

ORDINANCE NO. 174, Second Series

AN ORDINANCE ESTABLISHING SLEEPY HOLLOW SIXTH ADDITION

WHEREAS, the City Council for the City of Sleepy Eye reviewed the plat for the adoption of Sleepy Hollow Sixth Addition.

WHEREAS, the City Council has approved the plat at the first reading and the second reading to adopt the plat for Sleepy Hollow Sixth Addition, City of Sleepy Eye.

NOW THEREFORE, the City of Sleepy Eye does ordain as follows:

Sleepy Hollow Sixth Addition, City of Sleepy Eye, is hereby adopted as an official plat within the City of Sleepy Eye.

Passed by the City Council for the City of Sleepy Eye, Minnesota, on January 12, 2021.

/s/ Wayne Pelzel  
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on January 12, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: January 12, 2021

/s/ Michelle Strate  
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
January 28, 2021

ORDINANCE NO. 175, Second Series

AN ORDINANCE REDETERMINING SALARIES OF MAYOR AND COUNCILPERSONS

WHEREAS, City Code Title 1, Chapter 4, entitled “Mayor and City Council”, establishes the salary of the mayor and city council; and

WHEREAS, it has been determined that it is reasonable for the salaries of the mayor and city council to be adjusted and that City Code Title 1, Chapter 4, Section 1-4-1 should be amended in its entirety to provide for said new salaries.

NOW THEREFORE, the City of Sleepy Eye does ordain as follows:

City Code Title 1, Chapter 4, Section 1-4-1 should be amended in its entirety as follows:

**1-4-1: SALARIES OF MAYOR AND CITY COUNCILPERSONS.** Salaries of the Mayor and Council are hereby fixed as follows, which amounts are deemed reasonable:

**A. Salaries:** Pursuant to Minnesota Statute 415.11, the salary of the Mayor is hereby fixed at \$6000 per year, and the salaries of the Councilpersons are fixed at \$5000 per year.

**B. Effective Date:** The salary schedule shall take effect on January 1, 2023.

Passed by the City Council for the City of Sleepy Eye, Minnesota, on January 12, 2021.

/s/ Wayne Pelzel  
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on January 12, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: January 12, 2021

/s/ Michelle Strate  
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
January 28, 2021

ORDINANCE NO. 176

AN ORDINANCE FOR SELLING REAL ESTATE TO ROD AND VICKIE SCHUMACHER.

WHEREAS, the City of Sleepy Eye is the owner of Lot 14, Block 1, Snow First Addition, City of Sleepy Eye, Brown County, Minnesota (hereinafter "Property").

WHEREAS, the Property above-described and being owned by the City of Sleepy Eye is of no use to the City, the City wishes to encourage its development, and it is in the best interest of the City that the Property be sold.

WHEREAS, Rod and Vickie Schumacher, spouses married to each other, wish to purchase the Property.

NOW THEREFORE, the City of Sleepy Eye does ordain that Lot 14, Block 1, Snow First Addition, City of Sleepy Eye, Brown County, Minnesota, shall be sold to Rod and Vickie Schumacher, spouses married to each other, on the price and terms approved by the City. The Mayor and City Manger are authorized to sign the necessary Deed in order to transfer the Property.

Passed by the City Council for the City of Sleepy Eye, on February 9th, 2021.

    /s/Wayne Pelzel      
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on February 9th, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: February 9, 2021

    /s/Michelle Strate      
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
February 18, 2021

ORDINANCE NO. 177

AN ORDINANCE ESTABLISHING TWICE ADDITION

WHEREAS, the City Council for the City of Sleepy Eye reviewed the plat for the adoption of Twice Addition.

WHEREAS, the City Council has approved the plat at the first reading and the second reading to adopt the plat for Twice Addition, City of Sleepy Eye.

NOW THEREFORE, the City of Sleepy Eye does ordain as follows:

Twice Addition, City of Sleepy Eye, is hereby adopted as an official plat within the City of Sleepy Eye.

Passed by the City Council for the City of Sleepy Eye, Minnesota, on March 9, 2021.

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Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on March 9, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: March 9, 2021

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Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
March 18, 2021

ORDINANCE NO. 178

AN ORDINANCE FOR SELLING REAL ESTATE TO JOHN PELZEL.

WHEREAS, the City of Sleepy Eye is the owner of Lots 3, 4, and 5, Block 4, Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County, Minnesota (hereinafter "Property).

WHEREAS, the Property above-described and being owned by the City of Sleepy Eye is of no use to the City, the City wishes to encourage its development, and it is in the best interest of the City that the Property be sold.

WHEREAS, John Pelzel, wishes to purchase the Property.

NOW THEREFORE, the City of Sleepy Eye does ordain that Lots 3, 4, and 5, Block 4, Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County, Minnesota, shall be sold to John Pelzel on the price and terms approved by the City. The Mayor and City Manger are authorized to sign the necessary Deed in order to transfer the Property.

