

# **Eureka Township**

## **Citizen Complaint Policy for Ordinance Violations**

The Township has developed a Code Enforcement Program. The Township has limited resources, so the Township staff also relies on residents and business owners to provide information regarding code violations as well as self-initiated inspections.

Township residents are supported in their efforts to maintain the physical environment of their neighborhoods through standards set in local ordinances. To assist in this endeavor, the following Citizen Complaint Policy has been established to guide the Township in addressing properties with code violations. This policy is a guideline and does not bind the Township. The Township may deviate from this policy at any time if at the sole discretion of the Township, a deviation is deemed appropriate.

Township staff inspects every complaint it receives. It is the policy of the Township to prevent instances of complaints insofar as possible and to deal promptly with those that occur. When a violation is confirmed, the appropriate action is taken. Due to staff and time constraints, it is sometimes necessary to prioritize complaints and violations. When this happens, complaints are generally prioritized as follows:

1. Immediate risk to public health and safety.
2. High risk to health and safety through potential environmental impacts.
3. Work begun, or actions taken without the necessary permits.
4. Aesthetic and nuisance violations.

There is a separate policy for public complaints regarding the conduct or job performance of Township employees. Our goal is to resolve these issues quickly and courteously. Your trust is important to us. If you would like to raise a complaint, you can contact the Township at (952) 469-3736 or come to our Town Hall and speak directly with the Clerk.

### **Proactive Enforcement:**

The Township may observe and respond to code violations during regular business, visit areas for reactive enforcement, or proactive code enforcement sweeps.

### **Complaint Based Enforcement:**

The Eureka Township Code, including but not limited to the Zoning Ordinance, and other regulatory codes adopted by the Township are principally enforced on a complaint basis. This is designed to encourage a resident, neighborhood associations, and block watch programs to actively participate in the enforcement/compliance process.

In the interests of providing improved customer service, all complainants will be asked to provide a name and contact phone number. Note: all recorded complainant contact information is maintained confidential to the extent allowed by law.

If a complaint is not patently obvious the Township may require the complainant to provide additional evidence of the violation such as photographs, a survey or access to their property to confirm a violation exists.

If you experience a violation of Eureka's Ordinances that creates an immediate health and safety issue for either your property or your health, please call 911 first and then the Townhall at (952) 469-3736. Eureka Township has an agreement with the Dakota County Sheriff for enforcement of many of the Eureka Township Ordinances. Please keep the Eureka Township Clerk informed of any action taken by the Dakota County Sherriff. The Sheriff will enforce some Eureka Township Ordinances, but not others under the agreement. For those it will enforce, it has discretion on whether it will write a citation. Regardless, for any immediate health and safety issue, your first two calls should be 911 and then the Townhall.

When a potential violation of a Township Ordinance is brought to the attention of a Township official through a citizen complaint, the Township will investigate the potential violation to determine its validity. In instances where the Town Board ("Board") concludes, in its sole discretion, that public safety is at issue, the Board may go directly to the enforcement remedies available the Township. However, in the usual case, the Board will begin a multistep investigation which may include speaking with the citizen accused of violating the Township's Ordinances, observing the property (if relevant), and/or speaking to other citizens who are likely to have knowledge of the issue. Those Supervisors will report to the Board. If additional information is required, the Board may hear again from the citizen accused of the violation. If the complaint is determined to be valid by a majority of the Board, the Board will try to resolve the issue by persuading the citizen who is responsible for the violation to come into conformity with the Township's Ordinances. 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. If possible, it is the Township's policy to allow the citizen a reasonable amount of time to remedy the violation once they have been made aware of the violation.

If persuasion fails, and, in the judgment of the Board, the violation justifies the expenditure of tax dollars paid by all Eureka citizens to enforce the Township's Ordinances, the Board may turn the matter over to the Town Attorney who will be authorized to use all available legal remedies, both civil and criminal, available to the Township to force compliance with the Township's Ordinances.

Citizen complaints come to Townhall in a variety of ways. The best and most reliable way to lodge a complaint is to file a written complaint on the form available at Townhall. You are not required to sign the Complaint, but you are required to talk to the Clerk, the Deputy Clerk or a Supervisor so a Township official knows it is being made by a citizen and is not an anonymous nuisance or spite complaint. You will be required to provide your name and contact number. The Township strongly encourages you to attempt to resolve the issue with your neighbor before coming to Townhall. It is Eureka Township's policy **not** to disclose the identity of the person making the complaint to the extent permitted by law, but often the context makes the identity obvious. In the long run, attempting to resolve the issue directly is better for long-term relationships rather than having the Township contacting your neighbor.

Complaints also come to Townhall through emails, phone messages, and conversations citizens have with Township officials. In each case, a Township official is required to vet the complaint to ensure it originates from a citizen of Eureka Township, is not a nuisance or spite complaint, and report the source of the citizen complaint to the Town Clerk.

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 the envelope “CONFIDENTIAL Complaint Enclosed.”

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 (if known):	
Date of Offense:	Time:
Details of Complaint:	

Name:	Phone:
Address:	
Complainant's Signature/ Date:	

**[Signature is optional. However, signed complaints maybe given more weight by the Town Board.]**

**Do you agree that the Township may disclose your identity in the course of its investigation?:    \_\_\_ YES            \_\_\_ NO**

**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: \_\_\_\_\_