

1 CITY OF ROSEVILLE

2
3 ORDINANCE NO. _____

4
5 AN ORDINANCE AMENDING SELECTED TEXT
6 OF THE ROSEVILLE CITY CODE,
7 TITLE 4 (HEALTH AND SANITATION), AND
8 TITLE 9 (BUILDING REGULATIONS)
9

10 The City Council of the City of Roseville does ordain:
11

12 SECTION 1. Purpose: The Roseville City Code is hereby amended to modify/clarify specific
13 requirements within the Roseville City Code, Title 4, Chapter 407, NUISANCES.

14 SECTION 2. Sections 407.01, 407.02, 407.04, 407.10, and 407.11 are hereby amended as
15 follows:

16 407.01: DEFINITIONS:

17 As used in this chapter, the following words and terms shall have the meanings ascribed to them in this
18 section:

19 ABANDONED VEHICLE: A motor vehicle that:

- 20 a. Has been illegally parked on public property for a period of more than 48 hours;
- 21 b. Has been parked on private property without the consent of the person in control of the property
22 for a period of more than 48 hours;
- 23 c. Has been voluntarily surrendered by its owner to the city or to a moving contractor hired by the
24 city for its removal.

25 ANIMALS, Domestic: Animals kept within the home as pets such as; fish, dogs, cats, household birds
26 and similar animals.

27 ANIMALS, Non-Domestic: Animals, which are kept outside the home for purposes of food or pleasure
28 such as; cattle, hogs, horses, sheep, llamas, goats or other similar animals.

29 FRONT YARD AREA: All that area between the front property line and a line drawn along the front
30 face or faces of the principal structure on the property extended to the side property lines. The front side
31 of the property shall be determined as specified in Title 11 of this code.

32 GROUND COVER: Vegetation and landscaping that covers the ground surface or topsoil and has the
33 effect of reducing erosion. (Ord. 1384, 7-13-2009)

34 GRAFFITI: Any unauthorized writing, printing, marks, signs, symbols, figures, designs, inscriptions or
35 other drawings which are scratched, painted, drawn or otherwise placed on any exterior surface of a
36 building wall, fence, sidewalk, curb, dumpster or other such temporary or permanent structures on
37 public and private property and which has the effect of defacing the property.

38 INOPERABLE CONDITION: A vehicle which has no substantial potential use consistent with its usual
39 function, and may include a vehicle that:

- 40 a. Has a missing or defective vital component part;

- 41 b. Is stored on blocks, jacks or other supports-;
- 42 c. Is so loaded as to obstruct the view of the potential driver to the front or sides of the vehicle
- 43 or as to interfere with the potential driver's control over the driving mechanism of the
- 44 vehicle.

45 JUNK VEHICLE: An inoperable motor vehicle which is; in inoperable condition, partially dismantled,
46 used for sale of parts, a source of repair or replacement parts for other vehicles, kept for scrapping,
47 dismantling or salvage of any kind. Unless such vehicle is kept in an enclosed garage. An abandoned
48 vehicle shall also be considered a junk vehicle for the purpose of this chapter.

49 NATURAL AREAS: Natural, restored, or recreated woodlands, savannahs, prairies, meadows, bogs,
50 marshes, and lake shores. (Ord. 1384, 7-13-2009)

51 NATURAL LANDSCAPING: Planned landscaping designed to replicate a locally native plant
52 community by using a mix of plants, shrubs, and trees native to the area. (Ord. 1384, 7-13-2009)

53 NUISANCE: Any act, substance, matter emission or thing which creates a dangerous or unhealthy
54 condition or which threatens the public peace, health, safety or sanitary condition of the city or which is
55 offensive or has a blighting influence on the community and which is found upon, in, being discharged
56 or flowing from any street, alley, highway, railroad right of way, vehicle, railroad car, waterway,
57 excavation, building, structure, lot, grounds, or other property located within the city of Roseville.

58 Nuisances shall include, but not be limited to, those enumerated below:

- 59 a. Maintaining or permitting a condition which unreasonably annoys, injures or
60 endangers the safety, health, comfort or repose of members of the public; or
- 61 b. Interfering with, obstructing or rendering dangerous for passage, any public road or right of
62 way, street, alley or highway or waters used by the public; or
- 63 c. In any way rendering the public insecure in life or in use of property; or
- 64 d. Any other act or omission declared by law to be a public nuisance
65 specifically provided.

