

DENMARK TOWN BOARD MEETING MINUTES
March 7, 2016 and reconvened March 8, 2016

SUPERVISORS PRESENT: Kathy Higgins, John Kummer, Karen Herman, John Strohfus

ABSENT: Joe Moore

STAFF PRESENT: Attorney Gilchrist (Kennedy-Graven), Engineer Geheren (Focus Engineering)

CALL TO ORDER: Meeting called to order @ 7:02 PM by Chair Higgins

AGENDA APPROVAL: K Higgins added Critical Area, Comp Plan and MPCA Grant.

Motion J Kummer/2nd K Herman approval of agenda as amended. Voting Yes- J Kummer, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

CONSENT AGENDA APPROVAL: Motion J Kummer/2nd K Herman approval of Consent Agenda items which include 02/01/2016 Board Meeting Minutes, Claims 10662-10679, EFT payments- PERA 365094, MN Rev. Tax 1339683904, Federal Tax 52847401, payroll ending 03/01/2016 and financial reports. Voting Yes- J Kummer, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

HEARING DECISIONS/ZONING ACTIONS: None

PUBLIC COMMENT: None

BUSINESS ITEMS:

South Washington Watershed District: Matt Moore, Managers Johnson & Madigan present.

2015 activities/accomplishments include continuation of the overflow project which is now into the Cottage Grove Ravine Park phase. SWWD continues work with Afton Alps/Trout Brook project to reduce sediment and stabilize stream bank. Ravine work will be done in 80th/Quadrant area. Eleven acres of turf to prairie was done on 65th/Oakgreen area, which included a number of homeowners who converted turf back to prairie. Completed Oakgreen grass waterway project. Information regarding cost share program can be found on the SWWD website. Ravine at end of Paris/110th- resident inquired whether that is still being looked at, as there is still sediment going into the river. SWWD will look at the area again. No SWWD Board appointment recommendations at this time.

McDougall/Sunshare Application Withdrawal: Sunshare/McDougall submitted an application requesting an amendment to zoning code to allow commercial solar gardens as a conditional use within all districts in the Town. Planning commission recommended approval. After hearing from a number of residents both in favor and opposed, the Board directed the Attorney to draft a resolution to deny the request. The applicants requested that the matter be tabled to give the Board additional time to gather additional feedback from township residents regarding whether or not to allow solar in the ordinance. The applicants have since withdrawn their application. **Motion J Kummer/2nd J Strohfus to adopt Resolution 2016-06 Approving Withdrawal Of An Application And Terminating Proceedings. Voting Yes- J Kummer, J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.**

Residents in attendance asked that a broader notification process be put in place for possible policy changes that may impact the Township. Denmark follows noticing requirements according to the MN Statutes. Publishing the public notice in the Hastings Gazette and mailing notices to property owners within a prescribed distance of the subject property. Notices for all meetings/public hearings are also posted on the Town website.

Residents asked that the Board consider putting a moratorium in place so that the Board can gather input from a broader outreach of residents. Board consensus to support a moratorium on solar gardens to give the Board an opportunity to study the issue. Study likely in conjunction with Comprehensive Plan review/survey.

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Motion J Kummer/2nd K Herman to direct Legal to draft language for placing a moratorium on commercial solar facilities within Denmark Township for a period of one year. Voting Yes- J Kummer, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Homestead Estates/Granley Proposal: Request received from Ben Granley, regarding purchase, amending Development Agreement, vacating road and eliminating covenants for the 30 acres in Phase 2 of Homestead Estates. Attorney recommends that re-platting the property would be the best option. Staff is reviewing proposal to see what may or may not be viable.

Washington County Land Use in Townships: Higgins attended a County Board workshop regarding the County's role in land use in Townships. Townships will have full responsibility for Agricultural Areas, Large Lot Residential Areas, Commercial Areas, Standards for Uses, Density & Lot Requirements and Performance Standards. County will continue their role in Mining, St. Croix Riverway Bluffland & Shoreland, Shoreland Management, Floodplain and Individual Septic Treatment Systems. County Board is proposing to remove its involvement with the Subdivision Ordinance if Townships adopt their own ordinances.

