



CODE ENFORCEMENT POLICY

Approved: 10/1/2025

INTRODUCTION

The Code Enforcement Policy, approved by the City of Pine City, provides guidelines for enforcement of the City of Pine City Municipal Code, Zoning Ordinance, and other regulatory codes adopted by the City. This document is intended to regulate only those enforcement/compliance processes and activities specifically initiated by the City. It is not the intent of the City to immediately pursue administrative citations or criminal charges. The City is committed to working collaboratively with all residents to achieve compliance with the Code of Ordinances.

CONTACT INFORMATION

City of Pine City
1015 Hillside Ave SW Ste. 2
Pine City, MN 55063

Direct Dial: 320-629-2575

<https://pinecitymn.gov/>
info@pinecitymn.gov

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1. **CODE ENFORCEMENT PROGRAM**

Minnesota Statute gives the City Council the “power to provide for the government and good order of the City, the suppression of vice and immorality, the prevention of crime, the protection of public and private property, the benefit of residence, trade, and commerce, and the promotion of health, safety, order, and convenience, and the general welfare as it shall deem expedient.



The City has an obligation to ensure a safe and quality building environment, and address threats to community standards through enforcement code. To meet this obligation, the City, the City has developed a Code Enforcement Program. The City has limited resources, so City Staff also rely on residents and business owners to provide information regarding code violations as well as self-initiated inspections.

A. STANDARD ENFORCEMENT POLICY

City of Pine City residents are supported in their efforts to maintain the physical environment of their neighborhoods through standards set in local ordinances. To assist in this endeavor, the following code enforcement policy has been established to guide the City in addressing properties with code violations. This policy is a guideline and does not bind the City. The City may deviate from this policy at any time, if at the sole discretion of the City a deviation is deemed appropriate.

Typical Code Enforcement violations include - Junk Storage; Permit Violations; Garbage and Refuse; Tall Grass; Signage; Yard Parking; Right-of-Way; Animals; Junk Vehicles; Zoning Use; Property Maintenance; and Public Nuisance.

B. COMPLAINT PRIORITY CLASSIFICATIONS

City staff strive to inspect every complaint received; however, due to limited staffing and to promote responsible use of government resources and staff time, City staff reserves the right and, in most cases, will not inspect or address vague complaints from anonymous sources.

When a violation is confirmed, the appropriate action is taken. Due to staff and time constraints, it is sometimes necessary to prioritize complaints and violations. When this happens, complaints are prioritized as follows:

1. Immediate risk to public health and safety.
2. High risk to health and safety through potential environmental impacts.
3. Aesthetic and nuisance violations.

2. DEFINITIONS

Abatement – Abatements are the removal or repair of a substandard property condition by the property owner, the owner’s agent, the City or the City’s contractor.

Administrative Citation – Administrative Citations are an alternative to a formal criminal complaints and are issued by a Code Enforcement Officer to the responsible party for uncorrected code violation(s). Person(s) issued an administrative citation will need to pay within 30 days of issuance. If an administrative citation is contested, it shall be dismissed, and the person contesting the administrative citation may be issued a



criminal citation/summons for the violation. Failure to pay the administrative citation within the time required may result in a misdemeanor or petty misdemeanor charge brought against the alleged violator in accordance with City ordinances.

Notice of Violation/Inspection Notice – A Notice of Violation/Inspection Notice is a standard formal legal notification (written notice) issued by a Code Enforcement Officer advising the responsible party that a violation(s) exists on the property. This notice also establishes a compliance deadline. This written notice is principally designed to encourage timely voluntary compliance.

Repeat/Recurring Violation – A Repeat/Recurring Violation is a newly identified code violation on a property involving the same responsible party for the same or substantially the same violation as identified on a previous investigation within the last twelve (12) months. Note: the twelve (12) months is calculated from the date of the Compliance Inspection to the date of the Initial Property inspection of the new violation.