Passed by the City Council for the City of Sleepy Eye, on February 9th, 2021.

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Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on February 9th, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: February 9, 2021

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Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
February 18, 2021

ORDINANCE NO. 179

AN ORDINANCE CHANGING PART OF THE CITY ZONING FROM RESIDENTIAL TO BUSINESS INDUSTRIAL.

WHEREAS, the City Council for the City of Sleepy Eye has determined that changing a property in Nelson's 2nd Addition, City of Sleepy Eye, Minnesota, from residential to business industrial would be in the public interest. A public hearing was held with no objection, and the City Council passed an ordinance making the appropriate changes.

NOW, THEREFORE, the City of Sleepy Eye does ordain as follows:

Lot 8, Block 2, Nelson's 2nd Addition, City of Sleepy Eye, Brown County, Minnesota, is hereby reclassified as business industrial.

Passed by the City Council for the City of Sleepy Eye, Minnesota, on March 9th, 2021.

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Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on March 9th, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: March 9, 2021

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Russell Elston, City Manager

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
March 18, 2021.

ORDINANCE NO. 180

AN ORDINANCE FOR SELLING REAL ESTATE TO GREGORY AND DEBORAH BRAULICK.

WHEREAS, the City of Sleepy Eye (hereinafter “City”) is the owner of Lot 7, Block 4, of Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County, Minnesota (hereinafter “Property”).

WHEREAS, the Property above-described and being owned by the City of Sleepy Eye is of no use to the City, the City wishes to encourage its development, and it is in the best interest of the City that the Property be sold.

WHEREAS, Gregory Braulick and Deborah Braulick, spouses married to each other, wish to purchase the Property.

NOW THEREFORE, the City of Sleepy Eye does ordain that Lot 7, Block 4, Sleepy Hollow Fifth Addition, Section 29, Twp. 110 North, Range 32 West, City of Sleepy Eye, Brown County, Minnesota, shall be sold to Gregory Braulick and Deborah Braulick on the price and terms approved by the City. The Mayor and City Manger are authorized to sign the necessary Deed in order to transfer the Property.

Passed by the City Council for the City of Sleepy Eye, on March 9th, 2021.

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Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on March 9th, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: March 9, 2021

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Russell Elston, City Manager

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
March 18, 2021

ORDINANCE NO. 181

AN ORDINANCE FOR SELLING REAL ESTATE TO ALLEN AND JODI ARNESON

WHEREAS, the City of Sleepy Eye is the owner of LEGAL DESCRIPTION TO BE DETERMINED (70 feet x 335 feet in the Balance of Outlot 27 of Government Lot 6, Allison's 2<sup>nd</sup> Addition of Outlots, Section 30, Twp. 110, Range 32), City of Sleepy Eye, Brown County, Minnesota (hereinafter "Property").

WHEREAS, the Property above-described and being owned by the City of Sleepy Eye is of no use to the City, the City wishes to encourage its development, and it is in the best interest of the City that the Property be sold.

WHEREAS, Allen J. Arneson and Jodi M. Arneson, spouses married to each other, wishes to purchase the Property.

NOW THEREFORE, the City of Sleepy Eye does ordain that LEGAL DESCRIPTION TO BE DETERMINED (70 feet x 335 feet in the Balance of Outlot 27 of Government Lot 6, Allison's 2<sup>nd</sup> Addition of Outlots, Section 30, Twp. 110, Range 32), City of Sleepy Eye, Brown County, Minnesota, shall be sold to Allen J. Arneson and Jodi M. Arneson, spouses married to each other, on the price and terms approved by the City. The Mayor and City Manger are authorized to sign the necessary Deed in order to transfer the Property.

Passed by the City Council for the City of Sleepy Eye, on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on \_\_\_\_\_, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: \_\_\_\_\_, 2021

\_\_\_\_\_  
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
\_\_\_\_\_, 2021



ORDINANCE NO. 182

AN ORDINANCE FOR SELLING REAL ESTATE TO HAALA PROPERTIES LLLP.

WHEREAS, the City of Sleepy Eye is the owner of Lot 10, Block 1, Snow First Addition, City of Sleepy Eye, Brown County, Minnesota (hereinafter "Property).

WHEREAS, the Property above-described and being owned by the City of Sleepy Eye is of no use to the City, the City wishes to encourage its development, and it is in the best interest of the City that the Property be sold.

WHEREAS, Haala Properties LLLP, a Minnesota limited liability limited partnership, wishes to purchase the Property.

NOW THEREFORE, the City of Sleepy Eye does ordain that Lot 10, Block 1, Snow First Addition, City of Sleepy Eye, Brown County, Minnesota, shall be sold to Haala Properties LLLP, on the price and terms approved by the City. The Mayor and City Manger are authorized to sign the necessary Deed in order to transfer the Property.

