

# Eureka Township

## Citizen Complaint Policy & Procedure for Ordinance Violations

### **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. 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 Town Board Supervisors 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 Township's 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 may 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. There is a separate policy for public complaints regarding the conduct or job performance of Township employees.

### **Procedure for Initiating Complaint:**

Anyone who has personal knowledge of facts and wishes to file a formal complaint must do so in writing on the approved forms provided by the Township. Forms are available at the Town Hall and on the website. All complaints must be personally signed by the complainant. After investigating the complaint, the Town Board will advise you of their findings.

### **Procedure for the initial acceptance, investigation and final disposition of the complaint:**

1. Upon receiving a written complaint, the Township Clerk shall review the form for completeness, then properly conceal all identifying information of the complainant in accordance with Data Practices Act requirements.
2. The Clerk will place the complaint on the agenda for the next regular Town Board meeting.
3. The Board will acknowledge receipt of the complaint and authorize two Supervisors to investigate the complaint. If the investigation requires entry onto the property, permission

to enter must be requested and obtained from the landowner. If permission is not granted, an administrative search warrant must be obtained before entering the property.

4. After the inspection has occurred, the two appointed Supervisors shall report back to the Town Board at a regularly scheduled Town Board meeting, unless a special meeting is called. At that time, the Town Board shall decide whether or not enforcement actions should be taken.

5. Ordinance 8, Chapter 1 authorizes the Town Board to commence either a civil action or a criminal action. Under a civil action, the Town would seek an injunction enjoining the violation. In the case of a criminal action, a misdemeanor citation would be served. Under Ordinance 8, the penalty would be either a \$1,000 fine or 90 days imprisonment.

6. If criminal prosecution is determined, the matter would be forwarded to the Dakota County Attorney's Office for further action. If the Dakota County Attorney's Office declines to take further action, the Town Board has the authority to direct the Town Attorney to commence criminal proceedings.

#### **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.

Complaint # \_\_\_\_\_

**OFFICIAL COMPLAINT FORM FOR ORDINANCE VIOLATIONS**

**Complaint Lodged against/Location of Complaint:**

Address:	
Owner Name:	Phone (if known):
Operator Name (if mining):	Phone (if known):
Ordinance being violated:	
Date of Offense:	Time:
Details of Complaint:	

Complaints may be submitted to the Clerk in the following ways:

By email to: [clerk@eurekatownship-mn.us](mailto:clerk@eurekatownship-mn.us)

By mail to: Eureka Township, 25043 Cedar Ave, Farmington, MN 55024

Please mark envelope "CONFIDENTIAL Complaint Enclosed"

**-----IDENTITY OF COMPLAINANT TO REMAIN WITH TOWNSHIP CLERK-----**

Name:	Phone:
Address:	

**I hereby request the Township to commence action under the appropriate ordinance for the Township. I declare under penalty of perjury that the foregoing is true and correct.**

Complainant's Signature/ Date:
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**OFFICE USE ONLY**

- Date and time received \_\_\_\_\_
- Letter of notification of complaint sent to violation address on \_\_\_\_\_
- Town Board top portion of page 1 on \_\_\_\_\_
- Placed on Town Board agenda for \_\_\_\_\_
- Inspected by \_\_\_\_\_ and \_\_\_\_\_ on \_\_\_\_\_

**INVESTIGATION**

- Complaint deemed valid:  Yes or  No

Town Board Fact Finding:

Final Resolution: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date Complaint Closed: \_\_\_\_\_