

CITY OF APPLE VALLEY  
ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA,  
AMENDING CHAPTER 155 OF THE CITY CODE ENTITLED “ZONING” BY  
ADDING SECTION 155.500 UNDER WHICH THE CITY “OPTS-OUT” OF  
THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593  
(LAWS 2016, CHAPTER 111, SECTION 3) GOVERNING TEMPORARY  
FAMILY HEALTH CARE DWELLINGS

The City Council of Apple Valley ordains:

Section 1. Chapter 155 of the Apple Valley City Code is hereby amended by adding  
Section 155.500 to read as follows:

**§ 155.500. OPT-OUT OF TEMPORARY FAMILY HEALTH CARE DWELLING  
ZONING LAWS.**

(A) *Purpose.* On May 12, 2016, Governor Mark Dayton signed into law the creation and zoning regulations of temporary family health care dwellings, as defined in and codified as Minn. Stat. § 462.3593 (Laws 2016, Chapter 111, Section 3). This new law provides that a municipality may, by ordinance, “opt out” of the application of the requirements of this new law. Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, it is in the best interest of the City and its residents that the City of Apple Valley not be subject to the mandates of Minnesota Statutes, Section 462.3593 requiring temporary dwellings be allowed in residential districts.

(B) *Exercise of Opt-out.* The City opts out of the application of the requirements of Laws 2016, Chapter 111, section 3, codified at Minn. Stat. §462.3593, and accordingly the provisions therein shall not apply within the City.

Section 2. Effective date. This ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council on \_\_\_\_\_, 2016.

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Mary Hamann-Roland, Mayor

ATTEST:

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Pamela J. Gackstetter, City Clerk