

CITY OF MAPLE PLAIN

RESOLUTION NO. 2025-0825-02

A RESOLUTION AUTHORIZING THE ABATEMENT OF TALL VEGETATION AND NOXIOUS WEEDS AT 1764 HOWARD AVENUE

WHEREAS, on July 2, 2025, the City of Maple Plain cited the property located at 1764 Howard Avenue, Maple Plain, Minnesota, owned by Mr. Gerald Esnough, for violations of City Code Sec. 6-28(3)(A) related to tall vegetation and noxious weeds; and

WHEREAS, on July 18, 2025, the City issued a final notice before abatement, advising the property owner of the City's intent to enter the property and abate vegetation identified as a nuisance, citing City Code Sec. 6-28(3), City Code Sec. 6-31, City Code Sec. 6-33, City Code Sec. 6-34, and Minn. Stat. § 18.83 as the legal authority for such actions; and

WHEREAS, on July 23, 2025, the property owner formally requested a hearing before the City Council to dispute the violation, asserting that the vegetation constituted a pollinator garden; and

WHEREAS, pursuant to City Code Sec. 6-31, the City Administrator or designated enforcement officers are authorized to inspect private premises, take reasonable precautions to prevent the maintenance of public nuisances, and issue compliance orders requiring abatement; and

WHEREAS, under City Code Sec. 6-33, if a nuisance is not abated within the time required by a compliance order, the City Council may cause the nuisance to be abated at the expense of the City, with costs recovered as a lien and levied as a special assessment under Minn. Stat. ch. 429.101; and

WHEREAS, the City Council has reviewed the evidence presented by City staff and Mr. Esnough and has determined that the conditions on the property constitute a public nuisance as defined by the Maple Plain City Code; and

WHEREAS, the City Council has issued an abatement order directing Mr. Esnough to trim the grass and weeds on his property within seven (7) calendar days of this resolution, or by a specific date established by the Council; and further, if the required action is not completed within the specified timeframe, the Council may proceed to abate the nuisance and recover all associated costs from Mr. Esnough through a special assessment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maple Plain, Minnesota, that:

1. The City Council hereby finds that the property at 1764 Howard Avenue contains tall vegetation and noxious weeds in violation of City Code Sec. 6-28(3), City Code Sec. 6-31, and City Code Sec. 6-34.

2. City staff are authorized to proceed with the abatement of the nuisance vegetation in accordance with the Maple Plain City Code Sec. 6-31, City Code Sec. 6-33, Minn. stat. § 429.101 and Minn. stat. § 18.83.
3. Mr. Escough shall trim grass and weeds on his property within the allotted time or the Council will abate the nuisance and recover all costs through special assessment.
4. All costs of abatement, including administrative fees, shall be assessed against the property in accordance with City Code Sec. 6-33, Minn. Stat. § 429.101 and Minn. Stat. § 429.061, and added to the property's tax roll if not paid within the time specified by the City.
5. This Resolution shall be effective immediately upon its adoption.

Adopted by the City Council of the City of Maple Plain this 25th day of August, 2025.

Mayor: Julie M. Maas-Kusske

City Administrator: Jacob Kolander