

1 City of Roseville
2 ORDINANCE NO.

3
4 AN ORDINANCE AMENDING

5
6 TITLE 9 CHAPTER 909

7
8 AN ORDINANCE AMENDING TITLE 9, SECTION 909 OF THE
9 ROSEVILLE CITY CODE IN ORDER TO STOP ISSUANCE OF NEW
10 SHORT TERM RENTAL LICENSES
11

12 THE CITY OF ROSEVILLE ORDAINS:

13
14 SECTION 1: Title 9 Section 909.03 of the Roseville City Code is amended
15 to read as follows:
16

17 **909.03: LICENSE REQUIRED:**

18
19 A. It shall be unlawful for any person to hereafter occupy, allow to be occupied,
20 or let to another person for occupancy any residential property within the
21 City ~~for which an application for~~ without a short-term rental license ~~has not~~
22 ~~been properly made and filed with~~ issued by the City or after the time that a
23 license is suspended or revoked. ~~Applications for licensure shall be as~~
24 ~~required by Chapter 301 of City Code, and shall be made upon forms~~
25 ~~furnished by the City for such purpose and shall specifically require the~~
26 ~~following minimum information:~~

- 27 1. ~~Name, street address, email and phone number of the property owner.~~
28
29 2. ~~The name, street address, email and phone number(s), of a local agent~~
30 ~~authorized to make or order repairs or services for the property, if in~~
31 ~~violation of City or State Codes, if the person is different than the~~
32 ~~owner.~~
33 3. ~~The street address of the short-term rental property.~~
34 4. ~~The type of units within the rental property (single family, twin-home,~~
35 ~~townhome, condo, duplex, triplex or fourplex).~~
36 5. ~~The number of bedrooms in the unit.~~
37 6. ~~Certification and attestation that the maximum occupancy per unit is~~
38 ~~either 4 or less unrelated adults or one family pursuant to Roseville~~
39 ~~City Codes 906.06 and 1001.10. (Ord 1596, 2-8-2021)~~
40
41
42

43 SECTION 2: Title 9 Section 909.04 of the Roseville City Code is amended
44 to read as follows:
45

46 **909.04: EXPIRATION OF LICENSE:**

- 47
- 48 A. ~~Term: All licenses issued under this Chapter are effective upon issuance and~~
49 ~~shall expire one year (365 days) from date of issuance. All required renewal~~
50 ~~license application materials shall be received and submitted prior to the~~
51 ~~expiration date.~~
- 52
- 53 B. Late fee: Any renewal license applications submitted after expiration will be
54 considered late and subject to fee penalties.
- 55
- 56 C. Violation: Any license not renewed after expiration, with continued short-
57 term renting of the property, will be considered a violation of this ordination.
58 Renters will not be allowed to occupy a property if the renewal license is not
59 issued within 5 days after expiration. (Ord 1596, 2-8-2021)
- 60

61 SECTION 3: Title 9 Section 909.05 of the Roseville City Code is amended
62 to read as follows:

63

64 **909.05: FEES, LODGING TAX:**

65

- 66 A. There shall be a license fee and late renewal fee as established by the City
67 Fee Schedule in Section 314.05. All fees and fines shall be charged to and
68 payable by the property owner.
- 69
- 70 B. Pursuant to Minnesota Statutes, section 469.190, local lodging taxes shall be
71 collected on all rentals less than 30 days in length in accordance with Chapter
72 312 of the City Code.
- 73
- 74 C. Short-Term Rentals in violation of this ordinance may be subject to
75 administrative fines, in addition to any other fees or penalties per Section
76 909.10 or other applicable sections of City Code. (Ord 1596, 2-8-2021)
- 77

78 SECTION 4: Title 9 Section 909.06 of the Roseville City Code is amended
79 to read as follows:

80

81 **909.06: MANNER OF LICENSURE:**

82

- 83 A. An owner who has an existing Short-Term Rental property as defined by this
84 Chapter that is ~~not already~~ licensed under the requirements of City Code
85 Chapter 909, may continue to operate. Following the effective date of this
86 Chapter, no further licenses will be issued, no change in occupancy type will
87 be approved, and no transfer of license will be permitted. must apply for
88 licensure pursuant to this Chapter, no later than 30 days following the
89 effective date of this Chapter.
- 90

91 ~~B. An owner of a property that after the effective date of this Chapter wishes to~~
92 ~~convert the property into a Short-Term Rental property, shall apply for and~~
93 ~~license the property prior to its conversion.~~

94
95 ~~C. If there is a change in the type of occupancy from the type stated on the~~
96 ~~license form, an amended license form shall be filed within 30 days of the~~
97 ~~change.~~

98
99 ~~D. When a previously licensed property is sold, the new owner, if continuing to~~
100 ~~offer Short-Term Rental, shall apply for a license within 30 days of the sale.~~

101
102 ~~E. Valid Short-term rental license holders shall not be required to register said~~
103 ~~rental per Chapter 907 if they enter into rental lease periods in excess of thirty~~
104 ~~(30) consecutive days.~~

