**Order for Repair or Removal of Hazardous Conditions, LMC Model Resolution**

*League staff thoughtfully develops models for your city’s consideration. Models should be customized as appropriate for an individual city’s circumstances in consultation with the city’s attorney. Helpful background information on this model may be found in* [*“Dangerous Properties.”*](https://www.lmc.org/resources/dangerous-properties/)

**This icon marks places where the city must customize the model. They offer additional provisions, optional language, or comments for your consideration. The icon, and language you do not wish to include, should be deleted from this model before use. Make other changes, as needed, to customize the model for your city.**

**RESOLUTION NO.** \_\_\_\_\_

**A RESOLUTION ORDERING THE REPAIR OR REMOVAL OF HAZARDOUS CONDITIONS LOCATED AT** **(ADDRESS)**

**WHEREAS,** pursuant to Minn. Stat. §§ 463.15 and 463.261, the City Council of \_\_\_\_\_\_\_\_\_\_\_ finds the building located at (address) to be a hazardous building for the following reasons:

1. (List reasons and include ordinance or code provision if relevant.)
2. (Continue listing reasons, adding as many lines as necessary.)

**WHEREAS,** the conditions listed above are more fully documented in the (inspection report, condition report, photographs, etc.) prepared by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_on \_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, a copy (or copies) of which is (are) attached to this resolution as Exhibit A.

*Edit this section to reflect what evidence the city has. Attach all evidence to the resolution as “Exhibit A.”*

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_, MINNESOTA AS FOLLOWS:

1. That pursuant to the foregoing findings and in accordance with Minn. Stat. §§ 463.15 and 463.261, the council orders the record owners of the above hazardous building or their representatives to make the following corrections on the property at (address):
   1. (List repairs and include ordinance or code provision if relevant.)
   2. (Continue listing repairs, adding as many lines as necessary.)

*Make the list of repairs specific enough so that the property owner knows what needs to be done to be in compliance with the order*.

1. That the repairs listed above must all be made within \_\_\_\_\_ days after the order is served upon the property owner. The repairs must be completed in compliance with all applicable codes and regulations and done pursuant to proper permits from the city.

*You must set a reasonable number of days for the property owner to comply with the order and make the ordered repairs.*

1. That a motion for summary enforcement of the order will be made to the District Court of \_\_\_\_\_\_\_\_\_\_\_County in which the hazardous building or property is situated unless corrective action is taken, or unless an answer is filed within the time specified in Minn. Stat. § 463.18, which is 20 days.
2. That in accordance with Minn. Stat. § 463.24, the owner or occupant must remove all personal property and/or fixtures that will reasonably interfere with the work within \_\_\_\_\_ days. If the property and/or fixtures are not removed and the city enforces this order, the city may sell personal property, fixtures, and/or salvage materials at a public auction after three days posted notice. If the personal property and fixtures are without appreciable value, the city may destroy it.

*You must set a reasonable number of days for the property owner to remove the property.*

1. That if the city must take actions to enforce this order, all enforcement costs will be specially assessed against the property and collected in accordance with Minn. Stat. §§ 463.22, 463.21, and 463.161.
2. That the city attorney is authorized to serve this order upon the owner of the premises at (address) and all lien-holders of record.
3. That the city attorney is authorized to proceed with the enforcement of this order as provided in Minn. Stat. §§ 463.15 and 463.261.

Passed by the City Council of \_\_\_\_\_\_\_, Minnesota this \_\_\_\_\_ day of Month, Year.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

Attested:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Clerk