

**Canosia Township  
Anti-Blight Ordinance  
Ordinance #2018-xx  
January 1, 2018**

**SECTION 1: PURPOSE**

The purpose of this Ordinance is to define, prohibit and abate blights and nuisances; to protect, preserve, and promote public health, safety and welfare; and to preserve and protect property values in Canosia Township.

**SECTION 2: INTENT**

It is the intent of these regulations to establish reasonable guidelines and standards concerning damaged or uninhabitable structures (including dwellings, mobile homes, travel trailers, campers and other recreational vehicles) on properties, that if not regulated would have the potential to cause blight and devalue property. The exercise of these regulations, shall within reason, not:

- A. Interfere with the use of habitable structures, mobile homes or recreational vehicles.
- B. Discourage the keeping and/or restoration of vehicles having antique or classic value, and other vehicles stored temporarily that are not in junk or salvage condition.
- C. Abrogate any other normal good practice use of property that is in character with the neighborhood area.

The exercise of these regulations in Canosia Township shall give full consideration to the property's neighborhood environment, the intention of the landowner with respect to mitigation of the damaged condition, the period of time that the damaged or uninhabitable condition has existed, the zoning classification of the property, the environmental features of the property and adjoining properties, the impact on safety, and in general, the impact on the character of Canosia Township.

**SECTION 3: DEFINITIONS**

**A. BUILDING**

“Building” includes any structure or part of a structure.

**B. HAZARDOUS BUILDING OR HAZARDOUS PROPERTY**

“Hazardous building or hazardous property” means any building or property, which because of inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abandonment, constitutes a fire hazard to public safety or health.

**C. MUNICIPALITY**

“Municipality” means a county, city, or town.

**D. OWNER, OWNER OF RECORD, AND LIENHOLDER OF RECORD**

“Owner,” “owner of record,” and “lienholder of record” means a person having a right or interest in property described in Section 3A above and evidence of which is recorded in the office of the county recorder or registrar of titles in the county in which the property is situated.

#### **SECTION 4: CAUSES OF BLIGHT OR BLIGHTING FACTORS**

It is hereby determined that the following structures and junk are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. On and after the effective date of the Ordinance, no person, partnership, limited liability company, corporation, or any other entity shall maintain or permit to be maintained the below listed causes of blight or blighting factors upon any property in Canosia Township owned, leased, rented or occupied by a person, partnership, limited liability company, corporation, or any other entity:

##### **A. DAMAGED OR UNUSABLE BUILDINGS**

The existence of any structure or part of structure which because of fire, wind, natural disaster, or physical deterioration, which in the judgment of the Town Board is an unusable structure and is no longer habitable as a dwelling or useful for any other purpose; and/or

##### **B. MOBILE HOMES, TRAVEL TRAILERS, CAMPERS, OR RECREATIONAL VEHICLES**

Mobile homes, travel trailers, campers, or recreational vehicles which have been damaged by fire, wind, natural disaster or are in disrepair such that they can not be used for the use intended or not in normal use for a period of one (1) year; and/or

##### **C. JUNK, TRASH AND RUBBISH**

The storage or accumulation of junk, trash, rubbish, debris or refuse of any kind, except in a completely enclosed building or shielded from view from adjoining properties or a public road by means of one or more of the following which has been approved by the Township: plantings, natural vegetation, topography or structure approved by the Township. The term "junk" shall include old unused equipment, appliances, unusable remnants of demolished buildings, metal or other cast off materials of any kind stored in the open whether or not such materials could be put to any reasonable use. Farm machinery in normal use is exempt from the provisions of this section.

#### **SECTION 5: ENFORCEMENT AND PENALTIES**

**A.** This Ordinance shall be enforced by the Town Board.

**B.** The owner, owner of record, and/or lienholder of record, if possible, and the occupant of any property if not the owner, upon which any of the causes of blight or blighting factors set forth in Section 4 above is found to exist shall be notified in writing to remove or eliminate such causes of blight or blighting factors from such property. Such notice may be delivered personally or sent by certified mail, return receipt requested. Within 30 days after service of the notice upon such owner, the owner shall notify the Town Board of their plan and schedule to eliminate the blight or blighting factors. Bringing the property into compliance with the Ordinance will be required in no longer than 90 days after the service of the notice. Additional time may be granted by the Town Board where bona fide efforts to remove or eliminate such causes of blight or blighting factors are in progress.

C. If the property owner fails to comply with the notice to eliminate the offending blight within the times set forth in subparagraph B above, the Town Board may thereafter authorize issuance of a citation for violation of this Ordinance.

D. A violation of this Ordinance is a municipal civil infraction, for which the fine shall be not more than \$100.00, in addition to all other costs, damages, expenses, and other fees and remedies provided or allowed by law. Each day that a violation occurs shall be considered a separate violation.

E. The issuance of a citation for a municipal civil infraction shall not in any way limit the Township from seeking enforcement of this Ordinance in any other manner, including, but not limited to, a civil court action to abate any nuisance created by a violation of this Ordinance and to recover any costs, expenses, damages, and fees, including attorney's fees, that may be permitted or allowed by law in connection with such abatement and the enforcement of this Ordinance.

F. The Canosia Town Board may, in addition to any other method authorized by law or charter, provide for the collection of unpaid special charges as a special assessment against the property benefited for all or any part of the cost of removal or elimination of public health safety hazards from private property, including any structure included under the provisions of Minnesota Statutes §463.15 or §463.26. Any monetary judgment obtained shall constitute a lien upon the property and shall be added as a special assessment to the real property tax statement. All collections of such charges or special assessments shall be pursuant to Minnesota Statutes Chapters 429.101 subd. 1(a)(3) and 463 and any related Minnesota Statutes.

#### **SECTION 6: EFFECTIVE DATE**

This Ordinance shall become effective thirty (30) days after publication as required by law.

#### **SECTION 7: SEVERABILITY**

This ordinance and its various sections, subsections, sentences, phrases, and clauses are severable. If any section, subsection, sentence, phrase or clause is adjudged unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

#### **SECTION 8: REPEAL**

All prior blight ordinances and any other ordinances or parts thereof, that are in conflict in whole or in part with any provisions of this ordinance as of its effective date are hereby repealed to the extent of such conflict.