



ST. FRANCIS PLANNING COMMISSION

**ISD #15 DISTRICT OFFICE BUILDING
4115 AMBASSADOR BLVD.
FEBRUARY 19, 2014**

7:00 PM

AGENDA

1. Call to Order/Pledge of Allegiance
2. Roll Call
3. Adopt Agenda February 19, 2014
4. Approve Minutes November 20, 2013
5. Election of Officers: Chair & Vice-Chair
6. Public Comment
7. Public Hearing – CUP – Auto Sales at St. Francis Collision
8. Discussion Item – Ordinance Amendment – Vacant Property Registration
9. Adjournment

There may be a quorum of St. Francis Council Members present at this meeting.

**CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
November 20, 2013**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Chair Rich Skordahl.
2. **Roll Call:** Present were Ray Steinke, William Murray, Greg Zutz, Rich Skordahl and Roni Ronyak. Excused were Joel Olson and Todd Gardner. Also present was City Planner Nate Sparks.
3. **Adopt Agenda:** MOTION BY STEINKE, SECOND BY ZUTZ TO ADOPT THE NOVEMBER 20, 2013 PLANNING COMMISSION AGENDA. MOTION CARRIED 5-0.
4. **Approve Minutes:** MOTION BY MURRAY, SECOND BY RONYAK TO APPROVE THE OCTOBER 16, 2013 PLANNING COMMISSION MINUTES. MOTION CARRIED 5-0.
5. **Public Comment:** None
6. **Public Hearing – Preliminary Plat – 23008 Spring Hill Rd**

Sparks indicated Norma Jones has made an application for a preliminary plat to divide a 60 acre parcel into two lots of about 20 and 40 acres. The resulting lots both exceed the minimum standards in the Zoning Ordinance. The applicant is proposing to dedicate right-of-way for the adjacent streets. The proposed northern 20 acre lot has an approved wetland delineation and an analysis depicting a conforming building site in the western portion of the proposed lot.

Skordahl opened the Public Hearing at 7:06 pm.

Cheryl Leipus (22723 Xenon Street, Nowthen) asked if the cattle fence in the wetlands would be allowed to remain. Sparks stated that it could possibly remain but more information was needed.

Michael Mannio (23251 Spring Hill Road) asked if there was still a 15 acre lot minimum in effect in this area. Skordahl said the minimum lot size in this area is 10 acres. Mannio expressed opposition to development at higher densities.

James Anton (23005 Spring Hill Road) expressed concern about the proposed divisions impact on wetlands.

Jim Mrolzla (23065 Spring Hill Road) noted that the proposed driveway, septic, and building site on the northern lot are fairly close to the property to the west. Skordahl said they are all meeting City standards.

Skordahl closed the Public Hearing at 7:30 pm.

MOTION BY MURRAY, SECOND BY STEINKE TO RECOMMEND APPROVAL OF THE PRELIMINARY PLAT WITH THE FOLLOWING CONDITIONS:

1. The subdivision shall be recorded with Anoka County within 90 days of approval.
2. Any recommendations by the City Engineer or Anoka County shall be met.
3. The proposed septic site must be approved by the Building Official.
4. Park dedication shall be paid.

MOTION CARRIED 5-0.

7. Public Hearing – Ordinance Amendment – Parking Surfaces

Sparks stated that the City received complaints recently regarding the parking of vehicles on grass in residential areas. This practice is not expressly prohibited by code. The Planning Commission reviewed the City’s ordinance at the June 2013 meeting and recommended the proposed ordinance amendments to require all cars parked in the front yard to be on an approved parking surface of bituminous, concrete, or pavers adjacent to the driveway. Gravel is permitted where gravel drives are allowed.

Skordahl opened the public hearing at 7:31. Hearing no comment, the public hearing was closed by Skordahl at 7:32.

Murray noted that the ordinance doesn’t expressly limit the width of the parking pads.

MOTION BY STEINKE, SECOND BY RONYAK TO RECOMMEND APPROVAL OF THE ORDINANCE AMENDMENT. MOTION CARRIED 5-0.

8. Public Hearing – Ordinance Amendment – Fences

Sparks stated that this amendment is intended to correct an error in the animal fencing reference, to better separate sections regarding business and industrial fencing, and to allow such fences to exceed height and location standards in some instances with a conditional use permit.

Skordahl opened the public hearing at 7:35. Hearing no comment, the public hearing was closed by Skordahl at 7:36.

MOTION BY ZUTZ, SECOND BY MURRAY. MOTION CARRIED 5-0.