Passed by the City Council for the City of Sleepy Eye, on April 13, 2021.

    /s/Wayne Pelzel      
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on April 13, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: April 13, 2021

    /s/Michelle Strate      
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
April 22, 2021

ORDINANCE NO. 183

AN ORDINANCE AMENDING CITY CODE SECTION 10-5-6-E-3, REGARDING LOT SIZE AREA REQUIREMENTS

WHEREAS, the City of Sleepy Eye has determined that amending City Code Section 10-5-6-E-3, regarding the lot size area requirements would be in the public interest.

NOW, THEREFORE, the City of Sleepy Eye ordains as follows:

The City of Sleepy Eye makes the following amendment to City Code Section 10-5-6-E-3, as follows:

E. Lot Size Requirements:

...

3. Area: Minimum of nine thousand (9,000) square feet, plus another three thousand (3,000) square feet for each additional dwelling unit.

Passed by the City Council for the City of Sleepy Eye on April 13, 2021.

/s/Wayne Pelzel  
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on April 13 2021, in accordance with Charter Provisions and State laws provided therefore.

Dated: April 13, 2021

/s/Michelle Strate  
Michelle Strate, City Clerk

Published in the Sleepy Eye  
HERALD DISPATCH, Sleepy Eye,  
Minnesota, on April 22, 2021.

## ORDINANCE NO. 184

### AN ORDINANCE REGULATING SPECIAL USE VEHICLES ON CITY ROADWAYS

The City Council for the City of Sleepy Eye does ordain as follows:

#### Article One: Definitions

For purposes of this ordinance, the following definitions shall apply:

1. ALL-TERRAIN VEHICLE or VEHICLE. As defined by M.S. § 84.92, Subd. 8, ALL-TERRAIN VEHICLE or VEHICLE shall mean a motorized vehicle with: (1) not less than three, but not more than six low pressure or non-pneumatic tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle shall include class 2 all-terrain vehicles. ALL-TERRAIN VEHICLE shall not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes.
2. CLASS 2 ALL-TERRAIN VEHICLE. As defined by M.S. § 84.92, Subd. 10, CLASS 2 ALL-TERRAIN VEHICLE shall mean an all-terrain vehicle that, *when originally manufactured*, had a total width from outside of tire rim to outside of tire rim that is greater than 50 inches but not more than 65 inches. Alterations after manufacturing shall not be used to determine if said vehicle is a Class 2 All-Terrain Vehicle herein.
3. COMMUNITY EVENT. An event organized by the city or a community-based organization and that is open to the general public.
4. DRIVER. A person, with a valid driver's license, driving and having physical control over a class 2 all-terrain vehicle or a utility task vehicle.
5. OPERATE or OPERATING. To ride in or on and have control of a vehicle.
6. OPERATOR. The person who operates or is in or on and has control of a vehicle.
7. OWNER. A person, other than a lien holder, having a property interest in, or title to, a vehicle, who is entitled to the use or possession of such vehicle.
8. SNOWMOBILES. A self-propelled vehicle designed for travel on snow or ice steered by skis or runners.
9. UTILITY TASK VEHICLE. As defined by M.S. § 169.045, Subd. 1(3), UTILITY TASK VEHICLE shall mean a side-by-side, four-wheel drive, off-road vehicle, that *when*

*originally manufactured*, has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds. Alterations after manufacturing shall not be used to determine if said vehicle is an Utility Task Vehicle herein.

## **Article Two: Snowmobiles and All-Terrain Vehicles**

### **1. REGULATION.**

The use and operation of SNOWMOBILES and ALL-TERRAIN VEHICLES or ATVs, within the city limits is hereby regulated as set forth in this part.

### **2. STATE SNOWMOBILE AND ALL-TERRAIN VEHICLE LAWS AND STATUTES ADOPTED.**

- A. The state snowmobile laws, M.S. §§ 84.81 through 84.915, as they may be amended from time to time; the game laws relating to the use of snowmobiles, M.S. §§ 100.26 and 100.29, as they may be amended from time to time; and Minn. Rules Parts 6100.5000 to 6100.5800, as they may be amended from time to time, are hereby adopted and made part of this ordinance by reference.
- B. The state all-terrain vehicle laws, M.S. §§ 84.92 through 84.929, as they may be amended from time to time; the game laws relating to the use of all-terrain vehicles, M.S. §§ 100.26 and 100.29, as they may be amended from time to time; and Minn. Rules Parts 6100.5000 to 6100.5800, as they may be amended from time to time, are hereby adopted and made part of this ordinance by reference.

