

**CITY OF WATKINS  
MEEKER COUNTY, MINNESOTA**

**ORDINANCE NO. 2023-4**

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WATKINS BY  
REPEALING CHAPTER 93 ENTITLED, “NUISANCES” AND CHAPTER 94 ENTITLED  
“BLIGHT” AND ADOPTING A NEW CHAPTER 93, ENTITLED “NUISANCES”**

**The City of Watkins does ordain:**

Section I. Chapter 93, entitled, “NUISANCES” of the City Code is hereby repealed.

Section II. Chapter 94, entitled “BLIGHT” of the City Code is hereby repealed.

Section III. A new Chapter 93 is added, entitled, “NUISANCES”

**CHAPTER 93: NUISANCES**

Section

*General Provisions*

- 93.01 Public Nuisance Prohibition
- 93.02 Public Nuisances Affecting Health
- 93.03 Public Nuisances Affecting Safety, Peace, and General Welfare
- 93.04 Public Nuisances Affecting Morals and Decency
- 93.05 Noise Violations
- 93.06 Nuisance Parking and Storage
- 93.07 Inoperable Motor Vehicles and Equipment
- 93.08 Domesticated Animal Nuisances

*Administration and Enforcement*

- 93.15 Duties of City Officers
- 93.16 Abatement Procedure
- 93.17 Recovery of Cost
- 93.18 Penalty
- 93.19 Severability
- 93.20 Effective date
- 93.21 Repealer

***Cross-reference:***

*Nuisance animals, see ' 90.07*

**GENERAL PROVISIONS**

**93.01 PUBLIC NUISANCE PROHIBITION.**

A person must not act, or fail to act, in a manner that is or causes a public nuisance. For purpose of this ordinance, a person that does any of the following is guilty of maintaining a public nuisance:

(A) Maintains or permits a condition which unreasonably annoys, injures, or endangers the safety, health, morals, comfort, or repose of any considerable number of members of the public.

(B) Interferes with, obstructs, or deposits garbage or refuse upon, or otherwise renders dangerous for passage, any public highway or right-of-way, any street or sidewalk, or waters used by the public.

(C) Does any other act or omission declared by law or this ordinance to be a public nuisance.

**93.02 PUBLIC NUISANCES AFFECTING HEALTH.** The following are declared to be nuisances affecting health:

(A) Exposed accumulation of decayed or unwholesome food or vegetable matter;

(B) All diseased animals running at large;

(C) Carcasses of animals not buried or destroyed within 24 hours after death;

(D) Accumulations of manure, refuse, or other debris;

(E) Privy vaults and garbage cans which are not rodent-free or fly-tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;

(F) The pollution of any public or private well or cistern, stream, ~~or~~ lake, ~~or~~ canal, or body of water by sewage, industrial waste, or other substances;

(G) All noxious weeds and other rank growths of vegetation, including but not limited to poison ivy, ragweed, other poisonous or invasive plants/weeds, grass over six inches tall, or other brush, plants, vegetation which create a fire hazard or are otherwise detrimental to health and safety;

(H) Dense smoke, noxious fumes, gas, soot, or cinders in unreasonable quantities;

(I) Open or controlled burning in violation of state statutes and regulations;

(J) All public exposure of persons having a contagious disease;

(K) Any offensive trade or business as defined by statute not operating under local license;

(L) All ponds or pools of stagnant water, including but not limited to stagnant water within cans, buckets, pots, tires, or similar objects.

**93.03 PUBLIC NUISANCES AFFECTING SAFETY, PEACE, AND GENERAL WELFARE.** The following are declared to be nuisances affecting safety, peace, and general welfare:

