



Executive Summary

City Council Business Meeting

AGENDA ITEM-NEW BUSINESS:	Hearing of the Dispute of Nuisance Violation - 1464 Howard Avenue
PREPARED BY:	Kevin Larson, Assistant City Administrator
RECOMMENDED ACTION: Find in Favor of Mr. Esnough Claim of a Pollinator Garden or Staff's Findings and Order the Abatement.	

Summary

Mr. Gerald Esnough has requested a hearing before the City Council to assert that the vegetation at 1764 Howard Avenue qualifies as a pollinator garden and is therefore exempt from the City's tall vegetation and noxious weeds ordinance. Under Minn. Stat. § 412.925, cities must allow property owners to install and maintain a managed natural landscape—defined as planned, intentional, and maintained. The City provides examples of maintained landscapes on its website (www.mapleplainmn.gov/community/page/sustainable-natural-landscapes).

Following inspection, City staff determined that the property is not maintained and does not meet the exemption criteria under Minn. Stat. § 412.925 or City Code § 6-28(3) and therefore may be abated as a nuisance. The City Council will decide whether to enforce City Code §§ 6-28(3), 6-31, 6-33, and 6-34. This decision will either allow Mr. Esnough to retain the property as a pollinator garden in its current condition or authorize abatement for tall vegetation and noxious weed violations.

Background and Timeline of Events:

- July 2, 2025 – Mr. Esnough was cited for a nuisance violation under City Code Sec. 6-28(3)(A) for tall vegetation and noxious weeds.
- July 18, 2025 – A final notice before abatement was sent, advising of the City's intent to enter the property and abate the vegetation identified as a nuisance. The notice cited

City Code Sec. 6-28(3), City Code Sec. 6-34, and Minn. Stat. § 18.83 as the legal authority for these actions.

- July 23, 2025 – Mr. Esnough formally requested a hearing before the City Council to dispute the tall vegetation and noxious weed nuisance violation.

Attached Documents

- Howard Ave 1764 Nuisance Violation Notice 7-2-25
- Howard Ave 1764 Final Letter before Abatement 7-18-25
- Howard Ave 1764 Written Nuisance Violation Dispute Email 7-23-25
- Relevant City Code and State Statute References
- Sustainable Natural Landscapes Reference