



Council Conference Meeting

November 27, 2023

5:30 PM

Fridley City Hall, 7071 University Avenue N.E.

Agenda

- [1. Recodification Update](#)
- [2. Public Art Initiative Update](#)

Upon request, accommodation will be provided to allow individuals with disabilities to participate in any City of Fridley services, programs, or activities. Hearing impaired persons who need an interpreter or other persons who require auxiliary aids should contact the City at (763) 571-3450.



AGENDA REPORT

Meeting Date: November 27, 2023

Meeting Type: City Council Conference Meeting

Submitted By: Melissa Moore, City Clerk/Communications Manager
Beth Kondrick, Deputy City Clerk
Danielle Herrick, City Management Intern

Title

Recodification Update

Background

Pursuant to Minnesota Statute (M.S.) § 415.02 and Fridley City Charter (Charter) § 1.02, the Fridley City Council (Council) may codify and publish ordinances that carry the force and effect of law for the City of Fridley (City), which may be arranged into a system generally referred to as the Fridley City Code (Code). Recodification of the Code was authorized by the Council by Resolution No. 2021-67.

At this time staff are prepared to present the Council with drafts of several chapters planned for Title 5, Lands and Buildings:

- Conversion Condominium Registration – recommended for repeal due to obsolete terminology and practices no longer under jurisdiction of the City. These practices are regulated by M.S. Chapters 515, 515A and 515B.
- Fair Housing Practices – recommended for repeal and replace with a Fair Housing Policy (Policy). In Minnesota, adopting such a policy is standard practice for cities. This Policy commits the City to fair housing, ensures effective service to all residents and proactively addresses housing issues while enhancing housing choices citywide. This Policy will work in tandem with State and Federal Fair Housing obligations. The Policy has been crafted and reviewed by staff and approved by the City Attorney.
- Hazardous Buildings – recommended for repeal because M.S. §§ 463.15-463.261 spell out all processes the City must follow when handling a hazardous or substandard building.
- House Trailers – recommended for repeal due to obsolete terminology and practices no longer under jurisdiction of the City.
- Mobile Home Parks – revisions recommended to the Chapter to update language. Staff anticipate eventually repealing the Chapter when the City works on Title No. 6 (Zoning) in the recodification process.
- Manufactured Home Parks Closings – updates are recommended and are explained in the attached Recodification Report.

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Attachments and Other Resources

- Conversion Condominium Registration
- Fair Housing Practices
- Fair Housing Policy draft
- Hazardous Buildings
- House Trailers
- Mobile Home Parks
- Manufactured Home Parks Closings and Recodification Report

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

Fridley City Code
Chapter 217. Conversion Condominium Registration

217.01. PURPOSE

The City Council of the City of Fridley deems that it is in the interest of the health, safety, and general welfare of the residents of the City that owner(s) of a multiple dwelling intending to convert to condominium units, register that intent with the City before such a conversion is initiated.

217.02. DEFINITIONS

1. Condominium.

A multiple dwelling in which portions are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. A multiple dwelling is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

2. Conversion Condominium.

A multiple dwelling which has been converted from rental units to ownership units in accordance with the Uniform Condominium Act, Minnesota Statutes, Chapter 515A.

3. Conversion Notice.

A written notice of intent to convert a multiple dwelling to a condominium which is given to the existing occupants of the multiple dwelling by the owner of the dwelling.

4. Declaration.

A legal document required by State Law that constitutes the creation of a condominium by the recording of such document in the county in which the condominium is located.

5. Disclosure Statement.

A document required by State Law that fully discloses information such as declaration, by-laws, etc. which is intended to protect the rights of purchasers of condominium units.

6. Dwelling Unit.

A single unit providing complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

~~7. Multiple Dwelling.~~

~~A building or portion thereof designed for occupancy by families living independently of each other.~~

~~8. Owner.~~

~~The person or body having an interest in a multiple dwelling as a fee owner or subordinate interest with the right to exercise control and management of the premises.~~

217.03. FILING OF REGISTRATION

~~Registration shall be required of any owner of a multiple dwelling located within the City of Fridley who intends to convert such building to condominiums. At least 60 days prior to the conversion notice given to the tenants, the owner of a multiple dwelling shall file with the City a registration form, provided by the City, and pay the appropriate registration fee.~~