### **3. PROHIBITED OPERATION.**

- A. It is unlawful to operate a snowmobile or ATV upon a roadway in the city, except to travel from the owner's residence or place the snowmobile or ATV is generally stored, in a direct route and crossing to and from a place of destination, provided the place of destination is a place that the snowmobile may be lawfully operated.
- B. A direct crossing shall only be made as follows:
  - 1. The crossing is made at an angle of approximately 90 degrees to the direction of the highway and at a place where no obstruction prevents a quick and safe crossing.
  - 2. The snowmobile or ATV is brought to a complete stop before crossing the shoulder or main traveled way of the highway.
  - 3. The driver yields the right-of-way to all oncoming traffic which constitutes an immediate hazard.
  - 4. In crossing a divided highway, the crossing is made only at an intersection of the highway with another public street.
  - 5. The front and rear lights must be illuminated.

- C. Notwithstanding the prohibition of operating a snowmobile or ATV upon a roadway to the contrary, the operation is hereby permitted in an emergency, as defined herein Article 2.5.B., during the period of time when and at locations where snow upon the roadway renders travel by automobile impractical.

#### 4. ADDITIONAL PROHIBITED OPERATIONS.

- A. It shall be unlawful and punishable for any person to operate a snowmobile or all-terrain vehicle within the city limits in violation of the following restrictions:

1. On private property without the permission or consent of the owner or occupant;
2. On the boulevard of any public street;
3. On a sidewalk, except that a direct crossing may be made in the same manner as provided for direct crossing of a city street;
4. At a rate of speed in excess of 10 miles per hour;
5. Other than single file on a roadway, if two or more are being driven in a group;
6. With metal traction devices on a roadway;
7. Other than at the extreme right-hand side of a roadway along the curb;
8. On publicly owned land, including school land, park property, playgrounds, and cemeteries;
9. Within 100 feet of any church property, nursing home, hospital, skating rink or sliding area, or in any other area where the operation would conflict or interfere with normal use of the property or would endanger persons or property;
10. To tow any person or object except through use of a rigid tow bar attached to the rear of the snowmobile or all-terrain vehicle;
11. To intentionally drive, chase, run over, or kill any animal with a snowmobile or all-terrain vehicle;
12. To operate an ATV on a public street without a valid driver's license, except as permitted herein this ordinance.

- B. It is unlawful for the owner of a snowmobile or an ATV to permit the snowmobile or ATV to be operated contrary to the provisions of this section.

#### 5. HOURS OF OPERATION.

It is unlawful to operate a snowmobile or ATV within the city from 12:00 a.m. to 7:00 a.m., except in an emergency as defined herein Article 2.5.B.

#### 6. REQUIRED EQUIPMENT.

- A. For the purpose of this ordinance, the following definition shall apply unless the context clearly indicates or requires a different meaning.

**SAFETY OR DEADMAN THROTTLE.** A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

- B. It is unlawful for any person to operate a snowmobile or ATV unless it is equipped with the following:
- a. At all times and weather conditions, at least one clear lamp attached to the front (with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions) and at least one red tail lamp (having a minimum candle power of sufficient intensity to exhibit a red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions).
  - b. Reflective materials at least 16 square inches on each side, forward of the handlebars, or steering device of a snowmobile or ATV, and at the highest practical point on any towed object, so as to reflect light at a 90 degree angle.
  - c. Brakes adequate to control the movement of and to stop and hold the snowmobile or ATV under any condition of operation.
  - d. Any sled, trailer, or other device being towed must be equipped with reflective materials as required by laws and regulations of the State of Minnesota.
  - e. Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cut out, bypass, straight pipe, or similar device on a snowmobile or ATV motor.
  - f. A safety or so-called deadman throttle in operating condition.

#### 7. UNATTENDED SNOWMOBILE OR ATV.

Every person leaving a snowmobile or ATV unattended shall lock the ignition and remove the key from the ignition and take the keys with them.

#### 8. MINIMUM AGE OF OPERATOR.

The operator shall comply with state laws regarding age of operator requirements for snowmobiles and ATVs.

## Article Three: Class 2 All-Terrain Vehicles and Utility Task Vehicles

### 1. PERMIT REQUIRED.

It shall be unlawful for any person to operate a class 2 all-terrain vehicle or a utility task vehicle on any roadways and intersections in the city without having first obtained a permit, as provided in this ordinance. Persons who obtain a permit hereunder are authorized to operate a class 2 all-terrain vehicle or a utility task vehicle on designated roadways or portions, as identified in herein.

Every class 2 All-terrain vehicle or utility task vehicle operator must have proof of insurance in possession while operating the class 2 all-terrain vehicle or utility task vehicle on designated streets and shall produce such proof of insurance on demand of a police officer, as specified in M.S. § 169.791.

### 2. PERMITS.

A. Operator permits. All persons operating a class 2 all-terrain vehicle or a utility task vehicle that are not being operated in connection with a community event must first obtain an operator permit from the city.