9. Other Items – Ronyak announced that her term is up and she is not seeking re-appointment at this time. The Commissioners thanked her for her service.

10. Adjournment: MOTION BY STEINKE, SECOND BY RONYAK TO ADJOURN MEETING AT 7:38 PM. MOTION CARRIED 5-0.

Nate Sparks, City Planner

Date



PLANNING MEMO

TO: St. Francis Planning Commission
Matt Hylen, City Administrator

FROM: Nate Sparks, Consulting Planner

DATE: February 14, 2014

MEETING DATE: February 19, 2014

RE: St. Francis Collision – Auto Sales CUP

BACKGROUND

St. Francis Collision has made an application for a conditional use permit (CUP) to allow for auto sales at their body shop located at 23615 St. Francis Blvd. The site was granted a CUP in 2002 to allow for the auto body use. The building is currently a multi-tenant structure with the body shop in one bay and the other bay is currently vacant. The proposed auto sales are intended to be operated by the operator of the auto body shop. The proposal is to have cars for sale displayed in the front part of the parking lot adjacent to Stark Drive.

GENERAL REQUIREMENTS

The site is zoned B3, Business Park. In the Business Park District, Auto Sales are only permitted with a CUP. In order to be granted a CUP, the applicant must demonstrate compliance with the City's CUP review criteria:

- A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Official City Comprehensive Plan.
- B. The proposed use is or will be compatible with present and future land uses of the area.
- C. The proposed use conforms with all performance standards contained in this Ordinance.
- D. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.
- E. Traffic generation by the proposed use is within capabilities of streets serving the property.

CUP PERFORMANCE STANDARDS

As may be applicable, the evaluation of any proposed conditional use permit request shall be subject to and include, but not be limited to, the following general performance standards and criteria:

- A. The use and the site in question shall be served by a street of sufficient capacity to accommodate the type and volume of traffic which would be generated and adequate right of way shall be provided.
- B. The site design for access and parking shall minimize internal as well as external traffic conflicts and shall be in compliance with Chapter 19 of this Ordinance.
- C. If applicable, a pedestrian circulation system shall be clearly defined and appropriate provisions made to protect such areas from encroachment by parked or moving vehicles.
- D. Adequate off-street parking and off-street loading shall be provided in compliance with Chapter 19 of this Ordinance.
- E. Loading areas and drive-up facilities shall be positioned so as to minimize internal site access problems and maneuvering conflicts, to avoid visual or noise impacts on any adjacent residential use or district, and provided in compliance with Chapter 19 of this Ordinance.
- F. Whenever a non-residential use is adjacent to a residential use or district, a buffer area with screening and landscaping shall be provided in compliance with Chapter 20 of this Ordinance.
- G. General site screening and landscaping shall be provided in compliance with Chapter 20 of this Ordinance.
- H. All exterior lighting shall be so directed so as not to cast glare toward or onto the public right of way or neighboring residential uses or districts, and shall be in compliance with Section 10-16-8 of this Ordinance.
- I. Potential exterior noise generated by the use shall be identified and mitigation measures, as may be necessary, shall be imposed to ensure compliance with Section 10-16-12 of this Ordinance.
- J. The site drainage system shall be subject to the review and approval of the City Engineer.
- K. The architectural appearance and functional design of the building and site shall not be so dissimilar to the existing or potential buildings and area so as to cause a blighting influence. All sides of the principal and accessory structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.
- L. All signs and informational or visual communication devices shall be in compliance with Chapter 23 of this Ordinance.

- M. The use and site shall be in compliance with any Federal, State or County law or regulation that is applicable and any related permits shall be obtained and documented to the City.
- N. Any applicable business licenses mandated by the City Code are approved and obtained.
- O. The hours of operation may be restricted when there is judged to be an incompatibility with a residential use or district.
- P. The use complies with all applicable performance standards of the zoning district in which it is located and where applicable, any non-conformities shall be eliminated.
- Q. All additional conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying or expanding the conditions set forth herein.

REQUIRED PARKING

Generally, the request appears to generally conform with all the review criteria and performance standards as proposed. One area of concern is related to required parking. The Zoning Ordinance requires a certain amount of parking on site based on the uses within the buildings. In Section 10-19, the auto body shop is required to have four stalls for every primary work station plus two additional stalls. The empty space in the building had been used for office with warehousing or manufacturing in the past.

The applicant states the office-warehouse area has about 900 square feet in office area with about 4300 square feet in warehousing. The office space requires one parking stall for every 200 square feet of office and the warehouse requires one space for every 1000 square feet. This would mean a requirement of 5 for each side for a total of 10 required stalls.

