

Court Ruling Issues Second Order for Contempt - City of Long Lake v. City of Orono

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On March 25, 2024, a Hennepin County District Court Judge once again found the City of Orono in [contempt of court](#) in the case City of Long Lake v. City of Orono regarding the Long Lake Fire Department (LLFD) situation. After entering into what appears to be uncharted territory when it was found to be in contempt related to an action between two cities, Orono now finds itself on an apparently unprecedented path when it was found in contempt a second time for violations related to their recruitment and hiring of LLFD firefighters and proposed construction of a garage structure adjacent to LLFD's Station 2.

The Court ruled Orono's actions have hindered the LLFD's service capabilities in violation of the Court's orders, and found it credible that Orono's hiring, if continued unchecked, could be "catastrophic" to LLFD's ability to effectively function. The Court has therefore barred Orono from hiring any additional Long Lake firefighters or unilaterally constructing any structure on the Station 2 site. In addition, Orono has been ordered to pay fines for violations related to the continued recruitment of LLFD firefighters, as well as Long Lake's costs and attorneys' fees related to the motion.

The ruling followed a hearing on February 1, 2024, ordered by the Court after holding the City of Orono in [contempt of court](#) on November 21, 2023. That Order of Contempt resulted from the Court determining that the City of Orono committed multiple violations of the [Order for Temporary Injunctive Relief](#) issued on July 14, 2023.

In its ruling, the Court found that “Long Lake has proven violations of the provision of the Temporary Injunction enjoining Orono from hindering operations of the LLFD before the end of this litigation,” and elaborated with the following (pages 29-30):

Recruiting and Hiring LLFD Members

- “Long Lake established, by a preponderance of the evidence, that Orono willfully disobeyed the Temporary Injunction by hindering operations of the LLFD when it hired ten LLFD firefighters, causing the number of LLFD firefighters serving two departments to rise above 25%. Furthermore, the Court finds that Long Lake established, by a preponderance of the evidence, that Orono willfully disobeyed the Temporary Injunction’s prohibition against Orono’s recruitment of LLFD firefighters by offering a waiver of the standard physical and psychological exam requirements for a class of applicants that included only current LLFD firefighters.” (Page 29, Item 6)
- “Based upon the Court’s finding that Orono’s waiver policy constitutes a recruitment incentive limited solely to LLFD firefighters, and as Orono applied the waiver to two additional firefighters hired after the Temporary Injunction and the First Contempt Order prohibited such recruitment incentives, the Court finds that Orono should be assessed a fine for its continued violations of the Court’s past orders.” (Page 30, Item 10)

LLFD Station 2

- “The Court finds that Long Lake established, by a preponderance of the evidence, that Orono’s proposed construction of an ancillary building next to Fire Station 2, for which plans were prepared and submitted to the Orono City Council, also would hinder the operations of the LLFD.” (Page 29, Item 7)

Finding of Contempt

- “Therefore, Orono is found to be in constructive civil contempt. The Temporary Injunction clearly defined the actions Orono must not take: Orono was enjoined from hindering the LLFD either through the recruitment of LLFD firefighters or through its planning process for an accessory structure that would affect the LLFD’s operation of Fire Station 2. The Court finds that it was well within Orono’s power to comply with the Temporary Injunction, but Orono failed to do so with respect to firefighter recruitment, and it also failed to do so with respect to the impact of its plans for an accessory structure on the operation of Fire Station 2. The Orono City Council’s vote on March 11, 2024 to reject the bids submitted to build the proposed accessory structure does not eliminate the basis for the Court’s finding

of contempt based upon Orono's planning process for the structure prior to that vote, although it does lead the Court to find that no continuing contempt will occur." (Page 29, Item 8)

The City of Long Lake is appreciative of the Court again ruling in favor of the City of Long Lake, the LLFD, and public safety of those we serve. As noted in the Court's injunction against the City of Orono in July, "Orono has competed with Long Lake for scarce firefighting resources in a rush to set up its own fire department early, while the parties' contractual relationship remains ongoing." This [second order of contempt](#) affirms the City of Long Lake's continued position that the safety of residents in the four cities proudly served by the 42 members of the LLFD is paramount along with ensuring the LLFD has the resources it needs to respond to emergencies in our community.

For additional information and details on this ongoing situation, please visit our [Fire Services Updates and Information](#) pages.