

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: 6-13-16
Item No.: 10.a

Department Approval



City Manager Approval



Item Description: Consider Code Amendments to Title 9, Chapter 908 of the Roseville City Code, Regulating 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 the City
3 Council on October 21, 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.

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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.

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12 These revisions were discussed at the May 9, 2016, City Council meeting. Council asked staff to
13 review Section 908.03 with the Minnesota Multi-Housing Association (MMHA) and research
14 other city's ordinances related to required background checks. The discussions with the MMHA
15 resulted in the language used that is in keeping with State Statutes, as well as, the Federal Fair
16 Housing Act. The City Attorney has reviewed these recommended ordinance amendments. Staff
17 recommends changes to the following sections:

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19 The following ordinance revisions (Chapter 908) are included as 'Attachment A'. A summary of
20 code changes are as follows:

- 21 1. Section 908.02, Definitions: Add definition descriptions for Codes Coordinator, Code
22 Compliance Officer, Memorandum of Understanding and Manager.
- 23 2. Section 908.03, Licensing Requirements: Amending the License Type Descriptions to list
24 license term, add provisions for background checks for persons having access to individual
25 units, inclusion of City representative to view occupancy register, and changes in ownership
26 and information on application. The remaining are administrative procedure amendments.
- 27 3. Section 908.04, Licensing Term: Amending the License Type Description Diagram 1, and
28 the remaining are administrative procedure amendments.
- 29 4. Section 908.06, Local Agent: Removed licensee responsibility for acts of managers, and
30 moved it to 908.03.

- 31 5. Section 908.07, Licensing Suspensions, Revocation, Denial, and Nonrenewal: Including
32 wording which allows Council action in regards to non-compliance of the Memorandum of
33 Understanding. The remaining are administrative procedure amendments.
- 34 6. Section 908.08, Change wording of Building Official to Codes Coordinator.
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36 **FINANCIAL IMPACTS**

37 There are no financial impacts.
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39 **STAFF RECOMMENDATION**

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41 Based on the comments provided in this report, staff recommends approval of the proposed text
42 ordinance amendments of the Roseville's City Code, Title 9, Chapter 908, to Regulate Rental
43 Licensing for Multifamily Dwellings of 5 or More Units.
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45 **REQUESTED COUNCIL ACTION**

46 Adopt an ordinance amending selected text ordinance amendments of the Roseville's City Code,
47 Title 9, Chapter 908, to Regulate Rental Licensing for Multifamily Dwellings of 5 or More
48 Units.
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50 Prepared by: Dave Englund, Codes Coordinator

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52 Attachments: A: Ordinance Amendment
53 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, 908.06, 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
908.056: Local Agent Required
908.067: Licensing Suspensions, Revocation, Denial, and Non-Renewal
908.08: Appeals
908.09: Maintenance of Records
908.010: Authority
908.011: Rules, Policies, and Procedures
908.012: No Warranty by the City
908.013: 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.

44 **908.02: DEFINITIONS**

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

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

- 90 ~~P.~~ S. Revoke: To take back a license issued by the City.
- 91 ~~Q.~~ T. Safety: The condition of being reasonably free from danger and hazards that may cause
- 92 accidents or disease.
- 93 ~~R.~~ U. Suspend: To make a license temporarily inoperative.
- 94 ~~S.~~ V. Tenant: Any adult person granted temporary use of a rental dwelling unit pursuant to a lease
- 95 with the owner of the MRD.

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97 **908.03: LICENSING REQUIREMENTS**

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99 General Rule:- No person shall operate, let, or cause to be let an MRD that has not been properly

100 licensed by the City of Roseville in the manner required by this Ordinance. A license must be obtained

101 for each MRD. Upon receipt of ~~the a~~ properly executed initial or renewal application for a rental

102 license, the Community Development Department shall cause an inspection to be made of the MRD to

103 determine whether it is in compliance. The standards for compliance shall include with Chapter 906

104 (Building Maintenance and Preservation Code), ~~other City of Roseville Oerdinances and other~~

105 applicable Codes or other nationally recognized standards and the laws of the State of Minnesota, as

106 adopted by the City Council. , and the laws of the State of Minnesota. At renewal inspection, a A

107 minimum of twenty-five percent (25%) of all rental dwelling units shall be inspected to determine if

108 they comply with all applicable codes and ordinances. Also during renewal inspections, a minimum of

109 25% of previously inspected units with noted violations shall be re-inspected to verify correction of

110 noted violations. all previously noted violations were corrected.

