

**TITLE XV: LAND USAGE**

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**CHAPTER 150: RESERVED**

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## CHAPTER 151: DRAINAGE

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### § 151.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. In the absence of a definition, the definition established by the Minnesota Statutes or case law shall apply.

**CATCH BASINS** or **SETTLING PONDS**. Any pond, depression, structure or other device which creates a storage of water by detaining or slowing the outflow of the water by natural or manmade means.

**CITY COUNCIL**. The duly elected Mayor and the four duly elected Council Members of the Watkins City Council.

**DRAINAGEWAY**. Any natural or artificial channel which provides a course for the flow of water, whether that flow be continuous or intermittent.

**FILTERS**. Any natural or man-made wetland whose purpose is to remove nutrients and pollutants from the water.

**MARSH**. Any area which because of topographic features, soil type, or other reasons remains wet for a substantial portion of the year as evidenced by vegetation type and other factors.

**PERMIT (DRAINAGE).** The permit document issued by the City Council or the Zoning Administrator for the purpose of permitting the applicant or permit holder to perform work in the district.

**PERSONS.** Any individual, firm, partnership or corporation, but not a public or political subdivision or governmental subdivision.

**PLAN or PLAT.** A map, drawing, report, photograph or any similar supportive exhibit for a proposed work project.

**SHORELAND.** Land located within the following distances from public waters:

- (1) One-thousand feet from the normal high water mark of a lake, pond, reservoir or flowage
- (2) Three-hundred feet from a river, stream or drainage ditch.

**WETLAND.** Any area described in "Wetlands of the United States," U.S. Fish and Wildlife Services Circular 39.

**WORK or WORKS.** Any construction, maintenance, repair or improvement, whether specifically in regard to water resources or not, carried out within this district.  
(Ord. 90-2A, passed 12-17-1990)

#### **§ 151.02 AUTHORITY FOR REGULATIONS.**

These rules and regulations are adopted pursuant to the Minnesota Statutes by the city to provide the city with the power necessary to carry out the provisions for which this chapter was established.  
(Ord. 90-2A, passed 12-17-1990)

#### **§ 151.03 PURPOSE.**

The purposes of this chapter are to:

- (A) Control municipal surface drainage;
- (B) Review plats and subdivisions for land development within shorelands, streams, or public waters within the municipal boundaries of the city;
- (C) Review construction projects within the city which could substantially alter existing drainage plans;

(D) Administer water projects within the city;

(E) Work toward the elimination of pollution of the waters within the municipal boundaries of the city or beyond;

(F) Encourage the adoption of proper land use practices and other methods to reduce erosion and sedimentation;

(G) Protect and conserve the water resources of the city from degradation through the issuance of permits for certain uses of water and the performing of certain works within the city.  
(Ord. 90-2A, passed 12-17-1990)

**§ 151.04 PERMITS.**

(A) *General requirements.*

(1) No person or his or her agent, servant or employee shall undertake work within the city for which a permit is required without first having obtained a permit from the city or its Zoning Administrator. The person doing such work shall at all times have in his or her possession a copy of the permit, executed by or on behalf of the city.

(2) Unless specified in the permit, work for which the permit is given must be completed within two years.

(3) Applications for permits will be acted upon by the Zoning Administrator or at the regularly scheduled City Council meeting after the application and required information have been received. A decision shall be made within 60 days after the receipt of the completed application containing all of the required information.

(4) Obtaining a permit from the City Council does not relieve the applicant from the responsibility of obtaining any other additional authorization required.

(5) Application for a permit may be filed with the Zoning Administrator or the City Council at their regularly scheduled monthly meeting or mailed to:

Watkins Zoning Administrator  
Watkins City Hall  
P.O. Box 306  
Watkins, MN 55389

(B) *Work requiring a drainage permit.* Permits shall be required for the following:

- (1) Any drain tile or drainage ditch that drains directly into any public waters;
  - (2) Any bridge, culvert or drain across any natural drainageway, lake, wetland, or public waters;
  - (3) Any alteration of a private, public, or judicial drainage system;
  - (4) Drainage or filling of any wetland or pond.
- (Ord. 90-2A, passed 12-17-1990) Penalty, see § 151.99

#### **§ 151.05 DRAINAGE RULES.**

(A) Surface water shall not be artificially removed from upper land to and across lower land without adequate provision being made on the lower land for its passage, nor shall the natural flow of the surface water be artificially obstructed so as to cause an overflow onto the property of others.

(B) Every person shall use his or her land reasonably in disposing of surface water and may turn into a natural watercourse all the surface water that would naturally drain there, but he or she may not artificially discharge into a watercourse more water than it has capacity to carry nor burden a lower landowner with more water than is reasonable under the circumstances.

