CITY OF NEW HOPE PROPERTY MAINTENANCE REFERENCE GUIDE

The city of New Hope Property Maintenance Reference Guide is intended to summarize minimum maintenance requirements and standards required for premises, structures, equipment, and facilities located within the city. It addresses common violations of city ordinances and frequently asked questions, but is not an all-encompassing document. The information included in this guide is intended to be educational and not legal advice. If you have a legal problem and require legal advice, you should consult a lawyer. The New Hope City Code, a codification of all ordinances (laws) adopted by the City Council, can be viewed on the city's website or at New Hope City Hall. Questions related to this document or interpreting the City Code can be directed to the Inspections Department at 763-531-5127.

DEFINITIONS

(A) Easement – New Hope City Code Chapter 13-2

A grant by a property owner for the use of a portion of land for the purpose of constructing and maintaining drives, utilities, including, but not limited to, sanitary sewers, water mains, electric lines, telephone lines, storm sewer or storm drainage ways, and gas lines.

- (B) Screening or screened New Hope City Code Chapter 4-2
 - At least 80% concealed or hidden from adjoining properties or public street rights-of-way.
- (C) Right-of-way New Hope City Code Chapter 6-14

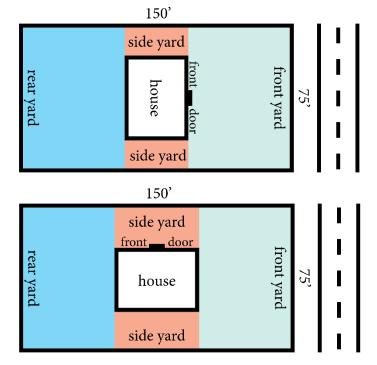
The surface and space above and below a public roadway, highway, street, cartway, bicycle lane and public sidewalk in which the city has an interest, including other dedicated rights-of-way for travel purposes and utility easements owned by the city for city utility purposes. The typical residential right-of-way extends approximately 14.5 feet from back of the curb or edge of the street pavement, towards the adjacent property.

(D) Yard sides – New Hope City Code Chapter 4-2

A <u>front lot</u> is defined as the boundary abutting a public right-of-way having the least width. A <u>corner lot</u> is defined as a lot situated at the junction of and abutting on two or more intersecting streets; or a lot at the point of deflection in alignment of a single street, the interior angle of which is 135 degrees or less. A <u>front yard</u> is defined as a yard extending across the front of the lot and lying between the front line of the lot and the nearest line of the building. A <u>rear yard</u> is defined as a yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the principal building. A <u>side yard</u> is defined as a yard between the side line of the lot and the nearest line of the principal building and extending from the front line of the lot to the rear lot line.

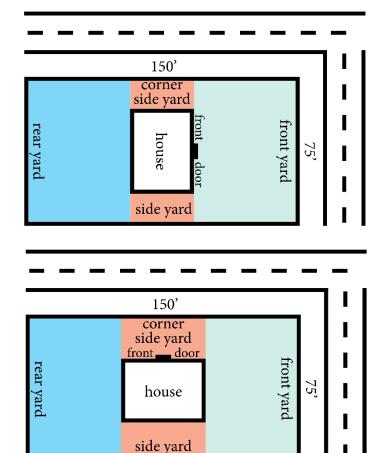
Example of non-corner lot with front door oriented to the front yard.

Example of non-corner lot with front door oriented to the side yard. Front of building orientation does not affect front/side/rear yard definition.



Example of corner lot with front door oriented to the front yard. Front yard defined as side of lot abutting public right-of-way with least width.

Example of corner lot with front door oriented to the side yard. Front yard defined as side of lot abutting public right-of-way with least width. Front of building orientation does not affect front/side/rear



EXTERIOR PROPERTY AREAS

yard definition.

(A) Exterior storage – New Hope City Code Chapter 4-3(d)(8)

All materials and equipment, except as specifically authorized by the New Hope City Code, must be stored within a building or completely screened so as not to be visible from adjoining properties or the public right-of-way.

- (1) Junk, refuse, and debris New Hope City Code Chapters 4-3(d)(8) and 6-13(b)(2)b.
 - The storage or accumulation of junk, refuse, and debris or items not intended for exterior use is not allowed. This includes, but is not limited to, appliances, upholstered furniture, waste fill, garbage, recyclables, vehicle parts, fluids and accessories, hazardous waste, and maintenance equipment. Such items may not be deposited on city owned or privately owned property.
- (2) Construction and landscaping materials New Hope City Code Chapter 4-3(d)(8)d.

 Construction and landscaping materials being used for an active project on the premises must be located on
 - Construction and landscaping materials being used for an active project on the premises must be located or private property and need not be screened from adjoining properties or the public right-of-way.
- (3) Dumpster bags New Hope City Code Chapter 4-3(d)(8)f.
 - Residential dumpster bags being used for household relocation and improvement projects may be located on a property for up to 30 consecutive days in one (1) calendar year, or in the case of an active building permit, 90 consecutive days. Residential dumpster bags must be set back a minimum of 15 feet from the public street curb, five (5) feet from a private street curb, five (5) feet from side property lines, and may not intrude on sidewalks. No permit is required.
- (4) Temporary storage units New Hope City Code Chapter 4-3(d)(8)e.
 - Temporary storage units including, but not limited to, cargo containers, portable on-demand storage units, and dumpsters, are not allowed as permanent storage structures. Temporary storage units being used for household relocation and/or improvement projects may be located on a property for up to 30 consecutive days in one (1)

calendar year, or in the case of an active building permit, 90 consecutive days. Temporary storage units must be located on private property on a driveway or hard surface area in the front yard, must be set back a minimum of 15 feet from the public street curb, five (5) feet from a private street curb, five (5) feet from side property lines, and may not intrude on sidewalks. No permit is required.

- (5) Home-based businesses New Hope City Code Chapter 4-3(g)(3)i.

