

ORDINANCE NO. 2020 - 10

AN ORDINANCE AMENDING CHAPTER 12 OF THE CITY CODE REAFFIRMING ACCESS TO RESIDENTIAL HOUSING STRUCTURES BY UNITED STATES CENSUS EMPLOYEES.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 12 of the City Code is hereby amended by deleting those words that are contained in brackets [] with ~~striketthrough~~ text and adding those words that are underlined, to read as follows:

CHAPTER 12: PUBLIC PEACE AND SAFETY

ARTICLE V. ACCESS TO RESIDENTIAL HOUSING STRUCTURES BY UNITED STATES CENSUS BUREAU EMPLOYEES

§ 12.131 PURPOSE.

This Article V is enacted to reaffirm United States Census Bureau workers access to Residential Housing Structures during the decennial census.

§ 12.132 FINDINGS.

- (a) The City Council makes the following findings: The United States Constitution directs a decennial census count of all persons living in the United States.
- (b) Complete and accurate census data is of critical importance to all residents of Bloomington for equal political representation, fair distribution of federal and state funding, and sound planning and investment in infrastructure, real estate, business development and public policy and programming.
- (c) During the decennial census, United States Census Bureau employees conduct Non-Response Follow-up Operations (NRFU) visiting households that have not submitted a census form.
- (d) Renters and others who live in multiple family residential housing structures have historically been at higher risk of being undercounted in the decennial census, with the number of renter households in an area being the most influential variable affecting an area's census self-response rate.
- (e) The risk of an undercount is compounded in areas with high concentrations of communities that have been consistently undercounted in the past and who are more likely to be renters, including low-income households, communities of color, Native American or American Indian communities, immigrants and refugees, and young people.
- (f) It is critical that Census Bureau employees have access to Residential housing structures during the decennial census, so they can reach households that have not yet participated.

(g) 13 U.S.C. § 223 (2010) authorizes Census Bureau employees to access “any hotel, apartment house, boarding or lodging house, tenement, or other building.”

§ 12.133 PROHIBITION.

- (a) It is unlawful for a person, either directly or indirectly, to deny access to an apartment building, dormitory, nursing home, manufactured home park, other multi-unit structure used as a residence, or an area in which one or more single-family dwellings are located on private roadways, to employees of the United States Census Bureau who display current, valid Census Bureau credentials and who are engaged in official census counting operations during the Census Bureau’s standard operational hours of 9:00 a.m. to 9:00 p.m. (local time) during the decennial census.

§ 12.134 PERMISSION TO LEAVE CENSUS MATERIALS.

- (a) Census Bureau employees granted access must be permitted to leave census materials in an orderly manner for residents at their doors, except that the manager of a nursing home may direct that the materials be left at a central location within the facility.

§ 12.135 EXCEPTIONS.

- (a) This Article V does not prohibit the following:
- (1) Denial of admittance into a particular apartment, room manufactured home, or personal residential unit;
 - (2) Denial of permission to visit certain persons for valid health reasons, in the case of a nursing home or a registered housing with services establishment providing assisted-living services meeting the requirements of M.S. § 144G.03, subdiv. 2;
 - (3) Limiting visits to a reasonable number of census employees;
 - (4) Requiring a prior appointment or notification to gain access to the structure; or
 - (5) Denial of admittance to or expulsion of an individual employee from a multi-unit housing structure for good cause.

Passed and adopted this 6th day of April, 2020.

/s/ Tim Busse
Mayor

ATTEST:

/s/ Denise M. Christenson
Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied
City Attorney