

WACONIA PLANNING COMMISSION MEETING AGENDA



Thursday, August 6, 2026
6:30 PM

VISION STATEMENT

A thriving, connected community with deep roots: a great place to live for a lifetime.

MISSION STATEMENT

A city that leads, serves, and governs to enhance the quality of life for all community members.

CHAIR: CHAD GENZ
MEMBER: JOE POLUNC
MEMBER: BRUCE PAULSEN
MEMBER: DARYL PETERSON
MEMBER: JACOB WECKMAN
ALTERNATE: SIMON MALINSKI

**NOTE: TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST,
PLEASE BE PRESENT AT 5:30 P.M.**

Those with items on the agenda should reach out to their staff contact. Others who wish to participate in the meeting, please contact the Community Development Director at 952-442-3106 or lbraaten@waconiamn.gov to make certain that you are called upon during the meeting.

- 1. CALL MEETING TO ORDER AND ROLL CALL**
- 2. ADOPT AGENDA**
- 3. APPROVAL OF MINUTES**
 - 1) July 9, 2026, Planning Commission Minutes
- 4. NEW BUSINESS**
- 5. OLD BUSINESS**
 - 1) **Amend Chapter 541 — Housing Ordinance for Rental Property**
Motion recommending approval or denial of the proposed amendments to Chapter 541 of the City Code relating to Rental Housing Licensing and Short-Term Rental Regulations.
- 6. OTHER**

1) Staff Update

7. ADJOURN



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	August 6, 2026
Item Name:	3.1. July 9, 2026, Planning Commission Minutes
Originating Dept:	Community Development
Presented By:	Lane Braaten
Previous Council Action:	None
Item Type:	Consent
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED: Motion to approve the July 9, 2026, Planning Commission Meeting Minutes.	
EXPLANATION OF AGENDA ITEM: Approve the July 9, 2026, Planning Commission Minutes.	
ATTACHMENTS: 1. July 9, 2026, Planning Commission Minutes	
FINANCIAL IMPLICATIONS:	ADVISORY BOARD RECOMMENDATIONS:
Funding Sources & Uses:	Planning Commission:
Budget Information:	Park Board:
_____ Budgeted	Personnel Committee:
_____ Non-Budgeted	Other: More sample text.
_____ Amendment Required	

CITY OF WACONIA
JULY 9, 2026

1. CALL MEETING TO ORDER AND ROLL CALL

Pursuant to due call and notice thereof, the meeting of the Planning Commission of the City of Waconia was called to order by Commissioner Chair Genz at 6:30 PM.

The following Commissioners were present: Planning Commission Member Genz, Planning Commission Member Polunc, Planning Commission Member Paulsen, Planning Commission Member Peterson, Planning Commission Member Weckman

The following Commissioners were absent: Planning Commission Member Malinski

The following Commissioners were present but not voting:

2. ADOPT AGENDA

Braaten stated there were no changes to the agenda.

A motion was made by Commissioner Weckman to adopt the agenda.
Seconded by Commissioner Paulsen.

MOTION CARRIED

3. APPROVAL OF MINUTES

1) June 4, 2026, Planning Commission Meeting Minutes

Motion made by Commissioner Weckman to approve the June 4th minutes.
Seconded by Commissioner Peterson.

MOTION CARRIED

4. NEW BUSINESS

1) Site Plan — Trails Edge Senior Apartments at 905 Airport Road

Braaten introduced the Site Plan explaining the history and location of the parcel. He indicated that the project met parking, setbacks, landscaping and hardcover requirements.

Discussion followed regarding the proposed 55+ affordable apartment project.

The commissioners didn't have questions. Braaten suggested striking condition #8 due to the applicant submitting a lighting plan prior to the meeting.
Genz asked about the sloped portion of the property on the east side of the development. Braaten explained that the sloped area would be required to be stabilized and vegetated.

Allison Streich, Executive Director, Carver County CDA explained the landscaping plan and the intent would be to stabilize and maintain the slope, similar to what has been done on the neighboring CDA property. More discussion followed.

Commissioner Genz made a motion to recommend the Site Plan for Trails Edge with the 8 conditions identified in the staff report.

Seconded by Commissioner Polunc

Motion carried

2) Small Area Plan — 801 Hwy. 284

Braaten introduced the agenda item and thanked the Commissioners and those in the public who attended meetings and provided feedback related to the small area plan for 801 Hwy. 284. Braaten then introduced Lance Bernard, TC2, the consulting firm hired to complete the plan.

Lance Bernard, TC2 explained the beginning process for this project. He explained the feedback received and the different scenarios/concepts that could be supported by the nine-acre site. He talked about the development framework. Further, he mentioned the market study completed by Maxfield and how it informed would could be constructed on the property. The plan tries to address the city's expectations and design characteristics while keeping it flexible and respecting the comments of the public. Bernard explained the design principles included in the plan. He also explained next steps and that they were looking for a recommendation so that this item could be brought to the City Council for consideration.

Paulsen referenced the draft report and asked if the consultant felt that the city has a high-quality gateway now. TC2 went on to explain.

Genz asked about the inclusion of the housing elements in all of the concepts when the community comments indicated that residential was not preferred in this area. Discussion followed related to the market study, and the existing uses in the area. Braaten explained the balance that this area is trying to obtain. Genz stated that the survey suggested that townhomes were not what the residents wanted.

Polunc asked if MDOT had become involved with Hwy 284 and Highway 5. More discussion followed.

Paulsen asked if this was just a guide. Braaten indicated that this was intended to provide direction to possible developers regarding what the city might support on this property for development purposes.

Weckman stated he was concerned about the commercial aspect. He mentioned the

gateway effect. Weckman did not believe the addition of some housing and 3 commercial pads was creating a gateway location in our community. Discussion followed.

Polunc asked about next steps. Lance stated that they would bring the Small Area Plan and ideas and recommendations of the Planning Commission to City Council for review and acceptance. The next step would be for the City to put out a request for proposals (RFP) to see what developers might be interested and their visions for the property.

Al Symanietz, 26 West 10th Street noted that information has been brought to his attention by potential developers, and he asked how the city felt about moving the entrance to the property to 10th Street. Genz stated that he had asked a similar question before during a joint work session and the answer was it would have to come from a developer and not the city for that to happen. His neighbors are open to talking about that idea.

3) PUBLIC HEARING –Amend Chapter 541 — Housing Ordinance for Rental Property

Abdi Sahal, Assistant Planner, introduced the proposed amendments to the Housing Ordinance for Rental Property and went through the proposed changes. Adding a 3 strike enforcement part was one of the proposed amendments. He went through those action items for offenders. Discussion followed regarding the enforcement as proposed versus what is currently in our ordinance and how many short term rentals are currently within the City Limits.

Polunc asked about the buffer requirement and how it would be measured if adopted. Sahal indicated that it would work similar to other buffers in the community and that it would be from the property line of the short term rental.

Genz had concerns with some of the regulations due to the different scenarios that could occur at these properties with the number of people/cars per VRBO owner. Braaten explained that the proposed regulations would allow staff greater enforcement tools. Discussion followed regarding grandfathering of existing short term rentals.

Genz asked about the lodging tax. Braaten responded that lodging taxes are required now, which are not being paid. This will be enforced moving forward.

Genz asked where the red line changes came from. Sahal explained that the redlined version was a direct response to comments made by the City Council at a past work

session.

Polunc asked if neighboring property owners get notified if a property becomes a short-term rental. Also, a local contact person should be posted so that the city staff know who to call. There isn't a notification process for adjacent property owners when a property becomes a rental.

Genz asked for a motion to open the public hearing.

Motion by Commissioner Weckman, seconded by Commissioner Paulsen.

MOTION CARRIED

Stacy Nelson, 40 North Maple Street stated she wanted to preserve the neighborhood. She informed the Commission of how many VRBO's there are in close proximity to her home. She stated how many cars/problems there are and the people attending. She went on to talk about other instances that have happened in and around her neighborhood.

Genz asked to close the hearing.

Motion by Commissioner Weckman to close the Public Hearing. Seconded by Commissioner Paulsen.

MOTION CARRIED

Discussion followed related to rental license transfers, comparisons with other cities' regulations, enforcement issues, and when law enforcement should get involved.

Genz stated that long term rental should not have buffers as they don't change the neighborhood.

Braaten stated whatever recommendation happens tonight will go to the city council on June 20th.

Genz made a motion to recommend approval of the drafted regulations to include no long-term rental buffers, grandfathering the existing short-term rentals, and including an annual inspection. Commission Polunc seconded.

Genz asked if there was any further discussion. Paulsen and Weckman felt that the offenses should be stiffer, maybe a two strike system or higher monetary fines.

Discussion followed.

Commissioner Polunc then rescinded his second. Being that there was no other second to the motion, the motion to approve with recommendations failed. Braaten explained the options to the commissioners.

Motion was made by Commissioner Polunc and seconded by Commissioner Paulsen to table the proposed ordinance amendment and to have city staff provide the rental

ordinances for the City of Excelsior and the City of Wayzata and to schedule a work session to further discuss the short term rental ordinance language.

MOTION CARRIED 3 TO 2

5. OLD BUSINESS

No Old Business

6. OTHER

1) Staff Update

Braaten gave a quick update on residential permits, commercial permits and upcoming/ongoing City Council items.

7. ADJOURN

Motion made by Commissioner Weckman seconded by Commissioner Paulsen to adjourn

MOTION CARRIED

adjourned at 8:23



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date:	August 6, 2026
Item Name:	5.1. Amend Chapter 541 — Housing Ordinance for Rental Property
Originating Dept:	Community Development
Presented By:	Lane Braaten
Previous Council Action:	On July 9, 2026, the Planning Commission held the required public hearing and tabled/continued this item for further discussion.
Item Type:	Regular Session
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED: Motion recommending approval or denial of the proposed amendments to Chapter 541 of the City Code relating to Rental Housing Licensing and Short-Term Rental Regulations. EXPLANATION OF AGENDA ITEM: The Planning Commission held a public hearing on July 9, 2026, to consider proposed amendments to Chapter 541 of the Waconia City Code relating to Rental Housing Licensing and Short-Term Rental Regulations. The proposed amendments were prepared at the direction of the City Council to establish operating standards for short-term rentals, clarify licensing requirements, and provide additional enforcement tools for repeated violations. Following the public hearing and discussion, the Planning Commission voted to table the proposed ordinance amendments for further review. During the discussion, Commissioners expressed an interest in reviewing and comparing short-term rental regulations adopted by other communities before making a recommendation to the City Council. Specifically, the Planning Commission requested that staff provide the short-term rental ordinances from the Cities of Wayzata and Excelsior, along with any additional information that may assist in evaluating potential revisions to the proposed ordinance. The requested ordinances have been attached for review and consideration. REQUEST: The attached ordinance updates Chapter 541 of the Waconia City Code related to rental housing. These amendments were directed by the City Council, which asked staff to prepare changes to the ordinance for review and consideration. The proposed amendments update the City's rental housing regulations by adding short-term rental standards that were not previously defined, including occupancy, parking, spacing between licensed rentals, and compliance with state and local laws. The changes also require owners to obtain the required State of Minnesota Lodging License before receiving a city license, collect and remit applicable lodging taxes, and establish a strike system with administrative fines for repeated violations. APPLICABLE ORDINANCE PROVISIONS: 1. Sec. 541.02. Construction and definitions 2. Sec. 541.03. Rental housing licenses.	

3. Section 541.05 – Short-Term Rental Standards (New)
4. Section 541.06 – Responsibilities Defined
5. Section 541.07 – Enforcement
6. Section 541.09 – Criminal and Administrative Remedies

ORDINANCE AMENDMENT ANALYSIS:

1. The proposed amendments to Chapter 541 were directed by the City Council, which asked staff to prepare updates to the City's rental housing ordinance. The amendments are intended to establish standards for short-term rentals that were not previously addressed in the City Code and to provide additional enforcement tools for repeated violations.
2. Section 541.03 (Rental Housing Licenses) is amended to require all short-term rental owners to obtain the required State of Minnesota Lodging License before a City short-term rental license may be issued. The amendment also establishes an after-the-fact application fee equal to two times the standard City license fee.
3. A new Section 541.05 (Short-Term Rental Standards) is added to establish operating standards for licensed short-term rentals. These standards limit occupancy to two persons per bedroom, limit driveway parking to four guest vehicles (excluding vehicles parked inside a garage), prohibit parking on lawns or landscaped areas, require the City's Good Neighbor Brochure to be posted inside the home, require compliance with all applicable state and local laws, and require licensed short-term rentals to be located at least 500 feet from another licensed short-term rental.
4. Section 541.06 (Responsibilities Defined) is amended to require owners of licensed short-term rentals to collect and remit all applicable state, county, and local lodging taxes. Failure to collect or remit these taxes within 30 days of the due date would result in a strike against the rental license.
5. Section 541.07 (Enforcement) is amended to establish a three-strike process for violations. After the first verified violation, the license holder receives a written notice and a strike. A second violation results in a second strike and requires the owner to submit a written report describing the actions taken to prevent future violations. A third violation may result in the suspension or revocation of the rental license by the City Council following the existing public hearing process.
6. Section 541.09 (Criminal and Administrative Remedies) is amended to establish administrative penalties for strike violations. A first strike is subject to a \$1,000 fine, a second strike to a \$2,500 fine, and a third strike to a \$5,000 fine.

