CHAPTER 115: REGISTRATION OF RENTAL UNITS

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§ 115.01 PURPOSE.

(A) It is declared to be the purpose and intent of this chapter to protect and preserve this city's neighborhoods and the public health, safety, welfare of those who live there. The city council determined that:

The existence of debris or other public nuisances on the exterior premises or in the common areas of rental properties has a detrimental effect upon the city's neighborhoods, the tenants residing in the rental properties, citizens residing in close proximity to the rental properties, and the public health, safety, welfare of those who live there.

(B) The city council recognizes, acknowledges, and complies with all due process and property rights enjoyed by those who own or manage rental property as well as those who reside in such property. This ordinance represents the city's good faith effort to balance those competing and legitimate interests.

§ 115.02 DEFINITIONS.

For the purpose of this chapter, the following terms shall have the meanings ascribed to them.

APPROPRIATE ACTION shall mean that action which a reasonable rental property owner would take based upon the facts and circumstances of each case so as to prevent a reoccurrence.

LICENSE shall mean a registration certificate or the right to receive a registration certificate as required by this chapter.

RENTAL PROPERTY OWNER shall mean one who holds the license or who is otherwise obligated to obtain and maintain the license as required by this chapter.

LICENSED PREMISES or **PREMISES** shall mean the property owned, operated, or managed by a rental property owner and shall refer to an individual unit within a multi-unit complex when applicable.

§ 115.03 REGISTRATION CERTIFICATE REQUIRED

(A) No owner shall allow another person to occupy, nor shall any person let to another for occupancy, any dwelling or rooming unit in any dwelling, any apartment, manufactured home or similar rental unit without first obtaining a registration certificate as provided in this chapter, or at such time that the registration certificate, or the right to receive such a registration certificate, is suspended or revoked. This registration certificate is also referred to within this chapter as a "rental license" or "license." Any registration certificate obtained pursuant to this section shall be issued in the name of the property owner. In the case of a multiple unit dwelling, a registration certificate issued pursuant to this section includes and applies to both the entire dwelling as well as each individual rental unit within the dwelling. Any suspension or revocation of the registration certificate or the right to receive a registration certificate may involve the entire dwelling or an individual unit or units within the dwelling.

(B) The occupancy or rental of any dwelling, or any apartment, or rooming unit in any dwelling for which a registration certificate is required, need not be interrupted or suspended for lack of a registration certificate if the same is due to the inability of the city clerk to process the application in a timely manner, or if the owner is in the process of complying with a notice of deficiencies from the city clerk within the period of time authorized by the city clerk.

§ 115.04 APPLICATION FOR REGISTRATION CERTIFICATE.

An application for a registration certification shall be filed by the owner with the city clerk. An application for any dwelling to be converted to a use which would require a registration certificate shall be made and filed with the city clerk at least 30 days prior to such conversion.

§ 115.05 APPLICATIONS

Each application for registration certificate shall contain the following information:

(1) Name, residence address, and telephone number of the owner of the dwelling. If the owner is a partnership, the name of the partnership, and the name, residence address, and telephone number of the managing partner. If the owner is a corporation, the name and address of the corporation, and the name, address, and telephone number of the chief operating officer. If the dwelling is being sold on a contract for deed, the name and address of the contract vendee. Where the word "owner" is used in any part of the city housing code, it shall include all persons as outlined in this section.

(2) Name, residence address, and telephone number of any agent appointed by the owner to accept service of process and to receive or give receipt for notices.

(3) Name, residence address, telephone number of any operator or agent actively involved in maintenance or management of said dwelling.

(4) Legal street address of the dwelling.

(5) Complete details of the number and kind of units offered for rent, as well as an updated list of tenant(s), with such list of tenant(s) requirements constituting a continuing obligation of the applicant during the registration certificate period.

(6) Any person making application for a rental registration certificate must provide proof of identification by the use of a driver's license, state issued identification card, military identification card, or such other identification as is acceptable to the city clerk. The identification provided must set forth the full name of the person making the application.

(7) An acknowledgment that the applicant has reviewed and understands the provisions of this chapter, intends to abide by the provisions and will include reference to this chapter in any written lease used in renting the property.

§ 115.06 COMPLIANCE WITH ZONING

Every application for registration certificate shall be accompanied by an acknowledgement from the city clerk indicating that the proposed use of the dwelling is in compliance with zoning requirements.

§ 115.07 ISSUANCE AND POSTING OF REGISTRATION CERTIFICATE

Whenever the investigation of an application indicates that the dwellings, apartments, or rooming units offered for rent comply with all provisions of this code, including any provisions of the zoning, building, fire safety, or health ordinances set forth in the city code, the city clerk shall issue a registration certificate. Every registrant of a dwelling, apartment or rooming unit offered for rent shall post the registration certificate in a conspicuous place.

§ 115.08 NOTICE OF VIOLATION

Whenever the investigation of an application for registration certificate indicates that the dwelling, apartment or rooming unit offered for rent does not comply with the provisions of this code, the city clerk shall serve a notice to the applicant via first class mail. Additionally, owners of rental property must give notice of outstanding violations under this chapter to purchasers of such property.