 Home-based businesses may not store equipment, machinery, inventory, tools, or any other item required for use by the business outdoors.
- (6) Industrial and commercial New Hope City Code Chapters 4-2, 4-15(e)(2), 4-16(e)(9), 4-20(c)(8) and 4-20(e)(1)
 Open outdoor storage areas intended for exclusive storage of material, recreational vehicles and equipment, product, or semitrailers, accessory to the principal use of the property are permitted in some industrial and commercial zoning districts. Open outdoor storage areas are allowed in the Limited Business (LB) and Community Business (CB) zoning districts with an approved Conditional Use Permit (CUP). In the CB and LB zoning districts, the areas may not exceed 30% of the gross floor of the principal use. Open outdoor storage areas not exceeding 20% of the gross floor area of the principal structure are allowed as an accessory use in the Industrial zoning district. Outdoor storage exceeding 20% of the gross floor area of the principal structure in the Industrial zoning district must be approved as a CUP. The temporary parking of licensed and operable motor vehicles in designated parking stalls, or vehicles being serviced in designated service areas is not considered open outdoor storage. The parking or storage of commercial or business vehicles in parking stalls may not reduce the number of available parking stalls below what is required by City Code. Open outdoor storage areas must be landscaped, fenced, and screened from adjacent residential uses and the public right-of-way and must be located on concrete or bituminous surface treatments. Open outdoor storage areas must also comply with setback, lighting, material, and upkeep standards as defined within the applicable zoning district.

GARBAGE, RECYCLING & YARD WASTE

(A) Garbage – New Hope City Code Chapter 9-11(a)(1)

All exterior property and premises must be kept free from any accumulation of garbage or waste.

- (1) Residential
 - i. Collection and disposal New Hope City Code Chapter 9-11(b)(1)
 Garbage and refuse must be collected and disposed of by a licensed hauler at least once every seven (7) days.
 Collection day for 42nd Avenue North and all areas south thereof is Tuesday. Collection day for all areas north of 42nd Avenue North is Wednesday.
 - ii. Screening and placement of containers New Hope City Code Chapters 9-11(a)(4), 9-11(a)(5), and 9-11(a)(6) All permanent and disposable waste containers must be screened from all principal residential structures within 50 feet and from adjacent streets, and may not extend more than three (3) feet in front of the dwelling unit. Permanent waste containers, bulky materials, and disposable and sealed containers containing waste may be placed on the curbside for pickup, but may not be placed on the curbside any earlier than sunset preceding the day of scheduled pickup and must be removed by sunset of the scheduled pickup day.
- (2) Industrial, commercial, multi-family, and institutional
 - i. Screening and placement of containers New Hope City Code Chapters $\underline{4-3(b)(6)i.}$, $\underline{4-3(b)(6)i.3.}$, $\underline{4-3(b)(6)i.4.}$, and $\underline{9-11(a)(2)d.}$
 - Industrial, commercial, multifamily, and institutional uses must provide trash enclosures for any waste containers that contain refuse and recyclable material or equipment. The enclosures must fully screen the containers from view from adjacent properties and the public right-of-way and must be constructed with walls of architectural elements (type, quality, and appearance) similar to the principal structure. Containers not mounted on wheels must be stored on durable racks and placed on easily cleanable surfaces. The racks, when placed on the surface, shall be raised above the ground. Containers mounted on wheels must be specifically designed for use with collection vehicles and must be placed on a concrete or other non-penetrating surface.

(3) Dumpster bags – New Hope City Code Chapter 4-3(d)(8)f.

Residential dumpster bags being used for household relocation and improvement projects may be located on a property for up to 30 consecutive days in one (1) calendar year, or in the case of an active building permit, 90 consecutive days. Residential dumpster bags must be set back a minimum of 15 feet from the public street curb, five (5) feet from a private street curb, five (5) feet from side property lines, and may not intrude on sidewalks. No permit is required.

(B) Recycling – New Hope City Code Chapter 9-11(k)

Recycling services must be provided to all residential properties and tenants of commercial buildings. All garbage container screening and placement requirements referenced in (A)(1)ii. and (A)(2)i. of this section also apply to recycling containers.

(C) Yard waste - New Hope City Code Chapter 4-3(d)(8)

With the exception of compost and firewood piles, the storage or accumulation of yard waste is not allowed.

- (1) Compost piles New Hope City Code Chapters 1-2, 9-11(i), 9-11(i)(1), 9-11(i)(2) and 9-11(i)(3)
 - The controlled biological decomposition of yard refuse, fruit or vegetable waste, egg shells, or coffee grounds in a manner resulting in an innocuous final product is allowed above ground in a controlled area. It may not create a health hazard or nuisance to adjoining properties. No lot may contain more than one (1) compost site, up to 25 square feet in area and four (4) feet in height. Compost sites may not be closer than five (5) feet from any rear or side property line, may not be located in any front yard or side yard abutting a public right-of-way, may not be located in any drainage easement, and may not be closer than 25 feet to any principal residential structure.
- (2) Bagged yard waste New Hope City Code Chapter 4-3(d)(8)

The storage or accumulation of bagged yard waste is not allowed and is subject to garbage container screening and placement requirements referenced in (A)(1)ii. and (A)(2)i. of this section.

- (3) Brush New Hope City Code Chapter 4-3(d)(8)
 - With the exception of firewood stacks and compost piles, the storage or accumulation of yard waste piles consisting of twigs, branches, or leaves is not allowed.
- (4) Firewood New Hope City Code Chapter 4-3(d)(8)g.

Firewood stacks must be located in the side or rear yard in an area that does not promote rodent harborage and does not adversely affect adjoining premises. Firewood shall be placed in neat and secure stacks on a decay resistant surface or elevated at least four (4) inches off the ground. Individual firewood stacks may not exceed five (5) feet in height, four (4) feet in width, and 10 feet in length, and no more than 400 cubic feet of stored firewood is allowed per lot. Stacks may not contain wood from oak, ash, or elm trees.

TREES & LANDSCAPING

(A) Ground cover – New Hope City Code Chapters 4-3(d)(4)a. and 4-3(d)(4)b.4.ii.

All areas within the property lines (or beyond, if site grading extends beyond) not paved or designated for off-street parking, off-street loading, sidewalks, driveways, storage, or buildings must be landscaped using ground cover, ornamental grass, shrubs, trees, or other acceptable vegetation or treatment generally used for landscaping. All ground areas under the building roof overhang not occupied by off-street parking, off-street loading, sidewalks, or driveways must be landscaped using ground cover, ornamental grass, shrubs, trees, or other acceptable vegetation generally used for landscaping. Synthetic turfs, artificial grasses, and other similar materials are prohibited.