The operator of the business states there is about 4 primary work stations within the building. There may be more cars in the building awaiting repair, but there are typically four cars worked on at one time. This would result in a need for 18 stalls.

The total parking required for the site is 28 stalls. The parking lot on the site is not clearly striped. So, the applicant estimated that there are about 70 stalls on the site. This includes parking within a fenced storage area and stalls that are 8 feet wide. The ordinance requires all stalls to be accessible and 9 feet by 19 feet wide with two-way drive aisles of 24 feet in width. Handicapped parking is also required.

Therefore, upon reviewing the site and dimensions it appears that there are about 39 stalls available. The car sales lot requires one additional parking stall meaning the required parking on site would be 29 stalls. This would leave 10 extra stalls on site that could be used for car sales.

If the applicant feels that this is insufficient, a to-scale striping plan may be submitted depicting more parking availability.

When the Auto Body CUP was approved in 2002, the site had demonstrated 25 parking stalls on the site. The fenced area that is now behind the building was then envisioned to be even with the front of the building. By moving this to the rear of the building there is more parking available for an additional use such as this.

RECOMMENDED ACTION

If the Planning Commission finds that the auto sales use on the St. Francis Auto Parts site meets the criteria for the granting of a CUP, it should be done with the following conditions:

1. Cars on display for sale shall be limited to 10 unless the applicant demonstrates a parking plan showing more parking availability and has the lot striped in conformance with Section 10-19 of the Zoning Ordinance.
2. Junk or severely damaged vehicles that are not in compliance with Chapter 8 of the City Code are prohibited from outdoor display.
3. The Auto Sales may only be conducted with a license from the State.
4. All fees related to the review of this application shall be paid.

ST. FRANCIS COLLISION & GLASS

January 29, 2014

PH: (763) 753-6116
FAX: (763) 753-9739

23615 HIGHWAY 47
ST. FRANCIS, MN 55070

To Whom It May Concern:

Joseph & Connie Tillman are current owners of a 2-suite (11,200 sq. ft.) commercial building located at 23615 St. Francis Boulevard NW and Stark Drive NW. Suite #1 is occupied by St. Francis Collision & Glass. The remaining 50% of the building has been vacant for almost six years, due to the economic slow-down. As there has been no interested in the vacant space, we are looking for solutions to off-set the loss of rental income. The addition of a small number of used cars for sale would be a good fit for our current business, as well as for the area.

St. Francis Collision & Glass is a full-service auto body repair and restoration business. We repair accident damaged vehicles, restore "collector" cars, repair and re-paint late model cars for cosmetic reasons, replace auto glass, and handle light mechanical work. We currently have "loaner cars" available for customer use, while vehicles are in the shop for repairs. As these vehicles get older, we need to sell them and upgrade with newer models. On occasion, we will also sell a vehicle to a customer who has lost a car due to excessive collision damage (total loss).

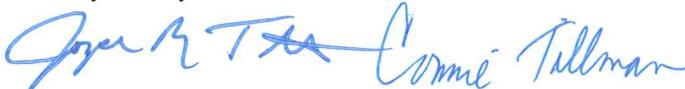
We would like to take the "occasional" sale to the next level to help off-set the loss of rental income. The auto sales business would be compatible with the current auto body & paint business, and not infringe on parking. We would like to have two or three "collector" vehicles on hand, to repair and sell, as we are already in the antique car restoration business. In addition, we would like to have five or six late model vehicles available to sell to people in need of a daily use vehicle.

The property site has room for about 70 parking spaces, eight feet wide. The south parking lot has room for 29 spaces, which are typically 80%-90% empty. Seven spaces are used for employees and owners on a daily basis. Zero to four customer cars may be parked in front of the building, off-and-on during the week, as they drop-off or pick up vehicles. Zero to three loaner vehicles may be parked outside waiting for customer pickup. Damaged vehicles are typically inside, being repaired. As you can see, there is easily ample room for seven to nine vehicles "for sale", as well as excess parking for potential car buyers. The addition of seven to nine vehicles for sale will not impact current parking and will still leave 35 to 45 parking spaces overall.

We would like to allocate one row of parking spaces along the south property line which borders Stark Drive NW, for used car sales, as this area is otherwise seldom used and would allow exposure to prospective buyers as they drive past the building. We would display five to nine vehicles in this area, anticipating the sales volume to be only two to four vehicles per month, with low numbers of "shoppers". Neither current on-site parking, nor street parking will be impacted by this use.

