

GENERAL INFORMATION

Applicant: City of Bloomington

Request: Amend City Code Chapters 1, 8, 10, 12 and 14 for miscellaneous updates and standard procedures for service of abatement, fine and fee notices; and public pool closure criteria.

Purpose: To provide a uniform procedure for the service or delivery of fine, abatement and fee notices and to remove outdated language on litter that is covered in other areas of the code. Updates were also made to improve clarity and readability in chapters reviewed.

CHRONOLOGY

Public Hearing Notice October 13, 2016 - Published in the *Bloomington Sun Current*

City Council October 24, 2016 – Public hearing scheduled

STAFF CONTACTS

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BACKGROUND

Amendments by section where proposed changes are substantive.

§ 1.11 – Deleting the Chapter 10 reference to litter for administrative offenses.

§ 1.12 – Creating (a) and (b) subsections where the new (b) lists the three methods of service for administrative citations or civil fines.

§ 1.17 – Clarifying that hearing procedures are not for civil fines only and how the current practice is for the City Attorney, to select hearing officers from a list approved by the City Manager.

§ 1.20 – Creating new subsections (d) and (e) detailing specific procedures for assessment of delinquent utility charges and public nuisance abatements citing applicable state statutes for reference and removing duplicative language.

§ 8.19 – Changing “abatement and removal” of vehicles to just “removal” because abatement is removal.

§ 10.15 through 10.28 – deleting outdated language on litter.

§ 10.39 – Creating (a) and (b) subsections where the new (b) lists three methods of service for tall grass/weed and brush pile abatement notices.

§ 10.40 – Changing assessment section language from ten days to seven calendar days to be consistent with updates to the ordinance in 2015 for abatement of tall grass/weeds and brush piles.

Chapter 12 – Adding “or public health nuisance” where “public nuisance” alone is referenced for clarity in procedures.

§ 12.03 – Adding new subsections (C) and (D) to subpart (15) for better organization existing language; adding to (18) the corresponding statutes; and adding to (23) “litter” to the list with refuse for conditions that constitute a public nuisance.

§ 12.04 – Adding statutory references for public nuisances, public health nuisances and clandestine drug labs. Creating new subsection (h) listing three methods of service for public nuisance abatement notices and a separate method of service specific to public health nuisance abatement notices.

§ 12.06 – Clarifying language to improve readability.

§ 12.15 – Removing “interested party” where owners, occupants or other persons in control of the property that are known to the City are specifically listed.

§ 12.74 – Adding new subsection (c) listing three methods of service for graffiti abatement notices and other minor updates needed to correspond with current practices.

§ 14.452 – Deleting subsection (2) for public pool closure which is no longer needed since the MN Rules 4717.1750 amendments were adopted state-wide on June 27, 2016.

COMMENTS

No comments have been received since publication of the public hearing announcement and posting of the proposed amendments on the City’s website.

RECOMMENDATION

Approve amendments to City Code Chapters 1, 8, 10, 12 and 14 for miscellaneous updates and standard procedures for service of abatement, fine and fee notices; and public pool closure criteria.