



Workshop: 5:00 p.m.  
Regular City Council Meeting: 6:00 p.m.  
Tuesday, March 17, 2015  
Lakeland City Hall

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CITY COUNCIL WORKSHOP:  
COMPREHENSIVE PLAN GOALS AND COMMUNITY WORK GROUP DISCUSSION

REGULAR CITY COUNCIL MEETING AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADOPT AGENDA
4. CONSENT AGENDA (Items may be pulled for discussion and/or separate action)
  - A. February 17, 2015 Regular City Council Meeting Minutes
  - B. Treasurer's Report
  - C. Approval of Claims
  - D. Resolution 2015-10 Appointing City Administrator/Clerk
  - E. Resolution 2015-11 Designating Data Practices Responsible Authority
  - F. Resolution Adopting 2015 City Fee Schedule
  - G. Approval of LMCIT Liability Coverage Waiver Form for 2015-2016
  - H. Resolution 2015-13 Approving Additional Authorized Signer for US Bank
  - I. Resolution 2015-14 Updating Annual Appointments for 2015
5. AGENCY REPORTS
  - A. Law Enforcement Report
  - B. Fire Department Report
6. OPEN FORUM (Public comments, presentations and petitions)
7. CITY BUSINESS
  - A. Youth Service Bureau
  - B. Pet Licensing
8. CITY STAFF REPORTS
9. CITY COUNCIL AND MAYOR REPORTS
10. CLOSED SESSION (Per MN SS 13D.05):
  - A. Employee Performance Review: Matt Kline
11. ADJOURN



**CITY COUNCIL MEETING**  
**Tuesday, February 17, 2015**

**CITY COUNCIL PRESENT:** Richard Glasgow, Joe Paiement, Jeri Ryan, Amy Williams  
**STAFF PRESENT:** Josh Brekken, Matt Kline, Tom Niedzwiecki  
**OTHERS PRESENT:** Dan Bruechert, Dave Bruechert, Bob Craggs, Evan Loesner, Kevin Wall, Chris White

**Workshop on City Staffing and Pet Licenses held from 5:00 to 6:00 pm**

1. **CALL TO ORDER** by Mayor Williams at 6:05 p.m.
2. **PLEDGE OF ALLEGIENCE** was said.
3. **CONSENT AGENDA** – Mayor Williams requested to have Consent Agenda Items E, F, and G pulled for discussion. **M/S/P (Ryan/Glasgow) to approve Consent Agenda Items A, B, C and D. Glasgow, Paiement, Ryan, and Williams voted aye. Motion passed unanimously.**
  - A. Minutes of the January 12 Special meeting and January 20, 2015 Regular City Council meeting
  - B. Treasurer's Report
  - C. Bills to be Approved
  - D. Skid steer rental agreement

There was discussion and corrections made to Consent Agenda Item E (Resolution 2015-06). **M/S/P (Ryan/Glasgow) to approve Consent Agenda Item E with corrections. By roll call, Ryan, Glasgow, Paiement, and Williams voted aye. Resolution 2015-06 adopted with corrections.**

  - E. Resolution 2015-06, a Resolution appointing Evan Loesner to the vacant council seat to which Asia Bednar was elected effective February 17, 2015

There was discussion and corrections made to Consent Agenda Item F (Resolution 2015-07). **M/S/P (Ryan/Glasgow) to approve Consent Agenda Item F with corrections. Glasgow, Paiement, Ryan, and Williams voted aye. Resolution 2015-07 adopted with corrections.**

  - F. Resolution 2015-07, a Resolution appointing Doug Tollefson to the vacant City Clerk position effective February 17, 2015.

There was discussion and corrections made to Consent Agenda Item G (Resolution 2015-08). **M/S/P (Ryan/Glasgow) to approve Consent Agenda Item G with corrections. Glasgow, Paiement, Ryan, and Williams voted aye. Resolution 2015-08 adopted as corrected.**

