

# ARM MEETING

Code Enforcement Procedures

May 12, 2016

# MEET OUR CODE ENFORCEMENT TEAM

- Dan Jerzak, Property Code Specialist
- Tyler Feuerhake, Property Code Specialist

# AGENDA

- What is code enforcement?
- How to contact or report to the City?
- What is the complaint process?
- How does the city inspect for property code compliance?

# HOW TO CONTACT OR REPORT TO THE CITY?

- **City of Brooklyn Center: 763-569-3300**
- **Building and Community Standards: 763-569-3330**
  - **Inspection line: 763-569-3344**
- **Utility Billing: 763-569-3390**
- **Public Works: 763-569-3340**
- **Police: 911 or 763-569-3333**

# WHAT IS CODE ENFORCEMENT?

- **Rental Violations** are found in the City of Brooklyn Center Ordinance
  - [Chapter 12](#) – Building Maintenance and occupancy
- **Property Code Violations** are found in the City of Brooklyn Center Ordinance
  - [Chapter 1](#) - Animals
  - [Chapter 7](#) – Health, Garbage, and Sanitation
  - [Chapter 19](#) – Public Nuisances and petty offences

You can find the City of Brooklyn Center Ordinance on our website at [www.cityofbrooklyncenter.org](http://www.cityofbrooklyncenter.org)

# HOW DOES THE CITY INSPECT FOR PROPERTY CODE COMPLIANCE?

- Pro-Active Property Maintenance Sweeps
  - City Council priority
  - Proactively sweeping neighborhoods throughout the year.



# WHAT IS THE COMPLAINT PROCESS?

- If you would like to report a property you feel is in violation, the City takes complaints/concerns in all forms including the following:
  - Phone, email, mailing, in-person or [Request Tracker](#) located on our City website.
- **By law, the City is does not disclose the complainant information.**
- Inspectors will follow up within 48 hours of complaint

# HOW DOES THE CITY INSPECT FOR PROPERTY CODE COMPLIANCE?

- Street view





# HOW DOES THE CITY INSPECT FOR PROPERTY CODE COMPLIANCE?

- Backyard view



# HOW DOES THE CITY INSPECT FOR PROPERTY CODE COMPLIANCE?

- Not over a fence, but viewable from a deck with permission.



# HOW DOES THE CITY INSPECT FOR PROPERTY CODE COMPLIANCE?

- Public access view



# CHAPTER 12

- **BUILDING MAINTENANCE AND OCCUPANCY.**
  - **Section 12-101. PURPOSE.** The purpose of this Chapter is to protect the public health, safety, and the general welfare of the people of the City.



# 12-301

- **RESPONSIBILITIES OF OWNERS AND OCCUPANTS.**
  - No owner or other person shall occupy or let another person occupy any building, unless it and the premises are clean, sanitary, fit for human occupancy, and comply with all applicable legal requirements of the State of Minnesota and the City of Brooklyn Center

# 12-313

- **MINIMUM HEATING CAPABILITY AND MAINTENANCE.**
  - In every dwelling unit or rooming unit when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least 68 degrees Fahrenheit
  - Maintained at a distance of three feet above the floor and three feet from exterior walls in all habitable rooms, bathrooms, and water closet compartments
  - Cold Weather Rule: October 15 through April 15

# 12-313



# 12-706

## ■ FENCE MAINTENANCE.

- Material
  - Metal, wood, masonry, or other decay resistant material.
- Shall be maintained in good condition both in appearance and in structure.
- **Wood material**, other than decay resistant varieties, shall be protected against decay by use of paint or other preservatives.
- A building permit must be obtained for installation of a fence over 7 feet in height.





12-706



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# 12-713

## ■ SCREENING.

- All outside trash disposal facilities, recycling containers ... shall be screened from view by an opaque fence or wall high enough to completely screen the equipment.
- Building Permit Required



# CHAPTER 19

- **PUBLIC NUISANCES.**
  - **1. Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort, or repose of any number of members of the public; or**
  - **2. Interferes with, obstructs, or renders dangerous for passage, public streets, highway or right of way, or waters used by the public; or**
  - **3. Is guilty of any other act or omission declared by statutory law, the common law, or this ordinance to be a public nuisance, whether or not any sentence is specifically provided therefor; or**
  - **4. Permits real property under his or her control to be used to maintain a public nuisance or rents the same, knowing it will be so used.**
- **Enforcement conducted by Property Code Enforcement and Police Department**

# 19-103.3

- **Garbage** not stored in rodent free and fly-tight containers, or; garbage stored so as to emit foul and disagreeable odors, or; garbage stored so as to constitute a hazard to public health.



