

AGENDA

1. ROLL CALL: Harris, Allen, Montemayor, Carlson Weinberg, Ulbrich
2. CONSIDERATION OF MINUTES
 - A. Approve the meeting minutes from March 25, 2026
3. PUBLIC HEARINGS
 - A. Zoning Text Amendments to City Code Sections 825 (Tree Pruning and Chemical Treatments), 835 (Tree Disease & Insect Program), 425.11 (Definitions) and 425.15 (Minimum Standards)
4. OLD BUSINESS
5. NEW BUSINESS
6. OTHER BUSINESS
7. INFORMATION ONLY
8. ADJOURNMENT

MINUTES

ROLL CALL

Present: Chair Harris, Ulbrich, Allen, Montemayor
Absent: Carlson-Weinberg
Staff: Heather Rand, Community Development Director; Will Bucheger, Assistant Planner

CONSIDERATION OF MINUTES

- A. Approve the meeting minutes from February 19, 2026

Commissioner Ulbrich MOVED, seconded by Commissioner Allen to approve the meeting minutes from February 19, 2026. The vote was unanimous and the motion carried.

PUBLIC HEARINGS

- A. Conditional Use Permit for Massage Therapy Use at 4740 42nd Ave N

Bucheger stepped forward and gave a staff presentation about a proposed Conditional Use Permit for the property of 4740 42nd Ave N to allow the conditional use of a massage service at the property. Bucheger stated that the application meets all requirements written within code and that staff are supportive of the request.

Commissioner Montemayor MOVED, seconded by Commissioner Ulbrich, to open the public hearing at 7:13pm. The vote was unanimous and the motion carried. The public hearing is now open.

Applicant Stephanie Keeffe thanked the commissioners for reviewing her application.

Commissioner Allen MOVED, seconded by Commissioner Montemayor, to close the public hearing at 7:14pm. The vote was unanimous and the motion carried. The public hearing is now closed.

Commissioner Allen MOVED, seconded by Commissioner Montemayor to recommend approval of the draft resolution allowing the conditional use of a massage therapy service at 4740 42nd Ave N. The vote was unanimous and the motion carried.

OLD BUSINESS

- A. Election for the chair and vice-chair on the Planning Commission

Bucheger stated to the Planning Commission that the Chair and Vice-Chair roles are usually picked at the beginning of the year to determine the structure of the commission. He explained that, unfortunately, due to the absence of commissioners, this vote has been pushed back until now. He then explained the function of the Chair position as the individual running the meeting and that the Vice-Chair is the individual that will replace the Chair in case of their absence at a meeting. Bucheger then asked the commission if they would like to discuss this at the meeting tonight since Commissioner Carlson-Weinberg is absent on a vacation.

Chair Harris stated that he would like to discuss this item tonight since it is already March.

Bucheger asked if there were any nominations for the role of chair.

Commissioner Montemayor nominated Commissioner Ulbrich.

Commissioner Ulbrich refused since he informed the commission that he intends to move out of the city next year and will have to remove himself from the commission at that time. He then, in response, recommended that the existing Chair Harris, stay in the role, along with the existing Vice-Chair Allen, in her role.

Chair Harris accepts the nomination.

Commissioner Allen accepts the nomination.

Commissioner Montemayro MOVED, seconded by Commissioner Harris to nominate Lucas Harris to the position of Chair and Rebecca Allen as the Vice-Chair of the Planning Commission. The vote was unanimous and the motion carried.

NEW BUSINESS

OTHER BUSINESS

INFORMATION ONLY

A. Staff Presentation on City Parking

Community Development Director Heather Rand stepped forward and gave a staff presentation on parking standard review planning to educate the Planning Commission on long-term planning with an emphasis on parking. The focus of the presentation was directed at informing the commission on benefits, risks, placements, aesthetics, supply and costs of parking needs as the City nears on working on the next comprehensive plan. The presentation she displayed for the commission is taken from a Hennepin County Workshop that herself and Assistant Planner Bucheger attended.

ADJOURNMENT

Commissioner Allen MOVED, seconded by Commissioner Ulbrich to adjourn the meeting at 7:55pm. The vote was unanimous and the motion carried. The meeting is adjourned.



TO: Planning Commission
PREPARED BY: Will Bucheger, Assistant Planner
APPROVED BY: Tim Sandvik, City Manager
DATE: April 16, 2026
RE: Zoning Text Amendments to City Code Sections 825 (Tree Pruning and Chemical Treatments), 835 (Tree Disease & Insect Program), 425.11 (Definitions) and 425.15 (Minimum Standards)

Background:

City staff propose zoning text amendments to update City Code Sections 425, 825, and 835. Section 425 is the Property Maintenance Code and Sections 825 and 835 are within the Streets, Alleys and Public Ways portion of the code. These amendments are being presented following a comprehensive review by the City Forester and Water Resource Specialist. These revisions aim to ensure the code remains modern, enforceable, and technically accurate.

Analysis:

Over the past year, City staff identified significant enforcement gaps regarding tree-related violations. Following several severe thunderstorms that resulted in widespread debris and fallen trees, a disparity in community cleanup efforts became apparent. While most residents cleared storm damage promptly, unresolved debris on certain properties generated numerous neighbor complaints regarding neighborhood aesthetics and safety.

Upon review, staff determined that the current City Code only classifies specific tree species as violations when downed. To address this, staff proposes text amendments to **Sections 825 and 835**. These changes align City policy with State of Minnesota best management practices by classifying all fallen wood debris as a public nuisance, regardless of species. Additionally, staff proposes updates to **Section 425** to establish clear definitions for "managed native plantings," "volunteer trees," and "bee-friendly lawns." Formalizing these definitions within the Property Maintenance Code will provide staff with the necessary tools to distinguish between neglected, overgrown properties and intentional, ecologically beneficial yard cover.

The following amendments are proposed in the following order to Chapter VIII, Section 825 (Tree Pruning and Chemical Treatments) and, Section 835 (Tree Disease & Insect Program) as well to Chapter IV, Sections 425.11 (Definitions) and Section 425.15 (Minimum Standards) of the City Code. Proposed new text is bolded and underlined, while deleted language is stricken through.

Section 825 - Tree **Removals**, Pruning and Chemical Treatments

825.01. Tree **removals**, pruning, chemical treatments, licenses.

It is unlawful to engage in the business of tree **removals**, pruning, chemical treatments ~~ing~~, or ~~removal~~ **other tree maintenance activities** unless a license to do such work is first obtained from the city. Application for the license is made to the clerk. The license will be granted by the clerk after approval by the city Forester and upon proof of the applicant's qualifications. The

annual fee for a license is set forth in Appendix B. The license expires annually on December 31 ~~and~~. Licenses are is not transferable. The license fee must be paid to the clerk at the time of filing on the application ~~and~~. The license fee will not be prorated. (Amended, Ord. No. 2018-02) 825.03. Insurance.

The applicant must provide a certificate of insurance with the city with public liability insurance of not less than \$1,500,000 combined single limit issued by an insurance company authorized to do business in the state of Minnesota. The policy must ~~provide~~ **demonstrate** that it may not be cancelled by the issuer except upon ten days' written notice to the city. If the insurance is cancelled the license will be automatically suspended until the insurance is replaced. The city must be a named insured on the insurance policy. (Amended, Ord. No. 03-22, Ord. No. 13-01)

825.05. Standards.

Tree pruning, **removals**, chemical treatments and **all** other tree care practices ~~are~~ **shall be** governed by the ANSI A300 Standards for Tree Care Practices ~~manual~~. (Amended, Ord. No. 17-02)

Section 835 - Tree Disease & Insect Program

835.01. Policy.

The City Council has determined that the health of the trees within the city limits is threatened by **certain** contagious and fatal diseases and **by** certain destructive insects ~~pests~~. The council has further determined that the loss of trees growing upon public and private property ~~would~~ substantially depreciates the value of property within the city and impairs the safety, good order, general welfare and convenience of the public. It is declared to be the intention of the council to control and prevent the spread of serious tree diseases and insect infestations and this ordinance is enacted for that purpose. (Amended, Ord. No. 06-04)