66 OCCUPANT: Includes any person living in or in control of any dwelling unit upon property wherein a
67 nuisance is determined to be present.

68 PEDDLING AND SOLICITING: The practice of going house-to-house, door-to-door, business to-
69 business, street-to-street, or any other type of place-to-place, for the purposes of offering for sale or
70 obtaining, or attempting to obtain, orders for goods, wares, products, merchandise, other personal
71 property or services.

72 SERVICE STATION: A business involving the sale of motor fuel and/or the repair of motor vehicles.

73 UNAUTHORIZED VEHICLE: A vehicle that is subject to removal pursuant to State Statute section
74 168B.035 or 168B.04, subd. 2 but is not an abandoned or junk vehicle. A stored vehicle shall be
75 considered an unauthorized vehicle.

76 VEHICLE: Any vehicle as defined in Minnesota Statutes but excluding the following:

- 77 a. Snowmobiles; or
- 78 b. "All-terrain vehicles" as defined in Minnesota Statutes.

79 VITAL COMPONENT PARTS: Those parts of the motor vehicle that are essential to the mechanical
80 functioning of the vehicle, including, but not limited to, the motor, drive train, and wheels. (Ord. 1162,
81 7-10-1995)

82 **407.02: NUISANCES AFFECTING PUBLIC COMFORT OR REPOSE:**

- 83 The following are hereby declared to be public nuisances affecting public, comfort or repose:
- 84 A. Backyard Composting: All composting consisting of yard waste and/or kitchen waste which have
85 been left unattended and which cause offensive odors, attract rodents and/or pests or are unsightly,
86 or do not meet the requirements of Chapter 409. (Ord. 1092, 6-10-91, amended (Ord. 1384, 7-13-
87 2009)
- 88 B. Building Maintenance and Appearance: Buildings, fences, and other structures, which have been so
89 poorly maintained that their physical condition and appearance detract from the surrounding
90 neighborhood. Any building, fence or other structure not complying with Chapter 906 of this Code
91 or the following:
- 92 1. All exterior doors and shutters shall be hung properly and have an operable mechanism
93 to keep them securely shut or in place.
 - 94 2. All cornices, moldings, lintels, bay or dormer windows and similar projections shall be
95 kept in good repair and free from cracks and defects which make them hazardous or
96 unsightly.
 - 97 3. Roof surfaces shall be tight and have no defects which admit water. All roof drainage
98 systems shall be secured and hung properly.
 - 99 4. Chimneys, antennae, air vents and other similar projections shall be structurally sound
100 and in good repair. Such projections shall be secured properly where applicable to an
101 exterior wall or exterior roof.
 - 102 5. All foundations shall be structurally sound and in good repair.
- 103 C. Debris: An accumulation of tin cans, bottles, trash, uprooted tree stumps, logs, limbs, brush, cut
104 vegetative debris, or other debris of any nature or description and the throwing, dumping or
105 depositing of any dead animals, manure, garbage, waste, decaying matter, ground, sand, stones,
106 ashes, rubbish, tin cans or other material of any kind onto public or private property. (Ord. 1337,
107 5-22-2006)
- 108 D. Graffiti: (Ord. 1337, 5-22-2006)
- 109 E. Keeping of Non-Domestic Animals: The keeping of animals, other than those commonly called
110 poultry or bees.
- 111 F. Noises: All noises in violation of Chapter 405 of this Code.
- 112 G. Parking and Storage: The outside parking or storage on residentially-zoned property of vehicles,
113 materials, supplies or equipment in violation of the provisions set forth:
- 114 1. Non-Permanent Structures: No person may place, store, or allow the placement or
115 storage of ice fish houses, skateboard ramps, play houses, or other similar nonpermanent
116 structures outside continuously for longer than 24 hours in the front-yard area of
117 residentially-zoned property.
 - 118 2. Storage on Property: No person may place, store or allow the placement or storage of
119 the following, ~~for a period longer than 4 days~~ in the front yard or unscreened street facing
120 side yard of a corner lot of any residential zoned area:
 - 121 a. Trailers of any type, unless completely placed on an improved surface as
122 defined in this Code and stored no closer than five (5) feet of a property
123 line; or
 - 124 b. Boats or watercraft of any type in excess of 20 foot length; or
 - 125 c. Vehicles of any type in inoperable condition; or
 - 126 d. Vehicles of any type that are posted as “for sale”; or
 - 127 e. Recreational vehicles as defined by State Statute, unless stored completely
128 on an improved surface, as defined in this Code and meeting a five (5)
129 foot setback requirement to a property line and no portion of the vehicle

