

CITY OF FALCON HEIGHTS
City Council Workshop
City Hall
2077 West Larpenteur Avenue

AGENDA
Wednesday, September 3, 2025
6:30 P.M.

A. CALL TO ORDER:

B. ROLL CALL: GUSTAFSON___ LEEHY___
MEYER___ MIELKE___ WASSENBERG___

STAFF PRESENT: LINEHAN___ JOHNSON___

C. POLICY ITEMS:

1. City Code Updates – Rental Inspections
2. Alleyway Plowing Discussion
3. Budget Workshop #2
 - a. Class & Comp Study Implementation
 - b. General Fund & Levy Projections
4. Future Agenda Items

D. ADJOURNMENT:

DISCLAIMER: City Council Workshops are held monthly as an opportunity for Council Members to discuss policy topics in greater detail prior to a formal meeting where a public hearing may be held and/or action may be taken. Members of the public that would like to make a comment or ask questions about an item on the agenda for an upcoming workshop should send them to mail@falconheights.org prior to the meeting. Alternatively, time is regularly allotted for public comment during Regular City Council Meetings (typically 2nd and 4th Wednesdays) during the Community Forum.

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ITEM FOR DISCUSSION

Meeting Date	September 3, 2025
Agenda Item	Policy C1
Attachment	See Below
Submitted By	Kelly Nelson, Administrative Services Director/Deputy Clerk

Item	City Code Updates – Rental Inspections and Crime-Free Housing
Description	City Code frequently needs updates as issues are raised and Staff enforces code. To reflect practices similar to those in neighboring cities and to help protect renters’ rights, Staff reviewed the City’s current practices regarding rental properties and has proposed updates to the inspection process, made revisions to the crime-free housing section and added verbiage to ensure air conditioning, if provided by landlords, then it must be kept in working order, as outlined in City Code. The proposed changes made to Chapter 105 of City Code are attached for review and discussion by City Council. Council previously discussed these proposed changes on December 4, 2024, during the City Council Workshop. While most items required further discussion, there was an update made to City Code for 2025. In <u>Sec. 105-87 Definitions</u>, a change was made to the definition of <i>rental dwelling</i>, adding wording to reflect a recent change in MN State Statute, to include that <i>rental dwelling</i> does not include...”group housing licensed by the Minnesota Departments of Health or Human Services having a licensed capacity of six or fewer individuals...”Such group housing is now exempt from applying for municipal licensing under MN Statute 144G.45 and 245D.02. In addition, while a “re-inspection fee” was already part of the City Fee Schedule, Council approved adding more clear wording to the 2025 Fee Schedule to update the description “re-inspection fee” to now read “multiple failed re-inspections and/or a failure to show fee,” and raised the fee from \$50 to \$100 per occurrence. Sec. 105-94 (d) of City Inspections below would add further language to City Code to illustrate these fees. The majority of the proposed changes were tabled until further discussion and review could take place. The Fire Marshal, Adrian Neis, has since reviewed the proposed changes and would like to discuss and finalize City Code so that any updates can be made effective before 2026 rental licensure occurs. A summary of the proposed changes to discuss now are below. Changes of Note Would Include: <u>Sec. 105-60 Amendments</u>

Sections 603.1 through 601.4 were added to City Code, which adds Air Conditioning Requirements and establishes maximum temperatures, enforcement and penalties.

In summary, this section states that air conditioning equipment provided by landlords in rental housing units must be properly maintained. ~~And, in units where tenants do not control the cooling system, landlords must ensure that the air conditioning system maintains a temperature of no more than 80 degrees.~~ These standards apply from June 1 to September 30 each year, except when maintenance is required, which must be done with limited disruption. Violations of these air conditioning standards may result in a \$500 per unit, per incident fine.

Sec. 105-94 City Inspections

- Draft proposes updating language so that compliance official / designated representative remains consistent throughout.
- ~~b). Multifamily inspection period changed from every 24 months to every 12 months.~~
 - Wording added to reflect that individual units in multifamily dwellings may be subject to inspection.
 - The current City Code states that common areas of multifamily dwellings shall be inspected. The attached draft adds wording to reflect that inspections of multifamily dwellings shall include common areas but that they MAY also include any dwelling unit, with permission from any owner, operator, occupant or other person(s) in charge.
 - The Fire Marshal can currently inspect any/all units following due process and noticing requirements if there are suspicions of violations or a problem that may cover multiple units.
- c). Wording added to further state actions the City may take if any owner or (tenant) occupant refuses entry for an inspection.
 - In addition to outlining legal steps the City may pursue, wording is added to state how the license itself may be suspended, revoked or denied.
- (d). Adding mention of a re-inspection fee to City Code.
 - The previous fee schedule listed a re-inspection fee of \$50 (due to initial failure). The fee schedule was changed for 2025 to add additional fees if multiple re-inspections are needed and to clarify the reason for the fee. If during an initial inspection, a correction notice is issued, then one re-check is included in the inspection fee. Should any code violations still exist and second/further inspections are needed, then an additional fee or fees of \$100 per occurrence will be charged to the owner. These fees are included in the 2025 Fee Schedule.
- (e). Wording added stating that a re-inspection fee can be waived by the City Administrator or their designee in case of error, mistake, injustice, or other good cause.

	• (f). Wording added stating that the owner/owner's representative/tenant must be present during the inspection and must permit free access and entry for inspection purposes. ◦ Occasionally, an owner asks if they can provide a code to enter an unattended premise. The Fire Marshal will not enter an unoccupied property for inspections. • (g). Wording added stating that no-shows or refusals to permit entry to the rental dwelling may be subjected to reinspection fees. • The City did not previously have an established fee that is issued for no-shows at inspections. For 2025, the Re-Inspection fee of \$50 was reworded to be more all-encompassing so that it now includes both no-shows and second and subsequent re-inspections. • (h) Wording updated to reflect that the city may inspect individual dwelling units if they receive a complaint which may require this to be done. Sec. 105-96 Crime free/criminal activity lease requirements In December 2024, the City Council reviewed the proposed modifications to the Crime Free Housing Program. Two changes from that meeting have been incorporated into the final version proposed: • Lookback Period • Appeals Body Council is asked to review the final draft and provide comments before it is brought for approval at a September city council meeting.
Budget Impact	None.
Attachment(s)	• City Code -City Code – Chapter 105 Buildings and Building Regulations Drafted Changes • Crime Free Housing Draft
Action(s) Requested	Staff requests City Council discuss these potential amendments to City Code, and provide direction in how to proceed with their implementation.

Chapter 105 - BUILDINGS AND BUILDING REGULATIONS

Article/Division/Section:

ARTICLE I	<u>IN GENERAL</u>
105-1	<u>Placement of addresses on principal structures</u>
105-2	<u>Fire code</u>
105-3 – 105-22	<i>Reserved</i>
ARTICLE II	<u>STATE BUILDING CODE</u>
105-23	<u>Codes adopted by reference</u>
105-24	<u>Application, administration and enforcement</u>
105-25	<u>Permits and fees</u>
105-26	<u>Optional provisions</u>
105-27 – 105-55	<i>Reserved</i>
ARTICLE III	<u>PROPERTY MAINTENANCE</u>
105-56	<u>General requirements</u>
105-57	<u>Purpose</u>
105-58	<u>International Property Maintenance Code adopted</u>
105-59	<u>Deletions</u>
105-60	<u>Amendments</u>
105-61 – 105-85	<i>Reserved</i>
ARTICLE IV	<u>RENTAL HOUSING</u>
105-86	<u>Purpose</u>
105-87	<u>Definitions</u>
105-88	<u>License required</u>
105-89	<u>Application for license</u>
105-90	<u>License approval</u>
105-91	<u>License renewal</u>
105-92	<u>License fees</u>
105-93	<u>Furnish license</u>
105-94	<u>City inspections</u>
105-95	<u>Maintenance standards</u>
105-96	<u>Crime free/criminal activity lease requirements</u>
105-97	<u>Revocation, suspension, and civil fines</u>
105-98	<u>Hearing on penalties, revocation, violation, suspension and civil fines</u>
105-99	<u>Summary action</u>
105-100	<u>Applicable laws</u>
105-101	<u>Multiple suspensions</u>
105-102 – 105-109	<i>Reserved</i>
ARTICLE V	<u>ELECTRICAL REGULATIONS</u>
105-110	<u>Purpose; application of this article</u>

105-111	Electrical inspector, qualifications and appointment
105-112	Standards for electrical equipment installation
105-113	Connections to installations
105-114	Permits and inspectors
105-115 – 105-119	<i>Reserved</i>
ARTICLE VI	VACANT PROPERTIES
105-120	Definitions
105-121	Policy
105-122	Registration required; form
105-123	Presumptions, exceptions, and fee waivers
105-124	Recordkeeping
105-125	Fees

ARTICLE I - IN GENERAL

Sec. 105-1 - Placement of addresses on principal structures

- (a) *Purpose.* The placement of numbers indicating correct addresses on all principal structures and accessory dwelling units within the city is deemed to be in the interests of health, welfare and safety of its residents. Properly numbered structures will allow for identification for police and fire protection purposes.
- (b) *Numbered addresses.* All residential structures and garages abutting alleys shall have the proper street address affixed as designated by the city. All businesses or commercial establishments shall have the proper street addresses affixed to both the front and back of the establishment.
- (c) *Requirements.* All letters shall be a minimum of four inches in height. (Code 1993, § 5-3.04)

Sec. 105-2 - Fire code

The Minnesota State Fire Code, as now or hereafter amended, is hereby adopted by reference. A copy shall be available in the city offices.

(Code 1993, § 2-3.02)

State Law reference – State fire code, Minn. Stats. § 299F.011; adoption by reference, Minn. Stats. § 471.62.

Secs. 105-3 – 105-22 - Reserved

ARTICLE II - STATE BUILDING CODE

Sec. 105-23 - Codes adopted by reference

The Minnesota State Building Code, as adopted by the commissioner of administration pursuant to Minn. Stats. §§ 16B.59—16B.75, including all of the amendments, rules and regulations established, adopted and published from time to time by the state commissioner of administration, through the building codes and standards division is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this Code. The Minnesota State Building Code is hereby incorporated in this Code as if fully set out herein.

(Ord. No. 03-05, § 1, 8-13-2003)

State Law reference – Adoption by reference, Minn. Stats. § 471.62.

Sec. 105-24 - Application, administration and enforcement

The application, administration, and enforcement of the Code shall be in accordance with the Minnesota State Building Code. The code enforcement agency of this municipality is called the Falcon Heights building official. This code shall be enforced by the state certified building official designated by this municipality to administer the code.

(Ord. No. 03-05, § 2, 8-13-2003)

Sec. 105-25 - Permits and fees

The issuance of permits and the collection of fees shall be as authorized in Minn. Stats. §326B.153. Permit fees shall be assessed for work governed by this Code in accordance with the fee schedule adopted by the municipality. In addition, a surcharge fee shall be collected on all permits issued for work governed by this Code in accordance with Minn. Stats. 326B.148.

(Ord. No. 21-02, § 1, 4-28-2021)

Sec. 105-26 - Optional provisions

The following are hereby adopted:

- (1) Minn. Rules chapter 1306 with subpart 2, Existing and New Buildings. All floors, basements, and garages are included in this floor area threshold.
- (2) Minn, Rules chapter 1335, Floodproofing Regulations, sections 100 through sections 1406 of the 1972 edition of the “Floodproofing Regulations” from the Office of the Chief Engineers, U.S. Army, Washington, D.C.
- (3) Appendix chapter K (Grading), of the 2018 International Building Code

(Ord. No. 21-02, § 1, 4-28-2021)

Secs. 105-27 – 105-55 - Reserved

ARTICLE III - PROPERTY MAINTENANCE¹

Sec. 105-56 - General requirements

The requirements of this article apply to all buildings, structures and property within the city. All buildings and portions of buildings, including mechanical, electrical, plumbing and other building systems, previously constructed or installed in accordance with city and state codes must be maintained in conformance with the requirements of the codes in effect at the time of construction or installation.

(Ord. No. 12-04, § 1, 5-23-2012)

Sec. 105-57 - Purpose

The purpose of this article is to protect, preserve, and promote the physical and mental health of the people, investigate and control communicable diseases, regulate privately and publicly-owned dwellings for the purpose of sanitation and public health, and protect the safety of the people and promote the general welfare by legislation which shall be applicable to all dwellings now in existence or constructed in the future and which (i) establishes minimum standards for basic equipment and facilities for light, ventilation and heating, for safety from fire, for the use and location, and amount of space for human occupancy, and for safe and sanitary maintenance; (ii) determines the responsibilities of owners, operators and occupants of dwellings; and (iii) provides for the administration and enforcement of this article.

(Ord. No. 12-04, § 1, 5-23-2012)

Sec. 105-58 - International Property Maintenance Code adopted

The International Property Maintenance Code, 2012 Edition, is hereby adopted by reference and incorporated herein, subject to the amendments set forth in this article.

(Ord. No. 12-04, § 1, 5-23-2012)

Sec. 105-59 - Deletions

The following sections of the International Property Maintenance Code are deleted: 302.4, 302.8, 303, 307, 402.1, 404.4.1, 404.5, 503.4, Chapter 8 all sections.

(Ord. No. 12-04, § 1, 5-23-2012)

Sec. 105-60 - Amendments

The following sections of the International Property Maintenance Code are amended to read as follows:

Section 101.1 Title

These regulations shall be known as the Property Maintenance Code of the City of Falcon Heights hereinafter referred to as "this Code."

Section 102.3 Application of Other Codes

Repairs, additions, or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Minnesota State Building Code and Falcon Heights City Code.

Section 102.7 Referenced Codes and Standards

The codes and standards referenced in this Code shall mean the applicable provision of the Falcon Heights City Code or Minnesota State Building Code, whichever is the most restrictive requirement permitted under statute and considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and the referenced standards, the provisions of this Code shall apply unless preempted by or in conflict with the State Building Code.

Section 103.2 Appointment

The City Administrator or the City Administrator's designated agents shall be the code official responsible for the administration and enforcement of this Code. Given limited city resources and local community standards, the City Administrator and other City Code Officials shall have discretion in responding to complaints of violations and prioritizing compliance initiatives and enforcement actions.

Section 103.5 Fees

The fees for activities and services performed by the City in carrying out its responsibilities under this Code shall be adopted by Resolution of the City Council.

Section 106.3 Prosecution of Violation

Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto. Any expenses incurred by the City in carrying out the enforcement of the provisions of this Code shall be included as a special assessment against the property.

Section 107.2 Form

Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this Code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to impose a special assessment in accordance with Section 106.3.

Section 108.1 General

When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be subject to the provisions of this Code.

Section 108.2 Closing of Vacant Structures

If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post the premises and order the structure ~~closed up to be boarded, locked, blocked or otherwise protected to prevent entry by unauthorized individuals~~ so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be assessed to the real estate upon which the structure is located.

Section 108.3 Notice

Whenever the code official has determined a structure or equipment is unsafe, a structure is unfit for human occupancy or a structure is unlawful under the provisions of this Article, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the unsafe equipment. The notice shall be in the form prescribed in Section 107.2.

Section 108.4 Posting

Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall place a posting on the premises or on the defective equipment which shall provide a statement of the penalties for occupying the premises or operating the equipment.

Section 108.4.1 Posting Removal

The code official shall provide written approval and remove the posting whenever the defect or defects upon which the enforcement action and posting were based have been eliminated. It shall be unlawful for any person to deface, obscure or remove a posting without the approval of the code official. Any person who defaces, obscures or removes a posting shall be subject to the penalties provided by this Code.

Section 108.5 Prohibited Occupancy

Any occupied structure posted by the code official shall be vacated as ordered by the code official. Any person who shall occupy posted premises or shall operate posted equipment, and any owner or any person responsible for the premises who shall let anyone occupy a posted premises or operate posted equipment shall be liable for the penalties provided by this Code.

Section 109.6 Hearing

Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon filing a written notice of appeal with the Clerk, be afforded an appeal/hearing as described in this Code.

Section 110.3 Failure to Comply

If the owner of a premise fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost thereof assessed to the real estate upon which the structure is located.

Section 111.1 Application for Appeal

Any person directly aggrieved by a notice issued under this Code, may within ten days after service of the same, appeal to the Council by filing a written notice of appeal with the Clerk. In the case of an appeal from a notice issued to vacate pending elimination of imminent dangers, the appeal shall be heard as soon as possible after the time of filing. In the case of appeals from other notices, the appeal shall be heard at such time as may be established by the Council, but the taking of an appeal from a notice other than one to vacate pending the elimination of imminent dangers shall, during the pendency of such appeal, restrain the City and its officers from proceeding in any manner to enforce such notice.

Section 111.2 Decision of the Council

All appeals under this Code shall be heard by the Council. The Council may affirm in whole or in part or deny the existence of a violation of this Code, and if the violation is found to exist, confirm or modify the corrective action to be taken or the order requiring vacation of the premises and the time allowed for it.

Section 111.3 Correction of Violation by City; Assessment of Cost

In all cases of violation of this Code to which M.S. 145A.03 through 145A.09 are applicable, the Sanitarian may proceed as provided in M.S. 145A.03 through 145A.09 to abate or remove the violation and to have the cost of it specially assessed against the lot or parcel where the violation was located. In suitable cases, said statutory remedies and procedure may be used either concurrently with, or separate from, the procedures prescribed in this Code.

Section 112.4 Failure to comply

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor.

Section 201.3 Terms Defined in Other Codes

Where terms are not defined in this Code and are defined in the Falcon Heights City Code or the Minnesota State Building Code, such terms shall have the meanings ascribed to them as stated in those codes.

Section 304.14 Insect Screens

Except for owner-occupied residential dwellings, during the period from May 15 to October 15 every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Section 305.1 General

The interior of a rental structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property. The property owner is ultimately responsible for the whole property.

Section 307.1 General

Every exterior and interior flight of stairs shall have handrails on both sides of the stair.

Exception: Stairs having four or more risers and permitted by the Minnesota State Building Code to be less than 44" wide may have handrails on one side. Stairs

having less than four risers and permitted by the Minnesota State Building Code to be less than 44" wide are not required to have handrails.

Every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards.

Handrails shall not be less than 34 inches (864 mm) high or more than 38 inches (965 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 42 inches (1067 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exceptions:

1. Guards may be not less than 36 inches (914mm) high where permitted by the Minnesota State Building Code.
2. Guards shall not be required where exempted by the adopted building code.

Section 308.4 Multiple Occupancies

The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination. Whenever infestation exists in two or more dwelling units in a dwelling, extermination of the infested areas shall be the responsibility of the owner and operator.

Section 401.3 Alternative Devices

In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the Minnesota State Building Code shall be permitted.

Section 402.3 Other Spaces

All other spaces shall be provided with natural or artificial light to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures. Minimum artificial light shall provide 10 foot candles of light over the room area at a height of 30 inches.

Section 505.1 General. Amended to read:

Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Minnesota State Building Code.

Section 602.2 Residential Occupancies

Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) at a distance 3 feet above floor level in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature of -15 ° F. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

Section 602.3 Heat supply

Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from ~~September 15 to May 15~~ October 1 to April 30 to maintain a temperature of not less than 68°F (20°C) at a distance ~~3~~ 5 feet above floor level in all habitable rooms, bathrooms, and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature shall be -15 ° F.

Section 602.4 Occupiable Work Spaces

Indoor occupiable work spaces shall be supplied with heat during the period from September 15, October 1 to May 15, April 30 to maintain a temperature of not less than 65°F (18°C) at a distance ~~3~~ 5 feet above floor level during the period the spaces are occupied.

Section 603.1 Air Conditioning Requirements

General Requirements for Landlord-Provided Equipment: Air conditioning equipment provided by landlords in rental housing units shall be properly installed, connected, and maintained. All air conditioning systems and units must be capable of adequately cooling the space and performing the function for which they were designed.

