

**City of Ramsey**  
**Agenda**  
**City Council Work Session**  
**Tuesday, January 23, 2024**

**5:30 pm**  
**Lake Itasca Room, 7550 Sunwood Drive NW**

Remote Attendance available at [www.cityoframsey.com/meetings](http://www.cityoframsey.com/meetings).  
Those joining remotely and requesting to speak are asked to use a webcam when speaking.

1. **Call to Order**
  
2. **Topics for Discussion**
  1. Anoka County Assessor Property Valuation Process
  2. Anoka County Housing Study
  3. Consider Economic Development Manager Request to Interview and Serve on CMDC Board of Directors
  4. Continuation of Nuisance Code Update
  
3. **Topics for Future Discussion**
  1. Review Future Topics/Calendar
  
4. **Mayor/Council/Staff Input**
  
5. **Adjournment\***

**\*Note: the City Council may motion to recess this Work Session meeting and reconvene after the regular City Council meeting if items on the agenda are not completed.**

**CC Work Session**

**Meeting Date:** 01/23/2024

**Primary Strategic Plan Initiative:** Not Applicable

**Information**

**Title:**

Anoka County Assessor Property Valuation Process

**Purpose/Background:**

Alex Guggenberger, Anoka County Assessor, will be in attendance to discuss the property valuation process.

Mr. Guggenberger was invited to meet with the City Council after recent inquiries from business owners about their property tax increases. The goal of this discussion is for city officials to understand the process the assessor follows when establishing values, including various rules they are required to follow in the process. The amount of taxes owed by a property owner is based on multiple factors, from property values to tax levies. For Ramsey, Anoka County is responsible for establishing property values and conducting the required appeal process that occurs in the spring of each year. Following the valuation process, this value is then used when calculating the tax amount applied to each property following final levy adoption by the city, county, school district and any other special taxing district.

The Anoka County Assessor's website does have information available to the public on property assessments and taxation. [Assessor's Website](#)

**Timeframe:**

25 minutes

**Funding Source:**

**Responsible Party(ies):**

**Outcome:**

To meet with the County Assessor and discuss the property valuation process.

**Attachments**

*No file(s) attached.*

**Form Review**

**Inbox**

Brian Hagen

Form Started By: Brian Hagen

Final Approval Date: 01/10/2024

**Reviewed By**

Brian Hagen

**Date**

01/10/2024 03:38 PM

Started On: 01/05/2024 03:45 PM

**CC Work Session**

**Meeting Date:** 01/23/2024

**Primary Strategic Plan Initiative:** Not Applicable

**Information**

**Title:**

Anoka County Housing Study

**Purpose/Background:**

Karen Skepper, Director of Community and Government Relations for Anoka County will be in attendance to review a recent housing study completed by Anoka County.

**Timeframe:**

35 minutes

**Funding Source:**

**Responsible Party(ies):**

**Outcome:**

This is a presentation and discussion only and no formal action will be required at this time.

**Attachments**

*No file(s) attached.*

**Form Review**

**Inbox**

Brian Hagen

Form Started By: Brian Hagen

Final Approval Date: 01/10/2024

**Reviewed By**

Brian Hagen

**Date**

01/10/2024 03:43 PM

Started On: 01/05/2024 03:42 PM

**CC Work Session****Meeting Date:** 01/23/2024**Primary Strategic Plan Initiative:** Promote economic growth and development.**Information****Title:**

Consider Economic Development Manager Request to Interview and Serve on CMDC Board of Directors

**Purpose/Background:**

Economic Development Manager Mr. Sullivan has requested to interview and serve on the CMDC Board of Directors. CMDC has reached out to Mr. Sullivan in the past and has recently asked him to consider interviewing for their Board of Directors again. This is an item he has considered in the past 6 years since he began his tenure in Ramsey. This is an opportunity for "free" professional development to learn more about the banking process, trends in banking, level of risk for deals and to see what else is happening in other communities in Anoka County and beyond.

The City currently uses CMDC to underwrite and provide documents for its RLF and SAC and WAC Deferral Loans. The City contracts for this service and CMDC has done a great job. Mr. Sullivan indicated that serving on the Board of Directors won't impact the ability for CMDC to perform this valuable service for the City of Ramsey.

As a Board Member, he will be assigned to a Loan Committee to review loan applications for CMDC (SBA) funding for projects. Loan Committee Meetings are virtual and the Board of Directors meets 4 times a year at their office in Andover. Below are some questions and answers regarding the position and time commitment from Economic Development Manager Sullivan:

How often does the committee meet? **CMDC's Board of Directors meets once a quarter and has an annual meeting in December. Board members are also assigned to one of two loan committees. Each loan committee is scheduled for a virtual TEAMS meeting twice a month. These meetings are only held if there are loan requests to review.**

I am assuming the meetings are at the Andover office, please confirm. **Board meetings are held at our Andover office.**

How long are average meetings? **Board meetings are typically 1.5 hours. Loan committee meetings are usually less than a half hour.**

What is the scope of the committee? Loans only? Other things? **See the attached Code of Federal Regulations specific to CDC's Board of Directors.**

What type of time commitment would this be for me? Meeting prep, etc. **Typically, you will receive an agenda for board meetings ahead of time to review. This takes no more than a few minutes. Loan committees will receive a credit memo two days before the scheduled meeting. We expect that the members review and formulate any questions prior to the meeting. This should not take more than 15-30 minutes.**

Is this a paid position? **This is a volunteer position.**

When does the Committee meet? Day? time? I need to make sure I don't have any conflicts with standing meetings. **Board meetings are 3-4:30, the last Tuesday of January, April, July, and October. Annual meeting is**

from 3-6 the first Thursday in December.

What do I do if a loan from a Ramsey business is being considered by the loan committee? **You would recuse yourself from the discussion and abstain from the vote for that loan.**

Marty said other City Officials have sat on the committee? Can you share who they were and what cities they were from?

**Clark Arneson – City Manager, City of Blaine (retired) - current board member**

**Thomas Gamec – Mayor, City of Ramsey – Past board member**

**Others have also served.**

For the past 20 years, Mr. Sullivan has served on the EDAM Board of Directors, as a Planning Commissioner for Oak Grove, City Council Member for Oak Grove and a School Board Director for the St Francis School District which has limited the ability to serve on other boards and commissions due to the time commitment to other boards he was currently serving on. Mr. Sullivan no longer serves on the above-mentioned boards/positions and believes that he has the capacity to serve on the CMDC Board and to complete his normal job duties for the City of Ramsey without issue.

**Timeframe:**

5 to 10 Minutes

**Funding Source:**

This would fall under normal staff duties.

**Responsible Party(ies):**

Economic Development Manager Sean Sullivan

Community Development Director Stephanie Hanson

City Administrator Brian Hagen

**Outcome:**

Economic Development Manager Mr. Sullivan is looking for consent from the City Council to interview for the CMDC Board of Directors position and to accept the position, if offered.