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- 112 A. Licensing: A license will be granted as Three Year Type A, Two Year Type B, One Year Type
- 113 C or Six Month Type D based on nationally recognized standards recommended by the Codes
- 114 Coordinator Building Official and adopted by the City Council. All rental dwelling units shall be
- 115 licensed before being let, in whole or in part. Licenses will expire as determined by the license
- 116 type and City.
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- 118 B. Criminal Background Check: The licensee shall conduct criminal background checks on all
- 119 prospective tenants. The owner shall acknowledge and comply with the Kari Koskinen Manager
- 120 Background Check Act in Minnesota State Statutes 299C.66 to 299C.71. Proof of background
- 121 checks shall be made available upon City request.
- 122 The criminal background check must include the following:
- 123 1. A statewide (Minnesota) criminal history check ~~of all prospective tenants~~ covering at
- 124 least the last three years; the check must be done utilizing the most recent update of the
- 125 state criminal history files.
- 126 2. A criminal history check ~~of any prospective tenant~~ in their previous states of residence,
- 127 unless not allowed, covering at least the last three years if they have not resided in
- 128 Minnesota for three years or longer.
- 129 3. A criminal history check ~~of any prospective tenant must be conducted in all seven (7)~~
- 130 counties in the metro Twin Cities area: (Anoka, Carver, Dakota, Hennepin, Ramsey,
- 131 Scott and Washington) covering at least the last three years, including all misdemeanor,
- 132 gross misdemeanor, and felony convictions. shall be conducted in accordance with the
- 133 standards of the Federal Fair Housing Act.
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- 135 C. Disorderly Behavior Lease Provisions: All tenant leases shall contain crime-free, drug-free
- 136 provisions as on file with the City or equivalent that prohibit disorderly behavior identified in

ATTACHMENT A

137 City Code Section 511.02. These lease provisions shall be incorporated into every new
138 or renewing lease for a tenancy. ~~beginning January 1, 2015, and all renewed leases by such date.~~
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- 140 D. Occupancy Register: Every owner of a licensed rental dwelling shall keep, or cause to be kept, a
141 current register of occupancy for each dwelling unit. Such register shall be made available for
142 review by the City upon request. The Occupancy Register must contain that provides the
143 following information:

- 144 1. Dwelling unit address.
- 145 2. Number of bedrooms in dwelling unit and size of each bedroom, including the maximum
146 number of occupants allowed.
- 147 3. Legal names and dates of birth of adult occupants.
- 148 4. Number of adults and children (under 18 years of age) currently occupying each
149 dwelling unit.
- 150 5. Dates renters occupied and vacated dwelling units.
- 151 6. A list of complaints and requests for repair by dwelling unit occupants that relate to the
152 provisions of this Code of Ordinances.
- 153 7. A similar list of all corrections made in response to such requests and complaints.

154 ~~Such register shall be made available for viewing by the Code Enforcement Officer at each~~
155 ~~routine inspection or upon City receipt of a report of potential occupancy violation.~~

- 156 E. Application Filed Submittal: A license application shall be submitted to the Community
157 Development Department on forms furnished by the City of Roseville and must contain the
158 following information:

- 159 1. Name, address, telephone number, and e-mail address of the owner of the ~~rental dwelling~~
160 ~~units. MRD.~~ This is the address that all future correspondence from the City will be sent
161 to. ~~The o~~Owner shall indicate if the business entity owner is a corporation, partnership,
162 sole proprietorship, or other. ~~business entity.~~
- 163 2. Name, address, telephone number, and e-mail address of designated local agent
164 responsible for the management of the MRD, if applicable.
- 165 3. Street address(es) and unit numbers for the MRD.
- 166 4. Number ~~and type~~ of dwelling units including: unit size, bedroom size ~~for each building~~
167 (One [1] Bedroom, Two [2] Bedrooms, etc.) and number of bathrooms.
- 168 ~~5. Description of property listing number of buildings and number of dwelling units in~~
169 ~~each building.~~
- 170 ~~6.~~ 5. Owner shall certify compliance with the requirements found in 908.03B for
171 conducting background checks. ~~on prospective tenants.~~
- 172 ~~7.~~ 6. Owner shall certify compliance with the requirement in 908.03C to include
173 disorderly behavior lease provisions.
- 174 ~~8.~~ 7. Owner shall certify compliance with the requirement of 908.03D occupancy
175 register.

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- 177 F. Changes in Ownerships and Amended Licenses: A license is not assignable. Any changes
178 occurring in the ownership of an MRD requires a new license. The new owner must submit an
179 application for obtain a new license within thirty (30) calendar days of acquiring the
180 property. ~~The fee paid for the new license shall be the fee required for an initial license. The~~
181 ~~applicant shall be responsible for compliance with all sections listed herein under City Code~~
182 ~~Chapter 908. If any changes occur in any information required on the license application, the~~

ATTACHMENT A

owner must submit an amended license application to the City within thirty (30) calendar days of the change. If any rental dwelling units are added to a current license, the additional rental dwelling units must be licensed by amendment of the current license and must be accompanied by the fee required for the additional units.

