

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

State of Minnesota }
 } ss.
County of Hennepin }

**APPLICATION FOR A SEARCH
WARRANT AND SUPPORTING
AFFIDAVIT**

_____, a Bloomington Peace Officer, being first duly sworn upon oath, hereby makes application to this Court for a warrant to search the premises herein described, for the property and things herein described.

Affiant knows the contents of this application and supporting affidavit, and the statements herein are true of his own knowledge, save as to such as are herein stated on information and belief, and as to those, he believes them to be true.

Affiant has good reason to believe and does believe, that the following described property and things, to wit: accumulated refuse and debris, including but not limited to, accumulated household garbage, some of which may be subject to decomposition; and rodents, vermin, insects or other pests, including any evidence of their infestation or harborage upon the premises; are situated within the residential dwelling, located at [STREET ADDRESS], City of Bloomington, County of Hennepin, State of Minnesota.

This affiant applies for issuance of a search warrant upon the following grounds:

1. The possession of, particularly the accumulation of refuse and debris, the property above-described constitutes a crime;
2. The property above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts tending to establish the foregoing grounds for issuance of a search warrant are as follows:

Your affiant is a Bloomington Police Officer, currently working with the Bloomington Environmental Health Division and the City of Bloomington Local Board of Health, which have, as one of their areas of specialty and responsibility, enforcement of the Bloomington City Code and the Local Public Health Act. Your affiant has reviewed the file kept by the Bloomington Environmental Health Division and the City of Bloomington Local Board of Health relative to the subject premises, and in that capacity gives the following information:

CHRONOLGY

1. {*EXAMPLE NARRATIVE:*} On [MONTH DAY, YEAR], the Bloomington Police Department received a 911 call for [STREET ADDRESS], Bloomington. Officers responded and entered the home through a side door in the kitchen. The kitchen is completely full with only a narrow path leading from the kitchen into the living room. The paramedic attempting to gain access to the occupant in medical distress had to turn his body sideways to make it through the clutter. The piles are approximately five feet tall with sheets covering them. It is difficult to determine what is in the piles because they are covered in sheets. The Police referred the case to the Environmental Health Division of the City of Bloomington.
2. On [MONTH DAY, YEAR], the Environmental Health Division and Bloomington Public Health staff attempted to speak with the owner and enter the property. Mrs. [NAME] answered the door and refused entry to City staff. She stated that “we would not like anything we would see inside the house.”
3. Due to the accumulation of household items, limited egress for emergency personnel and those living in the home, and the potential to attract and provide harborage for vermin; it is therefore a public health nuisance as defined by Minnesota Statutes §§145A.02 and Bloomington City Code Section 12.03. A violation of Bloomington City Code Section 12.03 is a misdemeanor.
4. Based upon observations of the property by Sergeant [NAME], of the Bloomington Police Department, the inside of the home must be inspected and may require abatement pursuant to Minnesota Statutes Section 145A.04 Subd. 8.

Furthermore, your affiant requests permission of the Court to enter the interior of the dwelling and garage and search its interior and take all necessary steps to remove and abate the nuisance.

A nighttime search is not necessary.

An unannounced entry is not necessary.

WHEREFORE, Affiant requests a search warrant be issued commanding the Bloomington Police Department, the Bloomington Local Board of Health, the Bloomington Environmental Health Division and their contractors, agents or officers under their control to enter the residence at [STREET ADDRESS], Bloomington, Hennepin County, Minnesota, in the daytime only, to inspect the hereinbefore described property and take all necessary steps to remove and abate the public health nuisance in accordance with Minnesota Statutes §145A.04.

Dated:

Affiant (Peace Officer)

*Subscribed and sworn to before
me this ___ day of [MONTH, YEAR].*

*Judge of District Court
Fourth Judicial District*

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

SEARCH WARRANT

To: Officer _____, a peace officer of the State of Minnesota and Bloomington Public Health, Bloomington Environmental Health, officers, contractors and agents under their control.

WHEREAS, _____ has this day on oath made application to said Court applying for issuance of a search warrant to search and conduct nuisance abatement activities at the following described premises:

The residential dwelling located at [STREET ADDRESS], Bloomington, Hennepin County, Minnesota for the following described property and things: accumulated refuse and debris, including but not limited to, accumulated household garbage, some of which may be subject to decomposition; accumulated waste paper; and rodents, vermin, insects or other pests, including any evidence of their infestation or harborage upon the premises.

WHEREAS, the application and supporting affidavit of _____ was duly presented and read by the court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following grounds:

1. The possession of, particularly the accumulation of refuse and debris, the property above-described constitutes a crime;
2. The property above-described constitutes evidence which tends to show a crime has been committed or tends to show that a particular person has committed a crime.

The Court further finds that probable cause exists to believe that the above-described property and things are at the above-described premises.

NOW, THEREFORE, YOU, _____, AND THOSE UNDER YOUR CONTROL, ARE HEREBY COMMANDED TO ENTER IN THE DAYTIME ONLY TO SEARCH THE DESCRIBED PREMISES FOR ABOVE-DESCRIBED PROPERTY AND THINGS TO BE DEALT WITH ACCORDING TO LAW.

BY THE COURT:

Dated:

Judge of District Court - 4th Judicial District