



REQUEST FOR ACTION CITY COUNCIL

Agenda Date: 7/15/2025
Agenda Section: Other Business

Department Origination: Community Development

Agenda Item: Adopt Ordinance 2025-009 approving amendments to the City Code to revise the code enforcement program and Adopt Resolution 2025-060 approving amendments to the 2025 fee schedule

Approval Required: Simple Majority Vote

BACKGROUND

The City is requesting City Code Amendments to revise the city's code enforcement program and to approve amendments to the fee schedule relating to the city's code enforcement program. As discussed at the June 16, 2025 City Council Work Session meeting, City staff has been working with the City Attorney to develop a Code Enforcement Program. The attached ordinance and fee schedule amendments are intended to provide the city with updated regulatory tools to enforce the city code.

Code Amendments

The City is requesting code amendments to revise the code enforcement program. Specifically, the City is proposing revisions to the Alternative Methods of Enforcement Section of the City Code 1-4-3. This draft of code amendments provides a comprehensive program for identifying enforcement staff, and defining processes for enforcement, for issuing citations, and for contesting administrative citations. The process includes compliance letters, the citations are issued administratively, and any appeals are addressed by a hearing with the Office of Administrative Law Judges. Staff notes that the citation process is the primary tool that the city intends to use with enforcement. However, the code still allows the city to use other forms of enforcement such as criminal proceedings, Abatement, or other enforcement forms as authorized under law.

The city is also proposing amendments to the nuisance section of the code to bolster code language regarding the storage of personal property and clutter, which has been a difficult area for city staff to enforce. This attached code language should aid staff with enforcement. Additionally, the City is amending the Tall Grass and Weeds section of code to allow the city to use the citation process of enforcement. Lastly, the City is proposing amendments to provide a comprehensive Abatement code. Specifically, the City is proposing emergency and non-emergency abatement processes. The City also defines the staff allowed to complete Abatement, defines the process and regulations regarding Abatement. The Code also identifies the same appeal process as established with the Citations enforcement tool, using the Office of Administrative Law Judges.

Fee Schedule

The City is requesting approval of amendments to the City's 2025 Fee schedule to add citation amounts for First, Second and Third Offences. The schedule of citations amounts are as follows:

Administrative Citations for Code Enforcement

- 1st Citation = \$200. *
- 2nd Citation = \$400.
- 3rd Citation = \$800.

* The city may waive the fee for the 1st citation if the code violation is resolved in a timely manner at the sole discretion of the City.

For unpaid Citations, the City may assess the administrative civil penalty against the property pursuant to Minnesota Statute Chapter 429, as it may be amended from time to time.

If an Administrative Law Judge determines that there is a Finding of Violation, then the offender must reimburse the City for the cost of the hearing, not to exceed \$2,000.

FINANCIAL IMPLICATIONS

The city's collection of citations dollars will go back not the code enforcement program. The citations are not expected to cover the costs of the Code Enforcement Program.

Using the Office of Administrative Law Judges for appeals will create new costs for the City. Present estimates are that each appeal could cost the City between \$2,000 to \$3,000. While staff does not expect that the appeal process will be used often, staff will account for these new potential costs with the annual budget moving forward.

STAFF RECOMMENDATIONS

Staff recommends approval of Ordinance 2025-009 approving amendments to the City Code to revise the code enforcement program and Adopt Resolution 2025-060 approving amendments to the 2025 fee schedule.

COUNCIL ACTION REQUESTED

Motion to Adopt Ordinance 2025-009 approving amendments to the City Code to revise the code enforcement program and Adopt Resolution 2025-060 approving amendments to the 2025 fee schedule.