Since this site and those to the north, east and south are zoned B3-Business Park (commercial), and the property to the west across Highway 47 is zoned B2-General Commercial, we feel the addition of a small number of used vehicles for sale would be a compatible use, and helpful to the local economy.

Thank you for your consideration,



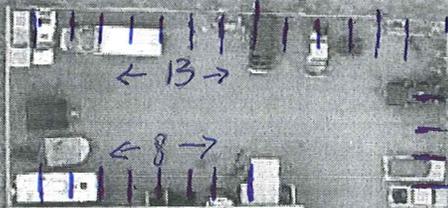
Joseph & Connie Tillman
St. Francis Collision & Glass
CNJ Properties, LLC.

Complete Auto Body Repairs & Restorations



SAINT FRANCIS BLVD

23671



← 80' →

23615
← 140' →

← 80' →

← 10' →

USED CAR SALES
PARKING

← 12' →

2351

← 22' →
← 22' →

305'

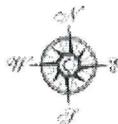
3945

← 7' →

Scale 1:600

STARK DR NW

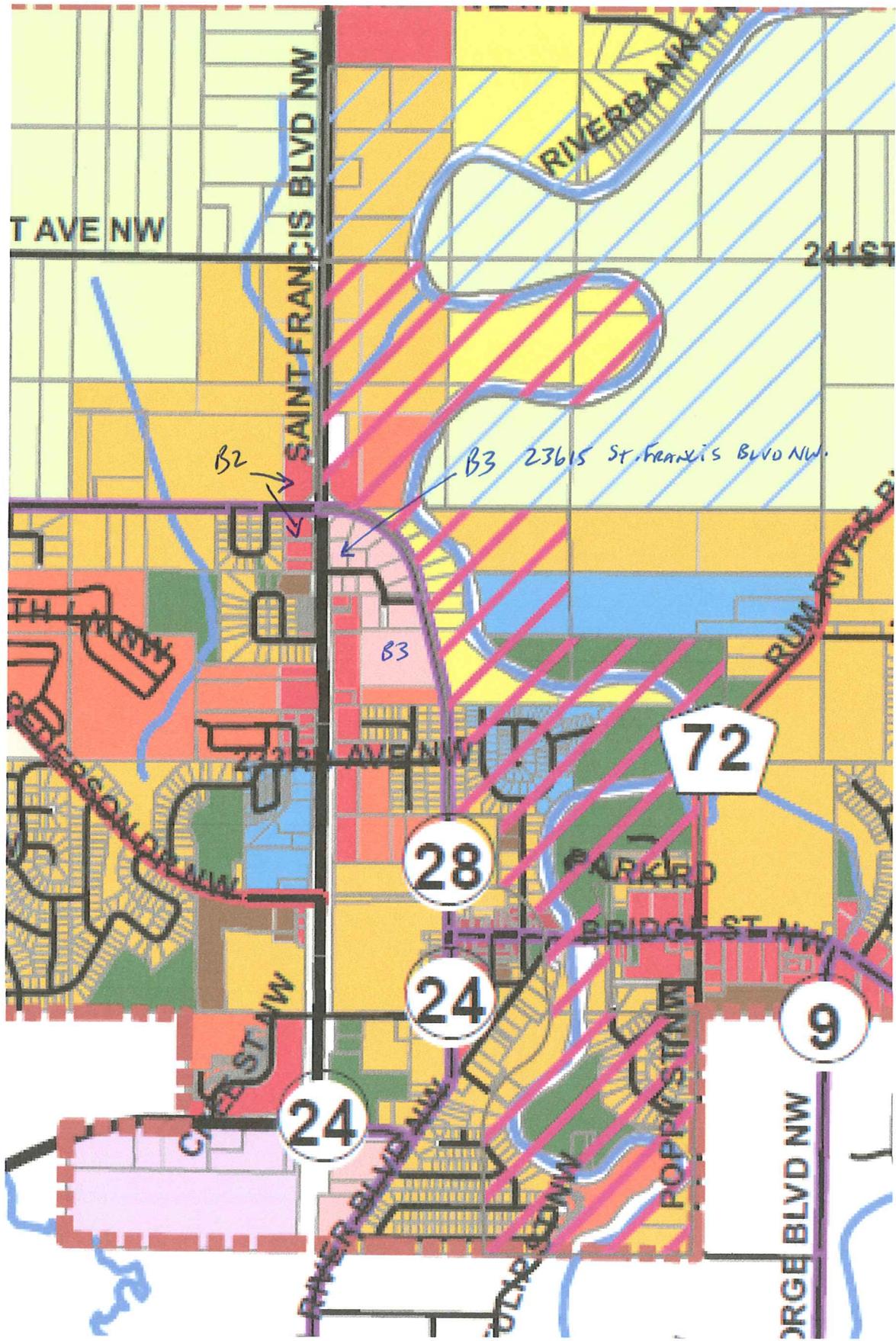
72 - 8' wide parking spaces



Aerial Photo: Flown Spring 2011

Prepared by Anoka County GIS Department

This is a computer-generated map and does not constitute an official map of Anoka County. The County Office is not responsible for any errors or omissions. This product is for informational purposes only. Anoka County is not responsible for any loss or damage resulting from the use of this product.



B2 - General Commercial
B3 - Business Park

DESCRIPTION OF REQUEST: (attach additional information if needed)

Project Name: JOE TILLMAN ENT DBA: CNS Auto Sales
 Nature of Proposed Use: USED AUTOMOBILE SALES

Reason(s) to Approve Request: SEE ATTACHED LETTER

