

**CITY OF FRAZEE, MINNESOTA
ORDINANCE NO. 174**

**AN ORDINANCE OF THE CITY OF FRAZEE, MINNESOTA
REPEALING TITLE 4, CHAPTER 3 (BLIGHT), AS WELL AMENDING TITLE 1, CHAPTER 4 (PENALTIES)
AND RELATED PARTS, OF THE FRAZEE CITY CODE**

SECTION 1. PURPOSE:

The City Council of the City of Frazee, Minnesota finds that it needs to repeal and amend certain regulations.

SECTION 2. ADOPTION:

NOW BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF FRAZEE that Title 4, Chapter 3 (Blight) of the Frazee City Code is hereby repealed.

NOW BE IT FURTHER ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF FRAZEE that the following portions of Title 1, Chapter 4 (Penalties); Title 3, Chapter 2 (Intoxicating Liquors and 3.2 Percent Malt Liquor); Title 4, Chapter 1 (Public Nuisances); Title 8, Chapter 2 (Sewer System); and Title 8, Chapter 2, Article A (Industrial Wastes) are hereby amended to read:

TITLE 1, CHAPTER 4 (PENALTIES)

1-4B-2: NOTICE AND PAYMENT:

In the discretion of the issuing officer, violations of the provisions of this code set forth below may be enforced by issuing, on a form authorized by the city attorney, a request to make payment for the violation directly to the city within seven (7) days of the violation. A late charge of ten percent (10%) shall be imposed for each seven (7) days the requested penalty remains unpaid after the requested payment is due.

Subject	Code Provisions
Alcohol	Title 3, Chapter 2
Animals	Title 5, Chapter 5
Blight	Title 4, Chapter 3
Building code	Title 9, Chapter 1
Curfew	Title 5, Chapter 6
Dog license	Title 5, Chapter 5, Article A
Park closing	Title 5, Chapter 6; Title 7, Chapter 4
Parking	Title 6, Chapter 2
Public nuisances	<u>Title 4, Chapter 1</u>
Rental registration	Title 9, Chapter 2
Sewer use	Title 8, Chapter 2
Snowmobile and all-terrain vehicles	Title 6, Chapter 4
Tobacco	Title 3, Chapter 6
Weeds, grass, and brush	Title 4, Chapter 2

TITLE 4, CHAPTER 1 (PUBLIC NUISANCES)

4-1-11: PENALTY:

Any person convicted of violating any provision of this chapter is guilty of a misdemeanor for each day the violation exists and shall be punished by a fine not to exceed one thousand dollars (\$1,000.00) or imprisonment for not more than ninety (90) days, or both, plus the costs of prosecution in either case. Administrative penalty provisions of Title 1, Chapter 4, Article B of this Code also apply.

TITLE 3, CHAPTER 2 (INTOXICATING LIQUORS AND 3.2 PERCENT MALT LIQUOR)

3-2-21: MISDEMEANOR VIOLATION; PENALTIES:

- A. Any person violating the provisions of this chapter or Minnesota statutes chapter 340A, as it may be amended from time to time, or any rules promulgated under that chapter is guilty of a misdemeanor or as otherwise provided by Minnesota statutes chapter 340A and, upon conviction, shall be punished as provided by law. ~~Administrative penalty provisions of title 1, chapter 4, article B of this code also apply.~~

TITLE 8, CHAPTER 2 (SEWER SYSTEM)

8-2-8: VIOLATIONS; PENALTIES:

- B. Misdemeanor Violation; Penalties: Any person who shall continue any violation beyond the time limit provided for in the written notice shall be guilty of a misdemeanor and, on conviction thereof, shall be fined in an amount as provided in section 1-4A-1 of this code for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. ~~Administrative penalty provisions of title 1, chapter 4, article B of this code also apply.~~

TITLE 8, CHAPTER 2, ARTICLE A (INDUSTRIAL WASTES)

8-2A-5: ENFORCEMENT AND PENALTIES:

- D. Penalties: Any user who is found to have violated an order of the city council or who has failed to comply with any provision of this article, and the orders, rules, regulations, and permits issued hereunder, shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the penalties provided herein, the city may recover reasonable attorney fees, court costs, court reporter fees, and other expenses of litigation by an appropriate action against the person found to have violated this article, or the orders, rules, regulations, and permits issued hereunder. ~~Administrative penalty provisions of title 1, chapter 4, article B of this code also apply.~~

SECTION 3. EFFECTIVE DATE:

This ordinance shall be become effective following its passage and publication in the official newspaper of the City.

Passed by the City Council of Frazee, Becker County, Minnesota this 10th day of April 2024.

Mark Flemmer, Mayor

Attested:

Stephanie Poegel, Administrator