

SECTION 801.05. ENFORCEMENT.

Subd. 1. Officers. The Building Official and Health Officer shall enforce the provisions of this Chapter with reference to nuisances affecting public health. The Clerk, Building Official and sheriff shall enforce the provisions relating to nuisances affecting peace, safety, and the general welfare. The Sheriff's Department shall enforce the provisions relating to nuisances affecting public morals and shall assist the other designated officers in the enforcement of other provisions of this Chapter. Such officers shall have the power to inspect private property, including all interior areas within structures on private property, and take all reasonable precautions to prevent and abate the commission and maintenance of public nuisances.

Subd. 2. Construction. The provisions of Section 805.01, Subdivision 1, shall be construed to be directory only, and shall not be construed to create a duty on the part of the City or its officers or employees to any person. The City and its officers and employees shall not be liable for any failure to enforce the provisions of this Chapter.

SECTION 801.06 ABATEMENT.

Subd. 1. General. Whenever the officer charged with enforcement determines that a public nuisance is being maintained or exists on premises in the City, the officer shall notify, in writing, the owner or occupant of the premises of such fact and order that such nuisance be terminated and abated. The notice shall be served in person or by certified or registered mail. If the premises are not occupied and the owner is unknown, the notice may be served by posting it on the premises. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding 30 days, within which the nuisance is to be abated and shall state that the City may proceed to abate the nuisance unless, within the specified time, the affected persons shall abate the nuisance or the affected person shall demand a hearing by notifying the Clerk in writing. A hearing shall be held within 30 days after any such demand, before the Council. The Council may rescind, modify or affirm the abatement order. If the owner, occupant or agent fails or neglects to comply with the requirements of the notice or order from the officer or Council, then the officer shall proceed to report his findings to the Council, and the Council may thereafter direct the appropriate staff to abate the nuisance and report the nuisance to the appropriate law enforcement authority. If abatement by the City requires that City-authorized personnel enter the interior of any structure on the property, the City shall, except in an emergency, first apply to the appropriate court for permission to so enter and abate.

Subd. 2. Emergency Abatement. When the officer charged with enforcement determines that a nuisance constitutes a serious and imminent danger to the public safety or health, the officer may summarily abate the nuisance after a reasonable attempt to notify the owner or occupant of the property. The officer shall immediately thereafter notify in writing the owner or occupant of the premises of the action taken. The notice shall be served in person or by registered or certified mail. The officer shall also immediately notify the Council of the action taken.