

Schiff

Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to Zoning Code: Introductory Provisions.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That definition in Section 520.160 of the above entitled ordinance be amended to read as follows:

520.160. Definitions. Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. All words and phrases not defined shall have their common meaning.

Zoning administrator. The director of the Minneapolis City Planning Department ~~City of Minneapolis Inspections Department~~ or his or her authorized representative.

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Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 525.90 of the above-entitled ordinance be amended to read as follows:

525.90. Zoning administrator. (a) *Establishment.* There is hereby established the office of the zoning administrator. The zoning administrator shall be the planning director ~~director of inspections~~ or his or her authorized representative.

(b) *Jurisdiction and authority.* The zoning administrator shall have the following powers and duties in connection with the administration of this zoning ordinance:

- (1) To interpret and administer the provisions of this zoning ordinance and maintain records of such interpretations.
- (2) To issue zoning certificates and maintain records thereof.
- (3) To maintain permanent and current records of this zoning ordinance, including but not limited to all maps, amendments, conditional use permits, variances, appeals, site plan reviews and expansions or changes of nonconforming use, and applications therefor.
- (4) To provide information relative to all matters arising out of the zoning ordinance.
- (5) To receive, review, file and forward all complete land use applications to their respective review bodies, as provided in this zoning ordinance.
- (6) To review and make recommendations on proposed amendments to this zoning ordinance.
- (7) To issue zoning certificates regulating temporary uses, pursuant to Chapter 535, Regulations of General Applicability.
- (8) To issue certificates of nonconforming use for structures, pursuant to Chapter 531, Nonconforming Uses and Structures.

- (9) To maintain all zoning records which are a part of the administration of the zoning codes adopted in 1924 and 1963.
- ~~(10)~~ To enforce this zoning ordinance by commencement of appropriate administrative and legal remedies, including but not limited to issuance of citation or written orders, or reference to the city attorney for issuance of a formal complaint.
- ~~(11)~~(10) To serve as the secretary for the board of adjustment.
- ~~(12)~~(11) To establish and administer rules and regulations relating to the administration of this zoning ordinance, including application forms.
- ~~(13)~~(12) To consult with the city engineer to determine compliance with standards for uses within the FP Floodplain Overlay District, as specified in Chapter 551, Overlay Districts, and maintain records thereof, and notify the Minnesota Commissioner of Natural Resources when the giving of any notice is required by this zoning ordinance.
- ~~(14)~~(13) To perform the administrative review of permitted communication towers, antennas, and base units.
- ~~(15)~~(14) To perform minor site plan administrative review, as specified in Chapter 530, Site Plan Review.
- ~~(16)~~(15) To take such other actions as reasonable and necessary for the administration ~~and enforcement~~ of this zoning ordinance.

Section 2. That a new Section 525.95 of the above-entitled ordinance be added to read as follows:

525.95. Director of inspections. The director of inspections shall have the following powers and duties in connection with the administration of this zoning ordinance:

- ~~(1)~~ To enforce this zoning ordinance by commencement of appropriate administrative and legal remedies, including but not limited to issuance of citation or written orders, or reference to the city attorney for issuance of a formal complaint.
- ~~(2)~~ To take such other actions as reasonable and necessary for the enforcement of this zoning ordinance.

Section 3. That Section 525.110(b)(2) of the above-entitled ordinance be amended to read as follows:

525.110. Board of adjustment.

(b) *Jurisdiction and authority.* The board of adjustment shall have the following powers and duties in connection with the administration of this zoning ordinance:

- (2) To hear and decide appeals from any order, requirement, decision, determination or interpretation made by the zoning administrator, director of inspections, planning director or other official in the administration or the enforcement of this zoning ordinance.

