



Nuisance ordinance vs. nuisance statute

The following is a comparison of the nuisance ordinance (M.C.O. 244.2020) and the nuisance statute (Minn. Stat. 617.80-89):

ORDINANCE

Application: Applies only to rental property, and only to property with either a license; a provisional license, or an application submitted for a rental license. Nuisance must be caused by tenant or guest.

Triggering events: Noisy party, 3 incidents in 12 months (unless diligently previously noticed tenant to vacate). Prostitution, drugs, weapons (in accordance with Minneapolis Statute 244.2020), illegal liquor, gambling; a single incident may trigger.

How initiated: Crime prevention specialists documents incident, sends letter to owner informing owner of incident.

Consequences: Administrative action to revoke license for 1 year. Recommendation is made by Inspections to PS&RS. Owner has 15 days to appeal to the Rental Dwelling Board of Appeals. If no appeal, or if lose appeal, recommendation goes to Council for action.

Contact your crime prevention specialist for additional prevention information. Call 311 (or 612-673-3000) or see www.ci.minneapolis.mn.us/police/outreach/docs/safe-staff-map.pdf to locate your neighborhood crime prevention specialist.

For further crime prevention resources, please visit www.ci.minneapolis.mn.us/police/crime-prevention.

STATUTE

Application: Applies to all property. Also applies to "nuisance" persons. Nuisance need not be committed by tenant or guest, but such nuisance must have a nexus to the building.

Triggering events: Prostitution, disorderly house, drugs, weapons (in accordance with Minneapolis Statute 244.2020), illegal liquor, gambling. Need proof of 2 or more separate behavioral incidents committed within the building within the previous 12 months.

How initiated: Often comes to prosecuting attorney's attention through crime prevention specialist, other area of Police Department, or community. Prosecuting attorney (attorney general, county attorney, or city attorney) sends owner notice of nuisance letter. After attempts at voluntary abatement fail, prosecuting attorney seeks injunctive relief through the courts.

Consequences: Prosecuting attorney may file a complaint in district court that could result in enjoining the use of the building for any purpose 1 year. Prosecuting attorney may also pursue unlawful detainer actions against tenants.



English: Attention. If you want help translating this information, call 612-673-3737
Spanish: Atención. Si desea recibir asistencia gratuita para traducir esta información, llame 612-673-2700
Somali: Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500
Hmong: Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800
Sign Language: TTY 612-673-2626
If you need this material in an alternative format, please contact the Minneapolis Police Department at 612-673-2912.