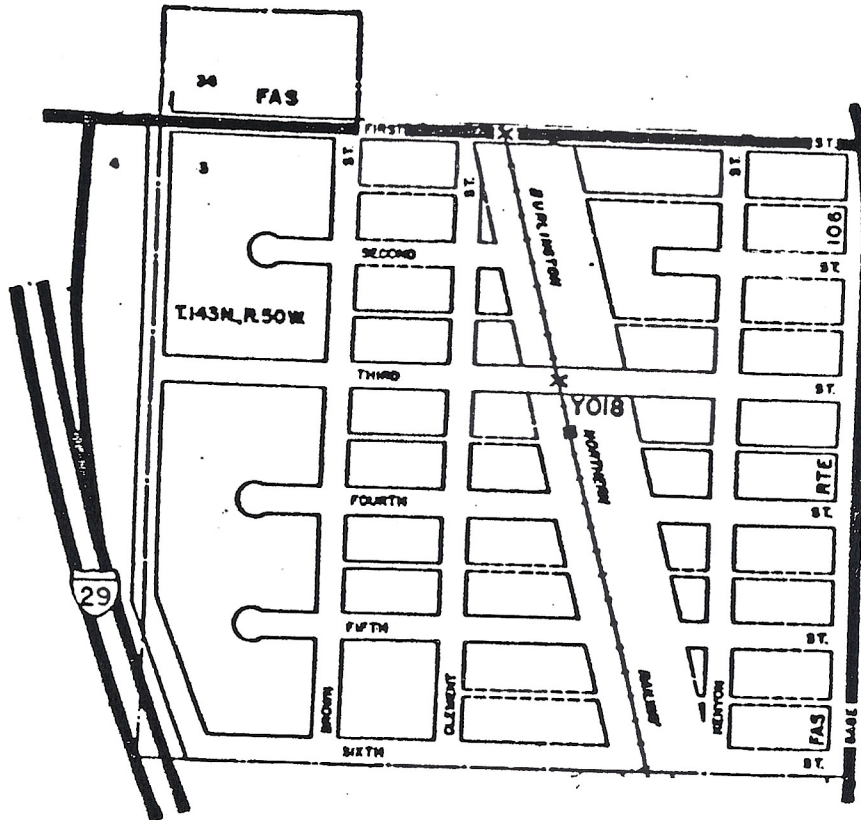
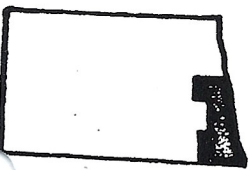


OFFICIAL ZONING ORDINANCE



GRANDIN
NORTH DAKOTA



LAKE AGASSIZ REGIONAL COUNCIL

BOX 428 FARGO, NORTH DAKOTA

OFFICIAL ZONING ORDINANCE

GRANDIN, NORTH DAKOTA

1978

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Moving Permits set for \$10.00

TABLE OF CONTENTS

	<u>Page</u>
Section I: Introduction	1
1.1 Title	1
1.2 Purpose	1
1.3 Authority	1
1.4 Repeal	1
1.5 Severability	1
1.6 Effective Date	1
Section II. Definition Of Terms Used In This Ordinance	1
2.1 General Definition	1
2.2 List of Definitions	1
Section III. General Provision.	4
3.1 Jurisdiction	4
3.2 Compliance	4
3.3 Interpretation	4
3.4 Non-Conforming Uses	4
3.5 Residential Development	4
3.6 Traffic Visibility	4
3.7 Water and Sewage Facilities	5
3.8 Sewer and Water Regulations	5
3.9 Amending the Ordinance	5
3.10 Conditional Uses-Procedure	6
Section IV. District Regulations	6
4.1 Classes of Districts	6
4.2 Official Zoning Map	7
4.3 A - Agriculture	7
4.4 RI - Residential	8
4.5 R - Residential/Mobile Home District.	8
4.6 C - Commercial District	10
4.7 I - Industrial	11

TABLE OF CONTENTS
(Cont.)