PUBLIC NOTICE/COMMENT:

The notice was published in the WACONIA PATRIOT on June 25th, 2026, and posted at Waconia City Hall. The received public hearing comments have been attached to this report for review and consideration.

RECOMMENDATION:

The Planning Commission should review the attached information and make a recommendation to the City Council, which will be considered at their upcoming meeting on August 17, 2026.

ATTACHMENTS:

1. Section 541.01 Redline Version
2. Wayzata Rental Ordinance
3. Excelsior Rental Ordinance
4. Public Hearing Comment B. James
5. Additional Public Hearing Comment B. James
6. Public Hearing Comment S. Nelson

FINANCIAL IMPLICATIONS:

Funding Sources & Uses:

Budget Information:

☐ Budgeted
☐ Non-Budgeted
☐ Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Planning Commission:

Park Board:

Personnel Committee:

Other: More sample text.

CHAPTER 541. HOUSING ORDINANCE FOR RENTAL PROPERTY Amendments

Note: Chapter 541 will be amended, in its entirety, to read as follows.

Sec. 541.01. Purpose and scope.

Subd. 1. *Purpose.* The purpose of this ordinance is to provide minimum standards to safeguard life or limb, health and public welfare by regulating and controlling the use and occupancy, maintenance and repair of all buildings and structures within the city used as rental housing. The purpose of this ordinance is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this ordinance.

Subd. 2. *Scope.* The provisions of this ordinance shall apply to all buildings or portions thereof leased for human living or sleeping purposes, including those in existence at the time of adoption of this ordinance. If any provision of this ordinance conflicts with the building code, fire code, plumbing code, mechanical code, or any other Minnesota state code or law, such code or law shall control.

Subd. 3. *Application to existing buildings.* Additions, alterations or repairs, shall be done in compliance with the building code, fire code, plumbing code and mechanical code. Applicable permits shall apply as required by such codes.

Sec. 541.02. Construction and definitions.

Words in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine. Any term not defined below shall have its ordinary accepted meaning within the context it is used. Each of the following terms shall have meaning ascribed to it below:

Building code means the Minnesota State Building Code.

Code official means the city's building official, as appointed by the city council, and any designee of such code official.

Rental dwelling means a building or structure wholly or partially leased or intended to be leased to one (1) or more tenants for residential living or sleeping purposes, but excluding rest homes, convalescent homes, nursing homes, hotels and motels.

Rental dwelling unit means a room or group of rooms within a rental dwelling that has bathroom, kitchen and sleeping facilities for one (1) household of related or unrelated tenants.

Electrical code means the Minnesota State Electrical Code.

Extermination means the control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination method approved by the code official.

Fire code means the Minnesota State Fire Code.

Health officer means any elected or appointed health officer of the State of Minnesota, Carver County or the city.

Infestation means the presence of insects, rodents or other pests in numbers large enough to be harmful, threatening or obnoxious to human life.

Lease, leased and let mean, in each instance any of these words is used, the giving of the use of a building or structure, or portion thereof, by an owner or manager to a tenant in return for rent.

Manager is a person or entity who has charge, care or control of a rental dwelling.

Mechanical code is the Minnesota State Mechanical Code.

Nuisance means any of the following:

- A. Any public nuisance known at common law or in equity jurisprudence;
- B. Any unsafe condition that is attractive to minors including, but not limited to, unprotected well openings or excavations, abandoned refrigerators and structurally unsound fences;
- C. Overcrowding of a rental dwelling unit with human occupants or personal property;
- D. Insufficient ventilation or illumination of a rental dwelling unit;
- E. Inadequate or unsanitary sewage or plumbing facilities serving a rental dwelling unit; or
- F. Any unsafe condition, as determined by the code official or health officer.

Owner means a person or entity that owns or has any ownership interest in a rental dwelling within the city.

Plumbing code is the State of Minnesota Plumbing Code.

Premises is, collectively, a rental dwelling and the parcel of land on which it is located.

Refuse is all putrescible and non-putrescible waste solids including garbage and rubbish.

Rent means the consideration provided by a tenant (or on behalf of a tenant) for the temporary possession of a rental dwelling unit, whether paid in money, property or services.

Safe means being reasonably free from dangers and hazards that may cause human injury or illness.

Short-Term means less than thirty (30) days

Substandard dwelling unit means any rental dwelling unit that is not safe due to inadequate maintenance, dilapidation, physical damage, unsanitary condition, abandonment or any other reason.

Tenant means a human occupant of a rental dwelling unit, whether one (1) or more.

Unsafe means not safe.

Variance means the difference between that which is required or specified and that which is permitted.

Sec. 541.03. Rental housing licenses.

Subd. 1. *License required.* No owner or manager shall allow the occupancy of a rental dwelling unit by a tenant prior to the issuance of a rental housing license by the city for the rental dwelling in which the rental dwelling unit is located. Further, no owner or manager shall allow the occupancy of a rental dwelling unit by a tenant after the expiration of the rental housing license for the rental dwelling in which the rental dwelling unit is located unless the license has been properly renewed.

-
- A. Any person operating, advertising, or offering a short-term rental within the City without first obtaining the required State of Minnesota Lodging License shall be ineligible to receive a City short-term rental license until all state licensing requirements have been satisfied.
 - B. Any applicant seeking a City short-term rental license after having operated a short-term rental without the required State of Minnesota Lodging License shall pay an after-the-fact license application fee equal to two (2) times the standard license fee established by Chapter 1100, in addition to any penalties imposed under this chapter.

Subd. 2. *Application.* Applications for rental housing licenses shall be made in writing on forms provided by the city. The owner or manager of a rental dwelling shall apply for a rental housing license at least sixty (60) days before the planned occupancy of any rental dwelling unit by a tenant so as to allow time for inspection and, if necessary, correction of conditions that do not conform to the requirements of this ordinance.

Subd. 3. *Inspection fee.* The rental housing inspection fee shall be established by the city council, from time to time, and set forth in chapter 1100. Each applicant shall pay the inspection fee when an application for a license is made (either initial or renewal).

Subd. 4. *License fee.* The rental housing license fee shall be established by the city council, from time to time, and set forth in chapter 1100. Each applicant shall pay the license fee when a rental housing license is issued (either initial or renewal).

Subd. 5. *Inspection.* Before a rental housing license is issued or renewed for a rental dwelling, the code official shall inspect the rental dwelling to determine if the rental dwelling and the rental dwelling units in the rental dwelling comply with the minimum requirements set forth in this ordinance. The code official has no duty to inspect any rental dwelling until a complete application has been submitted to the city and the rental housing inspection fee has been paid in full.

Subd. 6. *Issuance.* No license shall be issued until all the requirements of this ordinance have been fully met. The city shall issue a rental housing license for each rental dwelling that meets or exceeds the minimum requirements set forth by this ordinance or when a variance has been granted by the city council for good cause shown. Each license shall show the number of rental dwelling units for which the rental dwelling is approved.

Subd. 7. *Effective period of license.* All rental licenses shall remain effective for two (2) years from the date of inspection, unless sooner revoked or suspended pursuant to the terms of this ordinance.

Subd. 8. *Renewals.* Applications for rental housing license renewals shall be submitted at least thirty (30) days prior to the expiration date of the license. The procedure and fee for renewing a license shall be the same as that required for an initial license.

Subd. 9. *Suspension and revocation.* A rental housing license may be suspended or revoked as follows:

- A. A rental housing license may be suspended or revoked by the city council if the city council finds that the provisions of this ordinance have been violated in regard to the rental dwelling for which the license was issued. Before any suspension or revocation occurs, the city shall send written notice to the license holder specifying the ordinance violations alleged. This notice shall also specify the date for a hearing before the city council, which shall not be less than ten (10) days from the date of the notice.
- ✗ B. At such hearing before the city council, the license holder or the license holder's attorneys may submit and present evidence and witnesses on the license holder's behalf.
- ✗ C. After a hearing, the city council may suspend or revoke the license if the council finds that a violation of this ordinance has occurred.

(Ord. No. 757, 3-20-23)

Sec. 541.04. Requirements.

Subd. 1. *Substandard dwellings*. No substandard dwellings are allowed.

Subd. 2. *Condition*. No owner or manager shall allow infestation if extermination is not the tenant's responsibility by law.

Subd. 3. *Improper occupancy*. No rental dwelling shall be used in manner inconsistent with its design or construction.

Subd. 4. *Smoke detectors*. No smoke detector installed in a rental dwelling shall be allowed to remain disabled or nonfunctional. The tenant of a rental dwelling shall notify the owner or manager within 24 hours of discovering that a detector is disabled or not functioning. The owner or manager shall take immediate action to render the smoke detector operational or replace it.

Subd. 5. *Carbon monoxide alarms*. Each rental dwelling shall have an approved and operational carbon monoxide alarm installed with ten feet of each room used for sleeping purposes as required by Minn. Stat. §§ 299F.50 and 51, as amended, unless an exception listed in Minn. Stat. § 299F.51, subd. 5, applies.

Subd. 6. *Refuse*. Each rental dwelling shall have an adequate number of refuse containers to hold the amount of refuse produced by the occupants of the rental dwelling or as required elsewhere by the Waconia Code. Containers shall be rodent and animal proof plastic, fiberglass or rust resistant metal with a tight fitting cover. Tenants shall properly dispose of their recyclables, rubbish, garbage and other organic waste.

Subd. 7. *Unused or discarded items*. Discarded, unused and junk appliances, furniture, mattresses and other items shall be promptly removed from the premises, but in all cases such removal shall occur within seven (7) days.

Subd. 8. *Storage of items*. Large amounts of combustible items and materials shall not be stored in attics or basements of a rental dwelling. Storage shall be maintained two (2) feet or more below ceilings and floor joists. Combustible materials and items shall not be stored within one (1) foot of any fuel burning appliances. Storage of items shall be orderly and shall not block or obstruct exits. A minimum three (3) foot wide aisle shall be maintained to all exits, furnaces, water heaters, water meters, gas meters or other equipment serving the rental dwelling.

Subd. 9. *Fuel storage*. LP tanks shall only be stored outdoors.

Subd. 10. *Fueled equipment*. Fueled equipment including, but not limited to, motorcycles, mopeds, lawn-care equipment and portable cooking equipment shall only be stored outdoors or in the garage of a rental dwelling.

Subd. 11. *Barbecues and open flames*. No person shall kindle, maintain, or cause any fire or open flame on any balcony above ground level, on any roof, or on any ground floor patio within fifteen (15) feet of any structure. Further, no person shall store or use any fuel, barbecue, torch, or similar heating or lighting chemicals or device in such locations.

Subd. 12. *Sidewalks and driveways*. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas on a premises shall be kept in a proper state of repair and maintained free from hazardous conditions.

Subd. 13. *Defacement of property*. If a rental dwelling is defaced by graffiti, it shall promptly be removed.

Sec. 541.05. Short term Rental.

Subd 1. Standards. The following standards apply to all short-term rentals

- A. The maximum occupancy of a licensed short-term rental shall not exceed two (2) persons per bedroom.
- B. A maximum of four (4) guest vehicles may be parked on the driveway of a short-term rental property at any one time. Vehicles parked within an enclosed garage shall not count toward the maximum driveway parking limit.
- C. At no time may vehicles be parked on lawns, grass areas, landscaped areas, or any surface not intended for vehicle parking.
- D. The Good Neighbor Brochure provided by the city must be posted on the inside of the front door and the primary door to the backyard, or in a conspicuous location near each such door.
- E. Property must be in compliance with all state and local laws and regulations.
- F. The property shall not be within five hundred (500) feet of another licensed short term rental property.

Sec. 541.06. Responsibilities defined.

Subd. 1 Liability. Owners are liable for violations of this ordinance even though an obligation is also imposed on a manager or tenant and even if an owner has, by agreement, imposed on the manager or tenant the duty of complying with this ordinance or any part hereof.

Subd.2 Lodging Tax

- A. The owner of a licensed short-term rental shall collect and remit all applicable state, county, and local lodging taxes as required by law.
- B. Failure to collect or remit required lodging taxes within thirty (30) days of the date due shall constitute a violation under this chapter and shall result in the issuance of a strike against the license holder.

Sec. 541.07. Enforcement.

Subd. 1. Authority. The code official shall enforce or cause the enforcement of this chapter. The code official shall have the power to render interpretations of this ordinance in conformity with the intent and purpose of this chapter.

Subd. 2. Compliance inspections. When the code official or a health officer has reasonable cause to believe that a condition exists in regard to a rental dwelling or premises that violates this ordinance including, but not limited to, a tenant complain made in good faith, the code official or health officer may enter the rental dwelling to inspect, re-inspect, or otherwise perform the duties imposed by this ordinance. No such entry shall be made, however, until: i) the owner, manager or tenant permits entry; ii) the code official or health officer secures an administrative warrant from a court with jurisdiction; or iii) an emergency exists.