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**Attachments**

CDC Board of Directors Rules and Regulations

**Form Review**

**Inbox**

Brian Hagen

Form Started By: Sean Sullivan

Final Approval Date: 01/18/2024

**Reviewed By**

Kathy Schmitz

**Date**

01/18/2024 02:20 PM

Started On: 01/16/2024 04:49 PM

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This content is from the eCFR and is authoritative but unofficial.

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## Title 13 - Business Credit and Assistance

### Chapter I - Small Business Administration

#### Part 120 - Business Loans

#### Subpart H - Development Company Loan Program (504)

#### Requirements for CDC Certification and Operation Requirements for...

**Authority:** 15 U.S.C. 634(b)(6), (b)(7), (b)(14), (h), and note, 636(a), (h) and (m), and note, 636m, 650, 657t, and note, 657u, and note, 687(f), 696(3), and (7), and note, 697, 697a and e, and note; Pub. L. 116-260, 134 Stat. 1182.

**Source:** 61 FR 3235, Jan. 31, 1996, unless otherwise noted.

**Editorial Note:** Nomenclature changes to part 120 appear at 72 FR 50039, Aug. 30, 2007.

#### § 120.823 CDC Board of Directors.

- (a) The CDC, whether for-profit or non-profit, must have a Board of Directors with at least seven (7) voting directors who live or work in the CDC's State of incorporation or in an area that is contiguous to that State that meets the definition of a Local Economic Area for the CDC. The Board must be actively involved in encouraging economic development in the Area of Operations. The initial Board may be created by any method permitted by applicable State law. At a minimum, the Board must have directors with background and expertise in internal controls, financial risk management, commercial lending, legal issues relating to commercial lending, corporate governance, and economic, community or workforce development. Directors may be either currently employed or retired.
- (b) At least two voting members of the Board of Directors, other than the CDC manager, must possess commercial lending experience satisfactory to SBA. When the Board votes on SBA loan approval or servicing actions, at least two voting Board members, with such commercial lending experience, other than the CDC manager, must be present and vote.
- (c) The Board of Directors must meet at least quarterly and shall be responsible for the actions of the CDC and any committees established by the Board of Directors. In addition, the Board of Directors is subject to the following requirements:
  - (1) Except for the CDC manager, no person on the CDC's staff may be a voting director of the Board;
  - (2) A quorum must be present to transact business. The quorum shall be set by the CDC but shall be no less than 50% of the voting members of the Board of Directors;
  - (3) Attendance at meetings may be through any format permitted by State law;
  - (4) No CDC Board member may serve on the Board of another CDC.
- (d) The Board shall have and exercise all corporate powers and authority and be responsible for all corporate actions and business. There must be no actual or appearance of a conflict of interest with respect to any actions of the Board. The Board is responsible for ensuring that the structure and operation of the CDC, as set forth in the Bylaws, comply with SBA's Loan Program Requirements. The responsibilities of the Board include, but are not limited, to the following:
  - (1) Approving the mission and the policies for the CDC;
  - (2) Hiring, firing, supervising and annually evaluating the CDC manager;

- (3) Setting the salary for the CDC manager and reviewing all salaries;
- (4) Establishing committees, at its discretion, including the following:
  - (i) **Executive Committee.** To the extent authorized in the Bylaws, the Board of Directors may establish an Executive Committee. The Executive Committee may exercise the authority of the Board; however, the delegation of its authority does not relieve the Board of its responsibility imposed by law or Loan Program Requirements. No further delegation or redelegation of this authority is permitted. If the Board establishes an Executive Committee and delegates any of its authority to the Executive Committee as set forth in the Bylaws of the CDC, the Executive Committee must:
    - (A) Be chosen by and from the Board of Directors from the Board; and
    - (B) Meet the same organizational and representational requirements as the Board of Directors, except that the Executive Committee must have a minimum of four voting members who must be present to conduct business.
  - (ii) **Loan Committee.** The Board of Directors may establish a Loan Committee. The Loan Committee may exercise the authority of the Board only as set forth below; however, the delegation of its authority does not relieve the Board of its responsibility imposed by law or Loan Program Requirements. If the Board of Directors chooses to establish a Loan Committee, no CDC staff or manager may serve on the Loan Committee. The Loan Committee must:
    - (A) Be chosen by the Board of Directors, and consist of individuals with a background in either financial risk management, commercial lending, or legal issues relating to commercial lending who are not associated with another CDC;
    - (B) Have a Quorum of at least four Loan Committee members authorized to vote;
    - (C) Have at least two (2) Loan Committee members with commercial lending experience satisfactory to SBA;
    - (D) Have no actual or appearance of a conflict of interest, including for example, a Loan Committee member participating in deliberations on a loan for which the Third Party Lender is the member's employer or the member is otherwise associated with the Third Party Lender; and
    - (E) Consist only of Loan Committee members who live or work in the CDC's State of incorporation or in an area that meets the definition of a Local Economic Area for the CDC, except that, for Projects that are financed under a CDC's Multi-State authority, the CDC must satisfy the requirements of either § 120.835(c)(1) or (2) when voting on that Project.
- (5) Ensuring that the CDC's expenses are reasonable and customary;
- (6) Hiring directly an independent auditor to provide the financial statements in accordance with Loan Program Requirements;
- (7) Monitoring the CDC's portfolio performance on a regular basis;
- (8) Reviewing a semiannual report on portfolio performance from the CDC manager, which would include, but not be limited to, asset quality and industry concentration;
- (9) Ensuring that the CDC establishes and maintains adequate reserves for operations;

- (10) Ensuring that the CDC invests in economic development in each of the States in its Area of Operations in which it has a portfolio, and approving each investment. If the investment is included in the CDC's budget, the Board's approval of the budget may be deemed approval of the investment. If the investment is not included in the budget, the Board must separately approve the investment;
  - (11) Establishing a policy in the Bylaws of the CDC prohibiting an actual conflict of interest or the appearance of same, and enforcing such policy (see § 120.140 and § 120.851);
  - (12) Retaining accountability for all of the actions of the CDC;
  - (13) Establishing written internal control policies, in accordance with § 120.826;
  - (14) Establishing commercially reasonable loan approval policies, procedures, and standards. The Bylaws must include any delegations of authority to the Loan Committee and Executive Committee, if either Committee has been established. In addition, the CDC must establish and set forth in detail in a policy manual its credit approval process. All 504 loan applications must have credit approval prior to submission to the Agency. The Loan Committee, if established, may be delegated the authority to provide credit approval for loans up to \$2,000,000 but, for loans of \$1,000,000 to \$2,000,000, the Loan Committee's action must be ratified by the Board or Executive Committee prior to Debenture closing. Only the Board or Executive Committee, if authorized by the Board, may provide credit approval for loans greater than \$2,000,000.
  - (15) All members of the Board of Directors must annually certify in writing that they have read and understand this section, and copies of the certification must be included in the Annual Report to SBA.
- (e) The Board of Directors shall maintain Directors' and Officers' Liability and Errors and Omissions insurance in amounts established by SBA that are based on the size of the CDC's portfolio and other relevant factors.