105
106 ~~F. The City Manager may administratively deny a license under this Chapter if~~
107 ~~the property has been issued fines for repeat nuisance violations per City~~
108 ~~Code Section 511.~~

109
110 ~~G. If a person is found to have engaged in rentals that require a license under~~
111 ~~this Chapter, but no license has been obtained, upon application for licensure~~
112 ~~said license shall not become effective for 90 days. (Ord 1596, 2-8-2021)~~

113
114 SECTION 4: Title 9 Section 909.09 of the Roseville City Code is amended
115 to read as follows:

116
117 **909.09: LICENSE SUSPENSION AND REVOCATION:**

118
119 A. A Short-Term Rental license may be revoked or suspended by the City
120 Council at any time under the provisions of this chapter, or Chapter 301
121 Section 301.09, for grounds including, but not limited to, the following:

- 122 1. Two or more confirmed violations of this section within 180 days,
123 except for a single violation as outlined in paragraph B of this section.
- 124 2. False or misleading information given or provided in connection with
125 a license application.
- 126 3. Failure to maintain the residential rental property in a manner that
127 meets pertinent provisions of City Code including, but not limited to,
128 Code Chapters 407 and 906.
- 129 4. Violations committed or permitted by the owner or the owner's agent,
130 or committed or permitted by the tenant or the tenant's guests or
131 agents, of any rules, codes, statutes and ordinances relating to,
132 pertaining to, or governing the premises including, but not limited to,
133 the following:

- 134 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. Minn. Stat. 609.221, 609.222, 609.223, 609.2231 and 609.224, regarding assaults in the first, second, third, fourth and fifth degree.
- i. Roseville City Code Sections: 407, prohibiting public nuisances, 405, noise control, 511, repeat nuisance, 906, property maintenance, 1004 and 1005, land use and 1018, parking.

B. Upon recommendation by the Chief of Police, the City Manager is authorized to administratively suspend a license after a single violation that reasonably posed or poses a threat to public safety.

C. License suspension shall be for a term not less than: 180 days for the first suspension and 365 days for the second suspension. Depending on the gravity of the offense, the Council may impose longer suspension timeframes than noted in this paragraph.

D. License revocation shall be considered by the City Council when violations occur under paragraph A or B of this section and/or when two prior suspensions occurred under the same licensee.

E. In order to reinstate a suspended license, the applicant shall apply following the same process as if applying for a new Short-Term Rental license. Reinstatements following suspension will only be considered when the circumstances leading to the suspension have been remedied, the suspension penalty imposed by the City Council has been satisfied, the licensee has submitted a Mitigation Plan outlining policies and procedures to prevent violations from occurring in the future, and upon City Council approval.

Reinstatement after suspension may be denied by the City Council if the licensee cannot satisfactorily meet the requirements in this paragraph.

- F. If a license is revoked, reinstatement will not be considered. ~~may only be considered by the City Council if there is an ownership change. Ownership change to a family member of the prior owner, or entity affiliated with the prior owner shall not constitute compliance with this requirement.~~
- G. Repeat Nuisance Service Call fees shall be applied pursuant to City Code Section 511. (Ord 1596, 2-8-2021)

SECTION 5: Title 9 Section 909.10 of the Roseville City Code is amended to read as follows:

909.10: VIOLATION:

- A. Misdemeanor: Any person who maintains a short-term rental property without having the property licensed, or after the short-term rental license for the property has been revoked, or who permits new occupancy in violation of Section 909 is guilty of a misdemeanor and, upon conviction, is subject to a fine and imprisonment as prescribed by state law. Each day each violation continues or exists, constitutes a separate offense.
- B. 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 each violation continues or exists, constitutes a separate offense.
1. Upon the failure to pay an administrative fee, the City may post the dwelling unit as illegal for occupancy as a short-term rental.
- C. Prohibited occupancy: Pursuant to 909.10.B.1, the dwelling unit or portion of, 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 short-term rental license is obtained or~~ The City is satisfied that the dwelling unit will not be used as a short-term rental dwelling unit; and
 3. Completion of any abatement, written compliance order, legal action from a citation or action per City Code Sections 407 and 906. (Ord 1596, 2-8- 2021)

SECTION 6: Effective date. This ordinance shall take effect upon its passage and publication.

Passed by the City Council of the City of Roseville this 13th day of February 2023.

225 **Signatures as follows on separate page:**

226
227 *Ordinance – AN ORDINANCE AMENDING TITLE 9, SECTION 909 OF THE*
228 *ROSEVILLE CITY CODE IN ORDER TO STOP ISSUANCE OF NEW*

230
231 **SHORT TERM RENTAL LICENSES**

232
233
234 (SEAL)

235
236
237 CITY OF ROSEVILLE

238
239
240 BY: _____
241 Daniel J. Roe, Mayor

242
243 ATTEST:

244
245
246 _____
247 Patrick Trudgeon, City Manager