~~*Subd. 3. Compliance order.* If the code official finds that any violation of this ordinance has occurred, the code official may immediately seek to enforce the violation. In the alternative, the code official may prepare a compliance order listing all violations and the date or dates when such violations must be corrected. If a compliance order is issued, the owner shall correct all violations, or cause them to be corrected, within the time limit set forth by the code official. Any violation timely corrected in compliance with such an order shall be deemed remedied by the city and not shall form the basis for a rental housing license suspension or revocation. Extensions~~

~~of time to correct may be granted by the code official. A request for extension of time shall be made and delivered to the code official prior to the expiration date of the applicable correction period. Extensions may be granted by the code official upon due evidence shown that the owner, manager or tenant, as applicable, is using all reasonable means to timely correct the violation.~~

Subd. 3. Conduct on Licensed Premises; Nuisance Violation

- A. Upon determination by the code official, in their sole discretion, that a nuisance, as defined in this chapter, occurred on the licensed premises, the City will notify the licensee by regular mail of the violation to the licensee's most recent address on file with the City. Upon issuance of such notice, a strike shall be assessed against the license. The licensee must take appropriate action to prevent further recurrence.
- B. If a second nuisance occurs on the licensed premises, for which the notice in Subdivision 3.A above was given, the City will notify the licensee by regular mail of the violation at the licensee's most recent address on file with the City. Upon issuance of such notice, a second strike will be imposed, and require the licensee to submit a written report of the actions taken, and proposed to be taken, by the licensee to prevent nuisances on the premises. This written report must be submitted to the City within ten (10) business days of the date of the notice.
- C. If a third nuisance occurs on the licensed premises, after the second of any two (2) previous nuisances, for which notices were sent to the licensee pursuant to this subdivision, a third strike shall be assessed against the license. the license for the rental dwelling or for the unit associated with the violations may be suspended or revoked pursuant to the process described by Sec. 541.03. Sub.9. of this chapter.

Subd. 4. *Notice to vacate.* The code official may post any rental dwelling as being in violation of this chapter and prevent further occupancy by a tenant if a rental dwelling is determined, in the opinion of the code official and as defined in this ordinance, a substandard dwelling. At the time of posting, notice shall be sent to the owner via U.S. mail. Existing tenants shall have forty-five (45) days to vacate a posted property if they are in occupancy at the time of posting, except that occupants shall immediately vacate a posted property if such occupancy will cause imminent danger to the health or safety of the tenants. No person, other than the code official shall remove or tamper with any placard used for posting. No person shall reside in, occupy, or cause to be occupied any building, structure or rental dwelling which has been posted to prevent occupancy except as set forth herein.

Sec. 541.08. Appeal.

Subd. 1. *Right to appeal.* Any person may appeal from any notice and order or any action of the code official under this ordinance by filing an appeal to the city administrator. A written appeal to the city administrator by making a brief statement in ordinary and concise language of that specific order or action protested, together with any material facts claimed to support the contentions of the appellant.

Subd. 2. *Time allotted for appeal.* The appeal shall be filed within fourteen (14) days or within the time of correction as allowed by the code official, whichever is shorter, from the date of the service of such order or action of the code official.

Subd. 3. *Notice of hearing.* Notice of a hearing will be served by first class mail to the appealing party no less than twenty (20) days in advance of the scheduled hearing, unless a shorter period of time is agreed upon. Service shall be deemed complete upon depositing the Notice of Hearing in the U.S. Mail, properly addressed to the last known address of the person requesting the hearing.

Subd. 4. *Hearing procedures.* The hearing will be in front of the city council. At the hearing, the party appealing shall have the opportunity to present testimony and question any witnesses, but the strict rules of evidence shall not apply. The city council shall receive and give weight to evidence, including hearsay evidence, which possesses probative value commonly accepted by reasonable and prudent people in the conduct of their affairs.

Subd. 5. *Authority on appeal.* The city council has the authority to determine that a violation did or did not occur, to dismiss a citation or impose the scheduled fine or to reduce, stay or waive a scheduled fine either unconditionally or upon compliance with appropriate conditions.

Subd. 6. *Decisions on appeal.* The city council shall issue a decision in writing to the appealing party within ten (10) days of the hearing. Any fines or penalties imposed must be paid no later than thirty (30) days of the date of the order. The decision of the city council is final and may only be appealed to the Minnesota Court of Appeals by petitioning for a writ of certiorari pursuant to Minn. Stat. § 606.01.

Sec. 541.09. Criminal and administrative remedies.

A violation of any provision of this ordinance is a misdemeanor. ~~Each day the property is in violation is a separate violation. In the alternative, the city may impose the following administrative penalties upon the owner(s): Fifty dollar (\$50.00) fine plus an additional charge of five dollars (\$5.00) per day commencing on the day the alleged violation or violations occur.~~ In addition to any other remedy provided by this chapter, the city may impose the following administrative penalties upon the owner for any Strike Violation: First Strike. A fine of One Thousand Dollars (\$1,000.00). Second Strike. A fine of Two Thousand Five Hundred Dollars (\$2,500.00). Third Strike. A fine of Five Thousand Dollars (\$5,000.00). If, however, the owner has been given a specified correction period by the code official, the fine shall be waived if the violation is confirmed corrected by the code official before the expiration of such period. ~~The assessment of a strike and the payment of any administrative penalty shall not relieve the owner of the obligation to correct the violation.~~

CHAPTER 815 RENTAL DWELLING LICENSES

815.01 Purpose.

This Chapter may be referred to as the Rental Dwelling License Ordinance. The purpose of this Chapter is to ensure that rental housing in the City is decent, safe, and sanitary; and that it is so operated and maintained as not to become:

- A. A threat to the health, safety and welfare of residents;
- B. A nuisance to the surrounding neighborhood, and detriment to the quiet enjoyment of the normal activities of life; or
- C. An influence that fosters blight and deterioration, or creates a disincentive to reinvestment in the community.

(Ord. 685 [6-4-2008]; Ord. 841 [10-31-2024]; Ord. No. 852 [9-23-2025])

815.02 Scope.

This Chapter applies to all rental dwellings and the individual units therein that are rented or leased in whole or in part, for any duration, including apartment buildings, town homes, single-family and two-family housing, guest and caretaker houses, and condominiums with private entrances. It also includes any accessory structures of the rental dwellings, such as garages and storage buildings, and appurtenances such as sidewalks, driveways and retaining walls, which are on the property of the rental dwelling. This Chapter does not apply to Minnesota Department of Health licensed rest homes, convalescent care facilities, or nursing homes, or to hotels or motels otherwise licensed by the City.

(Ord. 685 [6-4-2008]; Ord. 841 [10-31-2024])

815.03 Definitions.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- A. **"City"** means the City of Wayzata.
- B. **"City Council"** means the City Council of the City of Wayzata.
- C. **"Compliance Official"** means the City Manager or the City Manager's designee.
- D. **"Dwelling Unit"** means a single unit providing independent living facilities for one or more persons, including provisions for living, sleeping, eating, cooking, and/or sanitation.
- E. **"License"** means the license required by and issued pursuant to this Chapter.
- F. **"License Holder"** means an owner holding a license.
- G. **"Licensed Premises"** means a licensed rental dwelling and all accessory structures of the rental dwellings, such as garages and storage buildings, and appurtenances such as sidewalks, driveways and retaining walls, which are on the property of the rental dwelling.
- H. **"Official Order"** means a written notice stating violation(s) of City Code and corrective action to be taken.

-
- I. **"Operate"** means to charge a rental fee or other form of rent for the use of a unit in a rental dwelling.
 - J. **"Owner"** means a person or legal entity that owns a rental dwelling.
 - K. **"Property Manager"** means a person authorized by the owner to operate and/or manage the licensed premises.
 - L. **"Rental Dwelling"** means any building containing one or more dwelling units.
 - M. **"Revoke"** means to take back, in whole or in part, a license issued by the City.
 - N. **"Short-Term Rental"** means a lease, license or other agreement for the occupancy, possession or tenancy of a rental dwelling, or portion thereof, where the actual term of occupancy, possession, or tenancy is less than 30 consecutive calendar days.
 - O. **"Suspend"** means to make a license temporarily inoperative, in whole or in part.
 - P. **"Tenant"** means any person granted temporary use of a dwelling unit or sleeping room pursuant to a lease or other agreement with the owner of the dwelling unit.
 - Q. **"Unit"** means a part of a rental dwelling that is leased to a tenant.
 - R. **"Wayzata Property Maintenance Code"** means Sections 803.01—803.02 of Wayzata City Code.
- (Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024]; Ord. No. 852 [9-23-2025])

815.04 License Required.

No rental dwelling may be operated in the City without the owner first obtaining a license as provided for in this Chapter.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.05 Lease Required.

Owners of rental dwellings licensed under this Chapter must only allow occupancy of the Rental Dwelling pursuant to a written tenant lease with a term of at least 30 days, which has been signed by both the owner or owner's designee and the tenant.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024]; Ord. No. 852 [9-23-2025])

815.06 Application and Approval Procedures.

Every application for a license shall be made in writing on forms provided by the City, accompanied by the fee amounts as established in the current fee schedule of the City. The Compliance Official may cause inspection to be made of the rental dwelling that is the subject of the application to determine whether it is in compliance with the Wayzata Property Maintenance Code, other Wayzata City Code sections or the laws of State of Minnesota. Once the Compliance Official is satisfied that all requirements of this Code have been met by the applicant, the license shall be issued.

The application must be submitted by an owner or property manager living or located in the one of the seven counties in the metro Twin Cities area (Hennepin, Ramsey, Anoka, Carver, Dakota, Scott and Washington) who shall be legally responsible for compliance with this Chapter.

Applications shall specify the following:

-
- A. Mailing, street and legal address of the rental dwelling.
 - B. Name and address of the owner of the rental dwelling.
 - C. Name and address of any property manager or agent actively managing the rental dwelling.
 - D. Name and address of on-site property manager, if any.
 - E. Name and address of the vendee if the rental dwelling is owned or being sold on a contract for deed.
 - F. Number and kind of units within the rental dwelling, however classified, including dwelling units, rooming units or other.
 - G. Any other information requested by the compliance official to ensure compliance under this Chapter.
 - H. Verification that the designated property manager has attended required training as specified in this Chapter and that the Crime Free/Drug Free and Disorderly Conduct language required by this Chapter is contained in the licensed property tenant lease or leases.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024]; Ord. No. 852 [9-23-2025])

815.07 Provisional Licenses.

A provisional license may be issued for up to six months to give any applicant or existing license holder the opportunity to comply with the training requirements of this Chapter. The provisional license shall be valid until:

- A. A regular license is issued, or
- B. It is determined that license requirements have not been met and the City will not issue a regular license.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.08 Expiration.

Except as otherwise provided, all licenses under this Chapter shall be valid for one calendar year and shall expire on April 1 unless suspended or revoked earlier. All licenses issued for a portion of a calendar year also shall expire on April 1.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.09 Renewal and Denial of License.

All applications for renewal of an existing license shall be made at least 60 days prior to the expiration of the current license. All such applications shall be submitted to the Compliance Official in the manner described in Section 815.06 of this Chapter on forms provided by the City and shall be accompanied by the required fee.

If the Compliance Official denies a license application or a renewal thereof, the applicant may file a written appeal with the City Council within ten days of the denial notice and request a hearing before the City Council. The City Council will affirm, modify or reverse the decision and state the reasons for such action. The City Council may affirm the decision to deny the license if it finds as follows:

- A. The Compliance Official has not been permitted to inspect the premises proposed to be licensed;
- B. The license applicant has not met the requirements of this Chapter, other parts of City Code or applicable state laws;

-
- C. Granting the license will be inimical to the public health, safety or general welfare so as to create a public nuisance.

If an application for a rental license or license renewal is denied, a written statement specifying the reasons for the denial will be transmitted to the applicant.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024]; Ord. No. 852 [9-23-2025])

815.10 Transferability.

A license is not transferable to another owner or to another rental dwelling. Every license holder must give notice in writing to the compliance official within 72 hours after having legally transferred or otherwise disposed of the legal control of any rental dwelling. The notice must include the name and address of the owner succeeding to the ownership or control of such rental dwelling. A new license shall be applied for by the new owner.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.10b Illegal Rentals, Occupancy Limits and No Subletting.

An owner may adopt standards that reduce the maximum allowed occupancy of a dwelling unit from the standards set forth herein. The maximum permissible occupancy of any licensed dwelling unit is determined according to the 2024 International Property Maintenance Code and as follows:

- A. Tenants of a licensed rental dwelling must not lease or sublet the dwelling unit to another without the prior approval of the property owner.
- B. No person is allowed to lease, license or agree to allow the use of a dwelling unit, or portion thereof, for a short-term rental.
- C. No person is allowed to lease, license or agree to allow the occupancy, possession or tenancy of a licensed group housing dwelling to more persons than specifically licensed under Minn. Stat. Chapters 144G, 157, 254A or 254D, and licensed under City Code Chapter 815.

(Ord. No. 852 [9-23-2025])

815.11 License Fees.

License fees and administrative penalties shall be in the amount established in current fee schedule adopted by the City Council. License fees shall not be prorated for any portion of the calendar year, nor shall any license fee be refunded in whole or in part. The license fee may be doubled whenever a renewal application is received after it is due.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.12 Posting.

The license shall be conspicuously posted or otherwise available to the tenant, prospective tenant, or Compliance Official upon request.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.13 Maintenance Standards.

Every rental dwelling shall conform to the standards of the Wayzata Property Maintenance Code, in addition to any other building or zoning requirements of the City Code, special permits issued by the City, or the laws of the State of Minnesota.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.14 Inspection.

The compliance official may set up a schedule of periodic inspections of rental dwellings and units to ensure compliance with this Chapter. The compliance official shall provide reasonable notice to the owner or the owner's agent as to the date and time of the inspection. Inspections shall include all common areas, utility and mechanical rooms, garages, exterior of structures and exterior property areas.

