

## CHAPTER II. OPERATIONS AND ADMINISTRATION

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**201.00 MAYOR AND CITY COUNCIL**

**201.01 Salaries.** The salary of the Mayor of the City of Sacred Heart shall be set by resolution.

**201.02 Election Date.** The regular city election shall be held on the first Tuesday after the first Monday in November in every even-numbered year.

**201.03 Terms.** The terms of the mayor and council members whose terms are scheduled to expire at the end of 2022 are hereby extended as follows:

1. The term of the mayor whose term is scheduled to expire on the first business day of January 2024 is extended to the first business day of January 2025; and
2. The terms of the council members whose terms are scheduled to expire on the first business day of January 2024 is extended to the first business day of January 2025; and
3. The terms of the council members whose terms are scheduled to expire on the first business day of January 2026 is extended to the first business day of January 2027; and
4. Thereafter, the usual term of the mayor shall be for two (2) years and the usual terms of the council members shall be for four (4) years.

**202.00 CLERK/TREASURER, ANNUAL AUDIT**

**202.01** Pursuant to the authority granted by Laws 1961, Chapter 230 the offices of Clerk and Treasurer in the City of Sacred Heart, Renville County, Minnesota is hereby combined in the office of Clerk/Treasurer.

**202.02** Beginning with the year in which this ordinance becomes effective and each year thereafter, there shall be an audit of the city's financial affairs by the State Auditor or a Public Accountant in accordance with minimum auditing procedures prescribed by the State Auditor.

**203.00 URBAN/RURAL SERVICE DISTRICT**

**203.01 Purpose.** The purpose of this ordinance is to divide the City of Sacred Heart 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 judgements and interest thereon, in accordance with the Laws of Minnesota, 1965, chapter 712.

**203.02 Rural Service District.** The rural service district will include the following non-platted lands which 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.

<b>Description</b>	<b>Parcel #</b>	<b>Sect</b>	<b>Twp</b>	<b>Range</b>	<b>Acres</b>
SE4 of NE4 – Ex Lot & 1.2 A SE4	37-00005	7	115	37	38
SW4 of NW4 – Ex Bldg Site, Blk 25	37-00030	7	115	37	27.88
SW4 of SW4 & N2 of SW4 – Exs	37-00050	7	115	37	110.56
SE4 of SW4	37-00080	7	115	37	35
N2 of SE4 & SW4 of SE4 – Ex – Bldg Site & Exs	37-00095	7	115	37	118.56
SE4 of SE4 – Ex Cemetery	37-00110	7	115	37	38

**203.03 Urban Service District.** The urban service district will include all lands within the boundaries of the City of Sacred Heart which are not included in the rural service district.

**203.04 Benefit Ratio.** The approximate ratio which exists between the benefits resulting from tax supported municipal service to parcels of land situated in the rural service district to parcels of land of a like full and true value situated in the urban service district is 1 to 10 and a benefit ratio of 1 to 10 is hereby established.

## **204.00 CIVIL DEFENSE/PUBLIC SAFETY, HEALTH, AND WELFARE**

**204.01** The Minnesota Civil Defense Act, as amended, in so far as it relates to municipalities is adopted by reference as part of this chapter as fully as if set forth herein.

**204.02** 1. There is hereby created with the City a civil defense agency which shall be under the supervision and control of a director of civil defense. The director shall be appointed by the mayor for an indefinite term and may be removed by him at any time. He shall serve without salary but shall be paid his necessary expenses. The director shall have direct responsibility for the organization, administration, and operation of the civil defense agency, subject to the direction and control of the mayor. The civil defense agency shall be organized into such divisions, consistent with state and local civil defense plans, as the director deems necessary to provide for the efficient performance of civil defense functions during an emergency. The civil defense agency shall perform all defense functions within the City and in addition shall conduct functions outside the City as may be required pursuant to this chapter or the Minnesota Civil Defense Act, as amended.

