

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