(B) Trees – New Hope City Code Chapters 4-3(d)(4)a., 9-70(a)(1), and 9-70(b)(2)

Fallen trees, fallen tree limbs, dead trees, and dead tree limbs, which in the opinion of the city tree inspector constitute a health, safety, or fire hazard, are considered a nuisance condition and must be destroyed. If not destroyed within seven (7) days of notice, vegetation will be destroyed by the city's public works department at the expense of the property owner. Trees located under overhead wires within an easement are restricted to tree types having mature height that will not interfere with the overhead wires. Cutting down a tree on another person's property without permission is trespass and can result in criminal prosecution. In Minnesota, whoever intentionally

cuts down or injures a tree without the owner's permission can be liable to the owner in a civil action for three times the amount of monetary loss suffered by the tree owner.

(1) Trimming – Minnesota Statutes §561.01 and §561.04

As a general rule, private property owners in Minnesota have the right to trim the branches or roots of a neighbor's tree that encroach onto their property, up to the property line, at their own expense. This concept of resolving a dispute without the use of the court system is referred to as "self-help." Self-help is an alternative to pursuing a formal legal action in court. The rationale is that "self-help" prevents the often costly process of a formal lawsuit in the court system to resolve a comparatively minor dispute. In the case of overhanging tree branches of a neighbor's trees, it is advisable that the property owner first approach the neighboring property owner to attempt to reach a friendly resolution to the matter prior to taking action or bringing a lawsuit against the neighbor. A property owner should be very cautious in how overhanging branches or roots from a neighbor's tree that is located along the boundary line are handled. If the tree in question is located along the boundary line between two properties, there may be an issue as to who may own the tree and have the right to trim the branches. The city does not license tree trimmers.

Disclaimer: The information included in this section is intended to be educational and not legal advice. If you have a legal problem and require legal advice, you should consult a lawyer.

(C) Weeds and grass – New Hope City Code Chapters 9-70(a)(1), 9-70(a)(2), and 9-70(b)(1)

Noxious weeds, as defined in Minnesota Statutes or Minnesota Rules as to constitute a nuisance, are prohibited and must be destroyed. Any weeds or grass growing to a height greater than eight (8) inches is also considered a nuisance. If not destroyed within seven (7) days of notice, vegetation will be destroyed by the department of public works at the expense of the property owner. Natural landscapes and shoreland buffer strips are allowed, provided they are maintained free of noxious weeds, invasive or nuisance plants, comply with sight triangle setback requirements, do not impair sight distances, and do not constitute a public nuisance to the public or residents of the immediate vicinity. Grass height restrictions do not apply to natural landscapes and shoreland buffer strips.

(D) Plants – New Hope City Code Chapter 4-3(d)(4)b.4.vii.

All plants required as part of an approved landscaping plan must be maintained and kept alive. Dead plants must be replaced in accordance with the approved landscape plan.

(E) Placement – New Hope City Code Chapters 4-3(c)(6)d., 4-3(d)(4)a., and 4-3(e)(4)h.15.

Trees placed upon utility easements are subject to removal at the expense of the property owner if required for the maintenance or improvement of the utility. Areas bordering parking lots must be landscaped with plantings or surfacing material. With the exception of off-street parking areas for single-family and two-family dwellings or townhomes with direct street access to garages, landscaping in the boulevard may not interfere with the view of the street for drivers entering or exiting the premises. On corner lots, no plantings may be placed within the sight visibility triangle setback in a manner that may interfere with traffic or pedestrian visibility along a public right-of-way between the heights of two (2) feet and eight (8) feet of the street centerline grade. The sight triangle is defined as "beginning at the intersection of the projected property lines of two (2) intersecting streets, thence 20 feet along one (1) property line, thence diagonally to a point 20 feet from the point of beginning on the other property line, thence to the point of beginning."

property line

property line

property line

Sight visibility triangle setback

Example of site visibility triangle on corner lot.

(F) Irrigation – New Hope City Code Chapters 4-3(d)(4)b.4.iv. and 4-3(d)(4)b.4.v.

All landscape areas must be irrigated or have access to an exterior building water spigot in a location adequate for providing for landscape maintenance. With the exception of single-family and two-family residential properties, moisture sensor irrigation controllers must control all landscaped areas that install automatic irrigation systems.

(G) Grading and drainage – New Hope City Code Chapters 4-3(i), 4-3(j), 4-35(b)(5), and 5-7

Drainage structures that adjoin or run on, across, or through any property, may not become obstructed or fall into a state of disrepair. Drainage structures must be maintained in a state that allows for the free and unrestricted passage of water therein. The regrading of a property may not adversely affect neighboring properties and is subject to City Code requirements related to grading, erosion, and sediment control. A permit or site plan review may be required depending on the scale of the project.

(H) Slopes and berms – New Hope City Code Chapter 4-3(d)(4)b.4.iii. Turf slopes in excess of three to one (3:1) are prohibited.

SIDEWALKS, PARKING & DRIVEWAYS

(A) Surfacing – New Hope City Code Chapters 4-3(e)(4)h.11., 4-3(e)(4)h.12., 4-3(e)(4)h.15. and 4-3(e)(5)

All parking areas, driveways, and driveway aprons must be constructed and surfaced with concrete, asphalt, paving block, or other forms of concrete in compliance with city construction specifications. All driveways and parking stalls must be surfaced with, at minimum, a six (6)-inch Class 5 base and two (2)-inch asphalt topping. Parking spaces and accessways must be maintained in a neat and adequate manner. Except for single-family, two-family, and townhouses, all parking stalls must be marked with painted lines not less than four (4) inches wide. The striping must be maintained in a neat and adequate manner for visibility on a regular basis. All open off-street parking must have a perimeter concrete curb, unless otherwise recommended by the city engineer.

(B) Location – New Hope City Code Chapters 4-3(e)(4)h.6., 4-3(e)(4)h.15, and 4-3(e)(6)c.