2. There is hereby created within the civil defense agency an advisory committee. Members of the committee shall be appointed by the mayor representing City departments and other groups concerned with civil defense. The mayor shall be chairman and the director shall be secretary of the committee. The committee shall advise the City Council on all matters pertaining to civil defense. Each member shall serve without compensation and shall hold office at the pleasure of the mayor.

**204.03** 1. The director, with the consent of the mayor, shall represent the City at any regional or state organization for civil defense. He shall develop proposed mutual aid agreements with other political subdivisions within the state for reciprocal civil defense aid and assistance in a civil defense emergency too great to be dealt with unassisted, and he shall present such agreements to the council for its action. Such arrangements shall be consistent with the state civil defense plan and during a civil defense emergency, it shall be the duty of the civil defense agency and civil defense forces to render assistance in accordance with the provisions of such mutual aid arrangements.

2. The director shall make such studies and surveys of the manpower, industries resources, and facilities of the City as he deems necessary to determine their

adequacy for civil defense and to plan for their most efficient use in time of a civil defense emergency.

3. The director shall prepare a comprehensive general plan for the civil defense of the City and shall present such a plan to the council for its approval. When the council has approved the plan by resolution, it shall be the duty of all municipal agencies and all civil defense forces of the City to perform the duties and functions assigned by the plan as approved. The plan may be modified in a similar manner from time to time. The director shall coordinate the civil defense activities of the City to the end that they shall be consistent and fully integrated with the civil defense plan of the federal government and the state and correlated with the civil defense plans of other political subdivisions within the state.
4. In accordance with the state and City Civil defense plan, the director shall institute such training programs and public information programs and shall take all other preparatory steps, including the partial or full mobilization of civil defense forces in advance of actual disaster, as may be necessary to the prompt and effective operation of the City civil defense plan in time of a civil defense emergency. He may, from time to time, conduct such practice air-raid alerts or other civil defense exercises as he may deem necessary.
5. The director shall utilize the personnel, services, equipment, supplies and facilities of existing departments and agencies of the City to the maximum extent practicable. The officers and personnel of all such departments and agencies shall, to the maximum extent practicable, cooperate with and extend such services and facilities to the local civil defense agency and to the governor upon request. The head of each department and agency, in cooperation with and under the direction of the director, shall be responsible for the planning and programming of such civil defense activities as will involve the utilization of the facilities of his department or agency.
6. The director shall, in cooperation with existing City departments and agencies affected, organize, recruit, and train air-raid wardens, auxiliary police, auxiliary firemen, emergency medical personnel, and any other personnel that may be required on a volunteer basis to carry out the civil defense plans of the City and the state. To the extent that such emergency personnel are recruited to augment a regular City department or agency for civil defense emergencies, it shall be assigned to such department or agency for purposes of administration and command. The director may dismiss any civil defense volunteer at any time and require him to surrender any equipment and identification furnished by the city.
7. Consistent with the civil defense plan, the director shall provide and equip emergency hospitals, casualty stations, ambulances, canteens, evacuation centers, and other facilities, or conveyances for the care of injured or homeless persons.
8. The director shall carry out all orders, rules and regulations issued by the governor with reference to civil defense.
9. The director shall direct and coordinate the general operations of all local civil defense forces during a civil defense emergency in conformity with controlling regulations and instructions of state civil defense authorities. The heads of departments and agencies shall be governed by his orders in respect thereto.
10. Consistent with the civil defense plan, the director shall provide and equip at some suitable place in the City a control center and, if required by the state civil defense plan, an auxiliary control center to be used during a civil defense emergency as

headquarters for direction and coordination of civil defense forces. He shall arrange for representation at the control center by municipal departments and agencies, public utilities and other agencies authorized by federal or state authority to carry on civil defense activities during a civil defense emergency. He shall arrange for the installation at the control center of necessary facilities for communication with and between heads of civil defense divisions, the stations and operating units of municipal services and other agencies concerned with civil defense and for communications with other communities and control centers, within the surrounding area and with the federal and state agencies concerned.

