

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

ORDINANCE NUMBER 441

AN ORDINANCE AMENDING THE INTERNATIONAL PROPERTY MAINTENANCE
CODE AND RENTAL LICENSING CODE

SECTION 1: That the 1974 Code of Ordinances of the City of Foley be amended by repealing the existing CHAPTER VII – CONSTRUCTION CODES, SECTION 700.02 – INTERNATIONAL PROPERTY MAINTENANCE CODE, and replacing it in its entirety to read as follows:

Section 700.02 – International Property Maintenance Code

Section 1. Purpose. An ordinance of the City of Foley adopting the International Property Maintenance Code, regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City of Foley; providing for the issuance of permits and collection of fees therefore, repealing all other ordinances or parts of laws in conflict therewith.

Section 2. Property Maintenance Code. That a certain document, ~~three (3) copies of which are on file in the office of the City Administrator of the City of Foley, Minnesota being marked and~~ designated as the International Property Maintenance Code, 2012 edition, ~~and subsequent updates,~~ as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Foley, in the State of Minnesota for regulating and governing the conditions and maintenance of all property, buildings and structures; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Foley are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, (with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this ordinance).

Section 3. Amendments. The following sections are hereby revised: None.

Section 4. Severability. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Foley hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this chapter; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

SECTION 2. That the 1974 Code of Ordinances of the City of Foley be amended by repealing the existing Section 730.02 of the City of Foley Rental Code and replacing it in its entirety to read as follows:

Section 730.02 International Property Maintenance Code Adopted by Reference. The International Property Maintenance Code, 2012 edition, ~~and subsequent updates,~~ as published by the International Code Council, is hereby adopted by reference, so far as it applies to rental property, and is made a part of this Ordinance as if fully set out in length.

SECTION 3. Compliance. All housing in the city of Foley shall be in accordance with the provisions of said code.

SECTION 4. Publication. That the City Administer is hereby ordered and directed to cause this ordinance to be published.

SECTION 5. Effective Date. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its passage and publication.

SECTION 6. Summary Publication.

At least four-fifths of the City Council's members direct the Administrator to publish only the title and a summary of this Ordinance as follows:

“AN ORDINANCE AMENDING THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND RENTAL LICENSING CODE. It is the intent and effect of this Ordinance to regulate rental property and establish the use of the property maintenance code.”

PASSED AND ADOPTED by the City Council of the City of Foley, Minnesota this 5th day of February, 2019.

Gerard L. Bettendorf, Mayor

ATTEST:

Sarah A. Brunn, City Administrator