

RESOLUTION NUMBER 21-026

A RESOLUTION ESTABLISHING A FIRE ESCROW ACCOUNT PURSUANT TO Minn. Stat. § 65A.50

WHEREAS, Minn. Stat. § 65A.50 (“the statute”) authorizes a city to establish a trust or escrow account to receive a portion of insurance settlement proceeds from a claim on real property located in the city that is damaged by fire or explosion.

WHEREAS, the proceeds received by the city are used as security to ensure that the damaged property is repaired, replaced, removed, or demolished and brought into compliance with city code.

WHEREAS, the city finds that damaged structures may violate existing health or safety standards which endanger the public health, safety, and welfare if the damaged structures are not repaired, replaced, or removed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, MINNESOTA AS FOLLOWS:

1. That pursuant to Minn. Stat. § 65A.50, the City Council of the city of Marshall do hereby establish an escrow account to receive a portion of insured real property fire or explosion settlement proceeds as prescribed by the statute.
2. That the city of Marshall intends to uniformly apply Minn. Stat. § 65A.50 with respect to all property located within the city.
3. That the city Finance Director be authorized to proceed to establish the escrow account as provided for in the statute.
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5. That the city Finance Director give the required written notification to the commissioner of Commerce of the city’s intention to apply Minn. Stat. § 65A.50 **Error! Bookmark not defined.** and the establishment of the escrow account.
6. That the city Chief Building Official is authorized to execute affidavits certifying violations of health and safety standards as required by Minn. Stat. § 65A.50, subd. 3.
7. That the city Chief Building Official is authorized to receive reasonable proof that damaged or destroyed portions of an insured structure are repaired, replaced, or removed

or that an insured has entered into a contract for repair, replacement, or removal of the damaged portions as required by Minn. Stat. § 65A.50, subd. 8.

Passed by the City Council of Marshall, Minnesota this 23 day of March, 2021.

Mayor

Attested:

City Clerk