Section 603.2 Temperature Standards During Summer Months

For rental housing units where tenants do not control the cooling system, landlords must ensure that the air conditioning system maintains a temperature of no more than 80 degrees Fahrenheit in each habitable room. This temperature shall be measured at a distance of three (3) feet above the floor, near the center of the room, and two (2) feet inward from any exterior walls.

For rental units where tenants control the cooling system, landlords must provide an air conditioning system capable of maintaining a temperature of no more than 80 degrees Fahrenheit under typical conditions.

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Commented [KN2]: Per AJ: recommended height of thermostat placement is between 52 and 60 inches.

Commented [KN3]: Per AJ: this leaves too much room for interpretation and could make landlords unwilling to provide a tenant with a window AC. And, if a bedroom only has a single window, the AC may oftentimes be ordered to be removed to allow a fire escape.

Commented [KN4]: Fire Marshal recommends striking. What if there is no cooling system? Cooling system needs defining. A wall-mounted AC unit in a living room is a "cooling system," but it may not be large enough to cool the bedrooms. And, as mentioned above, a window unit may conflict with fire safety.

Section 603.3 Seasonal Enforcement

These standards apply from June 1 to May 15 to September 30 each year, except when temporary shutdown is required for reasonable maintenance or repair purposes. Maintenance should be scheduled to minimize disruption to tenants.

Commented [KN5]: Dates were not finalized at the December 2024 Workshop. Mentioned possibly adjusting the dates to be earlier in May and go into October. Or, doing May 16- September 14. Or, having them begin/end one day different than heating requirements. Dates need more discussion!

Section 603.4 Enforcement and Penalties

Tenants may report violations of Section 603 to the City of Falcon Heights' compliance official. Violations of the air conditioning maintenance standards may result in fines of up to \$500 per unit per incident, and landlords may be required to make necessary repairs within a specified timeframe to ensure compliance.

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Section 604.2 Service

The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the currently adopted National Electrical Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

Section 605.2 Receptacles

Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area and bathroom in a dwelling shall contain at least one receptacle. Any electrical outlet within six feet of a water source or water outlet shall include operable ground fault circuit interrupter protection.

Section 606.1 General

Elevators, dumbwaiters and escalators shall be maintained in compliance with Minnesota Elevators and Related Devices Code. The most current certification of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, or the certificate shall be available for public inspection in the office of the building operator. The inspection and tests shall be performed at not less than the periodical intervals listed in Minnesota Elevators and Related Devices Code, except where otherwise specified by the authority having jurisdiction.

Section 702.1 General

A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the Minnesota State Fire Code.

Section 702.2 Aisles

The required width of aisles in accordance with the Minnesota State Fire Code shall be unobstructed.

Section 702.3 Locked Doors

All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the Minnesota State Building Code.

Section 702.4 Emergency Escape Openings

Required emergency escape openings for Group IRC, Group R and Group I-1 shall comply with Minnesota State Fire Code Section ~~1026-1030~~ and 1104.26, Emergency Escape and Rescue. *Section 704.1 General*

All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the Minnesota State Fire Code.

Section 704.2 Smoke Alarms

Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. on the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. in each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the Minnesota State Fire Code.

(Ord. No. 12-04, § 1, 5-23-2012)

Secs. 105-61 – 105-85 - Reserved

ARTICLE IV - RENTAL HOUSING²

Sec. 105-86 - Purpose

It is the purpose of this article to protect the public health, safety and welfare of citizens of the city who have as their place of abode a living unit furnished to them for the payment of a rental charge to another by adopting licensing regulations for all rental dwellings and multifamily rental dwellings in the city.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 9, 9-11-2019)

Sec. 105-87 - Definitions

For the purposes of this article, the terms defined in this section shall have the meanings given them as follows:

Compliance official means the city administrator or his or her designee.

Operate means to charge a rental charge or other form of compensation for the use of a unit in a rental dwelling/multifamily rental dwelling.

Rental dwelling means any single-family dwelling, accessory dwelling unit, duplex dwelling or triplex dwelling, which is rented for more than ~~four consecutive months~~ **thirty consecutive days** in any calendar year. Rental dwelling does not include Minnesota Department of Health–licensed rest homes, convalescent care facilities, nursing homes, hotels, motels, managed home-owner associations, cooperatives, or on-campus college housing.

Commented [KN6]: Per AJ: More than 30 days makes the definition consistent with MN Fire Code.

Multifamily rental dwelling means any building or portion thereof, including the real property upon which it is located and which surrounds it, that contains four or more dwelling units that may be attached side-by-side, stacked floor-to-ceiling, and/or have a common entrance and have a common owner that are being rented out. Multifamily rental dwelling does not include Minnesota Department of Health–licensed rest homes, convalescent care facilities, nursing homes, hotels, motels, managed home-owner associations, cooperatives, or on-campus college housing.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 10, 9-11-2019)

Sec. 105-88 - License required

No person, firm, partnership, corporation or other legal entity shall operate a rental dwelling or multifamily rental dwelling in the city without first obtaining a license. The license is issued annually and is valid until the date of expiration. Changes that result in a 25% change in ownership of a property requires a new license. The new owner(s) must submit an application for a new license within thirty calendar days of acquiring the property. Property owners that are listed on a stock exchange are exempt from section 105-88 the requirements to obtain a new license due to ownership change.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 11, 9-11-2019)

Sec. 105-89 - Application for licenses

Applications for licenses shall be made in writing on forms provided by the city and accompanied by the fee amounts as established by the City Council. Such application

shall be submitted at least 60 days prior to the expiration date of the license, and shall specify the following:

- (1) Name and address of the owner of the rental dwelling/multifamily rental dwelling.
- (2) Name and address of any agent actively managing the rental dwelling/multifamily rental dwelling. The agent must live within the Seven County Metropolitan area and must have a background check conducted by the police department.
- (3) Name and address of all partners if the registrant is a partnership.
- (4) Name and address of all officers of the corporation if the registrant is a corporation.
- (5) Name and address of the vendee if the rental dwelling/multifamily rental dwelling is owned or being sold on a contract for deed.
- (6) Legal address of the rental dwelling/multifamily rental dwelling.
- (7) Number and kind of units within the rental dwelling/multifamily rental dwelling classified as dwelling units, tenement units, or rooming units or other.
- (8) Name and address of on-site operating manager, if any.
- (9) If property contains an accessory dwelling unit, property owner must reside on the property and verify their permanent residence in either the single-family residence or accessory dwelling unit on the property.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 12, 9-11-2019)

Sec. 105-90 - License approval

The compliance official may either approve or deny the license, or may delay action for up to 60 days to permit the city to complete any investigation of the application or the applicant as deemed necessary. If the compliance official approves the license, a license shall be issued to the applicant. If the compliance official denies the application, a notice of denial shall be sent to the applicant at the business address provided on the application along with the reasons for the denial. The notice shall also inform the applicant of their right to appeal the decision to the city council pursuant to the process set forth in this article.

(Ord. No. 13-06, § 1, 12-11-2013)

Sec. 105-91 - License renewal

Notwithstanding the application signature requirements, renewals of the license as required annually by this Code may be made by filling out the required renewal form provided by the city to the owner, operator or agent of a rental dwelling/multifamily rental dwelling and mailing said form together with the required registration fee to the compliance official. Failure to file the completed application with the city at least 60 days prior to the expiration of the license is a violation of this article.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 13, 9-11-2019)

Sec. 105-92 - License fees

The license fees shall be in the amount established by the City Council. Failure to pay the license fee for renewal of a license is a violation of this article.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 14, 9-11-2019)

Sec. 105-93 - Furnish license

Every registrant of a rental dwelling/multifamily rental dwelling shall be given a copy of the license. The license shall contain a statement that the tenant or tenants may contact the attorney general for information regarding the rights and obligations of owners and tenants under state law. The statement shall include the telephone number and address of the attorney general.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 15, 9-11-2019)

Sec. 105-94 - City inspections

(a) Rental dwellings shall be inspected by the compliance official **or designated representative** in their entirety every 24 months. An application and payment is required annually on-a continuous basis. Rental dwellings ~~that fail that receive a correction notice after~~ their first inspection will be subjected to additional inspections until an inspection certificate is given by the compliance official. Rental dwellings that fail their first inspection will be subjected to an inspection the subsequent year.

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Commented [KN7]: Per AJ: Clearly define what a failed inspection is.

(b) Multifamily rental dwellings shall be inspected by the compliance official **or designated representative** every 24 months. An inspection will be made of the common areas of the property and the compliance official or designated representative shall have the authority to enter, at all reasonable times, any dwelling unit, with permission from any owner, operator, occupant or other person(s) in charge. An application and payment is required annually on a continuous basis. ~~Multifamily rental dwellings that fail their first inspection will be subjected to additional inspections until an inspection certificate is given by the compliance official.~~ Multifamily rental dwellings that fail their first inspection will be subjected to an inspection the subsequent year.

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Commented [KN8]: Fire Marshal requests to keep inspections 24 months apart. Council previously suggested revising to 12. Per AJ: Multi-family housing has not shown a major indicator or need for annual inspections.

Commented [AS9]: Per the definition above, "compliance official" means "city administrator or his or her designee". Is the "designated representative" here different than a "designee"? If not, then "designated representative" seems redundant and should be deleted.

I highlighted other uses of this term where it could also be clarified.

(c) Pursuant to this section, the compliance official shall make inspections to determine the condition of rental dwellings/multifamily rental dwellings located within the city for the purpose of enforcing the rental licensing standards. The compliance official **or designated representative** may enter, examine and survey at all reasonable times all rental dwellings/multifamily rental dwellings and premises after obtaining consent from an occupant of the premises. In the event that an ~~occupant~~ of the premises does not consent to entry by the compliance official **or designate representative**, and if there is probable cause to believe that an inspection is

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Commented [KN10]: Per AJ: "Occupant" needs to be defined.

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warranted, then application may be made to the court for an administrative or other search warrant for the purpose of inspecting the premises. If any owner or (tenant) occupant fails or refuses to permit entry to a rental dwelling under its control for an inspection pursuant to this article, the compliance official or designated representative may pursue any remedy at law or under the city code, including, but not limited to, securing an administrative search warrant for the rental dwelling, denying a rental license application, revoking or suspending a rental license, or denying a renewal license.

(d) The license application fee shall cover an initial inspection of the property and up to one recheck in the event that correction notices are issued during the initial inspection. If the compliance official determines code violations still exist and a second/further inspection(s) is/are needed by them, then a fee will be charged for each subsequent re-inspection occurring after the due date for compliance with an order, as published in and according to the City's current adopted fee schedule.

(e) The City Administrator or their designee may waive a re-inspection fee in case of error, mistake, injustice, or other good cause.

(f) Either the owner/owner's representative/tenant must be present during the inspection and must permit free access and entry for inspection purposes.

~~(e)(g)~~ Should an owner, their duly authorized representative or occupant fail to keep appear for a scheduled inspection without reasonable cause or refuse to permit entry to the rental dwelling, a re-inspection fee may be charged.

~~(d)(h)~~ The city may, after receiving a complaint or at the discretion of the City Administrator, upon receipt of a creditable third party third party complaint or a complaint by residents with reasonable concerns, may require an inspection of rental dwellings/multifamily rental dwellings. A complaint based inspection which may require individual dwelling units to be inspected.

(i) The owner's rental housing license may be suspended, revoked or denied renewal for failing to maintain the licensed building in compliance with the property maintenance code as set forth in chapter 105, article III of this Code or otherwise failing to comply with the requirements of the City Code or applicable state or federal law.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 16, 9-11-2019)

Sec. 105-95 - Maintenance standards

- (a) Every rental dwelling/multifamily rental dwelling shall maintain the standards in [chapter 105, article III](#), housing code, and [chapter 22](#), blight, in addition to any other requirement of the ordinance of the city or special permits issued by the city, or the laws of the State of Minnesota.
- (b) Any code violation noted by the city must be remedied in a timely fashion by the property owner and reinspected for compliance by the city.

Commented [AS11]: Is this already addressed in the existing Code provision (previous sentence)? I highlighted "occupant" in green in the previous sentence—is that different than the "owner or (tenant) occupant" here?

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Commented [AS12]: This is already stated in the previous sentence.

Commented [AS13]: Does this mean rejecting an application outright, or denying issuance of a license?

Commented [AS14]: Should this be the "compliance official" instead?

Commented [AS15]: Compliance official?

Commented [KN16]: Per AJ: Add "duly authorized representative or occupant."

Commented [AS17]: Does this mean the re-inspection fee would be charged because the compliance official would have to come back?

Commented [KN18]: AJ recommends removing "at the discretion of the CA," as it could be viewed as a targeted inspection. All inspections should be based on a cycle or complaint.

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(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 17, 9-11-2019)

Sec. 105-96 - Crime free/criminal activity lease requirements

Commented [JL19]: Proposed to be completely reworked in separate draft ordinance revision

- (a) All tenant leases, except for state licensed residential facilities and subject to all preemptory state and federal laws, shall contain the following crime free/criminal activity language:
- (1) *Drug-related activity.*
- a. Resident, any members of the resident's household or a guest or other person affiliated with resident shall not engage in drug-related criminal activity, on or near the premises.
 - b. Resident, any member of the resident's household or a guest or other person affiliated with resident shall not engage in any act intended to facilitate drug-related criminal activity on or near the premises.
 - c. Resident or members of the household will not permit the dwelling unit to be used for, or to facilitate drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, or a guest.
 - d. Resident, any member of the resident's household or a guest, or other person affiliated with the resident shall not engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance at any locations, whether on or near the premises or otherwise.
 - e. Violation of the above provisions shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.
- (2) *Criminal activity.*
- a. Resident, members of the resident's household, guests, or other persons under the resident's control shall not engage in criminal activity, engage in any act intended to facilitate criminal activity, or permit the dwelling unit to be used for or facilitate criminal activity on or near the premises.
 - b. Three criminal activity violations involving the same tenancy within a continuous 12-month period shall be a substantial and material violation of the lease and good cause for termination of the tenancy.
 - c. Notwithstanding the above provision, criminal activity that jeopardizes the health, safety, and welfare of the landlord, his or her agent, other residents, neighbors or other third party, or involving imminent or actual serious property damage shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.
- (3) *Definitions.*
- a. The term "criminal activity" means the violation of the following:

1. Minn. Stats. §§ 609.75 through 609.76, which prohibit gambling;
 2. Minn. Stats. §§ 609.321 through 609.324, which prohibit prostitution and acts relating thereto;
 3. Minn. Stats. § 340A.401, which prohibit the unlawful sale of alcoholic beverages;
 4. Minn. Stats. §§ 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and section 30-3 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon;
 5. Minn. Stats. §§ 609.185, 609.19, 609.195, 609.20, and 609.205 which prohibit murder and manslaughter;
 6. Minn. Stats. §§ 609.221, 609.222, 609.223, and 609.2231 which prohibit assault;
 7. Minn. Stats. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451 which prohibit criminal sexual conduct;
 8. Minn. Stats. §§ 609.52 which prohibit theft;
 9. Minn. Stats. §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632 which prohibit arson;
 10. Minn. Stats. § 609.582 which prohibit burglary;
 11. Minn. Stats. § 609.595 which prohibit damage to property;
 12. [Chapter 22, article III](#) of this Code, which prohibits nuisances;
 13. Minn. Stats. § 609.72, which prohibit disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation; and
 14. [Section 30-3](#) of the Falcon Heights City Code which prohibits the discharge of a firearm.
- b. The term "drug related criminal activity" means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of controlled substance or any substance represented to be drugs in violation of Minn. Stats. §§ 152.01 through 152.025, and 152.027, subds. 1 and 2 and Section 102 of the Controlled Substance Act, 21 U.S.C. § 802).
- (4) *Non-exclusive remedies.* The crime free/criminal activity provisions are in addition to all other terms of the lease and do not limit or replace any other provisions.
- a. These lease provisions shall be incorporated into every new lease for a tenancy beginning January 1, 2009 and all renewed leases thereafter.
 - b. Upon determination by the compliance official that a licensed premises or

unit within a licensed premises was used in violation of the drug-related activity provision of [subsection \(a\)\(1\)](#) or criminal activity provision of [subsection \(a\)\(2\)\(c\)](#), the city shall cause notice to be made to the owner and property manager of the violation. The owner or property manager shall notify the tenant or tenants within ten days of the notice of violation of the crime free/criminal activity lease language and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.

- c. Upon determination by the compliance official that a licensed premises or unit within a licensed premises was used for criminal activity as set forth in [subsection \(a\)\(2\)](#) herein, the city shall cause notice to be made to the owner and property manager of the violation and direct the owner and property manager to take steps to prevent further criminal activity violations.
- d. If a second criminal activity violation occurs within a continuous 12-month period involving the same tenancy, the city shall cause notice to be made to the owner and property manager of the second violation. The owner or property manager shall respond in writing within ten days of receipt of the notice with an action plan to prevent further criminal activity violations.
- e. If a third criminal activity violation occurs within a continuous 12-month period involving the same tenancy, the city shall cause notice to be made to the owner and property manager of the third violation. The owner or property manager shall notify the tenant or tenants within ten days of the violation of the crime free/criminal activity lease language within the lease and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.
- f. The provisions of subsections c., d., e., and f. herein do not apply if the determination that the premises have been used in violation of the crime free/criminal activity provisions of subsections [\(a\)\(1\)](#) and [\(a\)\(2\)](#) herein originates from a call from or at the request of one or more of the tenants occupying the premises for police or emergency assistance, or in the case of domestic abuse, from a call for assistance from any source. The term "domestic abuse" has the meaning given in Minn. Stat. § 518B.01, subd. 2.

(Ord. No. 13-06, § 1, 12-11-2013)

Sec. 105-97 - Revocation, suspension, and civil fines

- (a) *Violations.* The following actions by property owners or license holders are misdemeanors and are subject to civil penalties, may constitute the basis for revocation of licenses and/or may result in injunctive action by the city. The property owner shall be responsible for the conduct of its agents or employees while engaged in normal business activities on the licensed premises. Any violation of this

article shall be considered an act of the property owner or license holder for purposes of imposing a civil penalty or license revocation. If a license is revoked it is unlawful for the owner to permit new occupancy of any vacant rental unit, or any units that become vacant during license injunction.

- (b) *Basis for sanctions.* The compliance official may revoke, suspend, deny or decline to renew any license issued under this article for part or all of a rental dwelling/multifamily rental dwelling upon any of the following grounds:
- (1) *Leasing without a license.* Leasing residential units without a license is subject to license suspension or revocation;
 - (2) *Violation of codes.* Violation of the city maintenance code, building code, or fire code;
 - (3) *Hazardous or uninhabitable units.* Leasing units that are deemed hazardous or uninhabitable or units within a building that are deemed hazardous or uninhabitable;
 - (4) *Commission of a felony.* Commission of a felony related to the licensed activity by the property owner or manager;
 - (5) *Consideration of suspension or revocation.* At any time during a license period, if a rental property does not meet or exceed the criteria established for the current license, the license may be brought forth to the city council for consideration of license suspension or revocation;
 - (6) *Updated application requirement.* Failure to provide an updated application with current information within 30 days of application renewal request from the city;
 - (7) *False statements.* False statements on any application or other information or report required by this article to be given by the applicant or licensee;
 - (8) *Fees.* Failure to pay any application, inspection, penalty, reinspection or reinstatement fee required either by this section or city council resolution. Fee amounts are subjected to change through the city fee schedule;
 - (9) *Correction of deficiencies.* Failure to correct dwelling deficiencies in the time specified in a compliance order;
 - (10) *Inspection.* Failure to schedule an inspection within 90 days of application filed and/or allow an authorized inspection of a rental dwelling/multifamily rental dwelling;
 - (11) *Violation of statute.* Violation of an owner's duties under Minn. Stats. §§ 299C.66 to 299C.71 ("Kari Koskinen Manager Background Check Act");
 - (12) *Delinquent taxes or fines.* Real estate or personal property taxes or municipal utilities have become delinquent or have unpaid fines.
- (c) *Penalties.*
- (1) *Revocation.* Any violation of this article may be grounds to revoke a license. Any civil penalty, revocation or combination thereof under this section does not

preclude criminal prosecution under this article or Minnesota statutes. All fines are cumulative and revocation periods will run consecutively.