217.04. REGISTRATION FEE

~~The registration fee shall be provided in Chapter 11 of this Code. This Section does not exempt any owners association from obtaining the annual condominium license as set forth in Chapter 220 of the Fridley City Code.~~

217.05. REGISTRATION FORM

~~The registration form shall contain the following information:~~

- ~~1. Description of around areas by street address and legal description.~~
- ~~2. The number of dwelling units and size of the building.~~
- ~~3. The number of stories and height in feet/meters.~~
- ~~4. Total floor area of the building.~~
- ~~5. Information on existing water, gas and electric metering and sewer charges.~~
- ~~6. Amount of any remaining special assessments.~~
- ~~7. Floor plans pursuant to Minnesota Statutes, Section 515A.2-110.~~
- ~~8. Site plan drawn to scale showing: Lot, buildings, off-street parking and landscaping.~~
- ~~9. Disclosure statement (including declaration and by-laws).~~

~~10. Letter of notification to tenants.~~

~~11. The name and address of the individual to which any notice or order regarding the premises may be served or given during the conversion.~~

~~12. Title (and name, if possible) of contact person of Association.~~

~~13. Number of low and moderate income households affected by the conversion.~~

~~217.06. — CONDITION OF DENIAL~~

~~The City may deny registration of conversion condominiums if there exists within the City a significant shortage of suitable rental dwellings available to low and moderate income individuals or families or to establish or maintain the City's eligibility for any federal or state program providing direct or indirect financial assistance for housing to the City. The adoption of said Chapter shall comply with the provisions as set forth by the Uniform Condominium Act, Minnesota Statutes, Section 515A.1-106.~~

Fridley City Code
Chapter 222: Fair Housing Practices

~~222.01. STATEMENT OF POLICY: FAIR HOUSING~~

~~1. It is the policy of the City of Fridley to promote and comply fully with the provisions of the Federal Fair Housing Act, also known as Title VII of the Civil Rights Act of 1968, as well as the provisions of the Minnesota Human Rights Act as they relate to the sale, rental, or leasing of real estate within the boundaries of that City.~~

~~2. The City of Fridley has determined that it is in the best interests of its citizens to expressly provide in its own City Code those provisions of law which provide for protection of rights in obtaining, by purchase or rental, adequate housing without fear of unlawful discrimination. The provisions for these rights in the City Code, and their enforcement and protection, is done with the intention of supplementing and amplifying, and not in any way reducing or restricting, the rights already provided under existing State and Federal law.~~

~~222.02. ADOPTION OF MINNESOTA FAIR HOUSING STANDARDS~~

~~1. Except as may otherwise be qualified or expressly modified by these provisions, Minnesota Statutes Section 363.03, subdivisions 2 and 2a, one copy of which is on file in the office of the City Clerk of the city of Fridley, Minnesota, is hereby adopted as the Fair Housing Standards Ordinances of the City of Fridley, Minnesota. Any act defined as discrimination or discriminatory, within the meaning of those provisions, that occurs in the City of Fridley will be a violation of this ordinance.~~

~~222.03. PENALTIES~~

~~1. Any discriminatory act occurring in the City of Fridley in violation of the provisions of this ordinance shall be a misdemeanor, punishable by fine of up to 90 days and \$700 for each occurrence.~~

~~2. Nothing in these provisions shall in any way limit or restrict any person aggrieved by a discriminatory act governed by the provisions of this ordinance from seeking such additional remedies as may be available and provided under either applicable State or Federal law.~~

~~222.04. ENFORCEMENT~~

~~1. All criminal charges brought under these provisions shall be by a sworn, written complaint.~~

~~2. In all instances in which an allegation of a violation of this Title is brought to the attention of the City, the City may, in its discretion, investigate the matter utilizing its own staff and personnel, or defer the matter to the personnel of the State of Minnesota where an investigation is to occur under the relevant fair housing provisions of the Minnesota Human Rights Act. In any case in which State personnel are utilized for purposes of investigation of any alleged violation of the~~

~~relevant provisions of the Minnesota Human Rights Act, those personnel shall have full authority to charge and prosecute violations of the City's Fair Housing Code on behalf of the City of Fridley in addition to any other remedies and penalties a may be available to them under State law.~~



FAIR HOUSING POLICY

Purpose

Title VIII of the Civil Rights Act establishes federal policy for providing fair housing throughout the United States, as well as the provisions of the Minnesota Human Rights Act as they relate to the sale, rental or leasing of real estate within the boundaries of the City of Fridley (City). The intent of the federal and state requirements is to assure equal housing opportunities for all citizens. Furthermore, the City, as a recipient of federal community development funds under Title I of the Housing and Community Development Act of 1974 and recipient of Livable Communities Grants through the Metropolitan Council, is obligated to certify that it will affirmatively further fair housing. The City is committed to meeting this obligation and has developed this Fair Housing Policy (Policy) to further that goal.