Inspection of dwelling units shall take place if the number of complaints or violations warrants such inspection or when requested by a tenant or property owner. Each occupant of a dwelling unit shall give the owner or the owner's agent access to any part of such dwelling unit at reasonable times for the purpose of effecting inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this Chapter. If any owner, owner's agent or tenant of a dwelling unit fails or refuses to permit entry to the dwelling unit under its control for an inspection pursuant to this Chapter, the compliance official may seek a court order authorizing such inspection. Should the owner or owner's agent fail to keep a scheduled inspection without reasonable cause or refuse to permit entry to the dwelling unit, a reinspection fee will be charged.

There shall be no fee charged for an initial inspection to determine the existence of a Wayzata Property Maintenance Code violation, nor any fee for the first reinspection to determine compliance with an order to correct such violation. A reinspection fee shall be charged for each subsequent reinspection occurring after the due date for compliance with an order. The compliance official may waive the reinspection fee in case of an error or other reasonable cause, including extension of time granted for compliance.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.15 Maintenance Violations.

- A. A license issued under this Chapter may be suspended or revoked by the City Council if the license holder or its agents, employees, representatives or tenants directly or indirectly operate or maintain the licensed rental dwellings contrary to the provisions of Section 815.13.
- B. Upon determining violation(s) of Section 815.13, the compliance official shall issue an official order to the license holder. If the license holder fails to comply with the terms of the official order, a written notice shall be sent to the license holder specifying the date for a hearing before the City Council. That date shall not be less than ten days from the date of the written notice.
- C. At such hearing before the City Council, the license holder or its representative may submit and present evidence on its behalf.
- D. After the hearing, the City Council may suspend or revoke the license if it finds a violation of Section 815.13 has occurred.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.16 Summary Action.

- A. When the condition of the rental dwelling is so detrimental to the public health, safety and general welfare as to constitute an immediate nuisance, fire hazard or other unsafe or dangerous condition, the compliance official shall have the authority to summarily condemn or close off such area of the rental dwelling.
- B. Any person aggrieved by the action of the compliance official under this section may appeal to the City Council immediately, by filing a notice of appeal. The City manager shall schedule a date for a hearing before the City Council and notify the aggrieved person of the date.
- C. The hearing shall be conducted in the same manner as a suspension or revocation hearing under Section 815.15.
- D. The summary action taken by the City under this section shall not be changed while the hearing is pending.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.17 Criminal Background Check.

A license holder shall conduct criminal background checks on all prospective tenants of rental dwelling units. The criminal background check must include the following:

- A. A statewide (Minnesota) criminal history check of all prospective tenants covering at least the last three years; the check must be done utilizing the most recent update of the state criminal history files;
- B. A statewide criminal history check from the prospective tenant's previous state of residence, if available, if the tenant is moving directly from the state other than Minnesota;
- C. A criminal history check of any prospective tenant in the tenant's previous states of residence, if available, covering the last three years if they have not resided in Minnesota for three years or longer; and
- D. A criminal history check of all prospective tenants covering the seven counties in the metro Twin Cities area (Hennepin, Ramsey, Anoka, Carver, Dakota, Scott and Washington) covering at least the last three years, that includes any misdemeanor, gross misdemeanor, and felony convictions.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024]; Ord. No. 852 [9-23-2025])

815.18 Crime Free/Drug Free and Disorderly Conduct Training and Lease Requirements.

Every owner or property manager of a rental dwelling must attend Phase I Crime Free Training or similar City-approved program, or provide the City with proof of having received such training, prior to the issuance of a license for that owner's rental dwelling. All tenant leases shall contain the following "Crime Free/Drug Free and Disorderly Conduct" language or language that is the contractual and legal equivalent:

Crime Free/Drug Free.

- A. Resident, any members of the resident's household or a guest or other person under the resident's control shall not engage in illegal activity, including drug-related illegal activity, on or near the said premises. "Drug-related illegal activity" means the illegal manufacture, sale, distribution, purchase, use or possession with intent to manufacture, sell, distribute, or use of a controlled substance (as defined in Section 102 or the Controlled Substance Act [21 USC 802]) or possession of drug paraphernalia.
- B. Resident, any member of the resident's household or a guest or other person under the resident's control shall not engage in any act intended to facilitate illegal activity, including drug-related illegal activity, on or near the said premises.

-
- C. Resident or members of the household will not permit the dwelling to be used for, or to facilitate illegal activity, including drug-related illegal activity, regardless of whether the individual engaging in such activity is a member of the household.
 - D. Resident or members of the household will not engage in the manufacture, sale, or distribution of illegal drugs at any locations, whether on or near the dwelling unit premises or otherwise.
 - E. Violation of the above provisions shall be a material violation of the lease and good cause for termination of tenancy. A single violation of any of the provisions of this agreement shall be deemed a serious violation and material non-compliance with the lease.

Disorderly Conduct.

- A. Resident, members of the resident's household, guests, or other persons under the resident's control shall not engage in the following disorderly conduct activities: violations of state law relating to alcoholic beverages, trespassing or disorderly conduct; violations of the Wayzata City Code; violations listed in Section 815.16 of the Rental Dwelling License Ordinance.
- B. Three disorderly conduct violations involving the same tenancy within a continuous 12-month period shall be substantial and material violation to the lease and good cause for termination of the tenancy.

Non-exclusive Remedies.

The crime free/drug free and disorderly conduct provisions are in addition to all other terms of the lease and do not limit or replace any other provisions.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024]; Ord. No. 852 [9-23-2025])

815.19 Disorderly Conduct Prohibited.

Disorderly conduct is prohibited on all licensed premises. It shall be the responsibility of the license holder to take appropriate action to prevent disorderly conduct by rental dwelling tenants and their guests on the licensed premises. For the purposes of this Chapter, a violation of any of the following statutes or ordinances shall be deemed disorderly conduct:

- A. Minn. Stats. §§ 609.75—609.76, which prohibit gambling;
- B. Minn. Stats. §§ 609.321—609.324, which prohibit prostitution and acts relating thereto;
- C. Minn. Stats. §§ 152.01—152.025, and Minn. Stats. § 152.027, Subd. 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
- D. Minn. Stats. § 340A.401, which prohibit the unlawful sale of alcoholic beverages;
- E. Minn. Stats. § 340A.503, which prohibit the underage use of alcoholic beverages;
- F. Chapter 720 Wayzata City Code, which prohibit nuisances;
- G. Minn. Stats. §§ 97B.021 and 97B.045, Minn. Stats. §§ 609.66—609.67 and Minn. Stats. §§ 624.712—624.716, and Chapter 704 of Wayzata City Code, which prohibit the unlawful possession, transportation, sale or use of a weapon;
- H. Minn. Stats. § 609.72, which prohibit disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least one unit on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation;
- I. Minn. Stats. §§ 609.185, 609.19, 609.195, 609.20, and 609.205 which prohibit murder and manslaughter;
- J. Minn. Stats. §§ 609.221, 609.222, 609.223, and 609.2231 which prohibit assault;

-
- K. Minn. Stats. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451 which prohibit criminal sexual conduct;
 - L. Minn. Stats. § 609.52, which prohibit theft;
 - M. Minn. Stats. §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632 which prohibit arson;
 - N. Minn. Stats. § 609.582, which prohibit burglary;
 - O. Minn. Stats. § 609.595 which prohibit damage to property; and
 - P. Chapter 708 of Wayzata City Code, which prohibits offences against public peace and safety.
- (Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.20 Disorderly Conduct and Crime Free/Drug Free Violations.

- A. Upon determination by the Police Department that a licensed premises or unit within a licensed premises was used in violation of the crime free/drug free provisions of this Chapter, the Police Department shall cause notice to be made to the owner and property manager of the violation. The owner or property manager shall notify the tenant or tenants within ten days of the notice of violation of the crime free/drug free lease language and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed property with an evicted tenant for a period of one year after the eviction.
- B. Upon determination by the Police Department that a licensed premises or unit within a licensed premises was used for disorderly conduct activities as set forth in Section 815.19, the Police Department shall cause notice to be made to the owner and property manager of the violation and direct the owner and property manager to take steps to prevent further disorderly conduct violations.
- C. If a second disorderly conduct violation as determined by the Police Department occurs within a continuous 12-month period involving the same tenancy, the Police Department shall cause notice to be made to the owner and property manager of the second violation. The owner or property manager shall respond in writing within ten days of receipt of the notice with a written action plan to prevent further disorderly conduct violations.
- D. If a third disorderly conduct violation as determined by the Police Department occurs within a continuous 12-month period involving the same tenancy, the Police Department shall cause notice to be made to the owner and property manager of the third violation. The owner or property manager shall notify the tenant or tenants within ten days of the notice of disorderly conduct violation of the crime free/drug free lease language within the lease and proceed with termination of the tenancy of all tenants occupying the unit. The owner shall not enter into a new lease for a unit located in the licensed premises with an evicted tenant for a period of one year after the eviction.
- E. The provisions of Subsections A, B, C, and D herein do not apply if the determination that the licensed premises have been used in violation of the crime free/drug free provisions of Subsections A.1 and A.2 herein originates from a call from or at the request of one or more of the tenants occupying the licensed premises for police or emergency assistance, or in the case of domestic abuse, from a call for assistance from any source. The term "domestic abuse" has the meaning given in Minn. Stats. § 518B.01, Subd. 2.
- F. If the City Manager determines that the owner has proceeded in good faith to secure termination of the tenancy in accordance with this subsection, but was unsuccessful for reasons beyond the owner's reasonable control, then the owner shall not be subject to the penalties in subsection 815.21.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.21 Administrative License Violation Fee.

An owner failing to proceed with an action to terminate the tenancy after Police Department notification in accordance with a crime free/drug free violation or the third disorderly conduct violation shall pay an administrative license violation fee of \$750 for each calendar month that the owner fails to proceed. Any outstanding fees must be paid prior to the City renewing a rental license for the licensed premises.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.22 Determining Disorderly Behavior.

A determination that a licensed premises or any particular unit has been the location of a third disorderly conduct violation shall be made upon a finding of fact by the City Council to support such a determination. It shall not be necessary that criminal charges be brought in order to support such finding, nor shall the dismissal or acquittal of such a criminal charge operate as a bar to any action under this Chapter.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.23 Multiple Violations.

If two or more units in a licensed premises are in violation of the crime free/drug free and disorderly conduct lease requirements of this Chapter within a 12-month period, fines specified in section 815.21 may be doubled.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.24 Penalties.

A person who violates the provisions of this Chapter may be charged with a misdemeanor, and upon conviction is subject to a fine and imprisonment as prescribed by state law. Each day of each violation constitutes a separate offense. The compliance official may affix to the rental dwelling appropriate signs or notices prohibiting occupancy and may act to cause the rental dwelling to be vacated or remain vacant until all violations under this Chapter are remedied.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.25 No Retaliation.

A. A license holder may not:

1. Bar or limit a tenant's right under state law to call for police or emergency assistance in response to domestic abuse or any other conduct; or
2. Impose a penalty on a tenant for calling for police or emergency assistance in response to domestic abuse or any other conduct.

B. A tenant may not waive and a license holder may not require the tenant to waive the tenant's right under state law to call for police or emergency assistance.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.26 No Warranty by City.

By enacting and undertaking to enforce this Chapter, the City, City Council, its agents, and employees do not warrant or guaranty the safety, fitness or suitability of any rental dwelling in the City. Owners and occupants of rental dwellings should take whatever steps they deem appropriate to protect their interests, health, safety and welfare.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

815.27 Applicable Laws.

Licenses shall be subject to all of the ordinances of the City and the laws of the State of Minnesota relating to rental dwellings; this Chapter shall not be construed or interpreted to supersede or limit any other such applicable law.

(Ord. 685 [6-4-2008]; Ord. 725 [03-15-2012]; Ord. 841 [10-31-2024])

ARTICLE IV. RENTAL HOUSING MAINTENANCE AND OCCUPANCY CODE¹

Sec. 8-101. Purpose of article.

The purpose of this article is to protect the public health, safety, and the general welfare of the people of the city. These general objectives include, among others, the following:

- (1) To protect the character and stability of all multiple-tenant rental dwellings and property within the city.
- (2) To correct and prevent conditions that adversely affect or are likely to adversely affect the life, safety, general welfare, and health, including the physical, mental, and social well-being of persons occupying rental dwellings or rental dwelling units within the city limits.
- (3) To provide minimum standards for cooking, heating, and sanitary equipment necessary to the health and safety of occupants of rental dwellings and rental dwelling units.
- (4) To provide minimum standards for light and ventilation, necessary to health and safety, in rental dwellings and rental dwelling units.
- (5) To prevent the overcrowding of rental dwellings and rental dwelling units by providing minimum space standards per occupant for each rental dwelling or rental dwelling unit.
- (6) To provide minimum standards for the maintenance of existing rental dwellings and rental dwelling units, and to thus prevent slums and blight.
- (7) To preserve the value of land and buildings throughout the city.

With respect to rental disputes, and except as otherwise specifically provided by the terms of this article, it is not the intention of the city to intrude upon the fair and accepted contractual relationship between tenant and landlord.

(Code 1982, § 321:00)

Sec. 8-102. Applicability of article provisions.

