

HELGA TOWNSHIP INTERIM SUBDIVISION ORDINANCE

Whereas, Helga Township has authorized a study to be conducted on land use controls within Helga Township and has scheduled a hearing to address the amendment of its subdivision control's provision under its existing land use ordinance;

Whereas, Article V of Helga Township's land use ordinance refers to Hubbard County's Subdivision Control's Ordinance;

Whereas, Helga Township recently became aware that Hubbard County plans to amend its Subdivision Control's Ordinance, which will essentially eliminate any platting for lots with acres in excess 2.5 acres in Hubbard County;

Whereas, Hubbard County did not send official notice of its intent to amend its Subdivision Control's Ordinance to Helga Township;

Whereas, the minimum lot size in Helga Township is 5 acres;

Whereas, the Helga Town Board has serious concerns about the modifications proposed by Hubbard County in its Subdivision Control's Ordinance as it will essentially result in no action being taken for subdivisions within Helga Township;

Whereas, the Helga Town Board has serious concerns about the building of roads and handling of drainage by developers. This concern is based on the fact that the failure to address those issues initially usually results in the township expending taxpayers funds to remedy problems that should have been addressed by developers;

Whereas, the Helga Town Board believes that it is in the best interests of the citizens of Helga Township to enact an interim ordinance to protect the planning process it has already undertaken and also essential to preserve the health, safety and welfare of its citizens;

Whereas, the Helga Town Board does not want to impede subdivision of property in Helga Township;

Whereas, enacting an interim ordinance in accordance with Minn.Stat. Section 462.355, Subd. 4, is the most prudent course of action in light of Hubbard County's decision to amend its Subdivision Controls Ordinance;

Whereas, Minn.Stat. Section 462.355, Subd. 4 enables Helga Township to enact an interim ordinance that may "regulate, restrict or prohibit any use, development, or subdivision within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is effective, and may be extended for such additional periods as the

municipality may deem appropriate, not exceeding a total additional period of 18 months."

Whereas, Helga Township also recognizes that Minn.Stat. Section 462.355, Subd. 4, "No interim ordinance may halt, delay, or impede a subdivision which has been given preliminary approval prior to the effective date of the interim ordinance;" and

Whereas, Helga Township needs to resolve its concerns with Hubbard County in dealing with subdivisions within Helga Township;

NOW THEREFORE, THE HELGA TOWN BOARD DOES HEREBY ORDAIN:

- 1. Article V of the Helga Township Land Use Ordinance is amended to include the following paragraph:

All subdivisions which create four (4) or more lots or parcels shall be platted.

All other provisions of Article V shall remain in full force and effect.

- 2. A hearing on the Interim Ordinance shall be held on 22nd of August 2001 at 7:00 p.m. at the Helga Town Hall.

Dated: *July 18, 2001*

Glenn Ball
Glenn Ball
Helga Township Chairperson

ATTEST:

278383

Ken Stevens
Ken Stevens
Helga Township Clerk

COUNTY RECORDER
STATE OF MINNESOTA
COUNTY OF HUBBARD

311

I hereby certify that the within instrument was filed in this office for record on the 9th day of April A.D. 2002 at 9:55 A.M. and was duly recorded in Book X of Misc. on page 311

Karen
County Recorder
By _____ Deputy

FULLER, WALLNER & ANDERSON, LTD.
PO BOX 680
BEMIDJI MN 56619