

TOWN OF ROCKFORD

ORDINANCE NO. 2004 - 10.2

**INTERIM ORDINANCE FOR PROTECTING ROCKFORD TOWNSHIP
DURING SUBDIVISION PLANNING PROCESS**

WHEREAS, the Board of Supervisors of Rockford Township have passed an ordinance establishing a Rockford Township Planning Commission; and

WHEREAS, Rockford Township does not have a Subdivision Ordinance; and

WHEREAS, Rockford Township has followed the Wright County Subdivision Ordinance; and

WHEREAS, the Rockford Township Planning Commission desires to protect the planning process and provide for a reasonable opportunity to study and hold hearings regarding adoption of a Subdivision Ordinance.

NOW, THEREFORE, the Board of Supervisors of Rockford Township ordains:

1. Restrictions. From the effective date of this ordinance and for a period not to exceed twelve (12) months from this Interim Ordinance, the Township does hereby adopt the Subdivision Ordinance of Wright County, in its entirety, as the Township's Interim Subdivision Ordinance pursuant to Minn. Stat. § 462.355, subd. 4. References in the Ordinance to Wright County or the Wright County Board of Commissioners, where appropriate, shall be modified to read Rockford Township or the Rockford Township Board, as appropriate. References in the Ordinance to the Wright County Planning Commission shall be changed to the Rockford Township Planning Commission. References to County Staff, such as Zoning Administrator, shall be changed to the Rockford Township Staff.

Section 405 of the Ordinance is hereby added as follows:

In any new development or subdivision of land which requires platting or dedication of roads, laying out streets, signage, grading, drainage, erosion control, or utilities in Rockford Township, the Town Board shall have the authority to enter into a written Developer's Agreement with the developer setting forth the terms and conditions of said improvements and the Town's acceptance thereof. The Agreement shall call for the developer to be responsible for all the expenses of the Township, including but not

limited, to professional fees, engineering fees, survey costs, special meetings, repair in the event of developer default, etc.

2. Violations. Any person, firm, partnership, corporation, or other entity violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished pursuant to Minnesota Statutes Section 609.02, Subd. 3, or as subsequently amended. In the event of a violation of this ordinance, the Township may institute appropriate actions or proceedings, including injunctive relief to prevent, restrain, correct or abate such violations.

3. Authority. This ordinance is adopted under the authority of Minnesota Statutes Section 462.355, Subd. 4, and Chapter 365.

4. Effective Date and Termination. This ordinance shall take effect upon its passage and publication and shall remain in effect for a period of twelve (12) months from the effective date of this ordinance, unless extended as authorized by law.

5. Publication and Recording.

The Town Clerk is forthwith directed to publish, post and record the Ordinance as follows:

a. *Wright City Journal Press* The Clerk shall publish the entire text of the Ordinance in the newspaper in body type no smaller than Brevier or 8 point type. The Clerk is instructed to record the Ordinance in the Town's Ordinance book within twenty days after publication of the title and Ordinance. Proof of said publication shall be attached to the recorded Ordinance.

b. The Clerk is instructed to file a copy of the full text of the Ordinance with Wright County and to place a copy of the full text of the Ordinance in the *City law* library for public viewing.

ENACTED by the Town Board of Supervisors of Rockford Township this day of October 19, 2004.

Chairperson
Town Board of Supervisors

Dennis Bees

ATTEST:

Rachelle L. McDougall

Town Clerk

625107.1