

310. ADMINISTRATIVE APPEALS

310.010 **BOARD OF APPEALS AND ADJUSTMENTS.** As stated in Section 304.005, the City Council shall serve as the Board of Appeals and Adjustments. These powers include hearing and deciding appeals in which it is alleged that there is an error in any administrative order, requirement, decision, or determination made by an administrative officer in the interpretation or enforcement of Chapters 200 and 300 of this code.

310.015 **ADMINISTRATIVE APPEALS.** A person who deems themselves aggrieved by an alleged error in any order, requirement, decision or determination (hereinafter, “administrative decision”) made in the interpretation or enforcement of any provision of chapters 200 and 300 of this code, may appeal the order, requirement, decision, or determination to the Board of Appeals and Adjustments.

310.020 **PROCEDURE FOR APPEALING AN ADMINISTRATIVE DECISION.** A person who wishes to appeal any order, requirement, decision, or determination made in the interpretation or enforcement of any provision of chapters 200 and 300 of this code may appeal by filing a written appeal with the City Clerk within 30 days after the date of such order, requirement, decision or determination. The appeal shall fully state the order to be appealed and the relevant facts of the matter.

310.025 **CITY COUNCIL HEARING.** Once the Planning Commission has had a reasonable opportunity to review and report to the City Council on the merits of the appeal, the City Council shall decide on the merits of the appeal. Notice of the decision shall be mailed to the applicant. The City shall include explanation as to why the appeal was approved or denied. The Council shall maintain a record of its proceedings relative to the appeal which shall include the minutes of its meetings and final order concerning the variance application. Where applicable, notice of the final order shall be sent to other government agencies such as the Minnesota Department of Natural Resources (DNR), as required by law.

310.030 **NOTICE OF HEARINGS.** A notice of hearings for appeals of administrative decisions shall be given to the appellant and shall be published in the official newspaper once at least ten days before the day of the hearing.

ADOPTED BY ORDINANCE 2022-02-06; March 8, 2022.