*[79 FR 15649, Mar. 21, 2014, as amended at 82 FR 39504, Aug. 21, 2017; 84 FR 66294, Dec. 4, 2019]*

**CC Work Session**

**Meeting Date:** 01/23/2024

**Primary Strategic Plan Initiative:** Create a positive image for residential neighborhoods, business districts and key corridors.

**Information**

**Title:**

Continuation of Nuisance Code Update

**Purpose/Background:**

The purpose is to update the existing code, to re-organize and address organization. We have added some new violations for clarification, and significantly reduced repetitive language.

Tonight's discussion will pick up where we left off with the changes to Chapter 54 and then with what is remaining and modified in Chapter 30. The attached draft of Chapter 54 was reduced to focus on the areas proposed for changes.

**Timeframe:**

**Funding Source:**

Normal Staff Time

**Responsible Party(ies):**

Community Development

**Outcome:**

Receive feedback to better reflect the views of Council and the Community and present for ordinance introduction at a future meeting.

**Attachments**

Chapter 54 - Draft 4 (Changes Simplified)

Chapter 30 - Draft 2 Nuisances (Changes Simplified)

**Form Review**

**Inbox**

Brian Hagen

Form Started By: Craig Swalchick

Final Approval Date: 01/18/2024

**Reviewed By**

Kathy Schmitz

**Date**

01/18/2024 11:05 AM

Started On: 01/18/2024 09:04 AM

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**CONDENSED VERSION TO REFLECT ONLY THE CHANGES TO CODE**

**Chapter 54 TRAFFIC AND VEHICLES<sup>1</sup>**

***ARTICLE II. STOPPING, STANDING AND PARKING<sup>2</sup>***

**Sec. 54-23. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Block* means the entire length of a roadway between its intersections with other public streets or between its intersection with a public street and the termination of the roadway.

[Commercial Motor Vehicle](#) For purposes of this section, "commercial vehicle" shall have the meaning as the term is defined in Minn. Stats. § 169.011

*Roadway* means that portion of a street between its curbs, or between the outer edges of its shoulders whether such portion is constructed of concrete, asphalt or gravel or any combination thereof.

[Temporary or Temporarily within parking regulations](#) means not to exceed 4 hours.

*Vehicle* means any motorized or unmotorized vehicle including but not limited to, automobiles, trucks, motorcycles, buses, recreational vehicles, snowmobiles and trailers.

(Code 1978, § 6.03.01; Ord. No. 5, 3-15-1971)

**Sec. 54-25. Commercial Vehicle and Trailer On-street parking.**

- a. [It is unlawful to park any detached semitrailer as defined by Minnesota State Statute upon any street, city owned parking lot, or other public property unless specifically approved by City Council and Sign Posted.](#)
- b. [It is unlawful to park or store any Commercial Motor Vehicle as designated by Minnesota State Statute on any street, city owned public property, or other public property unless specifically approved by City Council and sign posted.](#)

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<sup>1</sup>State law reference(s)—Traffic generally, Minn. Stats. ch. 169; powers of local authorities, Minn. Stats. §§ 169.022, 169.04.

<sup>2</sup>State law reference(s)—Stopping, standing and parking, Minn. Stats. § 169.32 et seq.; authority to regulate standing or parking of vehicles, Minn. Stats. § 169.04.

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- c. [It is unlawful to transfer materials and equipment from one commercial vehicle to another on a public roadway.](#)
  - d. [It is unlawful to load or unload on a public road or right of way where zoning regulations and properties have accommodated for deliveries.](#)
  - e. [Exemptions:](#)
    - 1. [Actively loading or unloading in designated loading zones.](#)
    - 2. [For the purpose of emergency repairs, property maintenance activity, or construction activity of adjacent infrastructure or buildings.](#)
    - 3. [Postal or mail delivery](#)
    - 4. [Residential moving vehicles actively loading or unloading not obstructing normal flow of traffic.](#)
    - 5. [To temporarily visit a business or residence where sufficient space to park within the private parking area is limited.](#)

~~All persons who hold the legal title to a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner. The operation or use of a motor vehicle in violation of this article shall be prima facie evidence that said motor vehicle was at the time of such violation controlled, operated and used by the owner thereof.~~

~~(Code 1978, § 6.03.03; Ord. No. 5, 3-15-1971)~~

## **Sec. 54-28. Prohibited parking.**

No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:

- (1) Directly across from a public or private driveway and, except for culs-de-sac and eyebrows, within three feet of either side of a public or private driveway, measured at the curb, other than the owner's driveway.
- (2) Within a properly marked fire lane;
- (3) Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic control signal located at the side of a roadway;
- (4) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless the city engineer has indicated a different length by signs or marking;
- (5) Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance;
- (6) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;
- (7) On a roadway side of any vehicle stopped or parked at the edge or curb of a street;

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- (8) On any boulevards; and
  - (9) No motor vehicle shall stop or park on the shoulders of a public highway or street in the immediate vicinity of a theater during the hours it is in operation.

(10) On or across any sidewalk, crosswalk, or trail-way

(Code 1978, § 6.03.08; Ord. No. 5, 3-15-1971)

### **Sec. 54-30. Display for sale.**

No person shall park a vehicle upon any roadway, boulevard, sidewalk, trail, or Right of Way for the principal purpose of displaying such vehicle for sale or parked in such a manner as to be used as advertising of a business.

(Code 1978, § 6.03.10; Ord. No. 5, 3-15-1971)

### **Sec. 54-31. Repairing ~~automobiles~~ vehicles on the street.**

No person shall make or allow to be made any washing, greasing, or repairing of a vehicle, on a street, except repairs necessitated by an emergency.

(Code 1978, § 6.03.11; Ord. No. 5, 3-15-1971)

### **Sec. 54-70. Traffic regulations.**

- (a) No person shall operate or halt any vehicle on public or semi-public property carelessly or heedlessly in disregard of the rights or safety of others.
- (b) No person shall park a vehicle, motor vehicle, commercial motor vehicle, or motorcycle in any designated parking area for disabled persons on public or semi-public property unless such person is physically handicapped and the vehicle displays an identifying certificate or insignia issued by the state department of public safety.
  - (1) For the purposes of this section, the term "physically handicapped" shall include any person who has sustained an amputation or permanent material disability of either or both arms, or legs, or who has been otherwise permanently disabled in any manner rendering it difficult and burdensome for him to walk.
  - (2) No person charged with violation of this section may be convicted notwithstanding that no identifying certificate or insignia is displayed on the vehicle if that person is, in fact, physically disabled.
- (c) No person shall obstruct any disability parking space, access aisle, or ramp with any material, vehicle, or object to include the piling of snow in those spaces, unless they are designated emergency vehicles responding to an emergency or call for service.
- (d) It shall be unlawful for property owners or the responsible party to fail to install Handicapped Accessible signage in accordance with the Minnesota State Accessibility Code and Statute.
- (E) It shall be unlawful for a person to park any vehicle for the sole intention to camp, sleep or live and reside out of on any street, public and private property unless in a designated campground, or for personal enjoyment on privately owned property by the owner in accordance with City Code. Commercial Vehicle operators in conformance with the Federal Motor Carrier Safety Act and Minnesota Statute may utilize appropriate rest stops, truck stops or as posted to maintain compliance with mandatory rest periods.