Driveways and off-street parking are not allowed within three (3) feet of any property line abutting another property. Parking of standard passenger vehicles in front yards and side yard corner lots with curb cut accesses must be set back eight (8) feet from the street curb and may not encroach on any sidewalk. This prohibition does not apply to zero lot line parcels in residential zoning districts containing adjacent garages that share a common wall on the zero lot line when the driveway is shared by the dwelling units and the driveway curb cut also abuts the shared or zero lot line. Curb cut accesses may not exceed the following width dimensions measured at the property line:

- Residential: 24 feet
- Residential single-family with three (3) car garage: 28 feet
- Commercial/industrial: 26 feet

Concrete curbing around entire parking lots may not be closer than five (5) feet to any lot line.

(C) Landscaping – New Hope City Code Chapter 4-3(e)(4)h.15.

Plantings or surfacing material must be provided in areas bordering parking lot areas.

(D) Snow removal – New Hope City Code Chapter 9-17 and Minnesota Statute §160.2715

It is the adjacent property owner's responsibility to keep sidewalks safe for pedestrians and remove all snow and ice within 12 hours of its deposit. Ice must be appropriately controlled by environmentally safe chemical means or mechanical methods that will not cause damage to a sidewalk. Snow must be removed within 24 hours after the cessation of any fall of snow from off-street parking facilities and lots located in multiple residential, limited business, or commercial business districts as to allow for the minimum number of off-street parking spaces required by City Code. Snow and ice may not be deposited on or against a fire hydrant on any sidewalk or roadway. Snow and ice may not be pushed, plowed, blown, shoveled, or otherwise placed onto or across a street or road.

ODORS & DISCHARGE

(A) Dust, odor and smoke – New Hope City Code Chapter 4-3(d)(6)

The emission of smoke odors, dust, and other particulate matter by any use must be in compliance with and is regulated by the State of Minnesota Pollution Control Standards.

FENCES

(A) Location – New Hope City Code Chapters 4-3(d)(3)a.3. and $\underline{4-3(d)(4)a}$.

No fence may obstruct natural drainage or be placed within an easement that obstructs or impedes the free flow of surface water from, or within any drainage easements. Fences placed upon utility easements are subject to removal at the expense of the property owner if required for the maintenance or improvement of the utility.

(B) Construction, maintenance, and materials – New Hope City Code Chapters 4-3(d)(3)a.2., 4-3(d)(3)a.5., 4-3(d)(3)b.1., and 4-3(d)(3)c.1.

All posts or similar supporting instruments used in the construction of fences must face inward toward the property being fenced, unless symmetrical. Fences must be at least five (5) percent open for passage of air and light. Fences not meeting this design standard are treated as walls and must meet building setback requirements. Required setbacks are determined by street classification and zoning district. The following types of fences are prohibited:

- Electric
- Barbed wire or razor wire
- Sheet metal, scrap metal, corrugated metal, or metal building, siding, or roofing material
- Plywood or scrap wood
- Canvass, nylon, or other non-rigid material or fabric
- Cast-off, secondhand, or other materials not originally intended to be used for constructing or maintaining a fence
- (C) Height Minnesota Residential Code Section 1300.0120 Subp.4.A.(2)

State building code requires a building permit and engineering for fences that are seven (7) feet in height and taller.

(1) Residential – New Hope City Code Chapters 4-3(d)(3)b.2. and 4-3(d)(3)b.3.

Fences 42 inches in height or less may be located on any part of a lot. Fences up to six-and-one-half (6.5) feet in height may be located in rear yards and/or side yards that do not abut a street, regardless of house orientation. Fences up to eight (8) feet in height are allowed in rear yards and/or side yards that do not abut a street, when meeting setback requirements for principal buildings within the applicable zoning district. Fences up to eight (8) feet in height are allowed in rear yards and/or side yards (up to the property line) when a lot directly abuts a commercial or industrial use.

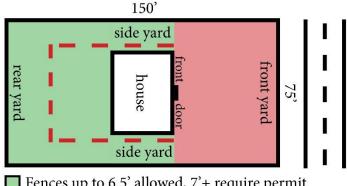
(2) Commercial and industrial – New Hope City Code Chapter 4-3(d)(3)c.2. and 4-3(d)(3)c.3.

Fences up to eight (8) feet in height may be located in rear yards and/or side yards that do not abut a street, regardless of building orientation. Fences up to eight (8) feet in height may be located in front yards and/or side yards that abut a street when meeting setback requirements for principal buildings within the applicable zoning district. Fences in excess of eight (8) feet require a conditional use permit.

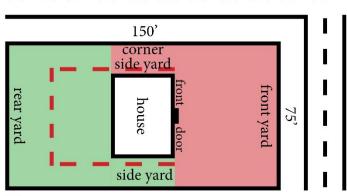
Example of non-corner residential lot with front door oriented to the front yard.

Example of corner residential lot with front door oriented to the front yard. Front yard defined as side of lot abutting public right-ofway with least width.

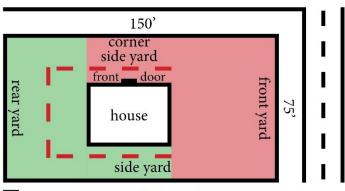
Example of corner residential lot with front door oriented to the side yard. Front yard defined as side of lot abutting public right-ofway with least width.



- Fences up to 6.5' allowed, 7'+ require permit
- Fences up to 42" allowed
- Fences up to 8' allowed when meeting setback requirements for principal building



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- Fences up to 6.5' allowed, 7'+ require permit
- Fences up to 42" allowed
- Fences up to 8' allowed when meeting setback requirements for principal building

VEHICLES

- (A) Junk and inoperable motor vehicles New Hope City Code Chapters 4-3(d)(8), 4-3(d)(8)b.1. and 4-3(e)(4)f. All passenger vehicles including, but not limited to, cars, station wagons, trucks, motorized vehicles, trailers, and campers must be licensed by the state and capable of movement under their own power. Vehicles incapable of movement under their own power or with license tabs that are more than three months expired may not be parked or stored outside for a period in excess of seven (7) consecutive days.
- (B) Commercial and other vehicles New Hope City Code Chapters 4-2, 4-3(d)(8)b.2, 4-3(e)(4)d., 4-3(e)(4)g.5., 4-15(e)(2), 4-16(e)(9), 4-20(c)(8), and 4-20(e)(1)a.