  - G. Resolution 2015-08, a Resolution appointing Matt Kline to the vacant Zoning Administrator position effective February 17, 2015.
4. **LAW ENFORCEMENT REPORT** – Deputy Sullivan reported a slow month; there were 25 narcotic related incidents within 5-city area; death that occurred in the City still under investigation. Mayor Williams indicated interest in collaborating with Washington County regarding Night to Unite events.
5. **PETITIONS TO THE COUNCIL** – None
6. **FIRE RELIEF ASSOCIATION** – Mayor Williams advised a meeting was held January 29, 2015 at the Fire Station to discuss details of proposed pension; LSCVF is requesting City *certify* increase. **M/S/P (Glasgow/Ryan) to approve Resolution 2015-09, a Resolution approving the Lower Saint Croix Valley Firefighters Relief Pension Benefits of \$3,250 per year of service effective December 9, 2014. Glasgow, Paiement, Ryan, and Williams voted aye. Resolution 2015-09 adopted.**
7. **YOUTH SERVICE BUREAU / Written Request** – Mayor Williams updated January 23, 2015 letter from YSB requesting support and offer to attend an upcoming CC meeting. Tom Niedzwiecki confirmed 2014 donation from City \$5,000 made on 3/31/14. Tabled until March.
8. **BIKE PATH / Robert Craggs** – Bob Craggs introduced Lower St. Croix Valley Community Foundation's Lower St. Croix Trail Initiative 2015-2016 Funding Plan proposing three part funding: (1) direct contributions from Valley cities and County, (2) solicit private donations, and (3) securing grants for up to 75% of project costs. Consensus made that

City will provide letter of support in fall 2015 and invite Bob Craggs back in July (and place on agenda) when budget preparation begins to include as line item budget for 2016 and to also provide website information in Newsletter.

9. **DOG AND CAT LICENSE REVIEW** – Discussed during workshop. Tabled until next month.
10. **CITY STAFFING** – Resolution reviewed for Acting Zoning Administrator position effective 2/17/15. **M/S/P (Glasgow/Ryan) to approve Resolution No. 2015-08, a Resolution appointing Matt Kline as Acting Zoning Administrator effective February 17, 2015. Glasgow, Paiement, Ryan, and Williams voted aye. Motion passed unanimously.** Mayor Williams provided proposed City Clerk job description. **M/S/P (Glasgow/Ryan) to adopt summary job description presented for City Clerk with additional responsibility that will include Zoning Administrator duties, i.e. City planning, as salaried exempt position with health and dental benefits and an at will relationship. Glasgow, Paiement, Ryan, and Williams voted aye. Motion passed.** New position will interact with consultants as needed with potential savings on attorney and consultant fees and provide City planning service as appropriate. **M/S/P (Paiement/Ryan) to authorize Mayor Williams the ability to extend an offer and enter into an employment contract with Sandy Thone as outlined for an annual salary of \$60,000 effective March 1, 2015. Glasgow, Paiement, Ryan, and Williams voted aye. Motion passed.** As health and dental benefits are not available for a 30-day period, a consensus was reached to offer a stipend of \$750 (City current contribution \$748.54/month) for health and dental insurance. **M/S/P (Williams/Glasgow) to authorize a stipend of \$750 to potential City Clerk/City Administrator to cover March 2015 health and dental benefits that won't be effective due to 30-day waiting period for new employees. Glasgow, Paiement, Ryan, and Williams voted aye. Motion passed.** **M/S/P (Williams/Glasgow) to instruct the City Attorney to write up employment contract terms for City Clerk/City Administrator as discussed. Glasgow, Paiement, Ryan, and Williams voted aye. Motion passed.**

#### 11. STAFF REPORTS

**Attorney** – City Attorney Brekken advised busier month assisting the Clerk's Office with Data Practices Act requests. Discussion held of need to limit record retention period after reviewing State Statutes.

City Clerk – No report

City Engineer – Report in packets

**Public Works Director** – Kline reported MSCWMO adopted an ordinance change in regard to storm water management; Mikael Isensee, Administrator, will attend April workshop to ask CC interest in rewriting ordinance.

**Treasurer** – Niedzwiecki reported a favorable General Fund balance of \$15,000 for 2014; first time transfer of favorable variance to LTI Fund; League of Minnesota insurance renewal up 5/01/15 – mayor will review with agent; bonds for 2<sup>nd</sup> Water Tower and Lakeland Plaza TIF not callable until next year.

12. **COUNCILMEMBER REPORT/** Glasgow reported status of the Cable Commission – Cable Agreement has to go to Denver; \$15,000 held but other checks have been issued. The LSCVFD run statistics for January 2015 was 37 calls; 23 EMS related. Alliance has had attendance issues; hard to get presenters when you can't get people to commit. There was discussion of possible Lower St. Croix Trail conversation in future.

13. **COUNCIL MEMBER REPORT/** Ryan – no report

14. **COUNCIL MEMBER REPORT/** Paiement - WMO met Thursday – discussed flat fee pricing structure could be re-evaluated and wanted assurances situation in Lakeland regarding Ruprecht application not be repeated.

