LYNDEN TOWNSHIP
SUBDIVISION ORDINANCE # 8

REVISED
6-7-2018

Drafted By:
Lynden Township
21367 County Road 44
Clearwater MN 55320
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SECTION 1: GENERAL PROVISIONS

Section 100. Title

This Ordinance shall be known, cited, and referred to as the “Lynden Township Subdivision Ordinance”. When referred to herein, it shall be known as “this Ordinance”.

Section 101. Statutory Authorization

This Ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapters 365, 366 and 462; or their successor statutes.

Section 102. Adoption by Reference

In accordance with the Memorandum of Understanding (“MOU”) between the County of Stearns and the Township of Lynden, those sections of Stearns County Subdivision Ordinance #230, or successor ordinance enacted by reference as part of Lynden Township Subdivision Ordinance #8 shall apply within the Township of Lynden. The Lynden Township Subdivision Ordinance #8 is consistent with, as restrictive as or more restrictive than the Stearns County Ordinance #230, or its successor ordinances.

Section 103. Statement of Purpose

The purpose of this Ordinance is to:

A. Provide for the health, safety and welfare of the Lynden Township residents by requiring the necessary services, such as properly designed streets.
B. Place the costs of improvements against those benefiting from the construction of the improvement.
C. Secure, preserve, and maintain the rights of the public, and respect the public lands and waters.
D. Implement policies of the Lynden Township Comprehensive Plan, hereinafter referred to as the Comprehensive Plan.
E. Provide standards reflecting interests of individual landowners while minimizing impacts on environmental resources and disturbance of natural features.
F. Protect agricultural lands for continued or future agricultural use by conserving blocks of land large enough to allow efficient farming operations.
G. Reduce erosion and sedimentation through the retention of existing vegetation, minimization of development on steep slopes and the promotion of erosion control measures during all phases of construction.
H. Encourage flexibility in subdivision design that allows for effective service provision and infrastructure cost savings.

Section 104. Policies

The following policy statements shall apply for any land being subdivided in Lynden Township:
A. Ownership - The tract of land may be single or multiple ownerships. If the ownership is multiple it shall be planned as a single entity with common authority and common responsibility.

B. Site Suitability - The tract being subdivided shall be suitable for supporting development in terms of environmental conditions, i.e., wetlands, steep slopes, standard sewer, etc.

C. Intersections and Access - New intersections with existing roads shall be minimized.

D. Sensitive Areas - The proposed design shall strictly minimize disturbance to sensitive areas.

E. The minimum development shall be two (2) building sites (Commercial / Industrial / Residential).

F. Any subdivision of land shall be designed with a conceptual long-term view toward further growth and development.

Section 105. Jurisdiction

A. In order to achieve these purposes, all subdivisions, except those allowed as minor or Township moderate plats as defined herein or Administrative Subdivisions under Section 4 of the Stearns County Subdivision Ordinance #230, or its successor ordinance, will be reviewed for compliance with this Ordinance, the Comprehensive Plan and any other applicable Township Ordinances.

B. These regulations apply to all subdivision of land located within Lynden Township as provided by law.

Section 106. Interpretation

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in accordance with the underlying policies of the Township and shall not be deemed a limitation or repeal of any other powers granted by State Statute. Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other law, ordinance, code, statute, resolution or regulation, the regulations which are more restrictive or impose higher standards or requirements shall prevail.

Section 107. Severability

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 108. Fees

To defray the administrative costs of processing requests of this Ordinance, a fee not exceeding the administrative costs shall be paid by the landowner or developer. Such fees shall be determined by the Township Board of Supervisors.
Section 109. Repealer

Lynden Township Subdivision Ordinance #8 filed on May 18, 2012, as document A1369536 with Stearns County Recorder is hereby repealed.

Section 110. Enactment

In order that land may be subdivided in accordance with these purposes and policies, these subdivision regulations are hereby adopted as of November, x, 2018, and made effective upon publication.


APPROVED:

________________________________________
Anne Ackerman,
Lynden Township Chair

________________________________________
Dennis Niemi
Lynden Township Supervisor

________________________________________
Dave Johnson,
Lynden Township Supervisor

ATTEST:

________________________________________
Jenny Schmidt, Lynden Township Clerk
SECTION 2: DEFINITIONS

Section 200. Words and Terms Defined

For the purpose of this Ordinance, certain terms or words used herein shall be defined as follows:

A. Board or Township Board shall mean the Lynden Township Board of Supervisors.

B. Planning Commission shall mean the Lynden Township Planning Commission.

C. Board of Adjustment shall mean the Lynden Township Board.

D. County shall mean Stearns County.

E. The word “shall” is mandatory and not discretionary; the word “may” is permissive.

F. The word “person” includes any individual, firm, partnership, corporation, company, association, joint stock association or body politic and includes any officer, trustee, receiver, assignee or other similar representative thereof.