11. During the first 30 days of a civil defense emergency, if the legislature is in session or the governor has coupled his declaration of the emergency with a call for a special session of the legislature, the director may, when necessary to save life or property, require any person, except members of the federal or state military forces and officers of the state or any other political subdivision, to perform services for civil defense purposes as he directs, and he may commandeer, for the time being, any motor vehicle, tools, appliances or any other property, subject to the owner's right to just compensation as provided by law.

**204.04**

1. No person shall be employed or associated in any capacity in the civil defense agency who advocates or has advocated a change by force or violence in the constitutional form of government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment for information charging any subversive act against the United States. Each person who is appointed to serve in the civil defense agency shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths in this state, or before any officer of the state department of civil defense, the director, or ground observer corps supervisor. The oath shall be substantially in the form prescribed by Minnesota Statute, Section. 12.43.
2. Civil defense volunteers shall be called into service only in case of a civil defense emergency or a natural disaster for which the regular municipal forces are inadequate or for necessary training and preparation for such emergencies. All volunteers shall serve without compensation.
3. Each civil defense volunteer shall be provided with such suitable insignia or other identification as may be required by the director. Such identification shall be in a form and style approved by the federal government. No volunteer shall exercise any authority over the persons or property of others without his identification. No person except an authorized volunteer shall use the identification of a volunteer or otherwise represent himself to be an authorized volunteer.
4. No civil defense volunteer shall carry any firearm while on duty except on written order of the chief of the police department.

**204.05**

1. Whenever necessary to meet a civil defense emergency or prepare for such an emergency for which adequate regulations have not been adopted by the governor or the City council, the mayor may by proclamation promulgate regulations, consistent with applicable federal or state law or regulation respecting: protection against air-raids; the sounding of air-raid alarms; the conduct of persons and the use of property during alarms; the repair, maintenance, and safe-guarding of essential public services; emergency health, fire, and safety regulations, trial drills or practice periods required for preliminary training; and all other matters which are required to protect public safety, health and welfare in civil defense emergencies. No regulation governing observation of enemy aircraft, air attack,

alarms, or illumination during air attacks shall be adopted or take effect unless approved by the state director of civil defense.

2. Every proclamation of emergency regulations shall be in writing and signed by the mayor, shall be dated, shall refer to the civil defense emergency to which it pertains, if so limited, and shall be filed in the office of the City clerk, where a copy shall be kept posted and available for public inspection during business hours. Notice of the existence of such regulation and its availability for inspection at the clerk's office shall be conspicuously posted at the front of the City Hall or other headquarters of the City and at such other places in the affected area as the mayor shall designate in the proclamation. Thereupon the regulation shall take effect immediately or at such a later time as may be specified in the proclamation. By like proclamation the mayor may modify or rescind any such regulation.
3. The City council may rescind any such regulation by resolution at any time. If not sooner rescinded, every such regulation shall expire at the end of 30 days after its effective date or at the end of the civil defense emergency to which it relates, whichever occurs first. Any ordinance, rule, or regulation inconsistent with an emergency regulation promulgated by the mayor shall be suspended during the period of time and to the extent that such conflict exists.
4. During a civil defense emergency the City is, notwithstanding any statutory or charter provision to the contrary, empowered, through its governing body acting within or without the corporate limits of the City, to enter into contracts and incur obligations necessary to combat such disaster by protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. The City may exercise such powers in the light of the exigencies of the disaster without compliance with time-consuming procedures and formalities, prescribed by law pertaining to the performance of public work, entering into contracts, incurring of obligations, employment of temporary workers, rental of equipment, purchase of supplies and materials, limitations upon tax levies, and the appropriation and expenditures of public funds, for example, but not limited to, publication of ordinances and resolutions, publication of calls for bids, provisions of civil service laws and rules, provisions relating to low bids, and requirements for budgets.