The following vehicles and equipment may be stored or parked in a building located in a residential zoning district (R-1, R-2, R-3, R-4, R-5, and R-B) if owned by a resident of the property and said storage or parking does not utilize the minimum number of off-street parking spaces required by City Code. However, in no event may such vehicles and equipment be stored or parked outside as exterior storage in residential zoning districts.

- 1. Farm tractors and equipment
- 2. Military vehicles, including, but not limited to, half-tracks, troop transports and tanks
- 3. Semi-tractors or trailers
- 4. Snow plow units detached from a truck or vehicle used to plow snow
- 5. Skid loaders
- 6. Any commercial vehicles or trailers not defined as recreational vehicles with a registered or licensed gross vehicle weight greater than 12,000 pounds ("G" through "T" or "X" sticker on license plate)

Commercial and recreational vehicles may be parked in designated outdoor storage areas, which are allowed in some commercial/industrial zoning districts. Open outdoor storage areas are allowed in the Limited Business (LB) and Community Business (CB) zoning districts with an approved Conditional Use Permit (CUP). Open outdoor storage not exceeding 20% of the gross floor area of the principal structure is an accessory use in the Industrial zoning district. Outdoor storage that exceeds 20% of the gross floor area of the principal structure in the Industrial zoning district must be approved as a CUP. The temporary parking of licensed and operable motor vehicles in designated parking stalls, or vehicles being serviced in designated service areas is not considered open outdoor storage. The parking or storage of commercial or business vehicles in parking stalls may not reduce the number of available parking stalls below what is required by City Code. Open outdoor storage areas must be landscaped, fenced, and screened from the public right-of-way. Open outdoor storage areas in the Industrial zoning district must be landscaped, fenced, and screened from adjacent residential properties and open outdoor storage areas in the LB and CB zoning districts must be screened from all adjacent properties. Open outdoor storage areas must be located on concrete or bituminous surface treatments. Open outdoor storage areas must also comply with setback, lighting, material, and upkeep standards as defined within the applicable zoning district. Open outdoor storage areas intended for the exclusive storage of semitrailers may be exempt from the required security fencing provided the storage area is delineated, the individual trailers are secured, and the semitrailers do not utilize any required offstreet parking, loading areas, or access space.

(C) Recreation vehicles – New Hope City Code Chapters 4-2, 4-3(d)(8)c., 4-15(e)(2), 4-16(e)(9), 4-20(c)(8), and 4-20(e)(1)a. Recreational vehicles are defined as self-propelled vehicles or vehicles stored on licensed trailers which are used primarily for recreational-leisure time activities including, but not limited to, campers, tent trailers, motor homes or other vehicles used for temporary living quarters, boats, canoes, kayaks, all terrain vehicles, snowmobiles, golf carts, race cars, stockcars, motorcycles, utility trailers, off-road vehicles, and similar vehicles or equipment. No more than three (3) recreational vehicles or equipment may be stored outside as exterior storage on a property. Any recreational equipment or vehicles stored on a property in excess of three (3) must be stored inside of a building. One or more recreational vehicles stored on a trailer constitutes one (1) vehicle for the purpose of this definition. Recreational equipment and vehicles may be stored in the front, side, or rear yards except for recreational vehicles and equipment not allowed to be operated on public streets, such as boats, all terrain vehicles, off road vehicles, snowmobiles, golf carts, race cars, and stock cars. Such vehicles or equipment must be stored inside of a building or placed on or inside of a licensed trailer or licensed motor vehicle. Canoes, kayaks, and other small non-motorized boats not on trailers may be stored in the side or rear yard in the following manner:

- 1. Hung off the ground on a garage or other accessory building or structure.
- 2. Stored on the ground if screened from view from any adjoining residential property and the public right-of-way.
- 3. On residential lots abutting Meadow Lake or Northwood Lake, canoes, kayaks, and other small boats may be stored or maintained on the ground at or within 20 feet of the shoreline of the lake provided that the three (3) foot side yard setback is maintained.

Front yard and side yard corner lots with curb cut access storage of recreational equipment or vehicles must meet the following standards:

- 1. Must be on bituminous, asphalt, or other hard surface material that is durable, weather resistant, and suitable to control dust and drainage. Class 5 gravel or rock and landscaped yard or grass areas are not suitable for storage.
- 2. Must be set back 15 feet from the street curb and storage shall not encroach on any sidewalk.
- 3. May not utilize the minimum number of off-street parking spaces required by City Code.

Side and rear yard storage of recreational equipment or vehicles must meet the following standards:

- 1. Must be on bituminous, asphalt, or other hard surface material that is durable, weather resistant, and suitable to control dust and drainage. Class 5 gravel or rock and landscaped yard or grass areas are not suitable for storage.
- 2. Must maintain at least a three (3) foot setback from the side or rear yard property lines except for canoes, kayaks, and other small boats stored at the shoreline of Meadow Lake and Northwood Lake.
- 3. Must be at least 50% screened to break up the visual appearance of the exterior storage from adjoining properties through landscaping or fencing.

Recreational vehicles may be parked in designated open outdoor storage areas, which are permitted in some industrial and commercial zoning districts. Open outdoor storage areas are allowed in the Limited Business (LB) and Community Business (CB) zoning districts with an approved Conditional Use Permit (CUP). In the CB and LB zoning districts, the areas may not exceed 30% of the gross floor of the principal use. Open outdoor storage areas not exceeding 20% of the gross floor area of the principal structure are allowed as an accessory use in the Industrial zoning district. Outdoor storage exceeding 20% of the gross floor area of the principal structure in the Industrial zoning district must be approved as a CUP. Open outdoor storage areas in the Industrial zoning district must be landscaped, fenced, and screened from adjacent residential properties and open outdoor storage areas in the LB and CB zoning districts must be screened from all adjacent properties. Open outdoor storage areas must be located on concrete or bituminous surface treatments. Open outdoor storage areas must also comply with setback, lighting, material, and upkeep standards as defined within the applicable zoning district.

INSTALLATION, SCREENING & OPERATION OF EQUIPMENT

(A) Right-of-way – New Hope City Code Chapters 6-14(a)

The erection and/or placement of most structures in the public right-of-way or on city property by any person or group other than the city, Hennepin County, Metropolitan Council, State of Minnesota, or franchised utility is prohibited. This includes basketball hoops, satellite dishes, and freestanding miniature libraries.