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[\(f\) All violations of this section \(54-70\) are considered a misdemeanor.](#)

(Code 1978, § 6.02.02; Ord. No. 5, 3-15-1971)

**Sec. 54-105. Penalty.**

Violation of any provision of this section shall constitute a petty misdemeanor [unless otherwise determined by Minnesota State Statute as a Misdemeanor or this ordinance.](#)

(Ord. No. 12-07, § 3, 6-12-2012)

**CONDENSED VERSION TO ONLY REFLECT CHANGES**

**Chapter 30 NUISANCES<sup>1</sup>**

**Sec. 30-1. Definitions.**

Diseased tree means any diseased or insect infested tree that poses a threat to public trees in the city.

Inoperable or junk vehicle means any motor vehicle which cannot meet ~~all~~ any one of the following criteria:

Recreational vehicle describes all-terrain vehicles, campers, camping trailers, motorhomes, off-highway vehicles, and off-road vehicles.

Shade tree means a woody perennial grown primarily for aesthetic or environmental purposes.

Vehicle means any motorized or unmotorized vehicle including but not limited to, automobiles, trucks, motorcycles, buses, recreational vehicles, snowmobiles and trailers.

**Sec. 30-3. ~~Property~~ Conditions constituting a public nuisance.**

The following are declared to be nuisances affecting public peace, health, welfare, and/or safety of the community:

Subd. 1. General Nuisances

A. ~~(1)~~ Exposed accumulation of decayed or unwholesome food or vegetable matter.

~~(2) All diseased animals running at large.~~

~~(3) Carcasses of animals not buried at least three feet deep or destroyed within 24 hours after death.~~

~~(4) Accumulations of manure, refuse or other debris, except that any manure maintained in conformance with chapter 10 shall not be declared a public nuisance.~~

B. ~~(5)~~ Privy vaults and garbage cans which are not rodent-free or fly tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors.

C. ~~(6)~~ The storage or accumulation of waste, refuse, or garbage that is not contained in a closed container designed or reasonably adapted for such purpose, except for 30 days preceding pick-up by a hauler. This includes any accumulation of appliances, plumbing fixtures, furniture, equipment, remnants of wood (decayed or weathered) unused construction materials, stockpiles of rocks or dirt, or any items that could not be put to use in the manner that they are intended.

D. The outdoor accumulation and storage of junk, trash, refuse, debris, materials or other items to include, but not limited to, those items not customarily used outdoors.

~~(7) The depositing of garbage or refuse on a public right-of-way or adjacent private property.~~

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~~(8) The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, bottles or other substance which may injure any person or animal or damage any pneumatic tire when passing over such surface.~~

~~E. (9) The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste, or other substances.~~

F. Dense smoke, noxious fumes, gas and soot, or cinders that creates a hazard or nuisance to the public.

G. Radio aerials or television antennas erected or maintained in a dangerous manner.

H. All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated so as to endanger public safety, or not constructed and maintained as provided by code.

I. The allowing of rain water, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk.

J. All dangerous, unguarded machinery in any place, or so situated or operated on private property as to attract the public.

K. Any barbed-wire fence less than six feet above ground and within three feet of a public sidewalk or way unless for agricultural purposes permitted by zoning code. ~~unless a permit is granted by the city.~~

L. Any well, hole or similar excavation which is left uncovered or in such other condition as to constitute a hazard to anyone coming on the premises where it is located.

M. The existence of any sign, fence, structure or part of any structure which, because of fire, wind, or other natural disaster or physical deterioration, is no longer habitable as a dwelling nor useful for any other purpose for which it may have been intended.

N. The existence of any vacant dwelling, garage or other outbuilding, unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals for no longer than 1 year or less.

O. The outdoor or outside parking or storage of any junk, abandoned or inoperable vehicles, equipment, trailers and the like.

P. The outdoor or outside storage of any part of a vehicle, or piece of machinery that is deteriorating or unusable or intended to be used as salvageable parts.

Q. Temporary accessory structures not approved by the City, including but not limited, to shipping containers and structures made from canvas or plastic with tubular metal hoops.

R. Logs and brush piles that create a habitat for rodent and vermin.

S. Failure to follow or comply with requirements set forth in development agreements, Conditional Use Permits, or Interim Use Permits, unless otherwise approved by the City.

T. Camping, squatting, or living on public or private land unless within a designated campground or for the personal enjoyment on privately owned property by the owner. Tents, campers, vehicles and the like, cannot be used for commercial or private permanent or temporary dwelling units.

U. It shall be unlawful to place any sign or advertisement in the public right of way.

V. Addressing must be clearly visible and each property identifiable, to include constructions sites from the start of construction throughout development, as to allow for first responders, emergency services and wayfinding.

W. Any other act or omission declared to be a public nuisance and for which no sentence is specifically provided.

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Subd. 2. Grass, Weeds, and Noxious Growths

~~(10)~~ A. All grass, weeds, or noxious growths of vegetation upon public or private property exceeding eight inches in height, or whatever height specified in the appropriate zoning district, excluding acceptable prairie restoration plant materials.

1. a- Exemption. All ground cover vegetation located in the following areas are hereby exempt from height restrictions:

~~1-a.~~ a. Shore impact zones;

~~2-b.~~ b. Bluff impact zones;

~~3.c.~~ c. Areas within 50 feet of a wetland or natural drainage way;

~~4.d.~~ d. Areas of native plant communities with approved management plans; and

~~5.e.~~ e. Significant vegetative stands identified under section 117-148, relating to Mississippi River Corridor Critical Area (MRCCA) Overlay District Development Standards.

Any vegetation management within the MRCCA overlay district shall comply with the requirements and standards of zoning code and with any vegetation clearing permits approved by the City of Ramsey.

f. Areas of steep slope where mowing is not safely possible.

g. Any area that has been undisturbed by development, grading or building and remains in its original natural state.

B. All areas that have been graded or developed must maintain the property to turf grass standards unless an appropriate prairie management plan has been accepted by the City or falls within the exemption list above.

~~(11) Dense smoke, noxious fumes, gas and soot, or cinders in unreasonable quantities.~~

Subd.3. Obstructions of Rights-of-Way

A. It is unlawful to place or deposit debris, including but not limited to dirt, leaves, grass, snow, ice, and other materials onto a road, public or private property. Governmental agencies and their contractors performing street maintenance and snow removal activities are exempted.

B. Snow, materials or debris shall not be pushed across a street or public right of way.

C. Snow, ice and other hazards must be removed from sidewalks and trails within 48 hours of a snow fall or other precipitation event causing the hazard.