835.03. Forester.

The powers and duties as set forth in this section are conferred upon the Forester. It is the duty of the Forester to coordinate, under the direction and control of the council, activities of the city relating to the management of serious tree diseases, insect infestations and other threats to tree health. (Amended, Ord. No. 06-04)

835.04. Tree inspector.

A person possessing a tree inspector license as administered by the Minnesota Department of Natural Resources. (Added, Ord. No. 06-04; Amended, Ord. No. 17-02)

835.05. Program.

It is the intention of the City Council to conduct a program of plant pest management pursuant to the authority granted by Minnesota Statutes to control certain diseases and insects detrimental to public and private trees. (Amended, Ord. No. 06-04; Ord. No. 17-02)

835.07. Nuisances.

The following are declared public nuisances whenever they ~~may be~~ **are** found within the city:

(a) any living or standing elm tree or part thereof infected **with** and showing signs or symptoms of Dutch elm disease fungus *Ophiostoma ulmi* (~~Buisman~~) or *Ophiostoma novo-ulmi* Moreau or which **showing decline due to** harbors **infestations of** any of the elm bark beetles *Scolytus Multistriatus* (~~Eichh.~~) or *Hylurgopinus Rufipes* (~~Marsh~~); and (Amended, Ord. Nos. 06-04, No. 15-02; Ord. No. 17-02)

(b) any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been **completely** removed or destroyed; and (Amended, Ord. No. 06-04, Ord. No. 15-02; Ord. No. 17-02)

(c) any living or standing oak tree or part thereof **in the red oak group (*Quercus* section *Lobatae*)**, infected to any degree with the oak wilt fungus *Ceratocystis fagacearum*; and (Added, Ord. No. 06-04, Amended, Ord. No. 15-02; Ord. No. 17-02)

(d) ~~any living or standing ash tree or part thereof of the *Fraxinus* genus infested to any~~

degree with the emerald ash borer beetle *Agrilus planipennis* as confirmed by the Minnesota Department of Agriculture; and (Added, Ord. No. 15-02; Ord. No. 17-02)

(ed) any **standing** dead or dying ash tree of the *Fraxinus* genus or **any** part thereof including logs, branches, stumps, firewood or other material ~~confirmed to have been infested with the~~ emerald ash borer **beetle *Agrilus planipennis*** from which the outer 1" of bark/wood has not been removed or destroyed; and (Added, Ord. No. 15-02; Ord. No. 17-02)

(fe) any tree or shrub that the Forester has determined ~~has become~~, or may become a hazard or **pose** a significant threat to public safety and/or forest health, **including partially broken or detached elevated limb(s) ; and** (Added, Ord. No. 06-04, Amended, Ord. No. 15-02; Ord. No. 17-02)

(f) any fallen woody debris not reasonably considered to be wildlife habitat, recreational fuel or firewood, to be identified on a case-by-case basis by the Forester or Code Enforcement staff.

835.09. Abatement.

It is unlawful for a person to permit a public nuisance as defined in section 835.07 to remain on any premises owned or controlled by that person within the city. The nuisances may be abated in the manner prescribed by city code. (Amended, Ord. No. 06-04)

835.11. Inspection and ~~investigation~~ **Violations.**

Subdivision 1. Inspection.

The Forester must inspect all premises and places in the city as often as practicable to determine whether any condition described in section 835.07 exists thereon. The Forester shall investigate all reported **or observed** incidents of **harmful** diseases or **insect** infestations. (Amended, Ord. No. 06-04)

Subd. 2. Entry on private premises.

The Forester may enter private premises, **per Minnesota Statute 89.63**, excepting only a private home, at reasonable times for the purpose of carrying out any of the duties assigned under this section.

Subd. 3. Diagnosis **of Violation(s).**

The Forester ~~or Forester's designated tree inspector~~ shall identify **infested ash**, diseased elms and/or oaks according to generally accepted field diagnosis procedures such as wilting, **flagging**, **premature** yellowing **or dropping** of leaves, staining of cambial **tissue** wood under the tree bark and/or detection of fungal spore mats on oaks **of the red oak group *Lobatae***. Confirmation of field diagnosis, when ordered by the Forester on an as-needed basis, shall be completed by the University of Minnesota Plant Disease Clinic. The city Forester or tree inspector shall assess potentially hazardous trees based upon the presence of structural defect(s) in a tree making that tree, or part thereof, likely to fail, adversely affecting the **public safety** ~~public~~ or public property. (Amended, Ord. No. 06-04; Ord. No. 17-02)

835.13. ~~Abatement~~ **Enforcement** of tree nuisances.

~~In abating or ordering the abatement of the nuisances defined~~ **In accordance with** ordinance section 835.07, the Forester **or Code Enforcement staff** may ~~cause or order the~~ **enforcement of** infected or infested tree or wood to be ~~sprayed~~, **pruned**, burned, chipped, ground, or otherwise ~~effectively~~ **chemically** treated so as to ~~destroy and prevent as fully as possible the~~ spread of the **infecting** disease, **the disease vector(s), or harmful insect** ~~fungus/infestations and its vectors~~. The abatement procedures must be selected and carried out in accordance with current technical and expert opinions. (Amended, Ord. No. 06-04; Ord. No. 17-02)

835.15. Procedure.

Subdivision 1. Notice.

If the Forester finds with reasonable certainty that the infection or infestation defined in section 835.07 exists in any tree or wood in any public or private place in the city, the Forester will proceed as follows: (Amended, Ord. No. 06-04)

(a) If the Forester finds that danger of infection/infestation of other trees is imminent, or a potentially hazardous condition is identified, the Forester shall notify the property owner by first

class mail and posted notice on the property that the nuisance will be abated within a specified time, not more than 30 days from the date of the mailing of such notice, or such time as determined in writing by the Forester or City Engineer/Public Works Director. After the expiration of the time limited by the notice, the city may abate the nuisance, the costs of which will be assessed against the benefiting property. (Amended, Ord. No. 06-04, Ord. No. 15-02)

Subd. 2. Records.

The Forester must keep a record of the costs of abatements done under this subsection and report monthly to the clerk work done for which assessments are to be made stating and certifying the description of the lands ~~or lots~~, parcels involved and the amount chargeable to each.

Subd. 3. Assessment.

On or before September 1 of each year the clerk must list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable. The council may then spread the charges or any portion thereof against the property involved as a special assessment under Minnesota Statutes, section 429.101 and other pertinent statutes for certification to the county auditor and collection the following year along with current taxes.

835.17. Treating trees.

If the Forester determines that the treatment of a tree or of wood within the city is necessary, the Forester may treat said trees with an appropriate material. Such treatment activities must be conducted in accordance with technical and expert opinions generally accepted or established in the field of arboriculture whenever possible. The notice provisions section 835.15 apply to treatment operations conducted under this subsection. (Amended, Ord. No. 06-04; Ord. No. 17-02)

835.19. Transporting wood.

It is unlawful to transport within the city any bark-bearing elm wood, bark-bearing ~~bearing~~ ash wood **infested with the emerald ash borer, bark-bearing untreated oak wood infested with the oak wilt fungus**, or any other wood determined by the Forester to imminently threaten community trees, without a permit or written approval from the Forester. The Forester will grant permits or written approvals when the purpose of this section ~~will be~~ served thereby. (Amended, Ord. No. 06-04, Ord. No. 15-02; Ord. No. 17-02)

835.21. Interference prohibited.

It is unlawful to prevent, delay or interfere with the Forester while **said staff member is engaged in the performance of the official duties** of the **position**. ~~Forester's duties.~~

425.11. Definitions.

Subdivision 1. For purposes of the PMC, the terms defined in this subsection have the meanings given them. (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 2. Accessory building or use means a subordinate building or subordinate use which is located on the same premises on which the main building or use is situated and which is incidental to the conduct of the primary use of such building or main use.

Subd. 3. Basement means that level of a building where the vertical distance from average grade to the floor below is more than the vertical distance from average grade to the floor next above.

Subd.4. Blighted means more than 50 percent of the building ore related premises is structurally substandard. (Added, Ord. No. 14-02)

Subd. 5. Boarding house means a building or structure or enclosure, or any part thereof, used as, maintained as, or advertised as, or held out to be an enclosure where meals or lunches are furnished to five or more regular boarders, whether with or without sleeping accommodations, for periods of one week or more.