	<u>Page</u>
Section V. Administration and Enforcement	11
5.1 Administration and Enforcement	11
5.2 Building Permit	13
5.3 Certification of Compliance	14
5.4 Schedule of Fees and Charges	14
5.5 Penalties	14
5.6 Enactment	15

SECTION I

Introduction

- 1.1 Title: This ordinance shall be known as the "Zoning Ordinance, City of Grandin, North Dakota."
- 1.2 Purpose: The purpose of this ordinance is to promote the health, safety, morals, and general welfare as well as provide for the orderly development of the City of Grandin, North Dakota.
- 1.3 Authority: This ordinance is adopted under the authority of Chapter 40-47 of the North Dakota Century Code.
- 1.4 Repeal: All other ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.
- 1.5 Severability: If any provision or section of this ordinance is found invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.
- 1.6 Effective Date: This ordinance shall become effective after adoption by the City Council, Grandin, North Dakota.

SECTION II

Definition of Terms Used In This Ordinance

2.1 General Definitions:

Words used in the present tense shall include the future; the singular number shall include the plural.

The word person includes a firm, partnership, association, corporation, or individual.

The word shall is mandatory.

2.2 List of Definitions:

Accessory Use or Accessory Structure: A use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use, such as a garage or tool shed.

Agriculture: The use of land for agricultural purposes, including the necessary buildings or structures for farm or farm labor use. Agriculture shall be limited to farming and the open grazing of livestock.

Alley: A minor street providing access to the back or side of two or more properties.

Building: Any structure used for shelter or enclosure or persons, animals, or property.

Conditional Use: A use which would not be appropriate in a particular district, but which, if controlled as to the number, location or relation to neighborhood, would promote the public safety, health, convenience or welfare. A conditional use is allowed in a district only if the regulations for that district specifically permit it subject to the approval of the City Council, and only when the Council finds that such use meets all of the requirements applicable to it as specified in the ordinance. The Council may choose not to approve the conditional use but the reasons must be given in writing.

Dwelling: A building or portion of a building occupied exclusively for residential purposes. This does not include mobile recreational vehicles.

Dwelling Unit: One or more rooms in a building that are designed for occupancy by one family. This does not include vehicles designed for camping or other temporary occupancy such as vacation vehicles.

Family: Shall mean one or more individuals living together as members of a single housekeeping unit and doing their cooking in a single kitchen on the premises.

Feedlot: The use of land or buildings for the exclusive purpose of concentrated feeding or fattening of livestock for marketing.

Home Occupation: Any occupation (1) which is carried on solely by members of the family residing on the premises, (2) is clearly secondary to the use of the dwelling for residential purposes, and (3) does not create excess noise, traffic or other disturbances.

Junk Yard: Any land or building used for the storage, sale, or dismantling of obsolete vehicles, junk and other machinery.

Lot: A parcel of land capable of having a building and accessory uses and still meet the yard requirements and front on a street.

Lot Coverage: The total surface area of a lot which is covered by any type of structure.

Lot Depth: The average distance between the front and rear lot lines.

Lot Width: The average distance between the side lot lines measured parallel to the front lot line.

Mobile Home: A dwelling unit designed for transportation after construction and not necessarily on a permanent foundation. A recreational travel trailer is not to be considered a mobile home.

Non-conforming Use: Any structure, building, or tract of land existing at the time of the adoption or amendment of this ordinance which does not conform to the ordinance.

Parking Space: A parking space shall consist of a separately accessible space, nine (9) feet by twenty (20) feet for parking a vehicle. All references to vehicle parking in this ordinance shall mean off-street parking.

Structure: Anything built, constructed, or erected which requires permanent location on the ground. This does not include fences.

Structural Alteration: Any change in the supporting members or any substantial change in the roof or exterior walls of a building.

Variance: The relaxing of the requirements of this ordinance where it can be shown that due to unusual conditions of the property, strict application of the regulations would result in undue hardship. The variance will not be contrary to the public interest.

Yard-Front: A yard that extends across the full width of the lot. The depth is measured as the least distance between the front lot line and the front building.

