

**CITY OF ELKO NEW MARKET
SCOTT COUNTY, MINNESOTA**

ORDINANCE NO. 166

**AN ORDINANCE AMENDING TITLE 11, CHAPTER 2,
OF THE ELKO NEW MARKET CITY CODE CONCERNING
RESIDENTIAL CARE FACILITIES**

THE CITY COUNCIL OF THE CITY OF ELKO NEW MARKET, MINNESOTA
ORDAINS:

SECTION 1. Title 11, Chapter 2, of the Elko New Market City Code is amended by adding the underlined language and deleting the strikethrough language in the definition of “residential care facility” as follows:

RESIDENTIAL CARE FACILITY: Any program, defined by Minnesota statutes section 245A.02, subdivision 14, and licensed by the state of Minnesota, that provides twenty four (24) hour a day care, supervision, food, lodging, rehabilitation, training, education, habilitation, or treatment outside a person's own home, including ~~a nursing home or hospital that receives public funds, administered by the commissioner of the department of human services to provide services for five (5) or more persons whose primary diagnosis is mental retardation or a related condition or mental illness and who do not have a significant physical or medical problem that necessitates nursing home care;~~ a program in an intermediate care facility for four (4) or more persons with ~~mental retardation or a related condition~~ developmental disabilities; ~~a nursing home or hospital that was licensed by the commissioner of the department of human services on July 1, 1987, to provide a program for persons with a physical handicap that is not the result of the normal aging process and considered to be a chronic condition;~~ and chemical dependency or chemical abuse programs that are located in a hospital or nursing home and receive public funds for providing chemical abuse or chemical dependency treatment services under Minnesota statutes chapter 254B. Residential ~~programs~~ care facilities include home and community based services for persons with ~~mental retardation or a related condition~~ disabilities or persons age 65 and older that are provided in or outside of a person's own home.

SECTION 2. This Ordinance shall take effect immediately upon its passage and publication.

ADOPTED this 22nd day of February, 2018 by the City Council for the City of Elko New Market.

CITY OF ELKO NEW MARKET

BY: _____
Robert Crawford, Mayor

ATTEST:

Sandra Green, City Clerk