

ORDINANCE NO. 2019- 46

AN ORDINANCE AMENDING CHAPTERS 11, 12 AND 16 OF THE CITY CODE
RELATING TO CHARGES FOR CITY ASSESSMENTS

The City Council of the City of Bloomington, Minnesota does hereby ordain:

Section 1. That Chapter 11, Section 11.23, of the City Code is amended by deleting those words struck through and contained in brackets [] and by adding those words that are underlined, to read as follows:

CHAPTER 11: WATER, WASTEWATER, SOLID WASTE AND REFUSE UTILITY
SERVICES

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ARTICLE I: WATER

* * *

§ 11.23 RESTRICTED HOURS FOR SPRINKLING.

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(d) *Penalties.*

(1) For each instance of noncompliance with water usage restrictions imposed by this section, a charge of up to ~~\$25~~ [\$50] shall be assessed against the property on which the violation occurred and added to the water bill for such premises. The amount of the charge shall be specified by the Council in its resolution and the Mayor in his or her certification to the City Clerk.

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Section 2. That Chapter 12, Sections 12.05, 12.06 and 12.106, of the City Code are amended by deleting those words struck through and contained in brackets [] and by adding those words that are underlined, to read as follows:

CHAPTER 12: PUBLIC PEACE AND SAFETY

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ARTICLE II: NUISANCE CONDUCT AND CONDITIONS

DIVISION A: PUBLIC NUISANCE PROPERTY CONDITIONS

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§ 12.05 ACCESS TO PRIVATE PROPERTY AND RESPONSIBILITY TO ABATE PUBLIC
NUISANCE OR PUBLIC HEALTH NUISANCE.

The owner or other interested party of private property on which a public nuisance or public health nuisance has been declared must, upon the demand of a public officer, permit access to all portions of the private property and structures thereon at any reasonable time for the purposes of inspection, remediation and abatement as often as the public officer deems necessary and shall exhibit and allow the copying of all records necessary to ascertain compliance with ~~[this]~~ Chapter 12, Article II, Division A, of city code. Any public nuisance or public health nuisance upon private property shall be removed and abated by the owner or other interested party at their own cost after notice, as provided in § 12.04. If such notice is not complied with, the city shall cause removal or abatement of such public nuisance or public health nuisance, and

the cost thereof shall be charged against the private property in the manner provided in § 12.06 and collected in the manner set forth in § 1.20 of this city code.

§ 12.06 FAILURE TO ABATE; ABATEMENT BY CITY; ASSESSMENT THEREOF.

If a public nuisance or public health nuisance has neither been abated or removed by the period fixed by the city nor appealed pursuant to § 12.05.01 of this city code, then the city may cause the same to be abated or removed by the city or in any other manner deemed appropriate. ~~and~~ T~~h~~e costs and expenses of such abatement or removal, including but not limited to: the city's administrative costs and expenses, such as overheads and allowances for time of city employees, including ~~with~~ a minimum inspection charge of \$100 and an administrative assessment charge of \$50; expenses of equipment, if used;[,] and sums of money necessarily paid out if done by other than city departments;[,] shall be computed and reported to the City Council. Thereupon, the City Council may adopt an assessment roll levying a special assessment upon such lands and premises, which shall be transmitted to the County Auditor and included with the next tax levy upon such lands and premises and collected in the manner provided by law for the levy and collection of other special assessments.

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ARTICLE IV: ANIMAL CODE

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DIVISION B: DOMESTIC ANIMALS

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§ 12.106 REGULATIONS REGARDING DANGEROUS ANIMALS.

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(1) *Assessment of the city's costs.* In accordance with § 12.15, subd. 2 of the City Charter, unpaid costs of confiscation, confinement and destruction of an animal, as well as the costs of a dangerous animal hearing pursuant to this section may be assessed against the property where the animal was kept, harbored, possessed or owned. Prior to any assessment for these costs, the city animal control authority shall seek voluntary payment of these costs by notifying the owner of the property in writing of the costs due and owing. On or before October 1 of each year, the unpaid costs and the late fees, including an administrative charge of ~~\$25~~ [\$50] due upon the mailing of the notice of proposed assessment, together with interest thereon at the maximum lawful rate permitted under state law against said lot or parcel of land, together with a description of the premises and the name of the owner, shall be certified to the County Auditor and shall be collected in the same manner as taxes and/or special assessments against the premises. The charge shall be a perpetual lien on the premises until paid. Prior to the certification to the County Auditor, the owner shall be given written notice of the proposed assessment and be provided an opportunity to be heard before the City Council.

Section 3. That Chapter 16, Section 16.20, of the City Code is amended by deleting those words struck through and contained in brackets [] and by adding those words that are underlined, to read as follows:

