

Policy on Citizen Complaints *Eureka Township*

Policy Intent:

Eureka Township is dedicated to maintaining the trust that our community has bestowed upon us. Therefore, our policy is to thoroughly investigate complaints regarding violations of township ordinance or other applicable laws and/or rules. If you feel that a violation has occurred, or if you directly witnessed a suspect action, we encourage you to file a formal citizen's complaint.

Once your violation complaint has been received, it will be investigated and the appropriate actions will take place to correct the violation. Please do not expect the violation to be corrected immediately, unless life safety is an issue, as our Ordinance Enforcement Officers have specific guidelines to follow to remedy the problem. In some instances, this may take a few days or a few months. Please understand that we want to work with the public and residents of Eureka Township and not against them. It is the Townships policy to allow the landowner to remedy the problem once they have been made aware of the violation. If they fail to act, the Township will take further legal action to correct the violation.

Our goal is to resolve these issues quickly and courteously. Your trust is important to us. If you would like to file a complaint you can contact the township at (952) 469-3736, or come to our town hall and speak directly with the clerk.

Policy

It is the policy of the Township to prevent instances of complaints insofar as possible and to deal promptly with those that occur. Public complaints regarding the conduct or job performance of Township employees is not covered under this policy:

Procedure for Initiating Complaint

Any one who has personal knowledge of facts and wishes to file a formal complaint must do so in writing on forms provided by the Township of Eureka. Forms are available at the town hall. All complaints must be personally signed. After investigating complaint, the township will advise you of there findings.

Resolution Process

Complaint Received

1. Upon receiving a written complaint, the Township Clerk shall sign the document and properly conceal the identity of the complainant in accordance with data practice requirements.
2. The written complaint shall be reviewed by the clerk and assigned supervisor for completeness, validity of the complaint and requirement of an immediate inspection.
3. If the supervisor determines that the complaint could, if true, constitute violation, the supervisor shall forward the complaint to the clerk for a notification letter to be sent.
4. If the complaint validity can not be determined at that level, the complaint shall be referred to the full town board for discussion and resolution.

Notification Letter

1. After being reviewed and being deemed valid, a letter will be sent by the Township to the property owner and/or resident of the complaint; requesting a response within thirty (30) days.
2. Upon receipt of a response from the property owner, the Township will review the proposed solution to satisfy the board that the solution is reasonable and not in violation of any Township Ordinances.
3. Should the property owner decline any responsibility or not respond; the Township shall check to see if the complaint involves any Ordinance violations. The Township should notify the resident if no action can be taken and that the only remedy is through their homeowner's warranty or private legal action.

Immediate Inspections

4. If the alleged violation concerns an imminent hazard to the Township, inclusive of open/vacant buildings, fire and/or health hazards, unsecured pools or other health and safety hazards, the Township will respond with an immediate inspection. The violation must be abated to meet code requirements within 72 hours. Violations that are not abated will go straight to Formal Notice of Violation

Regular inspection

5. If the alleged violation is not a potential health or safety hazard, the Township may send an inspector(s) to inspect the violation under direction from the board. A re-inspection will be scheduled for thirty (30) days following the initial inspection. The complaint will be closed if the violation has been abated. If the violation has not been abated, a Notice of Violation will be issued.

Formal Notice of Violation (NOV)

6. If the violation has not been abated upon re-inspection, a formal Notice of Violation shall be sent by the Township Attorney to the property owner and/or resident of the complaint. The violation must be abated within thirty (30) days or formal legal action will be initiated in conjunction with the township attorney. A compliance action plan may be submitted within thirty (30) days and approved by the town Board in lieu of legal action.
7. Except in cases involving health and safety violations, imminent hazards and previous code violations, the responsible person will be notified in writing that a violation has been discovered through an inspection and advised of specific corrective action required. They will also be advised through this process of what further action will be taken by the Township if they do not comply.
8. Also included with the NOV to owners/responsible persons who have not previously received the information with a notification letter or inspection will be an explanation that repeat violations will receive only one notice of ordinance violation and that future offenses of the ordinance may result in legal action without issuance of further notices of ordinance violation.

Civil Infraction

9. Owners/responsible persons who fail to comply will be subject to the issuance of a civil infraction that will be adjudicated by an applicable Court. Civil infractions shall be implemented through the Township Attorney.
10. In the case of properties that are not owner occupied, both tenants and owners are responsible persons and enforcement action may be taken against all responsible persons. However, enforcement action should first be taken against tenants for violations that typically are tenant responsibilities such as inoperable vehicles; junk, litter, and debris.

Maintenance and Disclosure of Data

Maintenance and Disclosure of Data collected, created or received by the Township of Eureka in connection with this policy shall be in accord with applicable Federal Data Privacy Laws and the Minnesota Data Practices Act.

OFFICIAL COMPLAINT FORM

Complainant:

Name:	Address:
Phone Numbers: (mandatory)	

I hereby request the Township to commence action under the appropriate ordinance for the Township. I hereby further declare that if required, I will provide or present evidence in support of this complaint at any hearings in a court of law.

Complainant's Signature: Date:

Complaint Lodged against/Location of Complaint:

Address:	Name:
Phone Numbers (if available):	
Action Taken (if any):	
Date of Offence:	Time (if applicable):
Nature of Complaint:	

Office Use Only: 1st Complaint 2nd Complaint Subsequent Inspectors Initials:
 Date Received: Time:
 Date of Inspection:
 Notes: