

An Ordinance to Prevent, Reduce or Eliminate Blighting Factors Within the City of Finlayson and to Provide Penalties for the Violation Thereof.

Paragraph I: Causes of Blight or Blighting Factors

1. 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, any of these causes of blight or blighting factors upon any property in the City of Finlayson 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, alteration or other factors; 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.
 - (a.) A classic car or pioneer car, as defined in Minn. Statutes 168.10, shall not be considered a junk automobile within the meaning of this Ordinance. Vehicles on the premises of junk yards and automobile graveyards, which are defined, maintained and licensed in accordance with Minn. Statutes 161.242 or which are licensed and maintained in accordance with local laws and zoning regulations, shall not be considered junk automobiles within the meaning of this Ordinance.
 - B. In any area the storage or accumulation of junk, trash, rubbish or refuse of any kind, except refuse stored in such 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 as approved building materials; metal or 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 or 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 over 6 inches tall, brush or plants, which are a fire hazard or otherwise detrimental to the health or appearance of the neighborhood.

Paragraph II: Enforcement and Penalties

1. The owner and the occupant of any property upon which any of the causes of blight or blighting factors set forth in Paragraph I 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 enforcement officer where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.
2. Failure to comply with such notice within the time allowed shall constitute a violation of this Ordinance.
3. Violation of this Ordinance shall be a misdemeanor.
4. In the case of failure to remove any blight, as defined in Paragraph IE, within the time prescribed, the City Council may order the weeds to be cut by city personnel and to remove or otherwise destroy all such noxious, inflammable or detrimental vegetation, and shall certify such costs 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 the name of the City of Finlayson.

Paragraph III: Penalty

1. Any person violating any provision of this Ordinance is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than \$500.00 or imprisonment for not more than ninety (90) days in the county jail, or both.

Paragraph IV: Effective Date

1. This Ordinance becomes effective upon its passage and publication according to law.

Passed 3-11-94. (Published 3-21 + 3-28-94)

Unnumbered
passed 3/11/96

BLIGHT

The provisions of paragraphs B and E are covered by Chapter 92 of the MBC. The provisions of C are covered by the state Hazardous Building Law. The city may wish to include the provisions of paragraphs A and D in TITLE XVII. In my proposed instructions to ALP (above), I provide language to do this.