

AN ORDINANCE AMENDING SECTION 151

AN ORDINANCE PROVIDING FOR THE REGULATION OF LAND USE IN THE CITY OF BROWNS VALLEY

Findings.

1. The Browns Valley City Council has an ordinance that regulates how the citizens of Browns Valley build, construct, erect, or move buildings or structures within the City of Browns Valley, which includes the requirement of obtaining a building permit.
2. There have been requests for building permits from residences who are either behind in the payment of their property taxes or special assessments, and/or the property is not being served by sanitary sewer or city water.
3. The Browns Valley City Council believes it is in the best interests of the residents of the City of Browns Valley to amend its Ordinance to mandate that any resident who seeks a building permit shall first be caught up on all property taxes and assessments, and that the property be served by sanitary sewer or city water, or its equivalent.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BROWNS VALLEY ORDAINS AS FOLLOWS:

1. That Browns Valley City Ordinance Section 151.04 is hereby amended to read as follows:

“151.04 Property Taxes/Utilities.

1. Any application for a building permit request related to property in which there are delinquent property taxes, special assessments, penalties, interest or past due public utility fees shall not be considered completed and shall not be processed until the owner certifies to the City, with adequate supporting documentation, that all such delinquent or past due amounts, interest, and penalties have been paid in full. Furthermore, any person that submits an application for a building permit request that owes the City for past related fees or costs, or if the application relates to property on which there are related fees or cost owed to the City, the application shall be deemed incomplete and shall not be accepted or processed until all such delinquent or past due amounts have been paid in full to the City.
2. The City will not issue any permit or variance on any of the above-described properties until all past due amounts, penalties, and interest has been paid in full. The City may collect any related fees, charges, or costs owed to it by certifying the amount to the County Auditor as a service charge pursuant to M.S.A. §366.012 (which is available to the City pursuant to M.S.A. §415.01, Subd. 1) for collection together with the property taxes levied against any real property the person or entity owning the amount owns in the State. The City will provide the property owner written notice of its intent to certify the amount on or before September 15. The amounts so certified to the County shall be subject to the same penalties, interest and other conditions provided for the collection of property taxes.

3. No permit shall be issued for a building not served by sanitary sewer and city water unless the application therefore is accompanied by plans or proposals for water supply and for waste and sewage disposal approved by the Engineer or by a qualified sanitarian as being sanitary and in accord with acceptable standards and specifications for installations of that type.”
2. That Browns Valley City Ordinance Section 151.99 is hereby enacted to read as follows:

“151.99 Penalty.
Penalty, see §10.99”

PASSED AND ADOPTED this 22nd day of August, 2022.

BROWNS VALLEY CITY COUNCIL

Mike Heck, Mayor

ATTEST:

Jodi Hook-Hansen, City Administrator