- (1) All snow and ice that is not removed from public sidewalks within twenty-four (24) hours after the snow or other precipitation causing the condition has ceased to fall;
- (2) All trees, hedges, billboards, or obstructions which prevent persons from having a clear view of all traffic approaching an intersection;
- (3) All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles;
- (4) Any person participating in any party or other gathering that causes the unreasonable disturbing of the peace, quiet, or repose of another person in such a manner as to be plainly audible at the boundary of the real property, building, structure, or residence from which the noise originates, or at a distance of 50 feet from the source of the noise. "Plainly audible" is defined as sound that can be detected by a person using their unaided hearing faculties.
- (5) All unnecessary and annoying noises or vibrations;
- (6) Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks, or public grounds, except under such conditions as are permitted by this code or other applicable law;
- (7) Radio aerials or television antennas erected or maintained in a dangerous manner;
- (8) Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the streets or sidewalks;
- (9) All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated so as to endanger public safety, or not constructed and maintained as provided by ordinance;
- (10) The allowing of rainwater, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;
- (11) Any barbed wire fence less than six (6) feet above the ground and within three (3) feet of a public sidewalk or way;
- (12) All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public;
- (13) Waste water cast upon or permitted to flow upon streets or other public properties;
- (14) Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies, other materials, or any part(s) thereof, in a manner conducive to the harboring of rats, mice, snakes, or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health, or other safety hazards from such accumulation;

(15) Any well, hole, or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any child coming on the premises where it is located;

(16) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials;

(17) The placing or throwing on any street, sidewalk, or other public property of any glass, tacks, nails, bottles, or other substances that may injure any person or animal or damage any pneumatic tire when passing over such substance;

(18) Entry upon the premises of another if the person entering has been given oral or written notice not to, or if the premises are clearly marked with 'no trespassing' signs posted so as to be in plain view along all routes of access to the premises, unless such entry is upon official business of a government agency or public utility;

(19) The depositing of garbage, construction debris, or other refuse on a public right-of-way or on adjacent private property;

(20) Keeping upholstered furniture which is not manufactured for outdoor use in outdoor areas, including but not limited to upholstered couches and mattresses.

(21) Reflected glare or light from private exterior lighting exceeding 0.5 footcandles as measured on the property line of the property where the lighting is located when abutting any residential parcel, and one (1) footcandle when abutting any commercial or industrial parcel.

(22) Buildings, mobile homes/manufactured houses, or other structures that are abandoned, deteriorated, or a safety hazard;

(23) Exterior of structures:

(A) The exterior of structures and accessory structures, including detached garages, shall be maintained in a workmanlike state of maintenance and repair.

(B) Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, falling or loose stucco, or substantial amounts of peeling paint.

(C) All doors and windows shall be maintained in good repair, fit reasonably well within their frames, and be free of open breaks or holes.

(D) Exterior renovation projects must be completed in a timely manner (180 days) and shall be maintained in good repair throughout the duration of the renovations.

(24) Sanitation. All exterior property areas and vacant areas shall be maintained in a clean and sanitary condition, safe and free from any hazard or dangerous condition, and free from any accumulation of refuse or garbage.

(25) Interior areas of structures:

(A) The interior of every structure shall be maintained in clean and sanitary condition, free of accumulations of garbage and refuse.

(B) The interior of every structure shall be maintained free from infestation of noxious insects, rodents, and other pests.

(C) All plumbing systems shall be properly installed, connected, and maintained in good working order, and must be kept free from obstructions, leaks, and defects.

(D) The storage of excessive or unreasonable amounts of hazardous, flammable liquids shall be prohibited in areas not zoned for such use.

(26) The existence of any structure or part of any structure which, because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable as a dwelling, nor useful for any other purpose for which it may have been intended.

(27) The existence of any vacant dwelling, garage, or other outbuilding, unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals.

(28) The placement of storage/cargo containers including, but not limited to, cargo containers, railroad cars, truck vans, converted mobile homes, trailers, recreational vehicles, bus bodies, transport containers, any box-like container transported by truck or trailer to a desired location for drop off with a storage capacity, storage PODS's, shall be prohibited EXCEPT as follows:

(A) For purposes of loading and unloading household contents for a period of time not exceeding 60 days in any one calendar year; or

(B) During a construction project, provided all local, state, and other necessary permits are obtained and the construction project remains in compliance with all local, state, and federal laws for the duration of the project not to exceed 180 days. Once the construction project is complete, said containers must be removed within 30 days of the date of completion.

(C) Existing lots or parcels which contain a portable storage device prior to the adoption of this ordinance are hereby "grandfathered" and may be continued for that purpose as non-conforming until moved.

(29) Storage of junk, rubbish, and refuse prohibited. In any area within the city, storage or the accumulation of junk, rubbish, or refuse of any kind, except refuse stored in such a manner as not to create a nuisance for a period not to exceed seven days, is prohibited.