**204.06** The director shall, as soon as possible after the end of each fiscal year, prepare and present to the City council for the information of the council and the public, a comprehensive report of the activities, expenses, and disbursements of the civil defense agency during the year. All taxes levied for civil defense purposes, all gifts or other receipts of funds shall be deposited to the City's general account and all expenditures and disbursements for civil defense purposes shall be made from such fund.

**204.07** Every officer and agency of the City shall cooperate with federal and state authorities and with authorized agencies fully engaged in civil defense and emergency measures consistent with the performance of their other duties. The provisions of this chapter and of all regulations made thereunder shall be subject to all applicable and controlling provisions of federal and state laws and of regulations and orders issued thereunder and shall be deemed to be suspended and inoperative so far as there is any conflict therewith. The mayor may appoint any qualified person holding a position in any agency created under federal or state authority for civil defense purposes as a special policeman of the City, with such police powers and duties within the City incident to the functions of his position, not exceeding those of a regular policeman of the City, as may be prescribed in the appointment. Every such special policeman shall be subject to the supervision and control of the chief of police and such other police officers of

the City as the chief may designate.

**204.08** Any illumination within the City contrary to the provisions of this or any other ordinance pertaining to civil defense or of any regulation adopted thereunder or of any federal or state law, regulation, or order shall be deemed a public nuisance. Any regular or auxiliary policemen or air-raid warden may abate such nuisance summarily or may take any other action necessary to enforce such provisions, including entry on private property and the use of whatever reasonable force is necessary.

**204.09** Any person who violates any provision of this chapter or of any regulation adopted thereunder relating to acts, omissions, or conduct other than official acts of City officers or employees shall be guilty of a misdemeanor, and upon conviction shall be punished to the fullest extent of the law.

## **205.00 ENHANCED 911 SYSTEM – HOUSE NUMBERING**

**205.01 House Numbers Required.** It shall be the duty of the owner, agent, lessor or occupant of every house or other building, except private garages and other buildings which are a part of the same property with a numbered house or building, to place on every such house or building its proper house number, either by printing or by affixing such number in metal, glass or other form, so that the same shall be clearly visible from the public right-of-way at the front of the structure. Such number shall be placed on each house or building within thirty days from the time such owner, agent, lessor, or occupant is notified either by mail, publication, or telephone of the assignment of a number to such house or building as hereinafter provided.

1. The Clerk, in accordance with this ordinance, shall assign numbers to houses and buildings using the manner set forth in the city's addressing structure.

**205.02 Specification of numbers.** To comply with this chapter, building numbers shall be Arabic numerals, unless otherwise approved by the Zoning Administrator. Other types of numbers shall be approved unless they are so decorative as to be difficult to read. They shall further conform to the following requirements:

1. **Specification and Height.** Numbers shall have a minimum height of not less than three- and one-half inches and the body of the number shall have a minimum width of not less than one half inch. All new building numbers installed after the effective date of this ordinance shall be mounted at a height between four feet and ten feet above the ground. They shall be sufficiently legible as to contrasting background, arrangement, spacing, size and uniformity of integers so that the numbers may be read with ease during daylight hours by a person possessing at least 20/40 vision viewing the numbers from the centerline of the street.
2. **Location.** Numbers shall be mounted in a secure fashion to the building's front wall, in the general vicinity of the main entryway or main path of travel which leads to the main entrance from a public street. Alternatively, the numbers may be otherwise separately mounted in an approved manner upon the face of a wall or upon a post in the front yard of the premises. All numbers, whether affixed to a structure or post, shall be so placed that trees, shrubs, and other obstructions do not block the line of sight of the numbers from the center of the street to any appreciable degree. Where two or more nonresidential buildings back up to any public alley or private access way, the building number shall also be displayed at the rear of the buildings in the same manner as in the front.