Bond Case Briefs

Municipal Finance Law Since 1971

LAND USE - MINNESOTA

Abrahamson v. City of Le Sueur

Court of Appeals of Minnesota - August 19, 2013 - Not Reported in N.W.2d - 2013 WL 4404719

Plaintiffs were residents of the City of Le Sueur who opposed the development of a proposed energy power plant. The proposed bioenergy-electric-generating power plant was known as the Hometown Bio Energy Project.

The Minnesota Municipal Power Agency (MMPA) proposed to develop the project on a site of approximately 35 acres just outside of the city. The city council accepted a petition for annexation from the owner of the proposed project site and completed annexation of the site in December 2011.

The city is a Home Rule Charter city, as authorized by Minnesota Statutes Chapter 410. The city's charter reserves to the voters the right to petition the city council for adoption of ordinances. Concerned about the possible nuisance impact of the project, appellants proposed an ordinance amending Ordinance No. 517 of the city's Code of Ordinances relating to public nuisances.

The district court determined that the proposed ordinance amendment conflicted with state nuisance law and was a land-use regulation preempted by the Municipal Planning Act (MPA). The appeals court affirmed.

Copyright © 2026 Bond Case Briefs | bondcasebriefs.com