(a) The term **JUNK** shall include parts of machinery or motor vehicles; motor vehicle waste, household appliances or parts thereof, stored in the open; remnants of wood;

decayed, weathered, or broken construction materials no longer suitable for sale as approved building materials; tools, tin cans, glass, metal or any other material or cast-off material of any kind whether or not the same could be put to any reasonable use.

(b) The term **RUBBISH** shall include any material rejected or thrown away as worthless.

(c) The term **REFUSE** shall include all organic and inorganic material resulting from the manufacture, preparation, or serving of food or food products; spoiled, decayed, or waste foods from any source; crockery, ashes, rags, and discarded clothing; tree, lawn, or bush clippings and weeds; furniture, mattresses, box springs, crates, cardboard, or other debris, household furnishings, appliances, or parts or components thereof; human or household waste of all kinds not included in any other portion of this definition.

(30) Outdoor storage of any material, whether or not it can be considered junk, rubbish, or refuse, if in the judgement of the City Council or their agents, said material is considered a public nuisance because it: (1) obstructs views on streets and private property, (2) creates cluttered and otherwise unsightly areas, (3) prevents the full use of streets for parking, (4) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, (5) decreases adjoining landowners' and occupants' use and enjoyment of their property and neighborhood, and (6) otherwise adversely affects property values and neighborhood patterns..

(31) No person operating a business shall display or permit to be displayed, whether self-propelled or towed, more than 5 vehicles for sale, unless he/she has obtained a license from the State of Minnesota to operate as a car dealer and operates under the regulations specified in that license.

(32) All other conditions or things which are likely to cause injury to the person or property of another. (Ord. 93-2, passed 7-8-1993; Am. Ord. 2005-8, passed 11-10-2005) Penalty, see 10.99.

#### **93.04 PUBLIC NUISANCES AFFECTING MORALS AND DECENCY.**

The following are hereby declared to be nuisances affecting public morals and decency:

(A) All gambling devices, slot machines, and punch boards, except otherwise authorized and permitted by federal, state, or local law;

(B) Betting, bookmaking, and all apparatus used in such occupations;

(C) All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses;

(D) All places where intoxicating liquor and illegal drugs are manufactured or disposed of in violation of law or where, in violation of law, persons are permitted to resort, for the purpose of drinking intoxicating liquor or using illegal drugs, or where intoxicating liquor or illegal drugs are kept for sale or other disposition in violation of law, and all liquor or drugs and other property used for maintaining such places; and

(E) Any vehicle used for the unlawful transportation of intoxicating liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.  
(Ord. 93-2, passed 7-8-1993) Penalty, see 10.99

### **93.05 NOISE VIOLATIONS.**

#### **(A) Prohibited noises.**

The following are declared to be nuisances affecting public health, safety, peace, or welfare:

(1) Any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person, or precludes their enjoyment of property, or affects their property's value in such a manner as to be plainly audible at the boundary of the real property, building, structure, or residence from which the noise originates, or at a distance of 50 feet from the source of the noise. (this general prohibition is not limited by any specific restrictions provided in this ordinance). "Plainly audible" is defined as sound that can be detected by a person using their unaided hearing faculties.

(2) All obnoxious noises, motor vehicle or otherwise, in violation of Minn. R. ch. 7030, as they may be amended from time to time, are hereby incorporated into this ordinance by reference.

(3) The use of any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling, or other noise.

(4) The discharging of the exhaust or permitting the discharge of the exhaust of any statutory internal combustion engine, motor boat, motor vehicle, motorcycle, all-terrain vehicle (ATV), snowmobile, or any recreational device, except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws and regulations.

(5) Any loud or excessive noise in the loading, unloading, or unpacking of any vehicle.

(6) The use or operation, or permitting the use or operation, of any radio receiving set, television set, musical instrument, music device, paging system, machine, or other device for producing or reproduction of sound in a distinctly and loudly audible manner so as to disturb the peace, quiet, and comfort of any person nearby.

#### **(B) Hourly restriction of certain operations.**

(1) **Domestic power equipment.** No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill, or other similar domestic power equipment, except between the hours of 7:00 a.m. and 9:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday. Snow removal equipment is exempt from this provision.