15. **COUNCIL MEMBER REPORT/** Vacant

16. **MAYOR'S REPORT/** Williams – Met new chair of Met Council at Gateway Corridor Commission meeting; important for Met Council to buy in. Thanks extended to Tom Niedzwiecki and Matt Kline for stepping up to help fill voids the past couple of weeks.

17. **CLOSED SESSION/** Personnel Review – Matt Kline requested the Council make a motion to close the regular meeting to discuss a personnel review. **M/S/P (Williams/Ryan) to close the regular meeting at 8:05 p.m. and go into Closed Session. Passed Unanimously. M/S/P (Williams/Ryan) to resume the regular meeting at 8:18 p.m. Passed unanimously.** It was decided on a salary increase of 2.5% effective 1/01/15 for PW1/Operator Rick Regnier.

18. ADJOURN – M/S/P (Ryan/Glasgow) to adjourn meeting at 8:20 p.m. Passed unanimously.

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Amy Williams, Mayor

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Kate Piscitello, Acting Recording Secretary

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION 2015-10**

**RESOLUTION APPOINTING CITY ADMINISTRATOR/CLERK**

**WHEREAS**, the State of Minnesota statute requires the City of Lakeland to appoint the position of City Clerk; and

**WHEREAS**, the City Clerk is a central figure in city government and has the responsibility of executing many statutory functions as well as supervising the daily administration of city business; and

**WHEREAS**, the City of Lakeland has the authority to appoint employees as they deem necessary for its proper management and operation, and the city operations have grown more complex, and in need of oversight of the day-to-day responsibilities of city administration, the city administrator designation has been added to the position of city clerk: and

**WHEREAS**, the position of city clerk and the position of city administrator have been combined, the position will include the statutory duties of the city clerk as well.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Lakeland, Minnesota does hereby appoint Sandie Thone to the position of City Administrator/Clerk for the City of Lakeland.

Passed and adopted by the City of Lakeland City Council this 17<sup>th</sup> day of March, 2015.

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Amy Williams, Mayor

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Sandie Thone, City Administrator/Clerk

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION 2015-11**

**RESOLUTION APPOINTING DATA PRACTICES RESPONSIBLE AUTHORITY (RA)  
AND DATA PRACTICES COMPLIANCE OFFICIAL (DPCO)**

**WHEREAS**, the Data Practices Act (Chapter 13 of Minnesota Statutes) and Minnesota Rules, Chapter 1205, assign a number of duties to government entities; and

**WHEREAS**, each entity must identify, designate or appoint one individual as its Responsible Authority; and

**WHEREAS**, the Responsible Authority is the person who is ultimately responsible for the collection, use, and dissemination of all city data, and for all the city's data practices decisions; and

**WHEREAS**, the Responsible Authority must ensure the city complies with all of the requirements of the Act and the Rules and is appointed by the governing body; and

**WHEREAS**, the Responsible Authority may either designate an employee to serve as the Data Practices Compliance Official, or choose to serve as the DPCO themselves; and

**WHEREAS**, the Data Practices Compliance Official is responsible for receiving and responding to questions or concerns regarding data practices problems, including problems in obtaining access to city data.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Lakeland, Minnesota does hereby appoint Sandie Thone as the Data Practices Responsible Authority and the Data Practices Compliance Official.

Passed and adopted by the City of Lakeland City Council this 17<sup>th</sup> day of March, 2015.

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Amy Williams, Mayor

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Sandie Thone, City Administrator/Clerk

CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2015-12

RESOLUTION ADOPTING 2015 CITY FEE SCHEDULE

**WHEREAS**, the City of Lakeland has the right to establish and set fees for services provided to the community; and

**WHEREAS**, the city council adopted Ordinance 7542 establishing a Master Fee Schedule on February 18, 2014; and

**WHEREAS**, the city shall review annually the fee schedule to ensure fees remain relevant, cost effective and reflect the general business of the city.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Lakeland, Minnesota does hereby adopt the 2015 City Fee Schedule – Exhibit A.

Passed and adopted by the City of Lakeland City Council this 17<sup>th</sup> day of March, 2015.