All multiple-tenant residential buildings and premises of such buildings, including all rental dwellings and rental dwelling units, as those terms are defined in section 8-103, within the city shall conform to the requirements of this article, irrespective of when the building, rental dwelling, or rental dwelling unit may have been constructed, altered, or repaired. Notwithstanding any term or provision to the contrary, this article shall not apply to commercial or nonresidential buildings or to dwellings in which only one dwelling unit is rented or leased or is available for rent or lease.

(Code 1982, § 321:02)

¹Cross reference(s)—Nuisances, § 16-31 et seq.

Sec. 8-103. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Flush water closet means an approved toilet, with a bowl and trap made in one piece, which is connected to the city water and sewer system or other approved water supply and sewer system.

Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food.

Habitable building means any building or part of a building that meets minimum standards for use as a home or place of abode by one or more persons.

Habitable room means a room or enclosed floor space that is used or designed to be used for living, sleeping, cooking, or eating purposes, which meets minimum standards for such uses, excluding bathrooms, water closet compartments, laundries, furnace rooms, unfinished basements (those without required ventilation, required electric outlets, and required exit facilities), pantries, utility rooms of less than 50 square feet of floor space, foyers, communicating corridors, stairways, closets, storage spaces, and workshop, hobby, and recreation areas in parts of the structure below ground level or in attics.

Heated water means water heated to a temperature of not less than 120 degrees Fahrenheit, or such lesser temperature required by government authority, measured at faucet outlet.

Kitchen means a space which contains a sink with counter working space, adequate space for installing cooking and refrigeration equipment, and adequate space for the storage of cooking utensils.

Materials means tangible items and substances that, when improperly stored, can present or create an obstacle or risk of harm to persons or property. The term "materials" shall include, but shall not be limited to, the following: building components, lumber, sheathing, shingles, boxes, scrap metal, wood and wood products, paper and paper products, clothing, bedding, towels, linens, tablecloths, drapes, area rugs, maintenance supplies, and all materials of any kind that are flammable or that may be subject to infestation by rodents or arthropods or other pests.

Multiple-tenant dwelling means a rental dwelling or portion of such dwelling that contains three or more rental dwelling units.

Nonresidential building means all buildings or structures that do not constitute or contain one or more dwellings or dwelling units.

Occupant means any person, including an owner or operator, who occupies any structure, building, dwelling, dwelling unit, rooming unit, premises, or part of the same.

Operator means the owner or agent who has charge, care, or control of, or management responsibility for, a rental dwelling, rental dwelling unit, or its part.

Owner means a person having a legal or equitable interest in the rental dwelling, rental dwelling unit, or its premises.

Permissible occupant load means the maximum number of persons permitted to occupy a building or space within a building.

Person means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic, including any trustee, receiver, assignee, or other similar representative.

Plumbing means all of the following supplied facilities and equipment in a building: gas pipes, gas burning equipment, water pipes, steam pipes, garbage disposal units, waste pipes, water closets, sinks, installed

dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catchbasins, drains, vents, and any other similar fixtures and their installation, together with all connections to water, sewer, and gas lines.

Premises means a platted lot or part of such lot or unplatted parcel of land, either unoccupied or occupied by any structure thereon.

Protective surface means an exterior covering, one purpose of which is to cover or shield from exposure or destruction the external part or layers of a structure. The term "protective surface" shall include, but not be limited to, the following: paint, lacquer, siding, and any other item or substance that is designed and has the ability to protect structural components from exposure to and deterioration by the weather or the elements.

Public corridor means a hall, corridor, or passageway for providing ingress or egress between an occupied area and a public way, which is not within the exclusive control of one occupant of the rental dwelling or premises where it is located.

Refuse means all putrescible and nonputrescible waste solids including garbage and rubbish.

Rental dwelling means a dwelling that is designed or used for human habitation and that is rented or leased or is available for rent or lease, except hotels and motels.

Rental dwelling unit means a dwelling unit that is designed or used for human habitation and that is rented or leased or is available for rent or lease, except units within hotels and motels.

Repair means to restore to a sound and acceptable state of operation, serviceability, or appearance.

Rodent harborage means any place where rodents can live, nest, or seek shelter.

Rooming unit means any room or group of rooms forming a single habitable rental dwelling unit that is used or designed for living and sleeping purposes, but not for cooking and eating purposes.

Rubbish means nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, grass and shrubbery clippings, wood, glass, brick, plaster, bedding, crockery, and similar materials.

Rubbish container means an approved receptacle to hold, secure, or contain rubbish.

Rubbish disposal facility means an established location for receiving or bestowing rubbish.

Safety means the condition of being reasonably free from danger and hazards that may cause accidents or disease.

Structure means anything constructed or erected, the use of which requires a location on or in the ground, or attached to something having a location on or in the ground.

Substandard rental dwelling or rental dwelling unit means any rental dwelling or rental dwelling unit that does not conform to the minimum standards established by city ordinances, state statutes, or other applicable rules, regulations, codes, or provisions of law.

Supplied means paid for, furnished by, provided by or under the control of the owner, operator, or agent of a rental dwelling or rental dwelling unit.

Tenant means any person who is occupying a rental dwelling unit under any agreement, lease, or contract, whether oral or written, and for whatever period of time, which requires the payment of money as rent for the use of the rental dwelling unit, and all other regular occupants of that rental dwelling unit.

(Code 1982, § 321:05)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 8-104. Meaning of certain words.

Whenever the words "rental dwelling," "rental dwelling unit," "premises," "building," or "structure" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

(Code 1982, § 321:06)

Sec. 8-105. Responsibility of owners and occupants.

- (a) *Compliance required.* No person shall occupy and no owner or agent shall let or allow another to occupy any rental dwelling, rental dwelling unit, or its portion for the purpose of living therein that does not comply with the requirements set forth in this article.
- (b) *Defacement of property.* No person shall willfully or wantonly damage, mutilate, or deface any exterior surface of any rental dwelling or accessory structure on any private or public property by placing thereon any marking, carving, or graffiti. It shall be the responsibility of the property owner to restore any defaced surface to an approved professional state of maintenance and repair.
- (c) *Foundations, roofs, exterior walls, and surfaces.*
 - (1) All exterior surfaces shall be of a material manufactured or processed specifically for use in such a weather-exposed location, including redwood and other naturally suitable materials, and every exterior wall, chimney, foundation, and roof shall be reasonably weathertight, watertight, and rodentproof, and shall be kept in a professional state of maintenance and repair. Exterior walls shall be reasonably maintained and kept free from dilapidation through a significant number or amount of cracks, tears, or breaks, or from significant deterioration of plaster, stucco, brick, wood, or other structural or protective material, and the exterior walls shall not exhibit reasonable evidence of long neglect as determined by the city building official.
 - (2) The protective surface on exterior walls of a rental dwelling above ground level shall be maintained in good repair so as to provide a sufficient covering and protection from deterioration of the structural underneath. Without limiting the generality of this section, a protective surface of a rental dwelling shall be deemed to be out of repair if the city building official reasonably determines that:
 - a. The exterior surface, including window trim, cornice members, porch railings, and other such areas, has a significant amount of paint that is blistered, cracked, flaked, scaled, or chalked away;
 - b. A significant amount of the pointing of any chimney or the pointing of any brick or stone wall is loose or has fallen out.
 - (3) Any exterior surface or plane required to be repaired under the provisions of this section shall be repaired in its entirety.
 - (4) No exterior wall of any rental dwelling or accessory structure shall have a significant amount of paint that is blistered, cracked, flaked, scaled, or chalked away.
 - (5) No person shall apply any paint on the exterior surface of any rental dwelling or accessory structure unless such paint contains less than 0.06 percent lead.
- (d) *Interior.*
 - (1) Every interior partition, wall, floor, door, window, trim surface, radiator, and ceiling in every rental dwelling shall be kept in a professional state of repair. In other than owner-occupied dwellings, such components shall be provided with an interior finish material specifically manufactured for, and intended to be used as, an interior finish surface. Walls, floors, and ceilings that are required to be fire

rated by new construction regulations shall be maintained and repaired to prevent a lowering of the resistance to fire or the spread of fire. In addition, maintenance and repairs to walls, floors, and ceilings separating dwelling units, or separating dwelling units from public corridors or stairways, shall be done in a manner that will not reduce the sound transmission class of such walls, floors, or ceilings. Dwelling unit doors leading to communal, shared, or public areas, when replaced, shall be replaced with an approved solid core door not less than 1 $\frac{3}{4}$ inches in thickness. For purposes of this section, professional state of repair shall apply to the repair and application of all interior finishes to any surface whatsoever. Interior finished walls shall meet the flame spread classification set forth in the Uniform Building Code or Uniform Fire Code, as adopted by the city, when such interior finishes are hereafter altered, refinished, repaired, or replaced. Bathroom and toilet room floor surfaces shall be reasonably impervious to moisture.

- (2) No person shall apply any paint on the interior surface of any rental dwelling or rental dwelling unit, unless such paint contains less than 0.06 percent lead.
- (3) No interior wall of any building accessory thereto shall have paint that is blistered, cracked, flaked, scaled, or chalked away.
- (e) *Rainwater drainage.* All rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the walls, ceilings, or floors of any portion of the dwelling, or of any adjacent building or structure. Gutters and downspouts, if provided, shall be kept in a professional state of repair and in compliance with the provisions of this section.
- (f) *Windows; exterior doors; hatchways.* Every window, exterior door, and basement hatchway shall be reasonably weathertight, watertight, and rodentproof, and shall be kept in a professional state of maintenance and repair. Every exterior window shall consist of either double-insulated glass or single strength glass with a storm window, or the equivalent. Every exterior door on a rental dwelling or rental dwelling unit, except those which are required to be out-swinging based on occupant load, shall be provided with a storm door unless the principal door has an "R" value of two or more. All windows in such principal doors shall consist of double-insulated glass. Storm windows and storm doors shall be installed not later than November 1 of each year. The owner or operator shall be responsible for installing all storm windows and storm doors. The following energy conservation measures are required:
 - (1) Install weatherstripping between exterior operable window sash and frames and between exterior door and frames. (Exception: weatherstripping is not required on storm doors or storm windows.)
 - (2) Caulk, gasket, or otherwise seal exterior joints between foundation and rim joist, around window and door frames, between wall and roof, between wall panels, at penetrations for utility services through walls, floors, and roofs, and all other openings in the exterior envelope.
- (g) *Shades; drapes.* Every window of every room let to another for sleeping purposes, and the windows of bath and toilet rooms used in conjunction with such sleeping rooms, shall be supplied with shades, draw drapes, or other devices that, when properly used, will afford privacy to the occupant of the room. However, upon written agreement of the owner and the occupant, such shades, drapes, or devices need not be provided.
- (h) *Stairways and porches.*
 - (1) *Construction and maintenance generally; live load.* Every inside and all outside stairways attached to a dwelling, every porch, and every appurtenance thereto, shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon, and shall be kept in a professional state of maintenance and repair. Normal use live load shall be the uniform load as set out in the Uniform Building Code, as adopted by the city.
 - (2) *Handrails.* Every inside and all outside stairways attached to a rental dwelling shall comply with the requirements of the Uniform Building Code and the Uniform Fire Code, as adopted by the city, concerning handrails. Handrails that were in existence prior to the effective date of the ordinance from

which this article is derived are exempt from these regulations; however, any handrail in a rental dwelling that is remodeled, altered, or repaired after such date shall be required to conform to this subsection.

- (3) *Required means of egress to be kept clean.* Required means of egress that are exposed to the elements shall be kept clear at all times of rubbish, snow, ice, or other obstructions when such egress serves a multiple dwelling.
- (i) *Guardrails.* All accessible doorways, unenclosed floor and roof openings, open stairs, porches, balconies, walkways, and landings of a rental dwelling shall comply with the requirements of the Uniform Building Code and the Uniform Fire Code, as adopted by the city, concerning guardrails. New installations or replacements of guardrails shall be in compliance with the Uniform Building Code and the Uniform Fire Code, as adopted by the city.
- (j) *Cleanliness.* Every occupant of a rental dwelling or rental dwelling unit shall keep in a clean and sanitary condition that part of the rental dwelling or rental dwelling unit, and its premises, which that person occupies or controls.
- (k) *Rental dwelling and rental dwelling unit storage standards.*
- (1) *Findings.* The city finds as follows:
- a. The storage of excessive amounts of materials in rental dwellings and rental dwelling units and the disorganized storage of materials in rental dwellings and rental dwelling units has become an important problem in the city.
 - b. The storage in rental dwellings and rental dwelling units of newspapers, clothing, and many other kinds of materials in excessive quantities upon the floor or in large piles can serve as habitat and a refuge area for rats and other rodents.
 - c. The storage of excessive amounts of material in a rental dwelling, or rental dwelling unit, and the storage of material on the floor can provide a harborage for cockroaches and many other kinds of arthropods and other pests.
 - d. The disorganized storage of excessive amounts of material in rental dwellings and rental dwelling units can increase the risk of injury to firefighters, the risk of fires, the magnitude of fires, and the difficulty of rescue in the city.
 - e. Rental dwellings and rental dwelling units that have excessive amounts of materials stacked within them prevent firefighters from adequately finding their way when the rental dwelling is involved in a fire and prohibit firefighters from reasonable access to doors, windows, walls, and heating appliances within the rental dwelling or rental dwelling unit, and make it difficult to easily move firefighting and rescue equipment through the rental dwelling or rental dwelling unit.
 - f. The risk of spreading disease is increased by the storage of excessive amounts of materials in rental dwellings and rental dwelling units without providing adequate means of self-inspection for pests.
 - g. Storage of excessive amounts of materials in rental dwellings and rental dwelling units and the disorganized storage of materials in rental dwellings and rental dwelling units poses a danger to residents therein as a result of infestation by pests, increased fire hazard, and blockage of rescue equipment.
 - h. It is beneficial to the public health and safety to regulate the manner and quantity of storage within rental dwellings and rental dwelling units in the city, for the purpose of protecting against infestations of rodents, arthropods, and other pests, and the increased danger of fire, the

increased magnitude of fire, the increased risk of harm to firefighters, and the increased difficulty of rescue.