PREVIOUS APPLICATIONS PERTAINING TO THE SUBJECT SITE:

(attach additional information if needed)

Project Name: _____ Date of Application: N/A

Nature of Request: _____

PROPERTY INFORMATION:

Street Address: 23615 St. Francis Blvd NW
St. Francis MN 55070
 Property Identification Number (PIN#): 32-34.24.22-0026

Legal Description: _____ Lot(s): 2 Block: 1 Subdivision: SAINTS ADDN.

OWNER INFORMATION:

Name: CONNIE TILLMAN Business Name: CNS PROPERTIES LLC
 Address: 23615 St. Francis Blvd NW.
 City: St. Francis State: MN Zip Code: 55070
 Telephone: 763-753-6116 Fax: 763-753-9739 E-mail: CONNIE.SFCOLLISION@gmail.com
 Contact: _____ Title: _____

APPLICANT INFORMATION: (if different from owner)

Name: CONNIE + JOE TILLMAN Business Name: JOE TILLMAN ENT. DBA ST. FRANCIS COLLISION + GLASS
 Address: 23615 St. Francis Blvd NW
 City: St. Francis State: MN Zip Code: 55070
 Telephone: 763-753-6116 Fax: 763-753-9739 E-mail: CONNIE.SFCOLLISION@gmail.com
 Contact: CONNIE OR JOE Title: _____

NOTE: Applications must be signed by all property owners. Applications only accepted with ALL required support documents and fees. Please request and follow appropriate Development Checklist(s) for desired application.



Parking Analysis Meeting Sec 10-19 Standards

SAINT FRANCIS B

23671

Fenced Storage Area

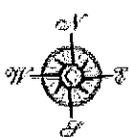
23615

3945

STARK DR NW

Scale: 1:600

Parking Stalls 9' x 19'



