

NEW SCANDIA TOWNSHIP

ORDINANCE NO. 86

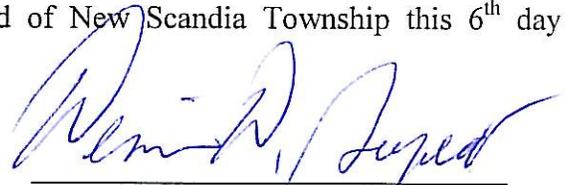
**AN ORDINANCE ESTABLISHING A MORATORIUM ON THE SITING OF
COMMUNITY RESIDENCES WITHIN THE TOWN OF NEW SCANDIA,
WASHINGTON COUNTY, MINNESOTA**

The Town Board of New Scandia Township, Washington County, Minnesota hereby ordains:

Section 1. Preamble. The Town Board has received numerous resident concerns regarding the establishment, location and number of community residences within the Town. Included in resident concerns are issues pertaining to the health and safety of the residents of the Town and the clarity of the regulations pertaining to community residences as contained in the Development Code of the Town. The Town Board acknowledges that community residences are largely regulated by state and federal laws which take precedence over the regulations of the Town and that the Town cannot utilize land use policies or actions that treat groups of persons with disabilities less favorably than groups of non-disabled persons. The Town Board, nevertheless, has determined that the concerns expressed to it by the residents are of sufficient substance to warrant the study of the regulation of community residences within the Town. The Town Board has referred the matter to Richard E. Thompson, TKDA & Associates, for study, and to report back to the Town Board with all convenient speed with his results and recommendations.

Section 2. Pursuant to the authority of Minnesota Statutes §462.355(4), the Town Board of the Town of New Scandia does hereby prohibit the establishment of a community residence within the Town for a period not to exceed one (1) year from the date hereof, or for such shorter period of time as may be necessary to receive and review the report of its consultant, conduct any additional studies it deems appropriate and amend or adopt any regulations consistent with state and federal law.

Passed and adopted by the Town Board of New Scandia Township this 6th day of December, 2005.


Dennis D. Seefeldt, Chairman

ATTEST:


Dolores Peterson, Town Clerk