

PERSONNEL COMMITTEE

08-0544R

AS AMENDED

RESOLUTION REQUESTING A REPORT ON CURRENT ENFORCEMENT STRATEGIES OF THE HOUSING AND NUISANCE EVENT CODES IN ~~THE CENTRAL HILLSIDE~~ NEIGHBORHOODS IN THE CITY OF DULUTH.

BY COUNCILOR GARDNER:

The city council finds as follows:

(a) The purpose of the Duluth Legislative Code, Chapter 29A, (the Housing Code) is to ensure public health, safety and welfare insofar as they are affected by the occupancy and maintenance of structures and premises; and

(b) The purpose of the Duluth Legislative Code, Chapter 40, Article III, (Nuisance Event Code) is to impose on and collect a fee from the person or persons in charge of or responsible for nuisance events or activities that generate extraordinary cost to the city over and above the cost of providing normal law enforcement services and police protection citywide; and

(c) That violations of the Housing Code in rental properties have a substantial negative impact on those citizens of Duluth who reside in such rental properties; and

(d) That nuisance events have a substantial negative impact on the surrounding neighborhood and its residents; and

(e) That ~~the Central Hillside neighborhood of Duluth is~~ neighborhoods in the city of Duluth are especially vulnerable to the negative impacts of housing code violations in rental properties and the occurrence of nuisance events as demonstrated by recent events; and

(f) That the maintenance of rental properties in conformance with the Housing Code is a legal duty of the owner; and

(g) That nuisance events occurring on rental properties are events that a landlord has the legal authority to prevent through an eviction process; and

(h) That the prevention of Housing Code violations and nuisance events promotes the public safety; and

(i) That recent communications received by the council from concerned

citizens of Duluth and residents of ~~the Central Hillside neighborhood~~ neighborhoods in the city of Duluth demonstrated the need to evaluate existing laws and enforcement practices; and

(j) Pursuant to Chapter III, Section 7(B), of the Duluth City Charter the council is authorized to conduct an investigation on any subject upon which it may legislate, and in order to determine whether to conduct an investigation of current housing and nuisance event codes, the council requires information on current enforcement practices.

RESOLVED, that the city council requests a written report from the administration within 30 days informing it of the enforcement practices relating to the housing and nuisance event codes as well as Minnesota's nuisance laws currently utilized in the ~~Central Hillside~~ neighborhoods in the city of Duluth and an assessment of the current status of the public safety in ~~the Central Hillside~~ neighborhoods in the city of Duluth resulting from such practices.

COUNCIL REQUEST/ATTY      SG/AL:cm      8/20/2008

STATEMENT OF PURPOSE: This resolution makes findings regarding the public safety benefits of the housing and nuisance event ordinances and acknowledges the concerns expressed by citizens of the Central Hillside neighborhood. It also requests information from the administration on current enforcement practices in order to determine whether the council should conduct an investigation to identify additional legislative strategies that will strengthen the public safety purposes expressed in the housing and nuisance event codes.