§ 115.09 REJECTION OF APPLICATION

Whenever the investigation of an application for registration certificate indicates that the dwelling, apartment or rooming unit does not comply with the provisions of this code, and from the nature of the violations, the dwelling, apartment or rooming unit cannot be brought up to meet the minimum requirements, the city clerk shall return the application to the applicant stating the reasons for the rejection of the application.

Applications for properties with delinquent utility billing, citations, property taxes or other City fees will be automatically rejected.

§ 115.10 TEMPORARY RENTAL REGISTRATION CERTIFICATES

The city clerk may issue a temporary rental registration certificate when corrections required following inspection do not constitute a fire, safety or health hazard to the tenants or the general public, and the repairs are not practically feasibly as a result of factors beyond the rental property owner's control. Such factors may include climatic conditions or the unavailability of contractors, supplies or materials needed to make the corrections. A temporary rental registration certificate shall be conditioned upon the rental property owner's making the needed corrections with timelines determined by the city clerk and identified on the temporary certificate. The temporary certificate shall expire if the work is not completed, inspected and approved by the city clerk by the date listed thereon.

§ 115.11 APPEALS

Any applicant whose application for registration certificate, after investigation has been rejected by the city clerk, may request in writing**,** and shall be granted a hearing on the matter before the City Council.

§ 115.12 FAILURE TO REGISTER

Every person required to register a dwelling, apartment, or rooming unit offered for rent under the provisions of this chapter and who fails to do so, or who allows the property to be occupied when the registration certificate or right to receive such registration certificate is revoked or suspended, shall be guilty of a violation of this code. Each day that a property is rented out without a valid rental registration certificate on file for that property is a separate violation. A violation of this section is a misdemeanor under Minnesota law and is subject to the penalties and provisions of § 10.99.

§ 115.13 CERTIFICATE RENEWAL AND NON-TRANSFERABILITY

(A) All registration certificates shall expire on January 31st and must be renewed annually. Fees for new registration certificates which take place after January 31st shall be determined by the City Clerk on a prorated basis. All information required by this chapter must be submitted at the time of renewal. Whenever the applicant certifies that no change has been made in a registered dwelling, apartment, or rooming unit, and the registered unit has been reviewed within the preceding 12 months, a renewal registration certificate may be issued without being reviewed by the City Clerk, provided the owner certifies that the units are in compliance with this code, including any applicable provisions of zoning, building, fire safety, or health ordinances.

(B) Every person who transfers title to property registered under this chapter shall provide the city clerk with the name, residence address, telephone number, and date of the transfer of title to the new owner within 10 days of the date of such transfer. Within 30 days of the date of such transfer, the new

owner shall apply for a new registration certificate. In the case of an option contract where the holder of the option is collecting rents and/or is paying on the mortgage to the property while the option remains unexercised, the holder of the option shall be deemed to be the owner of the property for purposes of this section and shall be required to apply for a rental registration certificate in his/her name. The date the option contract is created shall be deemed to be the date the holder of the option becomes the "owner" for purposes of this section.

(C) Registration certificates may not be transferred or assigned.

§ 115.14 SUSPENSION OR REVOCATION OF REGISTRATION CERTIFICATE

(A) Any registration certificate issued by the city pursuant to the provisions of this chapter may be suspended or revoked upon a finding that the certificate holder, during the term of the certificate, failed to comply with any provision of the City Code, any applicable federal or state statute or administrative rule, or any city ordinance.

(B) No suspension or revocation shall be effective until the rental property owner has been afforded an opportunity for a hearing. Upon a determination that a license or right to obtain such a license may be suspended or revoked or other sanctions may be imposed, a public hearing shall be held before the city council. All parties shall be afforded an opportunity to appear at such hearing after receiving reasonable notice. The notice shall state the time, place, and issues involved. At this hearing, license holders may present evidence of mitigating circumstances that would allow a rental property to retain its license. The city council shall in good faith hear and consider this evidence in making a determination to revoke or suspend the license or right to receive a license, impose civil penalties, or impose other reasonable conditions based upon violations of this chapter. The city council may postpone or discontinue such proceedings if it appears that the licensee has taken appropriate measures that will prevent further instances of disorderly use.

(C) The city council reserves the right to impose any of the following sanctions for violations of this chapter:

(1) Suspend the license or right to receive a license for up to 60 days; or

(2) Revoke the license or right to receive a license and establish the time period after which an application for a new certificate for the premises may be made; or

(3) Impose an administrative fine for each violation found as a result of the hearings; or

(4) Impose other reasonable conditions intended to limit future incidents of disorderly use.

(D) Upon expiration of the suspension or revocation period, a license holder shall pay to the city a reinstatement fee as set by City Ordinance.

§ 115.15 FEES

As provided by M.S. § 462.353, Subd. 4, as it may be amended from time to time, fees may be established as follows:

(A) The Council may in a separate ordinance, or in the Ordinance Establishing Fees and Charges, prescribe fees sufficient to defray the costs incurred in reviewing, investigating, and administering applications for an amendment to the provisions of this chapter and to all official maps, and applications for a permit, or for some other approval required under this chapter.

(B) These fees must be fair, reasonable and proportionate to the actual cost of the service for which the fee is imposed. The city shall adopt management and accounting procedures to ensure that fees are maintained and used only for the purpose for which they are collected.

§ 115.99 PENALTY.

Any person who violates any provision of this chapter shall be guilty of a misdemeanor and shall be punished as provided in § 10.99

****Adopted 05/11/2026*