- 130 may be stored on or over the Public Right of Way.
- 131 3. Storage of Materials: No person may place, store or allow the placement or storage of
- 132 pipe, lumber, steel, machinery or similar materials. This includes ~~including~~ all vehicles,
- 133 equipment or materials used in connection with a business, outside on residentially-zoned
- 134 property, except for temporary storage of such materials for use in the construction or
- 135 remodeling of a structure on the property when a valid City issued building permit exists.
- 136 4. Vehicle Parking, General: No person shall cause, undertake, permit or allow the
- 137 outside parking and storage of vehicles in residentially-zoned property, ~~for more than 4~~
- 138 ~~days~~ unless it complies with the following requirements: (Ord. 1288, 8-4-2003)
- 139 a. Vehicles shall be on an improved surface as defined in this Code.
- 140 b. Vehicles must be owned by a person who is a legal resident of that
- 141 property and continuously maintain current registration and licensure.
- 142 (Ord. 1466, 04-21-2014)
- 143 5. Large/Commercial Vehicles: No person, owning, driving or in charge of any vehicle
- 144 with a manufacturers rated capacity of more than one ton, as specified in Minnesota
- 145 Statutes, may cause or permit that vehicle to be parked outside or stand continuous for
- 146 more than two hours on a property or public street within a residential zone in the City,
- 147 with the exception of the following:
- 148 a. Any motor truck, pickup truck, or similar vehicle being used by a public
- 149 utility, moving company, or similar company, which is actually being used
- 150 to service a residence not belonging to or occupied by the operator of the
- 151 vehicle; or
- 152 b. Any vehicle which is actually making a pickup or delivery at the location
- 153 where it is parked. Parking for any period of time beyond the period of
- 154 time reasonably necessary to provide such excepted service or to make
- 155 such a pickup or delivery and in excess of the two hour limit shall be
- 156 unlawful.
- 157 6. Street Parking, Trailers and Recreational Vehicle: No trailer (of any size), boat
- 158 supported on a trailer, or recreational vehicle (with dual rear tires or dual rear axle) may
- 159 be parked on a public street or right-of-way within the City for: 1) more than 4
- 160 consecutive days, or, 2) more than 4 total days in any calendar month.
- 161 a. Parking in one location for over 2 hours (in a 24 hour period) qualifies
- 162 as a ‘day’ for purposes of this section.
- 163 H. Service Stations: Operation of a service station if conducted in a manner that includes any of the
- 164 following:
- 165 1. The sale, or display in aid of sale, of any motor vehicle.
- 166 2. The use of service station premises for storage of damaged or abandoned motor
- 167 vehicles for in excess of seven days without a directive of the Chief of Police.
- 168 3. The storing of or accumulation of any of the following items on the premises in view
- 169 of adjacent properties:
- 170 a. Used oil cans; or
- 171 b. Discarded auto parts; or
- 172 c. Discarded tires; or
- 173 d. Any other items of similar nature.
- 174 4. Allowing tires to be sold or displayed for sale within view of adjacent properties,
- 175 unless the same are displayed in a rack and only during business hours. (Ord. 499, 8-8-
- 176 66; amd. 1995 Code)

- 177 I. Smoke and Fumes: Dense smoke, noxious fumes, gas and soot or cinders in unreasonable quantities.
178 (Ord. 207, 11-9-55)
- 179 J. Vibrations: All unnecessary and annoying vibrations.
- 180 K. Weeds and Vegetation: All noxious weeds in all locations. Also, turf grasses, nuisance weeds and
181 rank vegetative growth not maintained at a height of eight inches or less in locations closer than
182 40 feet from:
- 183 1. An occupied principal structure;
184 2. Any property line with an occupied structure on abutting property; or
185 3. A public road pavement edge.
- 186 This shall not apply to:
- 187 1. Natural areas, public open space or park lands, as determined by the city forester or
188 naturalist designated by the city manager. (Ord. 1136, 2-28-1994); Amd. (Ord. 1384, 7-
189 13-2009)
- 190 2. Yard areas with natural landscaping that follow the City policy for natural landscaping
191 (Ord. 1384, 7-13-2009)
- 192 L. Yard Cover: Yard area of a lot shall not be bare soil, shall be covered by a groundcover and shall be
193 maintained as set forward in Section 407.02(K). (Ord. 1384, 7-13-2009) (Ord. 1466, 4-21-2014)