Fair Housing Policy Statement

It is the policy and commitment of the City to ensure that fair and equal housing opportunities are granted to all persons in all housing opportunities and development activities funded by the City regardless of race, color, religion, gender, sexual orientation, marital status, status with regard to public assistances, familial status, national origin or disability. This will be done through external policies that provide meaningful access to all constituents and fair housing informational and referral services; and internal practices and procedures that do not discriminate and that affirmatively further fair housing.

External Practices

Fair Housing Referral

The City has designated Community Development (CD) as the responsible department for provision of fair housing information and referral of fair housing complaints. CD staff will be responsible for the intake, processing and referral of all fair housing complaints. While not expected to be experts in fair housing laws, staff will be familiar with state and federal fair housing laws, the complaint process for filing discrimination complaints and the state and federal agencies that handle complaints.

The City does not claim to have all the resources needed to solve diverse fair housing issues. Therefore, staff will utilize external organizations to respond to fair housing complaints. External organizations may include the US Department of Housing and Urban Development-Minnesota,

Minnesota Department of Human Rights, Mid-Minnesota Legal Aid, Housing Justice Center, Judicare of Anoka County and Home Line Minnesota. Records showing the date, time and nature of the fair housing complaint, as well as the decisions made regarding the complaint process (referrals, information given, etc.) and any follow-up action will be fully documented.

Meaningful Access

Online Information. The City will have information about fair housing prominently displayed on the City's website. The website page will provide a link to the Minnesota Department of Human Rights. The webpage will also have links to various fair housing resources, including the Department of Housing and Urban Development, Central Minnesota Legal Services, LawHelpMN.org and others. The website will also link to state and federal fair housing complaint forms. In addition, the City will post the following policies:

- Reasonable Accommodation Policy
- The State of Minnesota Olmstead Plan.

In-Person Information. The City will provide fair housing information to anyone requesting such information at City offices. CD staff will provide information of the online web page for fair housing resources.

Languages. The City is committed to providing information in the native language of its residents. Therefore, if the City's website translation tool does not provide translation in a native language, then the City will direct individuals to appropriate translation services that are available pursuant to the City's Language Access Plan.

Internal Practices

The City commits to the following steps to promote awareness and sensitivity to fair housing issues in all of its government functions.

- **Staff Training** - The City will continue to train its staff and elected officials on fair housing considerations, including working with people with disabilities and limited English proficiency constituents.
- **Housing Analysis** - The City will review its housing inventory periodically to examine the affordability of both rental and owner-occupied housing to inform future City actions.
- **City Code Analysis** - The City will review its municipal code periodically, with specific focus on ordinances related to zoning, building and occupancy standards, to identify any potential for disparate impact or treatment.
- **Project Planning and Analysis** - The City planning functions and development review will consider housing issues, including whether potential projects may perpetuate segregation or lead to displacement of protected classes.
- **Community Engagement** - The City will seek input from under-represented populations in the community utilizing engagement best practices, including outreach

to local groups regarding fair housing, development, zoning and land use changes that may be expedited by the City.

- **Affirmatively Furthering Fair Housing** - As a recipient of federal funds, the City agrees to participate in the Regional Analysis of Impediments, as organized by the regional Fair Housing Implementation Council. The City will consider integrating the recommendations and action plan into City planning documents, including the Consolidated Plan, the Comprehensive Plan and other applicable documents.

Questions

If you have questions about the information shared this Policy, please contact the Community Development Department at Planning@FridleyMN.gov or 763-5721-3450.

