

**City of Roseville
ORDINANCE NO. 1674**

**AN ORDINANCE AMENDING
TITLE 3, CHAPTER 317**

**AN ORDINANCE AMENDING TITLE 3 TO CREATE CHAPTER 317 OF
THE ROSEVILLE CITY CODE ENTITLED “HOTEL LICENSING
REGULATIONS”.**

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1: Title 3, Chapter 317 of the Roseville City Code is established to read as follows:

CHAPTER 317

HOTEL LICENSING REGULATIONS

Section:

- 317.01: Definitions
- 317.02: License Required, Issuance of License
- 317.03: Basis for Denial of License
- 317.04: Minimum Standards of Operation
- 317.05: Penalty for Violation
- 317.06: Enforcement

317.01: DEFINITIONS:

For purposes of this chapter, unless otherwise expressly stated, the following words and phrases shall have the meanings respectively ascribed to them by this section:

GUEST. Any person that occupies a Guestroom.

GUESTROOM. A sleeping room in a Hotel designed and intended to be used as a sleeping accommodation.

HOTEL. A hotel, motel, bed and breakfast, or any part thereof, used as, maintained as, advertised as, or held out to be a place that furnishes sleeping accommodations the public to be, a place where sleeping accommodations are supplied for guests for transient occupancy.

INTERESTED PERSONS. All persons who will be on-site managers of the Hotel, are Owners or Operators, or that have an interest of five percent or more in the entity applying for or holding the license.

LICENSED PREMISES. All the property, whether in or out of a building or structure, which is (a) used for the licensed activity including any recreation or parking area for use by Guests of the Hotel; or (b) under the ownership, control or management of the licensee, or leased to the licensee, if such property is adjacent to, or in reasonably close proximity to, the premises in which the licensed activity occurs.

NUISANCE-RELATED ACTIVITIES. Any one or more of the following occurring or committed on the Licensed Premises:

- A. Prostitution or prostitution-related activity, sex trafficking, or other human trafficking;
- B. Maintaining a public nuisance in violation of Minn. Stat. § 609.74, clause (1) or (3);
- C. Permitting a public nuisance in violation of Minn. Stat. § 609.745;
- D. Maintaining or permitting violation of Roseville City Code Chapter 405 or 407;
- E. Unlawful sale, possession, storage, delivery, giving manufacture, cultivation, or use of controlled substances;
- F. Unlicensed sales of alcoholic beverages;
- G. Unlicensed sales of cannabis or low-potency hemp products;
- H. Unlawful sales or gifts of alcoholic beverages, cannabis, or low-potency hemp products committed within the building, or unlawful consumption or possession by persons under the age of 21 years;
- I. Unlawful use or possession of a firearm, firearm parts, or ammunition;
- J. Violation of state law or City ordinance related to the licensed activity;
- K. Actions which constitute a violation of Minn. Stat. § 609.72 related to disorderly conduct.

OWNER OR OPERATOR. Any person, firm, association, partnership, limited liability company, or corporation, which is the record owner, part owner, lessee, receiver, sublessee, or franchised operator of real property as listed on the Ramsey

County property records that operates a Hotel business that offers and accepts payment for guestrooms.

317.02: LICENSE REQUIRED, ISSUANCE OF LICENSE:

- A. License Required. In addition to the other licensing requirements set out by Minnesota Statutes, the Minnesota Department of Health, and Ramsey County, no person shall operate a Hotel without a valid license issued by the City of Roseville. The license to operate must be renewed on a yearly basis. The City shall approve or deny each application.
- B. Application. An application for a license shall be made on a form provided by the City. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the business or personal email address where official communications can be sent, the address of the building for which the license is sought, the name of the business for which the license is sought, and any additional information the City Manager deems necessary.
- C. Interested Persons. At the time of application, and upon the addition of any Interested Persons thereafter, the applicant shall furnish the City with a list of Interested Persons. Interested Persons will be subject to a background investigation, as described herein, and payment of the investigation fee. It is the duty of each business licensee to notify the City Manager or their designee in writing of any change in Interested Persons. Failure to notify the City of an additional Interested Person within thirty (30) days is a basis for imposition of a penalty under this Chapter.
 - 1. Initial Application: The City will conduct a background investigation of all Interested Persons listed on the license application. The City Manager, or their designee, must approve Interested Persons. If the City Manager does not approve an Interested Person, the City shall provide notice to the license applicant. The applicant will determine whether to amend the application to not include the Interested Person, withdraw the application, or appeal the determination to the City Council. Rejection of an Interested Person will result in license denial, but no such action shall be taken until the applicant has been given notice of such denial, the basis for the denial, and the opportunity for a hearing before the City Council.
 - 2. Renewal Application or Addition of Interested Persons: The City will conduct a background investigation for all Interested Persons added after the issuance of the license. The City, in its sole discretion, may also conduct a background investigation on Interested Persons at the