Planning Commission Appointment: Planning Commission member Roger Lang's first term expires 03/31/16. First term member can be reappointed to a second term without the application process. K Higgins recommends reappointment. **Motion K Higgins/2nd K Herman to appoint Roger Lang to the Planning Commission for a 3 year term ending 03/31/19.** Voting Yes- K Higgins, K Herman, J Strohfus. Voting No- None. Abstaining- J Kummer. Motion Carried 3-0-1.

Planning Commission Workshop: Higgins requested Board authorization to have Attorney hold a workshop with the Planning Commission to discuss Planning Commission roles and requirements of hearings, etc. Consensus from Board to have attorney hold workshop with Planning Commission members. Board members would be welcome to attend and are interested in doing so.

Dustcoat/Limerock Quotes: Dustcoat quotes for calcium chloride. Luhman's \$1.15/gal. Envirotech \$.98/gal. Envirotech has serviced Denmark for a number of years. **Motion J Kummer/2nd K Herman to approve Dustcoating services quote from Envirotech @ \$.98/gal for 2016.** Voting Yes- J Kummer, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Limerock quotes- Bryan Rock product \$8.20/T, haul \$11.80 T. Rumpca \$5.80/T, haul \$8.25 T. Motion J Kummer/2nd J Strohfus to approve Rumpca quote of \$5.80/T, haul \$8.25 T. **Voting Yes- J Kummer, J Strohfus, K Herman, K Higgins.** Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Tri-County (roads contractor) also submitted a quote for hauling @ \$3.20/T. J Kummer noted that Tri-County has to be on site when gravel is delivered to the roads, to see that the rock is placed in the correct places at the appropriate time, which also costs the Township. Tri-County would be willing to haul at the same haul rate (\$2.45) that Rumpca would. **Motion J Kummer/K Herman to authorize Tri-County to haul gravel at \$2.45/T for 2016.** Voting Yes- J Kummer, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

SSG Corporation Liquor License: Liquor license for SSG Liquor at County Point. Motion J Strohfus/2nd K Herman approval of Resolution 2016-07 Consenting To The Issuance Of An Off-Sale Intoxication Liquor License To CAP Operations Inc. Voting Yes- J Strohfus, K Herman, K Higgins. Voting No- None. Abstaining- J Kummer. Motion Carried 3-0-1.

Attorney noted that all liquor licenses whether new or renewed require approval by the Township.

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Schedule Portfolio Workshop & Road Tour: Portfolio Workshop scheduled for 04/12/16. Road Tour possible dates 04/14 or 04/15/16. Will confirm with all via email.

Escrow Release: Meyer Administrative Lot Split escrow balance in the amount of \$692.00. Jager Minor Subdivision escrow balance in the amount of \$38.30. There are no pending charges on the accounts.

Motion J Strohfus/2nd K Herman approval of Claim 10680 Robert/Carol Jager \$38.30 and Claim 10681 \$692.00 Meyer. Voting Yes- J Strohfus, K Herman, J Kummer, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Town Hall Cleaning: Board consensus to contact cleaning services for cleaning rates.

Dog Ordinance: Draft ordinance to be addressed at April Board Meeting. Any comments on the draft should be sent to Attorney prior to meeting. Questions raised on enforcement provisions of the ordinance. Attorney noted that provisions regarding dangerous dog are set by MN Statutes.

Critical Area: Rules regarding Mississippi River Critical Corridor Area. Rule development and public involvement schedule provided to Board. Rules likely to be implemented in 2017. Higgins has been attending the meetings and will continue.

Comprehensive Plan: General discussion regarding the process to update the Comprehensive Plan, due June 2018. To be discussed in detail at future meeting.

MPCA Grant: MPCA grant makes funds available for comp planning process. Not likely that Denmark would qualify for funding, based on grant program criteria.

