

# Request for City Council Committee Action from the Department of Regulatory Services

Date: April 5, 2006

To: Council Member Don Samuels, Chair, PS&RS Committee

**Subject: Clandestine Lab Sites**

## Recommendation:

*That Chapter 227 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 227.190 to read as follows: 227.190. Clandestine Lab Sites. A clandestine lab site, as defined by Minnesota Statute section 152.0275, shall constitute a public nuisance.*

**Previous Directives:** NA

**Prepared or Submitted by:** Steve Heng, City Attorney, Lori Olson, Deputy Director, Environmental Management & Safety, and Kristi Rollwagen, Deputy Chief Emergency Preparedness

**Approved by:** Rocco Forte, Assistant City Coordinator Emergency Preparedness & Regulatory Services

**Permanent Review Committee (PRC)** Approval \_\_\_\_\_ Not Applicable

**Note:** To determine if applicable see <http://insite/finance/purchasing/permanent-review-committee-overview.asp>

**Policy Review Group (PRG)** Approval \_\_\_\_\_ Date of Approval \_\_\_\_\_ Not Applicable

**Note:** The Policy Review Group is a committee co-chaired by the City Clerk and the City Coordinator that must review all requests related to establishing or changing enterprise policies.

**Presenters in Committee:** Kristi Rollwagen, Deputy Chief Emergency Preparedness and Lori Olson, Deputy Director, Environmental Management & Safety

## Financial Impact (Check those that apply)

No financial impact (If checked, go directly to Background/Supporting Information).

\_\_\_\_\_ Action requires an appropriation increase to the \_\_\_\_\_ Capital Budget or \_\_\_\_\_ Operating Budget.

\_\_\_\_\_ Action provides increased revenue for appropriation increase.

\_\_\_\_\_ Action requires use of contingency or reserves.

\_\_\_\_\_ Business Plan: \_\_\_\_\_ Action is within the plan. \_\_\_\_\_ Action requires a change to plan.

\_\_\_\_\_ Other financial impact (Explain):

\_\_\_\_\_ Request provided to department's finance contact when provided to the Committee Coordinator.

## Community Impact (use any categories that apply)

Neighborhood Notification

City Goals

Comprehensive Plan

Zoning Code

Other

## Background/Supporting Information Attached

In 2005, the State legislature passed, as part of the Public Safety Omnibus Bill, a number of new provisions with regard to methamphetamine. These new provisions covered a wide variety of issues,

including restricting the sale of drug products containing pseudoephedrine, requiring property owners to provide notification on former methamphetamine lab sites, and processes for ensuring children and vulnerable adults are protected from dangers related to lab sites.

Minnesota Statute Section 446A.083, effective January 1, 2006, established a methamphetamine laboratory cleanup revolving account. To be eligible to receive funds from the revolving account a city must require a property owner to remediate the site at cost, under a local public health nuisance ordinance that addresses clandestine lab remediation. Minneapolis Ordinance Chapter 227 currently provides for the identification and cleanup of nuisances. The recommended amendment specifically adds clandestine lab sites to the definition of a public nuisance. This amendment should satisfy the eligibility requirement set forth in Minnesota Statute 446A.083 and the City of Minneapolis will be eligible to receive funds from the revolving account if there is the need to do so.

2006-Or-\_\_\_\_\_

AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS

By

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**Amending Title 11, Chapter 227 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Nuisances Generally.**

The City Council of the City of Minneapolis do ordain as follows:

That Chapter 227 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 227.190 to read as follows:

**227.190. Clandestine Lab Sites.** A clandestine lab site, as defined by Minnesota Statute section 152.0275, shall constitute a public nuisance.