

**CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. _____

**AN ORDINANCE AMENDING INVER GROVE HEIGHTS CITY CODE, TITLE 5,
CHAPTER 9, SECTION 6 AND TITLE 7, CHAPTER 1, SECTION 2 REGARDING
PUBLIC NUISANCE ABATEMENT AND SNOW REMOVAL FROM PUBLIC
SIDEWALKS**

THE CITY COUNCIL OF THE CITY OF INVER GROVE HEIGHTS ORDAINS AS FOLLOWS:

Section One. Amendment. Inver Grove Heights City Code Title 5, Chapter 9, Section 6(A), is hereby amended to include the following language, which is shown below and underlined:

8. Immediate Abatement: Nothing in this section shall prevent the City, without notice or other process, from immediately abating any condition that poses an immediate and serious danger to public health, safety, or welfare.

Section Two. Amendment. Inver Grove Heights City Code Title 7, Chapter 1, Section 2, is hereby amended to read as follows. The ~~struck-out~~ text shows the deleted wording and the underlined text shows the language added to the code:

7-1-2: SNOW, ICE, DIRT AND RUBBISH ON SIDEWALKS:

A. Nuisance Declared; Sidewalks To Be Safe: The City performs snow and ice removal from certain public sidewalks located throughout the City in accordance with the most current version of the City's Winter Maintenance Policy adopted by the City Council. Snow and ice removal from all public sidewalks not subject to snow and ice removal by the City shall be the responsibility of the adjacent property owner. All snow, ice, dirt, and rubbish remaining on a public sidewalk more than twenty four (24) hours after its deposit thereon is hereby determined to be a public nuisance. The owner ~~and the occupant~~ of any property adjacent to a public sidewalk shall use due diligence to keep such sidewalk safe for pedestrians. No such owner ~~or occupant~~ shall allow snow, ice, dirt or rubbish to remain on the sidewalk longer more than twenty-four (24) hours after its has been deposited thereon; with respect to snow or other precipitation, the twenty-four (24) hour period shall start after the snow or other precipitation causing the condition has ceased to fall.

B. Removal By City; Records Kept: If the snow, ice, dirt or rubbish is not removed as required under section 7-1-2(A), the City may serve upon the owner of the property a written notice sent by e-mail, standard US mail, or posting notice on the property ordering removal of the snow, ice, dirt or rubbish within twenty-four (24) hours. If snow, ice, dirt or rubbish remains on a public sidewalk for more than twenty-four (24) hours after notice has been provided by the City, The—the street maintenance superintendent or other officials or employees designated by the council—their designee may remove or cause to be removed from all the public sidewalks all snow, ice, dirt, and rubbish as soon as possible, beginning ~~twenty-four (24) hours after any such matter has been~~

~~deposited thereon or after the snow has ceased to fall. Such employees or officials~~ The City shall keep a record showing the cost of such removal ~~from public sidewalk adjacent to each separate lot and parcel~~ and shall deliver such information to the City Clerk.

C. Emergency Abatement. Upon inspection of the property on which it is alleged that a public nuisance exists related to snow, ice, dirt or rubbish, if the street maintenance superintendent or their designee determine that a public nuisance exists and that the public health, safety or welfare may be in immediate danger, then emergency abatement procedures may be implemented, and the City may cause the nuisance to be removed or abated. When emergency abatement of snow, ice, dirt or rubbish is authorized, pre-abatement notice to the owner of the property is not required. Following emergency abatement, the City will mail a notice to the property owner describing the action taken to abate the nuisance and provide an invoice for the cost of the abatement.

D. Assessment of Costs; Delinquency: All costs of snow, ice, dirt or rubbish removal from public sidewalks shall be billed to the owner of the adjacent property, which shall be immediately due and payable to the City. Unpaid bills more than thirty (30) days past due shall be considered in default. The City Council may levy an assessment equal to such unpaid costs against each lot or parcel of land from which the snow, ice, dirt or rubbish has been removed pursuant to the provisions of Minnesota Statutes, Section 429.101.

Section Three. Effective Date. This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

Passed in regular session of the City Council of the City of Inver Grove Heights on the 9th day of October, 2023.

CITY OF INVER GROVE HEIGHTS

Brenda Dietrich, Mayor

ATTEST:

Rebecca Kiernan, City Clerk