

2008-Or-___

**AN ORDINANCE
of the
CITY OF
MINNEAPOLIS**

By Hofstede

**Amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances
relating to Housing: Vacant Dwelling or Building, Nuisance Condition.**

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

Section 1. That Section 249.20 of the above-entitled ordinance be amended to read as follows:

249.20. Findings. The city council finds, determines and declares that buildings which remain vacant and unoccupied for any appreciable period of time become an attractive nuisance to children, a harborage for rodents, and invitation to derelicts, vagrants and criminals as a temporary abode, and an increased fire hazard, and increased risk of explosion due to the theft of internal piping, and that the unkept grounds surrounding such property invite the dumping of garbage and rubbish thereon; that such buildings are permitted to become dilapidated since such buildings are often economically obsolete and the owners of such buildings are unwilling to expend the necessary funds to repair or raze the buildings; that such buildings contribute to the growth of blight within the city, depress market values of surrounding properties to the detriment of the various taxing districts and require additional governmental services; that the use and maintenance of property in such condition and manner endangers the public safety and health, constitutes an unreasonable use and condition to the annoyance, discomfort and repose of a considerable number of the public, is detrimental to the public good and to the common welfare; and renders a considerable number of the public insecure in the use and enjoyment of their property, and thus may constitute a nuisance condition. Adequate protection of public health, safety and welfare, therefore, requires the establishment and enforcement of the means by which such nuisance conditions may be abated.

Section 2. That Section 249.25 of the above-entitled ordinance be amended to read as follows:

249.25. Securing vacant buildings. (a) In general, if any building becomes vacant or unoccupied and is deemed hazardous due to the fact that the building is open to trespass and has not been secured and the building could be made safe by securing the building, the director of inspections may order the building secured and shall cause

notice of the order to be served upon the owner of the premises. Such notice may be served personally or by mail. Service by mail is complete upon mailing a copy of the order to the owner at the last known address. If the owner fails to comply with the order within six (6) days after the order is served, the director of inspections shall cause the building to be boarded up or otherwise properly secured. Whenever a building is boarded up pursuant to the authority of this chapter, the director of inspections may cause all openings to the building to be boarded and secured.

- (b) Emergency. When it is determined by the director of inspections or the chief of police, or the fire chief that an emergency exists with respect to the health or safety of persons in the community, and immediate boarding and securing of a building is required, and where danger will exist to children, transients or others in the absence of an immediate boarding or securing of the building, the director of inspections or the chief of police, or the fire chief may waive all requirements herein and immediately board or otherwise secure the building, provided that:
 - (1) The conditions showing the existence of an exigency are documented in writing by the director of inspections or the chief of police or the fire chief or their designees.
 - (2) Notice be mailed immediately by the department invoking this section to the address of the owner and taxpayer, and, if recorded on the assessors rolls, the address of the mortgage holder, of the date of boarding or otherwise securing and the reasons therefor.
- (c) After a vacant or unoccupied building has been boarded or otherwise secured under this section, should the owner fail to maintain the building in a secured condition until such time as it has been repaired and reoccupied, the director of inspections shall resecure any openings into the building whenever it again becomes open to trespass, without further notice to the owner. An administrative fee of one hundred dollars (\$100.00) and all other costs incurred by the city for boarding or otherwise securing a building under this chapter, including, but not limited to the actual costs for boarding, inspecting, posting and monitoring the building, shall be assessed as provided in section 227.100. "Owner," for the purposes of this section, shall mean the person who is listed as the contact person on the current rental licensing application on file with the city, if any; or, if none, the person listed as owner by the city assessor on the homestead record; or, if none, the taxpayer as shown by the records of the city assessor. "Owner" shall not include a community development agency organized pursuant to the Laws of Minnesota 1980 Chapter 595.
- (d) After a vacant or unoccupied building has been boarded or otherwise secured under this section for a period of 60 days, the owner of the building shall have the gas to the building turned off and the building winterized. If the owner fails to have the gas to the building turned off the director of inspections may order the utilities company to shut off the gas to the building. The director of inspections

shall then require the building to be winterized to prevent the water pipes from freezing and damaging the building. The costs incurred by the city for winterizing the building shall be assessed as provided in section 227.100.