

RESOLUTION NO. 2016-279

RESOLUTION UPDATING A PROCESS FOR CODE ENFORCEMENT AND NUISANCE ABATEMENT

WHEREAS, the City of Isanti had desired a more efficient and effective process for the abatement of City Code violations and nuisance complaints; and,

WHEREAS, Resolution No. 2007-025 was adopted by the City Council on February 6, 2007; which established a nuisance abatement process; and,

WHEREAS, since the adoption of Resolution No. 2007-025, several actions by the City Council have further amended and re-defined this process. This resulted in adoption of Resolution 2014-096 which clarified and standardized the enforcement process; and,

WHEREAS, the process now includes action against repeat nuisance violations within a twelve (12) month period; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota that this Resolution No. 2016-279 Replaces Resolution No. 2014-096, in its entirety as well as nullifies any subsequent action previously taken by the City Council to amend the original nuisance abatement process outlined in Resolution No. 2007-025.

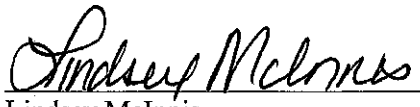
NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Isanti, Minnesota to hereby approve the following code enforcement and nuisance abatement process:

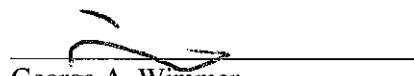
1. Enforcement of the Nuisance Ordinance and other City Code violations can be either complaint driven or inspection based. Complaints received against property owners that have been deployed, City staff is granted discretion and due diligence when dealing with these residents.
2. A letter is sent to the property owner(s) and/or tenant(s) responsible for the City Code violation. The property owner(s) and/or tenant(s) are given fourteen (14) consecutive calendar days to comply with City Ordinances.
3. After fourteen (14) days, the property will be re-inspected. If the cause of the violation has not been corrected and the property fails to comply with City Ordinances, the property owner(s) and/or tenant(s) may be issued an Administrative Citation. In addition, the matter may be referred to the City Council for abatement and/or the Police Department and City Attorney in the event that criminal action is necessary.
4. The property owner and/or occupant is given ten (10) days to pay the Administrative Citation fine and bring the property into compliance, or contact the City to request an Administrative Hearing at which time the property owner and/or occupant will be found guilty or not guilty of the violation. In the event that the property owner and/or occupant are found not guilty, the City reserves the right to pursue an administrative penalty or a criminal conviction for a violation of the same provision of the City Code based on a different set of facts.
5. In the case, the matter is referred to the City Council for consideration of abatement, the proceedings are as provided in 216-6 of the Code of the City of Isanti.
6. In the event of a repeat violation of the same, or of a similar nature, which was previously cleared, occurring within a twelve (12) month period on the same property, owned by the same property owner, the violator will be immediately issued an Administrative Citation.
7. The City Council priority for enforcement of City Ordinances is as follows:
 - a. Health and safety issues constituting a violation of City, State, or Federal law shall be abated immediately utilizing any and all law enforcement procedure that is available.
 - b. Clean-up of junk, debris, discarded material, and hazardous situations. This includes

- garbage, outdoor refrigerators, salvage materials, etc.
- c. Address long grass, weeds or other deteriorating situations; to include snow shoveling as well.
 - d. Address vehicles and trailers without current license, particularly if they are inoperable. This would also include broken down machinery, disassembled machinery, wrecked vehicles, etc.
 - e. Address vehicles and trailers parked in the yard, not on the driveway. This also includes parking of machinery/vehicles not on impervious or unimproved surface, property locations, etc.
 - f. All other items, to include farm animals, sprinkling, etc.
7. Large lot mowing, nuisance mowing, and sidewalk snow/ice violations, shall follow the process and procedures as adopted by Resolution of the City Council.

This resolution was duly adopted by the Isanti City Council this 20th day of September 2016.

Attest:


Lindsey McInnis
Human Resources/City Clerk


George A. Wimmer
Mayor

(SEAL)