# 19-103.4

- Accumulations of rubbish



# 19-103.9

- **Emitting or production of dense smoke, foul odor, noise, noxious fumes, gases, soot... which unreasonably annoy, injure, or endanger the safety, health, morals, comfort...any number of members of the public.**



# 19-103.11

- Accumulation of junk, furniture, appliances, machinery, automobiles and parts



# 19-103.12

- **Parking and/or storage** of construction equipment, farm vehicles and equipment
- **Commercial vehicles**
  - Length greater than 21 feet, or
  - Height greater than 8 feet, or
  - Gross vehicle weight greater than 9,000 pounds,
  - Continuously for more than two hours on any property

Street parking violations, contact the Police Department or 911



19-103.12



# 19-103.13

- The outside parking and/or storage on **vacant property** of usable or unusable vehicles, trailers, watercraft, snowmobiles, recreational vehicles, all-terrain vehicles, construction vehicles and equipment, or similar vehicles, materials, supplies, equipment, ice fish houses, skateboard ramps, play houses or other nonpermanent structures.



# 19-103.14.A

- Vehicles, trailers and watercraft may be parked or stored outside in any yard provided, however, if they are parked or stored in the front yard area, or a yard area abutting a public street, they must be parked or stored on an **authorized parking** or driveway area or a paved or graveled or driveway area
- Driveways and paved or graveled extensions thereof **may not exceed 50% of the front yard** or a yard area abutting a public street



# 19-103.14.C

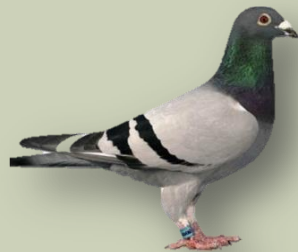
- All vehicles, watercraft and other articles allowed to be stored outside in an approved manner on occupied residentially used property must be owned by a person who resides on the property.

## What does this mean?



# 19-104: ANIMALS

- 2 dogs; 3 cats under 6 months of age
- No agricultural animals (horses, cows, pigs, etc.)
- No fowl (birds, chickens, ducks, etc.)
- Wild animals not naturally tame or gentle



# 19-1302.C

## ■ INOPERABLE OR JUNK VEHICLE

- Any vehicle that does not have a current vehicle license for operation within the State of Minnesota; or
- that is not in operable condition, or that is placed on jacks, blocks, or other supports; or
- that is partially dismantled; or
- that is used for sale of parts, or as a source of repair or replacement parts for other vehicles; or that is kept for scrapping, dismantling, or salvage of any kind; or
- that is otherwise in a condition that renders it unlawful to operate on public streets in the State of Minnesota.

19-1302.C



# 19-1303

## ■ PARKING AND STORAGE.

- No person shall park, keep, place or store, or permit the parking or storage of an inoperable or junk vehicle on a public street, alley, or public property in the City for more than 6 hours or on any private lands or premises in the City for longer than 48 hours





# 19-1304

- **STORAGE OF PARTS, ENGINES, AND RELATED ACCESSORIES.**
  - No person shall store or keep parts, engines and related accessories on a public street or alley or on any private lands or premises in the City unless such parts, engines, and related accessories are kept or stored within an enclosed building.



# 19-1603

- **NOXIOUS WEEDS DEFINED.**
  - a. Noxious weeds means any plant which is identified by the **Minnesota Commissioner of Agriculture** pursuant to **Minnesota Statutes Section 18.77, Subdivision 8.**
  - b. Any weeds or grass growing to a height greater than **eight (8) inches** or which have gone or about to go to seed.



# 19-103.8

- Any noxious weeds, or any other vegetation which endangers public health, safety or welfare, or which is contraband



# GRASS PROCEDURES

- 1<sup>st</sup> letter will be sent to property owner/occupant and grass must be cut within 7 days.
- If grass is not corrected after 7 days, the City will have it cut and charged to the property.
- Average cutting fee is \$300 and up.
- \$100 reinspection fee will be charged for each time there is a repeat violation within the same year.
- If the invoice remains unpaid, the charges will be levied and certified to property taxes.

# 19-3000

## ■ GRAFFITI.

### ■ 19-3002.1 – Prohibited Acts

- Defacement. It is unlawful for any person to apply graffiti to any natural or man-made surface on any publicly or privately-owned property.



# 19-3003.2

## ■ GRAFFITI AS NUISANCE.

- 2. Duty of property owner. It is the duty of both the owner of the property to which the graffiti has been applied and any responsible party to at all times keep the property clear of graffiti.



# 19-105

- **ABATEMENT OF NUISANCE AND ASSESSMENT OF COST.**
  - The City shall order the owner or occupant ...at the expense of the owner or occupant.
  - Compliance orders may be executed and special assessments levied



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**THANK YOU**

**Questions?**