- (2) *Violation.* Any person that maintains a rental dwelling/multifamily rental dwelling without having a property registered or after the registration for the property has been revoked or suspended or who permits new occupancy in violation is guilty of a misdemeanor and upon conviction is subject to a fine and imprisonment as prescribed by state law.
 - a. *First violation:* Compliance official will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations.
 - b. *Second violation:* If a second violation occurs within 60 days of a first violation the compliance official will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations.
 - c. *Third or more violation:* If another instance of violations occurs within 60 days of the calendar year compliance official will give notice to the licensee of the violation, request fine payment and direct the licensee to take steps to prevent further violations. If a fourth or subsequent violation occurs, suspension of the license will be pending until a hearing.
- (3) *Suspension.* The city council may temporarily suspend a license pending a hearing on the suspension or revocation when, in its judgment, the public health, safety, and welfare is endangered by the continuance of the licensed activity.
- (4) *Civil fines.* The city council may impose civil fines in addition to revocation or suspension for violations of any provision of this article as follows:

Within One Calendar Year	Fine Per Unit/Common Building
First Violation	\$300.00
Second Violation	600.00
Third or more within a 12-month period	900.00
Renting without a license after 30 days' notice shall be subject to \$1,000.00 fine per unit and also be a misdemeanor offense	

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 18, 9-11-2019)

Sec. 105-98 - Hearing on penalties, revocation, violation, suspension and civil fines

- (a) *Hearing.* Following receipt of a notice of denial or nonrenewal issued by the compliance official or a notice of a violation and penalty issued under [section 105-97](#) of this article, an applicant or license holder may request a hearing before the city council. A request for a hearing shall be made by the applicant or license holder in writing and filed with the compliance official or compliance official's designee within ten days of the mailing of the notice of denial or alleged violation. Following receipt of a written request for hearing, the applicant or license holder shall be afforded an opportunity for a hearing before a committee consisting of the compliance official or compliance official's designees. After the committee conducts the hearing it shall report its findings and make a recommendation to the full city council.
- (b) *Findings.* If after the hearing the applicant or license holder is found ineligible for a license, or in violation of this article, the council may affirm the denial, impose a civil penalty, suspend, or revoke a license or impose any combination thereof.
- (c) *Default.* If the applicant or license holder has been provided written notice of the denial, nonrenewal, or violation and if no request for a hearing is filed within the ten-day period, then the denial or revocation take immediate effect by default. The compliance official or designee shall mail notice of the denial, fine, suspension, or revocation to the applicant or license holder. The compliance official shall investigate compliance with the denial or revocation.
- (d) *Penalties for default.* Failure to comply with all terms of this section during the term of revocation, suspension or nonrenewal is a misdemeanor and grounds for extension of the term of revocation, suspension or continuation of nonrenewal of the license.
- (e) *Appeal.* Following receipt of a decision by the compliance official to deny, revoke, suspend, or not renew a license, the owner/licensee may request a hearing before the city council. The request must be made in writing to the compliance official within ten days of the compliance official's decision.
- (f) *Written notice, hearing.* A decision to revoke, suspend, deny, or not renew a license shall be preceded by written notice to the applicant or licensee of the alleged grounds therefor and the applicant or licensee will be given an opportunity for a hearing before the city council before final action to revoke, suspend, deny, or not renew a license. A hearing will be conducted before the city council at a public meeting, or the city council may retain an administrative hearing officer or other impartial third party to conduct the public hearing. The licensee shall have the right to be represented by counsel, the right to respond to the charged violations, and the right to present evidence through witnesses. The rules of evidence do not apply to the hearing and the city council may rely on all evidence it determines to be reasonably credible. The determination to suspend or revoke the license shall be made upon a preponderance of the evidence. It is not necessary that criminal charges be brought in order to support a suspension or revocation of a license violation nor does the dismissal or acquittal of such a criminal charge operate as a bar to suspension or revocation.

- (g) *Decision basis.* The council shall give due regard to the frequency and seriousness of violations, the ease with which such violations could have been cured or avoided and good faith efforts to comply and shall issue a decision to deny, not renew, suspend or revoke a license only upon written findings.
- (h) *Affected facility.* The council may suspend or revoke a license or not renew a license for part or all of a facility.
- (i) *Suspension.* Licenses may be suspended for up to 90 days and may, after the period of suspension, be reinstated subject to compliance with this article and any conditions imposed by the city council at the time of suspension including, but not limited to, receivership or city obtaining control to manage the property temporarily.
- (j) *Written decision, compliance.* A written decision to revoke, suspend, deny, or not renew a license or application shall specify the part or parts of the facility to which it applies. Thereafter, and until a license is reissued or reinstated, no rental units becoming vacant in such part or parts of the facility may be relet or occupied.
- (k) *Continuing obligations, penalty.* Revocation, suspension or nonrenewal of a license shall not excuse the owner/licensee from compliance with all terms of this article, this Code, and state laws for as long as any units in the facility are occupied. Failure to comply with all terms of this article during the term of revocation, suspension or nonrenewal is a misdemeanor and grounds for extension of the term of such revocation or suspension or continuation of nonrenewal, or for a decision not to reinstate the license, notwithstanding any limitations on the period of suspension, revocation or nonrenewal specified in the city council's written decision.
- (l) *New licenses prohibited.* A person who has a rental license revoked may not receive a rental license for another property within the city for a period of one year from the date of revocation. The person may continue to operate other currently licensed rental properties if the properties are maintained in compliance with city codes and other applicable regulations.

(Ord. No. 13-06, § 1, 12-11-2013)

Sec. 105-99 - Summary action

- (a) When the condition of the rental dwelling/multifamily rental dwelling of any license holder or their agent, representative, employee or lessee is detrimental to the public health, safety and general welfare as to constitute a nuisance, fire hazard or other unsafe or dangerous condition and thus give rise to an emergency, the compliance official shall have the authority to summarily condemn or close off such area of the rental dwelling/multifamily rental dwelling.
- (b) Any person aggrieved by a decision of the compliance official to cease business or revoke or suspend the license or permit shall be entitled to appeal to the city council immediately, by filing a notice of appeal. The administrator shall schedule a date for hearing before the city council and notify the aggrieved person of the date.

- (c) The hearing shall be conducted in the same manner as if the aggrieved person had not received summary action.
- (d) The decision of the compliance official shall not be voided by the filing of such appeal. Only after the city council has held its hearing will the decision of the compliance official be affected.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 19, 9-11-2019)

Sec. 105-100 - Applicable laws

Licenses shall be subject to all of the ordinances of the city and the State of Minnesota relating to rental dwellings/multifamily rental dwellings; and this article shall not be construed or interpreted to supersede or limit any other such applicable ordinance or law.

(Ord. No. 13-06, § 1, 12-11-2013; Ord. No. 19-06, § 20, 9-11-2019)

Sec. 105-101 - Multiple suspensions

If the license of more than one dwelling unit in a licensed premises is suspended within 12 months, the period of suspension for the second and subsequent dwelling units licensed that are suspended may be doubled for the suspension period specified in [section 105-96](#).

(Ord. No. 13-06, § 1, 12-11-2013)

Secs. 105-102 – 105-109 - Reserved

ARTICLE V - ELECTRICAL REGULATIONS³

Sec. 105-110 - Purpose; application of this article

- (a) The purpose of this article is to implement the provisions of the Minnesota State Building Code and Minnesota Rules Chapter 1315 which adopts the National Electrical Code.
- (b) The provisions of this article shall apply to all installations of electrical conductors, fittings, devices, fixtures hereinafter referred to as "electrical equipment", within or on public and private buildings and premises, with the following general exceptions. The provisions of this article do not apply to the installations in mines, ships, railway cars, aircraft, automotive equipment or the installations or equipment employed by a railway, electric or communication utility in the exercise of its functions as a utility, except as otherwise provided in this article.
- (c) As used in this article, "reasonably safe to persons and property" as applied to electrical installations and electrical equipment means safe to use in the service

for which the installation or equipment is intended without unnecessary hazard to life, limb or property.

- (d) For purposes of interpretation of the provisions of this article, the most recently published edition of the National Electrical Code shall be prima facie evidence of the definitions and scope of words and terms used in this article.

(Ord. No. 11-02, § 1, 7-13-2011)

Sec. 105-111 - Electrical inspector, qualifications and appointment

Creation; qualifications. There is hereby created the office of electrical inspector. The person chosen to fill the office of electrical inspector shall be of good moral character, shall be possessed of such executive ability as is requisite for the performance of his duties and shall have a thorough knowledge of the standard materials and methods used in the installation of electrical equipment; shall be well versed in approved methods of construction for safety to persons and property; the statutes of the state relating to electrical work and any orders, rules and regulations issued by authority thereof; and the National Electrical Code as approved by the American Standards Association; shall have two years' experience as an electrical inspector or five years' experience in the installation of electrical equipment, or a graduate mechanical or electrical engineer with two years of practical electrical experience.

- (1) *Licensed inspector.* The electrical inspector shall be a licensed master or journeymen electrician as defined under Minnesota Statutes.
- (2) *Duties of the electrical inspector.* It shall be the duty of the inspector to enforce the provisions of this article. The inspector shall, upon application, grant permits for the installation or alteration of electrical equipment, and shall make inspections of electrical installations, all as provided in this article. The inspector shall keep complete records of all permits issued, inspections and reinsertions made and other official work performed in accordance with the provisions of this article.
 - a. *No financial interest.* It shall be unlawful for the inspector to engage in the sale, installation or maintenance of electrical equipment, directly or indirectly, and the inspector shall have no financial interest in any concern engaged in any such business.
 - b. *Authority of electrical inspector.* The inspector shall have the right during reasonable hours to enter any building or premises in the discharge of his official duties, or for the purpose of making any inspection, reinsertion or test of electrical equipment contained therein or its installation. When any electrical equipment is found by the inspector to be dangerous to persons or property because it is defective or defectively installed, the person responsible for the electrical equipment shall be notified in writing and shall make any changes or repairs required in the judgment of the inspector to place such equipment in safe condition. If such work is not completed within 15 days, or any longer period that may be specified by the inspector in said notice, the inspector shall have the authority to disconnect or order

discontinuance of electrical service to said electrical equipment. In cases of emergency where necessary for safety to persons and property, or where electrical equipment may interfere with the work of any fire department, the inspector shall have the authority to disconnect or cause disconnection immediately of any electrical equipment.

(Ord. No. 11-02, § 1, 7-13-2011; Ord. No. 21-01, § 4, 01-13-2021)

Sec. 105-112 - Standards for electrical equipment installation

- (a) All installations of electrical equipment shall be reasonably safe to persons and property and in conformity with the provisions of this article and the applicable statutes of the state and all orders, rules and regulations issued by the authority thereof. All electrical equipment shall be listed and labeled by a testing agency.
- (b) Conformity of installations of electrical equipment with applicable regulations set forth in the current National Electrical Code as adopted by the Minnesota Rules shall be prima facie evidence that such installations are reasonably safe to persons and property. Noncompliance with the provisions of this article or the National Electrical Code as adopted by the Minnesota Rules shall be prima facie evidence that the installation is not reasonably safe to persons and property.
- (c) The electrical inspector may, with approval of the building official, authorize installations of special wiring methods other than herein provided for.
- (d) Buildings or structures moved from without to within and within the limits of the city shall conform to all of the requirements of this Code for new buildings or structures.
- (e) Existing buildings or structures hereafter changed in use shall conform in all respects to the requirements of this Code for the new use.

(Ord. No. 11-02, § 1, 7-13-2011)

Sec. 105-113 - Connections to installations

- (a) It shall be unlawful for any person to make connections from a supply of electricity to any electrical equipment for the installation of which a permit is required or which has been disconnected or ordered to be disconnected by the electrical inspector.
- (b) The public or private utility providing services shall disconnect the same upon a written order from the electrical inspector, if the inspector considers any electrical installation unsafe to life and property or installed contrary to this Code.

(Ord. No. 11-02, § 1, 7-13-2011)

Sec. 105-114 - Permits and inspectors

- (a) *Permit required.* An electrical permit is required for each installation, alteration,

addition or repair of electrical work for light, heat and power within the limits of the city. Permits for the installation of electrical work in new structures shall only be issued to electrical contractors duly licensed by the state. Permits for the installation, alteration, addition or repair of electrical work in existing structures shall only be issued to electrical contractors duly licensed by the state or to resident owners of property where the work is to be done.

- (b) *Public service corporation exception.* No permit shall be required for electrical installations of equipment owned, leased, operated or maintained by a public service corporation which is used by said corporation in the performance of its function as a utility, except that such electrical installation shall conform to the minimum standards of the National Electrical Safety Code.
- (c) *Ownership.* Ownership of any transmission or distribution lines or appurtenances thereto, including, but not limited to, transformers, shall not be transferred by a public service corporation to any person, except another franchised public service corporation dealing in electric energy for distribution and sale, without a permit first having been issued therefore by the city. Such permit shall be issued only after the facilities to be transferred have been inspected and approved as provided in this article and upon payment of an inspection fee as set forth in this section of the article.
- (d) *Application and plans.* Application for such permit, describing the electrical work to be done, shall be made in writing, to the city by the person so registered to do such work. The application shall be accompanied by such plans, specifications and schedules as may be necessary to determine whether the electrical installation as described will be in conformity with all the legal requirements. The fees for electrical inspection as set forth in this section shall accompany such application. If applicant has complied with all of the provisions of this section, a permit for such electrical installation shall be issued.
- (e) *Concealment.* All electrical installations which involve the concealment of wiring or equipment shall have a "rough-in" inspection prior to concealment, wherein the inspector shall be duly notified in advance, excluding Saturday, Sunday and holidays.
- (f) *Inspection fees.*
 - (1) *Permits required.* Before commencing any installation of any work regulated by this section, a permit therefore shall be secured from the building department and the fee for such permit paid. The fees schedule set forth in Minn. Stats. § 326B.37 is adopted by reference and incorporated herein. No such permit shall be issued to do any of the work or make any installation regulated by this section except to persons licensed to do such work under the terms of this section. Holders of a contractor's license shall not obtain permits for electrical work unless the work is supervised by them and is performed by workers employed by them or their firm.
 - (2) *Fees double, when.* Should any person begin work of any kind, such as set forth in this section, or for which a permit from the electrical inspector is required by ordinance, without having secured the necessary permit therefore from the inspector of buildings either previous to or during the day of the commencement of any such work, or on the next succeeding day where such work is commenced on a Saturday or on a Sunday or a holiday, he shall, when subsequently securing such permit, be

required to pay double the fees provided for such permit.

- (3) *Additional fees and/or shortages.* Additional fees and/or fee shortages must be received by the city within 14 days of written notice. If additional fees and/or fee shortages are not received within 14 days of notice, permits for electrical installations will not be accepted by the city until such time as the additional fees and/or fee shortages are received.

(g) *Electrical inspections.*

- (1) At regular intervals, the electrical inspector shall visit all premises where work may be done under annual permits and shall inspect all electrical equipment installed under such a permit since the day of his last previous inspection, and shall issue a certificate of approval for such work as is found to be in conformity with the provisions of this section, after the fee required has been paid.
- (2) When any electrical equipment is to be hidden from view by the permanent placement of parts of the building, the person installing the equipment shall notify the electrical inspector and such equipment shall not be concealed until it has been inspected and approved by the electrical inspector or until 24 hours, exclusive of Saturdays, Sundays and holidays, shall have elapsed from the time of such scheduled inspection; provided, that on large installations where the concealment of equipment proceeds continuously, the person installing the electrical equipment shall give the electrical inspector due notice and inspections shall be made periodically during the progress of the work.
- (3) If upon inspection, the installation is not found to be fully in conformity with the provisions of this section, the electrical inspector shall at once forward to the person making the installation a written notice stating the defects which have been found to exist.

(Ord. No. 11-02, § 1, 7-13-2011)

Secs. 105-115 through 105-119 - Reserved

(Ord. No. 22-01, § 2, 7-13-2022)

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. This definition does not include an uninhabited accessory dwelling unit, unless both the accessory dwelling unit and single-family residence are unoccupied.

(Ord. No. 22-01, § 1, 7-13-2022)

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.

(Ord. No. 22-01, § 1, 7-13-2022)

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. (Ord. No. 22-01, § 1, 7-13-2022)

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 marked 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.

(Ord. No. 22-01, § 1, 7-13-2022)

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.

(Ord. No. 22-01, § 1, 7-13-2022)

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.

(Ord. No. 22-01, § 1, 7-13-2022)

Footnotes:

¹ **Editor's note** – Ord. No. 12-04, § 1 adopted May 23, 2012, amended Art. III in its entirety to read as set out herein. Former Art. III, §§ 105-56 – 105-63, pertained to housing code and derived from the Code of 1993, §§ 10-1.01, 10-1.02, 10-2.01 – 10-2.04, 10-3.01, 10-4.01; Ord. No. 97-05, § 1, adopted July 9, 1997.

² **Editor's note** – Ord. No. 13-06, § 1, adopted Dec. 11, 2013, amended Art. IV in its entirety to read as set out herein. Former Art. IV, §§ 105-86 – 105-99, pertained to similar subject matter and derived from Ord. No. 08-04, § 1, adopted Oct. 22, 2008.

³ **Editor's note** – Ord. No. 11-02, § 1, adopted July 13, 2011, set out provisions intended for use as Art. IV, §§ 105-70 – 105-74. Inasmuch as there were already provisions so designated, these provisions have been redesignated as Art. V, §§ 105-110 – 105-114, at the discretion of the editor.

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Sec. 105-96 - Crime free/~~criminal activity~~ lease requirements ~~housing program~~

(a) Purpose. The purpose of the crime free housing program is to mitigate the burden of repeated instances of disorderly conduct and criminal activity in rental properties on law enforcement resources and public safety and welfare. The city council finds that landlords are best positioned to address this activity before it escalates to warrant law enforcement intervention. The city council also finds that putting conditions on the use of disorderly conduct and criminal activity in housing determinations will protect and encourage individuals seeking legitimate law enforcement support to seek assistance without fear of housing retaliation.

(b) Program Overview.

(1) An owner, agent, or property manager of rental dwelling(s) in the city is encouraged, but not required, to conduct a criminal background check of all prospective tenants eighteen (18) years and older. If an owner, agent, or property manager chooses to conduct a criminal background check, they must do so in compliance with this Section.

(2) Owners, agents, or property managers must comply with the following requirements prior to conducting any criminal background checks on prospective tenants or enforcing the crime-free/drug-free lease provisions provided in this Section:

a. Attend an eight-hour crime free housing course certified by the Minnesota Crime Prevention Association and offered either by the city or another municipality in the State of Minnesota, which course must include training on compliance with the Fair Housing Act. The rental dwelling licensee is responsible for the cost of training. Proof of completion must be provided to the city compliance official before a license may conduct criminal background checks. Failure to provide proof of completion of a training within two (2) years before conducting criminal background checks may result in revocation, suspension, nonrenewal, or nonissuance of a license;

b. Use a written lease that contains the crime-free/drug-free lease provisions in this Section; and

c. Actively pursue the eviction of tenants or termination of the lease for tenants who violate the terms of the lease and/or the crime-free/drug-free lease provisions. Nothing in this Section restricts rental dwelling licensees from entering into leases with applicants possessing a criminal history, except as noted in Section 105-96(f)(3)(e).

