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Grantor/Grantee
Index only

OFFICE OF COUNTY RECORDER
County of Kandiyohi, Minn.

I hereby certify that the within instrument was filed in
the office for record on 03-30-2001 at 4:13 PM and was
duly recorded as Document No.

467973

Julie Gravley, County Recorder

By Michelle DeSmet Deputy WG

COPY

NEW LONDON TOWNSHIP

ORDINANCE

COPY

NEW LONDON TOWNSHIP ORDINANCE

The Township Board of Supervisors of New London Township ordains the following Ordinance:

ARTICLE I. Community Description

Although the economy of New London Township in the past several years was predominately agricultural consisting of dairy, beef, hog and grain farming operations, the township is rapidly becoming residential in nature as a result of persons who have retired or who have employment both inside and outside of the township and have elected to live in the township because they enjoy the rural nature and character including the lakes, wooded areas and terrain in the township.

New London Township has not adopted its own Zoning and Planning Ordinance and relies upon the Kandiyohi County Zoning and its zoning officials to process land use permit applications within the township.

Section 1.200 of the Kandiyohi County Zoning Ordinance governing the issuance of land use permits provides as follows:

"No person shall move any building or dwelling onto a lot or parcel without written approval from the township where such lot or parcel is located."

The Kandiyohi County Zoning Land Use Permit Application form has the following provision: "All structures which are moved onto the property require approval from the Township Board. Statement of Township Board: The Township Board of _____ Township has no objection to the above structure being moved onto the above property.

Dated this ___ day of _____, 200_.

Township Board Member"

New London Township has not adopted any standards, criteria or provisions detailing the reasons or the rationale for granting or denying an application for a permit for a building being moved onto property in New London Township.

The purpose of this Ordinance is to establish the standards, criteria and provisions for the approval or denial of approval of an application for a permit to move any building onto a lot or land within New London Township.

ARTICLE II.
**Procedure and Criteria for the Granting of or Denial of an
Application for a Permit to Move any Building or
Dwelling onto a Lot or Parcel Within the Township**

Subd. 1. Definitions.

- a. Building means any structure or dwelling containing at least 400 square feet that has been previously used or occupied.
- b. Board means the new London Township Board of Supervisors.

Subd. 2. Action by Township Upon Receipt of an Application to Move a Building by Kandiyohi County Department of Environmental Services. Upon receipt by New London Township of an application filed with the Kandiyohi County Department of Environmental Services for a request to move a building within New London Township, the township clerk shall notify the applicant of the provisions of this Ordinance, of the required fees that must be paid to the township and the procedure for a review of the application including the processing of the application. Upon the payment to the township of the fee and deposit of funds as provided for in this Ordinance, the township clerk shall submit the application for review and action by the Board as set forth and established in this Ordinance.

Subd. 3. General Standards. Any building moved into or within the township and to be located on property within the township shall comply with the following:

- a. The building is well maintained and in good state of repair;
- b. The building will not depreciate surrounding property and land values;
- c. The building will be designed, reconstructed, altered and maintained so as to be compatible in appearance with the existing or intended character and appearance of the general vicinity in which the building will be located and will not change the essential character of the area within one-half mile of the site to which the building will be moved. Detailed written plans and blueprints of the proposed project shall be provided to the Board as part of the application for a permit.
- d. The building will not be hazardous to or disturb the existing or planned neighborhood uses or adversely affect the public health, safety or general welfare of the neighborhood;
- e. The placing and location of the building on the lot will not be detrimental to the best interests of the neighboring land owners or to the Township of New London.

- f. The permit holder shall not allow an open and unattended foundation to remain unsecured for more than a eight hour period immediately after the building has been raised from the foundation. The foundation must be fenced or secured in some manner to prevent uninvited access, particularly by children, to the open foundation.
- g. If the original building site from which a building was moved is within the township, and if the permit holder does not perform the work necessary to place the premises in a safe condition, the township may perform the work necessary to place the said premises in a safe condition and the cost shall be the responsibility of the permit holder and may be charged against any cash deposit paid by the applicant required by the terms of this Ordinance. The permit holder shall also remove all rubbish and materials from the site and fill all excavations to existing grade in order that the premises are left in a safe condition. All foundation structures shall be removed to a depth of eighteen inches below the finished graded lot and the foundation excavation shall be filled in, compacted and leveled.