Section 4. That Section 525.170 of the above-entitled ordinance be amended to read as follows:

525.170. Appeals of decisions of the zoning administrator. All findings and decisions of the zoning administrator, director of inspections, planning director or other official involved in the administration or the enforcement of this zoning ordinance shall be final subject to appeal to the board of adjustment, except as otherwise provided by this zoning ordinance. Appeals may be initiated by any affected person by filing the appeal with the zoning administrator on a form approved by the zoning administrator. All appeals shall be filed within twenty (20) calendar days of the date of the decision. Timely filing of an appeal shall stay all proceedings in the action appealed, unless the zoning administrator certifies to the board of adjustment, with service of a copy to the applicant, that a stay would cause imminent peril to life or property, in which case the proceedings shall not be stayed. The board of adjustment shall hold a public hearing on each complete application for an appeal as provided in section 525.150. All findings and decisions of the board of adjustment concerning appeals shall be final, subject to appeal to the city council as specified in section 525.180.

Section 5. That Section 525.540 of the above-entitled ordinance be amended to read as follows:

525.540. Complaints regarding violations. The director of inspections ~~zoning administrator~~ shall have the authority to investigate any complaint alleging a violation of the zoning ordinance or the conditions of any zoning approval and to take such action as is warranted in accordance with the procedures set forth in this chapter.

Section 6. That Section 525.550 of the above-entitled ordinance be amended to read as follows:

525.550. Procedures upon discovery of violations. (a) *Notice of violation.* The director of inspections ~~zoning administrator~~ shall provide a written notice to the property owner or to any person responsible for such violation, identifying the property in question, indicating the nature of the violation, and ordering the action necessary to correct it, including a reasonable time period to remedy the violation. The written notice shall advise that the ~~zoning administrator's~~ decision or order may be appealed to the board of adjustment in accordance with the provisions of section 525.170. Additional written notices may be provided at the ~~zoning administrator's~~ discretion of the director of inspections. Where the violation involves work being done contrary to the provisions of this zoning ordinance, the director of inspections may order the work stopped. No further work shall be undertaken while a stop-work order is in effect.

(b) *Enforcement without notice.* Whenever the director of inspections ~~zoning administrator~~ finds that an emergency exists in relation to the enforcement of the provision of the zoning ordinance which requires immediate action to protect the health, safety or welfare of occupants of any structure, or the public, the director of inspections ~~zoning administrator~~ may seek immediate enforcement without prior written notice, notwithstanding any other provision of this ordinance.

Section 7. That Section 525.560 of the above-entitled ordinance be amended to read as follows:

525.560. Conditional use permit and site plan review revocation. (a) *In general.* The director of inspections ~~zoning administrator~~ shall have the authority to recommend revocation of a conditional use permit or site plan review approval to the city council when the director of inspections ~~zoning administrator~~ has determined that the terms of such approval have been violated, subject to section 525.550 above.

(b) *Revocation hearing.* The zoning and planning committee of the city council shall hold a public hearing to determine whether there has been a violation of the conditional use permit or site plan review approval and whether the conditional use permit or site plan review approval shall be revoked. Not less than ten (10) days before such public hearing, the director of inspections ~~zoning administrator~~ shall mail notice of the hearing to any person responsible for such violation, the owner(s) of record of the subject property, all owners of record of property located in whole or in part within three hundred fifty (350) feet of the boundaries of the subject property and the registered neighborhood group(s) for the neighborhood in which the subject property is located. The failure to give mailed notice to individual property owners, or defects in the notice, shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.

Section 8. That Section 525.570(d) of the above-entitled ordinance be amended to read as follows:

525.570. Fees for reinspection of property to determine abatement.

(d) *Waiver.* Upon written request by the applicant, the director of inspections ~~zoning administrator~~ may, for good cause shown and without any notice or hearing, waive a reinspection fee.

Section 9. That Section 525.580(c) of the above-entitled ordinance be amended to read as follows:

525.580. Penalties and remedies for violations.

(c) Each day that any violation continues after notification by the director of inspections ~~zoning administrator~~ that such violation exists shall be considered a separate offense for purpose of the penalties and remedies specified in this section.