Subd. 6. Building means a structure erected for the support, shelter, or enclosure of persons, animals, chattel, or movable property of any kind.

Subd. 7. Common areas means halls, corridors, passageways, utility rooms, recreational rooms and extensively landscaped areas in or adjacent to a multiple dwelling or building, not under the exclusive control of one person or family. (Amended, Ord. No. 10-13; 14-02)

Subd. 8. Condominium means a form of individual ownership within a multifamily building which entails joint responsibility for maintenance and repairs; in the condominium each apartment or townhouse is owned outright by its occupant.

Subd. 9. Cooperative housing means a multiple family dwelling owned and maintained by the residents: the entire structure and real property is under common ownership as contrasted to a condominium dwelling where individual units are under separate individual occupant ownership.

Subd. 10. Dwelling means a building, or portion thereof, designed or used for residential occupancy, including one-family dwellings, two-family dwellings, and multiple-family dwellings. Whenever the word "dwelling" is used in the PMC, it shall be construed as though it was followed by the words "or any part thereof." (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 11. Dwelling, single-family means a dwelling designed exclusively for occupancy by one family. (Amended, Ord. No. 03-06)

Subd. 12. Dwelling, two-family means a dwelling designed exclusively for occupancy by two families living independently of each other.

Subd. 13. Dwelling, multiple family means a dwelling or portion thereof containing three or more dwelling units.

Subd. 14. Dwelling units means a room or rooms connected together, constituting a separate, independent housekeeping unit for owner occupancy, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, toilet and sleeping facilities. Whenever the term "dwelling unit" is used in the PMC, it is to be construed as though it was followed by the words "or any part thereof." (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 15. Enforcement officer means a person designated by the City Manager to administer and enforce the PMC. (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 16. Excessive calls means four or more substantiated nuisance conduct service calls occurring within any 365-day period. (Added, Ord. No. 10-13; Amended, No. Ord. 21-12)

Subd. 17. Exit means a continuous and unobstructed means of egress to the outdoors and includes intervening doors, doorways, corridors, ramps, stairways, smokeproof enclosures, horizontal exists, exit passageways, exit courts and yards.

Subd. 18. Family means one or more persons each related to the other by blood, marriage, or adoption, or a group of not more than four persons not all so related maintaining a common household in a dwelling unit and using common cooking and kitchen facilities.

Subd. 19. Floor area, gross means the sum of the gross horizontal area of the several floors of a structure or structures measured from the exterior faces and exterior walls or from the center line of common walls separating dwelling units and other building types. Basements devoted to storage and off-street parking or either of them are not included. (Amended, Ord. No. 14-02)

Subd. 20. Flush water closet means a toilet bowl flushed with water under pressure with a water sealed trap above the floor level.

Subd. 21. Garbage means putrescible animal and/or vegetable wastes, including those resulting from the handling, preparation, cooking, and consumption of food. (Amended, Ord. No. 10-13)

Subd. 22. Group homes means any group quarter or other residential facility that is licensed by any governmental agency or as determined by the City of Robbinsdale. (Amended, Ord. No. 03-06).

Subd. 23. Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, but excluding bathrooms, water closet compartments, laundries, furnace rooms, pantries, utility rooms, foyers, corridors, stairways, closets, storage spaces, workshops, hobby and recreation areas, and basements lacking required ventilation, required electrical outlets, or required exit facilities.

Subd. 24. Hotel or motel means a building or structure or enclosure, or any part thereof, kept, used as, maintained as, or advertised as, or held out to the public to be an enclosure where sleeping accommodations are furnished to the public and furnishing accommodations for periods of less than one week: the term includes any facility licensed as a hotel or motel by Hennepin County.

Subd. 25. Kitchen means a space used or intended to be used for food preparation, which contains a sink, adequate space for installing cooking and refrigeration equipment, and space for the storage of cooking utensils.

Subd. 26. Nuisance means:

(a) A public nuisance known as such under common law or in equity or recognized by Minnesota Statutes or the City code.

(b) A public nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements, or excavations; abandoned refrigerators in a hazardous condition; unlicensed or inoperable motor vehicles; or any structurally unsound fences or structures; or any lumber, garbage, rubbish, fences or debris which may become a hazard for inquisitive minors.

(c) Overcrowding a room or dwelling with occupants. (Amended, Ord. No. 03-06)

(d) Insufficient ventilation or illumination.

(e) Inadequate or unsanitary sewage or plumbing facilities.

(f) Uncleanliness.

(g) Any situation or activity which renders air, food, or drink unwholesome or detrimental to the health of human beings.

(h) Any other activity or situation that is dangerous to human life or is detrimental to health.

(i) Overcrowding a room or portion of dwelling with long-term storage so as to prevent upkeep, maintenance or regular housekeeping. A room may be considered overcrowded when storage covers an excessive amount of the floor area of a room, constitutes a potential excessive fire load, prevents access to windows or doors, prevents access to or obstructs mechanical systems or air movement, effectively eliminates use and access to required electrical devices, impedes access and movement of emergency personnel, blocks hallways, limits the operation of doors or provides potential pest harborage. (Added, Ord. No. 03-06)

(j) An illegal occupancy by a person of any residential, or non-residential structure, building, or premises, or portion thereof, that is not in compliance with all applicable building codes, fire codes, local laws and ordinances. (Added, Ord. No. 16-07).

(k) Discharge onto a public right-of-way, sidewalk or alley from a sump pump or drain tile which can result in hazardous ice conditions, standing water that could create a possible insect breeding area and or erosion that would degrade a public right-of-way. (Added, Ord. No. 16-15).

Subd. 27. Nuisance conduct shall have the meaning given in section 927 of the code to the extent the call involves police services. (Added, Ord. No. 10-13; Amended, Ord. No. 21-12)

Subd. 28. Occupant means a person (including owner or operator) living, sleeping, cooking, eating or working in a building. (Amended, Ord. 14-02)

Subd. 29. Openable area means that part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Subd. 30. Operator means the owner or owner's agent who has charge, care, control, or management of a building, or part thereof, including but not limited to those buildings in which dwelling units or rooming units are let or offered for occupancy. (Amended, Ord. No. 14-02)

Subd. 31. Owner or owner of record means the fee owner of the building, dwelling, dwelling unit or rooming unit, and includes vendees under a recorded contract for deed. For purposes of this section the term includes any agent of owner designated in writing by owner for such purposes. (Amended, Ord. No. 03-06; 10-13; 14-02)

Subd. 32. Owner-occupied dwelling means a dwelling unit occupied by the property owner, including for purposes of the PMC, a single-family dwelling or the discrete portion of any two-

family or multi-family dwelling where the owner resides in one dwelling unit. (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 33. Paint blistered means a surface area where paint is cracked, flaked, chipped, or loose.

Subd. 34. Plumbing means the following supplied facilities and equipment in a dwelling: gas pipes, gas burning equipment, water pipes, steam pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar fixtures and the installation thereof, together with all connections to water, sewer, or gas lines.

Subd. 35. Premises means platted lot(s) or unplatted parcel(s) of land, or any portion thereof, either occupied or unoccupied by any dwelling or nondwelling structure, including such building, accessory structure, or other structure thereon.

Subd. 36. Proper connection to an approved sewer system means a functioning sewer connection free from defects, leaks, illegal modifications or obstructions with sufficient capacity to drain all fixtures or appliances which feed into it. The sewer system (be it municipal or private) must be capable of disposing of sewage in a safe, legal, sanitary, and adequate manner. (Amended, Ord. No. 03-06)

Subd. 37. Proper connection to an approved water system means a functioning plumbing connection free from defects, leaks, or obstructions providing an uncontaminated, controlled flow of water.

Subd. 38. Public areas means those areas which are normally open to the general public or the occupants of more than one dwelling unit of a multiple family dwelling.

Subd. 39. Public hall means a corridor, or passageway for providing egress from a commercial, office, or dwelling unit to the outdoors and not within the exclusive control of one business or family. (Amended, Ord. 14-02)

Subd. 40. Refuse means putrescible and nonputrescible waste solids including garbage and rubbish.