194 **407.04: VEHICLES CONSTITUTING A PUBLIC NUISANCE:**

- 195 A. Abandoned, Junk, Unauthorized and Inoperable Vehicles Create Hazard: Abandoned, junk,
196 unauthorized and inoperable vehicles are declared to be a public nuisance creating hazard to the
197 health and safety of the public because they invite plundering, create fire hazards, attract vermin,
198 and present physical dangers to the safety and well-being of children and other citizens. The
199 accumulation and outside storage of such vehicles is in the nature of rubbish, litter and unsightly
200 debris and is a blight on the landscape and a detriment to the environment. It shall be unlawful for a
201 person to pile, store or keep wrecked, junked, inoperable, unauthorized or abandoned vehicles on
202 private or public property.
- 203 B. Vehicles Impeding Traffic Flow: Any vehicle, whether occupied or not that is found stopped,
204 standing or parked in violation of any ordinance or State statute; or that is reported stolen; or that is
205 found impeding firefighting, snow removal or plowing or the orderly flow of traffic is declared to
206 be a public nuisance.
- 207 C. Vehicles Impeding Road and Utility Repair: Any vehicle which is impeding public road or utility
208 repair, construction or maintenance activities after reasonable notice of the improper activities has
209 been given to the vehicle owner or user at least 12 hours in advance, is declared to be a public
210 nuisance.
- 211 D. Vehicles Without Current Registration: Except where expressly permitted by state law, any vehicle
212 or other equipment, which requires registration for operation in the State of Minnesota, shall be
213 deemed to be junked, inoperable, unauthorized or abandoned if said vehicle does not have attached
214 thereto a valid registration issued by the proper State agency. (Ord. 1288, 8-4-2003)
- 215 E. Abatement of Vehicles:
- 216 1. Impounding: Any police officer or other duly authorized person may order any vehicle
217 constituting a public nuisance to be immediately removed and/or impounded. The impounded
218 vehicle shall be surrendered to the duly identified owner only upon payment of the required
219 impound, towing and storage fees.
- 220 2. Sale: Notice and sale of any vehicle impounded under this Chapter shall be conducted in
221 accordance with Minnesota Statutes chapter 168B governing the sale of abandoned motor vehicles.

222 (Ord. 1162, 7-10-95)

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224 **407.10: PUBLIC NUISANCE ~~VARIANCE~~ DEVIATION:**

225 A. A ~~variance~~ deviation request pertaining to nuisances occurring on public or private property as
226 addressed in Section 407.02.G.1,2 or 4 may be filed by a property owner or occupant with the following
227 requirements:

- 228 1. Shall be submitted on forms supplied by the City; and
- 229 2. Shall include a specific description detailing the reason for the ~~variance~~ deviation request; and
- 230 3. Shall be delivered to the Community Development Director within the timeframe given in the
231 notice provided pursuant to 407.07.A; and
- 232 4. Shall be accompanied by the fee set forth in Chapter 314.B; and
- 233 5. Submission of evidence, including written approval of the otherwise prohibited activity, by
234 75% of the adjacent property owners within 100 feet of the subject property or prohibited
235 activity.

236 B. ~~Variance Deviation~~ requests will be considered, approved or denied by the Community Development
237 Director or his/her designee(s). The Community Development Director or his/her designee(s) shall
238 notify the applicant and all property owners, identified under 407.10.A.5, within five (5) business days
239 the decision to approve or deny the request and the process available for appeal.

240 C. ~~Variance Deviation~~ approvals may be granted with or without conditions, including but not limited to
241 a time limited duration at the discretion of the City. Violations to any approved public nuisance ~~variance~~
242 deviation shall be grounds for immediate revocation of the ~~variance approved deviation~~. Additional
243 nuisance activity or violation to City Code may be grounds for the revocation of an approved ~~variance~~
244 deviation.

