

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 5-9-16
Item No.: 10.a

Department Approval

City Manager Approval



Item Description: Community Development Department Requests Approval of Proposed Text Ordinance Amendments of the Roseville City Code, Title 9, Chapter 908, To Regulate Rental Licensing for Multifamily Rental Dwellings of 5 or More Units

1 **BACKGROUND**

2 Roseville’s Multi-Family Rental License Ordinance (Chapter 908) was approved by City
3 Council on October 21st, 2013. Since inception, the Community Development Department staff
4 have implemented the ordinance, completed the initial inspection/licensing cycle, and continued
5 renewal inspections as they occur according to each property’s inspection schedule.

6
7 In developing administrative procedures, assigning license types and conducting inspections,
8 staff identified certain ordinance and process revisions which will correct minor discrepancies
9 and contradictions in the ordinance, clarify some ordinance wording, allow for the ordinance to
10 operate more efficiently, and, provide an appropriate policy to guide staff.

11
12 The City Attorney has reviewed these recommended ordinance amendments. Staff recommends
13 changes to the following sections:

14
15 The following ordinance revisions (Chapter 908) are included as ‘Attachment A’. A summary of
16 code changes are as follows:

- 17 1. Section 908.02, Definitions: Add definition descriptions for Codes Coordinator, Code
18 Compliance Officer and Memorandum of Understanding. The remaining are administrative
19 procedure amendments.
 - 20 2. Section 908.03, Licensing Requirements: Amending the License Type Descriptions to list
21 license term, add provisions for background checks for persons having access to individual
22 units, inclusion of City representative to view occupancy register, and changes in ownership
23 and information on application. The remaining are administrative procedure amendments.
 - 24 3. Section 908.04, Licensing Term: Amending the License Type Description Diagram 1, and
25 the remaining are administrative procedure amendments.
 - 26 4. Section 908.07, Licensing Suspensions, Revocation, Denial, and Nonrenewal: Including
27 wording which allows Council action in regards to non-compliance of the Memorandum of
28 Understanding. The remaining are administrative procedure amendments.
 - 29 5. Section 908.08, Change wording of Building Official to Codes Coordinator.
- 30

31 **FINANCIAL IMPACTS**

32 There are no financial impacts.

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34 **STAFF RECOMMENDATION**

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36 Based on the comments provided in this report, staff recommends approval of the proposed text
37 ordinance amendments of the Roseville's City Code, Title 9, Chapter 908, to Regulate Rental
38 Licensing for Multifamily Dwellings of 5 or More Units.

39

40 **REQUESTED COUNCIL ACTION**

41 Adopt an ordinance amending selected text ordinance amendments of the Roseville's City Code,
42 Title 9, Chapter 908, to Regulate Rental Licensing for Multifamily Dwellings of 5 or More
43 Units.

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45 Prepared by: Dave Englund, Codes Coordinator

46

47 Attachments: A: Ordinance Amendment

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B: Ordinance Summary

City of Roseville

ORDINANCE NO. _____

AN ORDINANCE AMENDING SELECTED TEXT OF THE ROSEVILLE CITY CODE, TITLE 9, CHAPTER 908, TO REGULATE RENTAL LICENSING FOR MULTIFAMILY RENTAL DWELLINGS OF 5 OR MORE UNITS

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Purpose: The Roseville City Code is hereby amended to modify/clarify specific requirements within the Roseville City Code, Title 9, Chapter 908, To Regulate Rental Licensing for Multifamily Rental Dwellings of 5 or More Units.

SECTION 2. Sections 908.02, 908.03, 908.04, 908.07, 908.08, is hereby amended as follows:

CHAPTER 908 TO REGULATE RENTAL LICENSING FOR MULTIFAMILY RENTAL DWELLINGS OF 5 OR MORE UNITS

- 908.01: Purpose
908.02: Definitions
908.03: Licensing Requirements
908.04: Licensing Term
908.05: Fees
908.05: Local Agent Required
908.06: Licensing Suspensions, Revocation, Denial, and Non-Renewal
908.08: Appeals
908.09: Maintenance of Records
908.10: Authority
908.11: Rules, Policies, and Procedures
908.12: No Warranty by the City
908.13: Severability

908.01: PURPOSE

It is the purpose of this Chapter to assure that Multifamily Rental Dwellings (MRDs) with 5 or more units in Roseville are decent, safe, sanitary, and well maintained. The implementation of an MRD licensing program is a mechanism to ensure that rental housing will not become a nuisance to the neighborhood; will not foster blight and deterioration; and/or will not create a disincentive to reinvestment in the community. The operation of an MRD is a business enterprise that entails responsibilities. Operators are responsible to assure that residents and children may pursue the normal activities of life in surroundings that meet the following criteria: safe, secure, and sanitary; free from crimes and criminal activity, noises, nuisances, or annoyances; and free from unreasonable fears about safety of persons and security of property.

