

STATE OF MINNESOTA
COUNTY OF SHERBURNE

IN THE TOWN OF BLUE HILL

ORDINANCE NO. 2

PUBLIC NUISANCES

In order to protect the health and safety of the people of this town, the Town Board of Supervisors of the Town of Blue Hill, Sherburne County, Minnesota, ordains:

Section 200 - Nuisances

200.00 - Public Nuisance Defined. Whoever by act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

1. 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; or
2. Interferes with, obstructs, or renders dangerous for passage any public highway or right-of-way or waters used by the public; or,
3. Is guilty of any other act or omission declared by law to be a public nuisance and for which no sentence is specifically provided; or
4. Permits real property under his control to be used to maintain a public nuisance or leases the same knowing it will be so used.

200.02 - Public Nuisances Affecting Health. The following are declared to be nuisances affecting public health:

1. All ponds or pools of stagnant water.
2. All decayed or unwholesome food offered for sale to the public.
3. Privy vaults ^{outdoor toilets} and garbage cans which are not fly-tight.
4. The effluence from any cesspool, septic tank, or sewage disposal system discharging upon the surface of the ground.
5. Accumulations of manure, rubbish, tin cans or other debris.

6. The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste or other substances.

7. All noxious weeds and other rank growths of vegetation upon public or private property.

8. Dense smoke, noxious fumes, gas and soot, or cinders in such quantities as to render the occupancy of the property uncomfortable to a person or ordinary sensibilities.

In the enforcement and interpretation of this section, the Town shall take into account the fact that there is significant diversity of uses in the Town, particularly the fact that substantial portions of the Town are agricultural lands. Some of the listed nuisances shall not be deemed to be nuisances when they are reasonably conducted and related to productive agricultural use of land.

200.04 - Public Nuisances Affecting Decency. The following are declared to be nuisances affecting public morals and decency:

1. All gambling devices.

2. Betting, bookmaking and all apparatus used in such occupations.

200.06 - Public Nuisances Affecting Peace and Safety. The following shall be declared to be nuisances affecting public peace and safety:

1. All trees, hedges, billboards, or other obstructions which prevent persons from having a clear view of all traffic approaching an intersection.

2. The piling, storing or keeping of old machinery, junk or debris or abandoned motor vehicles as defined by M.S. 168B within the Town.

3. The placing or throwing on any street, alley, road, highway, sidewalk or other public property of any glass, tacks, nails, bottles or other substances which may injure any person, or animal or damage any pneumatic tire when passing over the same.

4. The depositing of garbage, trash, rubbish, bottles, cans, and other refuse, on a public right-of-way or on private property.

5. The outside storage of pipe, lumber, forms, machinery or other occupational materials upon property in a residential district.

6. The parking of a truck, tractor and/or trailer, or other commercial-type vehicles, excluding pickup trucks or vans, in excess of seven thousand (7,000) pounds gross weight on public property within an area zoned residential.

In the enforcement and interpretation of this section, the Town shall take into account the fact that there is significant diversity of uses in the Town, particularly the fact that substantial portions of the Town are agricultural lands. Some of the listed nuisances shall not be deemed to be nuisances when they are reasonably conducted and related to productive agricultural use of land.

200.08 - Buildings or Structures Which Endanger Public Health, Safety or Property Within the City.

1. Any building or structure in the Town which is found by the County Building and Zoning Administrator, the Town Board, or the Fire Marshal to be dangerous to public safety or health or to other property by reason of:

- a. Damage by fire; or
- b. Defective chimney or stovepipe; or
- c. Dilapidated condition or decay; or
- d. Defective electric wiring; or
- e. Defective gas installation; or
- f. Defective heating apparatus; or
- g. Defective sewage disposal system or plumbing; or
- h. Any other defect endangering public safety or health or other property;

is hereby declared to be a nuisance affecting public safety and health.

2. The County Building and Zoning Administrator, the Town Board, or the Fire Marshal may order such nuisances abated by ordering its repair, correction or removal. Such order

shall be in writing and shall order the repair, correction or removal of the nuisances within thirty (30) days or such other time as the order shall deem reasonable. Such order shall be served upon the owner, lessee, or the occupant of the property involved, by mail or by personal service. The order may provide that the building or structure not be further used or occupied until repair or correction of the defect.

200.10 Any person violating Sections 200.00 through 200.08 of this Ordinance shall be guilty of a misdemeanor and in addition to any penalty imposed by the Court shall pay the appropriate costs of prosecution as may be determined by the Court.

200.12 This ordinance shall take effect from and after its publication and the Town Clerk is hereby directed to publish this ordinance in a qualified newspaper having general circulation within this town.

Dated:

Dennis Eshen
Rodney Cook
Bruce Hilberg

The undersigned being the Town Clerk for the Town of Blue Hill in Sherburne County, Minnesota, does hereby certify that the foregoing resolution was duly passed and adopted by the Blue Hill Town Board at its regular meeting on the _____ day of November, 1984.

Town Clerk