

**ORDINANCE NO. 343**

**CITY OF MAPLE PLAIN**

**AN ORDINANCE AMENDING MAPLE PLAIN CITY CODE REGARDING  
NUISANCE PROCEDURES**

THE CITY COUNCIL OF THE CITY OF MAPLE PLAIN DOES ORDAIN:

**SECTION 1. AMENDMENT.** The Maple Plain City Code Chapter 6, Article 2 is hereby amended as set forth below to delete the text in ~~strike through~~ and to add the underlined language as follows:

**Sec. 6-27. – Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned property* means deteriorated, wrecked, or derelict property in unusable condition, which has no apparent value other than nominal scrap or junk value, if any, and which has been left unprotected from the elements, and shall include machinery, refrigerators, washing machines, plumbing fixtures, furniture, cut trees, branches, building materials, general rubbish, tools, benches, deteriorated, wrecked, inoperative or partially dismantled motor vehicles, trailers, or boats, abandoned vehicles, or any other similar articles in the condition.

*Approved driveway* means an off-street area of asphaltic, concrete, or gravel surfacing which provides access to required off-street parking areas.

*Noxious weed* means an annual, biennial, or perennial plant that the commissioner of agriculture designates to be injurious to public health, the environment, public roads, crops, livestock, or other property.

*Private premises* means any premises for which ownership is not within the category described as public premises, and shall include, but not be limited to, that property on which the owner has a place of business or residence.

**Sec. 6-31. – Enforcement.**

- (a) The City Administrator or the administrator's officer as designated by the City Council and all law enforcement officers employed or contracted by the City shall enforce the provisions of this article relating to nuisances. Such officers shall have the power to inspect private premises and take all

reasonable precautions to prevent the commission and maintenance of public nuisances.

- (b) Whenever, in the judgment of the Officer charged with enforcement, it is determined upon investigation that a public nuisance is being maintained or exists within the City, the Officer shall notify by issuing a compliance order to the person committing and maintaining the public nuisance and require said person to terminate and abate the nuisance and to remove the conditions or remedy the defects. The written notice shall be served on the person committing or maintaining the nuisance in person or by registered mail. If the premises are not occupied and the address of the owner is unknown, service on the owner may be had by posting the compliance order on the premises. The compliance order shall require the owner or occupant of the premises, or both, to take reasonable steps within a reasonable time to abate and remove the nuisance, the steps and time to be designated in the notice, but the maximum time for removal of the nuisance after service of the compliance order shall not in any event exceed 30 days. Service of notice may be proved by filing an affidavit of service in the office of the City Administrator setting forth the manner and time thereof. When a compliance order so given is not complied with, the noncompliance shall be reported forthwith to the City Council for the action as may be necessary and deemed advisable in the name of the City to abate and enjoin the further continuation of the nuisance.
- (c) Whenever a written complaint is submitted to the City upon a complaint form furnished by the City, the Officer charged with enforcement shall investigate the complaint within ten (10) business days.
- (d) A compliance order issued under this section may be appealed in the manner and timeframe provided in section 1-21.

### **Sec. 6-33. – Abatement of nuisance by City Council.**

Unless otherwise provided for in this article and without affecting any other penalty provision contained herein, if the person served fails to abate the nuisance or make the necessary repairs, alterations, or changes in accordance with the compliance order, the nuisance shall be brought before the City Council for a hearing. Written notice of the time, date, place and subject of the hearing shall be served on the owner or occupant of the property either in person or by certified or registered mail. The City Council may, after notice to the owner or occupant and an opportunity to be heard, determine that the condition identified in the compliance order is a nuisance and further order that, if the nuisance is not removed, destroyed, or disposed of within a reasonable time to be determined by the City Council, the City may seek injunctive relief, obtain an administrative search warrant, obtain the consent of the property owner to abate the nuisance, or take any other action permitted by law to abate the nuisance at the expense of the City and the City shall recover the expenditure, including all reasonable costs incurred.

### **Sec. 6-34. – Immediate hazard abatement.**

Without need for prior notice, if in the opinion of the official charged with the enforcement of this Code the nuisance complained of constitutes an immediate hazard, one that is a threat to the life, health, safety, or welfare of any person or property, the Officer shall, in addition to compliance with the other provisions of this Code, abate the hazardous conditions by whatever means said officer deems proper taking into consideration the nature and extent of the hazardous condition involved.

Following any immediate hazard abatement and as soon as the costs incurred are known, the Officer charged with enforcement shall serve written notice upon the person committing or maintaining the nuisance. The notice shall contain a description of the nuisance, the action taken by the City to abate the nuisance, the reasons for summary abatement, the costs incurred in abating the nuisance, and a statement informing said person that it may appeal the decision in the manner and timeframe provided in section 1-21.

**Sec. 6-35. – Recovery of cost.**

- (a) Personal liability. The owner of any property on which a nuisance has been abated by the City, or a person who has caused a public nuisance on property not owned by that person, shall be personally liable for the cost to the city of the abatement, including administrative costs. As soon as the work has been completed and the cost is determined, the city clerk or other city official shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the city clerk.
- (b) Assessment. After notice and hearing as provided in Minn. Stat. § 429.061, as it may be amended from time to time, if the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of weeds on private property or outside the traveled portion of streets, or unsound or insect-infected trees, the city clerk shall, on or before September 1 next following abatement of the nuisance, list the total unpaid charges along with all other such charges as well as other charges for current services to be assessed under Minn. Stat. § 429.101 against each separate lot or parcel to which the charges are attributable. The City Council may then spread the charges against the property under that statute and any other pertinent statutes for certification to the county auditor and collection along with current taxes the following year or in annual installments, not exceeding ten (10), as the City Council may determine in each case.

**Sec. 6-~~3536~~—6.56. - Reserved**

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage and publications as required by law.

Adopted by the City Council of the City of Maple Plain this \_\_\_ day of \_\_\_\_\_, 2026.

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Julie M. Maas-Kusske,

Mayor

ATTEST:

\_\_\_\_\_  
Jacob W. Schillander, City Administrator

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