Yard-Rear: A yard that extends across the full width of the lot. The depth is measured as the least distance between the rear lot line and the rear building line.

Yard-Side: The yard between the front and rear yards. The depth is measured as the least distance from the side of the principal building and the side lot line.

SECTION III

General Provisions

- 3.1 Jurisdiction: The provisions of this ordinance shall apply to all structures and land within and one-half mile beyond the city limits of Grandin, North Dakota.
- 3.2 Compliance: Except as stated in this ordinance, no land shall be used and no building or structure shall be erected or repaired except in conformance with these regulations.
- 3.3 Interpretation: In interpreting and applying this ordinance, the provisions shall be held to be the minimum requirements. Where this ordinance imposes a greater restriction than existing law, the provisions of this ordinance shall govern.
- 3.4 Non-conforming Uses:
- A. Non-conforming uses of land or buildings existing at the date of adoption of this ordinance may continue provided there are no structural alterations and the non-conforming use shall not be extended to occupy a greater area of land.
 - B. No building or structure where a non-conforming use has been discontinued for a period of one year or which has changed to a permitted use shall again be devoted to a non-conforming use.
 - C. A non-conforming structure destroyed or damaged less than 50 percent of its fair market value may be reconstructed within one year of such casualty. If damaged 50 percent or more of its fair market value, the non-conforming structure must be reconstructed in accordance with these regulations.
- 3.5 Residential Development:
- A. No lot shall contain more than one principal residential building.
 - B. No dwelling unit shall be built on a lot which does not abutt on a dedicated public road.
 - C. No residential dwelling unit shall exceed 35 feet in height. This regulation is to include apartments, sleeping rooms, and owner-occupied residences situated above commercial service and trade establishments.
 - D. Accessory buildings shall be limited to 15 feet in height and be located at least 8 feet from all lot lines.

3.6 Traffic Visibility: In any district, no fence, structure, or plantings shall be erected or maintained that interfere with traffic visibility across a corner.

3.7 Water and Sewage Facilities: To protect the subsurface water supply from pollution and to protect the public health and abate nuisance and odor, construction of privies and cess-pools shall be prohibited in the corporate limits of the City of Grandin unless otherwise permitted by the Grandin City Council.

3.8 Sewer and Water Regulations: To protect the public health, control water pollution and reduce nuisance and odor, all new developments within the City of Grandin shall be connected to the city sewer and water systems.

3.9 Amending the Ordinance:

- A. Should the need arise for an amendment to the zoning ordinance or zoning district map, the applicant submits the proposed zoning change to the Planning Commission (the Planning Commission itself may wish to change the ordinance text or map.)
- B. The Planning Commission will publish a notice for a public hearing in the official city newspaper once a week for two (2) consecutive weeks prior to the hearing. A notice shall also be posted in a conspicuous place of the Grandin City Post Office as well as on the property in question.
- C. If the zoning map is proposed to be changed, the applicant must notify by registered mail adjoining property owners at least 15 days prior to the public hearing. Adjacent property owners are all property owners fronting or within 150 feet of the property in question.
- D. At the hearing, the applicant presents his proposal for amending the zoning ordinance or zoning map. Also at the hearing, the public may comment and the adjacent property owners may state their opinion for the record.
- E. The Planning Commission then presents its findings and recommendations to the City Council. A second public hearing is advertised through the same process as the first public hearing. At this hearing, the City Council may either approve or disapprove the amendment to the zoning ordinance or zoning map. If the City Council disapproves, the applicant may appeal to a court of law.
- F. If there is a protest to the amendment by more than 20 percent of the adjacent property owners, a three-quarter vote of approval is required by the City Council prior to passing the amendment.

