

**ORDINANCE ADOPTING CHAPTER 2, ARTICLE V WHICH ESTABLISHES A PROCESS FOR
REASONABLE ACCOMMODATION REQUESTS UNDER THE AMERICANS WITH
DISABILITIES ACT AND FAIR HOUSING ACT**

WHEREAS, the City of Mankato is committed to providing equal opportunity and access for all residents and individuals interacting with City services and housing, preventing discrimination based on disability; and

WHEREAS, the City of Mankato receives requests to allow for flexibility from codes, policies and regulation to better enable individuals with disabilities to secure housing or City services; and

WHEREAS, the Americans with Disabilities Act (ADA) and the Fair Housing Amendments Act (FHA) require reasonable accommodations for individuals with disabilities to have equal use of public services and housing; and

WHEREAS, a process for requesting and reviewing accommodations reduces barriers and promotes inclusivity for persons with disabilities; and

WHEREAS, a "reasonable accommodation" is a necessary modification to rules, policies, or practices that doesn't cause undue hardship to the City or service provider per the standards in the Fair Housing Amendments Act (FHA).

NOW, THEREFORE BE IT ORDAINED, by the City Council for the City of Mankato, that Mankato City Code Chapter 2, Article V be established and hereby adopted as follows:

ARTICLE V. – REASONABLE ACCOMMODATIONS

Section 2-179. Purpose.

It is the policy of the city of Mankato to comply with the Americans with Disabilities Act (ADA) and the federal Fair Housing Amendments Act of 1988 (FHA) by providing reasonable accommodation to persons with disabilities seeking fair and equal access to housing and public services. This ordinance establishes a procedure for individuals to request reasonable accommodation from city regulations, policies, or practices when necessary to afford such persons an equal opportunity to use and enjoy a dwelling or access public services.

Sec. 2-180. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Disability means a physical or mental impairment that substantially limits one or more major life activities.

Reasonable accommodation means a modification or waiver of city regulations, policies, or practices necessary to eliminate barriers and provide equal opportunity for persons with disabilities.

Person includes an individual with a disability, their representative, or, with respect to housing, a developer or provider of housing for individuals with disabilities.

Sec. 2-181. Application process.

- (a) *Submission.* A person may request reasonable accommodation by submitting a written application to the city manager.

(b) Contents of application.

- (1) Description of the accommodation requested.
- (2) Explanation of why accommodation is necessary.
- (3) Verification of disability (without requiring unnecessary medical details).

(c) Concurrent filing. If the request relates to an application requiring city approval (e.g., zoning or building permit), the request must be filed concurrently, unless waived by the city manager.

Sec. 2-182. Decision authority.

The city manager, in consultation with the city attorney, shall review and decide all requests for reasonable accommodation. Decisions must be made in writing and may include reasonable conditions to ensure compliance.

Sec. 2-183. Decision criteria.

(a) In determining whether to grant a reasonable accommodation, the city shall consider:

- (1) Whether the applicant has a qualifying disability.
- (2) Whether the requested accommodation is necessary to afford equal opportunity.
- (3) Whether the request is reasonable, considering:
 - a. Undue financial or administrative burden on the city.
 - b. Fundamental alteration of city regulations or services.
 - c. Impact on surrounding uses.
 - d. Whether alternative accommodations could meet the need.

Sec. 2-184. Appeal process.

An applicant or affected property owner may appeal the city manager's decision to the city council within 10 days of the decision. The city council's decision shall be final.

Sec. 2-185. Applicability.

(a) Approved accommodations apply only to the individual and do not run with the land unless:

- (1) The accommodation is physically integrated into the structure and cannot easily be removed, or
- (2) The accommodation will be used by another qualified individual with a disability.
The city manager may require a recorded deed restriction for accommodations tied to property use.

Sec. 2-186. Fees.

No fee shall be charged for a reasonable accommodation request.

Sec. 2-187. Data privacy.

All data collected under this ordinance shall comply with the Minnesota Government Data Practices Act.

This Ordinance shall, in accordance with the provisions of Section 2.14 and 5.06 of the Mankato City Charter, become effective thirty (30) days after publication of notice of its adoption.

Adopted this _____ day of January 2026.

Najwa Massad
Mayor

Attest: _____
Rena Kopischke, MMC
City Clerk