

ORDINANCE 61

AN ORDINANCE PROVIDING FOR THE DISPOSAL AND ABATEMENT OF PUBLIC NUISANCES CAUSED BY BLIGHTING FACTORS WITHIN THE CITY OF WOLVERTON, AND IMPOSING PENALTIES.

THE CITY COUNCIL OF THE CITY OF WOLVERTON HEREBY ORDAINS:

SECTION I. DECLARATION OF PUBLIC NUISANCE

1. It is hereby determined that the accumulation or storage of debris within the City of Wolverton create an unsightly condition tending to reduce the value of private property, invite plundering, create fire hazards, attract vermin, and constitute a nuisance creating a hazard to the health and safety of the public.

2. Therefore, the accumulation and outside storage of such debris on private or public property is hereby declared a public nuisance which may be abated as provided herein or by Minnesota State Law.

SECTION II. DEFINITIONS

1. The following words used in this Ordinance shall, in addition to the usual meaning thereof, include the following meanings:

A. PERSON: Person means any natural person, firm, partnership, association, corporation, company or organization of any kind.

B. DEBRIS: Garbage, refuse, used, weathered or broken construction materials no longer suitable for resale, wreckage from buildings or other structures, parts of machinery or vehicles, unused appliances, piles of dirt, junk metals or other cast off materials of any kind, whether or not the same could be put to any reasonable use.

SECTION III. STORAGE AND ACCUMULATION OF DEBRIS

1. No person shall keep, deposit or store any debris on any premises within the City of Wolverton, unless it is kept within a building and is so kept or stored therein as to prevent any danger of fire and so as not to be injurious to health and well being of the community and so as not to be in violation of any other ordinance or law. Further, no person shall keep or maintain any vacant dwelling, garage, or other out building unless such buildings are kept painted, in good repair, windows kept glazed and otherwise protected to prevent entrance by vandals. Portions of buildings shall not be allowed to exist within the City of Wolverton for more than 30 days.

2. This shall not apply to garbage kept within a covered metal or ridged plastic, fly-proof container and which is periodically removed and disposed of at intervals

not exceeding one (1) week.

3. This Ordinance, insofar as it applies to junk material shall not apply to junk dealers licensed under other Ordinances of the City.

SECTION IV. ENFORCEMENT & PENALTIES

1. Enforcement of this Ordinance may be initiated by the City & by citizen complaint. If any person violates any provision of this Ordinance, the City or its designee shall cause to be mailed or served upon such person a written notice. The notice shall describe the violation and order the person responsible for the violation to abate the nuisance within a reasonable time, which shall be stated in the notice. If the person fails to abate the nuisance within the time stated in the notice, the City or its designee may, in addition to any other penalty provided in this Ordinance, cause said nuisance to be abated at the expense of the owner and/or occupant of the property. If the City of Wolverton or its designee abates the nuisance, the City Clerk shall promptly bill the owner and occupant for the cost of abatement and if payment is not promptly made, the cost shall be levied as a special assessment against the property. In the event the owner or the occupant of the property cannot be located, no notice need be given and the City or its designee may proceed with abatement.

2. Any person who maintains a nuisance in violation of the provisions of this Ordinance, or who when notified by the City or its designee fails to abate said nuisance within the time stated in such notice, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of up to \$700 or by imprisonment up to ninety days, or both plus costs of prosecution. Each violation shall constitute a separate offense.

SECTION V. ENTRY UPON PRIVATE PROPERTY FOR REMOVAL & ABATEMENT

1. Any person, at the direction of the City or its designee is hereby expressly authorized to enter upon private property for the purpose of enforcing this Ordinance. The City and its designee shall give such direction only in compliance with this Ordinance, and all Federal or State Law, and only when necessary.

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SECTION VI. EFFECTIVE DATE & REPEALS

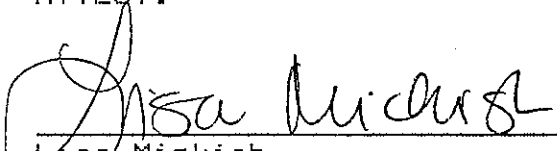
1. This Ordinance shall take effect immediately upon its passage and publication. The following Ordinance of the City of Wolverton is hereby repealed, to wit: Ordinance 52.

Adopted by the City Council of the City of Wolverton, Minnesota, this 10th day of Sept., 1996.



Steve Blilie, Mayor

ATTEST:



Lisa Mickish
City Clerk

First Reading: 8/13/96
Second Reading: 9/10/96
Passed: 9/10/96
Published:

1.74