

ORDINANCE 24-01

CITY OF ST. ANTHONY HENNEPIN AND RAMSEY COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE ST. ANTHONY CITY CODE, BY AMENDING SECTIONS OF THE CITY CODE RELATING TO NUISANCE, SIGNAGE, PERMITTING, PERFORMANCE STANDARDS, AND LAND USE

THE CITY COUNCIL OF THE CITY OF ST. ANTHONY HEREBY ORDAINS:

Section 1. Section §92.18 is hereby amended to read as follows:

92.18 Public nuisances affecting peace and safety

- (F) The using or operation or permitting the using or operation of any radio receiving set, musical instrument, phonograph, paging system, machine, or other device for producing or reproduction of sound in a distinctly and loudly audible manner ~~shall be subject to the requirements of Section 92.18 (V). so as to disturb the peace, quiet, and comfort of any person nearby. Operation of any device referred to above between the hours of 8:00 ~~9:00~~ p.m. and 7:00 a.m. in a manner so as to be plainly audible at the property line of the structure or building in which it is located, or at a distance of 50 feet if the source is located outside a structure or building shall be prima facie evidence of violation of this section;~~ *[Planning Commission noted that this section was duplicative of the later Section (V) being amended – this language reconciles the differences.]*
- (V)1 (d) Radios, phonographs, paging systems, and the like. No person shall use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine, or other device for the production or reproduction of sound in a distinct and loudly audible manner as to unreasonably disturb the peace, quiet, and comfort of any person nearby. Operation of any such set, instrument, phonograph, machine, or other device between the hours of ~~10:00~~ **9:00** p.m. and 7:00 a.m. in such a manner as to be plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent, or at a distance of 50 feet if the source is located outside a structure or building, shall be prima facie evidence of a violation of this section. *[Planning Commission recommended retaining the current 10:00 p.m. deadline].*
- (V)2 (a) Domestic power equipment. No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill, or other similar domestic power maintenance equipment except between the hours of 7:00 a.m. and ~~8:00~~ **9:00** p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday. Snow removal equipment is exempt from this provision. *[Planning Commission discussed, but left in place, the current*

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weekend morning time of 9:00 a.m.]

(b) Refuse hauling. No person shall collect or remove garbage or refuse in any residential district except between the hours of 7:00 a.m. and ~~8:00~~ **9:00** p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday.

Section 2. **Section §152.183 is hereby amended to add the following:**

152.183 Screening

(1) Screening may be accomplished with a wall, fence, berm, or other landscape feature, or plantings which will provide an opacity of 80% within 3 years of planting. Planting type and screen design are subject to Planning Commission review and City Council approval **and shall meet the following criteria;**

a. Plant material centers shall not be located closer than three (3) feet from the fence line or property line and shall not be planted to conflict with public plantings, sidewalks, trails, fences, parking areas, and driveways based on the judgment of the City Manager or designee.

b. Where materials are planted for screening purposes in two (2) or more rows, plantings shall be staggered in rows or designed to provide maximum screening effect, unless otherwise approved by the City Manager or designee.

c. Evergreen trees intended for screening shall be planted not more than fifteen (15) feet apart.

d. Where massing of shrubs for screening is required, large deciduous shrubs shall be planted four (4) feet on center or closer, and/or, evergreen shrubs shall be planted three (3) feet on center or closer. The City Manager or designee may approve a different spacing if warranted for plant health and impact, based on species selected.

(2) Screening is required on ~~B~~, C, or LI District property which abuts any property in a residential district. The City Council may require screening on R-4 District property which abuts R-1, R-1A, R-2, or R-3 District property. All exterior storage must be screened, except merchandise being displayed for sale or materials and equipment being used for construction on the premises.

Section 3. **Section §92.19 is hereby amended to read as follows:**

92.19 NUISANCE ~~PARKING AND~~ STORAGE.

(A) Declaration of nuisance. The outside ~~parking and~~ storage on residentially-zoned property of ~~large numbers of vehicles and vehicles,~~ materials, supplies, or

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equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it:

- (1) Obstructs views on streets and private property;
- (2) Creates cluttered and otherwise unsightly areas;
- (3) Prevents the full use of residential streets for residential parking;
- (4) Introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited;
- (5) Decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood; and
- (6) Otherwise adversely affects property values and neighborhood patterns.

(B) Unlawful ~~parking and~~ storage.

(1) A person must not place, store, or allow the placement or storage ~~of ice fish houses, skateboard ramps, playhouses, or other similar~~ any nonpermanent structures or materials, unless expressly allowed by sections of this code, outside continuously for longer than 24 hours in the front-yard area of residential property unless more than 100 feet back from the front property line.

(a) In residential districts, accessory recreational uses, including appurtenant structures integral to the recreational use, may be located in a front yard, provided that:

(i) The use is temporary or seasonal in nature, and does not include any permanent appurtenance, structure or building.

(ii) The use does not create noise audible beyond the boundaries of the subject property, nor utilize additional lighting between the hours of 9:00pm and 7:00am.