G. Words used in the present tense shall include the future; and words used in the singular shall include the plural and the plural the singular; words of one gender include the other genders.

H. Administrative or Agency Rules, Federal or State Statutes, County or Township Ordinances shall be the current version cited or its successor rule, statute, or ordinance.

I. Words shall be given their common usage if not defined herein.

J. Ditch – The area of road right-of-way between the edge of the gravel or bituminous top and the property line.

K. Developer’s Agreement – A contract entered into by the landowner or developer with Lynden Township and Stearns County by which the landowner or developer promises to complete the required public improvements within the subdivision during the specified time period following the final subdivision plat approval.

L. Stearns Major Plat - A standard plat with two (2) or more new building sites that does not qualify as a minor subdivision.

M. Minor Plat – A standard plat with less than two (2) or more new building sites containing no more than one additional lot intended for building site density or a plat that only delineates existing parcels.

N. Township Major Plat - A plat with six (6) or more new building sites or has dedicated new road right-of-way.
O. Township Moderate Plat - A plat with two (2) to five (5), inclusive, new building sites with no dedicated new road right-of-way.

P. Subdivision – Any land which is divided or proposed to be divided into two or more lots, parcels, tracts, sites, units or interests for the purpose of offer, sale or lease. Subdivision includes re-subdivision.

Section 201. Undefined Terms

Technical words and phrases and such others as have acquired a special meaning, or are defined in this ordinance, are construed according to such special meaning or their definition. Words and phrases not defined in this ordinance are construed according to their plain and ordinary meaning. A word is construed according to the rules of grammar and according to its common and approved usage, as provided for within M.S. § 645.08(1), or its successor statute. When the Board’s intent is clearly discernible from the ordinance’s plain and unambiguous language, the language shall be interpreted according to its plain meaning.

SECTION 3: SUBDIVISION PROCESS and PROCEDURE for TOWNSHIP MAJOR PLAT

Section 300. Land Development Process

A. All Township preliminary, major, and final plats shall be referred to and reviewed by the Lynden Township Planning Commission and shall be approved or denied by the Lynden Township Board of Supervisors in accordance with the procedures specified in this Ordinance.

<table>
<thead>
<tr>
<th>Lynden Township Subdivision Process Matrix (Ordinance 8)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plat Type</td>
</tr>
<tr>
<td>--------------------------------</td>
</tr>
<tr>
<td>Township Major Plat</td>
</tr>
<tr>
<td>Any Plat that includes a Road</td>
</tr>
<tr>
<td>Township Moderate Plat</td>
</tr>
<tr>
<td>Minor Plat</td>
</tr>
<tr>
<td>All Other Plat Types</td>
</tr>
</tbody>
</table>

B. Overview of Procedures: These steps shall be followed sequentially and may be combined only at the discretion of the Lynden Township Board of Supervisors or Planning Commission.

1. The landowner or developer shall review the Township Ordinance 8 regarding subdivisions from Lynden Township Clerk or from the Township’s website (www.lyndentownship.net).
2. The landowner or developer shall discuss the development process with Planning Commission Chair or his/her alternate at a pre-application meeting with Stearns County Environmental Services to determine density and to discuss development options.

3. The Landowner or developer contacts the Planning Administrator to be scheduled for the next available Planning Commission agenda.

4. The Landowner or developer prepares a Preliminary Plat.

5. The Preliminary Plat application is submitted to the Township at the joint meeting of the Planning Commission and Board. The Planning Commission will review the preliminary plat, make a site visit if needed, and make a recommendation to the Board. If all of the information is complete, an Informational Meeting date can be set by the Board for a Township Major Plat.

6. The Informational Meeting is held to allow public input and comment by neighboring property owners that are in a distance from the applicant’s property set at the joint meeting of the Planning Commission and Board. Additionally, conditions of the Preliminary Plat are determined and the terms of the Developer’s Agreement are discussed. The Board reviews the Preliminary Plat and, if approved, the preliminary plat with comments and/or conditions is forwarded to the County.

