

#1-008 Enacting County Ordinances

Section: County Administration
Department: County Administration
Original/Revision Date(s): 10/2025
Last Reviewed: 10/2025 Board or Administrative: Board
Board Resolution # or Administrator Signature: #2025-45
Related Policies:



STATEMENT

This policy establishes general procedures for the preparation, enactment, amendment, and repeal of Waseca County ordinances. Some ordinance types (e.g., parks, shoreland, navigable waters) may have additional or different procedures. At the outset of any ordinance action, the initiating department must consult with the County Attorney's Office to identify these requirements.

DEFINITIONS

Comprehensive Plan: as defined in Minn. Stat. § 394.22, subd. 9

Official Control: as defined in Minn. Stat. § 394.24

Initiating Department: The County department which proposes ordinance to County Board for adoption, amendment or repeal.

SOURCE

Minn Stat. § 375.51 Ordinances; Enactment, Publication

POLICY

It is the policy of Waseca County to adopt, amend, and repeal ordinances in accordance with Minn. Stat. § 375.51 and all other applicable laws. Ordinances must be prepared, reviewed, enacted, published, and filed consistently and in compliance with the law.

The County Board holds the sole authority to enact ordinances. The County Attorney's Office must review all proposed ordinances, amendments, and repealers for legal sufficiency before County Board consideration.

The initiating department is responsible for drafting proposed ordinances and coordinating with the County Attorney's Office, Clerk to the Board, and Property and Election Services Office to ensure proper notice, publication, and filing.

PROCEDURE

Drafting of Ordinance, Amendment, and/or Repealers

Ordinances, amendments, and repealers may be drafted by County staff or the County Attorney's Office and must follow the same procedure as ordinance adoption. All staff-drafted versions are reviewed by the County Attorney's Office before presentation to the County Board.

Repealers are enacted according to the same procedure as ordinance adoption or amendment. Repealers may not be enacted by resolution alone.

Publication of Notice of Intent to Enact

1. A notice of intent must be published in the official newspaper at least ten (10) days before the County Board meeting or hearing. The notice must include:
 - The subject matter of the proposed ordinance;
 - The general purpose of the proposed ordinance; and
 - The time, date, and place of the public hearing.
2. The initiating department prepares the notice of intent to enact and arranges for publication in the official newspaper.
3. Additional notice may be provided as directed by the County Board or Department Head.

County Board Consideration and Adoption

Public Hearings: A public hearing is required before adopting or amending a comprehensive plan or official control. Although not required for all ordinances, it is the policy of Waseca County to hold a public hearing prior to enacting any ordinance. Public hearings are scheduled by the County Board and may be continued from time to time, upon motion of the County Board.

Vote: A majority vote of the full County Board is required to enact an ordinance.

Signature: After adoption, the County Board Chair signs the ordinance and the Clerk to the Board attests it. The initiating department provides the final version to the Clerk, who secures signatures and forwards the signed ordinance to the County Attorney's Office for final approval.

Publication of Adopted Ordinances

Following enactment, an ordinance is published as part of the County Board minutes from the meeting at which it was enacted. The ordinance may be published in its entirety, or in summary form consistent with Minn. Stat. § 331A.10, subd. 10, with notice that a printed copy is available for inspection in the Property and Election Services Office.

The Clerk to the Board ensures the ordinance or its summary is included in the Board minutes.

The initiating department arranges any additional publication required by the County Board or Department Head.

Distribution of Adopted Ordinances

After final approval, the Clerk to the Board sends the original signed ordinance to the Property and Election Services office for official filing and distributes copies to:

- County Administration
- County Attorney
- Initiating Department
- Sheriff's Department

Filing and Recording

The Property and Election Services Office files all adopted ordinances, amendments, and repealers, along with proof of publication for both the notice of intent and the final ordinance.

All documents must be filed within 20 days of publication, and each ordinance is assigned a unique ordinance number.