908.02: DEFINITIONS

ATTACHMENT A

44 For the purpose of this Chapter, the following terms shall be defined as set forth below.

- 45 ~~A.~~ A. **Building Official Codes Coordinator:** The designated Building Official for the City of Roseville
46 or his/her duly authorized representative(s).
- 47 ~~B.~~ B. **City:** Shall mean the City of Roseville.
- 48 ~~C.~~ C. **City Council:** Shall mean the City Council of the City of Roseville.
- 49 ~~D.~~ D. **City-Approved Inspector's Report or Inspection Report:** Shall mean a rental dwelling inspection
50 report prepared and signed by a City rental housing inspector or inspector contracted by the City
51 to conduct an inspection and provide a report to the City.
- 52 ~~E.~~ E. **Code Compliance Officer: City of Roseville rental housing inspector as designated by the Codes**
53 **Coordinator.**
- 54 ~~F.~~ F. **Denial:** The refusal to grant a license to a new or renewing applicant by the City.
- 55 ~~F.~~ G. **Dwelling Unit:** Any portion of a building thereof that contains living facilities, including
56 provisions for sleeping, eating, cooking, and sanitation.
- 57 ~~G.~~ H. **Lease:** An oral or written agreement between an MRD owner and a tenant for temporary use of
58 a rental dwelling unit, usually in exchange for payment of rent.
- 59 ~~H.~~ I. **License:** The formal approval of an activity specified on the certificate of license issued by the
60 City.
- 61 ~~I.~~ J. **Local Agent:** Owner's representative who resides in any of the following Minnesota counties:
62 Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington.
- 63 ~~K.~~ K. **Memorandum of Understanding: A document outlining the terms and details of an agreement**
64 **between parties, including each parties requirements and responsibilities.**
- 65 ~~K.~~ L. **Multifamily Rental Dwelling (MRD):** Any building or portion thereof that contains five (5) or
66 more dwelling units that may be attached side-by-side, stacked floor-to-ceiling, and/or have a
67 common entrance and have a common owner that are being rented out in the City of Roseville.
68 This does not apply to: Minnesota Department of Health licensed rest homes, convalescent care
69 facilities, nursing homes; hotels, motels, managed home-owner associations, cooperatives, or
70 on-campus college housing.
- 71 ~~L.~~ M. **Owner:** A person, agent, firm, or corporation having a legal or equitable interest in the
72 property. In any corporation or partnership, the term owner includes general partners and
73 corporate officers.
- 74 ~~M.~~ N. **Permissible Occupant Load:** The maximum number of persons permitted to occupy a building
75 or space within a building per City Code.
- 76 ~~N.~~ O. **Re-inspection:** A follow-up inspection that is a) conducted to determine if a Code violation has
77 been corrected; b) needed because a licensee, owner, or other responsible party fails to attend a
78 scheduled inspection; c) needed because a scheduled inspection does not occur or is prevented
79 due to any act of a licensee, owner, or responsible party; or d) any inspection other than the
80 initial inspection for a license application where one or more violations are found.
- 81 ~~O.~~ P. **Rent:** The consideration paid by a tenant to the owner of a rental dwelling unit for temporary
82 and exclusive use of the rental dwelling unit by the tenant. The consideration is not limited to
83 cash.
- 84 ~~P.~~ Q. **Repair:** To restore to a sound and functional state of operation, serviceability, or appearance.
- 85 ~~Q.~~ R. **Revoke:** To take back a license issued by the City.
- 86 ~~R.~~ S. **Safety:** The condition of being reasonably free from danger and hazards that may cause
87 accidents or disease.
- 88 ~~S.~~ T. **Suspend:** To make a license temporarily inoperative.
- 89 ~~T.~~ U. **Tenant:** Any adult person granted temporary use of a rental dwelling unit pursuant to a lease
90 with the owner of the MRD.