7. The Final Plat application, all supporting documents and financial guarantees are submitted to the township at a Joint Planning Commission and Board meeting or a Board meeting for review, approval and signature.

Section 302. Use Regulations for all Development Options

Uses permitted within each development shall be those uses allowed as either permitted, provisional, conditional, or interim in the primary zoning district. Refer to Section 9 of Stearns County Land Use and Zoning Ordinance #439, or its successor ordinance.

Section 303. Dimensional Standards and Density Determinations

The dimensional standards and density determinations shall be in compliance with Section 9 of Stearns County Land Use and Zoning Ordinance #439, or its successor ordinance and Stearns County Subdivision Ordinance 230, or its successor ordinance.

Section 304. Performance Standards for Developments

A. General Standards

1. Conventional Developments refer to the underlying zoning district standards listed in Section 9 of Stearns County Land Use and Zoning Ordinance #439, or its successor ordinance.

2. Cluster Developments refer to Section 7.4 of Stearns County Land Use and Zoning Ordinance #439, or its successor ordinance.
3. **Residential Shoreland Planned Unit and Open Space Development** refer to *Section 10.2.22 of Stearns County Land Use and Zoning Ordinance #439*, or its successor ordinance.

B. **Lot Area Standards**
   1. **Conventional Developments** refer to the underlying zoning district standards listed in *Section 9 of Stearns County Land Use and Zoning Ordinance #439*, or its successor ordinance.
   2. **Cluster Developments** refer to *Section 7.4.4 of Stearns County Land Use and Zoning Ordinance #439*, or its successor ordinance.
   3. **Residential Shoreland Planned Unit and Open Space Development** refer to *Section 10.2.8 of Stearns County Land Use and Zoning Ordinance #439*, or its successor ordinance.

C. **Design Standards for all Development Options**
   1. Views of building sites from external roads and abutting properties may be minimized by the use of changes in topography, existing vegetation, or additional landscaping.
   2. Building sites may generally be accessed from interior streets rather than from roads bordering the tract.
   3. Stormwater detention areas shall be designed and landscaped to provide an aesthetic amenity to the neighborhood. Where practical these features should be located with street frontage for maintenance access.

D. **Access and Street Standards**
   1. Developments may be required to provide a common shared access to the entire subdivision, depending on parcel size, road frontage, roadway / street access geometrics and the new access spacing. Required basic street improvements of all development options are delineated in *Lynden Township Ordinance 12, Lynden Township Road and Right-of-Way Specifications and Standards*, or its successor ordinance.

E. **Sewage Treatment and Water Supply Standards**
   1. Community subsurface sewage treatment systems and/or community drinking water supply systems may be required in accordance with *Section 7.4.10 of Stearns County Land Use and Zoning Ordinance #439*, or its successor ordinance.
   2. Individual sewage treatment within the moderate and concentrated growth areas should be located to allow for easy access and the least expensive connection to a sewer system when a system becomes available.
   3. **Conventional Developments** refer to the underlying zoning district standards listed in *Section 9 of Stearns County Land Use and Zoning Ordinance #439*, or its successor ordinance.
   4. **Cluster Developments** refer to *Section 7.4.10 of Stearns County Land Use and Zoning Ordinance #439*, or its successor ordinance.
5. **Residential Shoreland Planned Unit and Open Space Development** refer to *Section 10.2.22 of Stearns County Land Use and Zoning Ordinance #439*, or its successor ordinance.

**SECTION 4: PRELIMINARY and FINAL PLAT APPROVAL PROCESS**

**Section 400. General Plat Review Standards**

All major township preliminary plats shall be referred to, reviewed and recommendation given by the Lynden Township Planning Commission and shall be approved or denied by the Lynden Township Board of Supervisors, in accordance with the procedures specified in this Ordinance. Any application not processed as required herein shall be null and void. All preliminary plats that are not a major township preliminary plat shall be referred to, reviewed and shall be approved or denied only by the Lynden Township Board of Supervisors.

Pursuant to MS § 505, Lynden Township Board of Supervisors Chair and Clerk shall sign all plats in Lynden Township approved by Stearns County.