D. Any obstructions affecting the ordinary use of a public street, trail, or right of way unless specifically permitted by code.

~~(12) Snow, ice, or other precipitation not removed from sidewalks or the allowing of rain water, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk.~~

~~(13)~~ E. All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles.

~~(14) Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks, or public grounds except under such conditions as are permitted by this Code or other applicable law.~~

~~(15) Radio aerials or television antennas erected or maintained in a dangerous manner.~~

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~~(16) F.~~ Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free uses of the streets or sidewalks.

G. All trees, hedges, billboards or other obstructions that prevent persons from having a clear view of all traffic approaching an intersection or a violation of the site triangle requirements set forth in City Code.

H. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials.

I. Wastewater cast or permitted to flow, upon streets or other public property.

- ~~(17) All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated so as to endanger public safety, or not constructed and maintained as provided by code.~~
- ~~(18) Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk or way unless a permit is granted by the city.~~
- ~~(19) Wastewater cast or permitted to flow, upon streets or other public property.~~
- ~~(20) Any well, hole or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any child coming on the premises where it is located.~~
- ~~(21) f. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials.~~
- ~~(22) The existence of any structure or part of any structure which, because of fire, wind, or other natural disaster or physical deterioration, is no longer habitable as a dwelling nor useful for any other purpose for which it may have been intended.~~
- ~~(23) The existence of any vacant dwelling, garage or other outbuilding, unless such buildings are kept securely locked, windows kept glazed or neatly boarded up and otherwise protected to prevent entrance thereto by vandals.~~
- ~~(24) All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public.~~
- ~~(25) The outdoor or outside storage of any abandoned or inoperable vehicles, as defined by this chapter.~~
- ~~(26) The outdoor or outside storage of any part of a motor vehicle or piece of machinery that is deteriorating or unusable or intended to be used as salvageable parts.~~
- ~~(27) Any violation of section 117-355, relating to off-street parking regulations.~~
- ~~(28) Any violation of chapter 10, relating to the keeping of animals.~~
- ~~(29) Any violation of chapter 34, article III, division 3, relating to clandestine drug labs.~~
- ~~(30) Any other act or omission declared to be a public nuisance and for which no sentence is specifically provided.~~
- ~~(31) The use or operation of a radio, musical instrument, amplified music or sound, or other machine or device used for production or reproduction or sound at a volume in the excess of that reasonably necessary for the convenient hearing of the person or in the room, vehicle, or chamber in which the same is being operated, as defined by this chapter. The operation between the hours of 10:00 p.m. and 7:00 a.m. of any radio, musical instrument, amplified music or sound, or other machine or device for the reproducing or producing of sound if the sound therefrom is audible from:
  - ~~a. An apartment or hallway of a multifamily building adjacent to a unit where the device is operating.~~~~

- b. ~~— The property line of the real property on which the device is being operated.~~
  - c. ~~— A distance of 50 feet from any motor vehicle in which the device is operating.~~
- (32) ~~To operate or to cause to be operated, but not limited to, the use of any noise creating blower or power fan, internal combustion engine, air compressor or steam engine, automobile, motorcycle, snowmobile, motor boat, motor bike, scooter, recreational vehicle, all terrain vehicle, off-highway motorcycle, off-road vehicle, go-cart, or remote controlled airplane, boat, or other vehicle powered by an engine or motor, the operation of which causes noise, unless the noise from the blower or fan is muffled and such engine or compressor is equipped with a muffler device sufficient to deaden and effectively prevent such noise so that the noise shall not annoy, disturb or affect the comfortable enjoyment of life or property.~~
- a. ~~— Sound levels. No person shall operate or cause or permit to be operated any source of noise in such a manner as to create a noise level exceeding the limit set in Table 1.~~

TABLE 1

Land Use	<del>7:00 A.M. — 10:00 P.M.</del>		<del>10:00 P.M. — 7:00 A.M.</del>	
	<del>L50</del>	<del>L10</del>	<del>L50</del>	<del>L10</del>
<del>Residential</del>	<del>60</del>	<del>65</del>	<del>50</del>	<del>55</del>
<del>Commercial</del>	<del>65</del>	<del>70</del>	<del>65</del>	<del>70</del>
<del>Industrial</del>	<del>75</del>	<del>80</del>	<del>75</del>	<del>80</del>

- b. ~~Measurement procedure. The following procedures must be used to obtain a representative sound level measurement by the use of a sound measuring device:~~
    1. ~~— A decibel meter will be used to obtain readings and be used as evidence.~~
    2. ~~— The operator of the device has sufficient training to properly operate the equipment and can testify as to the manner in which the device was set up and operated.~~
    3. ~~— The device is operated with minimal distortion or interference from outside sources; and has been certified as being accurate and reliable.~~
    4. ~~— Measurements must be made at least three feet off the ground or surface and away from natural or artificial structures which would prevent an accurate measurement.~~
    5. ~~— Measurements must be made using an A-weighting and fast response characteristics of the sound measuring device as specified in American National Standards Institute S1.4-1983.~~
    6. ~~— Measurements must not be made in sustained winds or in precipitation which results in a difference of less than ten decibels between the background noise level and the noise source being measured.~~
    7. ~~— Measurements must be made using a microphone which is protected from ambient conditions which would prevent an accurate measurement.~~
    8. ~~— Measurement must be made from the property of the person making the complaint, when applicable.~~
- (33) ~~Tracks and trails for riding motor vehicles are not allowed in a residential area unless said track or trail is:~~
- a. ~~— 1,000 feet from any residence except that of the owner; and~~
  - b. ~~— At least 50 feet from property lines, public streets, utilities, or easements.~~

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~~(Code 1978, § 5.08.04; Ord. No. 04-34, 9-27-2004; Ord. No. 07-14, §§ 2, 3, 9-11-2007; Ord. No. 07-21, § 2, 10-23-2007; Ord. No. 11-06, § 2, 7-24-2012; Ord. No. 12-10, § 2, 7-24-2012; Ord. No. 22-07, § 2, 2-8-2022)~~

#### **Sec. 30-4. Nuisances affecting public safety.**

The following are declared to be nuisances affecting public safety:

- ~~(1) All snow and ice not removed from public sidewalks 12 hours after snow or other precipitation causing the condition has ceased to fall;~~
- ~~(2) All trees, hedges, billboards or other obstructions that prevent persons from having a clear view of all traffic approaching an intersection;~~
- ~~(3) All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles;~~
- ~~(4) Obstructions and excavations affecting the ordinary use by the public of streets, alleys, sidewalks, or public grounds except under such conditions as are permitted by this Code or other applicable law;~~
- ~~(5) Radio aerials or television antennas erected or maintained in a dangerous manner;~~
- ~~(6) Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free uses of the streets or sidewalks;~~
- ~~(7) All hanging signs, awnings, and other similar structures over streets and sidewalks, or so situated so as to endanger public safety, or not constructed and maintained as provided by code;~~
- ~~(8) The allowing of rain water, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk;~~
- ~~(9) Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk or way unless a permit is granted by the city;~~
- ~~(10) All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public;~~
- ~~(11) Wastewater cast or permitted to flow, upon streets or other public property;~~
- ~~(12) Any well, hole or similar excavation which is left uncovered or in such other condition as to constitute a hazard to any child coming on the premises where it is located;~~
- ~~(13) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials;~~
- ~~(14) The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, bottles or other substance which may injure any person or animal or damage any pneumatic tire when passing over such surface;~~
- ~~(15) The depositing of garbage or refuse on a public right of way or adjacent private property.~~

