

152.05 (DEFINITIONS). Terms defined herein shall apply specifically to this Chapter 152. Terms used in this Chapter that are not defined shall refer to the adopted Building Code, Property Maintenance Code, or Zoning Code as applicable.

[There are a series of definitions to be added that reflect building code and/or property maintenance code requirements in this Section]

OWNER. Any person who owns a dwelling. Or, Any person or entity that holds an ownership stake of any kind, and/or any person representing any such owner. Any such owner must comply with the provisions of this chapter to the same extent as the **OWNER**.

152.06 RESPONSIBILITIES OF OWNER AND LANDLORD.

(C) Obtain license. The owner or resident agent must obtain a license and pay all license fees as required by this subchapter before the rental dwelling may be rented. Failure to obtain the required license shall cause The City to take the steps to remove the rental opportunity established in 152.14.

152.08 LICENSE REQUIRED.

It is unlawful to operate a rental dwelling in the city without first having obtained a license from the city. An owner must obtain a license for each rental dwelling. If the rental dwelling contains two or more units, and has a common owner and a common property identification number, the owner may obtain a single license for the rental dwelling. Failure to obtain the required license shall cause The City to take the steps to remove the rental opportunity established in Chapter 152.14.

152.09 LICENSE APPLICATION.

(A) The owner of a rental dwelling must submit an application for a license on forms and in the format provided by the city. The owner must give notice, in writing, to the city within five business days of any changes to the information contained in the license application. The application must include:

- (1) The owner's name, address, and telephone number, owning partners if a partnership, corporate officers if a corporation;
- (2) The name and address of a person residing or having a business office in Hennepin or Ramsey County, and appointed by the owner as an agent for purposes of notices under this chapter and for services of process upon the owner;
- (3) The name and address of any managing operator or agent;
- (4) The name and address of the contract for deed vendor if the rental dwelling is owned under a contract for deed;
- (5) The legal address of the rental dwelling;
- (6) The type and number of units within the rental dwelling;
- (7) The height and the multiple dwelling in stories;
- (8) The type of structure to be licensed (i.e., single-family, duplex, triplex); and
- (9) The exterior finish of the building.

10) The name and contact information for the party responsible for exterior maintenance of the property.

11) The applicant must provide proof that the property meets the requirements established in Section 150.16, including all required I&I inspections

(12) If the license application is for rental of a single family detached dwelling: For the applicant and for any other persons or entities with a financial or ownership interest in the proposed rental dwelling, a complete listing of all other non-homestead single family real estate in which any such person or entity has a financial or ownership interest of any kind, along with the manner and amount of each said ownership interest.

(B) Upon approval by the City Council, the City Clerk will issue a license to the owner of the rental dwelling. A license is personal to the owner of a specified rental dwelling. No license may be transferred to a purchaser of a multiple dwelling or to any other person or entity. If a rental dwelling is sold, the purchaser may not own or operate the rental dwelling without first obtaining the license provided for in this chapter. A license will be valid for one year. If a license is issued during the year, the license will be prorated accordingly at the renewal time.

(C) All owners of residential rental properties are required to register their properties according to Section 152.08, however, the following property owners are exempt from the registration fee and the requirement to post a registration inspection:

1. Per M.S. 273.124(1c) owners of residential rental properties where all renters residing in the rental property are related to the owner as parent, stepparent, child, stepchild, grandparent, grandchild, brother, sister, uncle, aunt, nephew, or niece and the owner or agent that each of the renters is one of these relations. This relationship may be by blood or marriage. This exemption does not provide for any of the exempted occupants to receive compensation, in any form, from allowing occupancy to anyone not covered under this exemption, nor does it apply to non-family members residing as a guest or invitee of an exempted individual listed above.
2. Owners of residential rental property licensed by the State of Minnesota as a group home and used as such. The owner or agent must provide the current license number on the registration form.
3. In all cases, property owners meeting the criteria of this exemption are required to complete the Affidavit of Rental License Exemption prior to owner leaving occupancy of the property.
4. In all cases, an owner must notify the City in writing within 30 days if an exemption, as described in this Section, is no longer applicable.

