

ORDINANCE NO. 153
City of Moose Lake, Minnesota

**AN ORDINANCE REGULATING THE MOWING OF GRASS AND REQUIRING
LAWN MAINTENANCE WITHIN THE CITY AND TO PROVIDE FOR A
PENALTY FOR VIOLATION**

The City Council of the City of Moose Lake, Minnesota hereby ordains:

Section 1. Grass Mowing and Lawn Maintenance.

Subd. 1. Purpose. To avoid blight and the consequences of blight, including a negative impact on the values of property within the City and an adverse effect on summer tourism, the City Council of Moose Lake, Minnesota enacts a standard of property appearance, maintenance and upkeep by requiring that lawns and grass shall be mowed.

Subd. 2. Lawn and Grass - Height Limitations. Property owners shall be responsible for mowing the grass or arranging for the same on all lots or parcels within the city limits. Lawns and grass on any lot within the city limits shall not exceed eight [8] inches in height, nor shall weeds and grass be allowed to go to seed thereon.

Subd. 3. Exceptions. The following cases shall be exceptions to the mandatory requirement that lawns and grass shall be mowed:

- a. The area in violation constitutes a wetland or wetland buffer area;
- b. The area in violation is a storm water pond or part thereof;
- c. The area in violation is heavily forested;
- d. The area in violation is a park or nature preserve or part thereof;
- e. The area in violation is a natural area not exceeding one-quarter of the lot's size;
- f. The area in violation is actively used as agricultural land;
- g. The area in violation is on a slope in excess of a slope or grade ratio of 3 to 1.

In addition, in the case of a residential housing plat under development or land under development for sale as lots for building residential housing, if such land has not been leveled, brush cleared, seeded and prepared for mowing, or while the home thereon is in the building process and the lot has not been landscaped, this Ordinance shall not apply.

Subd. 4. Variance. Any land owner who desires to be exempt from this Ordinance shall file a Variance application prior to March 31 if the land owner desires the Variance to apply to the calendar year of the application. Variances shall be limited to a single growing season.

Subd. 5. Fees Assessed. In the event a land owner fails to mow a lawn as required in **Subdivision 2**, and an exception or variance is not in effect, the city shall proceed as follows: If the property is occupied the City shall serve personally upon any occupant 18 years of age or older, written notice that the lawn must be mowed within five [5] business days after service. If the parcel is not occupied the city shall post the written notice thereon and mail or fax the written notice to the last known lien holder in event of foreclosed properties. If the lawn is not mowed within five [5] business days following the service or posting of the Notice, the City shall have city staff or contractors mow the lawn at the rate posted in the City's fee schedule, and shall bill the property owner or lien holder if a foreclosed property, for the mowing fee. Unpaid bills for city mowing may be sued in conciliation court or assessed against the land in the City's option, or both. The City shall certify to the County Auditor as a special assessment against the said real property any unpaid mowing fees on a calendar year basis.

Subd. 6. Criminal Penalty. The third violation in a calendar year shall be deemed to be a petty misdemeanor, and each violation thereafter in the same calendar year shall be a separate petty misdemeanor.

Section 2. This Ordinance shall be published forthwith following its adoption.

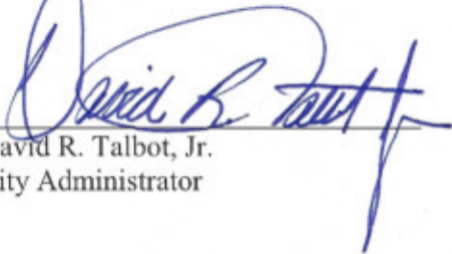
Dated: June 19, 2008

CITY OF MOOSE LAKE, MINNESOTA

A handwritten signature in blue ink, appearing to read "Ted B. Shaw", written over a horizontal line.

Ted B. Shaw
Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "David R. Talbot, Jr.", is written over a horizontal line. The signature is stylized and cursive, with a long, vertical flourish extending downwards from the end of the name.

David R. Talbot, Jr.
City Administrator

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