Subd. 4. Notice of Hearing on Application for a Permit. The Township Clerk shall give or cause to be given written notice to all land owners within 500 feet of the site named in the application to which the building will be moved and the notice shall contain the date, time and place of the Board's Hearing at which the application for a permit and the plans for the relocation of the building or dwelling will be considered. Such notice shall be mailed at least ten days prior to the hearing to the persons shown as owners of the real estate within 500 feet of the proposed site which the building will be moved to as disclosed by the records in the Office of the Kandiyohi County Recorder. Notice of hearing shall be published once in the township's official newspaper at least twenty days prior to the hearing.

Subd. 5. Special Conditions. The Board may impose special conditions as a part of the permit that it deems necessary to protect the public health, safety and general welfare of the citizens in the township and to prevent the diminution of values of surrounding land and properties in order that the use of the site may be compatible with the uses enjoyed by surrounding properties.

Subd. 6. Fees. The fee for the issuance of a permit pursuant to this Ordinance shall be in the nonrefundable sum of \$100.00 plus a sum of money equal to an estimated amount of money the Board may expend for professional assistance and services to aid the Board in determining whether to grant or deny the permit. Professional assistance or services may include, but are not limited to, attorney's fees, fees for an architect, costs of soil borings, licensed and professional real estate

appraisers, cost of ascertaining names and addresses of land owners within 500 feet of the building site and the cost of all mailing and publishing of notices of hearing and other professional services that the Board deems necessary to employ to assist them in determining whether to grant or deny the application for the permit. Any unexpended funds in excess of the \$100.00 shall be refunded to the applicant when the moving and relocation of the building or dwelling has been completed in accordance with this Ordinance.

Subd. 7. Administration. The Township Board of Supervisors of New London Township shall administer this Ordinance and may appoint and employ such persons it deems necessary to perform the functions necessary to carry out the purposes of this Ordinance.

ARTICLE III. Enforcement, Violation and Penalty

Subd. 1. Any person, party, firm or corporation who shall violate any of the provisions of this ordinance or shall fail to comply with any of the provisions of this ordinance or shall make any false statements in any document required to be submitted under the provisions hereof shall be guilty of a misdemeanor. Upon conviction thereof, such person, firm or corporation shall be punished by a fine and/or imprisonment as authorized by law for the punishment of a misdemeanor. Each day that a violation continues shall constitute a separate offense.

Subd. 2. In the event of a violation or a threatened violation of this ordinance, the Board or any member thereof, in addition to the other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations.

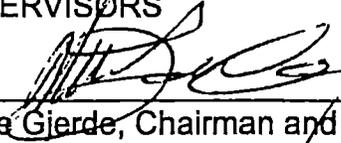
Subd. 3. Any person, party, firm or corporation may institute mandamus proceedings in District Court or any other Court of competent jurisdiction to compel specific performance by the Board of any duty required by this ordinance.

Subd. 4. Any person, party, firm or corporation damaged as a result of a violation of this ordinance may pursue appropriate legal remedies in a Court of competent jurisdiction or governmental agency including but not limited to an injunction, mandamus and administrative remedies in addition to the prosecution of the misdemeanor.

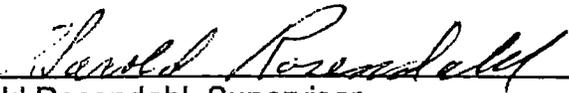
Subd. 5. The Board, its agents and employees are authorized to enter upon all property that is the subject of and governed by this Ordinance. They may make inspections to insure that the property qualifies for a permit or that the terms and conditions of the permit that has been granted are being fully complied with.

Adopted by the New London Township Board of Supervisors on this 29th day of March, 2001.

NEW LONDON TOWNSHIP BOARD OF SUPERVISORS

By: 
Merle Gjerde, Chairman and Supervisor

By: 
Mark E. Mertens, Supervisor

By: 
Harold Rosendahl, Supervisor

ATTEST:

By: 
Nancy Hammerschmidt
New London Township Clerk
15293 56th Street NE
Spicer, MN 56288
(320) 354-4647

Prepared by:
Wallace F. Gustafson
Attorney at Law
Attorney for New London Township
328 SW Fifth Street
P. O. Box 567
Willmar, MN 56201
(320) 235-0000

NEW LONDON TOWNSHIP ORDINANCE NO. 2

The Township Board of Supervisors of New London Township ordains the following Ordinance:

WHEREAS, on March 29, 2001 the New London Township Board of Supervisors pursuant to the laws of the State of Minnesota adopted New London Township Ordinance No. 1; and