**Section 401. Preliminary Plat Requirements**

Refer to *Section 5.3 of Stearns County Subdivision Ordinance #230*, or its successor ordinance. The following are the additional Preliminary Plat submission requirements for Lynden Township:

A. **Application for Preliminary Plat:** The applicant shall complete and sign the application form as contained in the application packet provided by the Lynden Township Clerk or from the Township’s website (www.lyndentownship.net). The application form shall accompany the type and number of plans, documents and such other submissions required, including the filing fees. If the Applicant and the Owner of Record are different, the Owner of Record shall also sign the application form. No application shall be deemed filed unless all requirements have been met and all fees paid in full. An escrow deposit, in the minimum amount of $2,500.00, unless a lesser amount is specifically approved by the Township Board, shall be required for expenses to be incurred between the preliminary and final plat applications.

B. **Future Development Overlay:** When an application includes only a portion of a landowner’s entire tract, or when such portion is contiguous to an adjoining tract of the landowner, a future development overlay shall be included showing the potential subdivision of all contiguous lands belonging to the landowner to ensure that the subdivision may be accomplished in accordance with current codes and provide for appropriate future access. Submission and review of the contiguous and/or adjacent land shall not constitute approval of future subdivisions.

C. **Improvements:** Where installation of the improvements is proposed to be done in phases, the applicant shall submit with the Preliminary Plat, a delineation of the proposed phases and a schedule of their implementation. The Township may incorporate all or part of the phasing schedule in the Developer’s Agreement.
D. **Common Shared Access**: As noted in *Section 304 D, infra*, developments may be required to provide a common shared access to the entire subdivision, depending on parcel size, road frontage, roadway/street access geometrics and the new access spacing. Required basic street improvements of all development options are delineated in *Ordinance 12, Lynden Township Road and Right-of-Way Specifications*.

E. **Road Designs**: Roads shall be in compliance with *Ordinance 12, Lynden Township Road and Right-of-Way Specifications* and must meet the approval of the Township Engineer and the Town Board. All road construction shall be guaranteed by the applicant against defects in workmanship and materials for a two (2) year period commencing with the acceptance by the Township Engineer.

F. **Drainage Facilities and Systems**: Such facilities and systems shall be installed as to adequately provide for the drainage of surface waters, stormwater pollution control, and flood protection. Drainage and/or pond easements or land dedications may be required when such easements or land are needed, in the public interest, for purposes of floodplain management, proper drainage, prevention of erosion, pedestrian access to water bodies, access to drainage ponds for maintenance, or other public purpose. The design of all such drainage facilities and systems must meet the approval of the Township Engineer and the Town Board. Construction shall be guaranteed by the applicant against defects in workmanship and materials for a two (2) year period after acceptance by the Town Board.

G. **Miscellaneous Facilities**: Tree planting as may be required by ordinance, street name signs, traffic control signs, and other improvements per current MNDOT minimum general roadside standards may be required to be furnished by the applicant. Development name signs, street name signs, traffic control signs, and other improvements shall be installed at the applicant’s expense by the township or its designee. The applicant shall install four (4) inches of black dirt and a good quality sod in the right-of-way. The applicant shall be responsible for establishing groundcover per current MNDOT minimum general roadside standards consisting of an approved grass mixture.

H. **Warranty Period**: As provided for within *Section 4*, the applicant shall warrant all improvements required to be installed, against defects in workmanship and materials including, but not limited to, roads, drainage facilities, and public utilities for a period of two (2) years commencing with the acceptance by the Township Engineer. The Township after acceptance shall retain applicant’s letter of credit or cash escrow in the amount of ten (10) percent of the cost of such warranted items during the first year and in the amount of five (5) percent of the cost of such warranted items during the second year after acceptance by the Township.

I. **Landscape Plan**

1. Plats that create a new road may be required to screen the areas adjacent to the subdivision’s access point(s).

2. Plats may include a landscape plan that identifies areas of public value, including significant views, natural vegetation, or watercourses, even where said features may be
located on private lots. The landscape plan shall provide for the addition of trees, shrubs, and groundcovers or grasses that achieve the following objectives:

a. Establish naturalized areas around stormwater ponds.

b. Establish naturalized woodland areas at the edges of subdivisions, particularly in areas of land use changes or where the subdivision abuts a major roadway, utility line or railroad.

3. The landscape plan shall be accompanied by a reliable estimate of installation costs. The landowner or developer shall provide to the Township a financial security that guarantees live growth of the plant materials for a two (2) year period from the date of installation unless otherwise specified. In the event the plant materials under this plan must be replaced due to death, disease, or other reason, said financial security shall be extended to cover an additional two (2) years from the date of replacement.

4. Forestation, reforestation or landscaping shall utilize a variety of tree species and shall not utilize species presently under disease epidemic. Species planted shall be hardy under local conditions and compatible with local landscape.