Subd. 41. Rental dwelling or rental dwelling unit means any dwelling unit not occupied by the owner of record regardless of familial relationship or whether rent or other compensation is paid to the owner. (Amended, Ord. No. 03-06; Ord. No. 10-13)

Subd. 42. Retaining wall means a wall or structure constructed of stone, concrete, wood, or other materials, used to retain soil, as a slope transition, or edge of a planting area.

Subd. 43. Rodent harborage means a place where rodents are liable to live, nest, or seek shelter.

Subd. 44. Rodent-proof means a condition where a structure and all parts thereof are protected from rodent, insect and vermin infestation by eliminating ingress and egress openings such as cracks in walls and holes in screens. For the purpose of the PMC the term "rodent-proof" shall be construed as though it included "insectproof" and "vermin-proof." (Amended, Ord. No. 03-06; Ord. No 14-02)

Subd. 45. Rooming unit means a room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking and eating purposes.

Subd. 46. Rubbish means nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, grass and shrubbery clippings, wood, glass, brick, plaster, bedding, crockery, and similar materials.

Subd. 47. Story means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above or the ceiling or roof next above such floor. A basement shall not be counted as a story.

Subd. 48. Structurally substandard means a building

(1) that was inspected by the applicable governing body and cited for one or more housing, maintenance, or building code violations involving one or more of the following:

- (a) a roof and roof framing element;
- (b) support walls, beams and headers;

- (c) foundation, footings and subgrade conditions;
- (d) lights and ventilation;
- (e) fire protection, including egress;
- (f) internal utilities including electricity, gas and water;
- (g) flooring and flooring elements; or
- (h) walls, insulation and exterior envelope; and

(2) where such housing, maintenance or building code violation(s) have not been corrected after two notices to correct the violation(s) and the cost to correct the violation(s) exceeds 50 percent of the estimated market value of the building, excluding land value as determined under Minnesota Statutes, Section 273.11 for property taxes payable in that year. (Added, Ord. No. 14-02)

Subd. 49. Structure means anything erected, the use on which requires more or less permanent location of the ground; or attached to something having a permanent location on the ground. Whenever the word "structure" is used in the PMC, it shall be construed as though it was followed by the words "or any part thereof." (Amended, Ord. No. 03-06; Ord. No. 10-13; Ord. No. 14-02)

Subd. 50. Tenant means any individual named as such in any lease, or in non-lease situations, any individual obligated to owner for the payment of rent. If there is no lease, and no rent is payable, the term means all occupants of the rental dwelling. (Added, Ord. No. 10-13)

Subd. 51. Townhome means a single family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with open space on at least two sides. (Added, Ord. No. 08-08)

Subd. 52. Use means the purpose or activity for which the land or building is designated, or intended, or for which it is occupied, utilized, or maintained, including the performance of such activity as defined by the performance standards of this chapter.

Subd. 53. Ventilation means the process of supplying and removing air by natural or mechanical means to or from any space.

Subd. 54. Waste system means that part of the plumbing system which drains waste water from individual fixtures to the sewer system.

Subd. 55. Yard means all ground, lawn, court, walk, driveway, or other open space constituting part of the same premises.

Subd. 56. Managed Native Plantings or Landscapes means a non-turfgrass native planting or prairie landscape populated with species indigenous to the Midwest, including grasses, sedges, forbs, ferns, or low-growing shrubs, excluding volunteer trees, and shrubs over 5 feet tall.

Subd. 57. Volunteer tree means a tree not intentionally planted by the property owner as per review by the Engineering Department.

Subd. 58 Bee-Friendly lawns means that a landscape is planted with low-growing species (generally under 8 inches tall) such as various clovers, ground plum, creeping thyme, self-heal, yarrow, fescues, etc.

425.15. Minimum standards.

Subdivision 1. Exterior standards.

The foundation, exterior walls, and exterior roof shall be water tight, rodent-proof, and kept in sound condition and repair. Every window, exterior door, and hatchway shall be substantially tight and kept in sound condition and repair. The foundation must adequately support the building at all points. Exterior walls shall be maintained and kept free from decay, dilapidation by cracks, tears or breaks and from deteriorated plaster, stucco, brick, wood or other material that is extensive and gives evidence of long neglect. The protective surface on exterior walls of a building above ground level must be maintained in good repair so as to provide a sufficient covering and protection of the structural surface underneath against its deterioration. Without

limiting the generality of this section, a protective surface of a building shall also be deemed to be out of repair if: (Amended, Ord. No. 03-06)

(a) The protective surface is paint which is blistered, cracked, flaked, scaled or chalked away including window trim, cornice members, porch railings and other such areas. (Amended, Ord. No. 16-07)

(b) The pointing of any chimney or the pointing of any brick or stone wall is loose or has fallen out. (Amended, Ord. No. 16-07)

(c) The finish coat of a stucco wall is worn through or chipped away or broken or damaged stucco revealing metal lath must be repaired; or (Amended, Ord. Nos. 03-06; 16-07)

(d) Any boarding of openings that do not comply with the requirements of subsection 425.33, subdivision 6(e). (Amended, Ord. Nos. 03-06; 16-07)

An exterior surface or plane required to be repaired under the provisions of this section must be repaired in its entirety, or such repair must be consistent and uniform with surrounding surfaces. If a weather resistant surface such as brick, plaster or metal is covered with paint that is blistered, cracked, flaked, scaled or chalked away, it must be repainted unless the defective paint covering is removed in its entirety. (Amended, Ord. No. 16-07)

Subd. 2. Accessory structure maintenance.

Accessory structures supplied by the owner, agent, or tenant on the building premises must be structurally sound, securable and maintained in good repair. Exterior walls of accessory structures must be maintained in accordance with the standards set forth for principal structures in subdivision 1. (Amended, Ord. No. 03-06; Ord. No. 07-18; Ord. No. 14-02)

Subd. 3. Fence maintenance.

Fences must be maintained in good condition structurally, and be kept free of significant decay. Wood material, other than decay resistant varieties, shall be protected against decay by use of paint or other preservatives. If of the painted surface of a fence is determined by the enforcement officer to be paint blistered, cracked, flaked, scaled or chalked away, the surface must be properly scraped and repainted. (Amended, Ord. Nos. 07-18, 16-07)

Subd. 4. Retaining walls.

Retaining walls must be kept in good condition, repair, and appearance. A retaining wall is deemed out of repair when it has substantially shifted or slumped out of its intended position.

Subd. 5. Yard cover.

Exposed areas surrounding (or within) a principal or accessory use, including street boulevards which are not devoted to parking, drives, sidewalks, patios or other such uses, must be landscaped with grass, shrubs, trees, or other ornamented landscape material. Such landscaping shall be maintained in good condition and free of noxious weeds. Weeds, including tall grass, may not exceed eight inches in height. Perennial native prairie vegetation including grasses and/or wildflowers as identified by the ~~city Forester~~ **Engineering Department**, installed as a primary component of an approved rain garden, **Managed Native Plantings** or **Landscapes, Bee-Friendly Lawn, a newly established seeding of Managed Native Plantings or Landscape**, ~~restored prairie~~, is excluded from this rule on a case-by-case basis. **Newly seeded areas must have erosion protection in place per the Engineering Department.** The enforcement policy for this subdivision, and at section 820.15, shall be set and amended from time to time by resolution of the City Council. (Amended, Ord. No. 91-05, Sec. 1; Ord. No. 17-15, Sec. 1)

Subd. 6. Gutters and downspouts.

Existing gutters, leaders and downspouts must be maintained in good working condition as to provide proper drainage of storm water. In no case may storm water be channeled into the sanitary sewer system. Storm water, ice, or snow may not be directed onto, or channeled across walkways or streets where it is likely to be a hazard to life or health.

Subd. 7. Exterior lighting.

For multiple family dwellings, all exterior parking areas and walkways must be provided with an average, maintained, horizontal illumination of six-tenths (0.6) foot-candles. Parking lot

illumination must not cause excess amounts of light to be cast on a public street or adjoining property. (See Zoning Code, subsection 510.25, subdivision 5.)

Subd. 8. Snow and ice removal.