3.10 Conditional Uses - Procedure

- A. The applicant for a conditional use permit applies to the Planning Commission for a building permit.
- B. The Planning Commission holds a public hearing.
- C. The Planning Commission prepares a written statement for the City Council concerning the proposed conditional use. This statement shall include how the proposed conditional use complies with the rules governing conditional uses. No conditional use shall be granted unless the following conditions have been met.
 1. Entrance and exit to property with reference to public safety, traffic flow, and convenience.
 2. Parking and loading requirements of the specific use.
 3. General compatibility with the surrounding property with due consideration for noise, odor or other adverse effects.
 4. Required yards and open space.
 5. Adequate utilities, access roads, drainage and other necessary site improvements have been made or are provided.
- D. Every application for a conditional use shall include:
 1. A plot plan showing: Legal dimensions of the tract to be used; location of all structures and all existing and proposed improvements including curbcut access, off-street parking and other such facilities; building setback from all property lines; location and type of planting, screening or walls; a timing schedule indicating the anticipated starting and completion dates of the development; names and addresses of adjacent property owners; any additional information the Planning Commission deems necessary.

SECTION IV

District Regulations

4.1 Classes of Districts

For the purpose of this ordinance, the City is hereby divided into the following classes of districts:

- A - Agriculture
- R1 - Residential
- R - Residential/Mobile Home District
- C - Commercial
- I - Industrial

4.2 Official Zoning Map: The boundaries of these districts are established as shown on the map entitled the "Official Zoning Map of Grandin". This map is made part of this ordinance, and it shall be on file with the City Auditor.

- A. The zoning district boundary lines are intended to follow lot lines, the centerlines of streets or alleys, the centerlines of natural waterways and rivers, railroad rights-of-way, and the corporate limit lines as they existed at the time of the adoption of this ordinance.
- B. Where uncertainty may exist as to the exact boundary line of a district, the City Council shall make final judgement.

4.3 A - Agriculture:

- A. Purpose: To establish and preserve areas of agriculture and low intensity development which do not significantly change the existing character of the area.
- B. Permitted Uses: Agriculture and agricultural-related buildings. Farm dwellings. Park and outdoor recreational facilities and related buildings for outdoor recreation.
- C. Conditional Uses: Sanitary disposal facilities including landfills, mining or gravel removal; and junk yards or salvage and scrap yards provided all operations are conducted within an area enclosed on all sides with a solid fence or wall not less than 8 feet in height.
- D. Dimensional Standards:
 1. Setbacks - 50 feet from any public right-of-way.
 2. Building Heights - residential buildings shall not exceed 35 feet
- E. District Restrictions: The application of chemical sprays which are noxious or offensive shall not be permitted within 300 feet of a non-farm residential building.

4.4 R1 - Residential:

- A. Purpose: To establish and preserve general residential neighborhoods which allow for varied types of residential development.
- B. Permitted Uses: Single-family residences (not to include mobile homes), multi-family residences, boarding and rooming houses, churches, schools, hospitals, and clinics; customary accessory uses; and home occupation.
- C. Minimum Lot Dimensions:
 - 1. Yards:
 - a. Front Yard - 30 feet
 - b. Rear Yard - 30 feet
 - c. Side Yard - 10 feet
 - 2. Lot:
 - a. Lot Width - 75 feet
 - b. Area of Lot - 7,500 square feet residential unit,
4,000 square feet for each additional
multi-family unit
 - c. Lot Coverage - 50 percent
- D. Parking Requirement:
 - 1. Two parking places for each single-family residence; one and one-half parking places for each additional multi-family unit.

4.5 R - Residential/Mobile Home District:

- A. Purpose: To establish and preserve general residential neighborhoods which allow for various types of residential development including mobile homes.
- B. Permitted Uses: All R1-District uses; mobile homes.
- C. Minimum Lot Dimensions: Same as R1-District.
- D. Parking Requirements: Same as R1-District.
- E. Mobile Home Regulations:
 - 1. If a mobile home has wind specification anchoring requirements, the anchoring system used must be within these standards. If a mobile home does not have

specific anchoring requirements, the mobile home shall be anchored down by a system of over-the-top straps and straps connected to the I-beam substructure of the home. These straps shall be connected to anchoring devices such as screw-type anchors which are embedded in the ground.