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Amy Williams, Mayor

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Sandie Thone, City Clerk/Administrator

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION 2015-13**

**A RESOLUTION APPROVING ADDITIONAL AUTHORIZED SIGNER  
FOR CITY OF LAKELAND ACCOUNTS U.S. BANK**

**BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF  
LAKELAND** that the following City representative is hereby designated to be an additional  
Authorized Signer for the City of Lakeland accounts with U.S. Bank, effective March 17,  
2015:

Sandie Thone, City Administrator/Clerk

Passed and adopted by the City of Lakeland City Council this 17<sup>th</sup> day of March, 2015.

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Amy Williams, Mayor

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Sandie Thone, City Clerk/Administrator

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION 2015-14**

**A RESOLUTION OF THE CITY OF LAKELAND  
UPDATING ANNUAL APPOINTMENTS FOR 2015**

**WHEREAS**, Minnesota State Statutes require that the City Council shall, annually at its first meeting of each year, designate annual appointments for the City; and,

**WHEREAS**, the City has experienced changes that affect the annual appointment designations for the year 2015.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LAKELAND AS FOLLOWS:**

The following appointments are hereby approved, effective immediately upon adoption:

Staff and Personnel

Evan Loesner, Council Member

Passed and adopted by the City Council for the City of Lakeland this 17<sup>th</sup> day of March, 2015.

ATTEST:

\_\_\_\_\_  
Amy Williams, Mayor

\_\_\_\_\_  
Sandie Thone, City Administrator/Clerk

**Master Fee Schedule**

Current Fees, Rates, Charges

Published and Effective March 17, 2015

(Subject to Change)

<b>APPLICATION FEES</b>	<b>FEE</b>	<b>ESCROW</b>
CUP Application or Amendment	\$400.00	\$300.00
IUP Application or Amendment	\$400.00	\$300.00
Administrative changes to CUP	\$50.00	
Administrative changes to IUP	\$50.00	
Mobile home parks/CUP Appl.	\$50.00	
Ordinance/Re-zoning/Comprehensive Plan Amendment	\$575.00	\$2,575.00
Park Fee – per lot or dwelling unit	\$100.00	
Planned Unit Development Application	\$350.00	\$6,000.00
Street Vacation Application	\$350.00	\$750.00
Subdivision – Minor (1-4 lots)	\$1,000.00	\$2,500.00
Subdivision – Major (5 lots or more)	\$1,500.00	\$6,000.00
Variance Application	\$400.00	\$800.00

<b>DUPLICATION FEES</b>	<b>FEE</b>
Copies (to 100 pages)	.25 per page
Copies (101 pages or more)	.5 per page
Special Projects/Research	+actual time expended costs
Copies of PC/CC/other minutes (per meeting)	\$2.00
Certification of copies	\$3.50
Copies of meeting tapes	\$5.00
Copy of zoning map	\$2.50

<b>LICENSE FEES</b>	<b>FEE</b>
Adult business license	Determined by Council
Beer License (non-intoxicating)	\$50.00
Garbage License	\$80.00
<u>Liquor License, Investigation fees</u>	
Change of ownership or alteration of premises, Additional investigation fee	\$50.00
Initial application investigation fee	\$50.00
Off-Sale Liquor License	\$240.00 (set by State)
On Sale Liquor License	\$1,600.00 (set by State)
Special Sunday Liquor License	\$200.00 (set by State)
3.2% Malt Liquor license	\$100.00
Mining License	\$450.00
Pawnbroker's license, annual fee	\$1,000.00
Pet License (2 year)	\$15.00
Tavern License, annual fee	\$80.00
Tobacco License	\$75.00
User Car Dealer License	\$25.00

<b>PARK USAGE FEES</b>	<b>FEE</b>	<b>DAMAGE DEPOSIT</b>
<u>Park Permits, Athletic Field</u>		
Crocker Park Fee Per Reserved Use	\$10.00	
Cully Park Fee Per Reserved Use	\$7.00	
<u>Park &amp; Beach Rental/Reservation - Crocker Park/Cully Park/Humphries Park/Lakeland Beach</u>		
Sunday through Thursday Rental Resident	\$150.00	\$200.00
Sunday through Thursday Rental Non-Resident	\$300.00	\$250.00
Friday through Saturday Rental Resident	\$200.00	\$200.00
Friday through Saturday Rental Non-Resident	\$400.00	\$250.00
Peace Officer Services	\$40/Hour	
Park/Beach Temporary Alcohol Consumption Permit	Included with Park Rental	