1. Application. The application shall be made on a form supplied by the city and shall contain the following:

- a. The name and address of the applicant and address of where the vehicle is stored if different than applicant's home address;
- b. The make, model name, year, serial number and DNR registration number of the class 2 all-terrain vehicle or utility task vehicle;
- c. The applicant's driver's license number;
- d. Proof of insurance in compliance with M.S. § 65B.48;
- e. Payment of the permit fee in an amount established by resolution of the City Council, and any amendments thereto; and
- f. Such other information as the city may require.

B. Term of permit. Operator permits shall be granted for a period of three years. The operator may seek a renewal after said three-year period from the city. Operator permits shall expire on December 31 of the third year.

C. Operator permit conditions. No operator permit shall be granted or renewed unless the following conditions are met:

1. The city is in receipt of a complete application and permit fee as provided by this ordinance;
2. The applicant is 16 years of age or older and provides a valid driver's license;
3. The applicant provides proof of insurance in compliance with M.S. § 65B.48;

4. The class 2 all-terrain vehicle or utility task vehicle identified in the application is in good working condition and safe for the transportation of passengers; and
5. The vehicle is not in such a state as to create unreasonably loud grating, grinding, rattling, or other noise.

D. Community event permits. Operators of a class 2 all-terrain vehicle or utility task vehicle in connection with a community event are not required to obtain individual operator permits.

### 3. OCCUPANTS.

The number of occupants in the class 2 all-terrain vehicle or utility task vehicle shall not exceed the design occupant load. Each occupant must be seated in a seat designed for occupants and seatbelts must always be worn by the driver and all passengers. A driver and all passengers under the age of 18 must wear a helmet (Department of Transportation-approved) while riding on the roadway.

### 4. DESIGNATED ROADWAYS AND INTERSECTIONS.

Class 2 all-terrain vehicles or utility task vehicles that are permitted hereunder may be operated within the city on public roadways. Class 2 all-terrain vehicles or utility task vehicles must not be operated on state trunk highways or county roads, unless such highways or roads are under the city's jurisdiction through the issuance of a permit or approval to the city from the county or the Minnesota Department of Transportation and the class 2 all-terrain vehicle or utility task vehicle is listed on the community event permit issued by the city. The operator of any class 2 all-terrain vehicle or utility task vehicle permitted hereunder may make a direct crossing of any intersecting roadways. Operators must exercise all due care to avoid travel on roadways with a high frequency of automobile usage.

### 5. TIMES OF OPERATION.

Class 2 all-terrain vehicles or utility task vehicles permitted hereunder may only be operated on designated roadways and intersections from sunrise to 10:00 p.m.

### 6. APPLICATION OF TRAFFIC LAWS.

Persons operating a class 2 all-terrain vehicle or a utility task vehicle on designated roadways and intersections have all the rights and duties applicable to drivers or operators of any other motor vehicle under the provisions of any ordinance of the city and any state laws, except when these provisions cannot reasonably be applied to class 2 all-terrain vehicle or utility task vehicles.

### 7. OPERATION.



- A. All class 2 all-terrain vehicles or utility task vehicles shall be operated at all times in the proper traffic lane and not exceed the designated speed limit.
- B. Operators should operate the vehicles at prudent speeds and always exercise due care and control of the vehicle.
- C. Operators are prohibited from allowing any passengers on an attached trailer to a class 2 all-terrain vehicles or utility task vehicles permitted hereunder while operating such vehicles on designated roadways and intersections.
- D. All class 2 all-terrain vehicle or utility task vehicles must be in good working condition and safe for the transportation of passengers.
- E. All class 2 all-terrain vehicle or utility task vehicles must not be in such a state as to create unreasonably loud grating, grinding, rattling, or other noise.

#### 8. REQUIRED EQUIPMENT.

It is unlawful for any person to operate a class 2 all-terrain vehicle or utility task vehicles unless it is equipped with the following:

- A. At all times and weather conditions: headlights, taillights, turn signals, and rear-facing brake lights; and
- B. Windscreen, windshield, or eye protection.

#### 9. OPERATION ON SIDEWALKS AND TRAILS.

No person shall operate a class 2 all-terrain vehicle or a utility task vehicle on a public sidewalk or trail unless otherwise authorized by the city.

#### 10. SUSPENSION OR REVOCATION OF A PERMIT.

The Chief of Police may suspend or revoke a permit granted hereunder upon a finding that the permit holder has violated any of the provisions of this ordinance or M.S. Ordinance 169, or if there is evidence that the operator cannot safely operate the class 2 all-terrain vehicle or utility task vehicle on designated roadways. A suspension or revocation may be reviewed by appeal to the City Council.

#### 11. NO ASSUMPTION OF LIABILITY.

Nothing in this ordinance shall be construed as an assumption of liability by the city for injuries to persons or property which may result from the operation of any class 2 all-terrain vehicle or utility task vehicle by a permit holder or the failure by the Chief of Police or City Council to suspend or revoke a permit.