time of application for a renewal of a license. The City Manager, or their designee, must approve all Interested Persons. If the City Manager does not approve an Interested Person, the City shall provide notice to the licensee. The licensee will determine whether to withdraw the Interested Person or appeal the determination to the City Council. Rejection of an Interested Person will result in license revocation, but no such action shall be taken until the applicant has been given notice of such revocation, the basis for the revocation, and the opportunity for a hearing before the City Council.

- D. Background Investigation. Applications shall include a review by the City Manager or their designee, the Police Department, or other qualified service providers. Such review will include a complete criminal background check of all applicants and Interested Persons as well as investigation into prior similar businesses in Roseville and other jurisdictions.
- E. Inspection of Building. No license may be issued unless the Licensed Premises for which the application has been submitted is in full compliance with all relevant health and safety codes including but not limited to the Minnesota State Building Code, the Minnesota State Fire Code, and the Roseville City Codes. Upon renewal, inspections shall occur at the frequency required by City policy.
- F. Imposition of Reasonable Conditions. When there exists a reasonable basis to impose reasonable conditions upon a license applied for, issued, or held under this chapter, any one (1) or more such reasonable conditions may be imposed upon such license for the purpose of promoting public health, safety and welfare, of advancing the public peace and the elimination of conditions or actions that constitute a nuisance. License conditions may also be added to memorialize the conditions under which the City will allow a waiver of a specific requirement of this Chapter for a specific Hotel.
- G. Timing of Imposition and Removal of License Conditions. The City may impose such conditions on a license at the time of application, at any time with the consent of the license holder, or in addition to penalties imposed under this chapter as part of an action against the license or licenses. Conditions imposed on a license, or licenses shall remain on such licenses when renewed and shall continue thereafter until removed by the City Council.
- H. Fees. No license application will be processed or granted without payment of all required fees.
 - 1. The City will establish the annual license fee and include it in the Fee

Schedule in Section 314.05.

2. In addition to an annual license fee, license applicants must also pay a background investigation fee and an inspection fee which shall be established by the City fee schedule in Section 314.05.
- I. Consideration of Application. Upon receipt of a completed application, the City Manager will forward the application to the City Council for action at a City Council meeting following processing of the application. The City Council may either approve or deny the application for a license, or it may delay action for a reasonable period of time as necessary to complete any investigation of the application or the applicant as it deems necessary. If the City Council approves the license, the City Manager shall issue the license to the applicant. If the City Council denies the license, notice of the denial shall be given to the applicant along with notice of the applicant's right to appeal the City Council's decision. If a license application is denied, the earliest an applicant may reapply is 12 months from the date the license is denied.
- J. Term. All licenses issued under this Chapter shall expire on December 31 of each year.

317.03: BASIS FOR DENIAL OF LICENSE:

The license to operate may be denied for any of the following reasons:

- A. The premises where the Hotel is located do not comply with the relevant health and safety codes including but not limited to the Minnesota State Building Code, the Minnesota State Fire Code, and the Roseville City Codes;
- B. Any Interested Person has been an Owner, Operator, or manager of a similar establishment that has had a repeat nuisance service call fee imposed by the City of Roseville or a similar fee imposed by another jurisdiction;
- C. Any Interested Person has had a similar license suspended or revoked by the City of Roseville or another licensing jurisdiction;
- D. The premises in where the Hotel is located, or any Owner or Operator of the Hotel owes the City of Roseville for delinquent taxes, assessments, or other financial claims; or
- E. Any Interested Person with input into or control of day-to-day operations has one or more criminal convictions that relate to the Hotel or has been convicted of a crime that relates to the licensed activity. This subsection shall not apply to corporations, limited liability companies, or partnerships, but

shall apply to all officers, directors of any such corporations and members of any such limited liability companies, and partners of any such partnerships. Any denial under this paragraph is subject to the standards and procedures in Minnesota Statutes Chapter 364.