WHEREAS, the purpose of New London Township Ordinance No. 1 was to establish standards, criteria and provisions for the approval or denial of approval of an application for a permit to move any building as defined in the Ordinance onto a lot or tract of land within New London Township; and

WHEREAS, the Township Board of Supervisors has determined it is necessary to amend said Ordinance as follows: by adopting the following New London Township Ordinance No. 2:

Amend Article II. Subd. 3 by adding provision h. to read as follows:

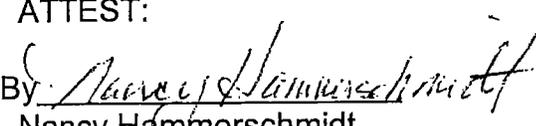
"No permit for the moving of a manufactured or mobile home onto any tract of land within New London Township shall be granted if said manufactured or mobile home is fifteen years of age or older on the date that the application for permit is filed with the New London Township Clerk."

NOW THEREFORE, New London Township Ordinance No. 2 is hereby adopted this 31st day of October, 2002.

NEW LONDON TOWNSHIP BOARD OF
SUPERVISORS

By: 
Merle Gjerde, Chairman and Supervisor

ATTEST:

By: 
Nancy Hammerschmidt
New London Township Clerk
15293 56th Street NE
Spicer, MN 56288
(320) 354-4647

Prepared by:
Wallace F. Gustafson
Attorney at Law
Attorney for New London Township
328 SW Fifth Street
P. O. Box 567
Willmar, MN 56201
(320) 235-0000

COPY

ORDINANCE NO. 2010-1

AN AMENDMENT TO THE ORDINANCE
REGULATING PREVIOUSLY USED BUILDINGS
TO BE BROUGHT INTO THE TOWN OF NEW LONDON

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF NEW LONDON
ORDAINS:

Section 1. On March 29, 2001, the New London Township Board of Supervisors adopted Township Ordinance 1; and

Whereas the Township of New London did, on October 31, 2002, adopt Ordinance No. 2, which amended Ordinance No. 1; and

Whereas the Township of New London did, on June 28, 2007, adopt Ordinance No. 2007-2, which amended Ordinance No. 2,

Said Ordinance is hereby amended as follows:

Article II, Subd. 3(h) is amended to read as follows:

"No permit for the moving of a previously used manufactured or mobile home onto any tract of land within New London Township shall be granted if said manufactured or mobile home is fifteen years of age or older on the date that the application for permit is filed with the New London Township Clerk, unless an application is also made to the New London Township Board for a variance, and such variance application is approved by the Town Board, after notice and hearing of such request for variance. A variance will only be granted where it is determined that exceptional circumstances exist which justify the variance, that it will not adversely affect other properties in the area, and where the strict enforcement of this Ordinance would cause unnecessary hardship."

This Amendment to Ordinance shall be effective after its passage and publication.

Passed by the Town Board of the Town of New London, Minnesota,
this 29 day of July, 2010.

NEW LONDON TOWN BOARD OF SUPERVISORS



BY: MARK MERTENS

ATTEST:

Nancy Hammerschmidt

BY: NANCY HAMMERSCHMIDT
NEW LONDON TOWNSHIP CLERK
15293 56TH STREET NE
SPICER, MN 56288

PUBLISHED ON August 9, 2010

RECORDED ON August 17, 2010

POSTED ON August 11, 2010

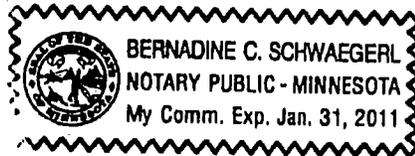
STATE OF MINNESOTA)
)
COUNTY OF KANDIYOHI)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 29 DAY OF July, 2010, BY MARK MERTENS, CHAIRMAN, AND NANCY HAMMERSCHMIDT, CLERK, NEW LONDON TOWNSHIP.

Bernadine C. Schwaegerl
NOTARY PUBLIC

DRAFTED BY:

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✓10569 46@ Nancy Hammerschmidt

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OFFICE OF COUNTY RECORDER
KANDIYOHI COUNTY MINNESOTA

FILED AND/OR
RECORDED ON

08/17/2010 03:07PM

JULIE KALKBRENNER
COUNTY RECORDER

BY Julie R. Kalkbrenner
DEPUTY

Nancy Hammerschmidt
15293 56th ST NE
Spicer MN 56288