

CITY OF PLYMOUTH HENNEPIN COUNTY, MINNESOTA

ORDINANCE NO. 2025-

ORDINANCE AMENDING CHAPTERS 1, 3, 5, 7, 8, 10, 13, AND 20 OF THE PLYMOUTH CITY CODE (2025006)

THE CITY OF PLYMOUTH ORDAINS:

Section 1. [Legislative Formatting for Amendments](#). Amendments within this Ordinance are marked as follows: underlined text = new text to be added, and ~~stricken text~~ = text to be deleted. Any text without markings (i.e., not underlined or ~~stricken~~) shall remain as currently exists.

Section 2. [Amendment](#). Section 105.01, Subd. 21 of the Plymouth City Code [DEFINITIONS OF COMMONLY USED TERMS] is amended as follows:

Subd. 21. *Community and Economic Development Director* means the Plymouth Community and Economic Development Director or his/her designee.

Section 3. [Amendment](#). Section 105.01, Subd. 118 of the Plymouth City Code [DEFINITIONS OF COMMONLY USED TERMS] is amended as follows:

Subd. 118. *Wild Animal* means any animal that is wild, ferocious, or vicious by nature, habit, disposition, or character. Animals in this category include, but are not limited to, any ape, (including chimpanzee, gibbon, gorilla, orangutan, or siamang), baboon, bear, bison, bobcat, cheetah, crocodile, coyote, deer, (including all members of the deer family such as antelope, elk, and moose), duck, elephant, ferret, fox, goose, hippopotamus, hyena, jaguar, leopard, lion, lynx, monkey, puma (also known as cougar, mountain lion, or panther), raptor, rhinoceros, any snake that is poisonous or any constrictor snake, snow leopard, tiger, wolf, or hybrid mix of any of the wild animals such as wolf/dog mixes.

Section 4. [Amendment](#). Section 305.03, Subd. 1 of the Plymouth City Code [ADMINISTRATIVE CODE; BOARDS, COMMISSIONS, AND COMMITTEES -- PLANNING COMMISSION] is amended as follows:

Subd. 1. **Commission Established.** The Planning Commission is established pursuant to the Municipal Planning Enabling Act, Minn. Stats. Ch. 462, and ~~has the powers and duties assigned to it by that Act and by this Code, State law and the Charter. The Planning Commission~~ is hereby designated the planning agency of the City pursuant to the

Municipal Planning Enabling Act. The Planning Commission shall serve as the planning agency for the City for the purposes of Minnesota Statutes 462.351 to 462.365, except that the City's planning department shall serve this function pertaining only to the sale and acquisition of property in accordance with Minnesota Statute 462.356, Subd. 2.

Section 5. Amendment. Section 305.03, Subd. 4.D of the Plymouth City Code [ADMINISTRATIVE CODE; BOARDS, COMMISSIONS, AND COMMITTEES -- PLANNING COMMISSION] is amended as follows:

- D. To study preliminary ~~and final~~ plats and to advise the Council of its recommendations thereof.

Section 6. Amendment. Section 516.05 of the Plymouth City Code [ADMINISTRATION— VARIANCES -- REVIEW CRITERIA] is amended as follows:

516.05. - Review Criteria.

- Subd. 1. The Council shall not approve a variance unless they find that the following criteria, as applicable, have been met:
 - A. The variance, and its resulting construction or project, would be in keeping with the spirit and intent of this ~~e~~Chapter.
 - B. The variance applicant has satisfactorily demonstrated that there are practical difficulties in complying with this Chapter. ~~would alleviate an unusual hardship existing upon the land such as physical surroundings, shape, or topographical conditions. Unusual hardship includes, "Practical difficulties" may include, but is are~~ not limited to, inadequate access to direct sunlight for solar energy systems, and means that:
 - (1) The applicant proposes to use the property in a reasonable manner;
 - (2) The plight of the landowner is due to unusual conditions, or to circumstances unique to the property (e.g., physical surroundings, shape, topographical conditions, etc.) that were not created by the landowner; and
 - (3) The variance, if granted, would not alter the essential character of the locality.
 - C. The variance, and its resulting construction or project, and would not be detrimental to the public welfare or injurious to other nearby properties.
 - D. The variance requested is the minimum action required to address or alleviate the ~~hardship~~ practical difficulties.

Section 7. Amendment. Section 730 of the Plymouth City Code [STREET LIGHTING] is deleted in its entirety and replaced with "REPEALED" as Follows:

SECTION 730 – REPEALED (formerly: Street Lighting)

Section 8. Amendment. Section 800.01 of the Plymouth City Code [CONSTRUCTION IN STREETS, ALLEYS AND PUBLIC GROUNDS -- FINDINGS, PURPOSE, AND INTENT] is amended as follows:

800.01. - Findings, Purpose, and Intent.

To provide for the health, safety and welfare of its citizens, and to ensure the integrity of its streets and the appropriate use of the rights-of-way, the City strives to keep its rights-of-way in a state of good repair and free from unnecessary encumbrances.