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~~FRIDLEY CITY CODE~~
~~CHAPTER 210. HAZARDOUS BUILDINGS~~

~~**210.01. MINNESOTA STATUTES BY REFERENCE**~~

~~Minnesota Statutes Sections 463.15 – 463.26 are hereby adopted by reference and shall be in full force and effect in the City of Fridley as if set out here in full.~~

~~**210.02. ABATEMENT AND ASSESSMENT**~~

~~If after such service of notice, the owner fails to abate the nuisance or make the necessary repairs, alterations, or changes as directed by the City official, said official may abate the nuisance and assess costs according to the procedures established in Chapter 128 of the City Code. (Ref 1370)~~

~~**210.03. PENALTIES**~~

~~Any violation of this Chapter is a misdemeanor and is subject to all penalties provided for such violations under the provisions of Chapter 901 of this Code.~~

Fridley City Code
Chapter 202. House Trailers

~~202.01. PERMIT REQUIRED~~

~~No person, firm, or corporation shall park, store or occupy a house trailer in the city of Fridley except in a duly licensed mobile home park or except by special permit as hereinafter provided. (Ref. 83)~~

~~202.02. SPECIAL PERMIT~~

- ~~1. A special permit for a limited period of time may be issued for the parking or occupancy of a trailer when approved by the Council. The Council in making its determination may consider the effect upon public health, safety, community planning, aesthetic considerations for the neighborhood, and property values.~~
- ~~2. The application, when presented to the Council, shall show the recommendation of the City Engineer/Director of Planning and/or Building Inspector.~~

~~202.03. FEES~~

~~The annual permit fee and expiration date for trailer parking or occupancy shall be as provided in Chapter 11 of this Code.~~

~~202.04. APPLICATION~~

~~The application for a permit shall be made in writing to the City Clerk and supply the following information:~~

- ~~1. Name and permanent address of applicant.~~
~~—~~
- ~~2. Name of the owner of the trailer.~~
- ~~3. Description of the trailer, including make and size.~~
- ~~4. Name and address of the owner of the land where the trailer is proposed to be located.~~
- ~~5. Period of time the trailer is to be stored or occupied.~~
- ~~6. Use of the trailer.~~
- ~~7. Written approval of the owners of adjoining improved property.~~
- ~~8. Location of the trailer on the proposed property, including a plat plan of the property.~~
- ~~9. If the trailer is to be occupied, the following information should also be included: (a) the relationship, if any, between the trailer owner and the land owner; (b) the names and ages of all occupants; (c) the facilities for sewage disposal, water and electricity; (d) the place of employment of the applicant; and (e) whether the applicant is constructing a home in the area.~~

Fridley City Code
Chapter ~~203.TBD.~~ Mobile Home Parks

~~203.01.TBD.01~~ Special Permit Required

No person ~~shall hereinafter~~may construct, establish, conduct, operate or maintain a mobile home park as defined in Minnesota Statutes (M.S.), ~~§Section-327.14 Subd. 3,~~ within the City of Fridley (City), except after obtaining a special permit ~~therefor as hereafter~~provided for in this Chapter.

~~203.02.TBD.02~~ Application for Permit

1. Generally. A special permit to construct, establish, conduct, maintain, and operate a mobile home park, to be licensed by the State Department of Health of the State of Minnesota, may be issued when approved by the Fridley City Council (Council) after a finding by the ~~City Council~~ that such mobile home park when constructed, established, maintained, conducted, and operated, complies and will comply in all respects with the standards, regulations, and requirements applicable thereto as established by the Department of Health of the State of Minnesota, and such further laws, standards and regulations applicable thereto enacted and required by the City of ~~Fridley~~ and not in conflict with said State law.

2. Considerations. The Council in making its determination may consider the effect upon public health, safety and general welfare, and the effect on community planning, aesthetic considerations for the neighborhood and property values.

3. Recommendations Required. The application for such permit ~~shall~~must be made upon forms furnished by the City and, when presented to the Council, ~~shall~~must show the recommendations of the ~~City Engineer/Director of Planning and the Building Inspector~~City Manager or their designee.

4. Site Size. Each site in a mobile home park hereinafter designed ~~shall~~must have a minimum of 3,500 square feet for each trailer or mobile home.

~~203.03.TBD.03~~ License Requirements

1. After the original permit is issued, and after the applicant is duly licensed with respect to such mobile home park by the State of Minnesota, acting by and through its Department of Health, no license therefor ~~shall~~may be required by the City of ~~Fridley~~ and no further license fee ~~shall~~may be due to or collectible by the City of ~~Fridley~~, except as may be provided by State law.