~~(Code 1978, § 5.08.06; Ord. No. 04-34, § 9-27-2004)~~

#### **Sec. 30-5. Nuisances affecting public peace Noise.**

##### Subd.1. Noisy parties and gatherings.

- A. It is unlawful for any person to permit or to be present at or participate in a noisy party or gathering of people from which noise emanates of sufficient volume or nature so as to disturb the peace, quiet or

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comfort of another or interferes with the right of another to use peacefully his/her property, whether on public or private property. It shall be presumed that a violation of this section has occurred when any noise from a gathering is plainly audible, at a distance of 50 feet or more, between the hours of 10:00 p.m. and 7:00 a.m. without having a special event permit.

- B. It is unlawful for any person, owning or possessing property upon which a party or gathering prohibited herein is in progress, to fail to abate such noise upon an order of a police officer. When a police officer has probable cause that a violation of this section is occurring, the officer may order all persons present, other than the owner or person in possession of the property, to disperse and leave the property immediately and failure of any person, other than the owner or person in possession of the property, to refuse to leave after being so ordered by the police officer shall be unlawful.

Subd. 2. Electronic sound system/audio equipment.

- A. No person shall use or operate any device, instrument, electronic sound system or audio equipment including, but not limited to, any compact disc player, cassette tape player, AM-FM radio, citizen band radio, paging system, or any other device designed to produce or reproduce audio sound; in such an unreasonably loud manner that it disturbs the peace, quiet, and comfort of others or interferes with the right of another to use peacefully his/her property or public property without disturbance.
- B. It shall be presumed that a violation of this section has occurred when any electronic sound system or audio equipment is operated in a manner in which it is plainly audible at a distance of 50 feet or more.
- C. When sound violating this section is produced by an electronic sound system or audio equipment that is located in or on a vehicle, the vehicle's owner is guilty of the violation, provided that if the vehicle's owner is not present, the person in charge of the vehicle at the time of the violation is guilty of the violation.
- D. This section shall not apply to sound produced by the following:
1. Amplifying equipment used in connection with activities for which a permit has been granted or in connection with activities of any organized school, church, civic, or other event or activity open to the public and occurring between the hours of 7:00 a.m. and 10:00 p.m. while still maintaining decibel limits set by Minnesota State Law.
  2. Anti-theft devices;
  3. Bells, chimes, carillons, or the like in association with a religious institution or school;
  4. emergency civil defense warning signals; and
  5. Authorized emergency vehicles or other vehicles required by law to be equipped with sound devices.

~~(a) Specific acts. The following are declared to be nuisances affecting public peace:~~

- ~~(1) The use or operation of a radio, musical instrument, phonograph, tape recorder or other machine or device used for production or reproduction of sound at a volume in the excess of that reasonably necessary for the convenient hearing of the person or in the room, vehicle, or chamber in which the same is being operated.~~
- ~~(2) The operation between the hours of 10:00 p.m. and 7:00 a.m. of any radio, musical instrument, phonograph, tape recorder or other machine or device for the reproducing or producing of sound if the sound therefrom is audible from:
  - ~~a. An apartment or hallway of a multifamily building adjacent to a unit where the device is operating.~~~~

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~~b. The property line of the real property on which the device is being operated.~~

~~c. A distance of 50 feet from any motor vehicle in which the device is operating.~~

Subd.3. Noise

~~(3)~~To operate or to cause to be operated, but not limited to, the use of any noise creating blower or power fan, internal combustion engine, air compressor or steam engine, automobile, motorcycle, snowmobile, motor boat, motor bike, scooter, recreational vehicle, all-terrain vehicle, off-highway motorcycle, off-road vehicle, go-cart, or remote-controlled airplane, boat, or other vehicle powered by an engine or motor, the operation of which causes noise, unless the noise from the blower or fan is muffled and such engine or compressor is equipped with a muffler device sufficient to deaden and effectively prevent such noise so that the noise shall not annoy, disturb or affect the comfortable enjoyment of life or property.

Subd.4. Tracks and Trails

~~(4)~~ Tracks and trails for riding motor vehicles are not allowed in a residential area unless said track or trail is:

~~A. a.~~ 1,000 feet from any residence except that of the owner; and

~~B. b.~~ At least 50 feet from property lines, public streets, utilities or easements.

Subd.5. The following activity shall be unlawful on public or private property between the hours of 10:00 p.m. and 7:00 a.m.

A. The use of any power tools for construction activity including, but not limited to: saws; jackhammers; nail drivers; impact wrenches; and air compressors.

B. The use of power lawn or landscape maintenance equipment, including but not limited to: lawn mowers; hedge clippers; grass/weed trimmers; garden tillers; chainsaws; leaf-blowers; wood chippers.

C. Repair and servicing of motor vehicles, recreational vehicles or other vehicles or equipment in residentially zoned districts or those district adjacent to residentially zoned properties.

Subd.6. Construction activity, including but not limited to: operation, repair, servicing and engine start-up/warm-up of heavy construction equipment; loading and unloading of heavy equipment; and delivery of supplies between the hours of 8:00 p.m. and 7:00 a.m.

Subd.7. Exemption. The following activities are specifically exempted from the prohibitions under this section:

A. Mining and excavation regulated by a mining and excavation permit.

B. All activities and land uses regulated by conditional use permits including but not limited to fuel facilities, fast food establishments, major auto repair, school activities and day care facilities.

C. Public work, construction and maintenance by federal, state, county or city authorities or their contractors and sub-contractors as approved by the city engineer.

D. Snow removal activities.

E. Emergency public works repair/construction.

F. Parking lot maintenance or sweeping.

Subd.8. ~~(5)~~ All other conditions or things, which are likely to cause injury to the person or property of anyone and to interfere with the comfortable enjoyment of life or property.