91 **908.03: LICENSING REQUIREMENTS**

92 General Rule. No person shall operate, let, or cause to be let an MRD that has not been properly
 93 licensed by the City of Roseville in the manner required by this Ordinance. A license must be obtained
 94 for each MRD. Upon receipt of ~~the a~~ properly executed initial or renewal application for a rental
 95 license, the Community Development Department shall cause an inspection to be made of the MRD to
 96 determine whether it is in compliance. ~~The standards for compliance shall include with~~ Chapter 906
 97 (Building Maintenance and Preservation Code), ~~other City of Roseville Oerdinances and other~~
 98 applicable Codes or other nationally recognized standards and the laws of the State of Minnesota, as
 99 adopted by the City Council. ~~, and the laws of the State of Minnesota. At renewal inspection, a A~~
 100 minimum of twenty-five percent (25%) of all rental dwelling units shall be inspected to determine if
 101 they comply with all applicable codes and ordinances. Also during renewal inspections, a minimum of
 102 25% of previously inspected units with noted violations shall be re-inspected to verify correction of
 103 noted violations. ~~all previously noted violations were corrected.~~

- 104
- 105 A. Licensing: A license will be granted as Three Year Type A, Two Year Type B, One Year Type
 106 C or Six Month Type D based on nationally recognized standards recommended by the Codes
 107 Coordinator Building Official and adopted by the City Council. All rental dwelling units shall be
 108 licensed before being let, in whole or in part. Licenses will expire as determined by the license
 109 type and City.
- 110
- 111 B. Criminal Background Check: ~~The licensee shall conduct criminal background checks on all~~
 112 ~~prospective tenants. Criminal background checks shall be conducted on all prospective tenants,~~
 113 ~~owners, local agents or any other persons given access to individual units by licensee.~~ The
 114 criminal background check must include the following:
- 115 1. A statewide (Minnesota) criminal history check ~~of all prospective tenants~~ covering at
 116 least the last three years; the check must be done utilizing the most recent update of the
 117 state criminal history files.
 - 118 2. A criminal history check ~~of any prospective tenant~~ in their previous states of residence,
 119 unless not allowed, covering at least the last three years if they have not resided in
 120 Minnesota for three years or longer.
 - 121 3. A criminal history check ~~shall of any prospective tenant must be conducted in all seven~~
 122 ~~(7) counties in the metro Twin Cities area: (Anoka, Carver, Dakota, Hennepin, Ramsey,~~
 123 ~~Scott and Washington) covering at least the last three years, include ing~~ all misdemeanor,
 124 gross misdemeanor, and felony convictions.
- 125
- 126 C. Disorderly Behavior Lease Provisions: All tenant leases shall contain crime-free, drug-free
 127 provisions as on file with the City or equivalent that prohibit disorderly behavior identified in
 128 City Code Section 511.02. These lease provisions shall be incorporated into every new or
 129 renewing lease for a tenancy. ~~beginning January 1, 2015, and all renewed leases by such date.~~
- 130
- 131 D. Occupancy Register: Every owner of a licensed rental dwelling shall keep, or cause to be kept, a
 132 current register of occupancy for each dwelling unit. Such register shall be made available for
 133 viewing by an authorized City representative or upon City receipt of a report of potential
 134 occupancy violation. The Occupancy Register must contain that provides the following
 135 information:
- 136 1. Dwelling unit address.

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- 137 2. Number of bedrooms in dwelling unit and size of each bedroom, including the maximum
138 number of occupants allowed.
- 139 3. Legal names and dates of birth of adult occupants.
- 140 4. Number of adults and children (under 18 years of age) currently occupying each
141 dwelling unit.
- 142 5. Dates renters occupied and vacated dwelling units.
- 143 6. A list of complaints and requests for repair by dwelling unit occupants that relate to the
144 provisions of this Code of Ordinances.
- 145 7. A similar list of all corrections made in response to such requests and complaints.
- 146 ~~Such register shall be made available for viewing by the Code Enforcement Officer at each~~
147 ~~routine inspection or upon City receipt of a report of potential occupancy violation.~~