317.04: MINIMUM STANDARDS OF OPERATION:

- A. General Standards. To maintain the license to operate issued through the City, the Hotel, shall comply with the following minimum standards of operation:
1. No person shall be allowed to rent a Guestroom without providing suitable identification at the time of registration. The Guest shall verify his or her identification through production of a driver's license, passport, or other government-issued identification. The identification must match the name on any form of payment used. If payment is made in cash, the Hotel must retain a copy of the photo identification provided. Notwithstanding the foregoing, such verification is not required for Guests who are members of a loyalty program staying at a Hotel that allows electronic booking and check-in; and provides Hotel Guests electronic access to their Guestroom through a personal device.
 2. No guestroom may be rented to any individual under the age of 18. The legal name of at least one individual over the age of 18 and all persons, excluding children with a parent or guardian, occupying rented guestrooms shall be listed on the register at the time of registration. Any person who remains in a room after midnight (12:00 a.m.) is presumed to be a Guest. Guestroom occupancy lists shall be recorded and maintained by the Hotel for at least ninety (90) days.
 3. The Hotel shall immediately, upon notice that a registration was incomplete or inaccurate, terminate the rental agreement and evict from the premises all Guests occupying the Guestroom for which such incomplete or inaccurate registration was provided.
 4. No Hotel shall knowingly permit the Licensed Premises to be used for any illegal purpose.
 5. The Hotel shall report observed or suspected illegal activity to the police within a reasonable period.
 6. Each Guestroom shall be numbered in a plain, conspicuous manner. Numbers must be placed and maintained on the outside of the outer

door of each Guestroom, and no two guestrooms' units shall be labeled with the same number.

7. No Guest shall be able to purchase a guestroom on an hourly basis. All guestrooms must be rented for overnight purposes. An exception to this requirement is allowed for contracted guestrooms for an hourly basis between a business or corporation and Hotels, for the purposes of complying with Department of Transportation sleep regulations, federal law requirements, or state law requirements.
8. Any Hotel license issued by the City of Roseville shall be conspicuously displayed in the office or lobby of the Hotel.
9. The operation of any Hotel shall be supervised by the manager in charge of the property at all hours.
10. No Interested Person, employee, manager, or contractor performing services of any kind may reside in a Guestroom at the Hotel.
11. No Guest shall be able to establish permanent residency at the Hotel.
12. The Hotel shall maintain and follow all building, mechanical, zoning, or licensing codes. In addition to all the required applicable building codes, property maintenance laws, and state health laws, each Guestroom shall maintain the following minimum requirements:
 - a. A proper entry door, windows, beds, and bedding;
 - b. Toilet room;
 - c. Lavatory;
 - d. Bathtub or shower;
 - e. Heating and air conditioning;
 - f. Smoke detector and fire sprinkler;
 - g. Clothes closet or alcove with clothes rod or clothes rack permanently affixed or luggage rack or luggage support counter; and
 - h. Twenty-four (24) hour free emergency telephone access to the front desk and to 911 services.

B. Maintenance of Records. Every Hotel shall keep a register of persons who

board or lodge in the Hotel. The record is a written documentation of information about a Guest that may be maintained electronically, in a book, or on cards:

1. The record shall be kept on the Licensed Premises in the Guest reception or Guest check-in area or in an office adjacent to that area.
 2. No person shall alter, deface, or erase the record so as to make the information recorded in it illegible or unintelligible, or hinder, obstruct, or interfere with any inspection of record under this section.
- C. Inspection of Licensed Premises. To ensure compliance with this ordinance, random inspections of the Hotel may occur. Unless in the case of an emergency, notice of inspection shall be given twenty-four (24) hours prior to the inspection by personal service, posting, phone, or email.
- D. Inspection of Maintained Records. The maintained video, written, and electronic records shall be made available to any law enforcement officer or other authorized City official upon a reasonable request.
- E. Cooperation with Investigation. If a Guest or employee of a Hotel makes an emergency call for service or reports any suspicious or illegal activity going on at the Hotel to law enforcement, all individuals related to the Hotel shall cooperate with law enforcement during the ongoing investigation.