(Ord. 90-2A, passed 12-17-1990) Penalty, see § 151.99

#### **§ 151.06 EROSION AND SEDIMENTATION CONTROL.**

(A) All drainageways shall be constructed with an adequate side slope to minimize soil erosion, giving due consideration to the intended capacity of the drainageway, its depth, width and elevation, and the character of the soils through which the drain passes.

(B) Sloping lands abutting drainageways, lakes, ponds, reservoirs, or public waters shall be used in such a manner so as to provide control of sedimentation.

(C) Any construction project which requires the movement of earth or the removal of vegetation or topsoil shall provide for the prevention of erosion by wind and water both during and after construction.

(Ord. 90-2A, passed 12-17-1990) Penalty, see § 151.99



**§ 151.07 POLLUTION CONTROL.**

(A) *Pollution prohibited.* No person shall pollute the water of the city by placing or permitting to be placed or deposited in any of the waters any sewage, industrial waste, garbage, rubbish or other waste, nor shall such placement or deposit be allowed upon any private or public land from which contaminants may be carried into the waters within the municipal boundaries of the city or beyond.

(B) *Individual sewage systems.* Where allowed, individual sewage systems such as drainfields, septic tanks, sewage lagoons, and similar disposal facilities shall be allowed only when collection facilities are not available, and then only when a permit is issued by the proper city official. Such systems shall be subject to review by the City Council at its discretion or its Zoning Administrator. No surface discharge shall be permitted from an individual system either directly or by seepage to the surface of the ground. The type, capacities, location, and layout of individual sewage systems shall comply with all requirements of Minnesota Rules Chapter 7080, as amended, entitled *Individual Sewage Treatment Systems Program*. The provisions of that chapter are hereby adopted by reference. To the extent that this code chapter fails to comply with the requirements of Minnesota Rules, part 7080.0305, Subpart 4, those requirements are adopted by reference and included in this code chapter.

(C) *Agricultural waste.*

(1) No confined animal facilities shall be operated within the city in violation of Minnesota Pollution Control Agency regulations.

(2) No agricultural wastes shall be accumulated in any area where they can be carried by surface runoff to any lake, stream, pond, reservoir, or public waters.

(D) *Reporting of contamination.* Any person, governmental unit, or agency responsible for or having knowledge of any spills of untreated sewage, flooding of sewage systems or lift stations, spillage of petrochemicals, flooding of fertilizers, stockpiles, manure heaps, or feedlots, or massive erosion of lands and other events which induce pollutive contaminants into the surface and ground waters of the district shall report it to the city via its Clerk or Zoning Administrator. The reporting of such an event to the city shall not relieve the person from making any other report required by law.

(Ord. 90-2A, passed 12-17-1990) Penalty, see § 151.99

***Cross-reference:***

*Solid waste, see Chapter 50*

*Water and sewer, see Chapter 51*

*Sanitary sewer system regulations, see §§ 51.35 to 51.44*

*Public nuisances affecting health; contamination of water, see § 93.02*

*Public nuisances affecting peace and safety; waste water, wells, excavations, and the like, see § 93.04*

**§ 151.08 REVIEW OF PLATS FOR LAND ABUTTING WATER.**

Any plat which includes land abutting upon any lake, stream, pond, reservoir, or public waterway within the city shall be submitted to the City Council or its Zoning Administrator for approval to insure the protection of the beds, banks, and shore of the lake, stream, pond reservoir, or public waterway from improper encroachment and for the purpose of preventing pollution and alleviating damage by stormwater runoff.

(Ord. 90-2A, passed 12-17-1990) Penalty, see § 151.99

**§ 151.09 EFFECT OF PROVISIONS.**

Every rule and regulation adopted by the City Council shall have the full force and effect of law.  
(Ord. 90-2A, passed 12-17-1990)

**§ 151.10 AMENDMENTS.**

Any changes or amendments to the rules and regulations of this chapter may be made by the City Council. Any interested person may petition the City Council for a change in the rules and regulations of this chapter.

(Ord. 90-2A, passed 12-17-1990)

**§ 151.99 PENALTY.**

Any person violating the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be penalized as provided in § 10.99. Nothing contained herein shall limit the right of the city to bring an action for specific performance, injunctive relief, or such other equitable relief as the city may deem necessary or appropriate.