- 148 E. Application Filed Submittal: A license application shall be submitted to the Community
149 Development Department on forms furnished by the City of Roseville and must contain the
150 following information:
- 151 1. Name, address, telephone number, and e-mail address of the owner of the ~~rental dwelling~~
152 ~~units. MRD~~. This is the address that all future correspondence from the City will be sent
153 to. ~~The o~~Owner shall indicate if the business entity owner is a corporation, partnership,
154 sole proprietorship, or other, ~~business entity~~.
 - 155 2. Name, address, telephone number, and e-mail address of designated local agent
156 responsible for the management of the MRD, if applicable.
 - 157 3. Street address(es) and unit numbers for the MRD.
 - 158 4. Number ~~and type~~ of dwelling units including: unit size, bedroom size ~~for each building~~
159 (One [1] Bedroom, Two [2] Bedrooms, etc.) and number of bathrooms.
160 ~~5. Description of property listing number of buildings and number of dwelling units in each~~
161 ~~building.~~
 - 162 ~~6.~~ 5. Owner shall certify compliance with the requirement found in 908.03B for
163 conducting background checks on prospective tenants.
 - 164 ~~7.~~ 6. Owner shall certify compliance with the requirement in 908.03C to include
165 disorderly behavior lease provisions.
 - 166 ~~8.~~ 7. Owner shall certify compliance with the requirement of 908.03D occupancy
167 register.

- 168 F. Changes in Ownerships and Amended Licenses: A license is not assignable. Any changes
169 occurring in the ownership of an MRD requires a new license. The new owner must submit an
170 application for obtain a new license within thirty (30) calendar days of acquiring the property.
171 ~~The fee paid for the new license shall be the fee required for an initial license. The applicant~~
172 ~~shall be responsible for compliance to all sections listed herein under City Code Chapter 908.~~
173 ~~If any changes occur in any information required on the license application, the owner must~~
174 ~~submit an amended license application to the City within thirty (30) calendar days of the change.~~
175 ~~If any rental dwelling units are added to a current license, the additional rental dwelling units~~
176 ~~must be licensed by amendment of the current license and must be accompanied by the fee~~
177 ~~required for the additional units.~~

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179 G. Amended Licenses: If changes occur to any information required on the application for a current
180 license, the owner must submit an amended license application to the City within thirty (30)

ATTACHMENT A

181 calendar days of the change. If any rental dwelling units are added to a current license, the
 182 additional rental dwelling units must be licensed by amendment of the current license and must
 183 be accompanied by the fee required for the additional units.
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G. H. Complaint-Based Inspection: The City may, upon receipt of a creditable third party complaints or a complaints ~~of by~~ residents with reasonable concerns, require an inspection. ~~of a unit.~~ A complaint-based inspection may require additional units to be inspected. As a result of Upon the additional ~~unit~~ inspection, the City may require a license category criteria inspection be performed using the same standards as the license renewal inspection.

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 186 **H. I.** Additional Requirements. The City may require additional educational training or participation in
 187 programs related to the license type.
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189 **908.04: LICENSING TERM**

190 Licenses will be issued for a time period according to the License Type as indicated in Diagram 1. All
 191 licenses may be reviewed at any time after the beginning of the license term to determine whether the
 192 property continues to have the appropriate License Type.

193 Diagram 1

Requirement →	Renewal of License, Inspections and Payment of Licensing Fee	Memorandum of Understanding for correction of nuisance	Monthly Updates
License Type ↓			
Type A <u>Three Year</u>	Once every 3 years	Optional	N/A
Type B <u>Two Year</u>	Once every 2 years	Optional	N/A
Type C <u>One Year</u>	Once a year	Optional	N/A
Type D <u>Six Month</u>	Once every 6 months	Required	Required