Business Day - In the context of this policy a Business Day is considered Monday through Friday, from 8:00am to 4:30pm on a normally scheduled workday exclusive to holidays. Therefore, the next business day would be the next day that the City is scheduled to be open.

City Code – The City Code includes all ordinances passed by the City including those that have been codified.

Code Enforcement Officer – An employee of the City designated as the Code Enforcement Officer. The term Code Enforcement Officer also includes City employees authorized by City Code 2.20.080 Code Enforcement, 3.16.010(c), or 8.20.070 to issue citations.

Compliance Deadline – The Compliance Deadline (re-inspection date) is the date compliance is required and listed on the Notice of Violation or Notice and Order. If compliance has not occurred by the compliance deadline an administrative citation may be issued, or an abatement process may be initiated. The Compliance Deadline may be extended at the discretion of the Code Enforcement Officer.

Compliance Inspection – The Compliance Inspection is the re-inspection of the property on or after the date which is established when a notice is issued.

Extension – An Extension provides additional time for a responsible party to fully remedy any identified code violation(s). When a legitimate need arises, the party



responsible may request an extension beyond the initial compliance deadline. Extensions are determined at the sole discretion of the Code Enforcement Officer or other City official handling the matter.

Immediate Enforcement Violations - Immediate Enforcement Violations are code violations where immediate action is required to protect the public health, safety or welfare. As a result, an immediate citation may be issued.

Initial Property Inspection – The Initial Property Inspection is the first inspection conducted on a property where a new case is opened. During the Initial Property Inspection, the Code Enforcement Officer records any observed violations, attempts to make direct contact with the responsible party, establishes a compliance deadline, and issues a written notice.

Life-Safety Hazard – A Life-Safety Hazard is any identified code violation that has the potential to directly, or indirectly cause bodily harm. Examples of life-safety hazards include, but are not limited to: vehicles dangerously positioned on jacks, concrete blocks, wood, or other physical objects; certain types of right-of-way obstructions; dead trees or trees leaning at precarious angles; missing or obscured building addresses; swimming pools which are not properly fenced or secured; broken windows; electrical hazards; unsecured structures; and any other hazardous conditions where there exists a foreseeable danger to the public. Note: all life-safety hazards will be described as such in all written notices.

Responsible Party

1. The listed owner(s) on the Pine County Assessors real property parcel record.
2. All tenants on the property.
3. Any person or entity creating a violation even if they are not the record owner or tenant.
4. For Limited Liability Corporations, or other forms of businesses and corporations, the party responsible is the listed Officers as identified by the Minnesota Secretary of State.

Voluntary Compliance – Voluntary Compliance is achieved when all identified code violations are corrected before the established compliance deadline. This allows the Code Enforcement Officer to pass the inspection without the issuance of a citation, or the initiation of an abatement process. Voluntary Compliance is the preferred method of resolving code violations.

3. REACTIVE/PROACTIVE ENFORCEMENT

a. REACTIVE (COMPLAINT BASED) ENFORCEMENT



The City of Pine City Code, including but not limited to the Zoning Ordinance, and other regulatory codes adopted by the City are principally enforced on a complaint basis. This is designed to encourage residents, neighborhood associations, block watch programs, or other City departments to actively participate in the enforcement/compliance process.

In the interest of providing improved customer service, all complainants will be asked to provide a name and contact phone number. Providing the complainant information is the preferred method to report code violations and receives higher priority than anonymous complaints. Providing the complainant with information helps promote a more responsible use of government resources and a system of transparency and accountability. City staff reserves the right not to inspect or address anonymous complaints, as numerous anonymous complaints create inefficiencies in the use of taxpayer dollars and staff time. Note: all recorded complainants' contact information is maintained confidential to the extent allowed by law and the Minnesota Government Data Practices Act.