(Ord. 90-2A, passed 12-17-1990)

## CHAPTER 152: ZONING

### Section

#### 152.01 Adoption of zoning ordinance

#### **§ 152.01 ADOPTION OF ZONING ORDINANCE.**

The Watkins Zoning Ordinance, passed September 13, 2001, on file and available for inspection in the office of the City Clerk, and made a part hereof by reference, is duly adopted by the City Council. (Ord. passed 9-13-2001; Am. Ord. 2002-2, passed 6-13-2002; Am. Ord. 2002-7, passed 12-18-2002; Am. Ord. 2003-1, passed 4-10-2003; Am. Ord. 2003-2, passed 4-10-2003; Am. Ord. 2003-5, passed 10-9-2003; Am. Ord. 2005-2, passed 7-14-2005; Am. Ord. 2005-3, passed 7-14-2005; Am. Ord. 2006-4, passed 9-14-2006; Am. Ord. 2011-2, passed 2-10-2011; Am. Ord. 2012-1, passed 7-12-2012; Am. Ord. 2013-1, passed 2-14-2013; Am. Ord. 2013-2, passed 12-12-2013; Am. Ord. 2015-2, passed 4-9-2015; Am. Ord. 2015-4, passed 10-8-2015; Am. Ord. 2016-3, passed 7-14-2016; Am. Ord. 2016-4, passed 8-11-2016; Am. Ord. 2016-5, passed 11-10-2016; Am. Ord. 2019-3, passed 9-12-2019)



## CHAPTER 153: SIGN REGULATIONS

### Section

- 153.01 Conformance
- 153.02 General sign regulations
- 153.03 Special and temporary signs
- 153.04 Advertising signs and billboards
- 153.05 Business signs
- 153.06 Licenses and permit fees
- 153.07 Non-commercial signs

### § 153.01 CONFORMANCE.

All signs hereafter erected or maintained, except official, public, traffic and street signs shall conform to the provisions of this chapter or regulation of the city.

### § 153.02 GENERAL SIGN REGULATIONS.

(A) Signs shall not be permitted within the public right-of-way or easements, except as erected by an official unit of government or public utilities for the direction of traffic or necessary public information.

(B) Flashing or rotating signs resembling emergency vehicles shall not be permitted in any district.

(C) Signs painted on a building shall be governed by the square footage limitations specified in the appropriate zoning districts. These shall be repainted when required to be kept in good condition, and shall be repainted, removed or painted out when, in the opinion of the City Council, they are not so maintained.

(D) No sign shall be placed that resembles any official marker erected by a governmental agency or shall display the words as “stop” or “danger.”

(E) No sign shall be permitted to obstruct any window, door, fire escape, stairway or opening intended to provide light, air, ingress or egress for any building or structure.

(F) The owner, lessee or manager of any ground sign and the owner of the land on which the same is located shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which a sign is located.

(G) Advertising signs, business signs and name plate signs which may be or may hereafter become rotted, unsafe or unsightly shall be repaired or removed by the owner or lessee of the property upon which the sign stands upon notice of the City Council.

(H) Where a sign is illuminated, the source of light shall not shine upon any part of a residence or into any residence district or any roadway.

(I) No advertising or business sign shall be permitted in any residential district, except signs advertising a permitted home occupation limited to an overall area of four square feet.

#### **§ 153.03 SPECIAL AND TEMPORARY SIGNS.**

One identification sign, not exceeding 35 square feet in area, shall be permitted for the following uses: church, school, hospital, parks and recreation areas or similar uses. The signs shall be solely for the name of the use and its activities and may be illuminated, but not flashing.

#### **§ 153.04 ADVERTISING SIGNS AND BILLBOARDS.**

(A) Advertising signs shall be limited to no more than two signs per facing or total of no more than four signs per structure.

(B) Advertising signs shall be limited to not more than 30 feet in total length and a height of 14 feet above average grade.

(C) Advertising signs shall be limited to an overall surface area on one side to 250 square feet.

(D) No advertising sign structure shall be located within a radius of 1,000 feet of any existing advertising sign.

(E) No advertising sign shall be located within 500 feet of a dwelling, an adjoining residential district, an at-grade intersection of two or more roads or an at-grade intersection of any road and a railroad.

(F) No advertising sign shall be permitted within ten feet of a road or highway right-of-way.

**§ 153.05 BUSINESS SIGNS.**

(A) No more than one freestanding or pylon sign of not more than 35 square feet in surface area or more than 14 feet in height shall be permitted.

(B) The total surface area of all business signs on a lot shall not exceed the sum of three square feet per lineal foot of lot frontage or 20% of the front building surface area on which the sign is located or 300 square feet in surface area, whichever is greater.

(C) No business sign shall project above the permitted building height of the district in which the sign is to be located.

**§ 153.06 LICENSES AND PERMIT FEES.**

(A) From and after the effective date of this chapter, the owner or other person having control of any sign, except residential, professional and institutional name plate signs and church signs, shall file an application for a permit to install and maintain a sign subject to the approval of the Planning Commission.

(B) The permit and inspection fee for advertising and business signs shall be established by ordinance of the Council.

(C) All signs not maintained and kept in good repair shall be subject to removal upon direction of the Council.

**§ 153.07 NON-COMMERCIAL SIGNS.**

All non-commercial signs of any size may be posted from August 1 in a state general election year until ten days following the state general election. No permit shall be required under 153.06.