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

(1) Criminal activity means conviction of a misdemeanor or higher for any of

the following offenses:

- a. Minn. Stats. §§ 609.75 through 609.76, which prohibit gambling;
- b. Minn. Stats. §§ 609.321 through 609.324, which prohibit prostitution and related acts;
- c. Minn. Stat. § 243.166 relating to violation of the state's predatory offender registration requirement, provided that an individual has not committed criminal activity simply because they are required to register and properly do register;
- d. Minn. Stat. § 340A.401, which prohibits the unlawful sale of alcoholic beverages;
- e. Minn. Stat. § 340A.503, subd. 1(2), which prohibits the underage use of alcoholic beverages except within the household of and with the permission of the underage individual's parent or guardian, and provided there is no violation of Chapter 30, Article II of the Falcon Heights City Code, the City's Social Hosts ordinances;
- f. Minn. Stats. §§ 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and Section 30-3 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon;
- g. Minn. Stats. §§ 609.185, 609.19, 609.195, 609.20, and 609.205 which prohibit murder and manslaughter, unless an individual was acting in self-defense or in defense of others;
- h. Minn. Stats. §§ 609.221, 609.222, 609.223, and 609.2231 which prohibit assault, unless an individual was acting in self-defense or in defense of others;
- i. Minn. Stat. § 609.226 relating to great or substantial bodily harm caused by dangerous dogs and the negligent confinement of dangerous dogs;
- j. Minn. Stat. § 609.255 which prohibits false imprisonment;
- k. Minn. Stat. § 609.25 which prohibits kidnapping;
- l. Minn. Stats. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451 which prohibit criminal sexual conduct;
- m. Minn. Stat. § 609.50 which prohibits interference with a peace officer, firefighter, or member of an ambulance service in the performance of their official duties;
- n. Minn. Stat. § 609.52 which prohibits theft, as long as the acts constituting

theft occur in a dwelling unit;

o. Minn. Stat. § 609.53 which prohibits receiving stolen property, but only if the value of the property is no less than \$1,000 such that the underlying theft would qualify as a felony;

p. Minn. Stats. §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632 which prohibit arson;

q. Minn. Stat. § 609.582 which prohibits burglary, but which shall not apply to acts that could also be considered shoplifting;

r. Minn. Stat. § 609.595 which prohibits damage to property;

s. Minn. Stat. § 609.71 which prohibits riot;

t. Minn. Stat. § 609.713 which prohibits threatening to commit a violent crime with the intent to terrorize another or to cause the evacuation of a building;

u. Minn. Stat. § 609.72, which prohibits disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other nearby premises, other than the unit occupied by the person(s) committing the violation;

v. Minn. Stat. § 609.78 which prohibits intentional interference with “911” phone calls;

w. Minn. Stat. § 609.903 which prohibits racketeering; and

x. Section 30-3 of the Falcon Heights City Code which prohibits the discharge of a firearm, unless the individual was acting in self-defense or in defense of others.

(2) It shall not be considered criminal activity for an individual to seek emergency assistance on their own behalf or on behalf of another, including through making an “emergency call” as defined by Minn. Stat. § 609.78. “Emergency assistance” that is not considered criminal activity includes the following situations:

a. Any individual who seeks emergency assistance as or on behalf of a victim of criminal activity, including but not limited to domestic abuse as defined in Minn. Stat. § 518B.01, subd. 2;

b. Any individual who seeks emergency assistance for their own or another’s mental health, disability-related, or substance abuse issues; and

c. Any individual seeking emergency assistance who is not a health care

Commented [PA1]: This section includes some language from VAWA’s right to report crime and emergencies, 34 U.S.C. 12495 and incorporates recommendations from HUD and DOJ guidance.

professional and acts in good faith in administering an opiate antagonist to another person whom the person believes in good faith to be suffering a drug overdose.

- (3) Drug-related criminal activity means conviction of a misdemeanor or higher for illegal possession, manufacture, sale, distribution, purchase, use or possession with intent to manufacture, sell or distributed a “controlled substance” as defined in Minnesota Statutes, Section 152.01, subdivision 4, in violation of Minn. Stat. §§ 152.01 through 152.025, and 152.027, subd. 1-2 and Section 102 of the Controlled Substance Act, 21 U.S.C. § 802.

(d) Prospective Tenant Background Check Procedure.

- (1) All licensees must provide a written copy of the following two-step criminal background check policy in a format provided by the city, to any prospective tenants before accepting an application or application fee.
- (2) Step One: Limited criminal background screening. A licensee may conduct a limited criminal background screening either for the applicant or for all individuals age eighteen (18) and older who will reside in the rental dwelling. A licensee’s choice to screen either the applicant or all individuals age eighteen (18) and older must be applied consistently for all rental applications. The limited background screening will consider only:
1. Criminal activity within the ~~twelve (12)~~ thirty-six (36) months prior to the anticipated start-date of the lease;
 2. Drug-related criminal activity within ~~twelve (12)~~ thirty-six (36) months prior to the anticipated start-date of the lease;
- (3) Step Two: Individual assessment. If an individual is identified as having criminal activity or drug-related criminal activity within the last ~~twelve~~ thirty six (~~12~~36) months through the limited criminal background screening, the licensee shall provide an individual assessment of the individual’s current situation. The purpose of this assessment is to determine whether the individual is able to fulfill the obligations of tenancy at the property.
- a. The licensee will send a written notice to each applicant for whom the applicant or a prospective resident is identified as having activity covered by the limited criminal background screening. The notice shall inform the applicant of the covered criminal conduct identified and invite the applicant an opportunity to provide additional information within ten (10) days of receipt of the written notice.
 - b. An applicant may respond to the notice with a description of the reasons why the covered criminal conduct should not disqualify their application for rental housing, such as rehabilitation efforts or responsible conduct by the applicant or individual with the criminal conduct history. The applicant

Commented [KN2]: During the 12/4/24 City Council Workshop, Council favored a 36-month lookback, as convictions often taken more than 12 months to prosecute.

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may include supporting documentation such as letters from parole officers, case workers, counselors, family members, or community organizations.

c. Based on the information received from the applicant and the limited criminal background screening, the licensee will conduct an individual assessment of the individual's risk to the safety and welfare of the property's current residents, employees, or visitors within twenty (20) days after receipt of an applicant's response to a notice of covered conduct. All individual assessments must be conducted consistently across applicants for all rental dwelling units of the licensee. The licensee shall consider only the following factors in determining whether to approve or reject the application:

1. The facts or circumstances surrounding the covered conduct;
2. The age of the applicant at the time of occurrence of the covered conduct;
3. Evidence of good tenant or employment history before or after the occurrence of the covered conduct;
4. Evidence of rehabilitation efforts;
5. The time that has elapsed since the occurrence of the conduct;
6. Any information about the applicant that indicates good conduct since the covered conduct occurred;
7. Whether the covered conduct arose from the individual's status as a survivor of domestic violence, sexual assault, stalking, or dating violence;
8. Whether the covered conduct arose from an individual's disability, including mental illness and substance abuse; and
9. Any other information related to whether the individual's specific covered conduct creates the potential that the property's current residents, employees, or visitors will be exposed to a heightened risk of criminal activity or drug-related criminal activity.

d. If an applicant does not provide information to the licensee within ten (10) days of receipt of the notice of covered conduct, the licensee will assess the applicant under the factors in Section 105-96(d)(3)(c) based on the information available to the licensee, including information received from credit screenings and the limited criminal background screening.

e. In no event may a licensee take action against any resident that would constitute a violation of Minn. Stat. § 504B.225, or that would penalize an

individual who sought emergency assistance that is not considered criminal activity under this section.

f. If a licensee decides to reject an application following an individual assessment, then the licensee shall send to the applicant a written notice outlining the reasons for rejecting the application on the date of the decision to reject.

(e) *Crime-free/drug-free lease provisions.* All licensees desiring to use criminal background checks during the rental housing application process or the term of any lease shall include the following provisions in all new and renewed leases, in addition to all other terms of the lease, using contractually and legally equivalent language:

- (1) Tenant, any members of tenant's household or any individual under tenant's control shall not engage in drug-related criminal activity on the rental premises, as defined in Falcon Heights City Code Section 105-96(c).
- (2) Tenant, any members of tenant's household or any individual under tenant's control shall not permit the rental premises to be used for, or to facilitate drug-related activity.
- (3) Tenant, any member of tenant's household or any individual under tenant's control shall not engage in conduct which would constitute a crime of violence, as defined in Minn. Stat. § 624.712, subd. 5, except for offenses falling under Minn. Stat. Ch. 152, regardless of whether a charge or conviction is obtained.
- (4) Tenant, any members of tenant's household or any individual under tenant's control shall not engage in criminal activity on the rental premises, as defined in the Falcon Heights City Code Section 105-96(c).
- (5) Three instances of a violation of any of the above provisions within a continuous 4236-month period shall be a substantial and material violation of the lease and good cause for termination of tenancy. One instance of criminal activity or crime of violence that jeopardizes the health, safety, and welfare of any individual lawfully on the premises, or involving imminent or actual serious property damage on the premises, shall be a substantial and material violation of the lease and good cause for termination of tenancy.
- (6) Tenant shall have the right to contest any determination that they have violated the above provisions by following the procedure outlined in the Falcon Heights City Code Section 105-96(f).
- (7) In no event may Landlord take action against Tenant that would constitute a violation of Minn. Stat. § 504B.225, or that would penalize an individual who sought emergency assistance as defined in Falcon Heights City Code Section 105-96(c)(2).

(8) The above provisions are in addition to all other terms of the lease and do not limit or replace any other provisions or limit a tenant's rights or remedies under the terms of this lease or other applicable law. If any portion of these provisions is found to be invalid or unenforceable by a court of competent jurisdiction, that portion shall be severed and the remaining provisions remain in effect.

(f) Procedure for violations of crime-free/drug-free lease provisions. The following procedures shall govern the enforcement of crime-free/drug-free lease provisions:

(1) First violation.

a. If the licensee determines for the first time by a preponderance of the evidence that there has been a violation of the crime-free/drug-free lease provisions for a particular tenancy, the licensee shall make all reasonable efforts to provide the tenant with written notice of the violation. Licensee shall also provide a copy of this notice to the city.

b. The tenant may appeal the licensee's determination within ten (10) days of receipt of the notice by providing a written explanation and any evidence demonstrating why the violation does not constitute a substantial and material violation of the crime-free/drug-free lease provisions. Tenant shall send their appeal to the licensee and provide a copy to the city.

c. The licensee shall evaluate a tenant's appeal using the factors outlined in Section 105-96(d)(3)(c). The licensee must provide the tenant and the city with a written final determination on the appeal no later than twenty (20) days after receipt of tenant's appeal.

(2) Second violation.

a. If the licensee determines by a preponderance of the evidence that there has been a second violation of the crime-free/drug-free lease provisions within a continuous 424-month period for a particular tenancy, the licensee shall make all reasonable efforts to provide tenant with written notice of this second violation. Licensee shall also provide a copy of this notice to the city.

b. The tenant may appeal the licensee's determination following the same procedure as a first violation. A licensee shall evaluate a tenant's appeal and provide a written final determination following the same procedure as a first violation.

c. If a second violation is not appealed or the appeal affirms the finding of a violation, the landlord and tenant must confer within fourteen (14) days of the final determination to develop an action plan to mitigate further violations. Such action plan must be submitted to the city within seven (7) days of the meeting for approval as appropriate for mitigating further

Commented [PA3]: Requiring the tenant and landlord to jointly develop an action plan would be one option to make the ordinance less heavy-handed and cooperative between landlords/tenants, but it would take longer to resolve the situation than the alternative of just requiring the landlord to make and implement an action plan. Either way, cities have used the action plan model to take a proactive approach to prevent third violations that are preventable and minimize the likelihood of evictions.

violations and fairly balancing the interests of the tenant and landlord.

(3) Third violation.

- a. If the licensee determines by a preponderance of the evidence that there has been a third violation of the crime-free/drug-free lease provisions within a continuous 4224-month period for a particular tenancy, the licensee shall make all reasonable efforts to provide tenant with a written notice of this third violation and that the landlord will proceed with terminating the tenancy and/or evicting those individuals who are in violation if the tenant does not appeal within ten (10) days of receipt of the notice. Licensee shall also provide a copy of this notice to the city.
- b. The tenant may appeal the licensee's determination directly to the City Council by providing the compliance official and licensee written notice of appeal within ten (10) days of receipt of the licensee's notice of a violation. Upon filing an appeal, a licensee may take no action against a tenant or the individuals in violation while the appeal remains pending, except where such stay of action would cause imminent peril to life, health, or property.
- c. The City Council will hear tenant's appeal at the next regularly scheduled public meeting that is at least five (5) days subsequent to receipt of the appeal. The tenant has the right to present evidence, testimony, and arguments at such hearing. The licensee also has the right to present evidence and arguments at such hearing, including regarding the licensee's compliance with any applicable action plan.
- d. The City Council shall make a determination on the tenant's appeal within 20 days of the appeal hearing. The City Council may reverse, modify, or affirm, in whole or in part, a finding of a violation and direct the licensee to evict the tenant, if applicable, and/or take any other appropriate action, including but not limited to mitigation measures to deter future criminal activity. The City Council shall consider the factors outlined in Section 105-96(d)(3)(c), whether the individual failed to comply with any applicable action plan, and whether the individual in violation still poses a risk to the health, safety, and welfare of any individuals on the premises.
- e. If an individual is evicted or their lease terminated under this section, a licensee shall not enter into a new lease with the evicted individual for a period of twelve (12) months after the eviction or lease termination at any of licensee's rental dwelling units in the City.
- f. Additionally, if the City Council finds that a licensee failed to comply with their responsibilities under an action plan that addressed mitigation measures for the particular prohibited activity or location where the prohibited activity occurred, regardless of the tenant's compliance with such plan, the licensee is in violation of this Section and their license may

Commented [PA4]: Alternatively, the City could create a board to review these appeals that includes the compliance official. That would streamline the appeals process since the compliance official should be kept updated with all notices relating to each tenancy prior to an appeal being taken. Additionally, it would allow for landlords and tenants to resolve their disputes in a setting that isn't publicly in front of the entire community along with regular council agenda items.

Commented [PA5]: These factors are similar to those noted in the HUD's 2016 and 2022 guidance.

be revoked, suspended, or not renewed. Nothing in this section prevents the City Council from permitting the compliance official to establish an action plan with the licensee to remedy the violation in lieu of revocation, suspension, or nonrenewal of the license, provided that such remedies may be reinstated upon noncompliance with the action plan.

(4) In no event may a licensee take action against any resident that would constitute a violation of Minn. Stat. § 504B.225, or that would penalize an individual who sought emergency assistance as defined in this section. Licensees who have knowledge that a violation of the crime-free/drug-free lease provisions constitutes an instance of an individual seeking emergency assistance shall not make a determination that the violation constitutes a substantial and material violation of the lease.

(5) Enforcement of the crime-free/drug-free provisions provided in this section shall not be exclusive, and the City may take any action with respect to a licensee or individual on the licensed premises as is authorized by this Code or state or federal law.

(g) *Form of Notices.* The compliance official shall maintain template notices for all notices that a licensee is required to provide under this section. All notices a licensee is required to provide under this section shall contain substantially the same form and language as the template notices.

Commented [PA6]: Faribault has some template notices we can repurpose. We may not want to include those notices in the ordinance itself since the ordinance is rather lengthy to begin with, but they could be added as an appendix to the ordinance.

(h) *Record-keeping.*

(1) Licensee shall retain for three (3) years after receipt of an application for rental housing the following records: all rental applications, criminal background screening records, communications between landlords and applicants relating to criminal background screening, and any rental determination made, including the basis for that determination, to the extent allowed by state and federal law.

(2) Licensee shall retain a copy of each lease for three (3) years after the expiration of the lease term or renewed lease term.

(3) Licensee shall retain a copy of all records related to enforcement of the crime-free/drug-free lease provisions for three (3) years after a final determination in the enforcement action.

(4) Licensee shall provide any of these records to the city upon request.

(a) All tenant leases, except for state licensed residential facilities and subject to all preemptory state and federal laws, shall contain the following crime free/criminal activity language:

(1) *Drug-related activity.*

a. Resident, any members of the resident's household or a guest or other

~~person affiliated with resident shall not engage in drug-related criminal activity, on or near the premises.~~

- ~~b. Resident, any member of the resident's household or a guest or other person affiliated with resident shall not engage in any act intended to facilitate drug-related criminal activity on or near the premises.~~
- ~~c. Resident or members of the household will not permit the dwelling unit to be used for, or to facilitate drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, or a guest.~~
- ~~d. Resident, any member of the resident's household or a guest, or other person affiliated with the resident shall not engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance at any locations, whether on or near the premises or otherwise.~~
- ~~e. Violation of the above provisions shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.~~

~~(2) Criminal activity:~~

- ~~a. Resident, members of the resident's household, guests, or other persons under the resident's control shall not engage in criminal activity, engage in any act intended to facilitate criminal activity, or permit the dwelling unit to be used for or facilitate criminal activity on or near the premises.~~
- ~~b. Three criminal activity violations involving the same tenancy within a continuous 12-month period shall be a substantial and material violation of the lease and good cause for termination of the tenancy.~~
- ~~a. Notwithstanding the above provision, criminal activity that jeopardizes the health, safety, and welfare of the landlord, his or her agent, other residents, neighbors or other third party, or involving imminent or actual serious property damage, shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.~~

~~(3) Definitions:~~

- ~~a. The term "criminal activity" means the violation of the following:~~
 - ~~1. Minn. Stats. §§ 609.75 through 609.76, which prohibit gambling;~~
 - ~~2. Minn. Stats. §§ 609.321 through 609.324, which prohibit prostitution and acts relating thereto;~~
 - ~~3. Minn. Stats. § 340A.401, which prohibit the unlawful sale of alcoholic beverages;~~
 - ~~4. Minn. Stats. §§ 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and section 30.3 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon;~~

- ~~5. Minn. Stats. §§ 609.185, 609.19, 609.195, 609.20, and 609.205 which prohibit murder and manslaughter;~~
 - ~~6. Minn. Stats. §§ 609.221, 609.222, 609.223, and 609.2231 which prohibit assault;~~
 - ~~7. Minn. Stats. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451 which~~
 - ~~8. prohibit criminal sexual conduct;~~
 - ~~9. Minn. Stats. §§ 609.52 which prohibit theft;~~
 - ~~10. Minn. Stats. §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632 which prohibit arson;~~
 - ~~11. Minn. Stats. § 609.582 which prohibit burglary;~~
 - ~~12. Minn. Stats. § 609.595 which prohibit damage to property;~~
 - ~~13. Chapter 22, article III of this Code, which prohibits nuisances;~~
 - ~~14. Minn. Stats. § 609.72, which prohibit disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation; and~~
 - ~~15. Section 30.3 of the Falcon Heights City Code which prohibits the discharge of a firearm.~~
- ~~b. The term "drug related criminal activity" means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of controlled substance or any substance represented to be drugs in violation of Minn. Stats. §§ 152.01 through 152.025, and 152.027, subds. 1 and 2 and Section 102 of the Controlled Substance Act, 21 U.S.C. § 802).~~
- ~~(4)(5) Non-exclusive remedies. The crime free/criminal activity provisions are in addition to all other terms of the lease and do not limit or replace any other provisions.~~
- ~~a. These lease provisions shall be incorporated into every new lease for a tenancy beginning January 1, 2009 and all renewed leases thereafter.~~
 - ~~b.a. Upon determination by the compliance official that a licensed premises or unit within a licensed premises was used in violation of the drug related activity provision of subsection (a)(1) or criminal activity provision of subsection (a)(2)(c), the city shall cause notice to be made to the owner and property manager of the violation. The owner or property manager shall notify the tenant or tenants within ten days of the notice of violation of the crime free/criminal activity lease language and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.~~
 - ~~c. Upon determination by the compliance official that a licensed premises or~~

