

**ORDINANCE NO. 22-01**

**CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 105  
OF THE FALCON HEIGHTS  
CITY CODE CONCERNING VACANT PROPERTIES  
THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:**

**SECTION 1** In Chapter 105 – Buildings and Building Regulations of the City Code of Falcon Heights, Article VI – Vacant Properties is added as follows:

**ARTICLE VI – VACANT PROPERTIES**

***Sec. 105-120. - Definitions***

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Compliance official* has the meaning assigned in Sec. 105-87.

*Vacant Properties* means a property with a building or buildings constructed or reconstructed for a business or residential purpose that is unoccupied.

***Sec. 105-121. - Policy***

The purpose of this subsection is to protect the public health, safety, and welfare by establishing a program for the identification and registration of vacant Properties within the City.

***Sec. 105-122 - Registration required; form.***

(1) The owner of a vacant Property located within the City, or an agent of the owner, shall register the property with the compliance official. The registration shall be submitted on forms provided by the compliance official and shall include the following information supplied by the owner:

- (a) Street address of the Vacant property;
- (b) The names and addresses of the owner or owners;
- (c) The contact phone number and email address of the owners and any property managers

- or caretakers responsible for the upkeep or supervision of the property;
  - (d) The date the building became vacant, the period of time the building is expected to remain vacant;
  - (e) A plan for compliance with all applicable provisions of City Code and other applicable regulations, including building maintenance, snow removal, yard maintenance, and nuisance prevention;
  - (f) Whether service for water, sewer, natural gas and electric utilities is active;
  - (g) The owner must notify the compliance official of any changes in information supplied as part of the vacant building registration within 30 days of any change;
  - (h) The addresses of all other properties within the City, whether vacant, undeveloped, or occupied, that the owner owns or has an ownership interest in;
  - (i) If a property is vacant and the owner fails to complete the registration process, the City may administratively register the property.
- (2) The current owner of a vacant property shall file a new registration with the compliance official within 30 days of any of the following occurring:
- (a) Any transfer of ownership interest in the property;
  - (b) Change of the contact phone number or email address of the owner or the property manager or caretaker; or
  - (c) Change to the plan for compliance with applicable City Code provisions.
- (3) The owner of a vacant property shall file a new registration every two years.

***Sec. 105-123. - Presumptions, exceptions, and fee waivers.***

- (1) Any one of the following conditions shall constitute a rebuttable presumption that a building is vacant. It shall be the responsibility of the owner to establish that it is not a vacant property if any of these conditions exist.
- (a) Discontinuance of trash service;
  - (b) Disconnection from water or sewer service; or
  - (c) Water usage of less than an average of 50 gallons over a three-month period.
- (2) Vacant Properties are not required to register or pay the registration fee if any of the following apply:
- (a) the City or any governmental entity is the owner of the vacant property;
  - (b) the owner possesses a valid building permit for remodeling the building located thereon or for construction of a new building on such property;
  - (c) there is a valid, unexpired business license issued by the City;

- (d) there is a valid, unexpired residential rental license issued pursuant to Article IV of Chapter 105;
  - (e) there is a valid development agreement or redevelopment agreement with the City; or
  - (f) the property is actively marketed as "for sale" at a reasonable price by the owner or the owner's designee, broker, or agent. It is the obligation of the vacant Property owner to produce evidence of active marketing at a reasonable price to claim this exemption. A property listed on the MLS (multiple listing service) or similar listing service is presumed to be actively marketed.
- (3) The following vacant Properties are required to register, but the registration fee is waived;
- (a) Residential properties with one or two dwelling units where the owner intends to resume occupancy of at least one unit as a dwelling within 180 days; provided, however, that failure to actually resume use of the vacant Property as a dwelling within 180 days will result in imposition of the waived registration fee; or
  - (b) The City Administrator may grant a waiver of the registration fee one time for an owner suffering hardship and for which the registration fee is a burden.

***Sec. 105-124 - Recordkeeping***

The compliance official shall maintain a record of all vacant buildings that have become known to the compliance official, including those registered and those not registered.

***Sec. 105-125 - Fees.***

The City Council may, by fee schedule or ordinance, adopt a fee or fees for the registration required by this article. If adopted, the fee must be limited to the reasonable costs associated with registration, enforcement, and compliance of this article.

**SECTION 2** Sections 105-115 through 105-119 are added as follows.

**ARTICLE V – ELECTRICAL REGULATIONS**

***Secs. 105-115 through 105-119.*** Reserved.

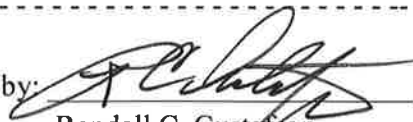
**SECTION 3** This ordinance shall be effective upon its passage and a summary published in the official newspaper.

**ADOPTED** this 13th day of July, 2022, by the City Council of the City of Falcon Heights, Minnesota.

Moved by:

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Approved by:



Randall C. Gustafson

Mayor

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In Favor

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Attested by:



Jack Linehan

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Against

City Administrator

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ANDREWS