Section 402. Payment for Improvements

A. Required Developer's Agreement

Prior to the installation of any required improvements and prior to the release of the final plat, the applicant shall enter into a Three-way Developer's Agreement between the Developer, Stearns County and Lynden Township in writing with the Township requiring the applicant to furnish and construct said improvements at the applicant's sole cost in accordance with the plans and specifications and usual contract conditions all approved by the Township Board, which shall include provisions for the supervision of details of construction by the Township engineer and preparation of as-built plans as required by the Township engineer. This agreement will require the applicant to provide a financial guarantee, in the form of an escrow deposit, performance bond, or a letter of credit.

B. Payment for Installation of Improvements

All improvements described and listed in Section 401 shall be furnished and installed at the sole expense of the applicant in accordance with approved construction plans. All fees and expenses incurred by the Township in processing the application for preliminary and final plat, including all legal, planning and engineering costs associated with the development, review, implementation and inspection of the improvements, and the preparation of a Developer's Agreement shall be reimbursed to the Township at the sole expense of the applicant.

C. Financial Guarantee

The contract shall require the applicant to furnish, prior to the release of the final plat by the Township, a financial guarantee securing the applicant’s full performance of the terms of the Developer’s Agreement in one of the following forms:
1) **Escrow Deposit:** A cash deposit may be made with the Township, guaranteeing that all improvements required under *Section 401 and 402* shall be constructed as provided in the Developer’s Agreement. The amount of the deposit for construction of the improvements shall be equal to 125% of the total cost of all improvements that have not been constructed prior to the approval of the final plat, plus the costs of inspections by the Township Engineer, as determined by the Township Board. The Township shall be entitled to draw out of said deposit for any costs and expenses incurred to complete such work in case of default by the applicant under the Developer’s Agreement, or to cure any breach thereof, including breach of warranty related to the Improvements. Upon completion of the work and termination of any liabilities of the Township or the applicant under said agreement, the balance remaining of said deposit, plus any and all accrued interest, shall be refunded to the applicant, except that the Township shall retain the applicable warranty amount required by *Section 401* of this ordinance during the warranty period. The escrow agreement shall incorporate by reference the terms of the agreement entered into pursuant to the Developer’s Agreement.

2) **Irrevocable Letter of Credit:** In lieu of making an Escrow Deposit described above for the construction of improvements, and if the Township Board so agrees, the applicant may furnish the Township with an Irrevocable Letter Of Credit in a sum equal to 125% of the total cost of improvements required in *Section 401 and 402*. The Township Engineer shall estimate the cost of such improvements, including cost of inspection of all improvements to be furnished and installed by the applicant pursuant to the contract and which have not been completed prior to approval of the final plat.

   a. The Irrevocable Letter of Credit must be from a bank which is insured by the FDIC and which has a branch in Minnesota within 100 miles of the Lynden Township hall where the letter of credit can be drawn upon, unless an exception to the 100 mile limitation is approved by the Town Board.

   b. An Irrevocable Letter of Credit must automatically renew annually unless the issuing bank notifies the Township via certified mail at least sixty (60) days prior to expiration declaring that the letter of credit will not be renewed upon its stated expiration date.

   c. The Irrevocable Letter of Credit shall be approved as to form and content by the Township Attorney. The letter of credit shall incorporate by reference the terms of the agreement entered into pursuant to the Developer’s Agreement. The Township shall be entitled to reimburse itself out of the Irrevocable Letter of Credit for any costs and expenses incurred to complete such work in case of default by the applicant under the Developer’s Agreement, or to cure any breach thereof, including breach of warranty related to the Improvements.

3) **Performance Bond:** As provided in M.S. § 574.26. CONTRACTORS’ BONDS FOR PUBLIC WORK, in lieu of making an Escrow Deposit or Irrevocable Letter Of Credit described above for the construction of improvements, and if the Township Board so
agrees, the applicant may furnish the Township with a Performance Bond. The bond
shall be in a sum equal to 125% of the total cost of improvements required within Section
401 and 402. The Township Engineer shall estimate the cost of such improvements,
including cost of inspection of all improvements to be furnished and installed by the
applicant pursuant to the contract and which have not been completed prior to approval
of the final plat.

If, after the giving of the bond, the contract price is increased, for any reason, the
township may require additional bonds, which shall be not less than the amount of the
increase, as provided under M.S. § 574.26.

