



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: June 6, 2024

Subject: Nuisance Ordinance Review

In an effort to continue the update of the City's Code of Ordinances, staff has prepared an update to the Nuisance ordinance section. As much of the original code was based on the LMC model ordinance at the time, staff has reviewed the most recent version of the model to inform many of the proposed updates. This memo will provide an overview of the proposed amendments, by section:

- Section 1. 9.08.050 - Prerecorded Telephone Alarm Messages Prohibited

This proposed change updates the language to reflect present day technology.

- Section 2. 9.20.010 - General Provisions

The proposed change removes various subsections from this section. These subsections will become their own section for readability.

- Section 3. 9.20.020 - Public Nuisances

This proposed amendment updates language to match the League of Minnesota Cities' model public nuisance ordinance. It also reflects changes imposed by M.S. § 412.925, which sets the weed height standard to 8 inches unless part of a managed natural landscape.

The proposed amendment updates the abatement and assessment process to conform with State law

- Section 4. 9.20.030 - Weeds

The proposed amendment updates definitions to reflect changes due to the 2023 approval of M.S. § 412.925. These changes reduce the permitted heights of weeds, grasses, rank vegetation and other uncontrolled plant growth on the property to 8 inches in height. The

previous standard under this provision was 12 inches. It exempts managed natural landscapes, as defined under M.S. § 412.925 and the City Code from that provision.

- Section 5. 9.20.040 – Clandestine Drug Lab Sites and Chemical Dump Sites

Updates the controlled substance definition to not include adult use cannabis. Updates that the applicable county regulations will apply for household hazardous wastes.

- Section 6. 9.20.050 – Tree Management

Updates the City's Tree Management ordinance to align with the model LMC ordinance. Current ordinance is not being followed and could leave the City with a significant liability for tree removal. This ordinance outlines the inspection process, the enforcement process, abatement and assessment procedures and penalties.

- Section 7. 9.20.060 – Outdoor Storage of Wood

No changes to this language – code numbering changed.

- Section 8. 9.20.070 – Unsolicited Written Materials

No changes to this language – code numbering changed.

- Section 9. 12.08.010 – Licenses Required

Add tree care and tree trimming services as requiring a contractor's license. This is aligning code with current practice.

- Section 10. 12.36.020 – Revisions to International Property Maintenance Code

Reduce weed height from 9 inches to 8 inches.

Code Enforcement staff has reviewed the proposed ordinance and recommends approval.

If you have any questions, please do not hesitate to contact me at 763-784-6491.