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- 194 A. New Licenses: MRDs that have legally not been required to have a rental license due to new
195 construction will qualify for a ~~Type-B Two Year~~ License. A rental license application and must
196 be submitted filed with to the City within thirty (30) calendar days from the issuance of a
197 Conditional or Permanent Certificate of Occupancy. The applicant shall be responsible for
198 compliance to all sections listed herein under City Code Chapter 908.
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- 200 B. Operating without Valid License: Properties found operating without a valid rental license from
201 the City, properties failing to meet City Code requirements, or properties that have been the
202 subject of enforcement actions such as criminal prosecution or civil penalties for violation of this
203 chapter, will only qualify for a ~~Type-C or-D~~ One Year or Six Month license.
204
- 205 C. License Renewals: All licensed rental properties ~~are subject to review and shall~~ may be required
206 to submit a renewal application. After renewal inspection, the license type may be reassigned
207 apply and qualify for a different license type based on the total number of violations noted. The
208 level of compliance with City Codes and applicable regulations may also affect license type.
209
- 210 D. Chronic Code Violations: For properties having chronic code violations that are not being
211 resolved in a timely manner, the City Council may pursue any and all remedies under Minnesota
212 Statutes sections 504B.395 through 504B.471 in addition to any other legal or equitable relief.
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- 214 E. License Category Criteria: License type will be determined by the number of property ~~C~~code
215 and nuisance violations as recommended by the City Manager and approved by the City Council.
216 1. Property Code and Nuisance Violations. Standards for property maintenance will be
217 based on compliance with City and other applicable Codes or other nationally recognized
218 standards, as adopted by the City Council.
219
- 220 F. License Process and Renewal:
221 1. ~~Initial application of existing~~ All owners or owner's representatives of MRDs in the City
222 must ~~have completed~~ submit a full application to the Community Development Department.
223 and paid the license fee by December 31, 2014.
224 2. The Community Development Department ~~Code enforcement officers~~ will notify applicant
225 of the inspection date, approximately thirty (30) calendar days prior to inspection.
226 3. After the inspection has been completed a nNotice of licensing type and inspection report
227 will be sent to the applicant. ~~The licensing fee will be due and payable by the license renewal~~
228 ~~date.~~
229 4. The licensing fee will be due and payable by the license renewal date.
230 3. 5. After City Council approval, a license will may be issued for each MRD. ~~Every Owner of~~
231 ~~an MRD shall conspicuously post the current license certificate within fourteen (14) calendar~~
232 ~~days of receipt in the main entryway or other conspicuous location within the MRD. For~~
233 ~~MRDs that do not have a shared common area or entrance, the Owner must provide a copy of~~
234 ~~the license certificate to each tenant by attaching a copy to the tenant's copy of the executed~~
235 ~~lease agreement.~~
236 4. 6. A renewal application packet will be sent to the owner of each licensed MRD. License
237 renewals applications shall be ~~filed with~~ submitted to the Community Development
238 Department by the MRD between 90 and 120 days prior to the license expiration date.
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G. Issuance of License: The City shall issue a license once the City deems the property to not have any unsafe, unsanitary, or dilapidated conditions (as defined in Section 906.03H or elsewhere in Roseville’s City Code), or a Memorandum of Understanding (MOU) has been signed and submitted, and all City fees and fines have been paid. Every Owner of an MRD shall conspicuously post the current license within fourteen (14) calendar days of receipt in the main entryway or other conspicuous location within the MRD. For MRDs that do not have a shared common area or entrance, the Owner must provide a copy of the license certificate to each tenant by attaching a copy to the tenant’s copy of the executed lease agreement.

908.05: FEES

There shall be a licensing fee as established by the City Fee Schedule in Section 314.05. All fees and fines shall be charged to and payable by the property owner.

908.06: LOCAL AGENT REQUIRED

A. Local Agent: No operating license shall be issued or renewed for a nonresident owner of an MRD (one who does not reside in any of the following Minnesota counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington) unless such owner designates in writing to the Building Official the name of the owner’s local agent (one who does reside in any of the following Minnesota counties: Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington) who is responsible for maintenance and upkeep and who is legally constituted and empowered to receive notice of violations of the provisions of the City Code of Ordinances, to receive and to effect such orders, and to accept all service or process pursuant to law.

B. Responsibility for Acts of Manager, Operator, or Local Agent: Licensees are responsible for the acts or omissions of their managers, operators, local agent, or other authorized representative.

908.07: LICENSING SUSPENSIONS, REVOCATION, DENIAL, AND NONRENEWAL

A. Applicability: Every license issued under the provisions of this Chapter is subject to suspension, ~~or~~ revocation or nonrenewal by the City Council.

B. Unoccupied or Vacated Rental Units: In the event that a license is suspended, revoked, or not renewed by the City Council, it shall be unlawful for the owner or the owner’s duly authorized agent to thereafter permit any new occupancies of vacant or thereafter vacated rental units until such time as a valid license may be restored by the City Council.