~~unit within a licensed premises was used for criminal activity as set forth in subsection (a)(2) herein, the city shall cause notice to be made to the owner and property manager of the violation and direct the owner and property manager to take steps to prevent further criminal activity violations.~~

~~d. If a second criminal activity violation occurs within a continuous 12-month period involving the same tenancy, the city shall cause notice to be made to the owner and property manager of the second violation. The owner or property manager shall respond in writing within ten days of receipt of the notice with an action plan to prevent further criminal activity violations.~~

~~e.b. If a third criminal activity violation occurs within a continuous 12-month period involving the same tenancy, the city shall cause notice to be made to the owner and property manager of the third violation. The owner or property manager shall notify the tenant or tenants within ten days of the violation of the crime free/criminal activity lease language within the lease and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.~~

~~f.c. The provisions of subsections c., d., e., and f. herein do not apply if the determination that the premises have been used in violation of the crime free/criminal activity provisions of subsections (a)(1) and (a)(2) herein originates from a call from or at the request of one or more of the tenants occupying the premises for police or emergency assistance, or in the case of domestic abuse, from a call for assistance from any source. The term "domestic abuse" has the meaning given in Minn. Stat. § 518B.01, subd. 2.~~

(Ord. No. 13-06, § 1, 12-11-2013)

Sec. 105-97 - Revocation, suspension, and civil fines

- (a) *Violations.* The following actions by property owners or license holders are misdemeanors and are subject to civil penalties, may constitute the basis for revocation of licenses and/or may result in injunctive action by the city. The property owner shall be responsible for the conduct of its agents or employees while engaged in normal business activities on the licensed premises. Any violation of this article shall be considered an act of the property owner or license holder for purposes of imposing a civil penalty or license revocation. If a license is revoked it is unlawful for the owner to permit new occupancy of any vacant rental unit, or any units that become vacant during license injunction.
- (b) *Basis for sanctions.* The compliance official may revoke, suspend, deny or decline to renew any license issued under this article for part or all of a rental dwelling/multifamily rental dwelling upon any of the following grounds:
 - (1) *Leasing without a license.* Leasing residential units without a license is subject to license suspension or revocation;

- (2) *Violation of codes.* Violation of the city maintenance code, building code, or fire code;
- (3) *Hazardous or uninhabitable units.* Leasing units that are deemed hazardous or uninhabitable or units within a building that are deemed hazardous or uninhabitable;
- (4) *Commission of a felony.* Commission of a felony related to the licensed activity by the property owner or manager;
- ~~(4)~~(5) *Crime free housing.* Violation of the crime free housing provisions of the city code or failure to actively pursue eviction of tenants in accordance with those provisions;
- ~~(5)~~(6) *Consideration of suspension or revocation.* At any time during a license period, if a rental property does not meet or exceed the criteria established for the current license, the license may be brought forth to the city council for consideration of license suspension or revocation;
- ~~(6)~~(7) *Updated application requirement.* Failure to provide an updated application with current information within 30 days of application renewal request from the city;
- ~~(7)~~(8) *False statements.* False statements on any application or other information or report required by this article to be given by the applicant or licensee;
- ~~(8)~~(9) *Fees.* Failure to pay any application, inspection, penalty, reinspection or reinstatement fee required either by this section or city council resolution. Fee amounts are subjected to change through the city fee schedule;
- ~~(9)~~(10) *Correction of deficiencies.* Failure to correct dwelling deficiencies in the time specified in a compliance order;
- ~~(10)~~(11) *Inspection.* Failure to schedule an inspection within 90 days of application filed and/or allow an authorized inspection of a rental dwelling/multifamily rental dwelling;
- ~~(11)~~(12) *Violation of statute.* Violation of an owner's duties under Minn. Stats. §§ 299C.66 to 299C.71 ("Kari Koskinen Manager Background Check Act");
- (13) *Delinquent taxes or fines.* Real estate or personal property taxes or municipal utilities have become delinquent or have unpaid fines.
- ~~(12)~~(14) *Violation of other applicable law.* Violation of the Fair Housing Act, Violence Against Women Act, American with Disabilities Act, and any other applicable federal, state, or local law.

RE: Fw: Proposed city code on AC in rental properties

From Andrea McDowell Poehler <apoehler@ck-law.com>

Date Mon 5/5/2025 5:56 PM

To Jack Linehan <jack.linehan@falconheights.org>

Cc Petra Asani <PAsani@ck-law.com>

Caution: This email originated outside our organization; please use caution.

Jack:

While I believe the air conditioning provisions can be added (noting that you are a test case for this area and there is very little case law on this issue), the City does not have authority to provide for tenant remedies. The City can enforce its licensing ordinance: deny, suspend, revoke, administrative penalties, prosecution. As discussed previously, the City can also assist in a tenant's rights action (as was done in the Minneapolis case), but that is not required to be addressed by ordinance.

We can prepare a final of the ordinance, but I think Amy Schmidt in our office had reviewed and noted a few questions that have not yet been addressed by the City. Let me know how you would like to proceed.

Andrea

Andrea McDowell Poehler

Attorney

CAMPBELL KNUTSON, P.A.

Grand Oak Office Center I

860 Blue Gentian Road, Suite 290

Eagan, MN 55121

☎: (651) 234-6224 • Fax: (651) 234-6237

✉ apoehler@ck-law.com • www.ck-law.com



CAMPBELL KNUTSON
PROFESSIONAL ASSOCIATION

From: Jack Linehan <jack.linehan@falconheights.org>

Sent: Monday, May 5, 2025 4:39 PM

To: Petra Asani <PAsani@ck-law.com>

Cc: Andrea McDowell Poehler <apoehler@ck-law.com>

Subject: Fw: Fw: Proposed city code on AC in rental properties

Hi Petra,

If you recall, back in the fall we worked on an updated ordinance for Crime Free Housing that also includes changes to our rental maintenance code, which most notably includes provisions on air conditioning. We likely will be the first City in MN with the requirement, so ensuring we do it right as it could face legal challenge.

Our council member wanted it to run through HOME Line for their review, and we've received their commentary, albeit five months later.

Could you review their changes and provide feedback, primarily on the additions? Council was in favor of 80 degrees and the June start, as we require heat until May 15th.

Thank you,

Jack Linehan

City Administrator

City of Falcon Heights

2077 West Larpenteur Avenue

Falcon Heights, MN 55113

Direct 651-792-7611

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From: Larry McDonough
Sent: Thursday, May 1, 2025 3:22 PM
To: Paula Mielke; Jack Linehan
Cc: Eric Hauge
Subject: Fwd: Fw: Proposed city code on AC in rental properties

You don't often get email from larrym@homelinemn.org. [Learn why this is important](#)

Caution: This email originated outside our organization; please use caution.

City Councilmember Mielke and City Administrator Linehan,

Thanks for contacting HOME Line about Falcon Heights ordinances affecting tenants. I apologize for the slow reply. I have been busy at the Legislature and I work part-time for HOME Line.

I. Air conditioning

The air conditioning proposal is excellent. Thanks so much for working on it. Attached are some edits to consider. We prefer 75 degrees, as 80 degrees inside can be very hot for many people, especially seniors and people with special needs. We also think May 1 is a better starting date, given the effects of climate change. We believe tenants should have remedies for landlord noncompliance for these requirements as well as other requirements for property maintenance and licensing violations, so I added a new section that could be under § 603 or something similar could be in the Article IV, Sec. 105-97 - Revocation, suspension, and civil fines, with a cross-reference here.

II. Crime-free ordinances

I also reviewed the crime-free ordinances proposal. It is better than some because it includes tenant appeal rights, and only requires eviction after the third violation in 24 months. Our preference would be to propose repeal of the ordinance since the criminal justice system can address criminal and nuisance behavior on the property.

Here is some background on the history and effects of crime-free ordinances

- <https://theappeal.org/the-lab/explainers/crime-free-housing-ordinances-explained/> The first ordinances were created by the International Crime Free Association, an organization founded in 1992 by a member of the Mesa Police Department in Arizona. <http://www.crime-free-association.org/>
- Emory Law JournalEmory Law Journal, Volume 70 Issue 6, 2021, Criminalizing Property Rights: How Crime-Free HousingCriminalizing Property Rights: How Crime-Free Housing - Ordinances Violate the Fifth AmendmentOrdinances Violate the Fifth Amendment
<https://scholarlycommons.law.emory.edu/cgi/viewcontent.cgi?article=1430&context=elj>

Crime-free ordinances have been the subject of investigation and litigating in Minnesota.

- American Civil Liberties Union of Minnesota case in Faribault
 - Order - <https://minnesotareformer.com/briefs/judge-rules-faribaults-crime-free-rental-ordinance-was-likely-racially-motivated-but-split-on-discrimination-claims/>
 - Settlement - <https://www.aclu-mn.org/en/press-releases/aclu-wins-settlement-end-housing-discrimination-case>
- United States Department of Justice case in Anoka, MN
 - DOJ letter - <https://www.justice.gov/crt/case/city-anoka-minnesota>
 - Settlement - <https://www.justice.gov/opa/pr/justice-department-secures-landmark-agreement-city-anoka-minnesota-end-disability>

Saint Louis Park repealed its crime-free ordinances.

- <https://kstp.com/5-investigates/landlords-housing-advocates-reflect-on-repeal-of-controversial-housing-ordinance-in-st-louis-park/>
- <https://minnesotareformer.com/briefs/st-louis-park-ends-policy-allowing-police-to-evict-tenants-crime-free-drug-free/>

Other cities also have repealed theirs. If you decide you want to proceed with your proposed amendments, I could suggest some edits.

III. Other ordinances

I also can review all your ordinances and changes you are considering. I have done this for other cities. Let me know what you think.

Larry McDonough
Policy Attorney, HOME Line
612-728-5770 x144
larrym@homelinemn.org

Senior Fellow, National Housing Law Project
lmcdonough@nhlp.org

Attorney at Law and Adjunct Professor of Law
651-398-8053
mcdon056@umn.edu

Housing Law in Minnesota
<http://povertylaw.homestead.com/HousingLawinMinnesota.html>

----- Forwarded message -----

From: **Paula Mielke** <paula.mielke@falconheights.org>
Date: Tue, Apr 8, 2025 at 8:38 AM
Subject: Fw: Proposed city code on AC in rental properties
To: erich@homelinemn.org <erich@homelinemn.org>

Hello Eric,

In response to the long stretch with no AC our residents at Amber Union endured last summer, our city drafted an ordinance - see my email exchange with Katherine. Our city would really appreciate your input. I'd really like to get it passed soon so its in effect by June 1.

Paula Mielke
Falcon Heights City Council
651-492-4143

From: Katherine Kelly <Katherine.Kelly@ag.state.mn.us>
Sent: Wednesday, December 18, 2024 3:57 PM
To: Paula Mielke <paula.mielke@falconheights.org>
Subject: RE: Proposed city code on AC in rental properties

Caution: This email originated outside our organization; please use caution.

Hi Paula: Thank you for reaching out. It is wonderful that the city is thinking through these issues. In regards to the proposed ordinance, I am prohibited from giving legal advice, especially regarding draft legal language. For that feedback I encourage you to contact Eric Hauge at HOME Line as they are the experts in this legal area and often consult with local governments on best practices.

I note just one phrase, though, that stood out to me as potentially needing some more thought; the phrase “under typical conditions” is an exception that landlords can exploit to not comply with the law. The law does not define what a “typical condition” is so a vague phrase like that leaves a lot of wiggle room.

Lastly, are you comfortable sharing the city’s proposed crime-free housing section with me? I have been researching them and appreciate seeing what cities are doing with them.

Best regards,

Katherine

Katherine Kelly

Assistant Attorney General | Civil Rights

Office of the Minnesota Attorney General

445 Minnesota Street, Suite 1200, Saint Paul, MN 55101

Office: 651-728-4089 | Website: ag.state.mn.us

Helping people afford their lives and live with dignity, safety, and respect

From: Paula Mielke <paula.mielke@falconheights.org>

Sent: Wednesday, December 18, 2024 3:18 PM

To: Katherine Kelly <Katherine.Kelly@ag.state.mn.us>

Subject: Proposed city code on AC in rental properties

Hello Katherine,

Our city staff has reviewed the City’s current practices regarding rental properties and has proposed updates to the inspection process, made revisions to the crime-free housing section and added verbiage to ensure air conditioning, if provided by landlords, then it must be kept in working order, as outlined in City Code.

Below is a draft addressing AC. This is in response to the conditions residents who lived at Amber Union experienced with AC broke and the windows in the building don't open. Could you please review the draft below and give us feedback? Thank you.

Section 603.1 Air Conditioning Requirements General Requirements for Landlord-Provided Equipment: Air conditioning equipment provided by landlords in rental housing units shall be properly installed, connected, and maintained. All air conditioning systems and units must be capable of adequately cooling the space and performing the function for which they were designed.

Section 603.2 Temperature Standards During Summer Months For rental housing units where tenants do not control the cooling system, landlords must ensure that the air conditioning system maintains a temperature of no more than 80 degrees Fahrenheit in each habitable room. This temperature shall be measured at a distance of three (3) feet above the floor, near the center of the room, and two (2) feet inward from any exterior walls. For rental units where tenants control the cooling system, landlords must provide an air conditioning system capable of maintaining a temperature of no more than 80 degrees Fahrenheit under typical conditions.

Section 603.3 Seasonal Enforcement 1515 These standards apply from June 1 to September 30 each year, except when temporary shutdown is required for reasonable maintenance or repair purposes. Maintenance should be scheduled to minimize disruption to tenants.

Section 603.4 Enforcement and Penalties Tenants may report violations of Section 603 to the City of Falcon Heights' compliance official. Violations of the air conditioning maintenance standards may result in fines of up to \$500 per unit per incident, and landlords may be required to make necessary repairs within a specified timeframe to ensure compliance.

Paula Mielke

Falcon Heights City Council

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Falcon Heights Air Conditioning Proposal - HOME Line Edit

Section 603.1 Air Conditioning Requirements

Air Conditioning Requirements General Requirements for Landlord-Provided Equipment: Air conditioning equipment provided by landlords in rental housing units shall be properly installed, connected, and maintained. All air conditioning systems and units must be capable of adequately cooling the space and performing the function for which they were designed.

Section 603.2 Temperature Standards During Summer Months

For rental housing units where tenants do not control the cooling system, landlords must ensure that the air conditioning system maintains a temperature of no more than 75 ~~80~~ degrees Fahrenheit in each habitable room. This temperature shall be measured at a distance of three (3) feet above the floor, near the center of the room, and two (2) feet inward from any exterior walls. For rental units where tenants control the cooling system, landlords must provide an air conditioning system capable of maintaining a temperature of no more than 75 ~~80~~ degrees Fahrenheit ~~under typical conditions~~.

Section 603.3 Seasonal Enforcement

These standards apply from May ~~June~~ 1 to September 30 each year, except when temporary shutdown is required for reasonable maintenance or repair purposes. Maintenance should be scheduled to minimize disruption to tenants.

Section 603.4 Enforcement and Penalties Tenants may report violations of Section 603 to the City of Falcon Heights' compliance official. Violations of the air conditioning maintenance standards may result in fines of up to \$500 per unit per incident, and landlords may be required to make necessary repairs within a specified timeframe to ensure compliance.

[New Section: It could be here or something similar in the Article IV, Sec. 105-97 - Revocation, suspension, and civil fines, with a cross-reference here.]

Section 603.5. Remedies for tenants.

A violation of Section 603 shall entitle an affected tenant to:

(1) treble actual and consequential damages, based on rent abatement for impairment of use and enjoyment of the property for the period of the violation, or \$500, whichever is greater;

(2) damages and consequential damages for physical harm caused to the tenant and others upon the premises or in the common area and curtilage of the premises with the consent of the tenant by a violation of this section existing before or arising after the tenant has taken possession of the premises if the violation created an unreasonable risk to persons upon the premises or in the common area and curtilage of the premises which the compliance with this section would have prevented, and the landlord failed to exercise reasonable care to comply with this section;

(3) in the case of a residential building or residential unit that has been condemned for violations, treble actual and consequential damages, based on the total rent for the period of the violation, \$500, whichever is greater;

(4) correction of violations by the owner;

(5) at the tenant's option, tenant correction of violations and reasonable compensation from the owner;

(6) at the tenant's option, full rescission of the lease and recovery of any damage deposit less any amount retained under Minn. Stat. § 504B.178;

(7) at the tenant's option, collection of awards under this subsection as a credit against current and future rents from the owner;

(8) costs, disbursements, and reasonable attorney's fees.

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REQUEST FOR COUNCIL ACTION

Meeting Date	September 3, 2025
Agenda Item	C2
Attachment	Snow Policy; Maps
Submitted By	Jack Linehan, City Administrator

Item	Discussion on Alleyway Snow Plowing
Description	The administrative manual regarding guidelines for snow and ice control was updated in September 2022 to include Lauderdale as part of the plowing responsibilities of the city. Then, in November of 2023, after the conclusion of the 2023 pavement management project, the City Council supported adding the Garden Avenue sidewalk, Ruggles Pathways and commercial properties along Snelling/Larpenteur to areas the city would maintain. Alleyways within Falcon Heights have been the responsibility of adjacent residents to clear within 24 hours of the end of a snow event. There has been a request by a council member to include the alleyways in Northome and Northeast Quadrant to our responsibility, which should be discussed further by the full council. If there is support for adding alleyway plowing for the 2025/2026 season, staff will bring this to a future council meeting so updates can then be made to our snow and ice control policy of the administrative manual and pathway / sidewalk maintenance map to include these areas.
Budget Impact	Estimated \$5K to \$10K annually in overtime costs
Attachment(s)	• Admin Manual Snow and Ice Control Policy • Current Pathway / Sidewalk Maintenance Map • Alleyway Map
Action(s) Requested	Staff recommends that the City Council discuss the proposed maintenance of alleyways to determine whether there is support to amend the policy and proposed map at a future council meeting.

Administrative Manual Section VII

D. GUIDELINES FOR SNOW AND ICE CONTROL

1. Introduction

The City of Falcon Heights believes that it is in the best interest of the public for the city to assume basic responsibility for control of snow and ice on city streets. Reasonable ice and snow control is necessary for routine travel and emergency services. The city will provide this in a safe and cost effective manner, keeping in mind safety, budget, personnel and environmental concerns. City crews remove snow on local streets, streets designated by contract within the City of Lauderdale, some public pathways, designated city parking lots at City Hall, Community Park and Curtiss Field, and ice rinks.

2. Commencement of Operations

The city's Public Works Director will decide when to begin snow or ice control operations on city streets. The criteria for that decision are:

- a. Accumulation of 2 inches or more, with continual snowfall, warrants commencement of plowing operations;
- b. Drifting of snow may warrant partial or full operations depending on conditions;
- c. Icing of pavements may warrant partial or full sanding operation depending on conditions;
- d. Time of snowfall in relationship to anticipated level of use of streets.

Snow and ice control operations are expensive due to personnel and equipment costs. Consequently, street snowplowing operations will not generally be conducted for snowfalls of less than 2 inches.

3. Procedures

Snow will be plowed in a manner so as to minimize any traffic obstructions. The snow shall be pushed from left to right. The discharge shall go onto the boulevard area of the right-of-way without regard for driveways or sidewalks.

It is the city's goal to have the entire street system cleared after a "typical" snowfall in approximately 5 hours. Depending on snowfall conditions, duration of the storm, equipment and personnel, cleanup operations can fluctuate.