2. Mobile homes shall rest on a permanent foundation of concrete or other solid material durable enough to support the maximum weight of the mobile home. Loose blocks placed at regular intervals underneath the mobile home I-beam substructure shall not constitute an adequate foundation.
3. The mobile home foundation shall rest upon a concrete slab adequate in size to support the weight of the mobile home and supporting foundation.
4. The undercarriage wheels of the mobile home shall be removed prior to occupancy of the mobile home on the lot.

F. Conditional Uses: Mobile Home Parks:

1. Mobile home parks shall contain a minimum of two (2) acres of land and a maximum of seven (7) mobile homes per gross acre.
2. Each mobile home shall be placed within a lot at least 50 feet wide and with a minimum area of 5,000 square feet.
3. Each unit shall have a minimum setback of 10 feet within the park and 25 feet from other public roads.
4. Underground utility, including water, sewer, gas, electricity and telephone, shall be provided to each lot in the park.
5. All lots in the park shall be accessible at all times to emergency vehicles.
6. Where the park is served by private streets, those streets shall conform to the design standards recommended by the city.
7. All regulations of the North Dakota Laboratories Department and other regulatory agencies and departments relating to mobile homes shall be complied with.
8. All units in the park shall be served with public water and sewer.

9. Site plan including topographic information arrangement of lots, block and street pattern location of open spaces and other data deemed necessary shall be submitted on or before the public hearing.
10. Mobile homes within the park shall be anchored according to the mobile home regulations (Section 4.5-E-1) of the ordinance.

4.6 C - Commercial District:

- A. Purpose: It is the intent of this district to reserve an area for the grouping of businesses and personal services into a concentrated area serving the shopping needs of the city and surrounding trade area.
- B. Permitted Uses: Any commercial business or service including grocery, drugs, hardware, clothing, bakeries, eating and drinking places, and professional offices, hotels, motels, public utilities, and transportation and communication facilities.
- C. Conditional Uses:
 1. Storage facilities for building materials such as lumber, steel, concrete blocks or pipe provided that these materials are either:
 - a. Enclosed by a wall or fence equal in height to the highest pile of materials stored but not less than 5 feet high.
 - b. Stored in an enclosed structure.
 2. Sleeping rooms, apartments or owner-occupied residences housed within commercial businesses or service establishments provided that the above uses are secondary to the main commercial use of the building and occupy less than 50 percent of the total floor area.
- D. Minimum Lot Dimensions:
 1. Yards:
 - a. Front - 10 feet.
 - b. Rear - 10 feet except where adjoining an R-District or Mobile Home District, then same as R or MH - District
 2. Lot Size:

No minimum.

4.7 I - Industrial District:

- A. Purpose: It is the intent of this district to establish and preserve areas with good public transportation facilities such as highway and rail for industrial development in locations not incompatible with other zoning districts.
- B. Permitted Uses: All C-District uses excluding hotels and motels. Other uses including agriculture, fertilizer plants, grain elevators, feed mills, lumber yards, truck terminals, warehouses and industries.
- C. Conditional Uses: Automobile salvage and wrecking operations, industrial and waste salvage operations, and junk yards provided a wall or fence encloses these operations from public view.
- D. Minimum Lot Dimensions:
 - 1. Yard: All industrial uses must be situated at a minimum of 10 feet from any residential property line.
 - a. Front - 10 feet.

SECTION V

Administration and Enforcement

5.1 The administration and enforcement of this ordinance is hereby invested in the Planning Commission and City Council, City of Grandin, North Dakota.

A. Planning Commission:

- 1. Authority and Duties: The Planning Commission shall have the following duties:
 - (a) Issue all building permits and certificates of compliance.
 - (b) Conduct inspections of buildings for compliance with zoning ordinances and other applicable codes or ordinances.
 - (c) Maintain records of the regulations and permits.
 - (d) Report the following to the City Council:
 - 1. All complaints stemming from this ordinance;
 - 2. Zoning violations;
 - 3. Applications for amendments;

