



RENTAL HOUSING LICENSE APPLICATION

Rental Property Address Street Name Apt. #

PROPERTY OWNER:

First Name M.I. Last Name

Street Address or P.O. Box

City State Zip Code

Home Telephone Number Work Telephone Number

LOCAL AGENT OR PROPERTY MANAGER:

First Name M.I. Last Name

Street Address or P.O. Box

City State Zip Code

Home Telephone Number Work Telephone Number

Purpose.

It is the purpose of this article to protect the public health, safety and welfare of citizens of the City who have as their place of abode a living unit furnished to them for the payment of a rental charge to another by adopting licensing regulations for all rental dwellings in the City.

Definitions.

For the purposes of this article, the terms defined in this section shall have the meanings given them as follows:

Compliance official. As used in this article, the term “compliance official” shall mean the City Administrator or his or her designee.

Operate. As used in this article, the term “operate” means to charge a rental charge or other form of compensation for the use of a unit in a rental dwelling.

Rental dwelling. As used in this article, the term “rental dwelling” shall mean any rental dwelling with one or more living units. “Rental dwelling” does not include hotels, motels, hospitals and homes for aged.

License required.

No person, firm, partnership, corporation or other legal entity shall operate a rental dwelling in the City without first obtaining a license. The license is issued for a five-year period and is valid until the date of expiration.

Application for licenses.

Applications for licenses shall be made in writing on forms provided by the city and accompanied by the fee amounts as established by the City. Such application shall be submitted at least 60 days prior to the expiration date of the license, and shall specify the following:

- (1) *Provisional license.* Dwellings required to be licensed, which are existing and in operation prior to the effective date of this ordinance, may continue to operate with a provisional license. A provisional license will be issued upon receipt of application and payment of fees. The provisional license shall be valid until a license is issued or it is determined that license requirements have not been met and the City will not issue a license.
- (2) Name and address of the owner of the rental dwelling.
- (3) Name and address of any operator or agent actively managing said rental dwelling.
- (4) Name and address of all partners if the registrant is a partnership.
- (5) Name and address of all officers of the corporation if the registrant is a corporation.
- (6) Name and address of the vendee if the rental dwelling is owned or being sold on a contract for deed.
- (7) Legal address of the rental dwelling.
- (8) Number and kind of units within the rental dwelling classified as dwelling units, tenement units, or rooming units or other.
- (9) Name and address of on-site operating manager if any.

License renewal.

Notwithstanding the application signature requirements, renewals of the license as required biannually by this Code may be made by filling out the required renewal form furnished by the City Administrator to the owner, operator or agent of a rental dwelling and mailing said form together with the required registration fee to the City Administrator.

License fees.

Such license fees shall be in the amount of the established code.

Posting.

Every registrant of a rental dwelling shall post the annual license issued by the City Administrator. The annual license shall be conspicuously posted (in a frame with a glass covering) by the registrant, in a public corridor, hallway or lobby of the rental dwelling for which they are issued.

Maintenance standards.

Every rental dwelling shall maintain the standards in the Housing Maintenance Code, in addition to any other requirement of the ordinance of the City or special permits issued by the City, or the laws of the State of Minnesota.

Revocation or suspension.

- (a) Every license or permit issued under this article is subject to the right, which is hereby expressly reserved, to suspend or revoke the same should the license holder or their agents, employees, representatives or lessees directly or indirectly operate or maintain rental dwellings contrary to the provisions of this article or any other City Code provision, or any permit issued by the City or the laws of the State of Minnesota.
- (b) The license may be suspended or revoked by the City Council after a written notice is sent to the license holder specifying the ordinance or law violations with which they are charged. This notice shall also specify the date for hearing before the City Council, which shall not be less than ten days from the date of the notice.
- (c) At such hearing before the City Council, the license holder or their attorneys may submit and present witnesses on their behalf.
- (d) After a hearing the City Council may suspend or revoke the license if they deem it necessary to protect the public health, safety or general welfare.

Summary action.

