

Request for Committee Action

To: Community Development & Regulatory Services
Date: 2/16/2016
From: Regulatory Services
Prepared by: Nick Magrino, Associate Legal Coordinator, 612-673-2306
Presented by: Noah Schuchman, Interim Director of Regulatory Services, 612-673-2781
File type: Ordinance
Subcategory: Code Amendment

Subject:

Housing Board of Appeals

Description:

Recommending an amendment to Title 12, Chapter 242 related to the Minneapolis Housing Board of Appeals.

Previous Actions:

Housing Board of Appeals membership and process ordinance ([16-00001](#))

Ward/Neighborhood/Address:

All Wards

Background/Analysis:

The Minneapolis Housing Board of Appeals hears appeals of orders issued by City inspectors to properties for violations of the Housing Maintenance Code, Chapter 244 of the Minneapolis Code of Ordinances. It can uphold or deny appeals based on economic, architectural, and social factors, as well as existing and future neighborhood characteristics.

At present, the board is composed of a mixture of City staff and Council-appointed citizen members, with three voting City staff members and eight citizen members, and three ex-officio City staff. By ordinance, the board meets monthly as required. In both 2014 and 2015, the board met four times to consider eight appeals. A recent change to the Minnesota State Building Code allowing for lower ceiling heights in bedrooms is expected to decrease the amount of appeals.

Based on a Regulatory Services analysis of best practices and the recommendation of the City Attorney's Office, staff is proposing to shift the Housing Maintenance Code appeal process to an internal panel of three City staff—the Director of Regulatory Services or designee, the Fire Marshall or designee, and the Building Official or designee. Decisions will continue to be appealable to the Minnesota State Court of Appeals.

Financial Review:

No financial impact.

Attachments:

1. Proposed Ordinance chapter