4. Applications for conditional uses; and
 5. Applications for variances.
- (e) Establish rules, regulations and procedures for the purpose of administering this ordinance.
- B. City Council: For the purpose of this ordinance, the City Council is hereby designated the Board of Adjustment.
1. Authority: Powers of the City Council shall include:
 - (a) All amendments to the text of the zoning ordinance and zoning district map shall be approved or disapproved by the City Council after a public hearing.
 - (b) Establish rules, regulations and procedures for administering this ordinance.
 - (c) Interpret district boundaries on the zoning district map.
 - (d) Publish notice of public hearings in the official newspaper at least 15 days prior to a public hearing.
 2. Appeals:
 - (a) Any person who feels he has been aggrieved by a decision of any official, department or board of the city may petition for a hearing to the City Council.
 - (b) The appeal shall be presented in writing to the City Council and it shall specify the grounds for the appeal.
 - (c) The hearing shall be held within thirty (30) days of the filing of the appeal.
 - (d) Within 15 days after the hearing, the City Council shall take action and send their decision by registered mail to the petitioner.
 - (e) It requires a concurring vote of 4 to reverse any order, requirement, or decision made by any official, department or board of the city.

3. Variance:

- (a) In a situation which would require a variance prior to construction or alteration of a building or structure because of unusual lot conditions, the applicant applies to the Planning Commission for a variance.
- (b) The Planning Commission will refer the application to the City Council for review. The City Council will take into consideration any comments or findings presented by the Planning Commission as well as the plans of the applicant.
- (c) The City Council can refuse the variance if the lot proves to be of such dimension or condition as to be unbuildable and if the variance would prove to be contrary to the interests of the public or it can approve the variance.
- (d) Reasons for refusal to approve a variance must be presented to the applicant in writing within a reasonable time after the decision.

5.2 Building Permit:

- A. No land shall be built upon and no structure or building shall be structurally altered or moved until a permit has been obtained from the Planning Commission.
- B. Any building permit issued must be in conformance with this ordinance.
- C. No permit is required for maintenance of any building or structure which does not structurally alter the building.
- D. If no construction takes place in a year from the issuance of a building permit, the permit shall expire.
- E. The building permit process is outlined below:
 - 1. All applicants who wish to build or alter any structure as defined in this ordinance must apply to the Planning Commission for a permit.
 - 2. If the applicant's plans meet district regulations as prescribed in this ordinance and any other applicable codes and ordinances, the Planning Commission collects the fees and issues the building permit.

3. If the applicant's plans do not comply with district regulations, the amendment, variance, appeals, or conditional use procedures discussed in this text may be applied.

Certificate of Compliance:

- A. A certificate of compliance is required before any structure, building, or land can be used or occupied which has been built or structurally altered such that it requires a building permit.
- B. The certificate of compliance process is outlined below:
 1. Upon completion of any work requiring a building permit, a member of the Planning Commission conducts an on-site inspection of the work specified in the building permit.
 2. If the completed work is found to be in accordance with this zoning ordinance and any other applicable ordinances and codes, the Planning Commission will issue a certificate of compliance.
 3. Reasons for refusing to issue a certificate of compliance must be stated by the Planning Commission in writing within 15 days after the request of the applicant for the certificate.

Schedule of Fees and Charges:

- A. A fee of \$20 shall be paid to the City Council by the applicant upon filing an application for any amendment to the zoning ordinance or zoning map or for any other activity which requires a public hearing.
- B. The following schedule shall be used for issuing building permits. The fee shall be paid by the applicant to the Planning Commission prior to receiving the permit. The fee is determined by the estimated market value of improvements.
 1. Under \$500 - no fee
 2. \$500 - \$20,000 - \$10 fee
 3. Above \$20,000 - \$10 plus \$1 for each additional \$1,000

Penalties:

Any person who violates the provisions of this ordinance or fails to comply with any of its requirements, upon conviction, shall be punished by a fine or not more than \$200 per day or by imprisonment in the city jail for not more than ninety (90) days. Each day that a violation continues shall constitute a separate offense.

5.6 Enactment: In order that the land within the city of Grandin be properly zoned in accordance with the policies and purposes of this ordinance, the Grandin Zoning Ordinance is hereby adopted.