~~(b) Sound levels. No person shall operate or cause or permit to be operated any source of noise in such a manner as to create a noise level exceeding the limit set Table 1.~~

TABLE 1

Land Use	<del>7:00 A.M.—10:00 P.M.</del>		<del>10:00 P.M.—7:00 A.M.</del>	
	<del>L50</del>	<del>L10</del>	<del>L50</del>	<del>L10</del>
Residential	<del>65</del>	<del>60</del>	<del>55</del>	<del>50</del>
Commercial	<del>70</del>	<del>65</del>	<del>70</del>	<del>65</del>
Industrial	<del>80</del>	<del>75</del>	<del>80</del>	<del>75</del>

~~(c) Measurement procedure. The following procedures must be used to obtain a representative sound level measurement by the use of a sound measuring device~~

- ~~(1) A decibel meter will be used to obtain readings and be used as evidence.~~
- ~~(2) The operator of the device has sufficient training to properly operate the equipment and can testify as to the manner in which the device was set up and operated.~~
- ~~(3) The device is operated with minimal distortion or interference from outside sources; and has been certified as being accurate and reliable.~~
- ~~(4) Measurements must be made at least three feet off the ground or surface and away from natural or artificial structures that would prevent an accurate measurement.~~
- ~~(5) Measurements must be made using an A-weighting and fast response characteristics of the sound measuring device as specified in American National Standards Institute S1.4-1983.~~
- ~~(6) Measurements must not be made in sustained winds or in precipitation that results in a difference of less than ten decibels between the background noise level and the noise source being measured.~~
- ~~(7) Measurements must be made using a microphone that is protected from ambient conditions that would prevent an accurate measurement.~~
- ~~(8) Measurement must be made from the property of the person making the complaint, when applicable.~~

~~(Code 1978, § 5.08.07; Ord. No. 04-34, § 9-27-2004)~~

## **Sec. 30-6. ~~Powers of city officials.~~ Sound levels and Measurement**

The allowable sound levels and measurement standards follow the Minnesota Pollution Control Guidelines for Noise found in the Minnesota Administrative Rules Section 7030. Whenever the City Administrator or designee finds that a violation has occurred, penalties may be issued in accordance with State Law and the City of Ramsey Code.

~~Whenever in the judgment of the City Administrator or their Designee city's health authority, city engineer, or chief of police (or other such city official as may be determined by the city administrator), a finding is made upon investigation that a public nuisance is being maintained or exists within the city, the city may at the direction of the city administrator, issue a citation or written notice to the owner or occupant of the premises where the public nuisance is maintained requiring him to terminate and abate said nuisance. Service of said notice shall be in person or by U.S. mail. If the premises are not occupied and the address of the owner is unknown, service on the owner may be had by posting a copy of the notice on the premises. If the nuisance is not abated within ten days of the date of issuance of the notice, the city may issue a code violation citation to the notified owner or occupant. As an alternative, the city may elect to prosecute the matter in district court without first issuing the ten-day notice described in this section.~~

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(Code 1978, § 5.08.08; Ord. No. 04-34, § 9-27-2004)

## **Sec. 30-7 ~~Chapter 113~~—Natural Resource and Environmental Preservation and Protection**

### **~~Article III~~—Shade Tree Diseases and Pests**

#### **Subd. 1. Purpose ~~Sec. 113-40 (101 Purpose)~~**

The City Council has determined that the health of the community forest, including both public and private trees, faces threats from certain lethal diseases and pests, including but not limited to, Oak Wilt, Dutch Elm Disease, and Emerald Ash Borer. Without proper preventative and control measures in place, the loss of trees from these epidemics would result in substantial depreciation of property values, could significantly reduce wildlife habitat and the beneficial wildlife corridor linkages, and detract from the city’s rural character. In addition to, and in accordance with, Minn. Stats. 18G and Minn. Stats. 89.54-89.64, the provisions of this chapter are adopted as an effort to control and prevent the spread of these shade tree diseases and pests.

#### **~~Sec. 113-41 (102 Definitions)~~**

#### **Subd. 2 License Required ~~Sec. 113-42(103 License Required)~~**

- A. Any person, firm, or corporation that provides tree care, tree trimming, or removal of trees, limbs, branches, brush, or shrubs for hire must be registered with the Minnesota commissioner of Agriculture under Minn. Stat. § 18G.07.
- B. License Required. It shall be unlawful for any individual, partnership, or corporation to conduct, as a business for profit, the cutting, trimming, pruning, removing, spraying or otherwise treating trees, shrubs or vines in the city without having secured a license from the city to conduct such business.
- C. Application for a license under this chapter shall be made on a form approved by the city and shall include, among other things, the name and address of the applicant, the number of and names of employees of the applicant, and a description of vehicles and equipment used for the business, including license plate numbers if applicable. It shall also include proof of compliance with Minn. Stat. § 18G.07.
- D. Insurance Requirements. No license or renewal of a license shall be granted, nor shall the same be effective, until the applicant has filed with the city a certificate of insurance evidencing the holding of liability insurance and the limits required by Minnesota Statutes and proof of workers’ compensation insurance. The city shall be named and the insurance provided shall include the city as an additional party insured. Said policy shall provide that it may not be canceled by the insurer except after ten (10) days written notice to the city and, if such insurance is so canceled and the licensee fails to replace the same with another policy conforming to the provisions of this chapter, said license shall be automatically suspended until such insurance has been replaced.
- E. License Fee. The annual license fee shall be determined by the city’s annual Fee Schedule.

#### **Subd. 3 Nuisances Declared ~~Sec. 113-43 (200 Nuisances Declared)~~**

- A. The following are considered public nuisances, as their conditions represent a threat to the health of the overall community forest. The city may submit a wood sample to a laboratory, such as the University of Minnesota’s Plant Disease Clinic, to confirm the presence of the disease or pest.
  1. Any elm tree or part thereof infected to any degree with Dutch Elm Disease fungi (either Ophiostoma ulmi or Ophiostoma novo-ulmi), or which harbors any elm bark beetle (Hylurgopinus rufipes), European elm bark beetle (Scolytus multistriatus), or banded elm bark beetle (Scolytus schevyrewi), collectively referred to as elm bark beetles.
  2. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material not properly covered and sealed or from which the bark has not been removed or sprayed with an effective insecticide for elm bark beetles; except that the stockpiling of uncovered bark bearing elm wood shall be permitted during the months of October through March.

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(Supp. No. 12, Update 2)

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3. Any tree, or part thereof, within the Red Oak family (northern red oak, northern pin oak, pin oak, and black oak), infected to any degree with the oak wilt fungus (Bretziella fagacearum). This includes any diseased material that is potentially spore producing (PSP).
  4. Any tree, or part thereof, within the White Oak family (white oak, bur oak, swamp white oak, and chinkapin oak), that poses a threat of transmission of the oak wilt fungus to other trees of the same species through grafted roots.
  5. Any ash tree (Fraxinus spp.) or part thereof, infected to any degree with Emerald Ash Borer (EAB), Agrilus planipennis.
  6. Any tree deemed by the city to be hazardous, which may include structural defects in the roots, stem, and/or branches, that could cause the tree to fail and, should it fall, would land within a public right-of-way or upon public land.

