



## Legislation Text

**File #:** Ord 25-2, **Version:** 1

Amending Chapter 6.03 of the City Charter pertaining to the application of Administrative Citations for violations of City Ordinances, based on the recommendation of the Charter Commission pursuant to Minnesota Statute section 410.12, subdivision 7.

### SECTION 1

WHEREAS, all changes to the City Charter must be recommended by the Saint Paul Charter Commission, and

WHEREAS, the Saint Paul City Council by RES 24-1572 requested the Saint Paul Charter Commission to review, approve and recommend an amendment to Chapter 6.03 of the City Charter, and

WHEREAS on November 26, 2024 and December 12, 2024 the Charter Commission considered the matter and held a public hearing on the proposed Amendment, and

WHEREAS on December 12, 2024, the Charter Commission voted, 12 in favor and 3 opposed, to recommend Chapter 6.03.1 of the City Charter be amended as follows by CCI 24-8 :

#### Section 6.03.1 - Legislative ordinances

Subdivision 1. Every act of the council which defines, licenses, regulates, suppresses, prevents or prohibits any act, business or person, grants or modifies or modifies any franchise, imposes a civil penalty or is in any way an exercise of legislative powers, shall be done by legislative ordinance. Except as otherwise provided in this Charter, such ordinances shall require an affirmative vote of at least four (4) members of the council.

Subdivision 2. With the exception of the failure to pay fines or fees, the council may establish, alter, amend or repeal an ordinance to impose a civil penalty for each violation of a city ordinance. For each ordinance the City would like to enforce using a civil penalty, the Council must adopt or amend an ordinance (a) outlining the amount of fine and other penalties that can be imposed for a first or subsequent violation of that ordinance; and (b) describing the procedure to impose civil penalties.

1. Any civil monetary penalty amount must be imposed equitably.
2. The procedure to impose civil penalties must include notice of an ordinance violation and an opportunity to be heard through an appeal process, prior to the imposition of a civil penalty. The appeal process may consider the financial circumstances of the individual or entity.
3. The district court has jurisdiction to enforce any order to pay a civil monetary penalty imposed under this section.; and

WHEREAS on December 17, 2024 the Charter Commission forwarded its recommendation to the City Council, and

WHEREAS Minnesota Statute section 410.12, subdivision 7 requires that within one month of receiving a recommendation to amend the charter by ordinance, the city must publish notice of a public hearing on the

proposal and the notice must contain the text of the proposed amendment, and

WHEREAS Minnesota Statute section 410.12, subdivision 7 requires the city council to hold the public hearing on the proposed charter amendment at least two weeks but not more than one month after the notice is published, and

WHEREAS on December 20, 2024, the City Council posted notice of a public hearing to take place on January 15, 2025, and

WHEREAS Minnesota Statute section 410.12, subdivision 7 requires that, within one month of the public hearing, the city council must vote on the proposed charter amendment ordinance, and

WHEREAS, pursuant to Minnesota Statute section 410.12, subdivision 7, the ordinance is enacted if it receives an affirmative vote of all members of the city council and is approved by the mayor and published as in the case of other ordinances, and

WHEREAS pursuant to Minnesota Statute section 410.12, subdivision 7 the ordinance amending a city charter shall not become effective until 90 days after passage and publication, and now, therefore, be it

RESOLVED, that the COUNCIL OF THE CITY OF SAINT PAUL DOES ORDAIN:

## SECTION 2

Chapter 6.03 of the Saint Paul City Charter is hereby amended as follows:

### Section 6.03.1 - Legislative ordinances

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1. Any civil monetary penalty amount must be imposed equitably.
2. The procedure to impose civil penalties must include notice of an ordinance violation and an opportunity to be heard through an appeal process, prior to the imposition of a civil penalty. The appeal process may consider the financial circumstances of the individual or entity.
3. The district court has jurisdiction to enforce any order to pay a civil monetary penalty imposed under this section.

## SECTION 3

This Ordinance shall take effect and be in force ninety (90) days following its passage, approval, and publication.