



ORDINANCE #38 RICE LAKE, MINNESOTA

A STANDARD SPECIFICATION AND CONSTRUCTION
REQUIREMENT ORDINANCE

June 24, 2024

CITY OF RICE LAKE ORDINANCE NO. 38
STANDARD SPECIFICATIONS AND CONSTRUCTION REQUIREMENTS ORDINANCE

The City Council of the City of Rice Lake hereby ordains as follows:

Section 1. Applicability. This ordinance shall apply to the construction of all roads, water systems, wastewater collection systems, and storm water systems (referred to hereafter, either individually or collectively as “Public Infrastructure”) that are constructed within the City of Rice Lake for subsequent dedication to the public or to the City.

Section 2. Adoption by Reference. All Public Infrastructure constructed after the effective date of this ordinance shall be constructed in compliance with the Standard Specifications and Construction Requirements for the City of Rice Lake as it may be amended from time to time.

Section 3. Definitions

- a. City – The City is the local unit of government for the geographic area of City of Rice Lake, Minnesota.
- b. Developer – Any person that constructs any Public Infrastructure within an existing or proposed City right-of-way other than a contractor who has contracted with the City to construct the Public Infrastructure in exchange for payment from the City.
- c. Driveway – A way of passage to serve one property to be solely to access the property it serves and provides access for not more than two dwellings or other principal uses to a road. The passage shall be connected perpendicular to the City Road right-of-way.
- d. Grinder Pump Station - A small pump station used to lift Wastewater into a Public Sewer. A grinder pump station serves only one user and is owned, operated and maintained by the user.
- e. Private Road – A road that has not been accepted by the City as a public road, regardless of whether the road right-of-way has been dedicated to the public.
- f. Public Road – A road that is located within the City right-of-way and is owned, maintained and accepted by the City as a City road.
- g. Right-of-Way – The right-of-way (ROW) is a strip of land occupied or intended to be occupied by a road and/or public utilities.
- h. Road – A road is any driving surface that is located within the City road right-of-way that does not fit the definition of a driveway.
- i. Storm Water - A drain intended to carry storm waters, surface runoff, groundwater, sub-surface water, street wash water, drainage and unpolluted water from any source.
- j. Wastewater Collection System - The pipes, land, devices, facilities, structures, equipment and processes owned by the City for the purpose of collection, transmission, storage, treatment, recycling and reclamation of wastewater.
- k. Water System - The complete facilities of the City's water supply system including all water storage facilities and transmission lines, and all appurtenances thereto. It shall also consist of all facilities, works, instrumentalities, lines and properties now or hereafter existing, used or useful in obtaining of a water supply, its treatment, distribution, and all other necessary functions, whether such installation is owned outright or used under lease or otherwise, by the consumer. The system also includes all lines connecting it to the water system operated by the City of Duluth.

Section 4. General Requirements

- a. The most recent edition of the Minnesota Department of Transportation "Standard Specifications for Construction" and all its supplements shall apply to road construction except as modified herein or on the standard details.
- b. The most recent version of the Minnesota Manual on Uniform Traffic Control Devices ("MUTCD"), including all field manuals and supplements, shall apply for all traffic control devices and signing.
- c. The most recent edition of the City Engineers Association of Minnesota (CEAM) "Standard Specifications" shall apply for all water and wastewater utility work except as modified herein or on the standard details.
- d. Developer shall utilize Best Management Practices (BMP's) and follow all City, county, state, and federal guidelines for handling storm water.
- e. The requirements of these documents shall be considered the minimum requirements. Specific projects may have additional requirements that may be more stringent.
- f. All requests and plans for Public Infrastructure must be submitted to the City Council for review and approval. No Public Infrastructure construction may begin in any City right-of-way or on any road intended to be dedicated to the City until plans have been approved by the City.
- g. Plans and specifications are required for all such projects. A professional engineer registered in the State of Minnesota shall sign all plans, specifications, and record drawings.
- h. All necessary permits (NPDES, U.S. Army Corps of Engineers, DNR, Planning & Zoning, etc.) required by local, state, and federal agencies shall be obtained prior to beginning construction.
- i. The City will hold a pre-construction meeting with the Developer and Contractor prior to the commencement of construction to discuss critical items to be observed by the City.
- j. The City, or its designated representative, shall observe all construction for compliance with the plans and specifications. The City will not accept any construction not observed by the City.
- k. All underground utilities shall be installed in existing or proposed City right-of-way when feasible. Where, due to topography, installation within the right-of-way is not possible, the location must be approved by the City Engineer. Utilities installed outside the City right-of-way will require a 20-foot wide permanent easement be dedicated to the City, or a width deemed appropriate by City Engineer. The utility must be centered within the easement.
- l. Installation of all Public Infrastructure shall be across the entire frontage of the lots to be served. Extensions across the entire frontage on corner lots and multiple adjacent lots under one ownership shall be considered on a case-by-case basis.
- m. Where a property to be developed is not currently served by water and sewer, the Developer shall be responsible for all costs to extend the utilities to the property.
- n. All water, wastewater, storm water and roadway construction shall be paid for by the Developer. All engineering costs incurred by the City or the Developer related to the project shall be paid for by the Developer.
- o. The Developer shall deposit 10% of the estimated Public Infrastructure construction cost in an account for use by the City to cover City expenses, including, but not limited to engineering, inspection and legal costs incurred by the City related to the Infrastructure. When this amount is expended, the Developer shall deposit additional funds in an amount estimated by the City Engineer as reasonably necessary to pay the remaining City expenses related to the Infrastructure. Any funds deposited in such account by the Developer which remain after all City expenses have been paid and the project is completed shall be refunded to the Developer without interest.

