

ORDINANCE 589

AN ORDINANCE AMENDING TITLE XI, SECTION 110 OF THE LAKE CITY MUNICIPAL CODE RELATING TO SHORT TERM RENTAL REGULATIONS

THE CITY OF LAKE CITY ORDAINS:

Section 1. Title XI, Chapter 110 of the Lake City Municipal Code is amended by adding the underlined language as follows:

SHORT TERM RENTAL REGULATIONS

Section

<u>110.72</u>	<u>Definitions</u>
<u>110.73</u>	<u>Registration Required</u>
<u>110.74</u>	<u>Registration Application Requirements</u>
<u>110.75</u>	<u>Fees and Terms</u>
<u>110.76</u>	<u>Operation Requirements</u>

§ 110.72 DEFINITIONS.

For the purpose of Sections 110.72- 110.75 of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DWELLING. Any building or structure, or portion thereof, except temporary housing, which is wholly or partly used or intended to be used for living or sleeping by human occupants.

DWELLING UNIT. Any habitable room located within a dwelling with facilities that are used or intended to be used for living, sleeping, cooking, or eating.

OPERATOR. Any person, other than the owner, who has charge, care, or control of a building, or part thereof, in which dwelling units, rooming units, sleeping rooms, or units are let.

OWNER. The person who is the fee owner, the contract purchaser, or the agent of the aforementioned person or a member resident of a warrant-owned building as defined by Minnesota Statutes, Section 273.124, subdivision 3.

RENT. The temporary occupancy, use, or possession of a dwelling or dwelling unit in exchange for compensation, in money or other consideration, given or offered in exchange for such use, whether or not received.

SHORT TERM RENTAL DWELLING UNIT. A dwelling unit rented for a period of less than 30 consecutive days, for tourist or transient use.

§ 110.73 REGISTRATION REQUIRED.

No dwelling unit may be used as a short term rental dwelling unit unless it has been registered with the city as required by this Chapter.

§ 110.74 REGISTRATION APPLICATION REQUIREMENTS.

(A) A registration application for a short term rental dwelling unit must be submitted by the owner on the form prescribed by the city.

(B) The registration form shall include all requested information including the exact location and street address of the dwelling unit or units which will be used as a short-term rental dwelling unit.

(C) The registration form must be completed by the owner(s) of the short-term rental dwelling unit. If the property is owned by a partnership, limited liability company, non-profit corporation, or partnership, the full legal names and addresses of all officers and persons holding a 25 percent or greater beneficial interest in the entity in shall be provided on the application.

(D) Registrations for short term rental dwelling units shall be administered by the city's Office of Planning and Community Development.

§ 110.75 FEES AND TERMS.

(A) The registration fee for the short term rental dwelling unit will be set forth in the city's fee schedule.

(B) A short term rental dwelling unit registration shall expire or be null and void under the following circumstances:

- (1) Change of ownership of the short term rental dwelling unit;
- (2) Failure by the owner or operator to notify the city of contact information changes within 30 days of such changes occurring, as herein required.
- (3) Lapse in operation of the dwelling unit as a short term rental dwelling unit for a period of more than 12 consecutive months;
- (4) Upon revocation of the short term rental dwelling unit's registration by the city council;

(C) Short term rental dwelling unit registrations are non-transferable.

§ 110.76 OPERATION REQUIREMENTS.

All short term rental dwelling unit owners and operators who offer dwelling units for short term rental use in the city must comply with the following:

(A) Comply with all applicable city, state, and federal laws, ordinances, and regulations.

(B) Remit all applicable local, state, and federal taxes, including, but limited to, the City's lodging tax as specified in this Chapter.

(C) Ensure that all rental dwelling units have working smoke detectors and carbon monoxide alarm(s) in every bedroom and on all habitable floors. Additionally, each unit shall have at least one properly maintained and charged fire extinguisher located in an easily-accessible location which is clearly marked and which is made known to the temporary occupants.

(D) Provide and post the following information in a conspicuous place within each short term rental dwelling unit:

- (1) Emergency contact information for the short term rental dwelling unit owner;
- (2) Emergency contact information for the short term rental dwelling operator, if applicable;
- (3) The street address of the short term rental dwelling unit;
- (4) A floor plan of the short term rental dwelling unit indicating fire exits, escape routes, and the location of all fire extinguishers;
- (5) The maximum occupancy limits of the short term rental dwelling unit; and
- (6) A parking map showing all allowable parking locations serving the property.

(E) A guest registry of the short term rental dwelling unit must be kept by the owner that includes the following information: a record of the dates the unit was rented, the number of guests during the rental periods, and the amount of rent paid by the guests in connection with the rental of the short term rental dwelling unit. This record shall be kept by the owner for at a minimum of five years.

(F) The city must be provided with accurate and up to date information regarding the name and contact information for the short term rental dwelling unit owner and operator, if applicable. If the owner or operator's contact information changes, updates must be filed with the city within 30 days of the date of the change.

(G) No short term rental dwelling unit may be rented to any person who is under the age of 18. The person who rents the unit must provide a telephone number to the owner or operator and must be accessible to the owner or operator by telephone during the short term rental period.

(H) If the short term rental dwelling unit includes a swimming pool, spa, or hot tub, the owner or operator must post a sign near the pool, spa, or hot tub indicating that it is not licensed or inspected by the State or the county.

(I) The short term rental dwelling unit must have a visible house number that can be easily seen from a public street during the day and at night.

(J) Two off-street parking spaces must be provided for each short term rental dwelling unit that consists of a single family residence, and one off-street parking space must be provided for each short term rental dwelling unit that is located within a multi-family building, unless parking for the unit is not required by the city code. The owner or operator of the short term rental dwelling unit must ensure that all guests are aware of the city's on-street parking regulations within the neighborhood in which the short term rental dwelling unit is being operated.

(K) The owner of a short term rental dwelling unit must provide sufficient trash collection containers and service for the short term rental dwelling unit in order to meet the demand of the unit's occupants. The owner shall be solely responsible for ensuring that trash is properly collected, stored, and made available for regular collection.

(L) The owner or operator of the short term rental dwelling unit is responsible to ensure that the property remains in compliance with the city's public nuisance regulations, including, but not limited to, noise and smoke regulations.

(M) Any violation of, or noncompliance with, any registration requirement or regulation, or any applicable law, statute, regulation, or ordinance shall be grounds for revocation of a short term rental dwelling unit registration by the city council. The registration may be revoked by the city council after providing written notice to the owner of the violation and the intended revocation and providing an opportunity for a hearing before the city council.

Section 2. This ordinance shall take effect after its passage and publication in accordance with Section 3.09 of the Lake City Charter.

Introduced by the Lake City Common Council the 11th day of June, 2018.

Adopted by the Lake City Common Council the 16th day of August, 2018.