#### 12. PENALTY.

In addition to the revocation or suspension of the permit, any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor.

### 13. REVOCATION.

Sleepy Eye City Code Section 6, Chapter 3, entitled Snowmobiles and All-Terrain Vehicles is hereby revoked in its entirety.

Passed by the City Council for the City of Sleepy Eye, Minnesota, on June 8, 2021.

    /s/Wayne Pelzel      
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on June 8, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: June 8, 2021

    /s/Michelle Strat      
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
June 17, 2021.

ORDINANCE NO. 185

AN ORDINANCE FOR SELLING REAL ESTATE TO BRIAN AND ABIGAIL SCHWARTZ

WHEREAS, the City of Sleepy Eye (hereinafter “City”) is the owner of Lot 6, Block 4, of Sleepy Hollow Fifth Addition, City of Sleepy Eye, Brown County, Minnesota (hereinafter “Property”).

WHEREAS, the Property above-described and being owned by the City of Sleepy Eye is of no use to the City, the City wishes to encourage its development, and it is in the best interest of the City that the Property be sold.

WHEREAS, Brian Schwartz and Abigail Schwartz, spouses married to each other, wish to purchase the Property.

NOW THEREFORE, the City of Sleepy Eye does ordain that Lot 6, Block 4, Sleepy Hollow Fifth Addition, City of Sleepy Eye, Brown County, Minnesota, shall be sold to Brian Schwartz and Abigail Schwartz on the price and terms approved by the City. The Mayor and City Manger are authorized to sign the necessary Deed in order to transfer the Property.

Passed by the City Council for the City of Sleepy Eye, on June 8, 2021.

      /s/Wayne Pelzel \_\_\_\_\_  
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on June 8, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: June 8, 2021

      /s/Michelle Strate \_\_\_\_\_  
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
June 17, 2021

ORDINANCE NO. 186

AN ORDINANCE FOR SELLING REAL ESTATE TO EUGENE AND JILL SELLNER

WHEREAS, the City of Sleepy Eye (hereinafter “City”) is the owner of Lot 8, Block 4, of Sleepy Hollow Fifth Addition, City of Sleepy Eye, Brown County, Minnesota (hereinafter “Property”).

WHEREAS, the Property above-described and being owned by the City of Sleepy Eye is of no use to the City, the City wishes to encourage its development, and it is in the best interest of the City that the Property be sold.

WHEREAS, Eugene Sellner and Jill Sellner, spouses married to each other, wish to purchase the Property.

NOW THEREFORE, the City of Sleepy Eye does ordain that Lot 8, Block 4, Sleepy Hollow Fifth Addition, City of Sleepy Eye, Brown County, Minnesota, shall be sold to Eugene Sellner and Jill Sellner on the price and terms approved by the City. The Mayor and City Manger are authorized to sign the necessary Deed in order to transfer the Property.

Passed by the City Council for the City of Sleepy Eye, on June 8, 2021.

/s/Wayne Pelzel  
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on June 8, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: June 8, 2021

/s/Michelle Strate  
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
June 17, 2021

ORDINANCE NO. 187

AN ORDINANCE FOR SELLING REAL ESTATE TO BRIAR AND HEIDI BRAULICK

WHEREAS, the City of Sleepy Eye (hereinafter "City") is the owner of Lot 3, Block 1, of Snow First Addition, City of Sleepy Eye, Brown County, Minnesota (hereinafter "Property").

WHEREAS, the Property above-described and being owned by the City of Sleepy Eye is of no use to the City, the City wishes to encourage its development, and it is in the best interest of the City that the Property be sold.

WHEREAS, Briar Braulick and Heidi Braulick, spouses married to each other, wish to purchase the Property.

NOW THEREFORE, the City of Sleepy Eye does ordain that Lot 3, Block 1, of Snow First Addition, City of Sleepy Eye, Brown County, Minnesota, shall be sold to Briar Braulick and Heidi Braulick, as joint tenants, on the price and terms approved by the City. The Mayor and City Manger are authorized to sign the necessary Deed in order to transfer the Property.

Passed by the City Council for the City of Sleepy Eye, on June 8, 2021.

/s/Wayne Pelzel  
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on June 8, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: June 8, 2021

/s/Michelle Strate  
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
June 8, 2021

ORDINANCE NO. 188

AN ORDINANCE AMENDING CITY CODE SECTION 3-9, "PLUMBERS"

WHEREAS, the City of Sleepy Eye has determined that amending City Code Section 3-9-1 through 3-9-6, "PLUMBERS" would be in the public interest.

WHEREAS, the City is interested in eliminating unnecessary paperwork and licensing fees for plumbers, and also lessening the workload of city employees.