317.05: PENALTY FOR VIOLATION:

- A. Any license violation may be penalized by issuance of a fine, imposition of reasonable license conditions, suspension of the license, or revocation of the license. Such a penalty may only be imposed following full notice of the allegations, the proposed penalty, and an opportunity to be heard regarding the allegations and the imposition of the penalty.
1. Notice of Revocation. Upon a final decision issued by the City Council, the City Manager, or their designee, shall post a copy of the notice of revocation of license to operate the Hotel.
 2. Removal or Tampering with Posted Notice. A posted notice of revocation of license to operate may only be removed by an authorized City of Roseville official.
 3. Surrender Following Revocation. The Hotel shall cease all operation within fifteen (15) days of posting the notice of revocation of license to operate and surrender its license to operate to the City of Roseville.

4. Reissuance of License After Revocation. A license to operate that is revoked shall not be reissued for a period of one (1) year from the date of such revocation, unless the period of revocation is either delayed or shortened by the City Council due to voluntary mitigation action by the Owner or Operator, and such mitigation action is approved by the City Council.
- B. The license to operate shall be subject to fine, suspension, revocation, or the imposition of license conditions for any of the following reasons:
1. Failure to comply with the minimum standards of operation as outlined in this ordinance, including failure to comply with license conditions;
 2. Noncompliance with federal law or regulations, state law or regulations, and the Roseville City Code;
 3. Imposition of a fee for repeat nuisance service calls under Chapter 511 of this Code;
 4. Arrests related to illegal activity which occurred on the Licensed Premises;
 5. Any violations of the State of Minnesota health codes;
 6. A serious nuisance-related call which demonstrates a lack of control by Owner or Operator over the Licensed Premises;
 7. Failure to maintain the Licensed Premises to all building, fire, mechanical, zoning or licensing codes, including but not limited to maintaining utility services; or
 8. Failure to follow correction orders issued related to the building, fire, mechanical, zoning or licensing codes; or
 9. An Interested Person has one or more criminal convictions that relate to the Hotel or has been convicted of a felony that relates to the licensed activity and has failed to demonstrate rehabilitation as described in Minnesota Statute Chapter 364. This subsection shall not apply to corporations, limited liability companies, or partnerships, but shall apply to all officers, directors of any such corporations and members of any such limited liability companies, and partners of any such partnerships;
 10. Failure to notify the City of an additional Interested Person within

thirty (30) days of the individual becoming an Interested Person;

11. Failure to pay taxes, assessments, or other amounts due to the City including the local lodging tax as required by Roseville City Code Chapter 312.

317.06: ENFORCEMENT:

Enforcement of this ordinance shall be directed by the City Manager who may delegate such enforcement to the appropriate department.

SECTION 2: Effective dates.

A. In order to allow currently operating Hotels time to apply for an obtain a license no later than January 1, 2025, the following Sections of this Chapter, related to the application of Hotel licenses, will take effect on September 1, 2024: Sections 317.1, 317.02 (paragraphs B-I), and 317.03.

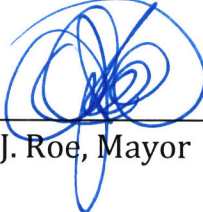
B. The remainder of this Chapter will take effect, and all Hotels must have obtained a license to operate, on January 1, 2025. The Sections taking effect on January 1, 2025 are: Sections 317.02 (paragraphs A and J), 317.04, 317.05, and 317.06.

Passed by the City Council of the City of Roseville this 8th day of April, 2024.

Ordinance – AN ORDINANCE AMENDING TITLE 3 TO CREATE CHAPTER 317 OF THE ROSEVILLE CITY CODE ENTITLED “HOTEL LICENSING REGULATIONS”.

(SEAL)

CITY OF ROSEVILLE

BY: 
Daniel J. Roe, Mayor

ATTEST:


Patrick Trudgeon, City Manager

