

separates the pasture from property used for other purposes; (c) at least one-half acre in size; and (d) undeveloped with any habitable buildings;

4. An area in which the land and vegetation appears not to have been graded, landscaped, mowed, or otherwise disturbed by human or mechanical means at any time. Determination of what constitutes this type of area will be based on a reasonable judgment of the present appearance of the area. The recent history of the area may be relevant to this determination; and
5. An area established with meadow vegetation if:
  - (a) The prior vegetation is eliminated and the meadow vegetation is planted through transplanting or seed by human or mechanical means;
  - (b) The area is cut at least once per year to a height of no more than 10 inches, if weeds cover more than 25 percent of the area; and
  - (c) A sign is posted on the property in a location likely to be seen by the public, advising that a meadow or prairie is being established. This sign is required only if the meadow vegetation is in an area likely to be seen by the public. This sign must be in addition to any sign permitted by the sign ordinance but must be no smaller than 10 inches square, no larger than one square foot, and no higher than three feet tall. The sign is no longer required when weeds cover 25 percent or less of the area.

**Subd. 4. Declaration of Public Nuisance.** The following are public nuisances subject to abatement under this chapter:

- A. Noxious weeds;
- B. Vegetation that does not meet the maintenance standard specified in Subdivision 3 above.

**SECTION 806.01. BUILDINGS OR STRUCURES THAT ENDANGER PUBLIC SAFETY, HEALTH OR PROPERTY WITHIN THE CITY.** A building or structure in the City is a public nuisance affecting public safety and health if the Building Official or Fire Marshal find it to be dangerous to public safety, health or to other property by reason of:

- A. Damage by fire;
- B. Defective chimneys or stovepipes;
- C. Dilapidated condition or decay;
- D. Defective electric wiring;
- E. Defective gas installation;
- F. Defecting heating apparatus;
- G. Defective sewage disposal system or plumbing; or

H. Any other defect endangering the public safety, health or other property.

**Subd. 1.** The Building Official or the fire marshal may order the nuisance abated by ordering its repair, correction or removal. This order must be in writing and must order the repair, correction or removal of the nuisance within 30 days or other time that the Building Official or Fire Marshal deems reasonable. This order must be served upon the owner, the lessee or the occupant by mail or by personal service. The order may provide that the building or structure not be further used or occupied until the repair or correction of the defect.

**SECTION 807.01. HAZARDOUS BUILDINGS AND EXCAVATIONS.** The "Hazardous Building Law," Minnesota Statute §463.15 through 463.261, is adopted by reference. Any hazardous building or dangerous excavation may be abated in accordance with the provisions therein.

**SECTION 808.01. TREE DISEASES.** The Council has determined that the health of the trees within the municipal boundaries is threatened by fatal tree diseases. It is further determined that the loss of trees growing upon public and private property would substantially depreciate the value of property within the City and impair the safety, good order, general welfare and convenience of the public. It is declared to be the intention of the Council to control and prevent the spread of tree diseases and this Section is enacted for that purpose.

**Subd. 1. Forester.**

**A. Position created.** The powers and duties of the City's Forester as provided by this Chapter are conferred on the Public Works Director or his/her designee.

**B. Duties.** It is the duty of the Forester to coordinate, under the direction and control of the Council, all activities of the City relating to the control and prevention of tree diseases. The Forester shall recommend to the Council the details of a program for the control of tree disease, and perform the duties incident to such a program adopted by the Council.

**Subd. 2. Nuisances Declared.** The following are declared to be public nuisances whenever they may be found within the City:

- A. Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm Disease fungus, Ceratocystis Ulmi (Buisman) Moreau, or which harbors any of the elm bark beetles, Scolytus multistrialus (eich.) or Hylurgopinus rufipes (March).
- B. Any dead elm tree or part thereof, including logs, branches, stumps, firewood, or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle insecticide.
- C. Any living or standing oak tree or part thereof infected to any degree with the oak wilt disease fungus ceraloystis fogacearum.
- D. Any dead oak tree or part thereof which, in the opinion of the Forester, constitutes a hazard, including, but not limited to, logs, branches, stumps, firewood, or other oak