- (B) Mailboxes New Hope City Code Chapters 6-14(a)
 - Mailboxes conforming with the rules and regulations of the United States Postal Service are allowed in the right-of-way.
- (C) Playground equipment and tents New Hope City Code Chapters 4-3(b)(1)a. and 4-3(b)(1)c.

Playhouses, tents, playground equipment, swing sets, and similar structures may be used for play or recreational purposes. Such structures may not be used as temporary or permanent living quarters.

- (D) Clothesline poles and wires New Hope City Code Chapter 4-3(d)(8)a.
 - Clothesline poles and wires may be installed on private property and need not be screened from adjoining properties or public street rights-of-way.
- (E) Air conditioners New Hope City Code Chapters 4-3(b)(6)g., 4-3(b)(6)g.1., and 4-3(b)(6)g.3.

 Accessory uses or equipment such as air conditioning cooling structures or condensers (ground mounted) that

generate noise must be located in side or rear yards. The cooling structure or condenser may not be located in any easement or produce noise levels exceeding what is allowed by the city's noise ordinance.

(F) Mechanical equipment

- (1) Rooftop mounted New Hope City Code Chapters 4-3(b)(5)c.4., 4-3(b)(5)c.5., 4-3(b)(5)c.6. and 4-3(b)(5)c.2. All rooftop equipment must be screened from view from across adjacent streets 15 feet behind the curb or adjacent properties at the property line. The equipment must be completely screened by the building parapet, or grouped behind an enclosure and set back a distance of one (1) and one-half (1.5) times its height from any primary façade fronting a public street. Screens must be comprised of durable, permanent materials (not including wood) that are compatible with the primary building materials. The equipment must be buffered so as to mitigate noise in compliance with the city's noise ordinance.
- (2) Ground mounted New Hope City Code Chapters 4-3(b)(5)c.3. and 4-3(b)(5)c.2. All ground-mounted equipment must be completely screened from view from adjacent properties and the public right-of-way by enclosures constructed of durable and permanent materials with architectural elements (type, quality, and appearance) similar and compatible to the principal structure. The equipment must be buffered so as to mitigate noise in compliance with the city's noise ordinance.
- (3) Exterior New Hope City Code Chapter 4-3(b)(5)c.7. Exterior mechanical equipment, such as ductwork, may not be located on primary building facades.

(G) Fire pits – New Hope City Code Chapter 9-9(1)b.

All recreational fires must be in an approved outdoor fireplace or pit, which is at grade or below and no more than three (3) feet in diameter. The outside edge must be ringed with brick, rock, or other non-combustible material to prevent fire spread. Commercially manufactured steel outdoor fire pits and structures may be used provided they are not more than three (3) feet in diameter. All recreational fires must be kept a minimum of 15 feet from any structure or combustible materials. Recreational fires must be constantly attended by the property owner or designated adult until fire is completely extinguished. A garden hose or other adequate means of extinguishment must be available within 15 feet of the fire for emergency purposes. All recreational fires must be extinguished no later than 11:00 p.m. Recreational fires may not be used for the disposal of yard waste, construction materials, or common household trash. Fuel for a recreational fire must only be that of aged, dry firewood. Recreational fires are not allowed if winds exceed seven (7) miles per hour. No permit is required.

- (H) Flagpoles New Hope City Code Chapter 4-3(b)(5)b.7.
 - Building height limits established for zoning districts do not apply to flagpoles mounted on a building. Freestanding flagpoles must be set back five (5) feet from property lines.
- (I) Antennas New Hope City Code Chapters 4-3(b)(5)b.13., 4-3(b)(6)h., and 4-3(b)(6)h.8.

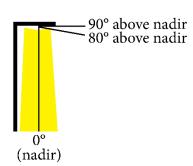
 Building height limits established for zoning districts do not apply to antennas. Accessory antennas are limited to radio and television receiving antennas, satellite dishes, TVROs, short-wave dispatching antennas, and amateur short-wave radio transmitting and receiving antennas. Accessory antennas must be of a neutral color and any lettering or scenes contained on the device qualifying it as a sign are subject to the regulations of city's sign code.
- (J) Lighting New Hope City Code Chapters 4-3(d)(5)d., 4-3(d)(5)f.1., 4-3(d)(5)f.2., and 4-3(d)(5)h.

 Any lighting used to illuminate a structure, an off-street parking area, or other area must be arranged so as to deflect light away from any adjoining residential property or from any public right-of-way. Any light source which casts light on a public street may not exceed one (1) foot candle (meter reading) as measured from the right-of-way line, nor may it cast light on adjacent residential property exceeding four-tenths (0.4) foot candles (meter reading) as measured at the property line. Adequate light levels must be provided for parking and pedestrian areas, subject to City Code requirements.
 - (1) Residential district New Hope City Code Chapters 4-3(d)(5)f.1.i. and 4-3(d)(5)f.1.ii. Light sources must be hooded or controlled so as not to light adjacent property in excess of the maximum intensity defined by Section 4-3(d)(5)h. of the City Code. Bare light bulbs are not be permitted in view of adjacent property or the public right-of-way, unless part of a permanent or decorative fixture.

(2) Business/commercial/industrial district – New Hope City Code Chapters 4-3(d)(5)f.2.i., 4-3(d)(5)f.2.iv., 4-3(d)(5)f.2.v. and 4-3(d)(5)f.2.vi.

The maximum height of a fixture and pole above the ground grade permitted for light sources is 25 feet. Ground mounted and building mounted lighting located adjacent to walkways at building entrances may not exceed 15 feet in height. A light source mounted on a building may not exceed the height of the building. The height of a light source mounted on a pole or on a building may not exceed the height limits of the zoning district in which the use is located, unless allowed by conditional use permit. The light source of an outdoor light fixture must be set back a minimum of 10 feet from a street right-of-way or where a lot line abuts a residential property and five (5) feet from an interior side or rear lot line. Luminaires must contain cutoff fixtures so that light intensity at or above 90 degrees is no more than two and one-half (2.5) percent of lamp lumens, and no more than 10 percent of lamp lumens at a vertical angle of 80 degrees above nadir (the angle that points directly downward). Direct or reflected glare from high temperature processes, such as combustion or welding, may not be visible from any adjoining property.

Depiction nadir (angle that points directly downward), 80° above nadir, and 90° above nadir.