K Herman stated that she has been in contact with group that could make presentation to the Board regarding solar. Information available from the Department of Commerce and the University of Minnesota.

LEGAL UPDATES

Attorney asked if Board would like a workshop addressing Board Supervisor training. Board consensus to proceed with workshop.

10:00 PM **Motion J Kummer/2nd K Herman to recess the 03/07/16 Board Meeting and continue the meeting on March 8, 2016 at 6:30 PM at the Town Hall, for the purpose of reviewing and acting on a moratorium related to solar energy facilities. Voting Yes- J Kummer, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.**

March 8, 2016 Reconvening of the March 7, 2016 Board Meeting

SUPERVISORS PRESENT: Kathy Higgins, John Kummer, Karen Herman, John Strohfus

ABSENT: Joe Moore

STAFF PRESENT: None

6:37 PM Chair Higgins reconvened the March 7, 2016 Board Meeting for the purpose of reviewing and acting on a moratorium related to solar. Board reviewed draft ordinance.

Motion J Kummer/2nd K Herman to adopt Ordinance 2016-01 An Interim Ordinance Authorizing A Study And Placing A Moratorium On Solar Energy Facilities. Voting Yes- J Kummer, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

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Motion J Kummer/2nd K Herman to adopt Resolution 2016-08 Approving Summary Language For Publication Of An Interim Ordinance Placing A Moratorium On Solar Energy Facilities. Voting Yes- J Kummer, K Herman, J Strohfus, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.

Item to be added to April agenda for discussion regarding specifics as to how Board wished to proceed with study.

6:45 PM **Motion J Strohfus/2nd J Kummer to adjourn. Voting Yes- J Strohfus, J Kummer, K Herman, K Higgins. Voting No- None. Abstaining- None. Motion Carried 4-0-0.**

Becky Herman

Denmark Township Clerk/Treasurer

Denmark Township Chair

Addendum Resolutions 2016-06, 2016-07, 2016-08
Interim Ordinance 2016-01

**DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2016-06**

**RESOLUTION APPROVING THE WITHDRAWAL OF
AN APPLICATION AND TERMINATING PROCEEDINGS**

WHEREAS, Gary & Alice McDougall, together with DenmarkSun LLC (on behalf of Sunshare LLC), (collectively the “Applicants”) submitted an application to Denmark Township (“Town”) requesting an amendment to the Denmark Township Development Code (“Development Code”) to allow commercial solar gardens as a conditional use within all zoning districts within the Town;

WHEREAS, the Town has been processing the application, including its Planning Commission conducting a public hearing on the application on December 21, 2015;

WHEREAS, the time period in which to act on the application was first extended by the Town by a letter dated January 8, 2016 and then by the Applicants by their written request approved on February 1, 2016;

WHEREAS, the Town received an e-mail message on February 19, 2016 from a representative of DenmarkSun LLC and Sunshare LLC indicating that they wish to cancel their application; and

WHEREAS, the Town informed the Applicants that a written withdrawal signed by the property owners was needed in order to formally withdraw the application; and

WHEREAS, on February 24, 2016 the Town received the formal request signed by Gary & Alice McDougall to withdraw the application.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board as follows:

1. The Town Board approves the requested withdrawal of the Applicant’s application and it will take no further action to process or act on the application.
2. The Town Clerk-Treasurer is hereby authorized and directed to bill the Applicants for any costs the Town has incurred related to the application that exceed the amount of the escrow provided by the Applicants.

Adopted this 7th day of March, 2016. **BY THE TOWN BOARD**

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DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Resolution No. 2016-07

**RESOLUTION CONSENTING TO THE ISSUANCE OF AN OFF-SALE
INTOXICATING LIQUOR LICENSE TO CAP OPERATIONS INC.**

WHEREAS, CAP Operations Inc. (dba Holiday) (“Applicant”) is applying to Washington County, Minnesota (“County”) for an off-sale intoxicating liquor license (“Application”) for a property located at 12370 Point Douglas Road, Hastings, Minnesota (“Property”), which is located within Denmark Township (“Town”);