152.11 ISSUANCE OF LICENSE.

(E) *Renewal of license.* An owner may continue to rent a dwelling after the expiration day of the license provided the owner has filed with the city on or before June 30, the appropriate renewal license application and license fee. The issuance of a license under this chapter shall be considered a privilege and not an absolute right of the owner and shall not entitle the owner to an automatic renewal of the license. Allowing the owner to continue to rent while the renewal is being processed does not obligate the city to automatically renew the license. Failure to submit the renewal license application and license fee by June 30 will result in late penalties established in Chapter 33 of this City Code.

[* Fee schedule requires amending to identify \$100 fine upon the first of each month beginning 7/1]

152.12 INSPECTIONS

(B) Occupant initiated inspections. An occupant who believes that his or her rental dwelling is not in compliance with the provision of this chapter, city code, or the International Housing Maintenance Code may provide written notice to the owner or resident agent of the rental dwelling specifying the alleged deficiency. If the owner or resident agent does not take action to correct the alleged problem the occupant may contact the city and request an inspection of the rental dwelling by the City Manager or designee upon showing proof that the owner or resident agent had been properly notified and has been

given a reasonable time in which to correct deficiencies. ~~The cost of the inspection shall be paid by the owner if the city's inspection reveals actual deficiencies as described by the occupant. If the inspection by the city substantiates the claim of non-compliance made by the occupant, the city inspector shall issue a compliance order to the owner or resident agent establishing the scope of work and timeframe for completion. The cost of the inspection to affirm the work identified in the compliance order shall be paid by the owner in the amount established in the city fee schedule.~~

[* Fee schedule requires amending to identify \$50 r-inspection fee]

152.13 CONDUCT ON LICENSED PREMISES; VIOLATIONS.

(A) *Owner responsible.* It shall be the responsibility of the owner or resident agent to see that persons occupying the rental dwelling conduct themselves in such a manner as not to cause the premises to be disorderly. This section applies to all licenses. For purposes of this section, a rental dwelling is disorderly at which any of the following activities occur:

- (1) Violation of M.S. Chapter 609, Criminal Code, as it may be amended from time to time;
- (2) Violation of M.S. Chapter 152, Drugs; Controlled Substances, as it may be amended from time to time;
- (3) Violation of M.S. Chapter 340A, Liquor, as it may be amended from time to time;
- (4) Violation of M.S. Chapter 624, Crimes; Fireworks; Firearms, as it may be amended from time to time; or
- (5) Violation of any of the provisions contained in Titles IX or XIII of this code.

(B) *City enforcement.* The City Manager or designee is responsible for enforcement of this section.

(C) *First violation.* Upon determination by the City Manager or designee that a licensed premises was used in a disorderly manner, as described in division (A) above, the City Manager or designee must give notice to the licensee of the violation and direct the licensee to take steps to prevent further violations.

152.14 CONDITION OF LICENSED PREMISES.

(A) *Compliance order.* Whenever the Manager, or designee, determines that the condition of any rental dwelling or the premises surrounding it fails to meet the provisions of this subchapter, other applicable city code provisions or the International Property Maintenance Code, he or she may issue a compliance order setting forth the specific violations and ordering the owner to correct such violations. ~~Failure to meet the expectations stated within a compliance order issued for a violation of any section of city code may result in the City Council denying, suspending, revoking or not renewing a rental license consistent with the procedures established in section 152.15~~

152.15 HEARING PROCEDURE.

(A) *Scheduling of hearing.* If the city makes a determination that it will be denying, suspending, revoking or not renewing a license pursuant to this subchapter, or if the owner or resident agent is appealing the compliance order pursuant to ~~§152.12, §152.13 or 152.14~~ the City Council shall conduct a hearing on the matter. The hearing shall be scheduled at the next regular City Council meeting following the date of the notice or receipt of the owner's notice of appeal of a compliance order.