<b>PERMIT FEES</b>	<b>FEE</b>	<b>ESCROW</b>
Certificate of Compliance – Initial	\$125.00	
Certificate of Compliance – Annual review	\$50.00	
Utility Permit	\$140.00	\$5,000.00
CUP-Annual review	\$50.00	
Golf Cart Permit	\$50.00	
Grading & Filling Permit	\$250.00	\$1,500.00
Mobile Home Parks, Permit	\$10 per lot	
<b>Parking Permits</b>		
Annual	\$2.00	
Event	\$10.00	
<b>Sign Permit/Temporary</b>		
Permanent	\$15.00	
Temporary	\$15.00	
Swimming pool-certificate of compliance	\$100.00	
Vegetative Cutting Permit	No Fee	

<b>WATER UTILITY FEES</b>	<b>FEE</b>
Annual Hydrant Permit	\$50.00
State of MN Annual Water Tax per month	\$0.52
Water Connection Fee	\$300.00
Late Penalty 1.5% (3 months)	
Water Shut Off Charge	\$15.00
Water Turn On Charge	\$15.00
Frozen Meter Repair	\$80.00
Certify to Taxes	\$25.00
Certified Mail	\$7.00
NSF Returned Check	\$25.00
Upgrade in Meter Sizes	Meter Cost Minus 5/8 Meter Cost
Base Charge	\$8.00
Water Usage Per 1000 gallons	\$2.30
Tower Debt Service	\$9.33
Debt Service Credit	-\$4.66
Water Permit	\$15.00
Main Tap Permit	\$40.00
Winterization (Pull Meter and Drain Pipe)	\$75.00

<b>MISCELLANEOUS</b>	<b>FEE</b>
Adult Use Fee	\$10,000.00
Assessment search	\$30.00
Hall Rental (per meeting)	\$100.00
Newsletter Sponsor/Annual	\$350.00
Notary Service	\$1.00 (set by State)
Plan Review (prior to application)	\$30.00 per hour + actual time expended costs to City for outside services
Special Projects/Research	Actual time expended costs + cost for duplication



CONNECTING & INNOVATING  
SINCE 1913

## LIABILITY COVERAGE – WAIVER FORM

LMCIT members purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. Please return the completed form to your underwriter or email to [pstech@lmc.org](mailto:pstech@lmc.org)

This decision must be made by the member's governing body every year. You may also wish to discuss these issues with your attorney.

League of Minnesota Cities Insurance Trust (LMCIT) members that obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits apply regardless of whether the city purchases the optional excess liability coverage.
- *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$2,000,000 for a single occurrence. (Under this option, the tort cap liability limits are waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2 million.) The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

City of Lakeland selects liability coverage limits of \$ 1,500,000 from the League of Minnesota Cities Insurance Trust (LMCIT).

Check one:

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.
- The member **WAIVES** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04 to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council/governing body meeting March 17, 2015

Signature [Signature]

Position Treasurer



# Youth Service Bureau

Improving young lives

*Spoke with  
Allison Ober  
who is unavailable  
3/17, but will talk  
to Donato to inquire  
if she is free  
March 17  
April 21  
OK*

*2/19/15  
temp*

www.yzb.net

January 23, 2015

Ms. Christine Wallberg, City Clerk  
City of Lakeland  
690 North Quinnell Avenue  
Lakeland, MN 55043-9643

Dear Ms. Wallberg,

**STILLWATER**  
Historic Court House  
101 W. Pine Street  
Stillwater, MN 55082  
Phone 651-439-8800  
Fax 651-439-1040  
T Phone 715-781-0409

Since 1976, Youth Service Bureau (YSB) has served the City of Lakeland and families throughout Washington County. Thanks to your support we have built partnerships throughout the community to meet the changing needs of youth and their families.

We ask you to continue this partnership in 2015-2016 by investing \$5,200 to help youth and families learn the skills they need to be more successful at home, in school and throughout the community.

YSB programs make a real difference in the lives of youth and families by improving school performance and health outcomes and reducing truancy, near-term court costs, and the need for social services. When youth understand the impact of their actions, they often make better choices. And, statistics show that every dollar you invest today saves \$8 in future costs.

In 2014, we continued to see an increase in the number of youth and families seeking counseling and chemical health services. We have also seen an increase in the number of parents seeking tools to help them set and enforce boundaries, talk to their kids about difficult topics and support their kids as they deal with pressures both in and out of school.

Last year we provided 1,800 services to 1,105 families throughout Washington County. We're proud to share that 77% of families involved in our counseling program report improvement and 85% of youth served will not reoffend.

YSB remains committed to providing access to respectful and affordable programs that promote healthier youth, families and communities. We offer affordable fees that can be waived, flexible scheduling with no waiting list, and neighborhood based locations.