**Subd. 4. Nuisance Trees ~~Sec. 113-44 (201 Nuisance trees)~~**

- A. ~~Disease or pest infested trees.~~ Any tree located within the city, which is determined by a certified arborist or a certified tree inspector to be a nuisance tree, as defined above, ~~afflicted with any dangerous or infectious insect infestation or plant disease,~~ may be declared a public nuisance. ~~This shall include trees and shrubs harboring injurious insects or pathogens that may cause significant potential danger to the community forest.~~ A nuisance tree can be declared hazardous or potentially hazardous if circumstances warrant immediate action to abate that nuisance.
1. The city, or its designate, may remove or cause or order to be removed, any nuisance tree or part thereof. ~~which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is infected with Oak Wilt or Dutch Elm Disease~~
  2. An evaluation of "imminent danger" means that the hazard to the public is immediate. If the property owner cannot be contacted or refuses to remove the hazard, the city will initiate action immediately.
  3. An evaluation of "potentially dangerous" means that a hazard to the public will exist in the near future. The property owner will be notified and should remove the future hazard as soon as possible.
- A. The city shall have the right to cause the removal of any ~~dead or diseased~~ nuisance tree(s), as defined above, on private property. ~~within the city, when such trees constitute a hazard to life or property, or harbor insects or disease which constitute a potential threat to other trees within the city.~~ In the event of failure of the property owner(s) to comply with such provisions, the city shall have the authority to remove such nuisance trees and charge the cost of removal to the property owner.
1. Notice to take action. ~~An order for~~ A "Notice to Take Action" will be issued upon determination by the city, or its designee, to prevent the spread of disease or insects to public trees and the community forest at large that maintenance work requiring the pruning, preservation, or removal of trees or plants upon private property when such action is necessary to ensure public safety and/or in accordance with the following provisions places. Issuance of a Notice to Take Action may be based on one (or more) of the following:
    - a. For Oak Wilt, any of the following: visual confirmation of wilted leaves, presence of a fungal spore pad(s), or laboratory confirmation of the presence of the Oak Wilt fungus.
    - b. For Dutch Elm Disease, any of the following: laboratory confirmation of the presence of the Dutch Elm Disease fungi, visual confirmation of leaf symptoms, staining of the sapwood, or visual confirmation of elm bark beetle galleries.
    - c. For Emerald Ash Borer, confirmation of EAB galleries or D-shaped exit holes.  2. The Notice to Take Action shall include the following information:

- a. ~~Such notice shall describe~~ Specify the kind of tree, ~~shrub, or other plant or plant part~~ which has been declared to be a public nuisance; its location on the property; and the reason for declaring it a nuisance.
- a. Proper disposal procedures of wood, bark and debris from said nuisance shall be detailed in said notice. These disposal procedures shall be followed within the time provided in the notice.
- c. The Notice of violation to Take Action shall state ~~the specific violation and indicate whether immediate enforcement will be sought or if 30 days will be allowed~~ the timeline to correct and/or remove the ~~violation~~ nuisance tree(s).
- d. If the owner of the property to whom an order has been issued fails or refuses to take remedial action in accordance with and within the time specified in ~~an order~~ a Notice to Take Action, the city, or its designate, shall cause the remedial action so ordered to be performed at the expense of the owner. Appeals shall be in accordance with ~~section 117-55~~ Chapter 2 of City Code.

**Subd. 5 Preventative Measures ~~Sec. 113-45 (202 Preventative Measures)~~**

- A. Preventative measures. When managing nuisance trees, as defined herein, preventative measures are generally more cost effective for property owners than control measures. Hence, the following measures, either individually or in combination, shall be implemented:
  - 1. If pruning or removal of oak trees must be conducted during the 'High Risk' timeframe (generally April through July), the cut surface shall be immediately treated with a water-based paint, wound sealant, or shellac to minimize the potential introduction of Oak Wilt.
  - 2. If a property owner desires to retain Oak Wilt infected wood from the Red Oak family, DED infested elm wood, or EAB infested ash wood on site, the following measures shall be implemented:
    - a. Cut the wood into firewood sized pieces and stack neatly to allow for drying.
    - b. Cover the stacked wood with 4-6 mil thick clear plastic or a tarp and completely bury the edges into the ground to trap any elm bark beetles or emerald ash borers under the covering and to prevent sap feeding beetles from accessing the diseased oak wood.
    - c. The plastic or tarp can be removed after the growing season of the year following removal.

**Sec. 30-78. Abatement of nuisances by council-Violations**

Any Violation of Ramsey City Code is deemed to be a Public Nuisance and is punishable as a Misdemeanor unless otherwise noted as a Petty Misdemeanor. Each day a violation continues is considered a new violation.

~~If, after such service of notice, the party fails to abate the nuisance or make the necessary repairs, alterations, or changes in accordance with the direction of the council, said council may cause such nuisance to be abated at the expense of the city and recover such expenditure, plus an additional 25 percent, either by civil action against the person served; or if such service has been had upon the owner or occupant, by ordering the city administrator to extend such sum, plus 25 percent as a special tax against the property upon which the nuisance existed and to certify the same to the county auditor for collection in the manner as taxes and special assessments are certified and collected.~~

~~(Code 1978, § 5.08.09; Ord. No. 04-34, § 9-27-2004)~~

~~State law reference(s)—Collection of charges as a special assessment, Minn. Stats. § 439.101.~~

**CC Work Session**

**Meeting Date:** 01/23/2024

**Primary Strategic Plan Initiative:** Enhance City’s communication through transparency and accountability.

**Information**

**Title:**

Review Future Topics/Calendar

**Purpose/Background:**

Attached is the current list of future topics for work session discussions. Items are drawn from Council requests at meetings, or are related to topics that have been identified in the City's strategic plan. Tentative dates have been assigned.

**Timeframe:**

**Funding Source:**

**Responsible Party(ies):**

**Outcome:**

For Council review - no formal action necessary.

**Attachments**

Future Topics List

**Form Review**

**Inbox**

Brian Hagen

Form Started By: Katie Schmidt

Final Approval Date: 01/10/2024

**Reviewed By**

Brian Hagen

**Date**

01/10/2024 03:40 PM

Started On: 01/09/2024 01:48 PM

Row #		<u><i>Tentative City Council Future Work Session Topics</i></u>	
	Proposed Date	Topic	Minutes (Estimate)
	<b>2024</b>		
	Feb 13	Discuss THC Moratorium	60
	Feb 13	Discuss Subdivision Ordinance	30
	Feb 27	Further Personnel Policy Discussion	60
	Feb 27	Strategic Planning	30
	April	Discuss Sign Ordinance	30
	TBD	Discuss Recycling Program	45
	TBD	Discuss Solicitor License approval process	15
	TBD	Continue Policy Project Discussion – continue Park Policy discussion – Riverblood	30
	TBD	Draft Trail Maintenance Policy – Riverblood	30
	TBD	Draft Stormwater Pond Maintenance Policy – Westby	30
	TBD	Review procedure/policy/best practice for introduction of resolutions/proclamations – Staff	20
	TBD	Discuss Council and B/C Remote Meetings Policy - Staff	15
	TBD	Development Interest Info to Council	
	TBD	Decorum of Council Towards Meeting Attendees	