245 **407.11: ~~VARIANCE~~ DEVIATION APPEAL:**

246 ~~Variance Deviation~~ denials or revocations may be appealed to City Council by the applicant. If an
247 appeal is filed it must:

- 248 1. Be submitted on forms supplied by the City; and
- 249 2. Be delivered to the City Manager within 10 days of the denial or revocation.

250 When an appeal is filed, a public meeting regarding the matter shall be held before the City Council,
251 acting as the Board of Adjustments and Appeals, at a regular meeting held within thirty (30) calendar
252 days of the receipt of the appeal. The Board of Adjustments and Appeals may consider any of the
253 evidence that had previously been considered as part of the formal action that is the subject of the
254 appeal. New or additional information from the appealing applicant(s) may be considered by the Board
255 of Adjustments and Appeals at its sole discretion if that information serves to clarify information
256 previously considered by the Community Development Director or his/her designee(s).

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258 **SECTION 3. Purpose:** The Roseville City Code is hereby amended to modify/clarify specific
259 requirements within the Roseville City Code, Title 9, Chapter 907, REGISTRATION OF
260 RESIDENTIAL RENTAL PROPERTY OF 1 TO 4 UNITS.

261 **SECTION 4.** Sections 907.01, 907.02, 907.03, 907.05, 907.06, 907.08, 907.09, 907.10, 907.11,
262 907.12, and 907.14 are hereby amended as follows:

263 **CHAPTER 907 REGISTRATION OF RESIDENTIAL RENTAL PROPERTY OF 1 TO 4 UNITS**
264 **AND VACANT BUILDINGS**

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266 **907.01: PURPOSE:**

267 The City recognizes a need for an organized registration program of vacant buildings and residential
268 rental property with 1 to 4 units and vacant buildings within the City in order to:

- 269 A. Gather accurate contact information for property owners of vacant buildings and residential rental
270 properties; and
271 B. Provide educational materials to property owners and occupants of vacant buildings and
272 residential rental properties; and
273 C. Identify and quantify these properties and units in the City; and
274 D. Provide information and a method to enforce minimum standards to meet City and State safety,
275 health, fire, property maintenance and zoning codes within the City; and
276 E. Provide a more efficient system to ensure that the stock of vacant buildings and residential rental
277 property within the City is properly maintained.
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279 The City recognizes that the most efficient system to provide information on the ~~rental~~ status of certain
280 residential properties is through the creation of a program requiring the registration of residential rental
281 property with 1 to 4 units and vacant buildings within the City.

282 **907.02: DEFINITIONS:**

283 As used in this chapter, the following words and terms shall have the meanings ascribed to them in this
284 section:

- 285 A. City: The City of Roseville, or the person or entity designated by the City to administer and
286 enforce this Chapter.
287 B. Family: Shall mean one of the following: (City Code Section 1001.10)
288 1. Any group of people living together as a single housekeeping unit, all of whom are
289 related by blood, marriage, or adoption plus children who are under foster care; or
290 2. Up to four people not so related, living together as a single housekeeping unit; or
291 3. Any group of people living together as a single housekeeping unit, if no more than two
292 adult members function as the heads of the household group and the remaining members
293 are dependent upon them for care and direction due to age, physical disability, a mental
294 incompetency, or for other reasons; or
295 4. Any individual, who is the owner, living and maintaining a common household and using
296 a common cooking and kitchen facility.
297 C. Owner: A person, agent, firm, or corporation having a legal or equitable interest in the property.
298 In any corporation or partnership, the term owner includes general partners and corporate
299 officers.