EXTERIOR STRUCTURE.

(A) General – 2018 IPMC Section 304.1

The exterior of a structure must be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare.

(B) Accessory structures – New Hope City Code Chapter 4-3(b)(1)c. and 2018 IPMC Section 304.1 All accessory structures, including detached garages, storage buildings, and sheds must be maintained structurally sound and in good repair. Such structures may not be used as temporary or permanent living quarters.

(C) Premises identification – New Hope City Code Chapter 3-50(j)(11)

At least one (1) address sign identifying the correct property number as assigned by City of New Hope is required on each principal building in all zoning districts. The address numbers must be of a contrasting color to their background and at least six (6) inches in height for commercial and industrial buildings and at least four (4) inches in height for residential buildings.

(D) Protective treatment – 2018 IPMC Section 304.2

All exterior surfaces, including, but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, must be maintained in good condition. Exterior wood surfaces, other than decayresistant woods, must be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, and chipped paint must be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors, and skylights, must be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion must be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains must be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(E) Structural members – 2018 IPMC Section 304.4

All structural members must be maintained free from deterioration and must be capable of safely supporting the imposed dead and live loads.

(F) Foundation walls – 2018 IPMC Section 304.5

All foundation walls must be maintained plumb and free from open cracks and breaks and must be kept in such a condition so as to prevent the entry of rodents and other pests.

(G) Exterior walls – 2018 IPMC Section 304.6

All exterior walls must be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated, where required, to prevent deterioration.

(H) Pests and rodents – 2018 IPMC Sections 302.5 and 309.1

All structures and exterior property must be kept free from rodent harborage and infestation.

(I) Roofs, gutters and drainage – 2018 IPMC Section 304.7

Roofing and flashing must be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters, and downspouts must be maintained in good repair and free from obstructions. Roof water may not be discharged in a manner that creates a public nuisance.

(J) Decorative features – 2018 IPMC Section 304.8

All cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features must be maintained in good repair with proper anchorage and in a safe condition.

(K) Overhang extensions – 2018 IPMC Section 304.9

All overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts must be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood must be protected from the elements and against decay or rust by periodic application of weathercoating materials, such as paint or similar surface treatment.

(L) Stairways, decks, porches, and balconies – 2018 IPMC Section 304.10

Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage, and capable of supporting the imposed loads.

(M) Chimneys and towers – 2018 IPMC Section 304.11

All chimneys, cooling towers, smoke stacks, and similar appurtenances must be maintained structurally safe, sound, and in good repair. All exposed surfaces of metal or wood must be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(N) Handrails and guards – 2018 IPMC Section 304.12

Every handrail and guard must be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(O) Windows, skylights and door frames – 2018 IPMC Section 304.13

Every window, skylight, door, and frame shall be kept in sound condition, good repair, and weather tight.

(P) Glazing – 2018 IPMC Section 304.13.1

All glazing materials shall be maintained free from cracks and holes.

(Q) Openable windows – 2018 IPMC Sections 304.13.2 and 304.18.2

Every window, other than a fixed window, must be easily openable and capable of being held in position by window hardware. Operable windows located in whole or in part within 6 (six) feet (1822 mm) above ground level or a walking surface below that provides access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let must be equipped with window sash locking device.

(R) Insect screens – 2018 IPMC Section 304.14

During the period from May 1 to September 30, every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored must be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control must have a self-closing device in good working condition.

(S) Doors – 2018 IPMC Sections 304.15 and 305.6

All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with the State Building Code and State Fire Code. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers, or tracks as intended by the manufacturer of the attachment hardware.

(T) Basement hatchways – 2018 IPMC Sections 304.16 and 304.18.3

Every basement hatchway must be maintained to prevent the entrance of rodents, rain and surface drainage water. Basement hatchways that provide access to a dwelling unit, rooming unit, or housekeeping unit that is rented, leased, or let must be equipped with devices that secure the units from unauthorized entry.

(U) Guards for basement windows – 2018 IPMC Section 304.17

Every basement window that is openable must be supplied with rodent shields, storm windows, or other approved protection against the entry of rodents.

(V) Building security – 2018 IPMC Sections 304.18, 304.18.1

Doors, windows, or hatchways for dwelling units, room units, or housekeeping units must be provided with devices designed to provide security for the occupants and property within. Doors providing access to a dwelling unit, rooming unit, or housekeeping unit that is rented, leased, or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge, or effort and shall have a minimum lock throw of one (1) inch (25 mm). Such deadbolt locks must be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt is not be considered an acceptable deadbolt lock.

MISCELLANEOUS

(A) Defacement of property – New Hope City Code Chapter 9-90(e)(2)

The removal of graffiti must be completed by a property owner within five (5) days of its occurrence using materials and colors compatible with existing surfaces. If the property owner or responsible party fails to remove graffiti within five (5) days of its occurrence, the city may commence abatement and cost recovery proceedings for the graffiti removal at the expense of the property owner.

(B) Animal waste – New Hope City Code Chapter 7-2(3)e.

No owner of an animal shall allow the deposit of animal excrement on public property or on the property of others. Animal excrement is not allowed to accumulate on private property.

(C) Swimming pools – New Hope City Code Chapters 3-25(b)(1), 3-25(c), and 3-25(h)

Private swimming pools must be completely surrounded by a fence or wall not less than four (4) feet in height, which must be constructed as not to have openings, holes, or gaps larger than four (4) inches in any dimension, except for doors and gates. A building may be used as part of such enclosure, but otherwise the fence or wall must be erected on the ground. All gates or doors opening through such enclosure must be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in use. The fence must be a type that cannot be readily climbed by children. Whirlpools, hot tubs, and spas that can accommodate no more than 10 adults are exempt from the fencing requirement, if equipped with a locking safety cover so that the whirlpool, hot tub, or spa is not accessible when not in use. The safety cover must comply with standards set forth by the Minnesota Pool Code. Rubber and plastic portable swimming pools without permanent support are also exempt from the fencing requirement. Portable swimming pools may not exceed 24" in height. Lights used to illuminate swimming pools must be arranged and shaded as to reflect light away from adjoining properties. No part of the contents of any swimming pool may be discharged into the sanitary sewer system.