One of the most frequent and most irritable problems in removal of snow from the public streets is the snow deposited in driveways during plowing operations. Snow being accumulated on the plow blade has no place to go but in the driveway. It is not possible to comply with special requests or conduct special maneuvers in attempt to minimize snow in driveways.

4. **Priorities and Schedules**

a. **Street snowplowing**

The city has designated Prior Ave. (off of Larpenteur Ave.) and Garden Ave. (Hamline to Snelling Aves.) as top priorities. This classification is based on need to provide access for emergency vehicle fire and medical services and for access to the elementary school. Clearing of these streets is followed by the following neighborhoods subject to weather conditions, weather forecasts, equipment, and availability of crews.

Typical routes if equipment and crews are available:

East Plow

1. Northome
2. Northeast
3. Snelling West
4. Hollywood Court

West Plow

1. University Grove
2. Falcon Woods
3. Lindig/Tatum
4. Lauderdale

b. **City Hall parking lot**

Clearing of snow from the city hall parking lot will be the first priority of the work week day for the Parks/Public Works staff. Evening and weekend snow removal will be done at the discretion of the Public Works Director based on scheduled meetings and facility rentals.

c. **Public pathways**

There are approximately 6 miles of paved public pathways for commuter and recreational pedestrian use. The city will plow all trails and sidewalks that abut city property and parks as conditions permit, as well as the areas indicated on the map in Appendix A. Conditions that challenge the crews ability to clear snow include: 1) recurring snowfalls resulting in snow accumulation; 2) drifting; 3) limited space for snow storage and 4) availability and condition of the equipment. Pathway clearing is conducted by the Parks/Public Works staff between 8:00 am and 4:00 pm. A map of sidewalks and trails is included as Appendix A to these guidelines.

d. Ice Skating Rinks

Ice rinks are maintained for the recreational pleasure of the community. Given the high level of community use of the rinks outside of the traditional workday and workweek, rinks are kept free of snow and open for use during these times. Removal of snow from the ice rinks will be done at the discretion of the Public Works Director. Generally, if a “weekend” snowfall should occur and cease prior to noon Sunday, an attempt will be made to clear the rinks and make them available for the weekend. Generally, if a “weekday” snowfall ceases prior to 4:00 p.m., an attempt will be made to make the rinks available for the evening. Consideration of the following factors will be given in the scheduling of ice rink snow removal: condition of pathways (passable), current weather conditions and forces (favorable for skating).

5. Use of Sand and Salt

The city limits the use of sand and salt because it can have adverse effect on the environment. Application is limited to steep grades, curves and intersections and is not intended to provide for widespread bare pavement during winter conditions. The city is not responsible for damage to grass caused by the sand/salt mixture and therefore will not make repairs or compensate residents for salt damage to turf areas in the right-of-way.

6. Property Damage

Snowplowing and ice control operations can cause property damage even under the best of circumstances and care on the part of the operators. The most common types of damage are to improvements in the right-of-way which extends about 10 to 15 feet beyond the curb. The intent of the right-of-way is to provide room for snow storage, utilities, sidewalks and other city uses. The city will assume no liability for personal property that is stored in the right-of-way. Damage to fences, trees or other structures will be repaired or replaced by the city if they are on private property and if the damage could have been avoided. Turf that is scraped or gouged by plow equipment will be repaired by top dressing and seeding the following spring if the damage could be avoided. Residents are requested to assist by watering the areas that are repaired. The city will assume liability for mailboxes damaged during plowing, if it is determined that the plow made direct contact with a mailbox. If a mailbox is damaged due to indirect contact, including the force of snow, the city assumes no responsibility. Final cleaning adjacent to mailboxes is the responsibility of each property owner.

7. Fire Hydrants

Each of the 150 or so fire hydrants scattered throughout the city are equipped with a marker for the purpose of providing increased visibility during the winter season. In addition, the city will encourage residents to keep hydrants clear of snow. Hydrants at

major intersections and covered by heavy snow from plows will be kept accessible as needed and as feasible with city crews and equipment.

8. Parking Restrictions

Providing quality snow removal on city streets requires the street to be free of vehicles or other obstacles. Vehicles left parked on the street for extended periods of time created significant operational problems for snowplow operators as well as safety problems due to packed snow and ice remaining on the roadway around the vehicle.

Parking on city streets is not allowed after a 2 inch accumulation of snow. Vehicles must remain off the streets for up to 48 hours or until a street have been plowed full-width, whichever comes first. In the instance that streets have been plowed but an additional 2 inches or more of snowfall occurs, vehicles must remain off the street (see City Code Section 46-28). Any vehicle parked in violation of the City Code is subject to a parking citation and is also declared to be a public nuisance. This nuisance may be abated by removing and towing away vehicles under the direction of the City's contracted police agency.

From November 15 to April 1, residents may park one passenger vehicle on the unsurfaced portion of their front yard. This provision only applies to properties with a single-width driveway. The vehicle must be parked parallel to the driveway (see City Code Section 113-310).

9. Responsibility of Property Owners

Residents and/or their contracted snow removal company must keep all snow on the private property. It is a public nuisance to shovel or plow snow into or across the streets or alleys.

Clearing of alleyways is the responsibility of property owners adjacent to the alley. The alley must be cleared within 24 hours after snowfall has ended. Residents are encouraged to manage the alley with one contractor so as to have a uniform plowing.

Some sidewalks in the city must be cleared by the adjacent property owners (see Appendix A). Public sidewalks must be cleared of snow and ice within 24 hours after a storm has ended. Failure to do so is a public nuisance. City staff will monitor the sidewalks and will leave door hangers to remind residents of the sidewalk snow removal regulations. Sidewalks that are not cleared in the appropriate timeframe may be cleared by city staff or a contracted party. The cost of abatement will be billed to the property owner (see City Code Section 22-48). In only the most extreme instances will City staff provide a courtesy plow of sidewalks that are not usually maintained by the City.

If snow removal occurs during a day of trash collection, receptacles awaiting pickup should be set back at least two feet behind the curb line, not in the street.

10. Information and Comments

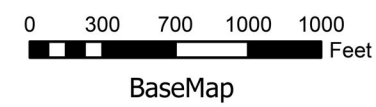
Comments and complaints will be taken during normal working hours at city hall. Complaints that warrant a short term response will typically be responded to within 24 hours of receiving the complaint, whenever feasible to do so.

Policy amended by City Council on November 15, 2023



Pathway / Sidewalk Maintenance Map

Updated November 2023



- State Fair Maintained
- UofM Maintained
- City Maintained
- Not Maintained by City

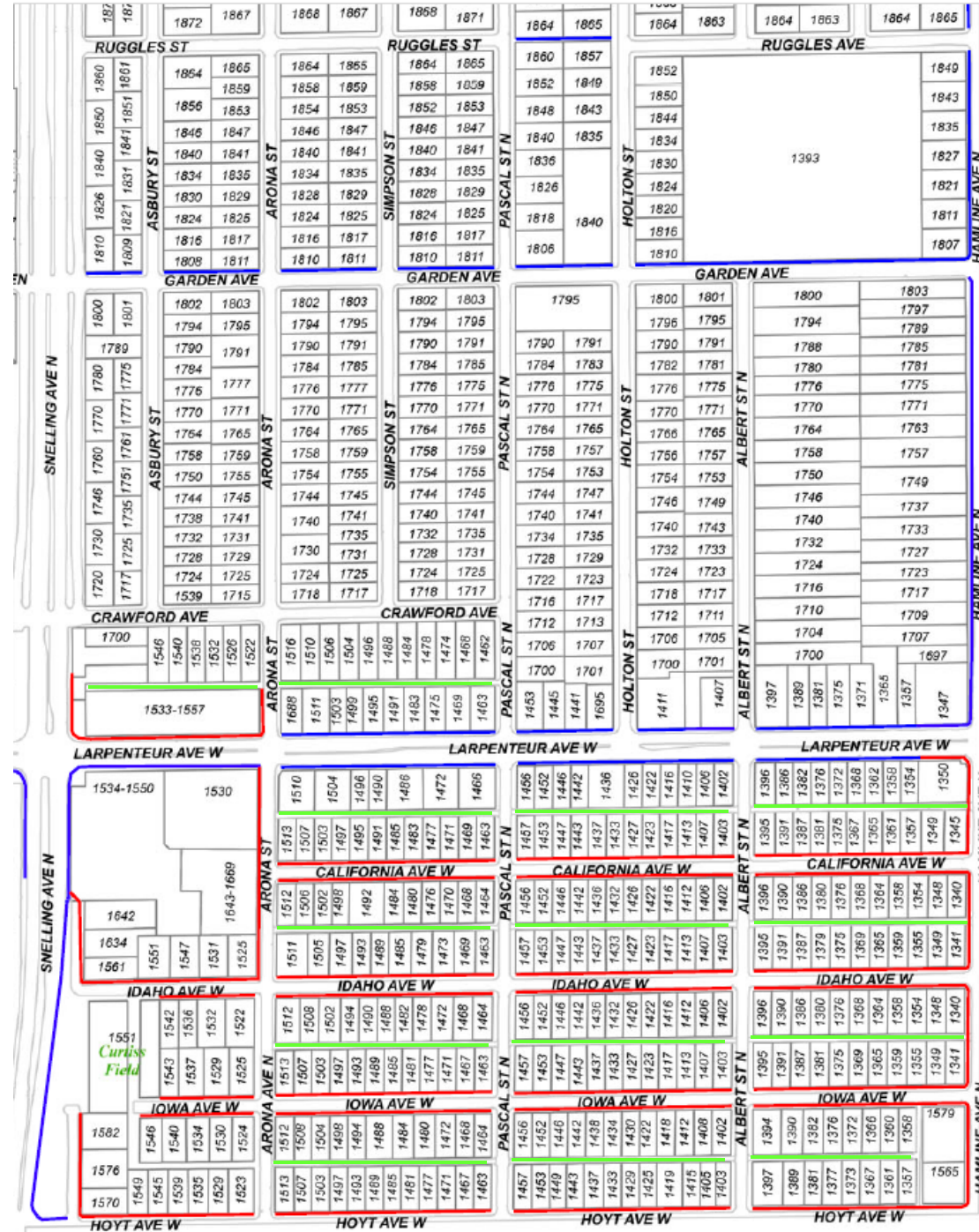


Data Sources and Contacts:
* Ramsey County GIS Base Map (4/03/23)
* City of Roseville Engineering Department
For further information regarding the contents of this map contact:
City of Roseville, Engineering Department,
2660 Civic Center Drive, Roseville MN

DISCLAIMER:
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7075. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

- State Fair Maintained
- UofM Maintained
- City Maintained
- Not Maintained by City

Proposed Alleyways



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REQUEST FOR CITY COUNCIL ACTION

Meeting Date	September 3, 2025
Agenda Item	Policy C3
Attachment	Budget Handout
Submitted By	Jack Linehan, City Administrator

Item	Budget Workshop #2: Class & Comp Study, General Fund Update & Preliminary Levy Projections
Description	The purpose of this workshop will be to present the draft 2026 budget to the city council to allow for additional direction before the preliminary levy approval on September 24th. Key changes from the past draft include: Revenues: 1) Presenting a draft preliminary levy of 10.7%. Staff will present strategies where this could be reduced, either with initiative cuts or revenue transfers. Expenditures: 1) Included is the cost of implementing the Class & Comp Study to be effective 1-1-26 for budgeting purposes a. \$20K increase or 2.2% average increase i. Not across the board, some employees would see wage stagnation without COLA b. Council / Mayor Salary Considerations 2) Updated figures for Police Expenditures (122) to reflect new numbers from St. Anthony Village of \$1,754,490 as staffing continues to increase.
Budget Impact	To be discussed.
Attachment(s)	• Council Salary Study • Budget Worksheets (to be handed out at meeting)
Action(s) Requested	Review the proposed budget and discuss at workshop to provide staff with direction on modifications.

2025 City Council and Mayor Salaries (Annual)		
City	Council	Mayor
Arden Hills	\$7,452	\$8,250
Centerville		
Circle Pines	\$5,000	\$6,000
Columbus	\$3,500	\$4,500
Deephaven	\$4,800	\$7,200
Elko New Market	\$4,800	\$6,000
Isanti		
Lauderdale	\$3,000	\$4,500
Medina	\$3,000	\$4,250
Newport	\$4,800	\$6,000
Oak Grove	\$5,540	\$6,290
Oak Park Heights	\$6,800	\$7,800
Roseville	\$7,020	\$9,300
Saint Anthony Village		
Saint Paul		
Scandia	\$3,969	\$4,895
Wyoming	\$4,000	\$5,000

Average	\$4,899	\$6,153
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Falcon Heights	\$3,600	\$5,400
Percent of Market	73%	88%

GENERAL FUND REVENUE BUDGET

ACCOUNT 615810	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE	Budget Dollar Increase
<i>PROPERTY TAXES</i>										
30111	CURRENT AD VALOREM TAXES	1,776,644	1,873,764	2,066,418	2,109,776	2,109,776	2,332,728	10.6%		222,952
30111	FISCAL DISPARITY	429,234	405,444	421,230	516,925	516,925	489,053	-5.4%		(27,872)
30112	DELINQUENT AD VALOREM	2,401	3,617	16,180	0	0	0	#DIV/0!	#DIV/0!	-
30113	DELINQUENT PENALTY	274	0	1,291	0	0	0	#DIV/0!	#DIV/0!	-
30114	TAX INCREMENT EXCESS	0	0	28,709	0	0	0			-
	<i>TOTAL PROPERTY TAX LEVY</i>	<u>2,206,553</u>	<u>2,282,825</u>	<u>2,533,828</u>	<u>2,626,701</u>	<u>2,626,701</u>	<u>2,821,781</u>	<u>7.4%</u>	<u>0%</u>	<u>195,080</u>
<i>LICENSES & PERMITS</i>										
32110	CONTRACTOR LICENSES	105	1,570	560	0	100	500	#DIV/0!	#DIV/0!	500
32120	LIQUOR, WINE & THC LICENSES	8,312	8,312	6,311	6,500	6,500	6,500	0%	0%	-
32130	CIGARETTE & AMUSEMENT LICENSES	750	500	750	750	750	750	0%	0%	-
32140	MISCELLANEOUS BUSINESS LICENSES	7,980	6,360	9,866	8,000	8,000	8,000	0%	0%	-
32150	RENTAL HOUSING LICENSE	9,750	7,700	8,400	8,500	8,500	8,500	0%	0%	-
32210	BUILDING PERMITS	118,354	160,988	59,935	64,000	50,000	64,000	0%	-22%	-
32216	ZONING/DRIVEWAYS/FENCES	0	1,039	1,700	1,000	1,000	1,000	0%	0%	-
32220	MECHANICAL PERMITS	9,524	62,307	11,275	11,000	11,000	11,000	0%	0%	-
32230	PLUMBING PERMITS	4,750	5,458	4,895	4,000	4,000	4,000	0%	0%	-
32235	SIGN PERMITS	50	250	50	0	0	0	#DIV/0!	#DIV/0!	-
32240	OTHER PERMITS	6,696	6,621	7,123	5,000	6,000	5,000	0%	20%	-
	<i>TOTAL LICENSES & PERMITS</i>	<u>166,271</u>	<u>260,184</u>	<u>110,865</u>	<u>108,750</u>	<u>95,850</u>	<u>109,250</u>	<u>0%</u>	<u>-12%</u>	<u>500</u>
<i>INTERGOVERNMENTAL</i>										
33400	STATE GRANTS & AIDS (LGA)	603,532	615,810	759,971	759,971	759,971	759,971	0%	0%	-
33405	SNELLING/LARP CORRIDOR STUDY GRANT	0	14,045	34,400	0	0	0		#DIV/0!	-
33406	MN PUBLIC SAFETY AID LGA	0	224,272	0	0	0	0			-
33409	MCMA INTERN GRANT	0	0	3,500	0	0	0			-
33410	OTHER GRANTS (PERA & TREE DISASTER)	0	0	0	0	0	0	#DIV/0!	#DIV/0!	-
33411	STATE AID - POLICE	15,033	10,129	49,268	0	0	0		#DIV/0!	-
33440	INSURANCE PREMIUM - FIRE	0	0	0	5,000	0	0	-100%	-100%	(5,000)
33700	CABLE TV FRANCHISE FEES	33,725	32,405	28,938	31,000	30,000	31,000	0%	-3%	-
33710	CLIMATE ACTION PLAN GRANT	0	0	0	46,075	46,075	0		0%	(46,075)
	<i>TOTAL INTERGOVERNMENTAL</i>	<u>652,290</u>	<u>896,660</u>	<u>876,077</u>	<u>842,046</u>	<u>836,046</u>	<u>790,971</u>	<u>-6%</u>	<u>-1%</u>	<u>(51,075)</u>
<i>CHARGES FOR SERVICES</i>										
34101	CITY FACILITY RENTAL	1,492	2,117	3,374	2,000	2,000	2,000	0%	0%	-
34120	PLAN CHECK FEES	5,517	17,775	8,025	10,000	6,000	10,000	0%	-40%	-
34150	ZONING REVIEW FEES	0	600	0	0	500	500	#DIV/0!	#DIV/0!	500
34160	ADMINISTRATIVE FEES	0	121	1,100	200	100	100	-50%	-50%	(100)
34200	LAUDERDALE - PLOWING CONTRACT	12,150	24,604	25,219	26,030	26,030	26,811	3%	0%	781
34215	FIRE RENTAL HOUSING INSPECTIONS	100	300	150	0	0	0	#DIV/0!	#DIV/0!	-
34221	FALSE ALARMS - FIRE	760	60	0	0	0	0	#DIV/0!	#DIV/0!	-
34222	FALSE ALARMS - SECURITY	1,300	780	720	750	500	750	0%	-33%	-
34500	TOBACCO COMPLIANCE	0	0	500	0	0	0	#DIV/0!	#DIV/0!	-
	<i>TOTAL CHARGES FOR SERVICES</i>	<u>21,319</u>	<u>46,357</u>	<u>39,088</u>	<u>38,980</u>	<u>35,130</u>	<u>40,161</u>	<u>3%</u>	<u>-10%</u>	<u>1,181</u>
<i>FINES & FORFEITS</i>										
35110	COURT FINES	18,385	17,962	18,168	15,000	15,000	15,000	0%	0%	-
	<i>TOTAL FINES & FORFEITS</i>	<u>18,385</u>	<u>17,962</u>	<u>18,168</u>	<u>15,000</u>	<u>15,000</u>	<u>15,000</u>	<u>0%</u>	<u>0%</u>	<u>-</u>
<i>SPECIAL ASSESSMENTS</i>										
36100	SPECIAL ASSESSMENTS	0	0	0	0	0	0	#DIV/0!	#DIV/0!	-
	<i>TOTAL SPECIAL ASSESSMENTS</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>#DIV/0!</u>	<u>#DIV/0!</u>	<u>-</u>
<i>MISCELLANEOUS</i>										
36211	INTEREST ON INVESTMENTS	43,100	149,178	156,531	15,000	150,000	30,000	100%	900%	15,000
36212	TIF LOAN INTEREST	0	0	50	0	0	0			-
36213	CHANGE IN FAIR VALUE OF INVESTMENT	(48,269)	28,028	7,313	0	0	0	#DIV/0!	#DIV/0!	-
36233	CONTRIBUTION - AARP TAX	0	0	200	0	300	0			-
36400	MISCELLANEOUS	1,125	553	2,840	1,000	2,000	1,000	0%	100%	-
36401	MCMA INTERNSHIP	0	0	2,262	0	0	0			-
36420	INSURANCE REFUND	28,507	5,553	11,304	5,000	4,176	5,000	0%	-16%	-
36480	SNOW REMOVAL	0	1,234	0	0	0	0	#DIV/0!	#DIV/0!	-
36490	MONSANTO PBC SETTLEMENT	0	17,414	0	0	0	0	#DIV/0!	#DIV/0!	-
	<i>TOTAL MISCELLANEOUS</i>	<u>24,462</u>	<u>201,959</u>	<u>180,501</u>	<u>21,000</u>	<u>156,476</u>	<u>36,000</u>	<u>71%</u>	<u>645%</u>	<u>15,000</u>
	<i>TOTAL REVENUES</i>	<u>3,091,280</u>	<u>3,705,947</u>	<u>3,758,527</u>	<u>3,652,477</u>	<u>3,765,203</u>	<u>3,813,163</u>	<u>4%</u>	<u>3%</u>	<u>160,686</u>
39200	TRANSFERS	0	21,000	0	0	0	0	#DIV/0!	#DIV/0!	-
	<i>TOTAL OTHER FINANCING SOURCES</i>	<u>0</u>	<u>21,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>#DIV/0!</u>	<u>#DIV/0!</u>	<u>-</u>
	<i>TOTAL REVENUES & OTHER FINANCING SOURCES</i>	<u>3,091,280</u>	<u>3,726,947</u>	<u>3,758,527</u>	<u>3,652,477</u>	<u>3,765,203</u>	<u>3,813,163</u>	<u>4.40%</u>	<u>3%</u>	<u>160,686</u>

