

SECTION 609
PROPERTY MAINTENANCE

SUBSECTIONS:

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609.100: **FINDINGS AND PURPOSE:** The purpose of this Section is to establish standards that define the obligations of property owners to maintain the condition of their property, dwellings and structures on the property and personal property located on the property. The City Council finds that property and structures that are not maintained are harmful to the general welfare of the residents in the area and are not conducive to the City's goals as set out in its 2030 Vision and Strategic Plan. The City Council believes it is necessary to establish Property Maintenance criteria and standards in order to:

- (1) Preserve the value of commercial and residential property within the City;
- (2) Protect the character and stability of neighborhoods within the City;
- (3) Provide for minimum standards of maintenance for commercial and residential property within the City and ensure compliance;
- (4) Establish a mechanism to cause correction to conditions on properties that do not comply with the standards of maintenance established herein.
- (5) Assist in the identification and correction of dangerous or life threatening conditions that may be identified within the City.
- (6) Provide a mechanism to mitigate potential public health issues identified within the City.

609.200: **DEFINITIONS:** For the purpose of this ordinance, the following definitions shall apply.

Accessory Structure means a use or a structure subordinate to the principal use or structure on the same land and customarily incidental thereto. Accessory buildings or structures shall include, but are not limited to: decks, porches, detached garages, and sheds.

Building means any structure having a roof which may provide shelter or enclosure of persons, animals or chattel. Buildings shall include, but are not limited to: dwellings, offices, warehouses, and stores.

Firewood means split wood or unsplit wood logs cut into lengths not exceeding three (3) feet for the purpose of burning in a fireplace or as a recreational fire on the property.

Property means a legally described parcel of land, including but not limited to structures, parking lots, landscaping, lighting, signs and all other physical elements on the site and the use, operation and functioning of these elements. Property shall include any developed or undeveloped land, parcel or platted lot, including any buildings, structures, and accessory structures thereon.

Structure means anything constructed or erected, the use of which requires a location on the ground. Structures include, but are not limited to advertising signs, billboards, towers and fences greater than 6 feet in height, pavilions, gazebos, pergolas, trellises, retaining walls greater than 4 feet in height, and swimming pools.

609.300 BUILDING AND STRUCTURE APPEARANCE AND MAINTENANCE

REQUIREMENTS: Any property, building or structure, including an accessory structure, is a violation of this ordinance and a public nuisance if its exterior does not comply with the following requirements:

609.301: The exterior of all buildings and structures shall be maintained in good repair, structurally sound and in a sanitary condition so as not to pose a threat to the public health, safety or welfare of other property owners in the vicinity.

609.302: All buildings shall have complete siding. Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, or falling or loose stucco or brick with an area of one (1) square foot to prevent vermin, mold, rot, deterioration and other structural damage, and to protect the value of properties in the vicinity.

609.303: **Graffiti:** It shall be the responsibility of the owner to restore any exterior surface of any structure or building surface damaged, mutilated or defaced by any marking, carving or graffiti by removing such exterior markings. Such repair shall be completed within ten (10) days after said defacement.

609.304: All doors, windows, and gutters shall be operable and maintained in good repair, shall fit within their frames and shall be free of open breaks or holes in order to prevent vermin, mold, rot, deterioration and other structural damage, to maintain energy conservation, and to protect the value of properties in the vicinity.

609.305: In all districts, fences, retaining walls and landscaping shall be maintained so as to prevent health hazards, or unsafe conditions. Fences, retaining walls and landscaping shall be free of open breaks or holes.

609.400 COMPLETION OF EXTERIOR WORK AND DEMOLITION WORK

609.401 **Completion of Exterior Work.** In accordance with Minnesota Rules 1300.0120, subp. 11, every permit issued shall become invalid unless the work authorized by the permit is commenced within 180 days after its issuance, or if the work authorized by the permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official may grant, in writing, one or more extensions of time, for periods not more than 180 days each. The

extension shall be requested in writing, before the expiration date of the permit. The request for an extension shall include the reasons the permit holder was not able to meet the timelines in the permit. In order to grant an extension the building official must find that an extension of the permit is justified due to circumstances beyond the control of the permit holder.

609.402 **Demolition Projects.** All demolition projects that are not part of a new construction project shall be completed within ninety (90) days of issuance of the demolition permit. Completion of work requires site clean-up, disposal of all material, and final grading and turf establishments. Prior to the expiration of the initial demolition permit, the permit holder may request in writing an extension to allow completion of the demolition work. The Building Official may authorize an extension beyond the initial ninety (90) day period, upon a showing by the permit holder that the failure to complete the demotion project was due to circumstance beyond the control of the permit holder. The maximum extension may not exceed thirty (30) days.

609.500 FIREWOOD AND CONSTRUCTION MATERIAL STORAGE:

609.501: No wood or wood product, with the exception of firewood and construction materials shall be kept or stored on property in a Residential Use districts, except as provided for herein.

Construction materials for on site work may be stored on the residential property, if the property owner has a building permit for the on-site work. Construction and landscaping material, which shall be consumed or used on the property within the next thirty (30) days and kept in a neat, workman like fashion.

Firewood may be stored in Residential Use districts solely for use on the premises and not for resale.

609.502: All firewood located on a residential lot shall be stored as follows:

609.503: Firewood shall be stored or kept in a neat and secure stack (maximum of two cords, defined as 128 cubic feet per cord), which shall be no higher than five feet.

609.504: No firewood shall be stored in the front yard. No firewood shall be stored within five (5) feet of any rear or side property line unless the wood is stored in an accessory structure meeting all required structure setbacks.

609.505: The firewood stacks shall not be allowed to become infested with rats, rodents, or vermin, or stacked in a manner that presents a hazard by virtue of collapse.

609.506: Tree limbs, roots, and other brush shall be promptly removed from the property.

609.600 OTHER OUTDOOR STORAGE: Except as provided for in Sections 609.601 through 609.603 or as specifically allowed within a Use district established by the Zoning Code, all materials and equipment shall be stored within a structure.

609.601: Clothesline poles and lines, play equipment, garden equipment, patio furniture, and trampolines shall not be considered outdoor storage.

609.602: Temporary storage pods used to store items during house remodeling may be kept on the driveway for a period not to exceed ninety (90) days except by CUP application for major remodeling.

609.603: No pallets shall be stored on the property seven days after they are no longer used.

609.800: **PENALTY:** Any person violating the terms of this Section shall, upon conviction thereof, be found guilty of a misdemeanor and shall be punished in accordance with the penalties established by Minnesota Statutes. Each day the offending condition exists or is maintained upon the property shall constitute a separate offense.

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