

## ORDINANCE NO 37

AN ORDINANCE TO PREVENT, REDUCE, OR ELIMINATE BLIGHTING FACTORS OR CAUSE OF BLIGHT WITHIN THE CITY OF PLATO, MCLEOD COUNTY, MINNESOTA: TO PROVIDE PENALTIES FOR THE VIOLATION HEREOF.

The City Council of the City of Plato ordains:

Section 1. Causes of blight or blighting factors. It is hereby determined that the uses, structures and activities and causes of blight or blighting factors described herein, 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. On and after the effective date of this ordinance no person, firm or corporation of any kind shall maintain or permit to be maintained, including any existing condition, any of these causes of blight or blighting factors upon any property in the City of Plato owned, leased, rented or occupied by such person, firm or corporation:

- a. In any area, the storage upon any property of junk automobiles. For the purpose of this ordinance, the term "junk automobiles" shall include any motor vehicle, part of a motor vehicle or former motor vehicle, stored in the open, which is not currently licensed for use upon the highways of the State of Minnesota, and is either (1) unusable or inoperable because of lack of, or defects in component parts; or (2) unusable or inoperable because of damage from collision, deterioration, or having been cannibalized; or (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.
- b. In any area the storage or accumulation of junk, trash, rubbish or refuse of any kind, except refuse stored in such a manner as not to create a nuisance for a period not to exceed thirty (30) days. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open; Remnants of wood; decayed, weathered or broken construction materials no longer suitable for sale, 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.
- c. 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.
- d. 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.
- e. 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.
- f. In any area the prohibited condition as described, set forth and prohibited by Ordinance No. 32 adopted January 7, 1985.

Section 2. Enforcement and Penalties.

- a. The owner and the occupant of any property upon which any of the causes of blight or blighted factors set forth in Section 1 hereof is found to exist shall be notified in writing by the City Clerk to remove or eliminate such causes of blight or blighting factors from such property within ten (10) days after service of the notice upon him. Such notice may be served personally or by mail the same by registered mail, return receipt requested, to the last known address of the owner and, if the premises are occupied, to the premises. Additional time may be granted by the City Council where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
- b. Failure to comply with such notice within the time allowed shall constitute a violation of this ordinance.
- c. Violation of this ordinance shall be a misdemeanor.
- d. In case of failure to remove any blight as defined in Section 1 within the time prescribed, the City Council may:
  - (i) Order blighting conditions removed by City employees, or
  - (ii) Enter into a contract with an appropriate third party for the removal of the blighted conditions,
 and upon determination of the cost therefore shall certify the cost thereof to the City Clerk. The City Clerk 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 said 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

name of the City. All remedies available to the City shall noncumulative and the election of one remedy shall not prevent the City from pursuing another, including whether or not the responsible party has been prosecuted for an ordinance violation.

Section 3. Effective Date. The Ordinance takes effect upon passage and Publication.

Adopted this 4th day of November 1985.

Approved: Tim Pinske, Mayor

Attest: Kathleen Stuedemann, Clerk

Published in the Glencoe Enterprise November 7, 1985