(2) **Refuse hauling.** No person shall collect or remove garbage or refuse in any residential district, except between the hours of 6:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday.

(3) **Construction activities.** No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas-powered machine or other power equipment, except between the hours of 7:00 a.m. and 9:00 p.m. on any day of the week, including weekdays, weekends, and holidays.

(4) **Radios, music devices, paging systems, and the like.** The operation of any device referred to in subdivision (A)(6) of this section between the hours of 10:00 p.m. and 7:00 a.m. in a manner so as to be plainly audible at the property line of the structure or building in which it is located, or at a distance of 50 feet if the source is located outside a structure or building shall be prima facie evidence of a violation of this section.

(C) **Noise impact statements.** The Council may require any person applying for a change in zoning classification or a permit or license for any structure, operation, process, installation, alteration, or project that may be considered a potential noise source to submit a noise impact statement on a form prescribed by the Council. The Council shall evaluate each such statement and take its evaluation into account in approving or disapproving the license or permit applied for or the zoning changes requested.

(D) A business or firm may request an exemption to exceed these hours at the discretion of the Council. If an exemption is granted, neighbors within a 500ft radius of the property line of the project must be notified. The grantee shall be responsible for notifying the neighbors.

(E) In the event of a storm or any natural disaster, time limits will be waived to accommodate the restoring of utilities, clearing of streets, or any issue dealing with public safety.

### **93.06. NUISANCE PARKING AND STORAGE.**

(A) **Declaration of nuisance.** The outside parking and storage on residentially zoned property of large numbers of vehicles and vehicles, materials, supplies, or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it: (1) obstructs views on streets and private property, (2) creates cluttered and otherwise unsightly areas, (3) prevents the full use of residential streets for residential parking, (4) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, (5) decreases adjoining landowners' and occupants' use and enjoyment of their property and neighborhood, and (6) otherwise adversely affects property values and neighborhood patterns.

#### **(B) Unlawful parking and storage.**

(1) A person must not place, store, or allow the placement or storage of ice fishing houses, skateboard ramps, playhouses, or other similar non-permanent structures outside continuously for longer than twenty-four (24) hours in the front yard area of residential property unless more than one hundred (100) feet back from the front property line.



(2) A person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, or similar materials, including all materials used in conjunction with a business, outside on residential property, unless shielded from public view by an opaque cover or fence.

(3) A person must not cause, undertake, permit, or allow the outside parking and storage of vehicles on residential property unless it complies with the following requirements:

(a) No more than four (4) vehicles per lawful dwelling unit may be parked or stored anywhere outside on residential property, except as otherwise permitted or required by the city because of nonresidential characteristics of the property. The maximum number does not include vehicles of occasional guests who do not reside on the property.

(b) Vehicles that are parked or stored outside in the front yard areas must be on a paved or graveled parking surface or driveway area.

(c) Vehicles, watercraft, and other articles stored outside on residential property must be owned by a person who resides on that property. Students who are away from school for periods of time but still claim the property as their legal residence will be considered residents on the property.

(d) Vehicles or trailers of any kind or type without current license plates shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings.

(4) At all times that a vehicle, otherwise permitted by this ordinance to be parked outside of a structure, which is being repaired or restored otherwise is being worked on, said vehicle shall be covered by a vehicle cover capable of resisting wind, rain, and other weather-related circumstances. The area where the vehicle is being repaired or restored shall be free of debris, litter, discarded parts or equipment. The vehicle cover must cover the entire vehicle and be securely fastened to the vehicle. The use of bricks, stones, block or other material as a fastener shall not be permitted. Any such vehicle repairs or restoration shall be limited to a period not longer than 30 calendar days or the area wherein the vehicle is being repaired or restored shall be in an enclosed structure.

(5) Properly licensed and operable vehicles may be stored in the rear yard of a residential unit; however, such storage is limited to a maximum of three (3) vehicles. Parking areas, other than the principal driveway, must maintain a minimum 3-foot setback from lot lines.

(6) No vehicle, whether self-propelled or towed, shall be parked or stored or offered for sale on any vacant property in the City of Watkins, unless the property is zoned appropriately and a designated parking area for vehicle display has been established. The display or storage of vehicles on such sites shall be in compliance with other provisions of this Code in regard to time limits for parking.