(iii) No appurtenance, structure or building associated with the recreational use shall be set back from the property lines and/or right of way line no less than five (5) feet.

(iv) No appurtenance, structure, building, nor any light post or other element, may exceed ten (10) feet in height.

(2) A person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, or similar materials, including, ~~but not exclusive to, all~~ materials used in connection with a business, outside on residential property, unless shielded from public view by an opaque cover or a fence.

(3) A person shall not use and vehicle, as defined in Section 152.008, with the exception of an enclosed trailer, as a storage vessel for common household materials.

~~A person must not cause, undertake, permit, or allow the outside parking and storage of vehicles on residential property unless it complies with the following requirements.~~

~~(a) No more than 4 vehicles per lawful dwelling unit may be parked or stored anywhere outside on residential property, except as otherwise permitted or required by the city because of nonresidential characteristics of the property. This maximum~~

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~~number does not include vehicles of occasional guests who do not reside on the property.~~

~~(b) Vehicles that are parked or stored outside in the front yard area must be on a paved or graveled parking or driveway area.~~

~~(c) Vehicles, watercraft, and other articles stored outside on residential property must be owned by a person who resides on that property. Students who are away at school for periods of time but still claim the property as their legal residence will be considered residents on the property.~~

Section 4. Section 92.16 (E) is hereby amended to read as follows:

(E) Accumulations of manure, refuse, ~~or~~ other debris, or materials capable of harboring rodents, which shall include the following undomesticated animals or similar species: Chipmunks, Groundhogs/Woodchucks, Lemmings, Mice, Moles, Pocket Gophers, Rats, Shrews, Squirrels and Voles;

Section 5. Section 152.125(B) (Responsibilities of owner and landlord) is hereby amended to read as follows:

(B) Cleanliness. Every owner of a rental dwelling is responsible for keeping that part of the premises which he or she occupies or controls in a clean, sanitary and safe condition, free of rodent harborage, as rodents are defined in the City Code related to nuisances, in conformance with this subchapter, applicable provisions of the city code and the International Property Maintenance Code, including any shared or common areas in a multiple family dwelling.

Section 6. Section 152.126(B) (Responsibilities of occupant and renter) is hereby amended to read as follows:

(B) Cleanliness. Every occupant of a rental dwelling is responsible for keeping his or her unit, and any part of the premises which he or she occupies or controls, in a clean, sanitary and safe condition, free of rodent harborage as rodents are defined in the City Code related to nuisances, in conformance with this subchapter, applicable provisions of the city code and the International Property Maintenance Code.

Section 7. Section 92.20 A through Section 92.20 (C) are hereby renumbered and recodified as Section 92.16 (L) through Section 92.16 (N). Section 92.20 is hereby deleted in its entirety and labeled as reserved for future use.

Section 8. Section 155.22 is hereby amended to add the following:

(2) Abandoned Signs. Any sign which no longer advertises a bona fide business, or a product sold, or is otherwise considered an abandoned sign under this Section, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which sign may be found within 30 days after written notification from the Code Official. Upon failure to comply with such notice within the

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time specified in such order, the City Council may declare the sign to be a public nuisance, remove it, and assess the cost of removal to the property owner.

Section 9. Section 150.090 is hereby amended to add the following:

(D) Screening structures allowed in the front yard pursuant to Subsection (C) of this section may consist of prefabricated structures generally available from home improvement outlets, including those that may vary from the strict requirements of Subsection (C) provided they accomplish the intended screening effects.

Section 10. Section 152.122 is hereby amended to read as follows:

(P) Adult day-care centers, licensed under M.S. Chapter 245A, as it may be amended from time to time, and Minn. Rules, sections 9555.9600 through 9555.9730; or Commercial child daycare centers, licensed under M.S. Chapter 245A and Minn. Rules, section 9502 et seq.

Section 11. Section 152.142 is hereby amended to read as follows:

(G) ~~Day-care center without drive-through facilities.~~ Adult day-care centers, licensed under M.S. Chapter 245A, as it may be amended from time to time, and Minn. Rules, sections 9555.9600 through 9555.9730; or Commercial child daycare centers, licensed under M.S. Chapter 245A and Minn. Rules, section 9502 et seq.

Section 12. The City Clerk is hereby directed to make the changes required by this Ordinance as part of the Official St. Anthony City Code, Title XV, Zoning Ordinance, and to renumber the tables and chapters accordingly as necessary to provide the intended effect of this Ordinance. The City Clerk is further directed to make necessary corrections to any internal citations that result from said renumbering process, provided that such changes retain the purpose and intent of the Zoning Ordinance as has been adopted.

Section 13. This Ordinance shall take effect and be in full force from and after its passage and publication. This ordinance may be published by summary publication, per a duly adopted resolution of the City Council. The ordinance in its entirety and any related map shall be posted on the City website after publication. Copies of the complete Ordinance and map are available online and at St. Anthony City Hall for examination upon request.

ADOPTED BY the St. Anthony City Council this 12th day of March, 2024.

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Wendy Webster, Mayor

ATTEST:

City Clerk

AYES:

NAYS: