the city clerk during regular business hours.

A public hearing is scheduled for 7:00pm on May 5, 2014 at the city office for the purpose of public comment on amended Ordinance No. 51 and Exhibit "A"

Elaine Moore, Lucan City Clerk

April 10, 2014

Published in the Wabasso Standard April 16, 2014.

PUBLIC HEARING

APRIL 6, 2014

**PURPOSE: To hear public comment on Lucan Code of Ordinances (1990)
Chapter 5: Amended Ordinance #51: URBAN and RURAL SERVICE DISTRICTS
and EXHIBIT "A".**

NAME:

1. *Dawn [unclear]*
2. *Jenny Anniges*
3. *Robert J. [unclear]*
4. *[unclear]*
5. *Joyce [unclear]*
6. *Waine Moore*
7. _____
8. _____
9. _____
10. _____