WHEREAS, the Applicant is requesting an off-sale liquor license as part of its business operations on the Property;

WHEREAS, the Property is currently owned by SSG Corporation, which has a current off-sale liquor license set to expire on March 31, 2016;

WHEREAS; the Applicant is currently in negotiations with SSG Corporation to purchase the Property;

WHEREAS, the Applicant intends to take possession of the Property on or around March 15, 2016;

WHEREAS, if the Applicant fails to purchase the Property, SSG Corporation will continue to operate an off-sale liquor store on the Property; and

WHEREAS, the Application is for a retail license, as it involves the sale of liquor for consumption, and under Minnesota Statutes, section 340A.405, subdivision 2, requires the Town to adopt a resolution supporting the license before the license may be issued.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board as follows:

1. The Town Board hereby consents to the County issuing the requested off-sale intoxicating liquor license to the Applicant for the Property.
2. Any license issued to the Applicant is contingent on the Applicant completing a purchase of the Property and is limited to the Property.
3. If the Applicant does not purchase the Property, the Town Board consents to the County issuing the requested off-sale intoxicating liquor license to SSG Corporation, the current owner of the Property.

Adopted this 7th day of March, 2016. **BY THE TOWN BOARD**

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WASHINGTON COUNTY, MINNESOTA
Resolution No. 2016-08

**RESOLUTION APPROVING SUMMARY LANGUAGE
FOR PUBLICATION OF AN INTERIM ORDINANCE
PLACING A MORATORIUM ON SOLAR ENERGY FACILITIES**

WHEREAS, on March 8, 2016 the Town Board of Denmark Township adopted Ordinance No. 2016-01 “An Interim Ordinance Authorizing a Study and Placing a Moratorium on Solar Energy Facilities” (the “Ordinance”);

WHEREAS, it is not practical to publish the entire text of the Ordinance in the Town’s official newspaper;

WHEREAS, Minnesota Statute, section 365.125, subdivision 2 allows the publication of a summary of an ordinance instead of publishing the entire ordinance; and

WHEREAS, the Town Board determines publication of a summary of the Ordinance is sufficient to clearly inform the public of the intent and effect of the Ordinance and where to access the full text of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determines to publish the following summary language, which is hereby approved, in lieu of publishing the full text of the Ordinance:

DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Ordinance No. 2016-01

**AN INTERIM ORDINANCE AUTHORIZING A STUDY AND
PLACING A MORATORIUM ON SOLAR ENERGY FACILITIES**

The Town Board adopted Ordinance No. 2016-01 to impose a moratorium prohibiting applications for amendments to the Town’s development code related to solar energy facilities and prohibiting the placement, construction, or expansion of solar energy facilities during the 12 month period of the ordinance. The term “solar energy facility” means a device, or set of devices, whose primary purpose is to collect solar energy and to convert it for storage or transfer for a useful purpose, including the generation of electricity, heating, cooling, or other energy-using processes, or to produce generated electric power by means of any combination of collecting, transferring, or converting solar-generated energy. This term is to be interpreted broadly to include community solar gardens and solar energy capturing systems designed or used for commercial or industrial uses. The moratorium does not apply to residential solar facilities, maintenance and repairs to existing solar energy facilities, and to large energy facilities issued a site permit from the Minnesota Public Utilities Commission. The moratorium shall be in place for up to one year to allow the Town sufficient time to study whether to allow solar energy facilities within the Town and, if so, to develop and adopt regulations as needed to mitigate or eliminate the impacts of solar energy facilities. A copy of the full ordinance is in the Hastings Public Library, is posted on the Town’s website, and is available by contacting the Town Clerk-Treasurer.

Becky Herman, Clerk-Treasurer

BE IT FINALLY RESOLVED, that the Town Clerk-Treasurer is hereby authorized and directed to:

- (1) Publish the approved summary language set out above once in the Town’s official newspaper;
- (2) Maintain a copy of the full Ordinance in the office of the Town Clerk-Treasurer to make available for review by the public upon request;

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- (3) Post a copy of the full Ordinance on the Town's website;
- (4) Place a copy of the full Ordinance at the Hastings Public Library;
- (5) Place a copy of the full Ordinance at the Washington County Law Library; and
- (6) Place the Ordinance in the Town Ordinance Book within 20 days together with a copy of the affidavit of having published the approved summary language and a copy of this Resolution.