Snow must be removed from abutting public sidewalks within 12 hours after cessation of snowfall.

Subd. 9. Walks, drives, lawn steps, decks and stoops.

Walks, drives, lawn steps, decks and stoops must be maintained in good repair. (Added, Ord. No. 03-06; Ord. No. 14-02)

Subd. 10. Managed Native Plantings or Landscapes and Bee-Friendly Lawns
The City of Robbinsdale recognizes Minnesota State Statute 412.925 allowing for privately-owned native landscapes in statutory or home rule charter cities. No permit is required for a Managed Native Planting or Landscape and Bee-Friendly Lawn, but with the recent expansion of native plants in private landscapes minimum maintenance standards in City Code are needed. Note that the standards are not designed to regulate other ornamental plantings of grasses, forbs, ferns or shrubs that may or may not be native as long as their boundaries with managed turfgrass areas are visually obvious. The required maintenance standards for such lawns are listed below:

1. **Regular weeding/eradication of harmful or invasive non-native plants, or noxious weed species as listed by the Minnesota Department of Agriculture.**
2. **Regular cutting/eradication of volunteer trees.**
3. **Woody shrubs cannot exceed 5 feet.**
4. **Vegetation cannot block property address numbers, the front door, house number, or front walkway of a property.**
5. **Vegetation cannot fall into the ROW, alleys or sidewalks, or block the visual traffic sight lines at intersections as Per 510.25 sub 2 (G)(3) AND 820.15.**

PUBLIC HEARING:

Notice of this public hearing was published in the city's official newspaper and posted on the city's bulletin board 10 days prior to this meeting. City staff have received no inquiries from residents at the time of this report.

Recommendation:

RECOMMENDATION:

1. Hold the public hearing.
2. Motion to recommend that the City Council approve the draft ordinance with the proposed changes to City Code.

Attachments:

1. Attachment A - Draft Resolution
2. Attachment B - Public Hearing Notice

Member _____ moved and Member _____ seconded a motion that the following ordinance, which was given its first reading on _____, 2026, be given its second reading on this ____ day of _____ 2026, and that it be adopted.

ORDINANCE NO. 26-__

AN ORDINANCE AMENDING SECTIONS 825, 835, AND 425 OF THE ROBBINSDALE CITY CODE RELATING TO TREE MANAGEMENT, RESIDENTIAL VEGETATION ENFORCEMENT, AND PROPERTY MAINTENANCE YARD COVER STANDARDS

1) Sections 825 of the City Code are hereby amended with the following language to be removed shown by ~~strikeout~~ and new language shown in **bold and underlined**:

CHAPTER VIII STREETS, ALLEYS AND PUBLIC WAYS

Section 825 - Tree **Removals**, Pruning and Chemical Treatments

825.01. Tree **removals**, pruning, chemical treatments, licenses.

It is unlawful to engage in the business of tree **removals**, pruning, chemical ~~treatments~~ ~~ing,~~ or ~~removal~~ **other tree maintenance activities** unless a license to do such work is first obtained from the city. Application for the license is made to the clerk. The license will be granted by the clerk after approval by the city Forester and upon proof of the applicant's qualifications. The annual fee for a license is set forth in Appendix B. The license expires annually on December 31 ~~and~~. Licenses are **is** not transferable. The license fee must be paid to the clerk at the time of filing on the application ~~and~~. ~~The license fee will not be prorated.~~

(Amended, Ord. No. 2018-02)

825.03. Insurance.

The applicant must provide a certificate of insurance with the city with public liability insurance of not less than \$1,500,000 combined single limit issued by an insurance company authorized to do business in the state of Minnesota. The policy must ~~provide~~ **demonstrate** that it may not be cancelled by the issuer except upon ten days' written notice to the city. If the insurance is cancelled the license will be automatically suspended until the insurance is replaced. The city must be a named insured on the insurance policy. (Amended, Ord. No. 03-22, Ord. No. 13-01)

825.05. Standards.

Tree pruning, **removals**, chemical treatments and **all** other tree care practices are **shall** **be** governed by the ANSI A300 Standards for Tree Care **Practices**. ~~Practices manual.~~
(Amended, Ord. No. 17-02)

2) Sections 835 of the City Code are hereby amended with the following language to be removed shown by ~~strikeout~~ and new language shown in **bold and underlined**:

CHAPTER VIII STREETS, ALLEYS AND PUBLIC WAYS

Section 835 - Tree Disease & Insect Program

835.01. Policy.

The City Council has determined that the health of the trees within the city limits is threatened by **certain** contagious and fatal diseases and **by** certain destructive insects ~~pests~~. The council has further determined that the loss of trees growing upon public and private property ~~would~~ ~~substantially depreciates~~ the value of property within the city and ~~impairs~~ ~~the~~ safety, good order, general welfare and convenience of the public. It is declared to be the intention of the council to control and prevent the spread of serious tree diseases and insect

infestations and this ordinance is enacted for that purpose. (Amended, Ord. No. 06-04)

835.03. Forester.

The powers and duties as set forth in this section are conferred upon the Forester. It is the duty of the Forester to coordinate, under the direction and control of the council, activities of the city relating to the management of serious tree diseases, insect infestations and other threats to tree health. (Amended, Ord. No. 06-04)

835.04. Tree inspector.

A person possessing a tree inspector license as administered by the Minnesota Department of Natural Resources. (Added, Ord. No. 06-04; Amended, Ord. No. 17-02)

835.05. Program.

It is the intention of the City Council to conduct a program of plant pest management pursuant to the authority granted by Minnesota Statutes to control certain diseases and insects detrimental to public and private trees. (Amended, Ord. No. 06-04; Ord. No. 17-02)

835.07. Nuisances.

The following are declared public nuisances whenever they ~~may be~~are found within the city:

(a) any living or standing elm tree or part thereof infected with and showing signs or symptoms of Dutch elm disease fungus *Ophiostoma ulmi* (~~Buisman~~) or *Ophiostoma novo-ulmi* Moreau or ~~which~~ showing decline due to ~~harbors~~ infestations of any of the elm bark beetles *Scolytus Multistriatus* (Eichh.) or *Hylurgopinus Rufipes* (Marsh); and (Amended, Ord. Nos. 06-04, No. 15-02; Ord. No. 17-02)

(b) any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been completely removed or destroyed; and (Amended, Ord. No. 06-04, Ord. No. 15-02; Ord. No. 17-02)

(c) any living or standing oak tree or part thereof in the red oak group (*Quercus section Lobatae*), infected to any degree with the oak wilt fungus *Ceratocystis fagacearum*; and (Added, Ord. No. 06-04, Amended, Ord. No. 15-02; Ord. No. 17-02)

~~(d) any living or standing ash tree or part thereof of the *Fraxinus* genus infested to any degree with the emerald ash borer beetle *Agrilus planipennis* as confirmed by the Minnesota Department of Agriculture; and (Added, Ord. No. 15-02; Ord. No. 17-02)~~

~~(ed) any standing dead or dying ash tree of the *Fraxinus* genus or any part thereof including logs, branches, stumps, firewood or other material ~~confirmed to have been~~ infested with the emerald ash borer beetle *Agrilus planipennis* from which the outer 1" of bark/wood has not been removed or destroyed; and (Added, Ord. No. 15-02; Ord. No. 17-02)~~

~~(fe) any tree or shrub that the Forester has determined ~~has is become~~, or may become a hazard or pose a significant threat to public safety and/or forest health, including partially broken or detached elevated limb(s) ; and (Added, Ord. No. 06-04, Amended, Ord. No. 15-02; Ord. No. 17-02)~~

~~(f) any fallen woody debris not reasonably considered to be wildlife habitat, recreational fuel or firewood, to be identified on a case-by-case basis by the Forester or Code Enforcement staff.~~

835.09. Abatement.

It is unlawful for a person to permit a public nuisance as defined in section 835.07 to remain on any premises owned or controlled by that person within the city. The nuisances may be abated in the manner prescribed by city code. (Amended, Ord. No. 06-04)

835.11. Inspection and ~~investigation~~Violations.

Subdivision 1. Inspection.