2. The operation of a mobile home park in the City of ~~Fridley~~ without a valid existing license therefor issued by the State Department of Health, or the violation of any law, regulation or standard applicable to any mobile home park by the State Department of Health, or as provided and made applicable to such mobile home park by the City of ~~Fridley~~, and not in conflict with

State law, is a violation of this Chapter. Each day of violation is a separate offense.

~~203.04.TBD.04~~ Suspension

Violation of any law, regulation or standard applicable to any such mobile home park, as may be adopted by the State Department of Health, or as provided and adopted by the City of Fridley and as is not in conflict with ~~Minnesota Statutes, M.S.~~ Chapter 327, ~~shall will~~ subject the operator of such park to having ~~his or her~~ their certificate of continued operation suspended by the City while such violation exists. A suspension is prima facie evidence of violation of the law. Further, such violation will authorize the City of Fridley to move the State Department of Health to suspend, revoke and therefore deny the State license then in existence and in effect with respect to such mobile home park. Before any such move is made to suspend the certificate of continued operation or to suspend, revoke, or deny the State license, the City ~~shall must~~ afford the licensee an opportunity to be heard, giving ~~ten (10)~~ days prior notice by mail of such hearing and intent and stating the alleged violation and the action to be taken.

~~203.05.TBD.05~~ Construction of Statute

This Chapter ~~shall will~~ be construed and interpreted in all its parts in conformity with and not in conflict with ~~Minnesota Statutes, Sections~~ M.S. §§ 327.14 - 327.47.

~~203.06. Penalties~~

~~Any violation of this Chapter is a misdemeanor and is subject to all penalties provided for such violations under the provisions of Chapter 901 of this Code.~~

Fridley City Code
Chapter 223TBD. Manufactured Home Park Closings

223.01. ~~_____~~ TBD.01 Purpose

In view of the peculiar nature and problems presented by the closure or conversion of manufactured home parks, the City Council finds that the public health, safety, and general welfare will be promoted by requiring compensation to displaced residents of manufactured homes such parks. The purpose of this ordinance is to require park owners to pay displaced residents reasonable relocation costs and to require purchasers of manufactured home parks to pay any additional compensation, pursuant to the authority granted under Minnesota Statutes, Section (M.S.) § 327C.095.

223.02. ~~_____~~ TBD.02 Definitions

~~The following words and terms when used in this Chapter ordinance shall have the following meanings unless the context clearly indicates otherwise:~~

Closure Statement: A statement prepared by the manufactured home park owner clearly stating that the park is closing, addressing the availability, location, and potential costs of adequate replacement housing within a 25 mile radius of the park that is closing and the probable relocation costs of the manufactured homes located in the park. ~~clearly stating the park is closing, addressing the availability, location, and potential costs of adequate replacement housing within a twenty-five (25) mile radius of the park, that is closing and the probable relocation costs of the manufactured homes located in the park.~~

Displaced Owner: A resident of an owner-occupied manufactured home who rents a lot in a manufactured home park, including the members of the resident's household, as of the date the park owner submits a closure statement to the City's Planning Commission.

Displaced Resident: A resident of an owner-occupied manufactured home who rents a lot in a manufactured home park, including the members of the resident's household, as of the date the park owner submits a closure statement to the City's Planning Commission. ~~A displaced owner.~~

Lot: An area within a manufactured home park, designed and used for the accommodation ~~accommodation~~ placement of a manufactured home.

Manufactured Home: A structure which is, not affixed to or part of, real estate, transportable in one or more sections, which in its the traveling mode, is eight body (8)-feet or more in width or forty (40 body)-feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, , and ~~Manufactured homes must be equipped with includes the plumbing, heating, air conditioning, and an electrical systems contained in it.~~

Park Closure: A closure, conversion of use, or termination of use, whether in whole or in part, of a manufactured home park. For purposes of this definition, use shall mean any use related to the manufactured home park and related services.

Park Owner: The owner of a manufactured home park and any person acting on behalf of the owner in the operation or management of the park.

~~The owner of a manufactured home park.~~

Person: Any individual, corporation, firm, partnership, incorporated and unincorporated association, or any other legal or commercial entity.~~corporation, firm, partnership, incorporated and unincorporated association or any other legal or commercial entity.~~

Purchaser: The person buying the manufactured home park from the park owner. In the event that the park owner intends to retain ownership and convert the park to a different use, all references to the "purchaser" refer to the park owner.

