

**GREATER BEMIDJI AREA JOINT PLANNING BOARD
BELTRAMI COUNTY, MINNESOTA**

Ordinance No. 2023-07

**AN INTERIM ORDINANCE AUTHORIZING A
STUDY AND IMPOSING A MORATORIUM ON JAILS**

The Greater Bemidji Area Joint Planning Board 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, a moratorium within the jurisdictional boundaries of the Greater Bemidji Area Joint Planning Board (“JPB”), which includes all land within the territorial boundaries of the City of Bemidji and Northern Township (collectively, the “JPB Area”), on the establishment or expansion of a jail during the period of this Ordinance in order to protect the planning process and the health, safety, and welfare of the residents within the JPB Area.

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

- (a) The JPB is a governing body for the purposes of the Municipal Planning Act in Minnesota Statutes, Chapter 462 and it has exercised its authority pursuant to the Act to adopt the Greater Bemidji Area Zoning and Subdivision Ordinance (“Zoning Ordinance”);
- (b) Minnesota Statutes, section 462.355, subdivision 4 authorizes the JPB to adopt interim ordinances to regulate, restrict, or prohibit any use, development, or subdivision within the JPB Area;
- (c) The existing Beltrami County (“County”) jail was constructed in approximately 1989 and is located in the downtown of the City of Bemidji in the Mixed Use (UR) District;
- (d) The County proposes to build a new jail and has undertaken a process to select a location within the City as the site for the new jail;
- (e) Under Minnesota Statutes, section 373.05, “Each county shall provide at the county seat, and keep in good repair, a suitable courthouse, supplied with fireproof vaults, a suitable and sufficient jail, and other necessary buildings.”;
- (f) The County has had some preliminary discussions with JPB staff regarding the proposed new jail, but has not requested a formal zoning verification letter from the JPB and has not submitted any applications to the JPB regarding the new jail; and
- (g) The JPB determines it is in the best interests of the public for it to adopt this interim ordinance to study jails as a use and to adopt an amendment to expressly allow jails within the City.