G. Amended Licenses: If changes occur to any information required on the application for a current license, the owner must submit an amended license application to the City within thirty (30) calendar days of the change. If any rental dwelling units are added to a current license, the additional rental dwelling units must be licensed by amendment of the current license and must be accompanied by the fee required for the additional units.

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.

H. I. Additional Requirements: The City may require additional educational training or participation in programs related to the license type.

J. 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.

908.04: LICENSING TERM

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

Diagram 1

Requirement →	Renewal of License, Inspections and Payment of Licensing Fee	Memorandum of Understanding for correction of nuisance	Monthly Updates
License Type ↓			
<p><u>Type A</u></p> <p><u>Three Year</u></p>	Once every 3 years	Optional	N/A

ATTACHMENT A

<u>Type-B</u> <u>Two Year</u>	Once every 2 years	Optional	N/A
<u>Type-C</u> <u>One Year</u>	Once a year	Optional	N/A
<u>Type-D</u> <u>Six Month</u>	Once every 6 months	Required	Required

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- A. New Licenses: MRDs that have legally not been required to have a rental license due to new construction will qualify for a ~~Type-B~~ Two Year License. A rental license application and must be submitted filed with to the City within thirty (30) calendar days from the issuance of a Conditional or Permanent Certificate of Occupancy. The applicant shall be responsible for compliance with all sections listed herein under City Code Chapter 908.
- B. Operating without Valid License: Properties found operating without a valid rental license from the City, properties failing to meet City Code requirements, or properties that have been the subject of enforcement actions such as criminal prosecution or civil penalties for violation of this chapter, will only qualify for a ~~Type-C or D~~ One Year or Six Month license.
- C. License Renewals: All licensed rental properties ~~are subject to review and shall~~ may be required to submit a renewal application. After renewal inspection, the license type may be reassigned apply and qualify for a different license type based on the total number of violations noted. The level of compliance with City Codes and applicable regulations may also affect license type.
- D. Chronic Code Violations: For properties having chronic code violations that are not being resolved in a timely manner, the City Council may pursue any and all remedies under Minnesota Statutes sections 504B.395 through 504B.471 in addition to any other legal or equitable relief.
- E. License Category Criteria: License type will be determined by the number of property ~~C~~code and nuisance violations as recommended by the ~~City Manager~~ Codes Coordinator and approved by the City Council. Standards for property maintenance will be based on compliance with City and other applicable Codes or other nationally recognized standards, as adopted by the City Council.
- ~~1. Property Code and Nuisance Violations. Standards for property maintenance will be based on compliance with City and other applicable Codes or other nationally recognized standards, as adopted by the City Council.~~

F. License Process and Renewal:

1. ~~Initial application of existing~~ All owners or owner's representatives of MRDs in the City must ~~have completed~~ submit a full application to the Community Development Department, and paid the license fee by December 31, 2014.
2. ~~The Community Development Department Code enforcement officers~~ will notify applicant of the inspection date, approximately thirty (30) calendar days prior to inspection.
3. ~~After the inspection has been completed a n~~Notice of licensing type and inspection report will be sent to the applicant. ~~The licensing fee will be due and payable by the license renewal date.~~
4. ~~The licensing fee will be due and payable by the license renewal date.~~
3. ~~5. After City Council approval, a license will~~ may be issued for each MRD. ~~Every Owner of an MRD shall conspicuously post the current license certificate 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.~~
4. ~~6. A renewal application packet will be sent to the owner of each licensed MRD.~~ License renewals ~~applications~~ shall be filed with submitted to the Community Development Department by the MRD between 90 and 120 days prior to the license expiration date.

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~~ Codes Coordinator 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.~~

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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 cCompliance nNotices within the time specified. in the notice.
 - ~~4.~~ 5. 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.~~ 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.
 - ~~6.~~ 7. Failure to eliminate imminent health and life safety hazards as determined by the City or its authorized representatives.
 - ~~7.~~ 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.

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- 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.
 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.
 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.
 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.
 6. Council Action: 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~~ **Community Development Director** 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

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.

908.10: AUTHORITY

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

908.11: RULES, POLICIES, AND PROCEDURES

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

908.12: NO WARRANT BY THE CITY

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

908.13: SEVERABILITY

ATTACHMENT A

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

436
437 Passed by the City Council of the City of Roseville this day of , 2016.

438
439 ~~Ordinance—An Ordinance Amending Title 9, Chapter 908—to Regulate Rental Licensing for~~
440 ~~Multifamily Rental Dwelling Units~~

441
442 (SEAL)

CITY OF ROSEVILLE

443
444
445
446 BY: _____
447 Daniel J. Roe, Mayor

448 ATTEST:
449
450
451 _____
452 Patrick Trudgeon, City Manager
453

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 June 13, 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