Relocation Cost: The reasonable cost of relocating a manufactured home due to the conversion of all or a portion of a manufacture home park to another use, the closure of a manufactured home park, or cessation of use of land as a manufactured home park as further detailed in M.S. § 327C.095.~~The reasonable cost of relocating a manufactured home from a manufactured home park within the City of Fridley that is being closed or converted to another use to another manufactured home park within a 25twenty-five (25) mile radius of the park as follows under~~

~~A. Preparation for Move. The reasonable costs incurred to prepare the eligible manufactured home for transportation to another site. This category includes crane services if needed, but not the cost of wheel axles, tires, frame welding or trailer hitches.~~

~~B. Transportation to Another Site. Reasonable costs incurred to transport the eligible manufactured home and personal property within a twenty-five (25) mile radius. This category also includes the cost of insuring the manufactured home and contents while the home is in the process of being relocated, and the cost of obtaining moving permits provided that the park owner shall not be required to pay delinquent taxes on a manufactured home if necessary in order to obtain a moving permit. This category also includes the reasonable cost of disassembling, moving, and reassembling sheds and any attached appurtenances, such as porches, steps, decks, skirting, air conditioner units and awnings, which were acquired before the notice of closure or conversion of the park.~~

~~C. Hook-up at New Location. The reasonable cost of connecting the eligible manufactured home to utilities at the relocation site, including crane services if needed. The park owner shall not be required to upgrade the electrical or plumbing systems of the manufactured home.~~

~~D. Insurance. The cost of insurance for the replacement value of the property being moved.~~

~~Relocation costs do not include the cost of any repairs or modifications to the manufactured home needed to bring the home into compliance with the state and federal manufactured home building standards for the year in which the home was constructed. Relocation costs also do not include the cost of any repairs or modifications to the home or appurtenances needed to bring the home or appurtenances into compliance with the rules and regulations of the manufactured home park to which the manufactured home is to be relocated, if those rules and regulations are no more stringent than the rules and regulations of the park in which the home is located and the resident was notified of non-compliance with the rules and regulations of the park in which it is located within sixty (60) days prior to delivery of the closure statement.~~

223.03.—TBD.03 Park Closure Statement Notice

~~If a manufactured home park is to be closed, converted in whole or part to another use or terminated as a use of the property, the park owner shall, at least nine (9) months prior to the closure, conversion to another use or termination of use, provide a copy of a closure statement to a resident of each manufactured home and to the City's Planning Commission.~~

~~If all or a portion of a manufactured home park is to be converted to another use, or is being closed or will cease being used as a manufactured home park, the park owner must prepare a closure statement and provide a copy of the statement to the Commissioners of Health and the Minnesota Housing Finance Agency, the City's Planning Commission and a resident of each manufactured home where the residential use is being converted at least 12 months before the conversion or closure. The closure statement must include the following language in a font no smaller than 14 point: "YOU MAY BE ENTITLED TO COMPENSATION FROM THE MINNESOTA MANUFACTURED HOME RELOCATION TRUST FUND ADMINISTERED BY THE MINNESOTA HOUSING FINANCING AGENCY."~~

223.04.—TBD.04 Notice of Public Hearing

~~The City's Planning Commission shall must submit the closure statement to the City Council and request that the City Council ~~to~~ schedule a public hearing ~~on the closure~~. The City shall will mail a notice to at least ten (10) days prior to the public hearing ~~to a residents~~ of each manufactured home in the park at least ten (10) days prior to the public hearing, stating the time, place, and purpose of the public hearing. The park owner shall provide the City with a list of the names and addresses of at least one ~~displaced~~ resident of each manufactured home in the park at the time when the owner at the time when they submits the closure statement ~~is submitted~~ to the City's Planning Commission.~~

223.05.—TBD.05 Public Hearing

~~A public hearing shall will be held before by the City Council within 90 days of ~~after~~ receipt of the closure statement ~~to for the purpose of reviewing the closure statement and evaluating any~~ what impact the park closing may have on the displaced residents and the park owner. At the time of,~~

and in the notice for, the public hearing, displaced residents must be informed that they may be eligible for payments from the Minnesota manufactured home relocation trust fund under M.S. § 462A.35 as compensation for reasonable relocation costs. The City Council may also require that other parties, including the City, but excluding the park owner or its purchaser, involved in the park closing provide additional compensation to residents to mitigate the adverse financial impact of the park closing upon the residents. At the public hearing, the City Council will determine if any ordinance was in effect on May 26, 2007, that would provide compensation to displaced residents and provide this information to the third party neutral to determine the applicable amount of compensation.

