



City of Carlos

Code Enforcement Policy

Adopted: _____

Purpose

The purpose of this policy is to establish uniform procedures for the investigation, documentation, notification, and enforcement of violations of the City of Carlos Code of Ordinances. This policy is intended to promote voluntary compliance, ensure fair and consistent enforcement, protect public health and safety, and provide administrative guidance to city staff and officials.

Scope

This policy applies to all alleged violations of the City of Carlos Code of Ordinances unless another ordinance, state statute, or adopted policy establishes a different enforcement procedure.

Authority

This policy is adopted pursuant to the authority granted to the City of Carlos under Minnesota law and the City Code, including but not limited to Sections 10.99 and applicable enforcement provisions throughout the City Code.

General Enforcement Principles

1. The City shall seek voluntary compliance whenever reasonably possible prior to initiating formal enforcement action.
2. Enforcement shall be administered in a fair, impartial, and consistent manner.
3. The City reserves the right to take immediate enforcement action when necessary to protect public health, safety, or welfare.
4. Each day a violation exists may constitute a separate offense pursuant to City Code.
5. The City may pursue criminal, civil, administrative, or equitable remedies as authorized by law.

Initiation of Complaint or Investigation

A code enforcement matter may be initiated by:

- (A) Citizen complaint;
- (B) Observation by city staff or officials;
- (C) Law enforcement referral;
- (D) Fire department referral;
- (E) County, state, or federal agency referral; or
- (F) Any other lawful source of information.

Anonymous complaints may be investigated at the discretion of the City.

Documentation Requirements

For each reported violation, the City should maintain a file containing, when applicable:

1. Complaint information;
2. Property address and parcel information;
3. Dates of inspections;
4. Photographs or video evidence;
5. Notes and observations;
6. Copies of notices and correspondence;
7. Mailing records;
8. Compliance deadlines;
9. Reinspection results; and
10. Enforcement actions taken.

Inspection Authority

City officials, staff, or authorized agents may conduct inspections from public property or other lawful vantage points.

Inspections upon private property shall be conducted only with consent, administrative warrant, or other lawful authority.

Enforcement Procedures

Section 1. Courtesy Notice

(A) Upon determination that a potential violation exists, the City may issue a Courtesy Notice describing:

1. The nature of the violation;
2. Applicable ordinance sections;
3. Corrective actions required; and
4. A deadline for compliance.

(B) Courtesy Notices may be sent by regular mail, email, personal delivery, posting on the property, or other reasonable method.

(C) Typical compliance deadlines shall be between 10 and 14 days unless circumstances require otherwise.

(D) The City may bypass a Courtesy Notice when:

1. The violation presents an immediate danger;
2. Repeat violations have occurred;
3. The violation is intentional or egregious; or
4. Immediate enforcement is otherwise warranted.

Section 2. Formal Notice of Violation

(A) If compliance is not achieved, the City may issue a Formal Notice of Violation.

(B) The notice shall include:

1. Property address;
2. Description of the violation;
3. Ordinance citations;
4. Required corrective action;

5. Final compliance deadline;
6. Potential penalties; and
7. Possible enforcement actions.

(C) Formal Notices should generally provide between 5 and 10 days for compliance unless circumstances require otherwise.

(D) Formal Notices may be sent by regular mail, certified mail, personal service, posting, or other lawful means.

Section 3. Reinspection

Following expiration of the compliance deadline, the City may reinspect the property to determine whether compliance has been achieved.

Inspection findings shall be documented in the enforcement file.

Section 4. Enforcement Action

If a violation continues beyond the compliance deadline, the City may:

- (A) Refer the matter to the City Attorney;
- (B) Issue criminal citations where authorized;
- (C) Seek misdemeanor prosecution;
- (D) Seek injunctive or abatement relief;
- (E) Assess administrative remedies if authorized by ordinance; or
- (F) Pursue any other remedy available under law.

Section 5. Penalties

Unless otherwise specified by ordinance:

(A) Violations of City Code may constitute misdemeanors punishable pursuant to Section 10.99.

(B) Penalties may include:

1. A fine not exceeding \$1,000;
2. Imprisonment not exceeding 90 days; or
3. Both.

(C) Costs of prosecution may also be assessed.

(D) Each day a violation continues shall constitute a separate offense.

Emergency Conditions

When conditions present an immediate threat to public health, safety, or welfare, the City may take immediate enforcement action without prior notice to the extent permitted by law.

Repeat Violations

Repeat violations occurring within twelve (12) months of a prior violation may result in accelerated enforcement action, including bypassing the Courtesy Notice stage.

Appeals

Unless otherwise provided by ordinance or state law, issuance of a notice under this policy does not create a formal right of appeal. Persons receiving notices may contact the City Office to discuss compliance timelines or corrective actions.

No Limitation of Authority

Nothing in this policy shall limit the authority of the City Council, City Clerk, law enforcement, building official, animal control authority, fire department, or City Attorney to enforce the City Code or applicable state law.

Effective Date

This policy shall become effective upon adoption by the City Council of the City of Carlos. Adopted by the City Council of the City of Carlos on this 11th day of June 2026.

Mayor, Ronna Berghoff

Date

City Clerk/Treasurer

Date