D. Construction Plans

Construction plans for the required improvements, conforming in all respects to Township
standards and the applicable ordinances, shall be prepared at the applicant's expense by a
professional engineer, currently licensed and registered in the State of Minnesota; said plans shall
contain the engineer's seal. The plans, together with a list of construction materials, shall be
submitted to the Township Engineer concurrent with the final plat application. Such plans must
meet the approval of the Township Engineer. Copies of the plans approved by the Township,
plus two (2) prints, shall be filed with the Township Clerk.

E. Warranty

The applicant shall warrant that all improvements to be dedicated to the Township shall be
warranted to be free from defects in materials and workmanship for a period of two (2) years
from the acceptance of the Improvements by the Township Engineer.

Section 403. Submission and Review of Township Major Preliminary Plat

A. The applicant shall submit one (1) large copy and ten (10) 11” x 17” copies of the Township
Major Preliminary Plat and all required documents (Section 401 and Section 402) at a regular
joint meeting of the Planning Commission and Township Board.

B. The application is reviewed by the Planning Commission to determine if it is complete.

C. If the Township Major Preliminary Plat is incomplete, the application and all supporting
documents will be returned to the applicant within fifteen (15) days of its receipt with a letter
stating the deficiencies based on the Ordinance.

D. If the Township Major Preliminary Plat is complete, the application and fee will be
processed and an Informational Meeting set.

E. The Planning Commission will review the Township Major Preliminary Plat for compliance
with the Township Comprehensive Plan and the Township Ordinances. Recommendations
from the Planning Commission will then be forwarded to the Township Board for their
review.
F. The Township Board may require changes or modifications to the Township Major Preliminary Plat as a condition of preliminary plat approval. The Planning Commission and/or Township Board reserve the right to request additional information that is needed to provide an adequate basis for decision making.

G. The Board shall conduct an Informational Meeting on the Township Major Preliminary Plat. The Township Board will determine any conditions of the preliminary plat and, if approved, the preliminary plat shall be forwarded to Stearns County with any comments and/or conditions.

Section 404. Submission and Review of Township Major Final Plat

A. Township Major Final Plat Final Plat Approval Process: Refer to Section 5.5 Stearns County Subdivision Ordinance #230, or its successor ordinance.

B. The Township Major Final Plat Application shall be submitted by the applicant. The applicant shall submit one (1) large paper copies and ten (10) 11” x 17” copies of the Final Plat and all required documents. The Final Plat will be reviewed for completeness. The Final Plat shall have incorporated all changes or modifications required by the Township Board of Supervisors stated as conditions of preliminary plat approval. In all other respects the Final Plat shall conform to the preliminary plat, related plans and agreements. Approval of the Final Plat shall be contingent upon the applicant executing all required documents, providing all required security, and paying all amounts due to the Township. The Township shall not release the Final Plat until the applicant has provided the Township with:

1) all required documents;
2) evidence of good title acceptable to the Township attorney;
3) covenants and declarations (where required);
4) executed mortgage subordinations, subordinating all existing mortgages on the property to the terms of the developer’s agreement;
5) declarations and covenants acceptable to the Township Attorney (where required);
6) deeds evidencing dedications to the Township (where required); and,
7) the applicant has reimbursed the Township for all costs as required by Section 402 of this ordinance.

SECTION 5: ENFORCEMENT PROCEDURES

Section 500. Violations

Any person, firm or corporation who violates any of the provisions of this Ordinance, or who fails, neglects or refuses to comply with the provisions of this Ordinance (including violations of conditions and safeguards established in connection with the granting of variances and conditional and interim use permits or fails to comply with restoration orders), or who knowingly makes any false statement verbally or in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not to exceed $1,000 or by imprisonment not to exceed ninety (90) days or both. Each day that a violation continues shall constitute a separate offense.
Section 501. Remedies

In the event of a violation or a threatened violation of this Ordinance, the Board, in addition to other remedies, may institute appropriate civil actions or proceedings to prevent, prosecute, restore, restrain, correct or abate such violations or threatened violations, including but not limited to Lynden Township Ordinance No. 10, Administrative Enforcement of Ordinance Regulations, or its successor ordinance. The Administrative enforcement procedures established within Lynden Township Ordinance 10 provide Lynden Township with an informal, cost-effective and more efficient alternative to criminal prosecution or civil litigation for certain violations of Township Ordinances. Lynden Township retains the right, at its sole discretion, to enforce provisions of its Ordinances by bringing criminal charges or commencing civil litigation in any case where the Township determines it is appropriate or necessary.