3-5-75
Date Adopted

Ernest Madson
Mayor, City Council

Attest: *[Signature]*
Auditor
For the City of Grandin

F. Conditional Uses: Mobile Home Parks:

1. Mobile home parks shall contain a minimum of two (2) acres of land and a maximum of seven (7) mobile homes per gross acre.
2. Each mobile home shall be placed within a lot at least 50 feet wide and with a minimum area of 5,000 square feet.
3. Each unit shall have a minimum setback of 10 feet within the park and 25 feet from other public roads.
4. Underground utility, including water, sewer, gas, electricity and telephone, shall be provided to each lot in the park.
5. All lots in the park shall be accessible at all times to emergency vehicles.
6. Where the park is served by private streets, those streets shall conform to the design standards recommended by the city.
7. All regulations of the North Dakota Laboratories Department and other regulatory agencies and departments relating to mobile homes shall be complied with.
8. All units in the park shall be served with public water and sewer.
9. Site plan including topographic information arrangement of lots, block and street pattern location of open spaces and other data deemed necessary shall be submitted on or before the public hearing.
10. Mobile homes within the park shall be anchored according to the mobile home regulations (Section 4.5-E-1) of the ordinance.

4.6 C - Commercial District:

- A. Purpose: It is the intent of this district to reserve an
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ORDINANCE #06

PARKING Double Parking

It shall be unlawful for anyone to double park any vehicle on any public street or highway.

PARKING On Grass

It shall be unlawful for anyone to store (park) any vehicle on anything other than gravel, asphalt or concrete.

Any person who is convicted of violating or of failing to comply with any of the provisions of this ordinance may be punished by a fine of not more than one hundred and no/100 dollars (\$100000) or by imprisonment not to exceed thirty (30) days or both.

FIRST READING 3/1/94
SECOND READING 3/4/94

David Blaser
David Blaser/Mayor
Sandy Nohr
Sandy Nohr/Auditor

ORDINANCE #05

AN ORDINANCE REGULATING THE STORAGE AND ACCUMULATION OF JUNK, TRASH, RUBBISH, JUNK AUTOMOBILES, ABANDONED VEHICLES AND BUILDINGS MATERIALS ON PRIVATE PROPERTY; THE MAINTENANCE OF BLIGHTED STRUCTURES AND OTHER BLIGHTING FACTORS OR CAUSES OF BLIGHT AND DETERIORATION WITHIN THE CITY OF GRANDIN, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GRANDIN, NORTH DAKOTA.

Section 1. The following words or terms when used herein shall be deemed to have the meanings set forth below:

- (a) The term "junk" shall include, without limitation, parts of machinery or motor vehicles, unused furniture, stoves, refrigerators, or other appliances, remnants of wood, metal, or any other cast-off material of any kind, whether or not the same could be put to any reasonable use.
- (b) The term "junk automobiles" shall include, without limitation, any motor vehicle which is not licensed for use upon the highways of the State of North Dakota for a period in excess of 60 days, and shall also include, whether licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of 60 days; provided that there is excepted from this definition unlicensed, but operative vehicles which are kept as the stock in trade of a regularly licensed and established new or used automobile dealer.
- (c) The term "abandoned vehicle" shall include, without limitation, any vehicle which has remained on private property for a period of 48 continuous hours, or more without the consent of the owner or occupant of the property, or for a period of 48 continuous hours or more after the consent of the owner or occupant has been revoked.
- (d) The term "blighted structure" shall include, without limitation, any dwelling, garage, or outbuilding, or any factory, shop, store, warehouse, or any other structure or part of a structure which, because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable as a dwelling, nor useful for the purpose for which it may have been intended.
- (e) The term "building materials" shall include, without limitation, lumber, brick, concrete or cinder blocks, plumbing materials, electric wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, or any other materials used in constructing any structure.
- (f) The term "person" shall include all natural persons, firms, co-partnerships, corporations, and all associations, of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent or employee. All persons who violate any of the provisions of this ordinance, whether as owner, occupant, lessee, agent, servant or employee shall expect as herein otherwise provided, be equally liable as principals.
- (g) The terms "trash" and "rubbish" shall include any and all forms of debris not herein otherwise classified.