TBD.06 Qualified Third Party Neutral Appointment

At the public hearing, the City Council must appoint a qualified neutral third party, to be agreed upon by both the manufactured home park owner and manufactured home owners, whose hourly cost must be reasonable and paid from the Minnesota manufactured home relocation trust fund. The neutral third party will act as a paymaster and arbitrator, with decision-making authority to resolve any questions or disputes regarding any contributions or disbursements to and from the Minnesota manufactured home relocation trust fund by either the manufactured home park owner or the manufactured home owners. If the parties cannot agree on a neutral third party, the City Council may determine who will act as the neutral third party.

~~223.06. DISPLACED RESIDENT OBLIGATIONS~~

~~As a condition of receiving assistance under this Chapter, a displaced resident shall submit a contract or other verified cost estimate of relocation costs to the park owner for approval. If the park owner refuses to pay the contract or other verified cost estimate, the park owner must arrange for relocating the manufactured home and pay the actual relocation costs incurred. In the alternative, the displaced resident may submit a written statement to the park owner, identifying that the displaced resident either cannot or chooses not to relocate his or her manufactured home to another manufactured home park within a twenty-five (25) mile radius of the park to be closed and elects to receive either relocation assistance as defined in 223.07.02 or compensation as defined in 223.08.~~

~~223.07 ELECTION TO RELOCATE~~

~~1. After service of the closure statement by the park owner and upon submittal by the displaced resident of a contract or other verification of relocation expenses, the park owner shall pay to the displaced resident the reasonable costs as defined in 223.02.10 of relocating the manufactured home to another manufactured home park located within a twenty-five (25) mile radius of the park that is being closed, converted to another use, or ceasing operation.~~

~~2. If a displaced resident cannot or chooses not to relocate the manufactured home within a twenty-five (25) mile radius of the park which is being closed, and the displaced resident elects to retain title to the manufactured home, the displaced resident is entitled to relocation costs as~~

~~defined in 223.02 based upon an average of the actual relocation costs paid to other displaced residents in the manufactured home park. For purposes of this section, in the event that it is not possible to calculate the average using this formula, the amount of compensation shall be based on the average of the estimated relocation costs submitted by other residents in the park.~~

~~3. A displaced resident compensated under this section shall retain title to the manufactured home and shall be responsible for its prompt removal from the manufactured home park.~~

~~4. The park owner shall make the payments under this section directly to the person performing the relocation services after performance thereof, or, upon submission of written evidence of payment of relocation costs by a displaced resident, shall reimburse the displaced resident for such costs.~~

~~5. The displaced resident must submit a contract or other verified cost estimate for relocating the manufactured home to the park owner as a condition to the park owner's liability to pay relocation expenses.~~

~~223.08. ELECTION TO RECEIVE COMPENSATION~~

~~If a displaced resident chooses not to relocate the manufactured home within a twenty five (25)-mile radius of the park that is being closed and tenders title of the manufactured home to the park owner, the displaced resident is entitled to compensation, to be paid by the purchaser of the park in order to mitigate the adverse financial impact of the park closing. In such instance, the compensation shall be an amount equal to:~~

~~1. The current fair market value of the manufactured home as determined by a real property appraiser licensed by the State of Minnesota, or~~

~~2. If no appraisal exists, the current assessed value for tax purposes of the manufactured home as established by Anoka County.~~

~~Under 223.08.01, the appraisal may be provided by either the displaced resident, the park owner or the purchaser. Any disputes over valuation shall be resolved through judicial action in Anoka County District Court. The purchaser shall pay such compensation into an escrow account, established by the park owner, for distribution upon transfer of title to the manufactured home. Such compensation shall be paid to the displaced resident sixty (60) days prior to closing of the park, conversion to another use, or later at resident option and the park owner shall receive title and possession of the manufactured home upon payment of such compensation.~~

~~223.09. LIMITATION ON TOTAL AMOUNT OF RELOCATION ASSISTANCE AND COMPENSATION PAID TO DISPLACED RESIDENTS~~

~~The total amount of relocation assistance and compensation paid to displaced residents of the manufactured home park, shall not exceed the greater of twenty percent (20%) of the County Assessor's estimated market value of the manufactured home park, as determined by the County Assessor for the year in which the park is scheduled to close, or twenty percent (20%) of the purchase price of the park.~~