Aerial Photo: Flown Spring 2011

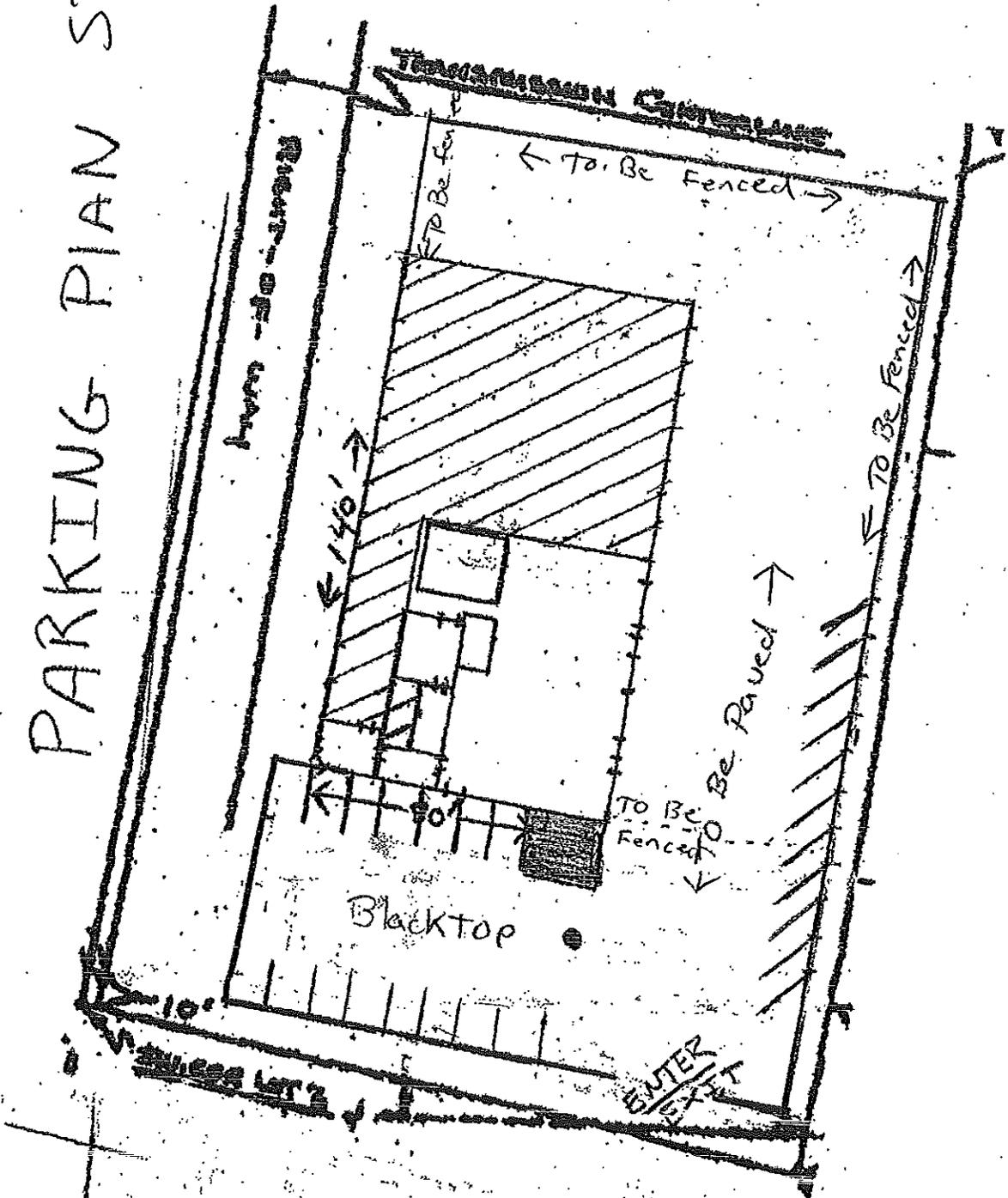
Prepared by Anoka County GIS Department

This is a compilation of records as they appear in the Anoka County Office's existing records. This data is to be used only for reference purposes and the County is not responsible for any inaccuracies herein reflected.



Parking Plan
From 2002 CUP

PARKING PLAN ST. Frances
Collision and
Glass
23615 HWY 47





PLANNING MEMO

TO: St. Francis Planning Commission
Matt Hylen, City Administrator

FROM: Nate Sparks, Consulting Planner

DATE: February 14, 2014

MEETING DATE: February 19, 2014

RE: Vacant Building Registration Ordinance

BACKGROUND

The Planning Commission has been discussing an ordinance to require the registration of vacant buildings. City Staff has prepared a draft ordinance for review and discussion.

DRAFT ORDINANCE

Attached is a draft ordinance requiring the registration of all vacant buildings within 60 days of vacancy. With the registration comes an inspection and a plan for maintenance for the property. The maintenance plan is required to correct any violations on the property and to ensure the building isn't maintained as blight or a nuisance.

ORDINANCE DISCUSSION

There are some possible additions or alternative methods

Section 4-7-2 is the list of definitions. In the definition for "building" it may be clarified that tenant bays in multi-tenant commercial and industrial structures are not required to be registered.

Section 4-7-3-a states that a building must be registered if vacant more than 60 days. This time frame can be made shorter or longer. No exceptions are listed. Some cities exempt "snowbirds" and actively listed single family homes. However, these exemptions are difficult for enforcement officers to confirm.

Section 4-7-3-d requires a "property plan" be created for putting the property back to use or demolished. The ordinance is fairly general regarding what is necessary for incorporation into this plan. If the Commissioners believe that it may be more beneficial to have specific requirements or expectations it may be beneficial to expand this section.

Section 4-7-3-f includes fees and duration of registration. The registration is proposed to be good for one year. Commissioners should provide feedback on the duration and fees. Fees for single family houses may be different than that for commercial and industrial structures.

Section 4-7-4 requires an inspection. This inspection may uncover violations that need to be corrected prior to future occupancy.

Section 4-7-5 has a short list of maintenance requirements. In some communities this list includes graffiti removal, fire safety provisions, plumbing, heating, electrical, lighting, signage removal, exterior maintenance, and other such provisions. For starters the list in the draft ordinance has been kept general and short. However, if the Commissioners feel that expanding the list to provide more clarity is beneficial, it may be advisable to include more requirements.

