

Public Health Nuisance Sample Procedure

Purpose: To provide a systematic process for responding to Public Health Nuisance complaints.

Procedure:

- I. Complaint Received
 - a. Counties may consider having a clear and advertised complaint process for community members to submit potential public health nuisance complaints.
 - b. Designated staff receives and reviews the complaint and forwards it on to the appropriate personal
 - c. Complete screening intake form (see examples on website)
- II. Declare Complaint as a Nuisance
 - a. Notify witness and/or subject of the complaint of nuisance inspection by telephone or through a letter
- III. Schedule Inspection
 - a. Determine a team to conduct inspection
 - b. Notify the owner of the nuisance of the inspection
 - c. If needed, coordinate with law enforcement or animal control for assistance during the inspection
 - d. If applicable, notify municipality of the inspection
- IV. Conduct Inspection
 - a. Refer to the flowchart provided in the appendix to determine if the complaint is indeed a public health nuisance
 - b. Bring the following items to inspection site:
 - i. Camera, to document evidence of a public health nuisance (refer to sample intake form)
 - ii. Public health nuisance fact sheet (sample provided)
- V. Abatement Notice
 - a. If the complaint is determined to be a public health nuisance, prepare an abatement notice (sample provided in appendix)
 - b. Serve abatement notice and Minnesota State Statute 145A.04 to the property owner regarding the outcome of the inspection
- VI. Follow-Up
 - a. Re-inspect the property within 10 working days (per Minnesota State Statue 154A.04)
 - i. Extension: At the discretion of the county, an extension may be granted to the property owner
 - b. If needed: complete second order to abatement form
 - c. Re-inspect the property until the nuisance is abated (following the same procedure as above)
- VII. Enforced Abatement
 - a. If the nuisance is not abated, the county may consider the following actions:

Commented [LM1]: Sample screening form in drive, I'm not sure on including it in this document or making note of where to find it on the site

Commented [LM2]: Popout box: A multi-disciplinary investigative team could include members of human services, law enforcement, planning & zoning, environmental services, county attorney, county auditor, law enforcement, animal control, or child and/or adult protection.

Commented [LM3]: Popout box: Counties may consider developing a formal policy with municipalities that outlines clear responsibilities for public health nuisances between counties and municipalities.

- i. Abatement: Removal or abatement of the nuisance by the County and procured refuse hauler. Assessment of the cost of abatement may be included as a special assessment to be collected in the same manner as property taxes, per Minnesota Statute 145A.04, Sub. 8
- ii. Injunctive relief: The county may consider an injunction in district court and prosecute as a civil case, per Minnesota Statute 145A.04, Sub. 9

VIII. Resolution

- a. If the nuisance is abated, the issue is resolved. A sample resolution letter can be found in the appendix