Adopted this 8th day of March, 2016. **BY THE TOWN BOARD**

DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Ordinance No. 2016-01

**AN INTERIM ORDINANCE AUTHORIZING A STUDY AND
PLACING A MORATORIUM ON SOLAR ENERGY FACILITIES**

The Board of Supervisors of the Town of Denmark ordains:

Section 1: Purpose and Intent. The purpose and intent of this interim ordinance ("Ordinance") is to impose, pursuant to Minnesota Statutes, section 462.355, subdivision 4, temporary restrictions within Denmark Township ("Town") regarding solar energy facilities during the period of this Ordinance in order to protect the planning process and the health, safety, and welfare of the citizens of the Town.

Section 2: Legislative Findings. The Town Board hereby finds and determines as follows:

- (a) The Town is a "municipality" for the purposes of the Municipal Planning Act in Minnesota Statutes, chapter 462, and it has exercised its authority pursuant to that Chapter to adopt the Denmark Township Development Code ("Development Code");
- (b) Minnesota Statutes, section 462.355, subdivision 4 authorizes the Town Board to adopt interim ordinances to regulate, restrict, or prohibit any use, development, or subdivision within the Town;
- (c) Washington County ("County") has indicated it does not wish to address solar energy facilities as part of its Development Code since it is in the process of substantially withdrawing from administering zoning regulations within townships;
- (d) In 2013, the Minnesota Legislature enacted a bill that contained several provisions designed to promote the growth of solar energy. One such provision, which is codified as Minnesota Statutes, section 216B.1641, created community solar gardens;
- (e) The Town recently worked to process an application requesting an amendment to the Development Code to allow community solar gardens within the Town, which generated strong comments from the public both in favor and against such an amendment. The applicant withdrew the application, but it became clear to the Town Board that further study into whether community solar gardens, and solar energy facilities generally, should be allowed within the Town is needed before the Town can properly entertain any further applications to allow solar energy facilities within the Town;
- (f) The Town's recent experience made it clear that if another application seeking to amend the Development Code to allow Solar Energy Facilities were to be submitted, the timing limitations contained in Minnesota Statutes, section

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15.99 would not allow the Town sufficient time to fully study and reach a conclusion regarding Solar Energy Facilities before it would need to act to approve or deny the application;

- (g) The Town's current Development Code does not address solar energy facilities. Because solar energy facilities are not identified as an allowed use, they are currently prohibited under the Development Code. The Town currently allows the placement of solar panels and related facilities on residential properties as an accessory use, provided the electricity generated is used only on the property and all required permits are obtained; and
- (h) Due to the acreage needed to construct community solar gardens and other commercial or industrial solar energy facilities, the lack of current regulations regarding the use, and the differing opinions on whether such facilities should be allowed within the Town, the Town Board determines it is in the best interests of the Town to impose certain interim restrictions on solar energy facilities, as defined herein, to allow sufficient time to study the issue, determine if such facilities should be allowed, and, if they are to be allowed, to develop and adopt the appropriate amendments to the Development Code to appropriately address solar energy facilities moving forward.

Section 3. Definitions. For the purposes of this Ordinance, the following terms shall have the meaning given them in this Section. Any term not defined in this Section shall have the meaning given it in the Development Code, and if not defined therein, it shall have the meaning given it in the most applicable Minnesota Statutes or Rules.

