

1st Reading  
8/22/2008  
Referred to (name of) Committee  
PS & PS  
Public Hearing  
5/13/2009  
2nd Reading and Final Passage  
5/22/2009

2009-Or-041  
**AN ORDINANCE**  
**of the**  
**CITY OF**  
**MINNEAPOLIS**  
**By Samuels**

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**Amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances  
relating to Housing: Vacant Dwelling or Building, Nuisance Condition.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 249.80 of the above-entitled ordinance be amended to read as follows:

**249.80. Vacant building registration.** (a) The owner of a ~~residential building or building located in a residentially-zoned area~~ shall register the building with the director of inspections within five (5) days after it becomes a vacant building. In this section, a "vacant building" is one that is:

- (1) Condemned; or
- (2) Unoccupied and unsecured for five (5) days or more; or
- (3) Unoccupied and secured by means other than those normally used in the design of the building for thirty (30) days or more; or
- (4) Unoccupied and has multiple housing maintenance, fire or building code violations existing for thirty (30) days or more; or
- (5) Unoccupied for a period of time over three hundred sixty-five (365) days and during which time an order has been issued to correct a nuisance condition pursuant to section 227.90; or

(b) The owner of a building designated as vacant pursuant to this section may appeal such designation within twenty-one (21) days after receipt of the designation or a billing statement therefore to the nuisance condition process review panel pursuant to the procedures established in section 249.45. The notice of designation or billing statement shall notify the building owner of such appeal rights.

(b)(c) The registration shall be submitted on forms provided by the director of inspections and shall include the following information supplied by the owner:

- (1) A description of the premises;
- (2) The names and addresses of the owner or owners;

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(3) The names and addresses of all known lienholders and all other parties with an ownership interest in the building;

(4) The period of time the building is expected to remain vacant; and a plan and timetable for returning the building to appropriate occupancy or for demolition of the building.

~~(e)~~(d) The owner shall submit a plan and timetable that must comply with the guidelines adopted by the director of inspections. The guidelines are adopted for purposes of preventing nuisance conditions and maintaining compliance with this code. These guidelines shall be made available to building owners. The plan shall be submitted at the time of registration, or within a reasonable period of time thereafter to be determined by the director of inspections.

~~(d)~~(e) The owner shall comply with all applicable laws and codes. The owner shall notify the director of inspections of any changes in information supplied as part of the vacant building registration within thirty (30) days of the change. If the plan or timetable for the vacant building is revised in any way, the revisions must meet the approval of the director of inspections.

~~(e)~~(f) The owner and the subsequent owners shall keep the building secured and safe and the building and grounds properly maintained until the rehabilitation or demolition has been completed.

~~(f)~~(g) Failure of the owner or any subsequent owner to maintain the building and premises that result in abatement completed by the city shall be grounds for revocation of the approved plan and shall be subject to any applicable penalties provided by law.

~~(g)~~(h) The new owner(s) shall register or re-register the vacant building with the director of inspections within thirty (30) days of any transfer of an ownership interest in a vacant building. The new owner(s) shall comply with the approved plan and timetable submitted by the previous owner until any proposed changes are submitted and meet the approval of the director of inspections.

~~(h)~~(i) The director of inspections shall include in the file any property-specific written statements from community organizations, other interested parties or citizens regarding the history, problems, status or blighting influence of a vacant building.

~~(i)~~(j) Vacant building fees:

(1) The owner of a vacant building shall pay an annual fee as established in the director's fee schedule pursuant to section 91.70. The fee is imposed to recover all costs incurred by the city for monitoring and regulating vacant buildings, including nuisance abatement, enforcement and administrative costs. This fee may be waived or suspended for the current year as a term or condition of a written restoration agreement or order

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issued pursuant to section 249.50. This fee may be waived for the current year and previous years if the property is acquired by the Community Planning and Economic Development (CPED) Department.

- (2) The first annual fee shall be paid no later than five (5) days after the building becomes vacant. Subsequent annual fees shall be due on the anniversary date of initial vacancy. The fees shall be paid in full prior to the issuance of any building permits, with the exception of a demolition permit.
- (3) Unpaid fees shall be levied and collected as a special assessment against the property as provided for under section 227.100, with interest at the rate of eight (8) percent per annum on the unpaid balance thereof. Upon transfer of ownership, the new owner(s) shall be responsible for all unpaid and subsequent annual fees.

~~(4)~~ A building owner shall provide access to all interior portions of an unoccupied building in order to permit a complete inspection for the purpose of enforcing and assuring compliance with the provisions of this chapter.

Certified as an official action of the City Council:

RECORD OF COUNCIL VOTE (X INDICATES VOTE)													
COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN	COUNCIL MEMBER	AYE	NAY	NOT VOTING	ABSENT	VOTE TO OVERRIDE	VOTE TO SUSTAIN
Ostrow	X						Glidden	X					
Gordon	X						Schiff	X					
Hofstede	X						Remington	X					
Johnson	X						Benson	X					
Samuels	X						Colvin Roy	X					
Lillgren	X						Hodges	X					
Goodman	X												

ADOPTED

MAY 22 2009

DATE

ATTEST

CITY CLERK



APPROVED



NOT APPROVED



VETOED

MAY 27 2009

MAYOR RYBAK

DATE