

**ORDINANCE NO. 105
(Rural Service District)**

CITY OF NEW GERMANY

CARVER COUNTY, MINNESOTA

JULY 1, 2014

AN ORDINANCE ESTABLISHING AN URBAN SERVICE DISTRICT AND A RURAL SERVICE DISTRICT WITHIN THE MUNICIPAL LIMITS OF THE CITY OF NEW GERMANY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES §272.67

THE CITY COUNCIL OF THE CITY OF NEW GERMANY, CARVER COUNTY, MINNESOTA, ORDAINS:

Section 1. ESTABLISHMENT OF DISTRICTS.

Pursuant to the authority granted by Minnesota Statutes Section 272.67, the City of New Germany hereby divides the area within its municipal limits 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 judgments and interest thereon.

Section 2. URBAN SERVICE DISTRICT.

The urban service district shall include all land within the boundaries of the City of New Germany which are not included in the rural service district established by this ordinance.

Section 3. RURAL SERVICE DISTRICT.

The rural service district shall include only such unplatted lands, which need not be contiguous to one another, as in the judgment of the City Council at the time of the adoption of this ordinance 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 services financed by general taxation.

The City Council by amendment to this ordinance in the future, may designate lands outside the City of New Germany which, if annexed, shall be included within the rural service district.

Section 4. LANDS INCLUDED WITHIN THE RURAL SERVICE DISTRICT.

The following lands are hereby designated to be included in the rural service district of the City of New Germany:

PID No. 55-005-2211
(Eric G. Roepke Property)

Section 5. TRANSFER FROM RURAL SERVICE DISTRICT TO URBAN SERVICE DISTRICT.

Whenever any parcel of land included in the rural service district is platted, in whole or in part; or whenever application is made for a permit for construction of a commercial, industrial, residential, or agricultural building or improvement, except for the purpose of repairing or replacing a pre-existing structure; or whenever such improvement or building is commenced without a permit; or whenever, at the request of the owner, any parcel is provided additional municipal services such as sewer, water, streets, etc.; the City Council shall make and enter an order by resolution transferring such parcel or any part thereof from the rural service district to the urban service district.

Grading of land is not considered as an improvement providing such grading is limited to that which is required to minimize storm water drainage problems and provided graded areas are placed into agricultural use or reseeded within one year. Any new fill placed on the land shall be graded and seeded within one year.

Section 6. BENEFIT RATIO AND TAX RATE.

It is the judgment of the City Council that the approximate ratio that exists between the benefits resulting from the tax supported municipal services to parcels of land of like market value, situated in the rural service district and in the urban service district, respectively, is 19.00%. However, in no event shall the tax rate for the rural service district be less than what the tax rate for such parcel would be if taxed by the township in which the parcel is located. In the event the tax rate for such parcel would be taxed by the township at a rate greater than 19.00%, the tax rate for such parcel shall then equal what the township rate would be. Any taxes levied for the payment of bonds and judgments and interest thereon shall be in addition to such tax.

By amendment to this ordinance the benefit ratio may be changed, and lands may be added to or removed from the rural service district, but no amendment shall be required to remove land by the procedure provided in Section 5 of this ordinance.

Section 7. ANNUAL REVIEW.

Once each year the City Council shall review the status of all lands in the rural service district to determine whether such lands continue to qualify for inclusion in the rural service district and shall also review the tax ratio applicable to such lands as determined under Section 6.

Section 8. CONNECTION CHARGES.

At such time as a parcel of land is transferred from the rural service district to the urban service district and/or a structure on such parcel is connected to the sewer and water system of the City of New Germany, the owner of such parcel shall pay to the City of New Germany such connection and availability charges of the City that are then in effect at the time of such connection.

Section 9. SERVICES PROVIDED.

Except for fire, police and planning services, the City of New Germany will provide no other services to the lands in the rural service district beyond those customarily provided by the township in which the lands are located.

Section 10. EFFECTIVE DATE.

This ordinance shall be in effect from and after its passage and publication according to law.

Passed and adopted by the City Council of the City of New Germany, Minnesota, this 1st day of July, 2014.

CITY OF NEW GERMANY

BY: _____
Steven J. VanLith, Mayor

ATTEST:

Twyla Menth, Clerk

(Published in the *Herald Journal* on July 7, 2014.)

[http://clients.intranet.mhslaw.com/1009/37754/draft documents/ordinance - rural service district.doc](http://clients.intranet.mhslaw.com/1009/37754/draft%20documents/ordinance%20-%20rural%20service%20district.doc)