- 300 D. Person: Includes individual, as well as, business entities, whether one or more.
301 E. Rent: Includes money or services in exchange for occupation of the unit.
302 F. Residential rental property: Any building, structure, room, enclosure, or mobile home with 1 to 4
303 units including the real property upon which it is located and which surrounds it, which is rented
304 or offered for rent as living quarters. Residential rental property does not mean on-campus
305 college housing, hospital units, nursing home units, multiple rental property over 4 units or
306 hotels or motels with daily rental units, all of which shall be specifically exempt from
307 registration under this Chapter.
308 G. Unit: All or a portion of a residential rental property that is arranged, designed, used, or intended
309 to be used as separate living quarters and which is leased to an individual or group.
310 H. Vacant Building: A building or structure which has been or expected to be completely
311 unoccupied in excess of 180 consecutive days.
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313 907.03: REGISTRATION REQUIREMENTS:

314 A. Residential Rental Property - Except as provided in Sections 907.06(1) and 907.08, it shall be
315 unlawful for any person to hereafter occupy, allow to be occupied, or let to another person for
316 occupancy any residential rental property of 1 to 4 units within the City for which an application for
317 registration has not been properly made and filed with the City or after the time that a
318 registration is suspended or revoked. Registration shall be made upon forms furnished by the
319 City for such purpose and shall specifically require the following minimum information:

- 320 1. Name, street address and phone number of the property owner.
- 321 2. The name, street address, and phone number, of any person authorized to make or order
322 repairs or services for the property, if in violation of City or State Codes, if the person is
323 different than the owner.
- 324 3. The street address of the rental property.
- 325 4. The type of units within the rental property (single family, twinhome, townhome,
326 condo, duplex, triplex or fourplex).
- 327 5. The number of bedrooms and bathrooms in the unit.
- 328 6. Certification and attestation that the maximum occupancy per unit is either 4 or less
329 unrelated adults or one family pursuant to Roseville City Codes 906.06 and 1001.10.

330 B. Vacant Buildings – The property owner of record or other responsible party must register a vacant
331 building with the City within 30 days of the building becoming vacant, in excess of 180 days.
332 Registration shall be made upon forms furnished by the City for such purpose and shall specifically
333 require the following minimum information:

- 334 1. Name, street address and phone number of the property owner.
- 335 2. The name, street address, and phone number, of any person authorized to make or order
336 repairs or services for the property, if in violation of City or State Codes, if the person is
337 different than the owner.
- 338 3. The street address of the property that the vacant building is located on.
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340 907.05: FEES:

- 341 A. There shall be a registration fee and late renewal fee as established by the City Fee Schedule in
342 Section 314.05. All fees and fines shall be charged to and payable by the property owner.
343 B. Residential Rental Properties and vacant buildings in violation of this ordinance may be subject
344 to administrative fines, in addition to any other fees or penalties per Section 907.10 or other
345 applicable sections of City Code.

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907.06: MANNER OF REGISTRATION:

- A. An owner who has an existing rental property or vacant building, as defined by this Chapter, that is not already registered must apply for registration pursuant to this Chapter no later than 60 days following the effective date of this Chapter.
- B. An owner of a property that after the effective date of this Chapter wishes to convert the property into a rental property, shall apply for and register the property prior to its conversion.
- C. If there is a change in the type of occupancy from the type stated on the registration form, a new registration form shall be filed within 30 days of the change.
- D. When a previously registered property is sold, the new owner shall register within 30 days of the sale, if the property continues to be a residential rental property.

907.08 EXEMPTIONS:

- A. All owners of residential rental properties and vacant buildings are required to register their properties according to Section 907.06, however, the following property owners are exempt from the registration fee and the requirement to post a registration certificate:
 - 1. Owners of residential rental properties where all renters residing in the rental property are related to the owner as a parent, child, sibling, grandparent, grandchild, step-parent, step-child, step-grandparent, or step-grandchild and the owner or agent affirms in the registration that each of the renters is one of these relations.
 - 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. Property owners who leave their otherwise occupied residential buildings, on a temporary basis, to reside elsewhere seasonally with the intent to re-occupy their building may be exempt from registration requirements with proper verification. These same property owners may elect to provide voluntary registration.
 - 4. Partially occupied commercial, multi-tenant buildings.
- B. In all cases, an owner must notify the City in writing within 30 days if an exemption, as described in this Chapter, is no longer applicable. (Ord. 1426, 6-18-2012)

907.09: REGISTRATION SUSPENSIONS AND REVOCATION:

- A. A ~~rental~~ registration may be revoked or suspended at any time under this provision of this chapter by the Community Development Director for grounds including, but not limited to, the following:
 - 1. False or misleading information given or provided in connection with a registration application.
 - 2. Failure to maintain the residential rental property or vacant building in a manner that meets pertinent provisions of City Code including, but not limited to, Code Chapters 407 and 906.
 - 3. Violations committed or permitted by the owner or the owner’s agent, or committed or permitted by the tenant or the tenant’s guests or agents, of any rules, codes, statutes and ordinances relating to, pertaining to, or governing the premises including, but not limited to, the following:
 - a. Minn. Stat. 609.75 through 609.76, which prohibit gambling;