The Forester must inspect all premises and places in the city as often as practicable to determine whether any condition described in section 835.07 exists thereon. The Forester shall investigate all reported or observed incidents of harmful diseases or insect infestations. (Amended, Ord. No. 06-04)

Subd. 2. Entry on private premises.

The Forester may enter private premises, per Minnesota Statute 89.63, excepting only a private home, at reasonable times for the purpose of carrying out any of the duties assigned

under this section.

Subd. 3. Diagnosis **of Violation(s).**

The Forester or ~~Forester's designated tree inspector~~ shall identify **infested ash**, diseased elms and/or oaks according to generally accepted field diagnosis procedures such as wilting, **flagging, premature yellowing or dropping** of leaves, staining of cambial ~~tissue~~ **wood under the tree bark** and/or detection of fungal spore mats on oaks **of the red oak group Lobatae**. Confirmation of field diagnosis, when ordered by the Forester on an as-needed basis, shall be completed by the University of Minnesota Plant Disease Clinic. The city Forester or tree inspector shall assess potentially hazardous trees based upon the presence of structural defect(s) in a tree making that tree, or part thereof, likely to fail, adversely affecting the **public safety** ~~public~~ or public property. (Amended, Ord. No. 06-04; Ord. No. 17-02)

835.13. ~~Abatement~~ **Enforcement** of tree nuisances.

~~In abating or ordering the abatement of the nuisances defined~~ **In accordance with** ordinance section 835.07, the Forester **or Code Enforcement staff** may ~~cause or~~ order the **enforcement of** infected or infested tree or wood to be ~~sprayed, removed, pruned, burned, chipped, ground, or otherwise effectively~~ **chemically** treated so as to ~~destroy and~~ prevent as fully as possible the spread of the **infecting disease, the disease vector(s), or harmful insect** ~~fungus/infestations and its vectors~~. The abatement procedures must be selected and carried out in accordance with current technical and expert opinions. (Amended, Ord. No. 06-04; Ord. No. 17-02)

835.15. Procedure.

Subdivision 1. **Notice.**

If the Forester finds with reasonable certainty that the infection or infestation defined in section 835.07 exists in any tree or wood in any public or private place in the city, the Forester will proceed as follows: (Amended, Ord. No. 06-04)

(a) If the Forester finds that danger of infection/infestation of other trees is imminent, or a potentially hazardous condition is identified, the Forester shall notify the property owner by first class mail and posted notice on the property that the nuisance will be abated within a specified time, not more than 30 days from the date of the mailing of such notice, or such time as determined in writing by the Forester or City Engineer/Public Works Director. After the expiration of the time limited by the notice, the city may abate the nuisance, the costs of which will be assessed against the benefiting property. (Amended, Ord. No. 06-04, Ord. No. 15-02)

Subd. 2. Records.

The Forester must keep a record of the costs of abatements done under this subsection and report monthly to the clerk work done for which assessments are to be made stating and certifying the description of the lands ~~or lots,~~ parcels involved and the amount chargeable to each.

Subd. 3. Assessment.

On or before September 1 of each year the clerk must list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable. The council may then spread the charges or any portion thereof against the property involved as a special assessment under Minnesota Statutes, section 429.101 and other pertinent statutes for certification to the county auditor and collection the following year along with current taxes.

835.17. Treating trees.

If the Forester determines that the treatment of a tree or of wood within the city is necessary, the Forester may treat said trees with an appropriate material. Such treatment activities must be conducted in accordance with technical and expert opinions generally accepted or established in the field of arboriculture whenever possible. The notice provisions section 835.15 apply to treatment operations conducted under this subsection. (Amended, Ord. No. 06-04; Ord. No. 17-02)

835.19. Transporting wood.

It is unlawful to transport within the city any bark-bearing elm wood, bark-~~bearing-~~ **bearing ash wood infested with the emerald ash borer, bark-bearing untreated oak wood**

infected with the oak wilt fungus, or any other wood determined by the Forester to imminently threaten community trees, without a permit or written approval from the Forester. The Forester will grant permits or written approvals when the purpose of this section ~~will be~~ served thereby. (Amended, Ord. No. 06-04, Ord. No. 15-02; Ord. No. 17-02)

835.21. Interference prohibited.

It is unlawful to prevent, delay or interfere with the Forester while **said staff member** **is** engaged in the performance **of the official duties** of the **position**. ~~Forester's duties.~~

3) Sections 425 of the City Code are hereby amended with the following language to be removed shown by ~~strikeout~~ and new language shown in **bold and underlined**:

CHAPTER IV PROPERTY MAINTENANCE CODE

425.11. Definitions.

Subdivision 1. For purposes of the PMC, the terms defined in this subsection have the meanings given them. (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 2. **Accessory building or use** means a subordinate building or subordinate use which is located on the same premises on which the main building or use is situated and which is incidental to the conduct of the primary use of such building or main use.

Subd. 3. **Basement** means that level of a building where the vertical distance from average grade to the floor below is more than the vertical distance from average grade to the floor next above.

Subd.4. **Blighted** means more than 50 percent of the building ore related premises is structurally substandard. (Added, Ord. No. 14-02)

Subd. 5. **Boarding house** means a building or structure or enclosure, or any part thereof, used as, maintained as, or advertised as, or held out to be an enclosure where meals or lunches are furnished to five or more regular boarders, whether with or without sleeping accommodations, for periods of one week or more.

Subd. 6. **Building** means a structure erected for the support, shelter, or enclosure of persons, animals, chattel, or movable property of any kind.

Subd. 7. **Common areas** means halls, corridors, passageways, utility rooms, recreational rooms and extensively landscaped areas in or adjacent to a multiple dwelling or building, not under the exclusive control of one person or family. (Amended, Ord. No. 10-13; 14-02)

Subd. 8. **Condominium** means a form of individual ownership within a multifamily building which entails joint responsibility for maintenance and repairs; in the condominium each apartment or townhouse is owned outright by its occupant.

Subd. 9. **Cooperative housing** means a multiple family dwelling owned and maintained by the residents: the entire structure and real property is under common ownership as contrasted to a condominium dwelling where individual units are under separate individual occupant ownership.

Subd. 10. **Dwelling** means a building, or portion thereof, designed or used for residential occupancy, including one-family dwellings, two-family dwellings, and multiple-family dwellings. Whenever the word "dwelling" is used in the PMC, it shall be construed as though it was followed by the words "or any part thereof." (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 11. **Dwelling, single-family** means a dwelling designed exclusively for occupancy by one family. (Amended, Ord. No. 03-06)

Subd. 12. **Dwelling, two-family** means a dwelling designed exclusively for occupancy by two families living independently of each other.

Subd. 13. **Dwelling, multiple family** means a dwelling or portion thereof containing three or more dwelling units.

Subd. 14. **Dwelling units** means a room or rooms connected together, constituting a separate, independent housekeeping unit for owner occupancy, or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in

the same structure, and containing independent cooking, toilet and sleeping facilities. Whenever the term "dwelling unit" is used in the PMC, it is to be construed as though it was followed by the words "or any part thereof." (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 15. Enforcement officer means a person designated by the City Manager to administer and enforce the PMC. (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 16. Excessive calls means four or more substantiated nuisance conduct service calls occurring within any 365-day period. (Added, Ord. No. 10-13; Amended, No. Ord. 21-12)

Subd. 17. Exit means a continuous and unobstructed means of egress to the outdoors and includes intervening doors, doorways, corridors, ramps, stairways, smokeproof enclosures, horizontal exists, exit passageways, exit courts and yards.

Subd. 18. Family means one or more persons each related to the other by blood, marriage, or adoption, or a group of not more than four persons not all so related maintaining a common household in a dwelling unit and using common cooking and kitchen facilities.

Subd. 19. Floor area, gross means the sum of the gross horizontal area of the several floors of a structure or structures measured from the exterior faces and exterior walls or from the center line of common walls separating dwelling units and other building types. Basements devoted to storage and off-street parking or either of them are not included. (Amended, Ord. No. 14-02)

Subd. 20. Flush water closet means a toilet bowl flushed with water under pressure with a water sealed trap above the floor level.