C. Grounds for License Action: The City Council may revoke, suspend, or decline to renew any license issued under this Chapter upon any of the following grounds:
1. False statements, misrepresentations, or fraudulent statements on any application or other information or report required by this Chapter to be given by the applicant or licensee.
2. Failure to pay any application fee, fine, penalty, re-inspection fees, reinstatement fee, special assessments, real estate taxes, or other financial claims due to the City as required by this Chapter and City Council resolution.
3. Failure to continuously comply with any property maintenance, zoning, health, building, nuisance, or other City Codes; or failure to correct deficiencies noted in an Inspection Report or other compliance notices within the time specified. ~~in the notice.~~

ATTACHMENT A

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4. Failure to comply with the provisions of an approved memorandum of understanding (MOU) with the City that addresses noted deficiencies and violations of any property maintenance, zoning, health, building, nuisance, or other City Codes.
 5. Failure to comply with the provisions of an approved memorandum of understanding (MOU) with the City that addresses the underlying causes for the nuisance conduct and provides a course of action to alleviate the nuisance conduct.
 6. Failure to actively pursue the termination of the tenancy of tenants who have violated the provision of this Chapter or Lease Addendum on file with the City or have otherwise created a public nuisance in violation of City, state, or applicable laws.
 7. Failure to eliminate imminent health and life safety hazards as determined by the City or its authorized representatives.
 8. Failure to operate or maintain the licensed premises in conformity with all applicable state and local laws and ordinances.
- D. License Action Sections: Revocation, suspension, and non-renewal may be brought under either this Section or any other Section of Chapter 908.
- E. Notification, Hearing and Decisions Basis:
1. Written Notice, Hearing: A decision to revoke, suspend, deny, or not renew a license shall be preceded by written notice to the applicant or licensee of the alleged grounds, and the applicant or licensee will be given an opportunity for a hearing before the City Council before final action to revoke, suspend, deny, or not renew a license.
 2. Decision Basis: The City Council shall give due regard to the frequency and seriousness of violations, the ease with which such violations could have been remedied or avoided, and the good faith efforts to comply. The City Council shall issue a decision to deny, not renew, suspend, or revoke a license only upon written findings.
- F. Affected MRD: The City Council may suspend, ~~or~~ revoke ~~a license~~ or not renew a license for part or all of an MRD.
- G. License Actions, Reapplication:
1. Suspension: Licenses may be suspended for up to ninety (90) calendar days and may after the period of suspension be reinstated subject to compliance with this Chapter and any conditions imposed by the City Council at the time of suspension.
 2. Revocation, Denial, Nonrenewal: Licenses that are revoked will not be reinstated until the owner has applied for and secured a new license and complied with all conditions imposed at the time of revocation. Upon a decision to revoke, deny, or not renew a license, no approval of any application for a new license for the same facility will be effective until after the period of time specified in the City Council's written decision, which shall not exceed one (1) year. The City Council shall specify in its written decision the date when an application for a new license will be accepted for processing. A decision not to renew a license may take the form of a suspension or revocation. A decision to deny an ~~initial~~ application for a new facility will not take the form of a suspension or revocation unless false statements have been made by the applicant in connection with the application. A decision to deny an ~~initial~~ application shall state conditions of reapplication.

ATTACHMENT A

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3. Reinstatement Fees: All new applications must be accompanied by a reinstatement fee, as specified by City Council resolution, in addition to all other fees required by this Chapter.
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4. Written Decision, Compliance: Written decisions to revoke, suspend, deny, or not renew a license or application shall specify the part or parts of the facility to which it applies. Thereafter, and until a license is reissued or reinstated, no rental units becoming vacant in such part or parts of the facility may be re-let or occupied. Revocation, suspension, or non-renewal of a license shall not excuse the owner from compliance with all terms of state laws and Codes and this Code of Ordinances for as long as any units in the facility are occupied. Failure to comply with all terms of this Chapter during the term of revocation, suspension, or non-renewal is a misdemeanor and grounds for extension of the term of such revocation or suspension or continuation of non-renewal, or for a decision not to reinstate the license, notwithstanding any limitations on the period of suspension, revocation, or non-renewal specified in the City Council's written decision or in paragraph 6 of this Section.
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5. New License Prohibited: A property owner who has a rental license revoked may not receive a new rental license for another property within the City for a period of one (1) year from the date of revocation. The property owner may continue to operate currently licensed MDRs if the properties are maintained in compliance with City Codes and other applicable regulations.
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6. The City Council may postpone or discontinue an action to deny, not renew, revoke, ~~or~~ suspend a ~~registration certificate~~ license, or ~~to~~ fine a licensee or applicant, if the licensee or applicant has taken appropriate measures to correct the violation.