If a complaint is not patently obvious, the City may require the complainant to provide additional evidence of a violation such as photographs, a survey or access to their property to confirm a violation exists. If evidence is available to indicate the reported violation has existed for a long period of time, the City may elect not to pursue the complaint.

b. PROACTIVE ENFORCEMENT

The City may observe and respond to code violations during regular business, visit areas for reactive enforcement, or proactive code enforcement sweeps.

4. GENERAL PROCEDURES

a. LIFE SAFETY COMPLAINTS

If the alleged violation concerns are potential health or safety hazards to the neighborhood or neighbors, inclusive of open/vacant buildings, fire hazard and/or health hazards, or other health and safety hazards, the City's goal will be to respond within one (1) business day of receiving the complaint.

b. NON-LIFE SAFETY COMPLAINTS

If the alleged violation is not a potential health or safety hazard the City's goal will be to respond within five (5) business days of receiving the complaint.

c. NOTICE OF VIOLATION/NOTICE OF ORDER



Upon initial property inspection, the party responsible will be notified of any violation(s) discovered during the inspection process through the issuance of a written notice. If the party responsible is not present to receive the written notice at the time of the initial inspection, the notice may be served on the owner of record, mailed by certified or registered mail, or posted on the property in a conspicuous location if the premises is not occupied, the owner of record is unknown, or if the owner of record or occupant refuses to accept notice. The notice of violation will specify a compliance deadline. The notice of violation will also list any observed code violation(s).

d. FINAL NOTICE OF VIOLATION – CITATION/ABATEMENT FOR NON-COMPLIANCE

Unless a violation is an immediate enforcement violation, any uncorrected code violations remaining after the Compliance Deadline will receive a final notice of violation with an administrative citation. In addition, a final notice will also provide an explanation that repeat/recurring code violations, on the same property, within twelve (12) months are subject to expedited legal action as defined in Section six (6) Repeat/Recurring Violations.

e. EXTENSION

In general, extensions may be authorized for a specific period at the Code Enforcement Officer's sole discretion. Responsible parties who demonstrate to the Code Enforcement Officer the existence of circumstances requiring additional flexibility or deviation from the compliance deadline may be granted an extension for a specified reasonable period based upon consideration by the City of the following factors:

1. Resolution of all Life-Safety Hazards – An extension will not be considered, or provided, to any responsible party where life-safety hazard exists or where active and verifiable steps to physically mitigate the hazard are not in place.
2. Achievement of Measurable Progress – Upon the compliance inspection the property shows significant measurable improvement from the conditions observed during the initial property inspection.
3. Establishment of Direct Communication – The responsible party establishes direct communication with the assigned Code Enforcement Officer *prior* to the initial compliance deadline. Direct Communication could be face to face, email, or direct phone contact.
4. Written and/or Verbal Commitment to Voluntarily Comply – The responsible party states their intention to fully remedy all recorded violations on their property. This statement can be made verbally to the officer or in writing after establishing direct communication. The timeframes requested will be reviewed by the Code Enforcement Officer.



5. EXCESSIVE COMPLAINTS

The purpose of this section is to deal with situations where one or more parties inappropriately use the Code Enforcement system. At times, what begins as one complaint escalates into multiple complaints between two parties, with both parties using the complaint process to antagonize each other.

The City has limited resources, in terms of both staffing and funding, to manage complaints and code violations. The City has the right to choose how to best use these resources in a fashion that prudently utilizes taxpayer resources. The purpose of this Excessive Complaint Policy is to establish a protocol and standards for Staff to use to determine whether the enforcement tools available to the City are no longer effective.

The City does not intend to ignore complaints; however, City staff reserves the right to limit City staff resources spent conducting inspections or addressing retaliatory complaints among neighbors or excessive complaints from one resident. Depending on the nature of the Code violation and the impact the Code violation has on the health, welfare, and safety of the City and its residents, City staff will prioritize the list pending complaints it receives. Nothing in this section is intended to affect the City's response to alleged violations which may unreasonably endanger public health, safety, or welfare, or pose an imminent and serious hazard to human life or safety. Staff may choose to limit the amount of follow-up in certain situations.