Subd. 21. Garbage means putrescible animal and/or vegetable wastes, including those resulting from the handling, preparation, cooking, and consumption of food. (Amended, Ord. No. 10-13)

Subd. 22. Group homes means any group quarter or other residential facility that is licensed by any governmental agency or as determined by the City of Robbinsdale. (Amended, Ord. No. 03-06).

Subd. 23. Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, but excluding bathrooms, water closet compartments, laundries, furnace rooms, pantries, utility rooms, foyers, corridors, stairways, closets, storage spaces, workshops, hobby and recreation areas, and basements lacking required ventilation, required electrical outlets, or required exit facilities.

Subd. 24. Hotel or motel means a building or structure or enclosure, or any part thereof, kept, used as, maintained as, or advertised as, or held out to the public to be an enclosure where sleeping accommodations are furnished to the public and furnishing accommodations for periods of less than one week: the term includes any facility licensed as a hotel or motel by Hennepin County.

Subd. 25. Kitchen means a space used or intended to be used for food preparation, which contains a sink, adequate space for installing cooking and refrigeration equipment, and space for the storage of cooking utensils.

Subd. 26. Nuisance means:

(a) A public nuisance known as such under common law or in equity or recognized by Minnesota Statutes or the City code.

(b) A public nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements, or excavations; abandoned refrigerators in a hazardous condition; unlicensed or inoperable motor vehicles; or any structurally unsound fences or structures; or any lumber, garbage, rubbish, fences or debris which may become a hazard for inquisitive minors.

(c) Overcrowding a room or dwelling with occupants. (Amended, Ord. No. 03-06)

(d) Insufficient ventilation or illumination.

(e) Inadequate or unsanitary sewage or plumbing facilities.

(f) Uncleanliness.

(g) Any situation or activity which renders air, food, or drink unwholesome or detrimental to the health of human beings.

(h) Any other activity or situation that is dangerous to human life or is detrimental to health.

(i) Overcrowding a room or portion of dwelling with long-term storage so as to prevent upkeep, maintenance or regular housekeeping. A room may be considered overcrowded when storage covers an excessive amount of the floor area of a room, constitutes a potential excessive fire load, prevents access to windows or doors, prevents access to or obstructs mechanical systems or air movement, effectively eliminates use and access to required electrical devices, impedes access and movement of emergency personnel, blocks hallways, limits the operation of doors or provides potential pest harborage. (Added, Ord. No. 03-06)

(j) An illegal occupancy by a person of any residential, or non-residential structure, building, or premises, or portion thereof, that is not in compliance with all applicable building codes, fire codes, local laws and ordinances. (Added, Ord. No. 16-07).

(k) Discharge onto a public right-of-way, sidewalk or alley from a sump pump or drain tile which can result in hazardous ice conditions, standing water that could create a possible insect breeding area and or erosion that would degrade a public right-of-way. (Added, Ord. No. 16-15).

Subd. 27. Nuisance conduct shall have the meaning given in section 927 of the code to the extent the call involves police services. (Added, Ord. No. 10-13; Amended, Ord. No. 21-12)

Subd. 28. Occupant means a person (including owner or operator) living, sleeping, cooking, eating or working in a building. (Amended, Ord. 14-02)

Subd. 29 . Openable area means that part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.

Subd. 30. Operator means the owner or owner's agent who has charge, care, control, or management of a building, or part thereof, including but not limited to those buildings in which dwelling units or rooming units are let or offered for occupancy. (Amended, Ord. No. 14-02)

Subd. 31. Owner or owner of record means the fee owner of the building, dwelling, dwelling unit or rooming unit, and includes vendees under a recorded contract for deed. For purposes of this section the term includes any agent of owner designated in writing by owner for such purposes. (Amended, Ord. No. 03-06; 10-13; 14-02)

Subd. 32. Owner-occupied dwelling means a dwelling unit occupied by the property owner, including for purposes of the PMC, a single-family dwelling or the discrete portion of any two-family or multi-family dwelling where the owner resides in one dwelling unit. (Amended, Ord. No. 03-06; Ord. No. 14-02)

Subd. 33. Paint blistered means a surface area where paint is cracked, flaked, chipped, or loose.

Subd. 34. Plumbing means the following supplied facilities and equipment in a dwelling: gas pipes, gas burning equipment, water pipes, steam pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, and any other similar fixtures and the installation thereof, together with all connections to water, sewer, or gas lines.

Subd. 35. Premises means platted lot(s) or unplatted parcel(s) of land, or any portion thereof, either occupied or unoccupied by any dwelling or nondwelling structure, including such building, accessory structure, or other structure thereon.

Subd. 36. Proper connection to an approved sewer system means a functioning sewer connection free from defects, leaks, illegal modifications or obstructions with sufficient capacity to drain all fixtures or appliances which feed into it. The sewer system (be it municipal or private) must be capable of disposing of sewage in a safe, legal, sanitary, and adequate manner. (Amended, Ord. No. 03-06)

Subd. 37. Proper connection to an approved water system means a functioning plumbing connection free from defects, leaks, or obstructions providing an uncontaminated, controlled flow of water.

Subd. 38. Public areas means those areas which are normally open to the general public or the occupants of more than one dwelling unit of a multiple family dwelling.

Subd. 39. Public hall means a corridor, or passageway for providing egress from a commercial, office, or dwelling unit to the outdoors and not within the exclusive control of one business or family. (Amended, Ord. 14-02)

Subd. 40. Refuse means putrescible and nonputrescible waste solids including garbage and

rubbish.

Subd. 41. Rental dwelling or rental dwelling unit means any dwelling unit not occupied by the owner of record regardless of familial relationship or whether rent or other compensation is paid to the owner. (Amended, Ord. No. 03-06; Ord. No. 10-13)

Subd. 42. Retaining wall means a wall or structure constructed of stone, concrete, wood, or other materials, used to retain soil, as a slope transition, or edge of a planting area.

Subd. 43. Rodent harborage means a place where rodents are liable to live, nest, or seek shelter.

Subd. 44. Rodent-proof means a condition where a structure and all parts thereof are protected from rodent, insect and vermin infestation by eliminating ingress and egress openings such as cracks in walls and holes in screens. For the purpose of the PMC the term "rodent-proof" shall be construed as though it included "insectproof" and "vermin-proof." (Amended, Ord. No. 03-06; Ord. No 14-02)

Subd. 45. Rooming unit means a room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking and eating purposes.

Subd. 46. Rubbish means nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, grass and shrubbery clippings, wood, glass, brick, plaster, bedding, crockery, and similar materials.

Subd. 47. Story means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above or the ceiling or roof next above such floor. A basement shall not be counted as a story.

Subd. 48. Structurally substandard means a building

(1) that was inspected by the applicable governing body and cited for one or more housing, maintenance, or building code violations involving one or more of the following:

- (a) a roof and roof framing element;
- (b) support walls, beams and headers;
- (c) foundation, footings and subgrade conditions;
- (d) lights and ventilation;
- (e) fire protection, including egress;
- (f) internal utilities including electricity, gas and water;
- (g) flooring and flooring elements; or
- (h) walls, insulation and exterior envelope; and

(2) where such housing, maintenance or building code violation(s) have not been corrected after two notices to correct the violation(s) and the cost to correct the violation(s) exceeds 50 percent of the estimated market value of the building, excluding land value as determined under Minnesota Statutes, Section 273.11 for property taxes payable in that year. (Added, Ord. No. 14-02)

Subd. 49. Structure means anything erected, the use on which requires more or less permanent location of the ground; or attached to something having a permanent location on the ground. Whenever the word "structure" is used in the PMC, it shall be construed as though it was followed by the words "or any part thereof." (Amended, Ord. No. 03-06; Ord. No. 10-13; Ord. No. 14-02)

Subd. 50. Tenant means any individual named as such in any lease, or in non-lease situations, any individual obligated to owner for the payment of rent. If there is no lease, and no rent is payable, the term means all occupants of the rental dwelling. (Added, Ord. No. 10-13)

Subd. 51. Townhome means a single family dwelling unit constructed in a group of three or more attached units in which each unit extends from foundation to roof and with open space on at least two sides. (Added, Ord. No. 08-08)

Subd. 52. Use means the purpose or activity for which the land or building is designated, or intended, or for which it is occupied, utilized, or maintained, including the performance of such activity as defined by the performance standards of this chapter.