### **93.07. INOPERABLE MOTOR VEHICLES AND EQUIPMENT.**

(A) **Declaration of nuisance.** Any motor vehicle described in this section shall constitute a hazard to the health and welfare of the residents of the community as such vehicles can harbor noxious diseases, furnish a shelter and breeding ground for vermin, and present physical danger to the safety and well-being of children and citizens. Motor vehicles also contain various fluids which, if released into the environment, can and do cause significant health risks to the community.

(B) **Inoperable motor vehicles.** It shall be unlawful to keep, park, store, or abandon any motor vehicle that is not in operating condition, partially dismantled, used for repair of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling, or salvage of any kind, or which is not properly licensed for operation within the state.

(C) **Inoperable equipment.** It shall be unlawful to keep, park, store, or abandon any equipment (including but not limited to farm equipment, all-terrain vehicles, snowmobiles, motorcycles, lawnmowers, snowblowers, and all other machinery or equipment powered by a motor, and shall include any part thereof) that is not in operating condition, partially dismantled, used for repair of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling, or salvage of any kind, or which is not properly licensed for operation within the state.

(D) **Screening.** This section does not apply to a motor vehicle enclosed in a building and/or kept out of view from any street, road, or alley, and which does not foster complaint from a resident of the city. Privacy fencing is permissible.

(E) This section does not apply to persons and sites licensed as solid waste or recycling operations.

### **93.08 DOMESTICATED ANIMAL NUISANCE.**

Any nuisance caused by dogs, other pets, and domesticated animals is prohibited within the city. The City Council may act upon a complaint such as a barking dog, or odors, noise, litter, or anything else coming from these pets that may affect the health or peace of mind of the residents. (Ord 98-2, passed 6-11-1998)

### *Administration and Enforcement*

### **93.15. DUTIES OF CITY OFFICERS.**

City officials may apply and enforce any provision of this ordinance relating to public nuisances within this jurisdiction. Any peace officer or other designated city official shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances. Except in emergency situations of imminent danger to human life and safety, no peace officer or designated city official will enter private property for the purpose of inspecting or preventing public nuisances without the permission of the owner, resident, or other person in control of the property, unless the officer or person designated has obtained a warrant or order from a court of competent jurisdiction authorizing entry.

### **93.16. ABATEMENT PROCEDURE.**

(A) Procedure. Whenever the peace officer or other designated official determines that a public nuisance is being maintained or exists on the premises in the city, the official shall notify in writing the owner of record and occupant of the premises of such fact and order that the nuisance be terminated or abated. The notice of violation shall specify the steps to be taken to abate the nuisance and the time within which the nuisance is to be abated. If the notice of violation is not complied with within the time specified, the official shall report that fact forthwith to the City Council. Thereafter, the City Council may, after notice to the owner and occupant and an opportunity to be heard, determine that the condition identified in the notice of violation is a nuisance and further order that if the nuisance is not abated within the time prescribed by the City Council, the city may, as it deems appropriate:

(1) Prosecute criminal/misdemeanor penalties and/or impose administrative fines.

(2) Abate the nuisance at no cost to the City. The City Council may by resolution adopt a notice of abatement, which shall set forth the nuisance to be abated and shall indicate a date and time on which the city will enter onto the property and abate the nuisance. The notice shall also notify the property owner that the costs of abatement will be billed to the property owner, and if not paid, will be assessed against the property. The notice of abatement shall be served upon the owner and/or occupant in person or by certified or registered mail at least seven (7) days prior to the proposed date for the city to abate the nuisance. If the premises is unoccupied or the owner and/or occupant cannot be served, notice may be posted upon the premises at least seven (7) days prior to the proposed abatement.

(3) Seek injunctive relief by serving a copy of the City Council order and notice of motion for summary enforcement or obtain an administrative search and seizure warrant and abate the nuisance.

(B) Notice. Written notice of the violation; notice of the time, date, place, and subject of any hearing before the City Council; notice of the City Council order; and notice of motion for summary enforcement hearing shall be served by a peace officer or designated official on the owner of record and occupant of the premises either in person or by certified or registered mail. If the premise is not occupied, the owner of record is unknown, or if the owner of record or occupant refuses to accept notice, notice of the violation shall be served by posting it on the premises.

