

ORDINANCE NO. 0811B

AN ORDINANCE AMENDING MANHATTAN BEACH ZONING AND SUBDIVISION ORDINANCE SECTION 10. Enforcement Sec. 10 Subd. 1 Violations and Penalties and titled “An Ordinance Relating to Violations and Penalties.”

The City Council of Manhattan Beach ordains:

Section 1. Manhattan Beach Zoning and Subdivision Ordinance Section 10 Subd. 1 Violations and Penalties is amended to remove the first paragraph and to read: Violation of any provision of this ordinance shall be considered either an administrative offense subject to an administrative fine; a criminal offense; or a civil offense subject to enforcement through civil remedies. Each act of violation in every calendar day upon which said violation occurs or continues may be considered a separate offense. In all cases where the City reviewing, investigating, or administering a land use application for purposes of enforcing compliance with this ordinance, the offending party, contractor, real estate owner, and/or permit holder, shall be required jointly and severally to reimburse the City for the City’s fees and costs associated with enforcing compliance with this ordinance. Fees and costs include, but are not limited to attorney’s fees, engineering fees, consultant fees, and other professional services deemed necessary by the City. The City also reserves the right to record a lien against real estate that is the subject of a land use enforcement action pursuant to Section 514.67 of Minnesota Statutes, for any of the aforementioned unpaid fees and services.

Section 2. Manhattan Beach Zoning and Subdivision Ordinance Section 10 Enforcement Sec 10 Subd. 1 Violation and Penalties. Violation of any provision of this ordinance shall be considered either an administrative offense subject to an administrative fine; a criminal offense; or a civil offense subject to enforcement through civil remedies. Each act of violation in every calendar day upon which said violation occurs or continues may be considered a separate offense. In all cases where the City reviewing, investigating, or administering a land use application for purposes of enforcing compliance with this ordinance, the offending party, contractor, real estate owner, and/or permit holder, shall be required jointly and severally to reimburse the City for the City’s fees and costs associated with enforcing compliance with this ordinance. Fees and costs include, but are not limited to attorney’s fees, engineering fees, consultant fees, and other professional services deemed necessary by the City. The City also reserves the right to record a lien against real estate that is the subject of a land use enforcement action pursuant to Section 514.67 of Minnesota Statutes, for any of the aforementioned unpaid fees and services.

The contractor performing any work requiring a permit under this Ordinance shall be in violation of the Ordinance if working on the site prior to the issuance of a permit.

The City Council shall adopt and modify from time to time standard procedures for the enforcement of this Ordinance.

Section 3. This Ordinance becomes effective from and after its passage and publication.

Passed by the City Council of Manhattan Beach on _____.

Approved:

Mayor

Attested:

City Clerk