Accordingly, the City hereby enacts this section relating to right-of-way permits and administration. This section imposes reasonable regulation on the placement and maintenance of facilities and equipment currently within its rights-of-way or to be placed therein at some future time. It is intended to complement the regulatory roles of state and federal agencies. Under this section, persons excavating and obstructing the rights-of-way will bear financial responsibility for their work. Finally, this section provides for recovery of out-of-pocket and projected costs from persons using the public rights-of-way.

This section shall be interpreted consistently with Minnesota Statutes, Sections 237.16, 237.162, 237.163, 237.79, 237.81, ~~and~~ 238.086, 326B.0921, and 326B.198 (the "Act") and the other laws governing applicable rights of the City and users of the right-of-way. This section shall also be interpreted consistent with Minnesota Rules 7819.0050—7819.9950 where possible. To the extent any provision of this section cannot be interpreted consistently with the Minnesota Rules, that interpretation most consistent with the Act and other applicable statutory and case law is intended. This section shall not be interpreted to limit the regulatory and police powers of the City to adopt and enforce general ordinances necessary to protect the health, safety and welfare of the public.

Section 9. Amendment. Section 800.02, Subd. 8 of the Plymouth City Code [CONSTRUCTION IN STREETS, ALLEYS AND PUBLIC GROUNDS -- PUBLIC RIGHT-OF-WAY REGULATIONS] is amended by adding Item O as follows:

O. Except in the case of an emergency when approved by the City Engineer, no right-of-way obstruction or excavation, including but not limited to hard surface removal, may be performed when seasonally prohibited between November 1st of each year and the time that the Minnesota Department of Transportation lifts seasonal load limits, or when conditions are otherwise unreasonable for such activities as determined by the City Engineer. The calendar limitation referenced herein does not apply to utility owners with a franchise agreement in accordance with the terms of Chapter 10 of the City

Charter and this Code, for projects of less than 2,500 feet lineal of new or replaced buried utility.

Section 10. Amendment. Section 1015.35 of the Plymouth City Code [PERMIT PROCEDURES AND FEES -- STREET LIGHT UTILITY FEES] is amended as follows:

1015.35. -~~Street Light Utility Fees Reserved.~~

Residential Street Light Rate	\$3.25/month
Commercial Street Light Rate	\$3.25/month multiplied by a rate factor of five for each street light benefiting the property

Section 11. Amendment. Section 1305.02, Subd. 1 of the Plymouth City Code [STREETS; TRAFFIC -- TRAFFIC CONTROL] is amended as follows:

Subd. 1. **Traffic Officers Defined.** For purposes of Sections [1305.01](#), [1305.02](#) and [1305.03](#), "traffic officer" means:

- A. The following persons employed by the City: A reserve officer as defined by Minnesota Statutes, Section 626.84, Subd. 1(e), as amended, at times and locations approved by the Director of Public Safety or their designee.
- B. A community service officer, at times and locations approved by the Director of Public Safety or their designee.
- C. Any "traffic officer" that is not defined by this Subd. 1, Items A or B above, may be approved for specific times and locations approved by the Director of Public Safety or their designee.~~A retired Plymouth police officer, in good standing, at times and locations approved by the Director of Public Safety.~~

Section 12. Amendment. Section 1305 of the Plymouth City Code [STREETS; TRAFFIC] is amended by adding Section 1305.19 as follows:

1305.19. - Installation of Traffic Control Devices.

Subd. 1. The City Engineer or designee is empowered to install, maintain, modify, or remove traffic control devices on any public street as deemed necessary. All traffic control devices shall conform to the specifications as determined by the Minnesota Department of Transportation.

Subd. 2. In making the determination to install, maintain, modify, or remove traffic control devices, the City Engineer or designee shall give proper consideration to applicable standards and guidelines in the most recent edition of the Minnesota Manual on Uniform Traffic Control Devices.

Subd. 3. Traffic control devices shall include static signs, electronic signs, traffic signals, pavement markings, and physical roadway configurations for both permanent and temporary traffic control.

Section 13. Amendment. Section 2010.01, Subd. 1. F. of the Plymouth City Code [NUISANCES; GENERAL -- NUISANCES] is amended as follows:

- F. A structure, or a portion of a structure, located within any residential zoning district, if the exterior is not completed: 1) within 180 days after the date the building permit was issued; or 2) within ~~60~~30 days upon receipt of notice from the City for structures that do not require a building permit. The Building Official may grant extensions to item 1) above in the case of large projects (larger than typical single-family house construction) upon demonstration that work is actively continuing to progress in a substantial manner without delays.

Section 14. Effective Date. This Ordinance shall be in full force and effect upon its passage.

ADOPTED by the City Council on this 25th day of March, 2025.

Jeffrey Wosje, Mayor

ATTEST:

Jodi M. Gallup, City Clerk