- b. Minn. Stat. 609.321 through 609.324, which prohibit prostitution and acts relating thereto;
- c. Minn. Stat. 152.01 through 152.025 and 152.027, subds. 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
- d. Minn. Stat. 340A.401, which regulates the unlawful sale of alcoholic beverages;
- e. Minn. Stat. 609.33, which prohibits owning, leasing, operating, managing, maintaining, or conducting a disorderly house, or inviting or attempting to invite others to visit or remain in a disorderly house;
- f. Minn. Stat. 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716 and Chapter 103 of the City Code, which prohibit the unlawful possession, transportation, sale or use of weapon;
- g. Minn. Stat. 609.72, which prohibits disorderly conduct;
- h. Roseville City Code Section 407, prohibiting public nuisances, Section 405, noise control, Section 906, property maintenance, Sections 1004 and 1005, land use and Section 1018, parking; and
- i. Minn. Stat. 609.221, 609.222, 609.223, 609.2231 and 609.224, regarding assaults in the first, second, third, fourth and fifth degree.

B. A suspended or revoked ~~rental~~ registration may be reinstated when the circumstances leading to the suspension or revocation have been remedied.

907.10: VIOLATION:

Misdemeanor: Except as provided in Sections 907.06(1) and 907.08, any person who maintains a residential rental property or vacant building without having the property registered, or after the registration for the property has been revoked or suspended, or who permits new occupancy in violation of Section 907 is guilty of a misdemeanor and, upon conviction, is subject to a fine and imprisonment as prescribed by state law. Each day of each violation constitutes a separate offense.

A. Administrative fee: In addition to, or in lieu of, charging a misdemeanor, the City may impose administrative fees in an amount set in the City Fee Schedule. Each day of each violation constitutes a separate offense.

1. Upon the failure to pay an administrative fee, the City may post the dwelling unit as illegal for habitation.

B. Prohibited occupancy: Pursuant to 907.10.B.1, the dwelling unit may not be occupied by anyone other than the primary homestead owner and that person's immediate family until:

1. The administrative fee has been paid; and

2. A rental registration is obtained or the City is satisfied that the dwelling unit will not be used as a rental dwelling unit; and

3. Completion of any abatement, written compliance order, legal action from a citation or action per City Code Sections 407.06, 407.07 and 407.08.

907.11: APPEALS:

A. An Appeal pertaining to any violation, suspension, or revocation decision addressed in this Chapter may be filed by a vacant building or residential rental property owner.

1. The appeal shall be submitted to the City Manager within ten (10) 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.

437 B. When an appeal is filed, a public meeting regarding the matter shall be held before the City
438 Council, acting as the Board of Adjustments and Appeals, at a regular meeting held within thirty
439 (30) calendar days of the receipt of the appeal. The Board of Adjustments and Appeals may
440 consider any of the evidence that had previously been considered as part of the formal action that
441 is the subject of the appeal. New or additional information from the appealing applicant(s) may
442 be considered by the Board of Adjustments and Appeals at its sole discretion if that information
443 serves to clarify information previously considered by the Community Development Director.
444

445 **907.12: MAINTENANCE OF RECORDS:**

446 All records, files and documents pertaining to the Rental Registration and Vacant Building Program
447 shall be maintained in the office of the City and made available to the public as allowed or required
448 by applicable laws, rules, codes, statutes or ordinances. All information received and required for
449 registration of vacant buildings is classified by the City as private, non – public data.
450

451 **907.14: APPLICABLE LAWS:**

452 Residential Rental Property and Vacant Buildings shall be subject to all applicable rules, standards,
453 statutes and ordinances governing use, maintenance and occupancy of the dwelling or dwelling unit;
454 and this Chapter shall not be construed or interpreted to supersede any other such applicable rules,
455 standards, statutes or ordinances.

456 **SECTION 5. Effective Date.** This ordinance amendment to the City Code shall take effect upon the
457 passage and publication of this ordinance.

458 Adopted this 9th day of September 2019.

459