

**ORDINANCE 2015-11 AMENDING THE CITY OF JORDAN CITY CODE TO
INCORPORATE RESIDENTIAL RENTAL PROPERTY REGISTRATION**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JORDAN, MINNESOTA,
THAT:**

TITLE XI Business Regulations, Chapter 124 is added to the City Code to read as follows:

SECTION 1. RESIDENTIAL RENTAL PROPERTY REGISTRATION

Subd. 1. Purpose. The operation of residential rental property is a business enterprise. Rental property owners and operators are responsible for taking reasonable steps to ensure the residents who occupy rental properties may pursue the quiet enjoyment of normal residential activities of in their surrounding area. Registration of residential rental properties enables the city to track safety issues that may arise on residential rental properties. The purpose of such registration is also to ensure rental housing is safe and sanitary, and operated and maintained to avoid becoming a nuisance or a disincentive to invest in the community.

Subd. 2. Definitions. For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Apartment Building. A multi-family building containing dwelling units in a stacked configuration having common walls and floors/ceilings.

Applicant. The natural person completing the registration form prescribed by this chapter.

Dwelling Unit. A single unit providing a living space delineated by partitions of any kind for one or more persons.

Multiple Residential Building. A building with any dwelling joined to another dwelling at one or more sides by a party wall or walls, including apartments, townhomes, twinhomes, duplexes or quadhomes.

Rental Manager. Any person who has been delegated by the residential property owner in charge, care or control of a residential rental property, and is able to respond in person to issues related to the residential rental property.

Residential Rental Property. Any building, or one or more portions thereof, occupied or intended to be occupied for residential purposes by a residential tenant.

Residential Rental Property Owner. Any person or entity owning residential rental property within the city.

Residential Tenant. A person who does not own, but occupies a dwelling for residential purposes, for payment or a fee or other compensation to the owner, under a lease or contract, whether written or verbal.

Subd. 3. Rental Registration Required. All residential rental properties shall be registered with the city by either the residential rental property owner or rental manger prior to renting out the property.

Subd. 4. Applicability and Scope.

This chapter applies to any dwelling, and any dwelling unit therein, that is a residential rental property, including garages, storage buildings and appurtenances. This chapter does not apply to Minnesota Department of Health-licensed rest homes, convalescent care facilities, group homes and nursing homes; hotels, motels; and owner-occupied single units.

Subd. 5. Registration Requirements.

A. All residential properties shall be registered with the city by either residential rental property owner or rental manager. Registration of each residential rental property shall be made on a separate form provided by the city and shall include the following information:

1. The name, address and telephone number of the residential rental property owner and rental manager.
2. The name, address and telephone number of the person completing the registration form.
3. The address of the residential rental property. In the case of an apartment building, the applicant shall provide the address and name for the building as well as the number of dwelling units contained therein.
4. The number of dedicated parking spaces available per rental unit. This includes both outdoor spaces and garage or covered spaces.
5. If the property manager participates in the Crime Free Multi-Housing Program.
6. The PID should be provided on the application

B. Upon receipt of a fully completed registration form, the city shall issue to the registrant a certificate of registration as proof of the registration. Certificates of registration shall be non-transferable and state the following: the date of issuance; the address of the residential rental property and the name, if an apartment building, of the residential rental property owner; the names of the rental managers and the number of dwelling units located within the residential rental property.

C. Within 30 days of transfer of ownership, change of rental manager, change in the number of rental units, or change in dwelling occupancy, the residential rental property owner or rental manager shall complete and submit a registration form for each and every residential rental property affected by the transfer or change.

D. A residential property already used as a rental dwelling at the time of adoption of this chapter shall have 180 days after its effective date to comply with the registration provisions contained therein.

E. Each certification issued pursuant to this chapter shall expire on December 31 in the third year. The city shall be required to mail renewal registration statements to the property owner or the designated agent on or before October 1 every third year. Failure to receive a renewal registration statement from the city shall not excuse the owner from meeting the registration and

certification requirements. Renewal registration statements may be returned by mail, at the property owner's risk, to the City Planning Department.

F. All records, files and documents pertaining to the Rental Registration and Rental Unit Registration Program shall be maintained in the office of the City Planner and made available to the public as allowed or required by State law and provisions of the City Code.

Subd. 6. Registration Fee. The rental registration fee shall be set by City Council resolution.

Subd. 7. Violation.

A. It is a violation for any person to provide false information on the prescribed registration form.

B. It is a violation for any person or entity to operate or cause to be operated any property as a residential rental property without first registering with the city as set forth in this Section.

Subd. 8. Penalties

A. The Council shall impose a civil penalty of up to \$2,000 for each violation, as it may be amended from time to time, and of this chapter. Conviction of a violation in a court of law is not required in order for the Council to impose the civil penalty. A hearing under the Administrative Procedures Act, M.S. §§ 14.57 to 14.70, as it may be amended from time to time, is not required before the penalty is imposed, but the Council shall hold a hearing on the proposed violation and the proposed penalty and hear any person who wishes to speak. The following is the minimum schedule of presumptive civil penalties that apply to the owner of the establishment:

1. For the first violation within any 3-year period, \$250.
2. For the second violation within any 3-year period, \$1,000.
3. For the third and subsequent violations within any 3-year period, \$2,000.

B. The term "violation" as used in this section includes any and all violations of the provisions of this chapter as it may be amended from time to time or any rules promulgated under this chapter as they may be amended from time to time. The number of violations shall be determined on the basis of the history of violations for the preceding 3-year period. Revocation shall occur within 60 days following a violation for which revocation is imposed.

SECTION 2. SUMMARY APPROVED.

The City Council determines that the text of the summary ordinance marked "Official Summary of Ordinance No. 2015-11" clearly informs the public of the intent and effect of the ordinance. The City Administrator shall publish the title of this ordinance and the official summary in the official newspaper with notice that the printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the city.

SECTION 3. EFFECTIVE DATE.

This ordinance becomes effective January 2016.

Passed in regular session of the City Council of the City of Jordan Minnesota held this 5th day of October 2015.



Mike Shaw, Mayor

Attest:


Thomas Nikunen, City Administrator