NOW, THEREFORE, the City of Sleepy Eye ordains as follows:

City Code Section 3-9-1 through 3-9-6, "PLUMBERS" is hereby amended, in its entirety, to read as follows:

TITLE 3: BUSINESS AND LICENSE REGULATIONS

CHAPTER 9  
PLUMBERS

- 3-9-1: Licensing Requirements
- 3-9-2: Bonding And Insurance
- 3-9-3: Permits Required
- 3-9-4: Master Plumber Required

3-9-1: LICENSING REQUIREMENTS:

No person shall engage in the work or business of plumbing or the installation of water or sewer pipes in the City unless he or she shall have a license, or works as an agent of a person with a license, from the Minnesota State Commissioner of Health.

3-9-2: BONDING AND INSURANCE:

Plumbers working within the City shall maintain an insurance certificate for public and product liability with limits of at least fifty thousand dollars (\$50,000.00) per person, one hundred thousand dollars (\$100,000.00) per occurrence, and ten thousand dollars (\$10,000.00) property damage. Also, plumbers working within the City shall maintain worker's compensation coverage per Minnesota Statutes 176.182 and 176.181 subd. 2.

3-9-3: PERMITS REQUIRED:

All plumbers working within the City shall file necessary excavation and plumbing permits as required by this Code prior to commencing work.

3-9-4: MASTER PLUMBER REQUIRED:

Only a master plumber shall work on City taps within the City of Sleepy Eye. The City may approve other contractors to work on City taps within the City of Sleepy Eye.

Section 3-9-5 and Section 3-9-6 are hereby removed.

Passed by the City Council for the City of Sleepy Eye on \_\_\_\_\_, 2021.

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Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on \_\_\_\_\_, 2021, in accordance with Charter Provisions and State laws provided therefore.

Dated: \_\_\_\_\_, 2021

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Michelle Strate, City Clerk

Published in the Sleepy Eye  
HERALD DISPATCH, Sleepy Eye,  
Minnesota, on \_\_\_\_\_, 2021.

ORDINANCE NO. 189

AN ORDINANCE FOR SELLING REAL ESTATE TO CORY AND ANGELA DOMEIER.

WHEREAS, the City of Sleepy Eye is the owner of Lot 8, Block 1, Snow First Addition, City of Sleepy Eye, Brown County, Minnesota (hereinafter "Property").

WHEREAS, the Property above-described and being owned by the City of Sleepy Eye is of no use to the City, the City wishes to encourage its development, and it is in the best interest of the City that the Property be sold.

WHEREAS, Cory Domeier and Angela Domeier, spouses married to each other, wishes to purchase the Property.

NOW THEREFORE, the City of Sleepy Eye does ordain that Lot 8, Block 1, Snow First Addition, City of Sleepy Eye, Brown County, Minnesota, shall be sold to Cory Domeier and Angela Domeier, spouses married to each, as joint tenants, on the price and terms approved by the City. The Mayor and City Manger are authorized to sign the necessary Deed in order to transfer the Property.

Passed by the City Council for the City of Sleepy Eye, on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on \_\_\_\_\_, 2021, in accordance with the Charter Provisions and state laws provided therefore.

Dated: \_\_\_\_\_, 2021

\_\_\_\_\_  
Michelle Strate, City Clerk

Published in the Sleepy Eye HERALD  
DISPATCH, Sleepy Eye, Minnesota, on  
\_\_\_\_\_, 2021



ORDINANCE NO. 190

AN ORDINANCE AMENDING CITY CODE SECTION 3-9, "PLUMBERS"

WHEREAS, the City of Sleepy Eye has determined that amending City Code Section 3-9-1 through 3-9-6, "PLUMBERS" would be in the public interest.

WHEREAS, the City is interested in eliminating unnecessary paperwork and licensing fees for plumbers, and also lessening the workload of city employees.

NOW, THEREFORE, the City of Sleepy Eye ordains as follows:

City Code Section 3-9-1 through 3-9-6, "PLUMBERS" is hereby amended, in its entirety, to read as follows:

TITLE 3: BUSINESS AND LICENSE REGULATIONS

CHAPTER 9  
PLUMBERS

- 3-9-1: Licensing Requirements
- 3-9-2: Bonding And Insurance
- 3-9-3: Permits Required
- 3-9-4: Master Plumber Required

3-9-1: LICENSING REQUIREMENTS:

No person shall engage in the work or business of plumbing or the installation of water or sewer pipes in the City unless he or she shall have a license, or works as an agent of a person with a license, from the Minnesota State Commissioner of Health.

3-9-2: BONDING AND INSURANCE:

Plumbers working within the City shall maintain an insurance certificate for public and product liability with limits of at least fifty thousand dollars (\$50,000.00) per person, one hundred thousand dollars (\$100,000.00) per occurrence, and ten thousand dollars (\$10,000.00) property damage. Also, plumbers working within the City shall maintain worker's compensation coverage per Minnesota Statutes 176.182 and 176.181 subd. 2.

