

EMERGENCY ORDINANCE NO. _____

CITY OF MANKATO

**AN EMERGENCY ORDINANCE FOR THE IMMEDIATE SECURING OF 312
HUBBELL AVENUE IN THE CITY OF MANKATO**

The City of Mankato hereby ordains:

SECTION 1. BACKGROUND

WHEREAS, according to Blue Earth County property records, the property located at 312 Hubbell Avenue in the City of Mankato, Minnesota (“Property”), is owned by Norman and Sandra Weston, who are married to each other (“Fee Owners”), and is subject to a recorded contract for deed between the Fee Owners and Alastair Weston (“Contract for Deed Owner”). The Fee Owners and the Contract for Deed Owner are collectively referred to as the “Property Owners”; and

WHEREAS, the legal description of the Property is Lot 10 Block 1, Hubbell’s Addition to Mankato; and

WHEREAS, no known mortgages, liens or encumbrances exist related to the Property; and

WHEREAS, Mr. Alastair Weston has been residing at the Property, and the Fee Owners reside outside of the City of Mankato (“City”); and

WHEREAS, the Property Owners previously entered into a voluntary abatement agreement with the City and the City abated nuisance conditions in the yard and on the exterior porch of the residence located at the Property on two previous occasions; and

WHEREAS, Minn. Stat. §463.251, subd. 4 allows a City Council, by ordinance, to order the emergency securing of a vacant building that presents an immediate danger to the health and safety of persons in the community; and

WHEREAS, Section 2.15 of the City of Mankato Charter allows for adoption of emergency ordinances “to meet a public emergency affecting life, health, property or the public peace” by a vote of at least five members of the Council; and

WHEREAS, Minn. R. 1300.0180 authorizes city building officials to order any building or portion of a building to be vacated if its continued use is dangerous to life, health, or safety of the occupants; and

WHEREAS, Minn. R. 1300.0180 further provides building officials with authority to order disconnection of utility services to any building, structure, or system, regulated by the code, in the case of an emergency to eliminate a hazard to life or property; and

WHEREAS, on July 13, 2026, Sandra Weston and Alastair Weston consented to multiple city staff members entering the single-family residence located on the Property to inspect the interior of the residence; and

WHEREAS, during the July 13, 2026 inspection, City of Mankato's Building Official Thomas Krause found multiple building code violations and safety issues that pose an immediate danger to public health and safety, as described in the Order to Vacate the Property sent to the Property Owners, posted at the Property, and attached as Exhibit A; and

WHEREAS, city staff took multiple photographs of the existing conditions dangerous to life, health and safety of occupants, copies of which are attached as Exhibit B; and

WHEREAS, city staff, while on site at the time of the inspection, were informed that the basement stairs were not structurally safe for anyone to go down into the basement and that, in addition to other unsafe and nuisance conditions, there was standing sewage in the basement; and

WHEREAS, Building Official Krause contacted XCEL Energy pursuant to his authority under Minnesota Rule 1300.0180, and XCEL Energy disconnected the utility services to the residence because of several electrical and mechanical system hazards; and

WHEREAS, as a result of the severity of the code violations at the Property, Mr. Alastair Weston, the only legal occupant of the single family residence located on the Property, has vacated the residence pursuant to the Order to Vacate; and

WHEREAS, it is the desire of the City Council that the Property, which poses an immediate danger to the health and safety of any occupant, any invitee and the community at large, be secured through an emergency ordinance allowed pursuant to Section 2.15 of Mankato City Charter and Section 463.251 of the Minnesota Statutes until the hazards can be abated under local and state law.

SECTION 2. FINDINGS AND ORDER.

NOW, THEREFORE, BE IT RESOLVED, that based on the information presented, including the aforementioned facts, the Mankato City Council:

1. Finds that the Property presents an immediate danger to the health and safety of occupants, invitees and other persons in the community and that the structure is a hazardous building, as defined in Minnesota Statutes, Chapter 463, due to the unsafe conditions.

NOW, THEREFORE, BE IT ORDERED by the City of Mankato City Council as follows:

1. The Property shall be secured by City staff, either directly or through a hired contractor, by boarding up and locking down of any and all windows and doors, and by using any other methods deemed necessary by City staff to secure the Property and prevent illegal entry.
2. The City of Mankato public safety officers may remove any and all persons remaining in or on the Property after the deadline listed in the Order to Vacate and may use lawful and necessary means to clear the structure to ensure public safety.
3. The City of Mankato public safety officers or animal control personnel may remove domesticated pets left at the Property by any of the Property Owners (“abandoned animals”) and either transfer the abandoned animals to a municipal or partner shelter for temporary housing or to fulfill required holds under City Code or, if applicable, state law.
4. The cost of securing the Property may be a lien against the real estate, which may be levied and collected as a special assessment.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and shall be published and printed as prescribed for other adopted ordinances. This Ordinance shall stand repealed as of the 61st day following the effective date unless the City Council adopts another reenactment or repeals the Ordinance sooner.

Passed and adopted by the City Council of the City of Mankato this ____ day of _____, 2026.

By: _____
Najwa Massad, Mayor

Attest: _____
Rena Kopischke, City Clerk

EXHIBIT A: ORDER TO VACATE

EXHIBIT B: PHOTOGRAPHS