

**CITY OF FERTILE  
ORDINANCE NO. 2016-01**

**AN ORDINANCE OPTING-OUT OF  
THE REQUIREMENTS OF  
MINNESOTA STATUTES, SECTION 462.3593**

**WHEREAS**, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. 462.3593, which permit and regulate temporary family health care dwellings;

**WHEREAS**, subdivision 9 of Minn. Stat. 462.3593 allows cities to “opt out” of those regulations:

**THE CITY COUNCIL OF THE CITY OF FERTILE ORDAINS** that Chapter 152A, Section IV. Performance Standards be amended as follows: (The addition to the ordinance is underlined):

**Subdivision 12. Temporary dwellings.**

No temporary dwelling may be erected or occupied on any parcel of land with the following exceptions:

- A. Travel and motor home coaches may be occupied for a period of not more than two (2) weeks in a six-month period.
- B. Temporary residence in a basement or foundation structure while awaiting the completion of the total structure may be allowed for a period not to exceed twelve (12) months.
- C. The City of Fertile opts out of the requirements of Minn. Stat. 462.3593, which defines and regulates Temporary Family Health Care Dwellings.

This Ordinance shall be effective immediately upon its passage and publication.

**ADOPTED** by the Fertile City Council on this 12<sup>th</sup> day of September, 2016.

Signed: \_\_\_\_\_  
Brian Nephew, Mayor

Attest: \_\_\_\_\_  
Lisa Liden, City Administrator