We would be happy to attend an upcoming City Council meeting to share information about the services we've provided to Lakeland youth and their families.

Thank you for your consideration and past support in finding local solutions that help youth and their families make better choices and have brighter futures.

Sincerely,

*Mary E. Planten-Krell*

Mary E. Planten-Krell  
Executive Director



WOODBURY  
1976 Wooddale Drive  
Suite 4  
Woodbury, MN 55125  
Phone 651-735-9534  
Fax 651-735-8986

COTTAGE GROVE  
64 W. Point Douglas Rd.  
Suite 201  
Cottage Grove, MN 55016  
Phone 651-458-3224  
Fax 651-458-5310

CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. 7543

AN ORDINANCE AMENDING SECTIONS 07, 09, 25A&B AND 26B OF CHAPTER 90 OF  
LAKELAND'S CITY CODE REGARDING ANIMALS

WHEREAS the City, in connection with the above, desires to repeal and or amend its ordinances under Chapter 90: Animals, in order to reflect the requirement to have a license issued by the City Clerk revoked and rescinded.

WHEREAS all other applicable provisions referring to such license shall be hereby revoked and rescinded.

WHEREAS nothing in this Amendment shall nullify, rescind, or revoke any other licenses, tags, or other requirement pertaining to dogs, cats, or other animals.

WHEREAS all sections, provisions, and or sentences of Lakeland City Code Chapter 90 not amended or repealed below shall remain in full force and effect.

NOW THEREFORE, the City of Lakeland enacts the following:

**City Code Chapter 90 is HEREBY AMENDED as follows:**

**Section 1:** Section 90.07, entitled "Dog or Cat License" is hereby repealed, effective immediately.

**Section 2:** The first sentence of Section 90.09, entitled "Seizure of Dogs or Cats; Impounding," is hereby amended to read as follows:

"Any person may seize, impound, or restrain any dog or cat found running at large, or any dog or cat without a veterinarian's metal tag attesting to its rabies vaccination, **and/or any dog or cat without its city license tag.**"

**Section 3:** Section 90.10(B), entitled "Impounding and Boarding Fees," is hereby amended to read as follows:

"In the case where an animal has been impounded whose rabies vaccination **is** not current, no dog or cat shall be released unless the owner agrees to have the dog or cat vaccinated **and licensed** within 3 days from the time of release. At the time of the dog's or cat's release, the owner shall be required to sign a document acknowledging that the dog's or cat's rabies vaccination **and/or city dog or cat license are is** not current. The Animal Warden shall immediately provide a copy of the document to the City Clerk and to the appropriate law enforcement officer. It shall be the responsibility of the dog or cat owner to have the dog or cat vaccinated as provided in § 90.26 of this subchapter, **and/or to have the dog or cat licensed as provided in § 90.07.** If evidence of the

required vaccination ~~or dog or cat licensing~~ is not received by the City Clerk within the specified 3-day period, a citation may be issued."

**Section 4:** The last sentences of Sections § 90.25(A) and (B), entitled "Rabies Inoculation of Dogs and Cats" are hereby amended to read as follows:

Last Sentence of (A): "A certificate from the veterinarian inoculating the dogs or cats shall be exhibited to the Animal Control Officer and/or Animal Warden upon demand, ~~and will be required as written proof of the vaccination at the time a dog or cat license is obtained from the city.~~"

Last Sentence of (B): "At the owner's discretion, a tattoo or implanted microchip may be used in lieu of the collar and tag if the tattoo and chip identification numbers are place on filed at the city ~~at the time of license application.~~"

**Section 5:** Beginning with the second sentence, Section 90.26(B), entitled "Animal Bites and Animals Exposed to Rabies" is hereby amend to read as follows:

"The quarantine may be by the person owning the dog or cat if the dog or cat has a current ~~license and~~ rabies vaccination at the time the bit occurred. If the dog or cat does not have a current ~~license and~~ rabies vaccination at the time the bite occurred, the dog or cat must be impounded at a licensed pound or with a licensed veterinarian at the owner's expense."

BE IT SO ENACTED by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ opposed, and \_\_\_\_\_ abstaining.

Effective after its publication date of \_\_\_\_\_.

MAYOR:

\_\_\_\_\_

Dated: \_\_\_\_\_

Amy Williams, Mayor

ATTEST:

\_\_\_\_\_

Dated: \_\_\_\_\_

Sandie Thone, City Clerk/Administrator