(C) Emergency procedure; summary enforcement. In cases of emergency, where delay in abatement required to complete the procedure and notice requirements as set forth in subdivisions (A) and (B) of this section will permit a continuing nuisance to unreasonably endanger public health, safety, or welfare, the City Council may order summary enforcement and abate the nuisance. To proceed with summary enforcement, the peace officer or other designated official shall determine that a public nuisance exists or is being maintained on premises in the city and that delay in abatement will unreasonably endanger public health, safety, or welfare. The officer or designated official shall notify in writing the occupant or owner of the premises of the nature of the nuisance, whether public health, safety, or welfare will be unreasonably

endangered by delay in abatement required to complete the procedure set forth in subdivision (A) of this section and may order that the nuisance be immediately terminated or abated. If the nuisance is not immediately terminated or abated, the City Council may order summary enforcement and abate the nuisance.

(D) Immediate abatement. Nothing in this section shall prevent the city, without notice or other process, from immediately abating any condition that poses an imminent and serious hazard to human life or safety.

(E) Judicial/civil remedy. Nothing in this section shall prevent the city from seeking a judicial remedy or a civil remedy.

(F) Cumulative Remedies. Each right or remedy accruing to the city under this chapter or at law is separate and distinct and may, in the city's discretion, be exercised independently or simultaneously with any other right or remedy.

### **93.17. RECOVERY OF COST.**

(A) Personal liability. The owner of the premises on which a nuisance has been abated by the city, or a person who has caused a public nuisance on property not owned by that person, shall be personally liable for the cost to the city of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the city clerk or other city official shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the city clerk.

(B) Assessment. After notice and hearing as provided in Minn. Stat. § 429.061, as it may be amended from time to time, if the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of weeds on private property or outside the traveled portion of streets, or unsound or insect-infected trees, the city clerk shall, on or before September 1 next following abatement of the nuisance, list the total unpaid charges along with all other such charges as well as other charges for current services to be assessed under Minn. Stat. § 429.101 against each separate lot or parcel to which the charges are attributable. The City Council may then spread the charges against the property under that statute and any other pertinent statutes for certification to the county auditor and collection along with current taxes the following year or in annual installments, not exceeding ten (10), as the City Council may determine in each case.

### **93.18. PENALTY.**

Any person convicted of violating any provision of this ordinance is guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for not more than ninety (90) days, or both, plus the costs of prosecution in either case.

### **93.19. SEVERABILITY.**

If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

**93.20. EFFECTIVE DATE.**

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat., § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

**93.21 REPEALER**

All prior ordinances to the extent they are inconsistent with the terms and provisions of this Ordinance, shall be deemed repealed after the effective date of this Ordinance with regard to those inconsistent terms and provisions.

**Section 4. Summary Publication.**

At least four-fifths (4/5) of the City Council’s members direct the City Clerk to publish only the title and summary of Ordinance No. 2023-4 as follows:

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WATKINS BY REPEALING CHAPTER 93 ENTITLED, “NUISANCES” AND CHAPTER 94 ENTITLED “BLIGHT” AND ADOPTING A NEW CHAPTER 93, ENTITLED “NUISANCES”. It is the intent of this Ordinance to protect the citizens of the City of Watkins by prohibiting public nuisances affecting health, safety, peace, general welfare, morals and decency; noise violations, nuisance parking and storage, inoperable motor vehicles and equipment and domesticated animal nuisances.

Publication of the title and summary of Ordinance No. 2023-4, AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WATKINS BY REPEALING CHAPTER 93 ENTITLED “NUISANCES” AND CHAPTER 94 ENTITLED “BLIGHT” AND ADOPTING A NEW CHAPTER 93, ENTITLED “NUISANCES” clearly informs the public of the ordinance’s intent and effect.

The above publication is only a summary and the full printed text of City of Watkins Ordinance 2023-4 is available for inspection during regular hours at City Hall. A copy of the entire text of the Ordinance shall be posted at Watkins City Hall, 111 Central Avenue South, Watkins MN.

Adopted by the City Council of the City of Watkins this 10<sup>th</sup> day of August, 2023.

\_\_\_\_\_  
Christopher Rowan, Mayor

ATTEST: (SEAL)

\_\_\_\_\_  
Debra Kramer, City Clerk