- (2) *Rental dwelling and rental dwelling unit storage standards purpose.* The purpose of these storage standards is:
- a. To regulate the storage of materials within rental dwellings and rental dwelling units to protect the public health and safety.
 - b. To prevent the infestation or spread of rodents, arthropods, and other pests by providing storage standards that allow for thorough inspection of rooms within rental dwellings and rental dwelling units by those who reside therein or others and by providing storage standards which limit the amount of materials that can be stored on floors or in piles and thereby make themselves a more likely harborage for rodents, arthropods, and other pests.
 - c. To regulate storage so as to protect firefighters and minimize the risk of fire and the magnitude of fire as a result of materials that are stored within rental dwellings and rental dwelling units, to so restrict the storage of material in rental dwellings and rental dwelling units so firefighters can be assured of access to doors, windows, and walls, and access throughout the rental dwelling or rental dwelling unit when they enter the building in a fire situation, and to minimize the size of stacks of materials kept together within a rental dwelling or rental dwelling unit that can be a source of intense heat and also the source of a fire.
 - d. It is recognized in enacting this section that some lots in the city are narrow and some neighbors are separated by only a few feet. Therefore, it is also the purpose of this section to regulate storage standards within a rental dwelling or rental dwelling unit for the benefit of the health and welfare of adjoining neighbors and other members of the community who would suffer as a result of infestation or fire within a rental dwelling or rental dwelling unit.
- (3) *Application.* This section applies to every rental dwelling or rental dwelling unit, as well as appurtenant porches, decks, and stairways, whether or not enclosed, and to garages which are an accessory use to the rental dwelling or rental dwelling unit.
- (4) *Storage standards.* Subject to the exceptions noted in this section, all stored materials other than furniture shall, when not in actual use, at a minimum and in addition to all other requirements imposed by law, meet each of the following storage standards:
- a. All materials must be stored off the floor in shelves, cabinets, or other sturdy storage devices not made of paper or paper products.
 - b. Storage of materials shall not impede free access to all walls, windows, doors, and heating and other fixtures.
 - c. Each shelf, cabinet, or other sturdy storage device, other than built-in storage devices, shall have such free space around it so access without moving the material can be obtained and a visual inspection made for combustibility, rodents, arthropods and other pests, and other health and safety hazards.
 - d. No area being used for storage of such materials shall have a row of shelves, cabinets, or other sturdy storage devices with such materials stored thereon that is more than three feet across at any point along the narrowest horizontal dimension. Each such row shall be at least three feet from any other such row. Free access by foot shall be available to all materials.
- (5) *Exceptions.* The storage standards imposed by this section shall not apply to:
- a. The period 30 days before and 30 days after an actual change of principal dwelling by the owner of the subject materials.

-
- b. The first four cubic feet of subject materials in each room, porch, or deck. In order to be counted as a separate room, for the purposes of this section, the enclosed area involved must be able to be closed off completely from other rooms of the rental dwelling or rental dwelling unit.
 - c. The first 160 cubic feet of subject materials in any garage.
 - d. The first 250 cubic feet of subject materials in any attic or basement room not ordinarily used or designed for human activity other than storage. In order to be counted as a separate room, for the purposes of this section, the enclosed area involved must be able to be closed off completely from other rooms of the rental dwelling or rental dwelling unit.
- (6) *Misdemeanor; burden of production.* Violation of any provision of these storage standards is a misdemeanor. The defendant in a criminal case shall have the initial burden of production of evidence as to exception.
- (l) *Supplied plumbing fixtures.* Every occupant of a rental dwelling or rental dwelling unit shall keep all supplied plumbing fixtures therein clean and sanitary, and shall be responsible for the exercise of reasonable care in their proper use and operation.
- (m) *Plumbing fixtures or appliances furnished by occupant.* Every plumbing fixture or appliance furnished by the occupant shall be properly installed and shall be maintained in good working condition, shall be clean and sanitary and free from defects, leaks, or obstructions.
- (n) *Composting.*
- (1) *Definitions.*
- The following words, terms, and phrases, when used in this subsection (n), shall have the meanings ascribed to them in this subsection (n)(1), except where the context clearly indicates a different meaning:
- Composting* means a microbial process that converts plant materials to a usable organic soil amendment or mulch.
- (2) *Compost containers.* Composting shall be conducted within an enclosed container not to exceed five feet by five feet by five feet for lots less than 5,000 square feet, two five-foot by five-foot by five-foot containers for lots 5,000 to 10,000 square feet, and three five-foot by five-foot by five-foot containers for lots greater than 10,000 square feet. Containers shall be of a durable material including, but not limited to, sturdy woven wire fencing, rot-resistant wood, or a commercially purchased composting unit which will provide for adequate aeration. Containers shall be constructed and maintained in a structurally sound manner.
- (3) *Location on property.* The compost containers shall be located in the rear yard no closer than one foot to any rear or side property line nor closer than 20 feet to any habitable building, other than an owner-occupied one-family or two-family dwelling.
- (4) *Compost materials.* Only grass clippings, leaves, weeds that have not gone to seed, nondiseased plants, trimmings less than one-fourth inch in diameter, straw, sawdust, wood ashes, fruit or vegetable scraps, coffee grounds, eggshells, and commercially available compost ingredients may be placed in the compost containers. Meat, bones, fat oils, grease, dairy products, feces, plastics, or synthetic fibers shall not be placed in the compost containers.
- (5) *Maintenance.* Compost materials shall be layered, aerated, moistened, turned, managed, and covered during inclement weather to promote effective decomposition of the materials in a safe, secure, and sanitary manner.
- (6) *Abatement.* All compost containers and/or compost materials not in compliance with this section are hereby declared a public nuisance, and are subject to abatement.

(Code 1982, § 321:10)

Sec. 8-106. Maintenance of shared or public areas.

Every owner of a rental dwelling or rental dwelling unit shall maintain it in a clean, sanitary, and safe condition, including the shared or public areas of the rental dwelling or rental dwelling unit and its premises.

(Code 1982, § 321:11)

Sec. 8-107. Maintenance of occupied areas.

Every occupant of a rental dwelling or rental dwelling unit shall maintain in a clean, sanitary, and safe condition that part or those parts of the rental dwelling or rental dwelling unit and their premises that he occupies or controls.

(Code 1982, § 321:12)

Sec. 8-108. Disposal of rubbish.

- (a) Every occupant of a rental dwelling or rental dwelling unit shall dispose of all rubbish in a clean and sanitary manner by placing it in the rubbish containers required by section 8-110.
- (b) Prior to placement in the rubbish containers required by section 8-110, rubbish may be stored within the rental dwelling or rental dwelling unit, but only temporarily. It shall be stored in sturdy baskets or containers which are not made of paper or paper products, and which will be consistent with the other requirements of city ordinances. The amount of rubbish temporarily stored shall not exceed three cubic feet of volume in any one room. In order to be counted as a separate room for the purposes of this section, the enclosed area involved must be able to be closed off completely from other rooms of the rental dwelling or rental dwelling unit. The term "temporarily," as used in this section, means for a period not to exceed nine calendar days.

(Code 1982, § 321:13)

Sec. 8-109. Disposal of garbage.

Every occupant of a rental dwelling or rental dwelling unit shall dispose of garbage in a clean and sanitary manner by placing it in the rubbish disposal facilities or, if such facilities are not available, by removing all nonburnable matter and securely wrapping such garbage and placing it in tight rubbish storage containers as required by section 8-110, to be furnished by the owner of such rental dwelling or rental dwelling unit.

(Code 1982, § 321:14)

Sec. 8-110. Responsibility for storage and disposal of garbage, rubbish, and recyclable materials.

Every owner of a multiple-family dwelling shall supply approved rubbish containers for the sanitary and safe storage and disposal of rubbish and garbage.

(Code 1982, § 321:15)

Sec. 8-111. Responsibility for storm and screen doors and windows.

Whenever screens, storm doors, and storm windows are required under the provisions of this article, the owner of a rental dwelling or rental dwelling unit shall be responsible for providing and hanging all screens, storm doors, and storm windows, except where there is written agreement otherwise between the owner and occupant.

(Code 1982, § 321:16)

Sec. 8-112. Responsibility for pest extermination.

Pest extermination shall be the responsibility of the rental dwelling or rental dwelling unit owner. Extermination must be performed by a licensed pest control contractor. No owner or occupant of a rental dwelling or rental dwelling unit shall store, place, or allow to accumulate any materials that may serve as food for rodents in a site accessible to rodents.

(Code 1982, § 321:17)

Sec. 8-113. Rodent harborage prohibited in occupied areas.

No occupant of a rental dwelling or rental dwelling unit shall accumulate materials in such a manner that may provide a rodent harborage in or about any rental dwelling, rental dwelling unit, or building. Stored materials shall be stacked neatly.

(Code 1982, § 321:18)

Sec. 8-114. Rodent harborage prohibited in public areas.

No owner of a rental dwelling or rental dwelling unit shall accumulate or permit the accumulation of boxes, lumber, scrap metal, or any other materials in such a manner that may provide a rodent harborage in or about shared or public areas of a rental dwelling or rental dwelling unit or its premises. Materials stored by the owner or permitted to be stored by the owner shall be stacked neatly.

(Code 1982, § 321:19)

Sec. 8-115. Removal of snow and ice.

Every owner of a multiple-tenant dwelling shall be responsible for the removal of snow and ice from parking lots, driveways, steps, and sidewalks and other walkways on the premises. Individual snowfalls of three inches or more, or successive snowfalls accumulating to a depth of three inches, shall be removed from parking lots and driveways within 24 hours after cessation of the snowfall. Individual snowfalls of one inch or more, or successive snowfalls accumulating to a depth of one inch, shall be removed from steps and sidewalks and other walkways within 24 hours after cessation of the snowfall.

(Code 1982, § 381:20)

Sec. 8-116. Minimum exterior lighting.

The owner of a rental dwelling or rental dwelling unit shall be responsible for providing and maintaining effective illumination in all exterior parking lots and walkways.

(Code 1982, § 381:21)

Sec. 8-117. Maintenance of driving and parking areas.

The owner of a rental dwelling or rental dwelling unit shall be responsible for providing and maintaining in good condition paved and delineated parking areas and driveways for tenants.

(Code 1982, § 381:22)

Sec. 8-118. Maintenance of yards.

Notwithstanding any lease or contract to the contrary, the owner of a rental dwelling or rental dwelling unit shall be responsible for maintaining the premises and yards thereof consistent with section 8-105.

(Code 1982, § 321:23)

Sec. 8-119. Minimum standards for basic equipment and facilities.

No person shall occupy as owner or let to another for occupancy any rental dwelling or rental dwelling unit, for the purpose of living, sleeping, cooking, and eating therein, which does not comply with the requirements of sections 8-120—8-126.

(Code 1982, § 321:25)

Sec. 8-120. Kitchen facilities.

Every rental dwelling or rental dwelling unit shall have a room or portion of a room in which food may be prepared and/or cooked and which shall have adequate circulation area, and which shall be equipped with the following:

- (1) An approved kitchen sink in good working condition and properly connected to an approved water supply system and which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to an approved sewer system.
- (2) Cabinets and/or shelves for the storage of eating, drinking, cooking equipment and utensils, and food that does not require refrigeration for safekeeping, and a counter or table for food preparation. Such cabinets and/or shelves and counter or table shall be adequate for the occupant of the rental dwelling or rental dwelling unit and shall be of sound construction furnished with surfaces that are easily cleanable and that will not impart any toxic or deleterious effect to food.
- (3) A stove or similar device for cooking food and a refrigerator or similar device for the safe storage of food at or below 40 degrees Fahrenheit, both of which are properly installed with all necessary connections for safe, sanitary, and efficient operation. Such stove, refrigerator, or similar device need not be installed when a rental dwelling or rental dwelling unit is not occupied or when the occupant is expected to provide same on occupancy, in which case sufficient space and adequate connections for the installation and operation of such stove, refrigerator, or similar device must be provided.

(Code 1982, § 321:26)

Sec. 8-121. Toilet facilities.

Within every rental dwelling or rental dwelling unit there shall be a nonhabitable room which is equipped with an approved flush water closet in good working condition. In a rental dwelling or rental dwelling unit, such room shall have an entrance door which affords privacy. Said flush water closet shall be equipped with easily cleanable surfaces, shall be connected to an approved water system that at all times provides an adequate amount of running water under pressure to cause the water closet to be operated properly, and shall be connected to an approved sewer system.

(Code 1982, § 321:27)

Sec. 8-122. Lavatory sink.