City staff will use the following guidelines to determine if a complaint is excessive. Excessive complaints are ongoing complaints where any of the following may be present:

- a. The alleged violation is a private property dispute;
- b. The nature of the complaint moves from reporting a legitimate Code violation to a frivolous complaint or a complaint deemed to be using the City to antagonize another party;
- c. One party submits five (5) or more unverified complaints (no proof provided) on the same property within a twelve (12) month timeframe;
- d. One party submits multiple property complaints in an effort to consume or monopolize City staff time; or
- e. The parties refuse to participate in process identified by the City (e.g., mediation) to attempt to resolve the dispute.

Excessive and repetitive complaints by the same party or parties consume a considerable amount of staff time to inspect the alleged violation, talk with the parties involved, write letters requesting corrective action, if such is required, perform a follow-up inspection and potentially have further discussions with involved parties. There is no formula, either



objective or subjective, to determine when City efforts have been unsuccessful. In determining whether City efforts have been unsuccessful staff will consider the following:

- A. How much time the City has invested in working with the parties to address the City Code Violations.
- B. Whether the City has recommended a viable solution that is achievable within a reasonable amount of time (90 days)
- C. Whether the nature of the violation is creating a dangerous situation that puts people and property at risk.
- D. Whether the essential basis of the dispute is a civil dispute between private parties.

6. REPEAT/RECURRING VIOLATIONS

The Repeat/Recurring Violation process is designed to provide resolution through an expedited enforcement/compliance mechanism for responsible parties who repeatedly violate City ordinances and who have demonstrated an inability, or unwillingness, to responsibly maintain their property.

a. NOTIFICATION POLICY

Investigations where Repeat/Recurring Violations are identified will proceed through a procedural fast track. The discovery of repeat offense is caused to:

- 1. Issue a repeat/recurring violation warning notice

The Repeat Recurring Violation Warning Notice will be a final notice of violation that will be mailed directly to the responsible party(ies), via U.S. Mail, to the address listed on the Pine County Assessor Record. This written notice will advise the responsible party that repeat/recurring violations may be present on their property. Educational material describing other common code violations may be included with the warning notice. As specified in the final notice of violation, a compliance inspection will be made. At the time of this compliance inspection, any unresolved repeat/recurring violations are caused to:

- A. Issue a citation.
- B. Initiate an abatement process

NOTE: An extension for Repeat/Recurring Violations may be reviewed and approved by the City.

7. IMMEDIATE ENFORCEMENT VIOLATIONS



Certain types of illegal activities constitute an imminent public safety and health hazard. The following types of illegal activities may result in the issuance of an administrative citation without the benefit of receiving a prior written notice that such violation of City Code exists:

- a. Person(s) found illegally dumping litter, or waste, onto any property, vacant parcels, City Parks, or City Right-of Ways.
- b. Food vendor(s) who are selling food products without a license.
- c. Merchandise vendors who are soliciting customers without a license.
- d. Person(s) who allow a vehicle to remain unattended in a condition that is openly accessible to the public and that presents a life-safety hazard.
- e. Person(s) found responsible for causing obstruction of a public street, or sidewalk.
- f. Other violations as determined by the City.

8. ADVANCED CUSTOMER SERVICE

The City is a governmental body that places high value on providing professional, advanced customer service to the citizens with which we interact and serve.

Governmental transparency, performance efficiency, and public accountability are core values that guide our operational processes.

We Strive to Provide the Following Advanced Customer Related Services

- An emphasis on public education and voluntary compliance.
- When requested, keep complainants informed when contact information is provided.
- Refer low-income qualified, owner occupied, property owners who may require special assistance to known hardship assistance programs such as non-profit volunteer organizations.

9. ANNUAL POLICY REVIEW

Each year, the City Council should receive a report from City staff regarding code enforcement activity from the previous year. The number of violations by type should be communicated as well as the number of proactive vs. reactive complaints.