One example is that some cities do not allow for the prolonged appearance of boarded up windows. This is only permitted temporarily and must be replaced within an established time frame. Another example is that when integral plumbing fixtures are stolen from a vacant house, replacement is required.

RECOMMENDED ACTION

It is recommended that the Planning Commission review the ordinance and provide a recommendation to the City Council. Commissioners may recommend changes to be incorporated into the draft ordinance prior to Council review.

**VACANT BUILDING REGISTRATION ORDINANCE
PLANNING COMMISSION REVIEW DRAFT
FEBRUARY 19, 2014**

4-7-1. PURPOSE AND FINDINGS. The City of St. Francis is enacting this section to protect the public health, safety and welfare by establishing a program for the identification and regulation of vacant buildings. The city finds that vacant buildings are a major cause and source of blight in residential and non-residential neighborhoods. Neglect of vacant buildings, as well as use of vacant buildings by transients and criminals creates a risk of fire, explosion or flooding for the vacant building and adjacent properties. There is a substantial cost to the city for monitoring vacant buildings. This cost should not be borne by the general taxpayers of the community; but, rather, these costs should be borne by owners of those buildings.

4-7-2. DEFINITIONS. For the purposes of this article, the terms defined in this subsection have the meanings given them and shall apply in the interpretation and enforcement of this article.

Abandoned property means property not lawfully occupied that the owner has surrendered, voluntarily relinquished, disclaimed, or ceded all right, title, claim, and possession, with the intention of not reclaiming it.

Building is any roofed structure used or intended for supporting or sheltering any use or occupancy. "Building," for purposes of this Chapter, shall include a portion of a building that is a separately titled, or capable of being separately titled, such as a condominium or townhouse unit, that is part of a larger building structure.

Compliance official means the city administrator and the city administrator's designated agents authorized to administer and enforce this section.

Owner or property owner is the owner of record of a property on which a building is located according to County property tax records, those identified as owner or owners on a vacant building registration form, a holder of recorded or an unrecorded contract for deed, a mortgagee or vendee in possession, a mortgagor or vendor in possession, an assignee of rents, a receiver, an executor, a trustee, a lessee, or other person, firm or corporation in control of the freehold of the premises or lesser estate therein. "Owner" also means any person, partnership, association, corporation or fiduciary having a legal or equitable title or any interest in the property or building. This includes any partner, officer or director of any partnership, corporation, association or other legally constituted business entity. All owners shall have joint and several obligations for compliance with the provisions of this section.

Responsible party is an owner, entity or person acting as an agent for the owner who has direct or indirect control or authority over the building or real property, upon which the building is located, or any other person or entity having a legal or equitable interest in the property. "Responsible

party" may include but is not limited to a realtor, service provider, mortgagor, leasing agent, management company or similar person or entity.

Unoccupied building is a building which is not being used for legal occupancy as defined in the St. Francis City Code.

Vacant building means a building, other than a building under construction pursuant to a valid building permit that is unoccupied for 60 consecutive days.

Vacant building registration form (VBRF) is the form prescribed in Section 4-7-3.

4-7-3. VACANT BUILDING REGISTRATION.

(a) *Application.* The owner or responsible party shall register a vacant building with the city no later than 60 days after the building becomes vacant or as soon thereafter as owner has a reasonable basis to believe that the building has become vacant. The registration shall be submitted on a form provided by the city and shall include the following information supplied by the owner or responsible party.

- (1) The name, address, telephone number and email address, if applicable, of each owner and each owner's representative.
- (2) The names, addresses, telephone numbers and email addresses, if applicable, of all known lien holders and all other persons or entities with any legal interest in the building.
- (3) The name, address, telephone number and email address, if applicable, of a local agent or person responsible for managing or maintaining the property.
- (4) Property identification number and street address of the premises on which the building is situated.
- (5) The date the building became vacant, the period of time the building is expected to remain vacant, and a written property plan and timetable as described in subsection____(d) for returning the building to lawful occupancy or use, or for demolition of the building.
- (6) The status of water, sewer, natural gas and electric utilities.

(b) *Notification.* The owner shall notify the compliance official within 30 days of changes in any of the information supplied as part of the vacant building registration.

(c) *Administrative registration.* If the compliance official determines that a building has been vacant for at least 60 days and has not been registered by its owner or responsible parties, the compliance official may administratively register the building and attempt to notify the owner of that registration based on such information as is reasonably available to the compliance official. Properties registered administratively will be charged a fee established by the city council.