~~223.10. — APPLICABILITY~~

~~Relocation assistance and related compensation described under 223.02, 223.07 and 223.08 of this ordinance shall not apply in the event that a displaced resident receives compensation under the Uniform Relocation Act et. al. (42 U.S.C. 4601-4655).~~

~~223.11. — PENALTIES~~

- ~~1. Violation of any provision of this ordinance is a misdemeanor.~~
- ~~2. Any provisions of this ordinance may be enforced by injunction or other appropriate civil remedy.~~
- ~~3. The City shall not issue a building permit in conjunction with reuse of manufactured home park property unless the park owner has paid reasonable location costs and the purchaser of the park has provided compensation in accordance with the requirements of the ordinance. Approval of any application for rezoning, platting, conditional use permit, planned unit development or variance in conjunction with a park closing or conversion shall be conditional on compliance with the requirements of this ordinance.~~



RECODIFICATION REPORT

Introduction

To aid accessibility and clarity in understanding of proposed updates to large, and sometimes complicated chapters of the Fridley City Code (Code), this Recodification Report (Report) will accompany select ordinances as they are introduced to the City Council. The Report will illuminate substantive changes to the Code (e.g., addition or removal of a section, fee changes, policy updates, etc.). It will not point out grammatical, punctuation, renumbering, or stylistic changes.

Title Placement

- | | |
|---|---|
| <input type="checkbox"/> Title 1 – General Provisions | <input type="checkbox"/> Title 6 – Zoning |
| <input type="checkbox"/> Title 2 – Administration | <input type="checkbox"/> Title 7 – Licensing |
| <input type="checkbox"/> Title 3 – Health, Safety and Welfare | <input type="checkbox"/> Title 8 – Franchises, Utilities and Right-of-Way |
| <input type="checkbox"/> Title 4 – Public Nuisance | <input type="checkbox"/> Title 9 – Public Ways and Places |
| <input checked="" type="checkbox"/> Title 5 – Lands and Buildings | <input type="checkbox"/> Appendices |

Chapter Information

Chapter Title: Manufactured Home Park Closings

Recodification Liaisons: Danielle Herrick, City Management Intern; Melissa Moore, City Clerk; Stacy Stromberg, Planning Manager; Nancy Abts, Associate Planner

Current Chapter Numbers: 223

New Chapter Number: TBD

Substantive Changes

Chapter Number	Current Code	Proposed Changes
223.02	Definitions applicable to the Chapter.	Simplify and remove definitions that were redundant. Updated some definitions to match State Statute.
223.03	Park Closure. Set parameters on what is required if a Park closes.	Updated to reflect statutory changes. Requires written notice to be sent to manufactured home owners that they could be eligible for relocation funds from the State as recommended by City Attorney.
223.05	Public Hearing. Set requirements for notifying the public.	Indicates the Council must hold a public hearing within 90 days of receiving notice to close manufactured home park. During said hearing, the City must notify residents they could be eligible for relocation funds from the State, per statute as recommended by City Attorney.



RECODIFICATION REPORT

223.06	Displaced Resident Obligations. Repeal and replace.	Update with Qualified Third-Party Neutral Appointment per statute as recommended by City Attorney.
223.07-.11		Staff and City Attorney suggest repeal of these sections as their activities are controlled by State Statute.



AGENDA REPORT

Meeting Date: November 27, 2023

Meeting Type: City Council Conference Meeting

Submitted By: Scott Hickok, Community Development Director

Title Public

Public Art Initiative Update

Background

Staff will present an update on the Public Art Initiative progress report since the third public engagement meeting with the City’s engagement consultants CDI.

Financial Impact

Absorbed

Recommendation

Staff recommends Council listen to and then provide feedback once the update presentation has been given.

Focus on Fridley Strategic Alignment

- | | |
|--|---|
| <input checked="" type="checkbox"/> Vibrant Neighborhoods & Places | <input type="checkbox"/> Community Identity & Relationship Building |
| <input type="checkbox"/> Financial Stability & Commercial Prosperity | <input type="checkbox"/> Public Safety & Environmental Stewardship |
| <input type="checkbox"/> Organizational Excellence | |

Attachments and Other Resources

- None

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.