LEGISLATIVE EXPENDITURES (111)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE
<i>COMPENSATION</i>									
60510	MAYOR & CITY COUNCIL	19,710	19,800	19,800	19,800	19,800	19,800	0%	0%
60515	CITY COMMISSIONERS	0	0	0	21,000	7,000	21,000		
64011	PERA CONTRIBUTIONS	836	990	990	810	990	990		22%
64012	FICA CONTRIBUTIONS	1,508	1,515	1,515	3,120	2,500	3,200	3%	-20%

		TOTAL COMPENSATION	22,053	22,305	22,305	44,730	30,290	44,990	1%	-32%	260
		MATERIALS & SUPPLIES									-
70100	SUPPLIES		87	39	0	100	175	100	0%	75%	-
70410	LEGAL NOTICES		669	2,258	1,452	1,400	1,500	1,750	25%	7%	350
	TOTAL MATERIALS & SUPPLIES		756	2,297	1,452	1,500	1,675	1,850	23%	12%	350
	OTHER SERVICES & CHARGES										-
86100	CONFERENCES/EDUCATION/TRAINING		975	2,551	1,712	2,500	2,500	2,500	0%	0%	-
86130	MEETINGS		0	0	0	500	250	500		-50%	-
86140	COMMISSIONS/MEMBERSHIPS/ASSOCIATIONS		8,893	9,358	5,086	10,000	10,032	11,000	10%	0%	1,000
86500	COOPERATIVE SERVICES (NYPS + TURMAN)		11,287	17,246	17,846	18,800	18,296	40,000	113%	-3%	21,200
88000	INSURANCE & BONDS		73	75	49	90	140	140	56%	56%	50
	TOTAL OTHER SERVICES & CHARGES		21,228	29,230	24,693	31,890	31,218	54,140	70%	-2%	22,250
111	TOTAL EXPENDITURES		44,037	53,832	48,490	78,120	63,183	100,980	29%	-19%	22,860

ADMINISTRATIVE EXPENDITURES (112)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE	
	COMPENSATION									-
60100	REGULAR SALARIES	188,160	155,178	161,989	177,000	177,000	182,000	3%	0%	5,000
60520	PART-TIME EMPLOYEES/INCLUSION	9,027	10,140	7,600	5,000	0	5,000	0%	-100%	-
64011	PERA CONTRIBUTIONS	11,155	11,699	12,441	13,650	12,000	13,700	0%	-12%	50
64012	FICA CONTRIBUTIONS	15,070	12,433	12,148	14,000	12,000	14,000	0%	-14%	-
64031	HOSPITALIZATION	22,405	15,477	24,680	30,000	25,000	31,500	5%	-17%	1,500
64032	DENTAL	1,095	1,065	895	1,500	1,000	1,575	5%	-33%	75
64033	LONG-TERM DISABILITY	246	250	107	500	200	525	5%	-60%	25
64034	LIFE INSURANCE	216	195	199	500	250	525	5%	-50%	25
	TOTAL COMPENSATION	247,375	206,437	220,060	242,150	227,450	248,825	3%	-6%	6,675
	MATERIALS & SUPPLIES									-
70100	SUPPLIES	6,101	4,015	3,500	5,500	5,500	5,500	0%	0%	-
70500	POSTAGE	2,243	2,034	917	4,400	2,000	3,000	-32%	-55%	(1,400)
	TOTAL MATERIALS & SUPPLIES	8,343	6,049	4,417	9,900	7,500	8,500	-14%	-24%	(1,400)
	OTHER SERVICES & CHARGES									-
80330	CONSULTANT	10,250	41,475	18,493	25,000	25,000	25,000	0%	0%	-
86010	MILEAGE	964	198	173	500	500	500	0%	0%	-
86100	CONFERENCES/EDUCATION/ASSOCIATIONS	1,353	2,230	9,222	8,000	8,000	8,000	0%	0%	-
86110	MEMBERSHIPS	51	675	40	700	200	700	0%	-71%	-
87000	REPAIR OFFICE EQUIPMENT	878	1,439	2,537	1,500	1,900	1,500	0%	27%	-
88000	INSURANCE & BONDS	17,738	22,351	32,182	35,000	30,574	35,000	0%	-13%	-
89000	MISCELLANEOUS	(1,101)	9,693	11,626	5,000	5,000	5,000	0%	0%	-
	TOTAL OTHER SERVICES & CHARGES	30,134	78,030	74,273	75,500	70,974	75,500	0%	-6%	-
112	TOTAL EXPENDITURES	285,852	290,517	298,750	327,550	305,924	332,825	2%	-7%	5,275
	OTHER FINANCING USES									-
97000	TRANSFERS TO CAPITAL	114,000	50,000	50,000	50,000	50,000	50,000	0%	0%	-
	TOTAL OTHER FINANCING USES	114,000	50,000	50,000	50,000	50,000	50,000	0%	0%	-
	TOTAL EXPENDITURES & OTHER FINANCING USES	399,852	340,517	348,750	377,550	355,924	382,825	1%	-6%	5,275

FINANCE EXPENDITURES (113)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE	
	COMPENSATION									-
60100	REGULAR SALARIES	100,452	104,400	112,802	173,000	206,000	70,000		19%	(103,000)
60520	PART-TIME FINANCIAL EMPLOYEES	18,582	29,925	39,302	0	0	0	#DIV/0!		
64011	PERA CONTRIBUTIONS	8,437	10,051	11,384	13,000	13,000	5,300	-59%	0%	(7,700)
64012	FICA CONTRIBUTIONS	9,064	10,212	11,573	13,400	14,000	5,400	-60%	4%	(8,000)
64031	HOSPITALIZATION	10,417	10,867	10,651	22,300	15,000	4,000	-82%	-33%	(18,300)
64032	DENTAL	445	456	424	1,000	1,000	250	-75%	0%	(750)
64033	LONG-TERM DISABILITY	285	324	78	400	300	200	-50%	-25%	(200)
64034	LIFE INSURANCE	600	573	555	642	900	300	-53%	40%	(342)
	TOTAL COMPENSATION	148,282	166,819	186,769	223,742	250,200	85,450	-62%	12%	(138,292)
	MATERIALS & SUPPLIES									-
70100	SUPPLIES	343	192	1,783	500	500	500	0%	0%	-
	TOTAL MATERIALS & SUPPLIES	343	192	1,783	500	500	500	0%	0%	-
	OTHER SERVICES & CHARGES									-
80310	AUDIT	11,160	11,700	12,238	13,450	12,600	13,921	3%	-6%	471
80330	FINANCIAL CONSULTANT	0	0	0	0	6,000	100,000	#DIV/0!		100,000
80600	SOFTWARE MAINTENANCE	7,601	9,441	8,539	9,000	9,181	9,315	3%	2%	315
86010	MILEAGE	585	686	780	1,000	700	1,035	3%	-30%	35
86100	CONFERENCES/EDUCATION	70	0	0	5,000	1,000	5,175	3%	-80%	175
86110	MEMBERSHIPS	170	460	460	600	620	621	3%	3%	21

88000	INSURANCE & BONDS	1,006	1,029	1,054	750	700	776	3%	-7%	26
88500	POSITIVE PAY EXP	660	667	331	700	300	725	3%	-57%	25
89000	MISCELLANEOUS	755	460	525	1,000	1,000	1,035	3%	0%	35
	TOTAL OTHER SERVICES & CHARGES	22,007	24,443	23,927	31,500	32,101	132,603	521%	2%	101,103
113	TOTAL EXPENDITURES	170,632	191,454	212,480	255,742	282,801	218,553	-15%	11%	(37,190)

LEGAL EXPENDITURES (114)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE
	OTHER SERVICES & CHARGES								
80200	LEGAL FEES	7,760	29,567	19,837	25,000	22,000	25,000	0%	-12%
80210	ZONING CODE UPDATE	0	0	0	2,500	2,500	2,500	0%	0%
	TOTAL OTHER SERVICES & CHARGES	7,760	29,567	19,837	27,500	24,500	27,500	0%	-11%
114	TOTAL EXPENDITURES	7,760	29,567	19,837	27,500	24,500	27,500	0%	-11%

ELECTIONS EXPENDITURES (115)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE
	MATERIALS & SUPPLIES								
70100	SUPPLIES	822	471	1,552	1,300	1,000	1,500	15%	-23%
70500	POSTAGE	0	0	0	0	0	0	#DIV/0!	#DIV/0!
	TOTAL MATERIALS & SUPPLIES	822	471	1,552	1,300	1,000	1,500	15%	-23%
	OTHER SERVICES & CHARGES								
80300	ELECTION CONTRACT	21,800	21,800	21,800	23,975	23,976	25,000	4%	0%
80350	ACCUVOTE VOTING SERVICE	3,230	2,266	2,946	3,000	2,527	3,000	0%	-16%
	TOTAL OTHER SERVICES & CHARGES	25,030	24,066	24,746	26,975	26,503	28,000	4%	-2%
115	TOTAL EXPENDITURES	25,851	24,537	26,298	28,275	27,503	29,500	4%	-3%
	OTHER FINANCING USES								
97000	TRANSFERS TO CAPITAL	0	0	0	0	0	0	#DIV/0!	#DIV/0!
	TOTAL OTHER FINANCING USES	0	0	0	0	0	0	#DIV/0!	#DIV/0!
	TOTAL EXPENDITURES & OTHER FINANCING USES	25,851	24,537	26,298	28,275	27,503	29,500	4%	-3%

COMMUNICATIONS EXPENDITURES (116)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE
	COMPENSATION								
60100	REGULAR SALARIES	26,900	43,963	51,708	55,000	55,000	57,000	4%	0%
60520	PART-TIME EMPLOYEES (Special Events)	0	0	120	0	0	900	#DIV/0!	#DIV/0!
64011	PERA CONTRIBUTIONS	1,752	3,423	4,060	4,050	4,100	4,300	6%	1%
64012	FICA CONTRIBUTIONS	2,058	3,683	4,200	4,150	4,200	4,400	6%	1%
64031	HOSPITALIZATION	28	7,678	9,474	10,200	11,200	10,710	5%	10%
64032	DENTAL	0	207	256	500	400	525	5%	-20%
64033	LONG-TERM DISABILITY	19	86	34	60	66	63	5%	10%
64034	LIFE INSURANCE	32	91	105	110	110	116	5%	0%
	TOTAL COMPENSATION	30,789	59,131	69,957	74,070	75,076	78,014	5%	1%
	MATERIALS & SUPPLIES								
70100	SUPPLIES	219	210	1,172	2,000	2,000	2,000	0%	0%
70420	NEWSLETTERS/INFORMATION	6,303	6,613	5,158	8,000	8,000	8,000	0%	0%
70440	POLICE NEWS/INFORMATION	0	0	2,405	0	0	0	0%	0%
70500	POSTAGE	3,104	2,307	1,815	3,000	3,000	3,000	0%	0%
	TOTAL MATERIALS & SUPPLIES	9,627	9,131	10,551	13,000	13,000	13,000	0%	0%
85010	TELEPHONE	379	850	1,358	1,250	1,300	1,300	4%	4%
85040	VIRTUAL COMMUNICATION	3,295	2,645	411	1,000	400	500	-50%	-60%
85050	CABLE TV	19,694	20,698	20,678	24,500	24,500	25,358	3%	0%
85060	WEBSITE	4,244	4,371	4,677	25,000	17,000	14,000	-44%	-32%
85070	TECHNICAL SUPPORT	38,252	42,421	49,726	53,295	53,292	59,251	11%	0%
86010	MILEAGE	0	7	0	0	0	0	#DIV/0!	#DIV/0!
89010	SPECIAL EVENTS	2,916	2,592	8,125	10,000	9,000	10,000	0%	-10%
	TOTAL OTHER SERVICES & CHARGES	68,779	73,584	84,974	115,045	105,492	110,409	-4%	-8%
116	TOTAL EXPENDITURES	109,196	141,845	165,483	202,115	193,568	201,422	0%	-4%
	OTHER FINANCING USES								
97000	TRANSFERS	0	0	0	0	0	0	#DIV/0!	#DIV/0!
	TOTAL OTHER FINANCING USES	0	0	0	0	0	0	#DIV/0!	#DIV/0!
	TOTAL EXPENDITURES &								

OTHER FINANCING USES		109,196	141,845	165,483	202,115	193,568	201,422	0%	-4%	(693)

81010	SAFETY AID - POLICE SERVICES	0	0	224,274	0	0	0			
81200	DISPATCH 911	33,588	31,652	32,957	45,079	38,592	46,957	4%	-14%	1,878
81300	ANIMAL CONTROL	308	769	701	800	500	0			(800)
	TOTAL OTHER SERVICES & CHARGES	1,180,805	1,345,467	1,796,798	1,661,393	1,339,092	1,801,447	8%	-19%	140,054
122	TOTAL EXPENDITURES	1,180,805	1,345,467	1,796,798	1,661,393	1,339,092	1,801,447	8%	-19%	140,054

PROSECUTION EXPENDITURES (123)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE	
	OTHER SERVICES & CHARGES									-
80200	LEGAL FEES	30,385	29,685	30,000	31,000	30,000	31,620	2%	-3%	620
	TOTAL OTHER SERVICES & CHARGES	30,385	29,685	30,000	31,000	30,000	31,620	2%	-3%	620
123	TOTAL EXPENDITURES	30,385	29,685	30,000	31,000	30,000	31,620	2%	-3%	620

FIRE SERVICES EXPENDITURES (124)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	#VALUE!	#VALUE!	0%
	OTHER SERVICES & CHARGES							#DIV/0!	#DIV/0!	0%
80332	FIRE SERVICE CONTRACT	168,713	177,718	176,390	180,359	180,359	184,417	2%	0%	4,058
	TOTAL OTHER SERVICES & CHARGES	168,713	177,718	176,390	180,359	180,359	184,417			4,058
124	TOTAL EXPENDITURES	168,713	177,718	176,390	180,359	180,359	184,417	2%	0%	4,058
97000	TRANSFERS	0	0	0	0	0	0			-
	TOTAL OTHER FINANCING USES	0	0	0	0	0	0			-
	TOTAL EXPENDITURES & OTHER FINANCING USES	168,713	177,718	176,390	180,359	180,359	184,417	2%	0%	4,058

CITY HALL & GROUNDS EXPENDITURES (131)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE	
	COMPENSATION									-
60100	REGULAR SALARIES	19,895	20,653	23,970	25,680	25,000	25,000	-3%	-3%	(680)
60520	PART-TIME EMPLOYEES	1,760	0	0	0	0	0	#DIV/0!	#DIV/0!	-
64011	PERA CONTRIBUTIONS	1,624	1,357	1,786	1,800	1,700	1,900	6%	-6%	100
64012	FICA CONTRIBUTIONS	1,552	1,467	1,699	1,850	1,700	1,900	3%	-8%	50
64031	HOSPITALIZATION	4,822	4,456	5,908	7,400	6,000	7,770	5%	-19%	370
64032	DENTAL	192	146	216	350	250	368	5%	-29%	18
64033	LONG-TERM DISABILITY	55	53	17	75	30	79	5%	-60%	4
64034	LIFE INSURANCE	57	46	49	80	50	84	5%	-38%	4
	TOTAL COMPENSATION	29,956	28,178	33,644	37,235	34,730	37,100	0%	-7%	(135)
	MATERIALS & SUPPLIES									-
70110	SUPPLIES	9,873	11,488	8,427	9,000	8,000	9,000	-11%	-11%	-
	TOTAL MATERIALS & SUPPLIES	9,873	11,488	8,427	9,000	8,000	9,000	0%	-11%	-
	OTHER SERVICES & CHARGES									-
85015	CELL PHONE	686	0	0	720	0	720	0%	-100%	-
85020	ELECTRIC	3,136	4,436	2,107	500	6,000	5,000	900%	1100%	4,500
85025	SOLAR GARDEN	11,611	0	0	0	0	0	#DIV/0!	#DIV/0!	-
85030	NATURAL GAS	8,043	5,616	4,577	7,000	7,000	7,000	0%	0%	-
85040	WATER	820	874	1,055	2,000	1,300	2,000	0%	-35%	-
85070	SEWER	72	0	0	0	0	0	#DIV/0!	#DIV/0!	-
86100	CONFERENCES/EDUCATION/ASSOCIATIONS	737	801	849	800	852	900	13%	6%	100
87010	CITY HALL GROUNDS/FACILITIES/BLDG. MAINT.	13,413	13,132	18,218	13,000	16,000	16,000	23%	23%	3,000
87100	PANIC BUTTON SECURITY	473	284	378	500	400	500	0%	-20%	-
88000	INSURANCE & BONDS	28,402	35,279	28,822	38,101	25,000	38,101	0%	-34%	-
89000	MISCELLANEOUS	92	92	100	100	100	100	0%	0%	-
	TOTAL OTHER SERVICES & CHARGES	67,485	60,512	56,105	62,721	56,652	70,321	12%	-10%	7,600
131	TOTAL EXPENDITURES	107,313	100,179	98,176	108,956	99,382	116,421	7%	-9%	7,465
	OTHER FINANCING USES									-

97000	TRANSFERS	0	0	0	0	0	0	#DIV/0!	#DIV/0!	-
	TOTAL OTHER FINANCING USES	0	0	0	0	0	0	#DIV/0!	#DIV/0!	-
	TOTAL EXPENDITURES & OTHER FINANCING USES	107,313	100,179	98,178	108,956	99,382	116,421	7%	-9%	7,465