Within every rental dwelling or rental dwelling unit there shall be an approved lavatory sink. Said lavatory sink may be in the same room as the flush water closet, or if located in another room, the lavatory sink shall be located in close proximity to the door leading directly into the room in which said water closet is located. The lavatory sink shall be in good working condition, shall be properly connected to an approved water supply system, shall provide at all times an adequate amount of heated and unheated running water under pressure, and shall be connected to an approved sewer system.

(Code 1982, § 321:28)

Sec. 8-123. Bathtub or shower.

Within every rental dwelling or rental dwelling unit there shall be a nonhabitable room which is equipped with an approved bathtub or shower in good working condition. In a rental dwelling or rental dwelling unit, such room shall have an entrance door which affords privacy. Said bathtub or shower may be in the same room as the flush water closet, or in another room, and shall be properly connected to an approved water supply system, shall provide at all times an adequate amount of heated and unheated water under pressure, and shall be connected to an approved sewer system.

(Code 1982, § 321:29)

Sec. 8-124. Stairways, porches and balconies.

- (a) *Standards.* Every stairway, inside or outside of a rental dwelling or rental dwelling unit, and every porch or balcony, shall be kept in safe condition and sound repair. Stairs, handrails, and guardrails shall conform to the standards of the Uniform Building Code, as adopted by the city. Every handrail and guardrail shall be firmly fastened and maintained in good condition. No flight of stairs shall have settled out of its intended position or have pulled away from the supporting or adjacent structures enough to cause a hazard. No flight of stairs shall have rotting, loose, or deteriorating supports. Excepting spiral and winding stairways, the treads and risers of every flight of stairs shall be uniform in width and height. Stairways shall be capable of supporting the live load required under the Uniform Building Code, as adopted by the city.
- (b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meaning ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Cooking device means any barbecue rotisserie, roaster, oven, or similar equipment used in food preparation.

Open flame fire means any burning of fuel, and includes any torch, flare, candle, decorative light, fondue, or other heating, burning, or lighting equipment or device having an open flame.

Multiple dwelling means any residential structure other than a single-family dwelling, including a hotel or motel, and including type I and type II construction.

- (c) *Prohibition.* No person shall use, maintain, store, or permit any cooking device, or light, set, kindle, maintain, or permit any open flame fire, on any balcony, platform, patio, or deck extension of a multiple-tenant dwelling of two or more stories, unless such building is of type I or type II construction as defined in the Uniform Building Code, as adopted by the city.

(Code 1982, § 321:30)

Sec. 8-125. Access to rental dwelling unit.

A safe means of access to or egress from each rental dwelling or rental dwelling unit shall be provided that does not require a person entering or exiting such rental dwelling or rental dwelling unit to enter or pass through any other dwelling unit.

(Code 1982, § 321:31)

Sec. 8-126. Door locks.

No owner shall occupy or let to another for occupancy any rental dwelling or rental dwelling unit unless all exterior doors of the rental dwelling or rental dwelling unit are equipped with safe, functioning locking devices. Multiple-tenant dwellings shall be furnished with door locks as follows:

- (1) For the purpose of providing a reasonable amount of safety and general welfare for persons occupying multiple-tenant dwellings, and except as otherwise permitted or required by state law, an approved security system shall be maintained for each multiple-tenant dwelling to control access. The security system shall consist of locked building entrance or foyer doors, and locked doors leading from hallways into individual dwelling units. Dead-latch type door locks shall be provided with lever knobs (or doorknobs) on the inside of building entrance doors and with key cylinders on the outside of building entrance doors. Building entrance door latches shall be of a type that are permanently locked from the outside and permanently unlocked from the inside.
- (2) Every door that is designed to provide ingress for a rental dwelling unit within a multiple-tenant dwelling shall be equipped with an approved lock that has a deadbolt that cannot be retracted by end pressure; provided however, that such door shall be operable from the inside without the use of a key or any special knowledge or effort.

(Code 1982, § 321:32)

Sec. 8-127. Minimum standards for light and ventilation.

No person shall occupy as owner or let to another for occupancy any rental dwelling or rental dwelling unit, for the purpose of living therein, which does not comply with the requirements in sections 8-128—8-130.

(Code 1982, § 321:35)

Sec. 8-128. Habitable room light and ventilation.

Except where there is supplied some other device affording adequate ventilation and approved by the city's building official or designee, every habitable room shall have at least one window facing directly outdoors which can be opened easily. The minimum total window area in every habitable room shall be the greater of ten percent

of the floor area of the room or ten square feet. One-half of the required window area shall be operable. No basement shall hereafter be constructed or altered for occupancy for residential purposes, unless the basement complies with all requirements for main floor habitable rooms with respect to privacy, light and ventilation, floor area, ceiling height, etc.; provided, however, that any basement so constructed or altered which does not comply with all such requirements may be occupied for a period of not to exceed six months from the date of acquisition or possession by a new owner or a new occupant of any such basement which does not comply with all such requirements, theretofore used for residential purposes; and provided further that such basements shall be improved by the construction of a habitable upper floor thereon, within such six-month period.

(Code 1982, § 321:36)

Sec. 8-129. Nonhabitable room ventilation.

Every bathroom and water closet compartment and every laundry and utility room shall contain at least 50 percent of the ventilation requirement for habitable rooms contained in section 8-128, except that no windows shall be required if such rooms are equipped with a ventilation system which is approved by the city's building official or designee.

(Code 1982, § 321:37)

Sec. 8-130. Electric service, outlets, and fixtures.

Every rental dwelling or rental dwelling unit and all public and common areas shall be supplied with electric service, functioning over-current protection devices, electric outlets, and electric fixtures which are properly installed, all of which shall be maintained in good and safe working conditions and shall be connected to a source of electric power in a manner prescribed by the ordinances, rules, and regulations of the city and by the laws of the state. The minimum capacity of such electric service and the minimum number of electric outlets and fixtures shall be as follows:

- (1) Dwellings containing two or more rental dwelling units shall have at least the equivalent of 60 ampere, three-wire electric service per dwelling unit.
- (2) Rental dwelling units shall have an electric circuit system that complies with the Uniform Building Code and the Uniform Fire Code, as adopted by the city.
- (3) Every habitable room shall comply with the Uniform Building Code and the Uniform Fire Code, as adopted by the city, concerning floor or wall-type electric convenience outlets, and in no case shall any habitable room have fewer than two such electric outlets; provided, however, that one ceiling or wall-type light fixture may be supplied in lieu of one required electric outlet.
- (4) Every water closet compartment, bathroom, kitchen, laundry room, and furnace room shall contain at least one supplied ceiling or wall-type electric light fixture, and every bathroom, kitchen, and laundry room shall contain at least one electric convenience outlet.
- (5) Every public corridor and stairway in every multiple-tenant dwelling shall be adequately lighted by natural or electric light at all times at one footcandle at floor level, so as to provide effective illumination in all its parts.
- (6) A convenient switch or equivalent device for turning on a light in each rental dwelling unit shall be located near the point of entrance to such unit.

(Code 1982, § 321:38)

Sec. 8-131. Minimum thermal standards.

No person shall occupy as owner or let for occupancy any rental dwelling, rental dwelling unit, or its portion, which does not have heating facilities which are properly installed, and which are maintained in safe and good working condition, and which are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in every dwelling unit located therein to a temperature of at least 68 degrees Fahrenheit, or such lesser temperature required by government authority, at a distance of three feet above floor level and three feet from exterior walls. Gas or electric appliances designed primarily for cooking or water heating purposes shall not be considered as heating facilities within the meaning of this section. Portable heating equipment employing flame and the use of liquid fuel does not meet the requirements of this section and is prohibited. No owner or occupant shall install, operate, or use a space heater employing a flame that is not vented outside the structure in an approved manner.

(Code 1982, § 321:40)

Sec. 8-132. General requirements.

No person shall occupy as owner or let to another for occupancy any rental dwelling, rental dwelling unit, or its portion, which does not comply with the requirements of sections 8-133—8-140, unless specifically exempt.

(Code 1982, § 321:41)

Sec. 8-133. Weeds; other vegetation.

No owner, operator, or occupant shall allow to remain on any portion of the premises owned, operated, occupied, or controlled by such person any accumulation of hay, grass, straw, weeds, vines, bushes, other plant growth, or dead trees, or dead tree limbs that, in the opinion of the city's building official, fire marshal, weed inspector, or public works official, constitute a health, safety, or fire hazard. Further, no person shall allow any bushes, trees, or other vegetation to remain on any portion of private property which that person controls when such vegetation is overhanging public premises, unless such vegetation is cut back so as to maintain the following clearances: A clearance of seven feet shall be maintained over pedestrian walkways and a clearance of 14 feet shall be maintained over vehicular passageways. The term "public premises," for the purpose of this section, shall mean those areas where the city has exercised its easement rights to provide either pedestrian walkways or vehicular passageways.

(Code 1982, § 321:42)

Cross reference(s)—Vegetation, ch. 36.

Sec. 8-134. Rodentproof.

Every rental dwelling and accessory structure and the premises upon which it is located shall be maintained in a rodentfree and rodentproof condition. All openings in the exterior walls, foundations, basements, ground or first floor, and roofs which have a one-half-inch diameter or larger opening shall be rodentproofed in an approved manner. Interior floors or basements, cellars, and other areas in contact with the soil shall be paved with concrete or other rodent impervious material.

(Code 1982, § 321:43)

Sec. 8-135. Fence maintenance.

All fences shall consist of metal, wood, masonry, or other decay resistant material. Fences shall be maintained in good condition both in appearance and in structure. Wood material, other than decay resistant varieties, shall be protected against decay by use of paint or other preservatives.

(Code 1982, § 321:44)

Sec. 8-136. Accessory structure maintenance.

Accessory structures or rental dwellings shall be structurally sound, and shall be maintained in good repair and appearance. The exterior of such structures shall be made weather resistant through the use of decay resistant materials such as paint or other preservatives.

(Code 1982, § 321:45)

Sec. 8-137. Safe building elements.

Every foundation, roof, floor, exterior and interior wall, ceilings, inside and outside stairway, every porch and balcony, and every appurtenance thereto, shall be safe to use and capable of supporting loads required by the occupancy, as required by the Uniform Building Code and the Uniform Fire Code, as adopted by the city.

(Code 1982, § 321:46)

Sec. 8-138. Facilities to function.

Every supplied facility, piece of equipment, or utility required under city ordinances, and every chimney and flue, shall be installed and maintained and shall function effectively in a safe, sound, and working condition.

(Code 1982, § 321:47)

Sec. 8-139. Discontinuance of service or facilities.

No owner, operator, or occupant of any rental dwelling or rental dwelling unit shall cause any service, facility, equipment, or utility which is required under this article or state law to be removed from or shut off from or discontinued for any occupied rental dwelling or rental dwelling unit or its portion, except for such temporary interruptions as may be necessary while actual repairs or alterations are in process, or during emergencies.

(Code 1982, § 321:48)

Sec. 8-140. Screening.

All outside rubbish disposal facilities, rubbish containers, recycling containers, and outside or rooftop mechanical equipment on any rental dwelling or accessory structure shall be screened from view by an opaque fence or wall high enough to completely screen the equipment.

(Code 1982, § 321:49)

Sec. 8-141. Maximum density; minimum space, use, and location requirements.

No person shall occupy or permit or let to be occupied any rental dwelling or rental dwelling unit for the purpose of living therein, which does not comply with the requirements of sections 8-142—8-145.

(Code 1982, § 321:50)

Sec. 8-142. Permissible occupancy of rental dwelling unit.

Except as otherwise permitted or required by state law, the maximum permissible occupancy of any rental dwelling unit shall be determined as follows:

- (1) For the first occupant, 150 square feet of habitable room floor space and for every additional occupant, at least 100 square feet of habitable room floor space.
- (2) In no event shall the total number of occupants exceed two times the number of habitable rooms, less kitchen, in the rental dwelling unit.

(Code 1982, § 321:51)

Sec. 8-143. One family per rental dwelling unit.

Not more than one family, except for temporary guests, shall occupy a rental dwelling unit.

(Code 1982, § 321:52)

Sec. 8-144. Minimum ceiling height.

In order to qualify as habitable, rooms shall have a clear ceiling height of not less than seven feet, six inches, except that in attics or top-half stories used for sleeping, study, or similar activities, the ceiling height shall be not less than seven feet, six inches over at least one-half of the floor area. In calculating the floor area of such rooms in attics or top-half stories, only those portions of the floor area of the room having a clear ceiling height of five feet or more may be included.

(Code 1982, § 321:53)

Sec. 8-145. Access through sleeping rooms and bathrooms.

Except as otherwise permitted or required by state law, no rental dwelling unit containing two or more sleeping rooms shall have a room arrangement such that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room can be gained only by going through another sleeping room, nor shall the room arrangement be such that access to a sleeping room can be gained only by going through another sleeping room. A bathroom or water closet compartment shall not be used as the only passageway to any habitable room, hall, basement, or cellar, or to the exterior of any rental dwelling or rental dwelling unit.

(Code 1982, § 321:54)

Sec. 8-146. Licensing of rental dwellings.

No person shall operate a multiple-tenant dwelling without first having obtained a license to do so from the city, as provided in this article. Each rental dwelling requires a separate operating license. Each such operating license shall be issued annually and shall expire on the last day of each calendar year. A fee shall be charged for each operating license, in an amount to be established by the city council.

(Code 1982, § 321:55)

Cross reference(s)—Registration of multiple dwellings, § 10-391 et seq.

