

ORDINANCE NUMBER 17

CITY OF TOWER, MINNESOTA

An Ordinance requiring the cleaning of premises and providing for a sanitary inspection, and establishing a penalty for violation thereof.

The City of Tower ordains:

Section 1. ORDER TO CLEAN UP PREMISES. Prior to May first in every year, the health officer shall cause a notice to be inserted in the official newspaper at the expense of the municipality ordering persons to thoroughly clean all yards, vaults, cesspools, sheds, barns, and to cans, trash, and manure to be removed therefrom on or before the first day of May.

Section 2. SANITARY INSPECTION. Thereafter and in the month of May the health officer shall make a thorough sanitary inspection annually of all public and private property in the municipality. He shall transmit the report, together with his recommendations, to the city council on or before the first day of June. A copy of the health officer's report shall also be sent on or before July 1, to the State Department of Health.

Section 3. INDIVIDUAL ORDERS: REINSPECTION. If, upon inspection, the above order has not been complied with as to any lot or parcel of ground, individual orders served in person or by mail; requiring owners, occupants, or agents of such premises to clean up the same within ten days shall be issued by the health officer, and a reinspection made of such premises on or before May 15. Said order shall provide that, unless the nuisance affecting health, source of filth, or cause of sickness is abated within ten days, the health officer will abate or remove, or cause to be abated or removed, at the expense of the owner, the nuisance, source of filth, or cause of sickness complained of and found to exist.

Section 4. REMOVAL; ASSESSMENT OF COST. Upon failure of any owner, occupant, or agent to comply with the above order, the health officer shall direct the Constable to clean up the property as described and ordered. The health officer shall report the cost of such work to the city clerk, in an amount not to exceed \$25.00; and such cost if not paid promptly shall be certified to the auditor of the County and by that officer extended upon the tax rolls and collected as taxes, and when so collected shall be paid over to the City Treasurer.

Section 5. CONDITIONS PROHIBITED. It shall be unlawful for the owner or occupant of any property to permit or cause to accumulate upon such property a nuisance affecting health, source of filth, or cause of sickness.

Section 6. PERIODIC INSPECTIONS. Subsequent to and independent of the annual inspection and clean up, the health officer shall make periodical inspections of properties within the City and shall proceed as provided in Sections 4 and 5 to remove or abate any condition prohibited hereunder.

Section 7. PENALTY. Any person or corporation failing or refusing to comply with any lawful order to clean up any property as herein provided or causing or permitting the accumulation of any nuisance affecting health, source of filth, or cause of sickness upon any property in any year

after it has been cleaned up under the provisions hereof shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) and costs, or by imprisonment in the County jail for not less than five nor more than ninety days, or by both, plus the costs of prosecution.

Section 8. REPEAL. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 9. PROVISIONS SEPARABLE. Every Section, provision, or part of this ordinance is declared separable from every other section, provision, or part; and if any section, provision, or part hereof shall be declared invalid, it shall not affect any other section, provision, or part.

Section 10. EFFECT. This ordinance shall be in force and effect from and after its publication according to the law.

Introduced by Alderman Joe Stonich and given first reading April 12, 1992.

Given second reading May 10, 1992.

Upon motion made by Alderman Franson, supported by Alderman Weinzierl this ordinance was adopted May 10, 1992.

Ayes: Weinzierl, Stonich, Stack, Franson

Nays: None

Herman Olson
Mayor

Carl Howe
City Clerk