Subd. 53. Ventilation means the process of supplying and removing air by natural or mechanical means to or from any space.

Subd. 54. Waste system means that part of the plumbing system which drains waste water from individual fixtures to the sewer system.

Subd. 55. Yard means all ground, lawn, court, walk, driveway, or other open space constituting part of the same premises.

Subd. 56. Managed Native Plantings or Landscapes means a non-turfgrass native planting or prairie landscape populated with species indigenous to the Midwest, including grasses, sedges, forbs, ferns, or low-growing shrubs, excluding volunteer trees, and shrubs over 5 feet tall.

Subd. 57. Volunteer tree means a tree not intentionally planted by the property owner as per review by the Engineering Department.

Subd. 58 Bee-Friendly lawns means that a landscape is planted with low-growing species (generally under 8 inches tall) such as various clovers, ground plum, creeping thyme, self-heal, yarrow, fescues, etc.

425.15. Minimum standards.

Subdivision 1. Exterior standards.

The foundation, exterior walls, and exterior roof shall be water tight, rodent-proof, and kept in sound condition and repair. Every window, exterior door, and hatchway shall be substantially tight and kept in sound condition and repair. The foundation must adequately support the building at all points. Exterior walls shall be maintained and kept free from decay, dilapidation by cracks, tears or breaks and from deteriorated plaster, stucco, brick, wood or other material that is extensive and gives evidence of long neglect. The protective surface on exterior walls of a building above ground level must be maintained in good repair so as to provide a sufficient covering and protection of the structural surface underneath against its deterioration. Without limiting the generality of this section, a protective surface of a building shall also be deemed to be out of repair if: (Amended, Ord. No. 03-06)

(a) The protective surface is paint which is blistered, cracked, flaked, scaled or chalked away including window trim, cornice members, porch railings and other such areas. (Amended, Ord. No. 16-07)

(b) The pointing of any chimney or the pointing of any brick or stone wall is loose or has fallen out. (Amended, Ord. No. 16-07)

(c) The finish coat of a stucco wall is worn through or chipped away or broken or damaged stucco revealing metal lath must be repaired; or (Amended, Ord. Nos. 03-06; 16-07)

(d) Any boarding of openings that do not comply with the requirements of subsection [425.33](#), subdivision 6(e). (Amended, Ord. Nos. 03-06; 16-07)

An exterior surface or plane required to be repaired under the provisions of this section must be repaired in its entirety, or such repair must be consistent and uniform with surrounding surfaces. If a weather resistant surface such as brick, plaster or metal is covered with paint that is blistered, cracked, flaked, scaled or chalked away, it must be repainted unless the defective paint covering is removed in its entirety. (Amended, Ord. No. 16-07)

Subd. 2. Accessory structure maintenance.

Accessory structures supplied by the owner, agent, or tenant on the building premises must be structurally sound, securable and maintained in good repair. Exterior walls of accessory structures must be maintained in accordance with the standards set forth for principal structures in subdivision 1. (Amended, Ord. No. 03-06; Ord. No. 07-18; Ord. No. 14-02)

Subd. 3. Fence maintenance.

Fences must be maintained in good condition structurally, and be kept free of significant decay. Wood material, other than decay resistant varieties, shall be protected against decay by use of paint or other preservatives. If of the painted surface of a fence is determined by the enforcement officer to be paint blistered, cracked, flaked, scaled or chalked away, the surface must be properly scraped and repainted. (Amended, Ord. Nos. 07-18, 16-07)

Subd. 4. Retaining walls.

Retaining walls must be kept in good condition, repair, and appearance. A retaining wall is deemed out of repair when it has substantially shifted or slumped out of its intended position.

Subd. 5. Yard cover.

Exposed areas surrounding (or within) a principal or accessory use, including street boulevards which are not devoted to parking, drives, sidewalks, patios or other such uses, must be landscaped with grass, shrubs, trees, or other ornamented landscape material. Such landscaping shall be maintained in good condition and free of noxious weeds. Weeds, including tall grass, may not exceed eight inches in height. Perennial native prairie vegetation including grasses and/or wildflowers as identified by the ~~city Forester~~ **Engineering Department**, installed as a primary component of an approved raingarden, **Managed Native Plantings** or **Landscapes, Bee-Friendly Lawn, a newly established seeding of Managed Native Plantings or Landscape**, ~~restored prairie~~, is excluded from this rule on a case-by-case basis. **Newly seeded areas must have erosion protection in place per the Engineering Department.** The enforcement policy for this subdivision, and at section 820.15, shall be set and amended from time to time by resolution of the City Council. (Amended, Ord. No. 91-05, Sec. 1; Ord. No. 17-15, Sec. 1)

Subd. 6. Gutters and downspouts.

Existing gutters, leaders and downspouts must be maintained in good working condition as to provide proper drainage of storm water. In no case may storm water be channeled into the sanitary sewer system. Storm water, ice, or snow may not be directed onto, or channeled across walkways or streets where it is likely to be a hazard to life or health.

Subd. 7. Exterior lighting.

For multiple family dwellings, all exterior parking areas and walkways must be provided with an average, maintained, horizontal illumination of six-tenths (0.6) foot-candles. Parking lot illumination must not cause excess amounts of light to be cast on a public street or adjoining property. (See Zoning Code, subsection [510.25](#), subdivision 5.)

Subd. 8. Snow and ice removal.

Snow must be removed from abutting public sidewalks within 12 hours after cessation of snowfall.

Subd. 9. Walks, drives, lawn steps, decks and stoops.

Walks, drives, lawn steps, decks and stoops must be maintained in good repair. (Added, Ord. No. 03-06; Ord. No. 14-02)

Subd. 10. Managed Native Plantings or Landscapes and Bee-Friendly Lawns
The City of Robbinsdale recognizes Minnesota State Statute 412.925 allowing for privately-owned native landscapes in statutory or home rule charter cities. No permit is required for a Managed Native Planting or Landscape and Bee-Friendly Lawn, but with the recent expansion of native plants in private landscapes minimum maintenance standards in City Code are needed. Note that the standards are not designed to regulate other ornamental plantings of grasses, forbs, ferns or shrubs that may or may not be native as long as their boundaries with managed turfgrass areas are visually obvious. The required maintenance standards for such lawns are listed below:

1. **Regular weeding/eradication of harmful or invasive non-native plants, or noxious weed species as listed by the Minnesota Department of Agriculture.**
2. **Regular cutting/eradication of volunteer trees.**
3. **Woody shrubs cannot exceed 5 feet.**
4. **Vegetation cannot block property address numbers, the front door, house number, or front walkway of a property.**
5. **Vegetation cannot fall into the ROW, alleys or sidewalks, or block the visual traffic sight lines at intersections as Per 510.25 sub 2 (G)(3) AND 820.15.**

- 4) The following summary clearly informs the public of the intent and effect of the ordinance and is approved for publication:
- a. To update the language within the code to better express the functions of the city regarding vegetation.
- 5) This ordinance shall be effective immediately upon its passage and publication.

First Reading: YEAS:

NAYS:

Second Reading: YEAS:

NAYS:

PASSED AND ADOPTED BY THE CITY COUNCIL ON THIS ___ DAY OF ____, 2026.

Bradley Sutton, Mayor

ATTEST:

Chase Peterson-Etem, City Clerk

(SEAL)

City of Robbinsdale

Public Hearing Notice

NOTICE IS HEREBY GIVEN that there will be a meeting of the Planning Commission of the City of Robbinsdale, Minnesota on **Thursday, April 16th, 2026, at 7:00 p.m.** for consideration of a zoning text amendment to sections 425, 825, and 835 of City Code. These text changes are in relation to tree management and updated language for managed native plantings. The meeting will be held in the City Council Chambers at Robbinsdale City Hall, 4100 Lakeview Ave. N, Robbinsdale MN 55422.

Any and all persons desiring to be heard shall be given an opportunity at the above stated time. Residents seeking further information on the public hearing should contact Assistant Planner Will Bucheger at 763-531-1269 or wbucheger@robbinsdalemn.gov.

By: Will Bucheger, Assistant Planner