Section 2. Storage of Junk, Junk Automobiles, etc., Contrary to Public Health and Safety.

It is hereby determined that the storage or accumulation of trash, rubbish, junk, junk automobiles, abandoned vehicles, building materials, and the maintenance of blighted structures upon any private property within the City of Grandin tends to result in blighted and deteriorated neighborhoods, the increase in criminal activity, the spread of vermin and disease, and is contrary to the public peace, health, safety and general welfare of the community.

Section 3. Unlawful to Store or Accumulate Junk Automobiles, Etc.

It shall be unlawful for any person to store, or permit the storage or accumulation of trash, rubbish, junk, junk automobiles or abandoned vehicles on any private property in the City of Grandin except within a completely enclosed building or upon the business premises of a fully licensed junk dealer, junk buyer, dealer in used auto parts, dealer in second hand goods or junk gatherer.

Section 4. Unlawful to Dismantle Automobile Except on Business Premises.

It shall be unlawful for any person to dismantle, cut up, remove parts from, or otherwise disassemble any automobile, whether or not the same be a junk automobile, abandoned vehicle, or otherwise, or any appliance or machinery, except in a completely enclosed building, or upon the business premises of a duly licensed junk dealer, junk buyer, dealer in used auto parts, dealer in second hand goods or junk gatherer.

Section 5. Unlawful to Maintain Blighted Structure.

It shall be unlawful for any person to keep or maintain any blighted or vacant structure, dwelling, garage, outbuilding, factory, shop, store, or warehouse unless the same is kept securely locked, the windows kept glazed or neatly boarded up, and otherwise protected to prevent entrance thereto by unauthorized persons or unless such structure is in the course of construction in accordance with a valid building permit issued by the City of Grandin and unless such construction is completed within a reasonable time.

Section 6. Unlawful to Store Building Materials Except on Business Premises.

It shall be unlawful for any person to store or permit the storage or accumulation of building materials on any private property, except in a completely enclosed building or except where such building materials are part of the stock in trade of a business located in said property, or except when such materials are being used in the construction of a structure on the property in accordance with a valid building permit issued by the CITY OF Grandin and unless such construction is completed within a reasonable time.

Section 7. Police Department May Remove Junk or Abandoned Vehicles.

The Police Department may remove or cause to be removed any junk

automobile or abandoned vehicle, or parts of either, from any enclosed private property after having notified, in writing, the owner or occupant of such property of its intention to do so at least 48 hours prior to such removal. Such notice shall be served personally upon the owner or occupant of the property, if occupied, or may be posted in a conspicuous place upon vacant or unoccupied property. Such junk automobiles or abandoned vehicles, or parts of either, shall be removed to the automobile pound and disposed of in accordance with law. Such removal by the Police Department shall not excuse or relieve any person of the obligation imposed by this ordinance to keep his property free from storage or accumulation of junk automobiles or abandoned vehicles, or parts of junk automobiles or abandoned vehicles, or parts of either, nor from the penalties for violation thereof.

Section 8. Penalty.

Any person, firm or corporation violating any of the terms or provisions of this ordinance shall upon conviction be punished by a fine not to exceed \$100 or by imprisonment not to exceed ninety days, or both such fine and imprisonment, in the discretion of the court; the court to have power to suspend said sentence and to revoke the suspension thereof. Each day any person, firm, association or corporation shall violate any of the provisions of this ordinance shall constitute a separate offense.

Section 9.

This ordinance and the various parts, sections and clauses thereof, are hereby declared to be severable. If any part, section, paragraph, sentence, clause, phrase or work is judged unconstitutional, or invalid, by any court of competent jurisdiction, it is hereby provided that such adjudication shall not affect, impair or invalidate the remainder of this ordinance.

Section 10. Effective Date.

This ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

FIRST READING

3/1/94

SECOND READING

3/14/94

Dave Blaser
Dave Blaser/Mayor

Sandy Nohr
Sandy Nohr/Auditor