3-9-3: PERMITS REQUIRED:

All plumbers working within the City shall file necessary excavation and plumbing permits as required by this Code prior to commencing work.

3-9-4: MASTER PLUMBER REQUIRED:

Only a master plumber shall work on City taps within the City of Sleepy Eye. The City may approve other contractors to work on City taps within the City of Sleepy Eye.

Section 3-9-5 and Section 3-9-6 are hereby removed.

Passed by the City Council for the City of Sleepy Eye on \_\_\_\_\_, 2021.

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Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on \_\_\_\_\_, 2021, in accordance with Charter Provisions and State laws provided therefore.

Dated: \_\_\_\_\_, 2021

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Michelle Strate, City Clerk

Published in the Sleepy Eye  
HERALD DISPATCH, Sleepy Eye,  
Minnesota, on \_\_\_\_\_, 2021.

ORDINANCE NO. 191

AN ORDINANCE AMENDING PART OF CITY CODE SECTION 5-4, “ANIMAL CONTROL”

WHEREAS, the City of Sleepy Eye has determined that amending part of City Code Section 5-4, “ANIMAL CONTROL” would be in the public interest.

WHEREAS, the City is interested in eliminating unnecessary paperwork and licensing fees for city residents, and also lessening the workload of city employees.

NOW, THEREFORE, the City of Sleepy Eye ordains as follows:

City Code Section 5-4-3 through 5-4-7, and City Code Section 5-4-10-a are hereby amended, in their entirety, to read as follows:

**5-4-3: NUMBER OF DOGS AND CATS RESTRICTED:**

It is unlawful for the total number of dogs and cats to exceed two (2) per dwelling unit, or four (4) per multi-dwelling structure, whichever is the lesser; provided, that this section shall not apply to a kennel licensed under this Code or to a licensed veterinary clinic.

**5-4-4: IMMUNIZATION REQUIRED:**

It is unlawful for an owner of an animal to fail to hold a certificate issued by a veterinarian, licensed to practice veterinary medicine in the State of Minnesota, showing a valid, current rabies immunization of the animal.

**5-4-5: FEES:**

All fees for the confinement and maintenance of animals, including penalties, may be fixed and determined by the Council, adopted by resolution, and uniformly enforced. Such fees may from time to time be amended by the Council by resolution. A copy of the resolution setting forth currently effective fees shall be kept on file in the Office of the City Clerk and open to inspection during regular business hours.

**5-4-6: COLLAR REQUIRED:**

All animals shall wear a collar affixed to the animal evidencing the name of the owner and the phone number or address of the owner. Failure to do so shall be unlawful.

**5-4-7: CONFINEMENT:**

A. Placement Of Animals; Records: Any animal found in the City running at large, or otherwise in violation of this chapter, shall be placed in confinement, and an accurate record of the time of such placement shall be kept on each animal. Every animal so placed in confinement shall be held for redemption by the owner for at least five (5) regular business days. Confinement records shall be preserved for at least six (6) months and shall show:

1. The description of the animal by species, breed, sex, approximate age, and other distinguishing traits;
2. The location at which the animal was seized;

3. The date of seizure;

4. The name and address of the person from whom any animal three (3) months of age or over was received; and

5. The name and address of the person to whom any animal three (3) months of age or over was transferred.

B. Disposition Of Unclaimed Animals: If unclaimed, such animal shall be humanely destroyed and the carcass disposed of, unless it is requested by a licensed educational or scientific institution under authority of Minnesota Statutes section 35.71; provided, however, that if a tag affixed to the animal, or a statement by the animal's owner after seizure specifies that the animal should not be used for research, such animal shall not be made available to any such institution but may be destroyed after the expiration of the five (5) day period. (1988 Code § 10.20)

C. Notice Of Confinement: Upon the confinement of any animal, the owner shall be notified by the most expedient means, or if the owner is unknown, written notice shall be posted for five (5) days at the police station describing the animal and the place and time of taking.

D. Release From Confinement: Animals shall be released to their owners after immunization of any such animal for rabies, and after payment of the confinement and maintenance fees.

**5-4-10-a: OTHER UNLAWFUL ACTS:**

City Cody Section 5-4-10-a shall be removed.

Passed by the City Council for the City of Sleepy Eye on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Wayne Pelzel, Mayor

I hereby certify and attest that the City Council of the City of Sleepy Eye, Minnesota, did pass the above Ordinance on \_\_\_\_\_, 2021, in accordance with Charter Provisions and State laws provided therefore.

Dated: \_\_\_\_\_, 2021

\_\_\_\_\_  
Michelle Strate, City Clerk

Published in the Sleepy Eye  
HERALD DISPATCH, Sleepy Eye,  
Minnesota, on \_\_\_\_\_, 2021.