- p. At the discretion of the City, a performance bond or bank letter of credit may be required to cover the estimated cost of the Public Infrastructure construction for the Infrastructure under City jurisdiction.
- q. Prior to construction, a developer's agreement must be prepared for any improvements intended to be turned over to the City for ownership, maintenance, and operation. This agreement shall clearly identify the public and private elements of the project and the responsible party for payment of said elements. This will also define the terms and amounts of the necessary deposit and bond/letter of credit requirements.
- r. All compaction and asphalt testing on new roadways or utility trenches will be completed by the City or its authorized representative. All costs for testing will be paid for by the Developer.
- s. The Developer may be required to upgrade any existing infrastructure where such capacity is insufficient to serve the new development.
- t. No driveways will be allowed within City Road right-of-ways except perpendicular to the right-of-way.
- u. Road right-of-way boundaries shall be surveyed and determined by a surveyor certified in the state of Minnesota as a registered land surveyor and paid for by the developer.
- v. All bridges and other structures shall meet current minimum MnDOT design standards.
- w. If a developer builds a road that does not meet the minimum City Road specifications, the City may upgrade the road to the minimum specifications through the Developers bond or letter of credit. If a bond or letter of credit was not required for the project, the City may assess the adjacent landowners for all costs incurred to upgrade the road or may choose not to accept the road, in which case it shall remain a private road not maintained by the City.
- x. Record drawings shall be submitted to the City at the completion of the project. The City will not accept the project until record drawings have been received and approved by the City Engineer.
- y. Waivers may be granted from these specifications if warranted as determined by the City Council.
- z. All completed Public Infrastructure will be inspected for acceptance by the City Engineer (or his designee) or the City Council. Provided the Infrastructure passes inspection and sufficient right-of-way has been dedicated to the City or otherwise acquired by the City, the City Council may establish a date to begin the one-year guarantee and maintenance period, during which time the Developer shall maintain the Infrastructure and shall also repair all defects in the surface, subgrade or other structure of the Infrastructure occurring within said one-year period. Upon the expiration of said one-year period, provided the Infrastructure has been properly maintained and all required City costs have been fully paid, the City Council may accept the Infrastructure by passage of a resolution formally accepting the Infrastructure.
 - aa. A one-year guarantee period is required after approval of the Infrastructure before full acceptance is granted.
 - bb. A one-year maintenance period is required for all gravel roads after approval of the road before full acceptance is granted. During this time, the Developer shall re-gravel and re-grade the road as necessary. This one-year period shall coincide with the one-year guarantee period.
 - cc. Prior to acceptance by the City, the Developer shall post all new roadways as "private roads".
 - dd. All maintenance of new roadways, including snowplowing and grading of gravel roads, shall be the responsibility of the Developer during the one-year maintenance period until the City accepts the roadway, unless agreed upon by City Council.

Section 5. Plan Submittals

- a. General - Developer shall submit to the City drawings including plan and profiles, horizontal and vertical alignments, typical cross section, property lines, right-of-way lines, topography (including drainage ditches, culvert sizes and direction of flow), traffic control, erosion and storm water control measures, and location of all utilities.
- b. Specific - Submit three copies of all plans, reports, and calculations as well as electronic submittal.

Show on drawings all of the following as applicable:

- North Arrow
- Benchmarks
- Dimensions of all property lines and section lines
- Road right-of-ways
- Property restrictions and zoning
- Number of homes or lots to be served
- All buildings, culverts, yard trees, woods, ledge rock, wetlands, rivers, lakes, etc.
- Location of all utilities, power lines, telephone cables/pedestals, cable TV, fiber optic cable, gas mains, water mains, sewer mains, etc.
- Projected ADT (Average Daily Traffic)

Section 6. Repealer

This ordinance hereby repeals and replaces Ordinance no. 38, approved October 8, 2018, The Standard Specifications and Construction Ordinance for City of Rice Lake, and any amendments thereto prior to the date of passage of this ordinance.

Section 7. Effective Date. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Passed and approved the 24th day of June, 2024 by the Rice Lake City Council.



Suzanne Herstad, Mayor



Toni Blomdahl, City Administrator