

CHAPTER 48. PROPERTY MAINTENANCE STANDARDS

ARTICLE IV Condition of Premises

Section 48-100. Causes of Blight or Blighting Factors.

- (a) It is hereby determined that the uses, structures and activities and abuses of blight or blighting factors described in this article, if allowed to exist, will tend to result in blighted and undesirable neighborhoods so as to be harmful to the public welfare, health and safety. No person shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any property in the city owned, leased, rented or occupied by such person.

- (1) In any area, the storage or accumulation of junk motor vehicles, trash, junk, rubbish, or refuse of any kind; is prohibited.

For the purpose of this section, the term "junk" shall include parts of machinery or parts of motor vehicles; unused stoves or other appliances stored in the open; remnants of wood; decayed, weathered, or broken construction materials no longer suitable for safe, approved building materials; metal or any other material or cast off material of any kind whether or not the same could be put to any reasonable use.

For the purpose of this section, the term "junk motor vehicle" shall include any automobile, snowmobile, truck, motorcycle, or any motor vehicle as defined in Minnesota Statute 169.01, Subdivision 3, part of a motor vehicle or former motor vehicle stored in the open which is (1) unusable or inoperable because of lack of or defects in component parts; (2) unusable or inoperable because of damage from collision, deterioration, or having been cannibalized; (3) beyond repair, and, therefore, not intended for future use as a motor vehicle; or (4) being retained on the property for possible use of salvageable parts; or (5) is not properly and currently licensed within the State of Minnesota..

- (2) In any area the existence of any structure or part of any structure which because of fire, wind, or other natural disaster, or physical deterioration is no longer habitable as a dwelling, nor useful for any other purpose for which it may have been intended.
- (3) In any area, the existence of any vacant dwelling, garage or other out-building, unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals.
- (4) In any area the existence of any noxious or poisonous vegetation such as poison ivy, ragweed or other poisonous plants, or any weeds, grass, brush or plants, which are a fire hazard or otherwise detrimental to the health or appearance of the neighborhood.

Section 48-101. Outdoor Storage.

- (a) In any area zoned as a residential district (R-1, R-2, R-3, R-4, R-5) or in any other zone on a lot which is occupied by a dwelling unit all personal property shall be stored within a building, or within a rear yard, shall be screened with vegetation or a fence to serve as a buffer between adjoining properties and public streets.

- (1) For the purpose of this section, the term "outdoor storage" shall include, but not be limited to the following items; toys, bikes, bike/skate ramps, canoes, paddleboats, fishing boats, truck toppers, snowmobiles, fish houses, lawnmowers, snow blowers, lawn/garden equipment, hunting blinds/stands, 4-wheelers and ATV's.
- (2) Items stored within the rear yard shall be stored at a minimum of five (5) feet from the property line.
- (3) Outdoor storage of the following items shall be limited to two (2) in number and such items shall not be stored in the same location for a period of more than one (1) year; canoes, paddleboats, fishing boats, truck toppers, snowmobiles, fish houses, lawnmowers, snow blowers, hunting blinds/stands, 4-wheelers and ATV's.
- (4) Outdoor storage shall be permitted in the front and side yards during times of use, not to exceed a period of 48 hours.
- (5) The following items are exempt from the foregoing outdoor storage prohibitions;
 - a. clothesline poles and lines
 - b. patio furniture
 - c. barbecue grills
 - d. permanent recreational equipment
 - e. ornamental yard enhancements (landscaping, light poles, trellises, benches designed for exterior use and other permanent improvements designed to enhance the appearance of the yard),
 - f. trampolines
 - g. construction and landscaping material, which shall be consumed or used on the property within thirty (30) days of initial storage and kept in a neat, workman like pile, stacked a minimum of four (4) inches above ground surface.
- (6) Stacked firewood is permitted in the side or rear yard a minimum for five (5) feet from the property line, stacked a minimum of four (4) inches above ground surface, and the stack shall be no higher than six (6) feet.
- (7) All stored vehicles and recreation equipment shall be currently licensed as required by Minnesota State Statutes.
- (8) Carports must be attached to the dwelling or garage. If the carport consists of one or more sides (excluding the common wall of the carport and house or garage), each side shall be constructed of materials that are similar or complementary to the building that the carport is attached to (fabric or tarp-like material is not permitted). The carport shall be used only for stored vehicles, trailers, and recreational equipment.

Section 48-102. Notice to Remove Violations, Effect of Failure to Comply with Notice.

- (a) The owner and occupant of any property upon which any of the causes of blight or blighted factors set forth in this Chapter is found to exist shall be notified in accordance with Chapter 1, Article II. Failure to comply with such notification shall be processed according to Chapter 1, Article II.

Section 48-103. Removal of Weeds, etc., by City.

- (a) In case of failure to remove any blight as defined in this Chapter, within the time prescribed, the City Manager may order the appropriate employee(s) to cut down and remove or otherwise destroy all such noxious, inflammable or detrimental vegetation; and in case of failure to remove junk, trash, rubbish or refuse as defined in this Chapter, the City Manager may order the appropriate employee(s) to remove and dispose of such junk, trash, rubbish or refuse; and in each of the foregoing instances the cost of the work shall be certified to the City Assessor, who shall certify such cost to the County Auditor as a special assessment against the property involved for collection in the same manner as other special assessments. As an additional or alternative remedy, the owners of any interest in the land and the occupant shall be jointly and severally liable for such costs and the costs shall be recoverable in any action brought against any of them in the name of the City.

Section 48-104. Violations and Penalties.

Any person violating any provision of this Article is guilty of a misdemeanor and upon conviction shall be subject to the penalties set forth in the Minnesota Statutes.