

ORDINANCE NUMBER 163

"City of Carlton

Wetlands Conservation Ordinance

1. Purpose

This Ordinance is adopted to implement the Wetland Conservation Act of 1991, (Minn. Laws 1991 chapter 354, as amended), and the accompanying rules of the Minnesota Board of Water and Soil Resources (Minn. Rules chapter 8420, as amended.)

2. Incorporation by Reference

This Ordinance incorporates by reference the Act and the Rules. Terms used in this ordinance which are defined in the Act or the Rules have the meanings given there.

3. Scope

This Ordinance regulates the draining and filling of wetlands and parts of wetlands within the City Limits of the City of Carlton. It is part of the official controls of the City of Carlton. Conflicts with other official controls must be resolved in favor of providing the most wetland protection.

4. Enforcement

This Ordinance shall be administered on behalf of the City by Carlton County and enforced by the County Planning and Zoning Administrator, who is hereby designated the enforcing officer. In the event of a violation or threatened violation of this ordinance, the Planning and Zoning Administrator, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations, and it shall be the duty of the City Attorney to institute such action. The Procedures, High Priority Areas treatment and Delegations allowed, shall be as put forth in Carlton County Ordinance Number 21, a copy of which is hereto attached, and which are hereby adopted by reference.

5. Violations and Penalties

Any person, firm or corporation who shall violate any of the provisions hereof, or who shall fail to comply with any of the provisions hereof or who shall make any false statement in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided by State Law for misdemeanor offenses. Each day that a violation continues shall constitute a separate offense.

6. Fees

The following fee schedule shall be used when issuing wetlands mitigation permits. The fees shall be submitted to the Carlton County Treasurer by the Planning and Zoning Administrator on a daily basis. Carlton County will retain the fees to help cover administrative expenses.

Wetlands Mitigation Permit -----\$75.00  
Exemption-----\$10.00

If a wetland mitigation permit cannot be issued or the mitigation does not commence within one year of the date of issuance, the fee shall be forfeited to the County.

7. Date Of Effect

This ordinance shall be in full force and effect after it's passage and publication.

Passed this 8th day of February, 1994

Joseph Habegger  
Mayor

Attest: Janyu Beckstrom,  
City Clerk/Treas.