908.08: APPEALS

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- A. An appeal pertaining to any licensing decision addressed in this Chapter may be filed by an MRD property owner.
1. The appeal shall be submitted to the City Manager within thirty (30) calendar days after the making of the order or decision being appealed.
 2. The appeal shall state the specific grounds upon which the appeal is made.
 3. The appeal shall be accompanied by the fee set forth in Chapter 314.
- B. When an appeal is filed, a public meeting regarding the matter shall be held before the City Council, acting as the Board of Adjustments and Appeals, at a regular meeting held within ninety (90) calendar days of the receipt of the appeal. The Board of Adjustments and Appeals may consider any of the evidence that had previously been considered as part of the formal action that is the subject of the appeal. New or additional information from the appealing applicant(s) may be considered by the Board of Adjustments and Appeals at its sole discretion if that information serves to clarify information previously considered by the ~~Building Official~~ Codes Coordinator.

908.09: MAINTENANCE OF RECORDS

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All records, files, and documents pertaining to the Licensing of MRDs shall be maintained in the office of the City and made available to the public as allowed or required by laws, rules, codes, statutes, or ordinances.

380 **908.10: AUTHORITY**

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382 Nothing in this Chapter shall prevent the City from taking action under any applicable rule, standard,
383 statute, or ordinance for violations thereof and to seek either injunctive relief or criminal prosecution for
384 such violations as therein provided. Nothing contained in this Chapter shall prevent the City from
385 seeking injunctive relief against a property owner or designated agent who fails to comply with the
386 terms and conditions of this Chapter on licensing.

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388 **908.11: RULES, POLICIES, AND PROCEDURES**

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390 By resolution the City Council may adopt, from time to time, rules, policies, and procedures for the
391 implementation of this Chapter. Violation of any such rule, policy, or procedure by a property owner
392 shall be considered a violation of this Ordinance.

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394 **908.12: NO WARRANTY BY THE CITY**

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396 By enacting and undertaking to enforce this Chapter, neither the City, its designees, the City Council, or
397 its officers, agents, or employees warrant or guarantee the safety, fitness, or suitability of any MRD in
398 the City. Owners or occupants should take whatever steps they deem appropriate to protect their
399 interests, health, safety, and welfare. A warning in substantially the foregoing language shall be printed
400 on the face of the rental license.

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402 **908.13: SEVERABILITY**

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404 If any provision of this Chapter or amendment thereto, or the application thereof to any person, entity, or
405 circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of
406 this Chapter shall remain in full force and effect and the application thereof to other persons, entities, or
407 circumstances shall not be affected thereby.

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409 Passed by the City Council of the City of Roseville this day of , 2016.

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411 ~~Ordinance—An Ordinance Amending Title 9, Chapter 908—to Regulate Rental Licensing for~~
412 ~~Multifamily Rental Dwelling Units~~

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414 (SEAL)

415
416 CITY OF ROSEVILLE

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419 BY: _____
420 Daniel J. Roe, Mayor

421 ATTEST:
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424 _____
425 Patrick Trudgeon, City Manager
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City of Roseville

ORDINANCE SUMMARY NO. ____

AN ORDINANCE AMENDING SELECTED TEXT OF THE ROSEVILLE CITY CODE, TITLE 9, CHAPTER 908, TO REGULATE RENTAL LICENSING FOR MULTIFAMILY RENTAL DWELLINGS OF 5 OR MORE UNITS

The following is the official summary of Ordinance No. ____ approved by the City Council of Roseville on May 9, 2016:

The Roseville City Code is hereby amended to modify/clarify specific requirements within Roseville City Code, Title 9, Chapter 908, to Regulate Rental Licensing for Multifamily Rental Dwellings of 5 or More Units.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville, Minnesota 55113. A copy of the ordinance and summary shall also be posted at the Reference Desk of the Roseville Branch of the Ramsey County Library, 2180 Hamline Avenue North, and on the Internet web page of the City of Roseville (www.ci.roseville.mn.us).

BY:

Daniel J. Roe, Mayor

ATTEST:

Patrick Trudgeon, City Manager