- (a) When the condition of the rental dwelling of any license holder or their agent, representative, employee or lessee is detrimental to the public health, safety and general welfare as to constitute a nuisance, fire hazard or other unsafe or dangerous condition and thus give rise to an emergency, the compliance official shall have the authority to summarily condemn or close off such area of the rental dwelling.
- (b) Any person aggrieved by a decision of the compliance official to cease business or revoke or suspend the license or permit shall be entitled to appeal to the City Council immediately, by filing a notice of appeal. The manager shall schedule a date for hearing before the City Council and notify the aggrieved person of the date.
- (c) The hearing shall be conducted in the same manner as if the aggrieved person had not received summary action.
- (d) The decision of the compliance official shall not be voided by the filing of such appeal. Only after the City Council has held its hearing will the decision of the compliance official be affected.

Applicable laws.

Licenses shall be subject to all of the ordinances of the City and the State of Minnesota relating to rental dwellings; and this article shall not be construed or interpreted to supersede or limit any other such applicable ordinance or law.

Rental dwelling licenses; conduct on licensed premises.

It shall be the responsibility of the rental license holder to take appropriate action to prevent conduct by tenants or their guests on the licensed premises which is hereby deemed to be disorderly, in violation of any of the following statutes or ordinances:

- (1) Minnesota Statutes 609.75 through 609.76, which prohibit gambling;
- (2) Minnesota Statutes 609.321 through 609.324, which prohibit prostitution and acts relating-thereto;

- (3) Minnesota Statutes 152.01 through 152.025, and 152.027, subd. 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
- (4) Minnesota Statutes 340A.401 which prohibit the unlawful sale of alcoholic beverages;
- (5) Chapter 13, Article I of this Code, which prohibit nuisances;
- (6) Minnesota Statutes 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and 930 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon;
- (7) Minnesota Statutes 609.72, which prohibit disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation;
- (8) Minnesota Statutes 609.185, 609.19, 609.195, 609.20, and 609.205 which prohibit murder and manslaughter;
- (9) Minnesota Statutes 609.221, 609.222, 609.223, and 609.2231 which prohibit assault;
- (10) Minnesota Statutes 609.342, 609.343, 609.344, 609.345, and 609.3451 which prohibit criminal sexual conduct.
- (11) Minnesota Statutes 609.52 which prohibit theft;
- (12) Minnesota Statutes 609.561, 609.562, 609.563, 609.5631, and 609.5632 which prohibit arson;
- (13) Minnesota Statutes 609.582 which prohibit burglary;
- (14) Minnesota Statutes 609.595 which prohibit damage to property; and
- (15) Section 11-2 of the City Code which prohibit the discharge of a firearm.

Disorderly use violations.

- (a) Upon determination by the compliance official that a disorderly use violation occurred on the licensed premises, as described above, the City shall notify the licensee by certified mail of the violation and direct the licensee to take appropriate action prevent further violations.
- (b) If a second disorderly use violation occurs on the licensed premises by the same tenant, a family member, a roommate, or a guest of the tenant occurs within 12 months of an incident for which the notice in section (1) above was given, the City shall notify the licensee by certified mail of the violation and shall also require the licensee to submit a written report of the actions taken, and proposed to be taken, by the licensee to prevent further disorderly use of the premises. This written report shall be submitted to the City within seven days of receipt of the notice (excluding holidays) of disorderly use of the premises.
- (c) If a third disorderly use violation occurs on the licensed premises by the same tenant, a family member, a roommate, or a guest of the tenant occurs within 12 months after the second of any two previous instances of disorderly use for which notices were sent to the licensee pursuant to this section, the rental dwelling license for the unit occupied by the involved tenant shall be suspended by the City Council. The initial suspension shall be for up to 60 days. If another disorderly use violation occurs on the licensed premises by the same tenant, a family member, a roommate, or a guest of the tenant within 12 months after the end of a suspension period, the City Council may suspend the rental dwelling license for the unit occupied by the involved tenant for up to 120 days. In lieu of a suspension, the City Council may impose a fine equivalent to the rent for the suspension period.
- (d) It shall not be considered an instance of disorderly use if the tenant is evicted or voluntarily vacates the licensed premises prior to the hearing before the City Council and within two full calendar months after the determination by the compliance official that disorderly use has occurred and notice of the determination has been sent to the licensee.

Multiple suspensions.

If the license of more than one dwelling unit in a licensed-premises is suspended within 12 months, the period of suspension for the second and subsequent dwelling units licensed that are suspended may be doubled for the suspension period specified in the "Disorderly use violations" section.