

House Research Act Summary

CHAPTER: 111

SESSION: 2016 Regular Session

TOPIC: Temporary Family Health Care Dwellings

Analyst: Deborah A. Dyson

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Overview

Effective September 1, 2016, a “temporary family health care dwelling” is allowed if a “temporary dwelling permit,” a new type of permit created in this act, is applied for and issued, unless the local government has designated it a permitted use. A “temporary family health care dwelling” essentially is a mobile home for a mentally or physically impaired person to live in for up to one year that is placed on the property of a relative or caregiver, making it easier for the caregiver to provide care. The act also allows local governments to opt-out of the provisions of the law.

Section

1 Housing with services establishment or establishment. Exempts “temporary health care dwellings” from the definition (and therefore regulation) of “housing with services establishment.”

2 Temporary family health care dwellings (county zoning law).

Subd. 1. Definitions. Defines terms used in the new law, including “temporary family health care dwelling,” which is a “mobile residential dwelling.”

Subd. 2. Temporary family health care dwelling. Specifies construction, size, and other elements of a temporary family health care dwelling.

Subd. 3. Temporary dwelling permit; application. Provides that unless a permitted use, a temporary family health care dwelling requires a temporary dwelling permit. A temporary family health care dwelling with a permit cannot be prohibited by an ordinance that regulates accessory uses or recreational vehicle parking or storage.

Section

Specifies steps and contents of the temporary dwelling permit application and other requirements of locating and using a temporary family health care dwelling.

Subd. 4. Initial permit term; renewal. Provides an initial permit term of six months, with an option to renew once for six months.

Subd. 5. Inspection. Permits the county to require evidence of compliance with this section while the dwelling is on the property and to inspect.

Subd. 6. Revocation of permit. Permits the county to revoke the permit if the permit holder violates requirements. Gives the permit holder 60 days to remove the dwelling if the permit is revoked.

Subd. 7. Fee. Provides for a \$100 fee (\$50 for renewal) unless the county has established otherwise.

Subd. 8. No public hearing required; application of section 15.99. Exempts the county from holding public hearings and limits the time to issue the permit to 15 days, or 30 days if the county only meets once a month. Gives the county five business days to determine if the application is complete and notify the applicant what information is missing. (As under section 15.99, if a county does not act within the 15 (or 30) days, the permit would be deemed approved.)

Subd. 9. Opt-out. Permits a county by resolution to opt-out of the section requirements.

- 3** **Temporary family health care dwellings (municipal planning statutes).** Same as section 2, but in the statute governing city and town planning and zoning.
- 4** **Effective date.** Effective September 1, 2016, and applies to temporary dwelling permit applications made on or after that date.