

HAVEN TOWNSHIP  
SHERBRURNE COUNTY  
STATE OF MINNESOTA

ORDINANCE NO. 2025- 01

AN ORDINANCE AMENDING THE TOWNSHIP'S  
ORDINANCE REGULATING NOISE, "ORDINANCE NO.  
02-100", RELATING TO VIOLATIONS, PENALTIES,  
AND ENFORCEMENT

The Town Board of Haven Township does ordain as follows:

**SECTION 1: PURPOSE AND INTENT.** The purpose of this Ordinance is to amend the Township's Ordinance Regulating Noise, Ordinance No. 02-100 herein, to strengthen enforcement measures related to violations and penalties. Currently, Ordinance No. 02-100 does not authorize the Township to recover costs and fees incurred in enforcing Ordinance No. 02-100, limiting its ability deter violations. This amendment will authorize the Township to recover all reasonable costs and fees associated with enforcing Ordinance No. 02-100. By doing so, the Township aims to improve compliance and deter individuals and entities from willfully violating the Township's noise standards, thereby reducing the financial burden on the Township.

**SECTION 2: AMEND SECTION 5 "Penalty".** Ordinance No. 02-100 is hereby amended to read as follows:

**5. Penalty, Violations, and Enforcement**

- a. Misdemeanor Penalty: Any person who violates any provision of Ordinance No. 02-100 shall, upon conviction, be guilty of a misdemeanor as defined by Minnesota State Statute and shall be subject to fines and imprisonment as provided by law. Each day that a violation continues shall constitute a separate offense.

- b. Civil Remedies: In addition to, or as an alternative to, the penalties provided in Subdivision 1, the Township may pursue a civil action against landowners, persons in possession of property, and/or occupants who are found to be in violation of Ordinance No. 02-100. If the Town Board determines that a violation exists, the landowner, person in possession, or occupant shall be notified in writing of the nature of the violation. If the notified party fails to comply with Ordinance No. 02-100 within twenty (20) days of receiving the written notice, the Town Board shall determine if violation exists, and if such a determination is made, the Town Board shall issue an order directing compliance with the Ordinance. Should the landowner, person in possession, or occupant fail to bring the property into full compliance within the time specified by the Township, the matter shall be referred to legal counsel. Legal counsel shall initiate proceedings in District Court to address the violation and seek remediation, correction, abatement, or any other relief necessary to resolve the issue. In addition, the Township shall seek to recover legal fees, administrative fees, costs, and all other actual expenses incurred in undertaking the corrective actions.
- c. Recovery of Costs: The landowner shall be personally liable for any and all costs incurred by the Township in connection with remediation, correction, abatement, or other actions necessitated by the violation, including legal and administrative fees and expenses. Upon completion of the work, the Township shall prepare an invoice itemizing all fees, costs, and expenses and shall mail it to the landowner. The invoiced amount shall be immediately due and payable at the town hall.
- d. Assessment of Unpaid Costs: If the Township does not receive full reimbursement for the reasonable costs incurred in correcting the violation, those costs may be assessed as a special assessment pursuant to Minn. Stat. § 429.021, subd. 1(8), certified as an unpaid service charge pursuant to Minn. Stat. § 366.012, or collect as authorized by other relevant law or court



order against the lot or property in question pursuant to Minnesota Statutes. The Town Board shall certify unpaid costs or service charges to the County Auditor for collection along with real estate taxes for the following year.

**SECTION 3: INCORPORATION OF AMENMENTS.** The Township Clerk is hereby authorized and directed to incorporate the amendments made by this Ordinance into Ordinance No. 02-100 and such updated version shall constitute the official Haven Township Ordinance No. 02-100.


**SECTION 4: SEVERABILITY.** Should any section, subdivision, clause or other provision of this Ordinance be held invalid in any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part held invalid.

**SECTION 5: EFFECTIVE DATE.** This Ordinance becomes effective on the date of its publication or upon the publication of a summary of the Ordinance.

**SECTION 6: REPEALER.** All prior ordinances to the extent that they are inconsistent with the terms and provisions of this Ordinance, shall be deemed repealed after the effective date of this Ordinance with regard to those inconsistent terms and provisions.

Adopted by the Haven Town Board this 19<sup>th</sup> day of MAY, 2025.

Approved:

  
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Haven Township Chairperson

Attested:

A handwritten signature in dark ink, appearing to read "Tammy Schaefer", is written over a horizontal line.

Haven Township Clerk