(d) *Property plan.* The property plan identified above in Section 4-7-3-a-5 shall meet the following requirements:

- (1) *General provisions.* The plan shall comply with all applicable regulations as determined by the building official. It shall contain a timetable regarding use or demolition of the property. The plan shall be completed within 30 days after the building is registered.
- (2) *Maintenance of building.* The plan shall identify the means and timetable for addressing all maintenance and nuisance-related items identified in the application or arising since application, or as identified by the building official. Any repairs, improvements or alterations to the property shall comply with State Building Code provisions and applicable city regulations.
- (3) *Plan changes.* If the property plan or timetable for the vacant building is revised in any way for any purpose, the revisions shall be submitted to the city in writing and meet the approval of the compliance official.
- (4) *Demolition required.* If a building has remained vacant for a period of 365 consecutive days, and the compliance official has not approved an alternative schedule in the property plan, the city may declare the building to be a nuisance and direct the owner to demolish the building and restore the grounds. If the owner does not demolish the building and thereby eliminate the nuisance conditions, the city may commence abatement and cost recovery proceedings for the abatement of the nuisance in accordance with Section 8-2-2 of the City Code and Minn. Stats. § 429.101.

(f) *Fees.* The owner of vacant buildings or responsible parties shall pay a fee at the time of registration or, if registered administratively pursuant to subsection 4-7-3-c at the time of receipt of notice of registration if the property meets one of the following conditions:

- (1) Unsecure;
- (2) Unsafe;
- (3) Posted for no occupancy or unfit for human habitation;
- (4) Condemned and illegally occupied;

- (5) Abandoned;
- (6) Having more than one code violation; or
- (7) Having gone unregistered after a 60-day notice.

Subsequent to the original registration, fees shall be due on the anniversary date of the original registration. The fees must be paid in full prior to the issuance of any building permits. The registration fee will be in an amount set forth in the City's fee schedule. The amount of the registration fee shall be reasonably related to the city's costs incurred in the administration and enforcement of the vacant buildings registration and monitoring program described in this article.

(g) *Assessment.* If the registration fee or any portion is not timely paid, the city council may certify the unpaid fees against the property in accordance with Minn. Stats. § 429.101.

4-7-4: INSPECTION OF VACANT BUILDINGS. Registration of a vacant building shall constitute consent by the owner or responsible party to the city to go upon the property for inspection purposes. The compliance official may inspect any vacant building in the city for the purpose of enforcing and assuring compliance with this article and other applicable regulations. Upon the request of the compliance official, an owner or responsible party shall provide access to all interior portions of the building and the exterior of the property in order to complete an inspection. If the owner or responsible party is not available, is unresponsive, or refuses to provide access to the interior of the building, the city may use any legal means to gain entrance to the building for inspection purposes. Prior to any re-occupancy or reuse, the owner or responsible party shall request an inspection of the vacant building by the compliance official to determine the building is fit for human occupation consistent with the Minnesota State Building Code. All applicable building permit fees as needed shall be paid prior to building occupancy.

4-7-5. MAINTENANCE OF VACANT BUILDINGS. In addition to the requirements of subsection 4-7-3-d the owner or responsible party shall address and comply with all applicable regulations with respect to the following:

- (1) *Appearance.* All vacant buildings shall be maintained as required in Chapter 8 of the City Code.
- (2) *Security.* All vacant buildings shall be secured from unauthorized entry. Security shall be ensured by normal building amenities such as windows and doors having adequate strength to resist intrusion. All doors and windows shall remain locked. There shall be at least one operable door into every building and into each room within the building. Exterior walls and roofs shall be without holes.

4-7-6. EMERGENCY SECURING. The compliance official may take immediate steps to secure a vacant building at his or her discretion in emergency circumstances with such costs for securing at the expense of the property owner.

4-7-7. APPEAL. Any person or responsible party aggrieved by a decision of the compliance official under Section 2-10 may appeal by serving on the compliance official a written notice of intent to appeal

within 30 calendar days of receipt of notice of the decision. Upon receipt of the written notice of intent to appeal, the council shall, within a reasonable time but no later than 30 days after receipt of notice of appeal, hear the appeal, and shall promptly thereafter render its decision, which decision shall be final.

4-7-8. PENALTIES. Any person or responsible party who violates the provisions of this Chapter is subject to penalty as provided under _____ of this Code. Nothing in this section, however, is deemed to impair other remedies available to the city under this Code or state law, including, but not limited to, Minn. Stats. §§ 463.15 through 463.261.