

ORDINANCE NO. 26-__

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

**AN ORDINANCE AMENDING CHAPTER 2 OF THE FALCON HEIGHTS CITY CODE
CONCERNING STEWARDSHIP OF CITY RESOURCES**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

SECTION I. Chapter 2 of the City Code of Falcon Heights, Minnesota, is hereby amended to create a new Article IX as follows:

ARTICLE IX - STEWARDSHIP OF CITY RESOURCES

Sec. 2-155 - Purpose and policy

The purpose of this Chapter is to ensure that the City is stewarding its resources for the benefit of the public in accordance with state public purpose expenditures law and in a nondiscriminatory fashion compliant with the Minnesota and United States Constitutions. The City finds that this Chapter serves the public interest by ensuring the equal treatment of all residents and visitors in the provision of City resources and services, preserving the trust of the public in the integrity of the City's stewardship of public resources, and maintaining compliance with applicable local, state, and federal laws. The City's findings in Resolution No. 26-__ are hereby incorporated by reference.

Section 2-156 - Definitions

The following words and phrases used in this Article having the meanings given in this section:

City property. Real property owned by the City of Falcon Heights, including City parks, buildings, parking lots and parking structures, but not including public right-of-way, public streets, and sidewalks. City Property includes property generally open to the public and not generally open to the public, such as City utilities and spaces designated as employee-only or requiring secured access for entry.

Staging operations. Actions taken to mobilize, prepare, or deploy vehicles, equipment, materials, or personnel for the purpose of enforcing federal immigration law.

Section 2-157 - Prohibited uses of city resources

- (a) No City employee or City public official may direct, permit, facilitate, or authorize the use of City resources, including but not limited to City Property or City personal property, facilities, money, or personnel:

- (1) For the purpose of enforcing federal immigration laws except as authorized by a judicial warrant or other similar lawful authorization; or
- (2) For the purpose of discriminating against any individual on the basis of a protected class characteristic under the Minnesota or United States Constitution; or
- (3) For personal benefit or profit.

(b) No individual or federal, state, or local agency may use or access City Property for the purposes of staging operations, except the use of City Property authorized by a judicial warrant, subpoena or other similar lawful authorization. Federal, state, or local government entities or personnel will not receive special or enhanced access to City Property for operations enforcing federal immigrations law.

Section 2-158 - Reporting requirements

Any City employee or City public official who observes or identifies use of City resources for one of the purposes prohibited in Section 2-157 or who denies a request to use City resources for one of those purposes, must provide a report to the City Administrator within five business days of observing, identifying, or denying use of City resources, including the following information:

- (a) The date the request for resources was received or resources were observed or identified as used for a prohibited purpose;
- (b) The identity of the individual or agency requesting use of City resources for a prohibited purpose or who was observed or identified as using City resources for a prohibited purpose;
- (c) A summary description of the City resources requested or used, which shall not include any personally identifiable information;
- (d) The prohibited purpose for which City resources were used or for which the request for City resources was denied.

Section 2-159 - Compliance with law

Nothing in this Chapter should be construed to violate state or federal law or to prohibit City employees from providing data or services when required by state or federal law.

Section 2-160 - Severability

If any section, clause, provision, or portion of this Chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, that part may be severed and shall not invalidate or effect the enforceability of the remainder of this Chapter.

SECTION II. Effective date. This ordinance is effective immediately upon its passage and publication.

ADOPTED this ____ day of _____, 2026 by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: _____

Randall C. Gustafson, Mayor

ATTEST:

Jack Linehan, City Administrator

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