- (a) Community Solar Garden. "Community Solar Garden" means a facility that generates electricity by means of a ground-mounted or roof-mounted solar photovoltaic device whereby subscribers receive a bill credit for the electricity generated in proportion to the size of their subscription as provided in Minnesota Statutes, section 216B.1641.
- (b) Development Code. "Development Code" means the most current enactment of the Denmark Township Development Code.
- (c) Ordinance. "Ordinance" means this interim ordinance imposing a moratorium pursuant to Minnesota Statutes, section 462.355, subdivision 4.
- (d) Planning Commission. "Planning Commission" means the Denmark Township Planning Commission.
- (e) Solar Energy Facility. "Solar Energy Facility" means a device, or set of devices, whose primary purpose is to collect solar energy and to convert it for storage or transfer for a useful purpose, including the generation of electricity, heating, cooling, or other energy-using processes, or to produce generated electric power by means of any combination of collecting, transferring, or converting solar-generated energy. This term is to be interpreted broadly to include solar energy capturing systems designed or used for commercial or industrial uses. This term includes Community Solar Gardens, but does not include solar energy capturing devices installed on residential properties that utilize the solar energy primarily on that residential property.
- (f) Town. "Town" means Denmark Township, Washington County, Minnesota.
- (g) Town Board. "Town Board" means the board of supervisors of Denmark Township

Section 4. Study Authorized. The Town Board shall conduct a study of Solar Energy Facilities as provided in this Section. The Town Board may call upon the Planning Commission for assistance in conducting the study. The study shall consider the different types of commercial and industrial Solar Energy Facilities, the types of impacts they may have the benefits of such facilities, and options for regulating them. The Town Board shall work as part of the study to develop a consensus among the supervisors on whether Solar Energy Facilities should be allowed in the Town and, if so, how best to amend the Development Code to effectively regulate Solar Energy Facilities to avoid or minimize negative impacts to surrounding properties and the public health, safety, and welfare. As part of the study, the Town Board intends to review regulations imposed by other communities and information regarding the growing solar industry, the benefits and impacts of Solar Energy Facilities, and to seek input from the public.

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Section 5. Moratorium. A moratorium is hereby imposed so that during the period of this Ordinance the following are prohibited :

- (a) No application for an amendment to the Development Code related to Solar Energy Facilities shall be submitted, accepted, processed, or acted on; and
- (b) The placement, construction, or expansion of a Solar Energy Facility is prohibited.

Section 6. Exemptions. The moratorium imposed by this Ordinance does not apply to any of the following:

- (a) A Solar Energy Facility classified as a large energy facility under Minnesota Statutes, chapter 216E and constructed pursuant to a site permit issued by the Minnesota Public Utilities Commission;
- (b) The maintenance or repair of an existing Solar Energy Facility; and
- (c) The construction, placement, or expansion of solar panels or other solar facilities on residential properties, provided the electricity generated is used primarily on the property.

Section 7. Application and Duration. This Ordinance shall remain in effect for 12 months from the date of its adoption, until it is expressly repealed by Town Board resolution, or until the effective date of an ordinance amending the Development Code to address Solar Energy Facilities, whichever occurs first. All inquiries regarding the application of this Ordinance shall be submitted to the Town in writing and the Town Board's decision regarding the matter shall be final. As part of interpreting this Ordinance, the Town Board may issue written clarifications of, and variances from, its terms as needed to effectuate its purpose and intent.

Section 8. Penalty and Enforcement. Any person, firm, partnership, corporation, or other entity violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to imprisonment for up to 90 days, a fine of up to \$1,000, or both, plus the costs of prosecution. Each day that a violation occurs shall be considered a separate offense. The Town may enforce this Ordinance through criminal prosecution or by undertaking such civil actions or proceedings, including injunctive relief, as it determines appropriate to prevent, restrain, correct, or abate any violation or threatened violation of this Ordinance. The initiation of one type of enforcement action shall not preclude the Town from instituting any other action or proceeding available to it under law to enforce this Ordinance.

Section 9. Severability. Every section, provision and part of this Ordinance is declared severable from every other section, provision and part thereof. If any section, provision or part of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision or part of this Ordinance.

Section 10. Effective Date. This Ordinance shall take effect immediately upon its adoption.

Adopted this 8th day of March, 2016. **BY THE TOWN BOARD**