CITY RESOURCES

City of New Hope	763-531-5100
Building Official	
Comment Line (24-hour)	
Community Development	
Crime Tips (Voice Mail)	
Fax Number (City Hall)	
Fax Number (Police)	
Fax Number (Public Works Department)	
Finance.	
Fire-Rescue Services.	
Forestry/Grass & Weed Inspection	
Golf Course	
Housing	
Ice Arena	
<u>Inspections</u>	
Job Inquiries/Human Resources	
Parks and Recreation	
Parks and Recreation Weather Cancellation	
<u>Planning</u>	
Police/Fire Dispatch	
Police Department Administration	
Public Works	
Recycling Information Line	
Snowplowing	
Swimming Pool	
Utility Billing	
ADDITIONAL RESOURCES	
(A) Gopher State One Call	651-454-0002
State-wide notification center for excavation. Marking underground utility lines before digging.	
(B) Hennepin County Resident Drop-Off Facilities	612-348-3777
Disposal of household hazardous waste, appliances, batteries, electronics, tires, and household junk.	012 010 0777
(C) Hennepin County Environmental Health	612-348-3777
Inspections, licensing, and complaints related to food service, lodging, and public swimming pools.	012 040 0777
	(12 240 0240
(D) Hennepin County Service Centers	612-348-8240
Vehicle tabs, license plates, driver's licenses, title transfers, and marriage licenses.	
(E) Hennepin County Recycling Group	763-493-8006
General recycling information, missed pick-ups, and replacement containers.	
(F) Maple Grove Yard Waste Site	763-420-4886
Disposal of leaves, grass clippings, brush, and tree limbs up to 10 inches in diameter.	
(G) Minnesota Department of Agriculture	651-201-6000
Inspections, licensing, and complaints related to grocery stores, convenience stores, and vending/pre-p	packaged food
operations.	

HOME MAINTENANCE GUIDE

Disclaimer: This is a guide and is not intended for use as a substitute for responsibly handling property maintenance and repairs. This guide is not all-inclusive and does not cover major maintenance repairs or manufacturer requirements and guidelines. This guide provides tips for keeping properties healthy, safe, and well-maintained. Individuals should exercise caution when performing any maintenance work. Anytime work is performed on an appliance, it should be unplugged or the circuit breakers should be turned off to prevent injury. It is recommended to check for lead paint in properties built before 1978. The presence of asbestos in a property can also be a concern. Asbestos was in a vast number of construction materials until the 1980's, including siding. Owners should exercise caution prior to performing any demolition. A licensed contractor should perform a thorough testing for asbestos before demolition begins.

ELECTRICAL & LIGHTING

- **Circuit Breaker Panels** Do not store items within three (3) feet.
- Exterior Light Fixtures Check property <u>annually</u> to ensure trees and shrubs are not overgrown and/or blocking exterior light sources.
- Extension Cords Cannot be used as substitute for fixed wiring (e.g. garage door opener and appliances).

EXTERIOR

- **Chimney** Chimney sweeping should be performed <u>annually</u> if a fireplace is used regularly. A chimney cap can prevent rainwater and animals from entering and prevent the buildup of debris.
- Drainage & Grading Grading of property should direct water flow away from structure.
- Driveway & Sidewalks Level walkways should be maintained by repairing/replacing any cracks or heaving.
- **Faucets (outside)** Winterize in the fall <u>annually</u>.
- Foundation Check <u>annually</u> for damage.
- **Gutters** Clean gutters <u>annually</u> by removing leaves, debris, and obstructions.
- **Irrigation System** Winterize in the fall <u>annually</u>.
- Roof Inspect <u>annually</u> to check for missing or cracked shingles, curled shingle edges, or cupped tabs. Replace damaged shingles <u>as needed</u> and replace roof approximately every <u>25 to 30 years</u>. If ice dams form, they should be addressed as soon as possible.
- **Siding** Inspect <u>annually</u> to check for chipped paint, holes, and damage.
- Windows Inspect annually for damaged screens and glass. Clean window wells annually.

GARAGE

- Pavement Level surfaces should be maintained by repairing/replacing any cracks or heaving.
- Garage Door Test auto-reverse feature and photoelectric sensors twice per year.

GENERAL

- **Carbon Monoxide (CO2) Detectors** Test at least <u>four times per year</u> and replace batteries as needed. Replace detector at least <u>every ten years</u>.
- **Smoke Detectors** Test at least <u>four times per year</u> and replace batteries as needed. Replace detectors at least <u>every</u> ten years.
- **Sump Pump** Test <u>annually</u>. Must discharge onto property where sump pump is located (not street or sanitary sewer).

HEATING, VENTILATION & AIR CONDITIONING (HVAC)

- Air Conditioning System Service <u>annually</u> with tune-up. Remove debris and grass from outside unit <u>as needed</u> to allow for the free flow of air.
- Air Ducts Inspect for obstructions, moisture, and mold and clean as needed.
- **Air Filter** Inspect HVAC filter <u>monthly</u> and replace when dirty.
- Dryer Clean exhaust vent <u>annually</u>. Clean dryer lint filter <u>after each use</u>.
- **Furnace** Service <u>annually</u> with tune-up.

KITCHEN

- Garbage Disposal Run monthly for 30 seconds with faucet turned on to prevent from locking.
- Range Hood Clean or replace filter(s) <u>annually</u>.
- **Refrigerator** Clean condenser coils every <u>six (6) months</u>. Replace water-purification filter as per manufacturer's replacement schedule.
- Stove Clean grease buildup on stove and below burners <u>as needed</u>.

LANDSCAPING

- **Grass** Reseed lawn in the spring <u>annually</u>.
- Leaves Rake yard and clean out window wells as needed.
- Plants Clear dead plants and shrubs in the spring <u>annually</u>.
- Trees Prune trees and shrubs in the spring <u>annually</u>. Check surrounding area <u>annually</u> to ensure trees and shrubs are not overgrown and blocking exterior light sources or touching or rubbing against siding. Do not allow trees to grow within three (3) feet of the foundation of the structure.

SNOW REMOVAL

- **Fire Hydrant** Keep area within six (6) foot radius free of snow.
- Salt Limit use on snow and ice to prevent the killing of grass and chemical burns on animals.
- Walkways Remove within 24 hours of snowfall.