STREET EXPENDITURES (132)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE	
	COMPENSATION									-
60100	REGULAR SALARIES	55,290	47,238	54,903	50,000	54,000	50,000	0%	-7%	-
60520	PART-TIME EMPLOYEES	13,130	4,391	0	0	0	0	#DIV/0!	#DIV/0!	-
61000	OVERTIME SALARY	0	0	0	1,000	0	0	0%	#DIV/0!	(1,000)
64011	PERA CONTRIBUTIONS	5,119	2,987	4,081	3,800	3,900	3,800	0%	-3%	-
64012	FICA CONTRIBUTIONS	5,019	3,733	3,940	3,850	3,900	3,900	1%	0%	50
64031	HOSPITALIZATION	13,386	9,743	11,687	14,200	12,000	13,000	-8%	8%	(1,200)
64032	DENTAL	502	305	429	750	500	750	0%	50%	-
64033	LONG-TERM DISABILITY	157	125	37	250	70	200	-20%	186%	(50)
64034	LIFE INSURANCE	165	113	114	275	120	200	-27%	67%	(75)
	TOTAL COMPENSATION	92,768	68,635	75,191	74,125	74,490	71,850	-3%	-4%	(2,275)
	MATERIALS & SUPPLIES							#DIV/0!	#DIV/0!	-
70120	SUPPLIES	5,001	4,697	3,898	6,000	6,100	6,000	0%	-2%	-
74000	MOTOR FUEL & LUBRICANTS	13,306	14,658	9,135	15,000	10,000	15,000	0%	50%	-
75000	BITUMINOUS PATCHING	1,374	5,002	571	5,000	500	5,000	0%	900%	-
75100	STREET SIGNS	483	1,120	1,811	600	500	600	0%	20%	-
77000	CLOTHING	2,083	1,444	629	2,000	1,400	2,000	0%	43%	-
	TOTAL MATERIALS & SUPPLIES	22,247	26,922	16,041	28,600	18,500	28,600	0%	55%	-
	OTHER SERVICES & CHARGES							#DIV/0!	#DIV/0!	-
83030	SNOW REMOVAL	6,948	12,015	8,637	15,000	8,000	15,000	0%	88%	-
85030	OIL DISPOSAL	75	100	0	0	135	0	#DIV/0!	-100%	-
86100	CONFERENCES/EDUCATION/ASSOCIATIONS	0	0	0	300	0	300	0%	#DIV/0!	-
86101	MILEAGE	118	228	0	350	0	350	0%	#DIV/0!	-
87000	REPAIR EQUIPMENT	9,740	12,322	25,208	10,500	10,500	10,500	0%	0%	-
87010	BOULEVARD MAINTENANCE	750	335	2,683	800	800	800	0%	0%	-
87500	RENTAL OF EQUIPMENT	0	0	0	0	0	0	#DIV/0!	#DIV/0!	-
88000	INSURANCE & BONDS	7,357	5,048	5,311	8,000	5,500	8,000	0%	45%	-
89000	MISCELLANEOUS	602	428	1,020	800	500	500	-38%	0%	(300)
	TOTAL OTHER SERVICES & CHARGES	25,590	30,477	42,859	35,750	25,435	35,450	-1%	39%	(300)
132	TOTAL EXPENDITURES	140,604	126,033	134,091	138,475	118,425	135,900	-2%	15%	(2,575)
	OTHER FINANCING USES									-
97000	TRANSFERS	0	0	0	0	0	0	#DIV/0!	#DIV/0!	-
	TOTAL OTHER FINANCING USES	0	0	0	0	0	0	#DIV/0!	#DIV/0!	-
	TOTAL EXPENDITURES & OTHER FINANCING USES	140,604	126,033	134,091	138,475	118,425	135,900	-2%	15%	(2,575)

ENGINEERING EXPENDITURES (133)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE	
	OTHER SERVICES & CHARGES									-
80100	ENGINEERING SERVICES	4,874	6,415	3,886	12,000	12,000	15,000	25%	25%	3,000
	TOTAL OTHER SERVICES & CHARGES	4,874	6,415	3,886	12,000	12,000	15,000	25%	25%	3,000
133	TOTAL EXPENDITURES	4,874	6,415	3,886	12,000	12,000	15,000	25%	25%	3,000

TREE PROGRAM EXPENDITURES (134)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	PROPOSED 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE	
	MATERIALS & SUPPLIES							#DIV/0!	#DIV/0!	-
70110	SUPPLIES	0	0	82	0	0	0	#DIV/0!	#DIV/0!	-
	TOTAL MATERIALS & SUPPLIES	0	0	82	0	0	0	#DIV/0!	#DIV/0!	-
	OTHER SERVICES & CHARGES							#REF!	#REF!	#REF!
80330	FORESTRY CONSULTANT	2,375	1,441	1,219	5,000	2,500	5,000	-100%	-100%	(5,000)
84010	TREE TRIMMING	6,740	57,000	37,730	45,000	45,000	45,000	0%	0%	-
84020	TREE REMOVAL	8,025	11,065	8,900	15,000	14,000	15,000	0%	7%	-
84030	TREE PLANTING	0	0	1,278	25,000	25,000	25,000	0%	0%	-
84040	STORM DAMAGE	3,450	925	8,955	3,000	1,000	3,000	0%	200%	-

ENVIRONMENTAL EXPENDITURES (137)

PARK MAINTENANCE & ADMINISTRATION EXPENDITURES (141)

77

88000	INSURANCE & BONDS	9,489	7,401	8,704	10,500	5,400	10,500						
89000	MISCELLANEOUS	0	0	0	0	0	0	#DIV/0!	0%	#DIV/0!	94%	-	-
	TOTAL OTHER SERVICES & CHARGES	21,462	19,305	14,730	31,000	11,760	48,500						17,500
								#DIV/0!	56%	#DIV/0!	312%	-	-
141	TOTAL EXPENDITURES	82,622	80,461	90,104	117,950	85,890	132,905		13%		55%	14,955	-
	OTHER FINANCING USES											-	-
97000	TRANSFERS	526,000	526,000	26,000	26,000	26,000	26,000		0%		0%	-	-
	TOTAL OTHER FINANCING USES	526,000	526,000	26,000	26,000	26,000	26,000		0%		0%	-	-
	TOTAL EXPENDITURES & OTHER FINANCING USES												
		608,622	606,461	116,104	143,950	111,890	158,905		10%		42%	14,955	-

CONTINGENCY EXPENDITURES (192)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE
	WAGES, SALARIES, & COMP								
64011	PERA	0	0	0	0	0	0	#DIV/0!	#DIV/0!
64012	FICA CONTRIBUTION	0	0	0	0	0	0	#DIV/0!	#DIV/0!
	TOTAL WAGES, SALARIES & COMP	0	0	0	0	0	0	#DIV/0!	#DIV/0!
	OTHER SERVICES & CHARGES								
89000	MISCELLANEOUS	4,005	6,953	3,609	14,000	5,000	14,000	0%	180%
	TOTAL OTHER SERVICES & CHARGES	4,005	6,953	3,609	14,000	5,000	14,000	0%	180%
192	TOTAL EXPENDITURES	4,005	6,953	3,609	14,000	5,000	14,000	0%	180%
	OTHER FINANCING USES								
97000	TRANSFERS	0	0	0	0	0	0	#DIV/0!	#DIV/0!
	TOTAL OTHER FINANCING USES	0	0	0	0	0	0	#DIV/0!	#DIV/0!
	TOTAL EXPENDITURES & OTHER FINANCING USES	4,005	6,953	3,609	14,000	5,000	14,000	0%	180%

TOTAL GENERAL FUND EXPENDITURES BY LINE ITEM

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE
	COMPENSATION								
60100	REGULAR SALARIES	490,204	483,378	545,259	630,180	657,000	534,400	-15%	4%
60510	MAYOR & CITY COUNCIL	19,710	19,800	19,800	19,800	19,800	19,800	0%	0%
60515	CITY COMMISSIONERS	0	0	0	21,000	7,000	21,000		
60520	PART-TIME EMPLOYEES	50,918	51,758	55,609	13,500	12,000	16,900	25%	-11%
60540	RINK ATTENDANTS-SEASONAL	2,237	2,190	430	4,000	0	4,000	0%	-100%
61000	OVERTIME SALARY	0	0	0	1,000	0	0		
64011	PERA CONTRIBUTIONS	35,727	38,549	45,801	48,310	46,740	41,220	-15%	-3%
64012	FICA CONTRIBUTIONS	42,781	42,118	46,228	52,770	49,600	45,040	-15%	-6%
64031	HOSPITALIZATION	61,350	60,034	76,539	109,400	88,950	93,435	-15%	-19%
64032	DENTAL	2,659	2,530	2,669	5,900	3,970	5,298	-10%	-33%
64033	LONG-TERM DISABILITY	999	1,070	364	1,619	851	1,416	-13%	-47%
64034	LIFE INSURANCE	1,272	1,255	1,255	1,940	1,678	1,573	-19%	-14%
	TOTAL COMPENSATION	707,798	702,651	793,955	909,419	887,589	784,082	-14%	-2%
	MATERIALS & SUPPLIES								
70100	SUPPLIES	8,903	5,985	14,312	14,450	14,195	10,150	-30%	-2%
70110	SUPPLIES - MISC	9,873	12,385	9,520	9,500	8,500	9,500	0%	-11%
70120	TOOLS	5,001	4,697	3,898	6,100	6,150	6,100	0%	1%
70410	LEGAL NOTICES	669	2,258	1,432	1,400	1,500	1,750	25%	7%
70420	NEWSLETTERS	6,303	6,613	5,293	8,100	8,100	8,100	0%	0%
70440	POLICE NEWS/INFORMATION	0	0	2,405	0	0	0		
70500	POSTAGE	5,347	4,342	2,768	7,450	5,050	6,050	-19%	-32%
74000	MOTOR FUEL & LUBRICANTS	14,306	16,454	10,543	16,500	11,500	16,500	0%	-30%
75000	BITUMINOUS PATCHING	1,374	5,002	571	5,000	500	5,000	0%	-90%
75100	STREET SIGNS	483	1,120	1,811	600	500	600	0%	-17%
77000	CLOTHING	2,083	1,444	629	2,000	1,400	2,000	0%	-30%
	TOTAL MATERIALS & SUPPLIES	54,342	60,299	53,202	71,100	57,395	65,750	-8%	-19%
	OTHER SERVICES & CHARGES								
80100	ENGINEERING SERVICES	4,874	6,415	3,886	12,000	12,000	15,000	25%	0%
80200	LEGAL FEES	38,145	59,252	49,837	56,000	52,000	56,620	1%	-7%
80210	ZONING CODE UPDATE	0	0	0	2,500	2,500	2,500	0%	0%
80300	ELECTION CONTRACT	21,800	21,800	21,800	23,975	23,976	25,000	4%	0%
80310	AUDIT	11,160	11,700	12,238	13,450	12,600	13,921	-6%	-4%
80330	ADMIN /AUDIT/RN/FOREST CONSULTANT	12,625	42,916	19,712	30,000	33,500	130,000	333%	12%
80332	FIRE SERVICE CONTRACT	168,713	177,718	176,390	180,359	180,359	184,417	0%	0%
80350	ACCUVOTE VOTING SERVICE	3,230	2,266	2,946	3,000	2,527	3,000		-16%
80400	CONSULTANT PLANNER	9,521	880	0	10,000	0	60,000	500%	-100%
80450	SNELLING/LARP CORRIDOR STUDY	0	14,156	28,989	0	0	0		
80460	CLIMATE ACTION PLAN	0	0	5,144	49,425	49,425	0		#DIV/0!
80500	GIS SUPPORT	940	1,471	1,006	1,400	1,100	1,500	7%	-21%
80600	FINANCIAL SOFTWARE MAINTENANCE	7,601	9,441	8,539	9,000	9,181	9,315	3%	2%
81000	POLICE SERVICES	1,146,909	1,313,047	1,538,866	1,615,514	1,300,000	1,754,490	9%	-20%
81010	SAFETY AID - POLICE SERVICES	0	0	224,274	0	0	0		
81200	DISPATCH 911	33,588	31,652	32,957	45,079	38,592	46,957	4%	-14%
81210	BLDG/MECHANICAL INSPECTORS	62,458	47,788	55,235	70,000	56,000	70,000	0%	-20%

81220	MECHANICAL INSPECTORS	6,583	26,254	9,558	11,100	9,000	11,000	-1%	-19%	(100)
81230	PLUMBING INSPECTIONS	3,070	878	2,979	3,000	3,000	3,000		0%	-
81300	ANIMAL CONTROL	308	769	701	800	500	0		-38%	(800)
83030	SNOW REMOVAL	6,948	12,015	8,637	15,000	8,000	15,000	0%	-47%	-
84010	TREE TRIMMING	6,740	57,000	37,730	45,000	45,000	45,000		0%	-
84020	TREE REMOVAL	8,025	11,065	8,900	15,000	14,000	15,000		-7%	-
84030	TREE PLANTING	0	0	1,278	25,000	25,000	25,000		0%	-
84040	STORM DAMAGE	3,450	925	8,955	3,000	1,000	3,000	0%	-67%	-
85010	TELEPHONE	379	850	1,358	1,250	1,300	1,300	4%	4%	50
85011	TELEPHONE - LANDLINE	766	767	802	800	860	900	13%	8%	100
85015	CELL PHONE	686	0	0	720	0	720	0%	-100%	-
85020	ELECTRIC	6,451	7,894	3,301	5,700	7,100	11,600	104%	25%	5,900
85025	SOLAR ELECTRIC	11,611	11,810	14,155	17,000	15,000	15,000	-12%	-12%	(2,000)
85030	UTILITIES	9,256	6,207	4,577	9,000	7,135	7,000	-22%	-21%	(2,000)
85040	WATER	4,645	3,946	1,927	4,000	2,400	17,500	338%	-40%	13,500
85050	CABLE TV	19,694	20,698	20,678	24,500	24,500	25,358	3%	0%	857
85060	WEBSITE	4,244	4,371	4,677	25,000	17,000	14,000	-44%	-32%	(11,000)
85070	NETWORK/TECHNICAL SUPPORT(I-Net)	38,336	42,421	49,726	53,295	53,292	59,251	11%	0%	5,956
86010	MILEAGE	1,555	1,296	1,397	1,900	1,325	1,960	3%	-30%	60
86100	CONFERENCES/EDUCATION/ASSOCIATIONS	3,135	6,464	13,035	17,700	13,703	18,325	4%	-23%	625
86101	MILEAGE	118	228	0	350	0	350	0%	-100%	-
86105	TEMPORARY WARMING HOUSE	3,596	3,073	853	4,000	0	4,000		-100%	-
86110	MEMBERSHIPS	221	1,234	601	1,600	1,120	1,621	1%	-30%	21
86130	MEETINGS	0	0	0	500	250	500	0%	-50%	-
86140	COMMISSIONS	8,989	9,358	5,086	10,000	10,032	11,000	10%	0%	1,000
86500	COOPERATIVE SERVICE	11,287	17,246	17,846	18,800	18,296	40,000	113%	-3%	21,200
87000	REPAIR AND MAINTENANCE	10,617	13,761	27,745	12,000	12,400	12,000	0%	3%	-
87010	MAINTENANCE CITY HALL	14,163	13,467	20,901	13,800	16,800	16,800	22%	22%	3,000
87100	PANIC BUTTON SECURITY	473	284	378	500	400	500	0%	-20%	-
87120	GROUNDS MAINTENANCE	3,168	4,279	3,017	8,000	4,000	12,000	50%	-50%	4,000
88000	INSURANCE & BONDS	64,065	71,183	76,122	92,441	67,314	92,517	0%	-27%	76
88500	ELECTRONIC PAYMENT EXPENSE	660	667	331	700	300	725	3%	-57%	25
89000	MISCELLANEOUS	4,353	17,625	16,880	20,900	11,600	20,635	-1%	-44%	(265)
89010	SPECIAL EVENTS	2,916	2,592	8,675	10,000	9,000	10,150	1%	-10%	150
89070	ENERGY AUDIT INCENTIVE	0	1,250	1,250	1,500	1,500	1,500		0%	-
89100	ENERGY REBATE PROGRAM	43	0	0	400	400	400	0%	0%	-
	TOTAL OTHER SERVICES & CHARGES	1,782,019	2,112,338	2,555,844	2,595,958	2,176,287	2,887,331	11%	-16%	291,373
	TOTAL EXPENDITURES	2,544,158	2,875,288	3,403,001	3,576,477	3,121,271	3,737,163	4%	-13%	160,686
	OTHER FINANCING USES									-
97000	TRANSFERS	640,000	576,000	76,000	76,000	76,000	76,000	0%	0%	-
	TOTAL OTHER FINANCING USES	640,000	576,000	76,000	76,000	76,000	76,000	0%	0%	-
	TOTAL EXPENDITURES & OTHER USES	3,184,158	3,451,288	3,479,001	3,652,477	3,197,271	3,813,163	4.40%	-12%	160,686

TOTAL GENERAL FUND EXPENDITURES BY DEPARTMENT

DEPT NUMBER	ACCOUNT TITLE	ACTUAL 2022	ACTUAL 2023	ACTUAL 2024	BUDGET 2025	ESTIMATED 2025	PROPOSED 2026	BUDGET TO BUDGET	BUDGET TO ESTIMATE	
<i>GENERAL GOVERNMENT</i>										
111	LEGISLATIVE	44,037	53,832	48,450	78,120	63,183	100,980	29%	60%	22,860
112	ADMINISTRATIVE	285,852	290,517	298,750	327,550	305,924	332,825	2%	9%	5,275
113	FINANCE	170,632	191,454	212,480	255,742	282,801	218,553	-15%	-23%	(37,190)
114	LEGAL	7,760	29,567	19,837	27,500	24,500	27,500	0%	12%	-
115	ELECTIONS	25,851	24,537	26,298	28,275	27,503	29,500	4%	7%	1,225
116	COMMUNICATIONS	109,196	141,845	165,483	202,115	193,568	201,422	0%	4%	(693)
117	PLANNING & INSPECTIONS	157,252	175,139	197,806	204,900	176,720	257,640	26%	46%	52,740
	TOTAL GENERAL GOVERNMENT	800,580	906,891	969,103	1,124,202	1,074,199	1,168,420	4%	9%	44,218
<i>PUBLIC SAFETY</i>										
121	EMERGENCY PREPAREDNESS	3,668	3,487	5,903	8,367	5,738	8,258	-1%	44%	(109)
122	POLICE	1,180,805	1,345,467	1,796,798	1,661,393	1,339,092	1,801,447	8%	35%	140,054
123	PROSECUTION	30,385	29,685	30,000	31,000	30,000	31,620	2%	5%	620
124	FIREFIGHTING	168,713	177,718	176,390	180,359	180,359	184,417	2%	2%	4,058
	TOTAL PUBLIC SAFETY	1,383,570	1,556,357	2,009,091	1,881,119	1,555,189	2,025,742	8%	30%	144,623
<i>PARKS & PUBLIC WORKS</i>										
131	CITY HALL & GROUNDS	107,313	100,179	98,176	108,956	99,382	116,421	7%	17%	7,465
132	STREETS	140,604	126,033	134,091	138,475	118,425	135,900	-2%	15%	(2,575)
133	ENGINEERING	4,874	6,415	3,886	12,000	12,000	15,000	25%	25%	3,000
134	TREE PROGRAM	20,590	70,431	58,164	93,000	87,500	93,000	0%	6%	-
137	ENVIRONMENTAL	0	21,569	36,776	86,775	83,686	35,775	-59%	-57%	(51,000)
141	PARK MAINTENANCE & ADMINISTRATION	82,622	80,461	90,104	117,950	85,890	132,905	13%	55%	14,955
	TOTAL PARKS & PUBLIC WORKS	356,003	405,087	421,197	557,156	486,883	529,001	-5%	9%	(28,155)
<i>MISCELLANEOUS</i>										
192	CONTINGENCY	4,005	6,953	3,609	14,000	5,000	14,000	0%	180%	-
	TOTAL MISCELLANEOUS	4,005	6,953	3,609	14,000	5,000	14,000	0%	180%	-
	TOTAL EXPENDITURES	2,544,158	2,875,288	3,403,001	3,576,477	3,121,271	3,737,163	4%	20%	160,686
	OTHER FINANCING USES									-

97000	TRANSFERS	640,000	576,000	76,000	76,000	76,000	76,000	0%	0%	-
	TOTAL OTHER FINANCING USES	640,000	576,000	76,000	76,000	76,000	76,000	0%	0%	-
	TOTAL EXPENDITURES &									-
	OTHER FINANCING USES	<u>3,184,158</u>	<u>3,451,288</u>	<u>3,479,001</u>	<u>3,652,477</u>	<u>3,197,271</u>	<u>3,813,163</u>	4.40%	-12.46%	160,686

[illegible]