Sec. 8-147. Owner or agent to apply.

License application or renewal shall be made by the owner of the rental dwelling or rental dwelling unit, or the owner's authorized agent. Application forms may be acquired from and subsequently filed with the city. The applicant shall supply:

- (1) Name, business address, residential address, and telephone number of the rental dwelling owner, including the names of the general and limited partners, if a partnership, and the corporate officers, if a corporation.
- (2) Name, if any, and legal address of the rental dwelling, and the number of dwelling units and rental dwelling units.
- (3) Name, address, and telephone number of the designated resident agent, or the residential address and phone number of the caretaker and/or manager responsible for the maintenance and care of the rental dwelling.
- (4) Name, business address, residential address, and phone number of the person who is authorized to receive official notices. The person so designated must be a resident of the following Minnesota counties: Hennepin, Ramsey, Anoka, Carver, Dakota, Scott, or Washington.
- (5) The name, address, and telephone number of the vendee, if the dwelling is being sold through a contract for deed.
- (6) Description of procedure through which tenant inquiries and complaints are to be processed.
- (7) Such other and further information as the city council may from time to time require.

Every person holding an operating license shall give notice in writing to the city within five business days after any change of this information. Notice of transfer of ownership shall be as described in section 8-153.

(Code 1982, § 321:56)

Sec. 8-148. Resident agent required.

No operating license shall be issued for a nonresident owner of a rental dwelling (one who does not reside in any of the following Minnesota counties: Hennepin, Ramsey, Anoka, Carver, Dakota, Scott, or Washington) unless such owner designates in writing to the city the name of the owner's resident agent (one who resides in any of the following counties: Hennepin, Ramsey, Anoka, Carver, Dakota, Scott, or Washington) who is responsible for maintenance and upkeep of the rental dwelling or rental dwelling units and who is authorized and empowered to receive service of notice of violation of the provisions of the city ordinances and state law, to receive orders, and to institute remedial action to effect such orders, and to accept all service of process pursuant to law. The city shall be notified in writing within ten business days of any change of resident agent.

(Code 1982, § 321:57)

Sec. 8-149. Conformance to laws.

No operating license shall be issued unless the rental dwelling and its premises conform to the ordinances of the city and the laws of the state.

(Code 1982, § 321:58)

Sec. 8-150. Inspection condition.

No operating license shall be issued unless the owner of rental units agrees in his application to permit inspections pursuant to section 8-156. The act of filing an application with the city for an operating license shall be deemed to be the owner's consent to such inspections and to all other provisions of this article. The refusal of any licensee to permit such inspections is a violation of this article and the terms and conditions of the license, and shall be sufficient grounds for license suspension or revocation. The tenant of any licensee may permit the city to inspect the tenant's rental dwelling unit, and any oral or written provision to the contrary in any lease or other agreement is void and of no effect.

(Code 1982, § 321:59)

Sec. 8-151. Posting of license.

Every licensee of a rental dwelling shall cause to be conspicuously posted in the main entryway or other conspicuous location therein the current license for that dwelling.

(Code 1982, § 321:60)

Sec. 8-152. License not transferable.

No operating license shall be transferable to another person or to another rental dwelling. Every person holding an operating license shall give notice in writing to the city within five business days after having legally transferred or otherwise disposed of the legal control of any licensed rental dwelling. Such notice shall include the name and address of the person succeeding to the ownership or control of such rental dwelling.

(Code 1982, § 321:61)

Sec. 8-153. Occupancy register required.

Every owner of a licensed rental dwelling containing three or more rental dwelling units shall keep, or cause to be kept, a current register of occupancy for each rental dwelling unit, which provides the following information:

- (1) Rental dwelling unit address.
- (2) Number of bedrooms in rental dwelling unit.
- (3) Names of adult occupants and number of adults and children (under 18 years of age) currently occupying the rental dwelling units.
- (4) Dates renters occupied and vacated rental dwelling units.

-
- (5) A chronological list of complaints and requests for repair by rental dwelling unit occupants, which complaints and requests are related to the provisions of this article.
 - (6) A similar chronological list of all corrections made in response to such requests and complaints.

Such register shall be made available for viewing or copying by the city at all reasonable times.

(Code 1982, § 321:62)

Sec. 8-154. License suspension or revocation.

Every operating license issued under the provisions of this article is subject to suspension or revocation by the city if the licensed owner or the authorized resident agent, caretaker, or manager fails to operate or maintain the rental dwelling or any unit therein consistent with the provisions of the ordinances of the city and the laws of the state. Suspension and revocation proceedings shall follow the procedures set forth in 8-155(f). If an operating license is suspended or revoked by the city, it shall be unlawful for the owner or the authorized resident agent, caretaker, or manager to thereafter permit any new occupancies of vacant or thereafter vacated rental units until such time as a valid operating license is restored by the city. Any person violating this section shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-13.

(Code 1982, § 321:63)

Sec. 8-155. Conduct on licensed premises.

- (a) It shall be the responsibility of the licensee to see that persons occupying the licensed premises conduct themselves in such a manner as not to cause the premises to be disorderly. For purposes of this section, a premises is disorderly at which any of the following activities occur:
 - (1) Excessive noise, in violation of article III of chapter 16 of this Code of Ordinances.
 - (2) Unlawful possession, delivery, sale, or purchase of controlled substances, as defined in Minn. Stats. § 152.01, or violation of laws relating to the possession of such controlled substances.
 - (3) Disturbing the peace.
 - (4) The unlawful sale of intoxicating liquor or nonintoxicating malt liquor.
 - (5) Violation of laws relating to gambling.
 - (6) Violation of laws relating to prostitution as defined in Minn. Stats. § 609.321, or acts relating to prostitution.
 - (7) Unlawful use or possession of a firearm in violation of Minn. Stats. § 609.66, Minn. Stats. § 609.67, or Minn. Stats. § 624.713.
- (b) The building official shall be responsible for enforcement and administration of this section. Authority to take any action authorized under this section may be delegated to the building official's authorized designee.
- (c) Upon determination by the building official that a licensed premises was or is being used in a disorderly manner, the building official shall give notice to the licensee of the violations and shall direct the licensee to take all necessary and appropriate steps to prevent further violations.
- (d) If another instance of disorderly use of the licensed premises occurs within three months of an incident for which a notice in subsection (c) of this section was given, the building official shall notify the licensee of the additional violations and shall also require the licensee to submit a written report of the actions taken, and proposed to be taken, by the licensee to prevent further disorderly use of the premises. This written report

shall be submitted to the building official within five days of receipt of the notice of disorderly use of the premises given under this subsection (d). The written report shall detail all actions taken by the licensee in response to all notices of disorderly use of the premises given under this section within the preceding three months.

- (e) If another instance of disorderly use of the licensed premises occurs within three months after any instance of disorderly use for which notice was given to the licensee pursuant to subsection (d) of this section, it shall be sufficient grounds for denial, revocation, suspension, or nonrenewal of the operating license, or for imposing conditions on any such license.
- (f) An action under this section to revoke or suspend a license, or to impose conditions on the license, may be initiated by the building official or the city manager, who shall give to the licensee written notice of a hearing before the city council to consider such revocation, suspension, or imposition of conditions. Such written notice shall specify all violations of this section, and shall state the date, time, place, and purpose of the hearing. The hearing shall be held no less than ten days and no more than 30 days after giving such notice. Following the hearing, the council may revoke or suspend the license for all or any part or parts of the licensed premises or may grant a license subject to or impose upon an existing license such terms and conditions as it deems necessary to accomplish the purposes of this section.
- (g) No adverse license action shall be imposed where the instance of disorderly use of the licensed premises occurred during the pendency of eviction proceedings (unlawful detainer) or within 30 days of notice given by the licensee to a tenant to vacate the premises, where the disorderly use was related to conduct by the tenants who were subject to the eviction proceedings or the notice to vacate or by other occupants or guests of the tenant's unit. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the licensee. Further, an action to revoke or suspend or impose conditions on a license based upon violations of this section may be postponed or discontinued at any time if it appears to the building official, the city manager, or the city council that the licensee has taken appropriate measures which will prevent further instances of disorderly use.
- (h) A determination that the licensed premises have been used in a disorderly manner as described in subsection (a) of this section shall be made upon substantial evidence to support such a determination. It shall not be necessary that criminal charges be brought in order to support a determination of disorderly use, nor shall the fact of dismissal or acquittal of such a criminal charge operate as a bar to adverse license action under this section.
- (i) All notices given by the city under this section shall be personally served on the licensee or sent by registered mail to the licensee's last known address. If neither method of service is successful, notice may be given by posting in a conspicuous place on the licensed premises for at least 48 hours.
- (j) Nothing in this section shall prevent the city from reissuing a revoked license if the licensee has demonstrated that it has brought the dwelling unit in question into compliance with the city Code's requirements, and the city finds that the licensee is not likely to allow the dwelling unit in question to become noncompliant again in the future.

(Code 1982, § 321:64)

Sec. 8-156. Enforcement and inspection authority.

The building official shall be the designated agent for administering and enforcing the provisions of this article and is hereby authorized to cause inspections for rental dwellings and rental dwelling units when reason exists to believe that a violation of this article has been or is being committed. The building official may delegate to his authorized designee authority to take any action authorized under this article.

(Code 1982, § 321:65)

Sec. 8-157. Inspection access.

If any owner, occupant, or other person in charge of a rental dwelling or rental dwelling unit refuses to permit free access and entry to the structure or premises under that person's control for inspection pursuant to this article, the building official or designee may seek a court order authorizing such inspections.

(Code 1982, § 321:66)

Sec. 8-158. Unfit for human habitation.

(a) Any rental dwelling, rental dwelling unit, or its portion which:

- (1) Is inadequately maintained, damaged, decayed, dilapidated, unsanitary, unsafe, vermin-infested, or rodent-infested;
- (2) Lacks provision for basic illumination, ventilation, or sanitary facilities;
- (3) Lacks equipment required by this article or the Uniform Building Code or Uniform Fire Code, as adopted by the city; or
- (4) Violates residential storage standards.

To the extent that such conditions create a hazard to the health, safety, or welfare of the occupants or of the public may be declared unfit for human habitation and condemned. The building official or designee or other governmental official with jurisdiction shall order the same vacated within 30 days unless, in the opinion of the governmental official based on the severity of the hazard, a shorter time period should apply. The official shall post a placard on the rental dwelling or rental dwelling unit stating that it is unfit for human habitation and is condemned, and any operating license previously issued for such dwelling shall be immediately revoked.

(b) It shall be unlawful for any rental dwelling, rental dwelling unit, or its portion that has been declared unfit for human habitation under subsection (a) of this section to be used for human habitation until the defective conditions have been corrected and written approval has been issued by the building official or designee or other governmental official with jurisdiction. It shall be unlawful for any person to deface or remove the declaration placard from any such rental dwelling or rental dwelling unit.

(Code 1982, § 321:67)

Sec. 8-159. Secure unfit and vacated buildings.

The owner of any rental dwelling, rental dwelling unit, or its portion which has been declared unfit for human habitation, or which is otherwise vacant for a period of 60 days or more, shall make it safe and secure so that it is not hazardous to the health, safety, and welfare of the public and does not constitute a public nuisance. Any vacant rental dwelling open at doors or windows, if unguarded, shall be deemed to be a hazard to the health, safety, and welfare of the public and a public nuisance within the meaning of this article and shall be made safe and secure immediately by the owner.

(Code 1982, § 321:68)

Sec. 8-160. Unlawful structures.

If any dwelling or any of its parts is occupied by more families than permitted by this article or the Uniform Building Code or Uniform Fire Code, as adopted by the city, or is erected, altered, or occupied contrary to law, such dwelling shall be deemed an unlawful structure, and the building official or designee may cause such dwelling to

be vacated. It shall be unlawful to again occupy such dwelling until it or its occupation, as the case may be, has been made to conform to the law.

(Code 1982, § 321:69)

Sec. 8-161. Condemned structures.

- (a) *Placarding.* Any rental dwelling or rental dwelling unit that has been condemned shall be posted with a placard of condemnation by the building official or designee or other governmental official with jurisdiction. The placard of condemnation shall include the following:
- (1) Name of the city.
 - (2) The name of the authorized department having jurisdiction.
 - (3) The section of this Code of Ordinances or other ordinance, law, or regulation under which it is issued.
 - (4) Street address of the building and dwelling number, if applicable.
 - (5) A brief statement of the reasons for condemnation.
 - (6) A statement of the date and time by which occupants must vacate the rental dwelling or rental dwelling unit (not less than 24 hours or more than 30 days, except in cases of emergency).
 - (7) The date that the placard of condemnation is posted.
 - (8) A statement of the penalty for defacing or removing the placard.
- (b) *Notice of condemnation required.* Whenever the building official or designee or other governmental official with jurisdiction intends to condemn a rental dwelling or rental dwelling unit, notice shall be given to the owner of such planned condemnation and placarding of the rental dwelling or rental dwelling unit shall occur. Such notice shall:
- (1) Be in writing.
 - (2) Include the street address of the building and dwelling number, if applicable.
 - (3) Include a detailed statement of the reasons for condemnation.
 - (4) Set a date by which the owner must correct the conditions cited in the notice and bring the rental dwelling or rental dwelling units into compliance with this article or other provisions of city ordinances or state law, and notify the owner that after such date the building, rental dwelling or rental dwelling unit will be condemned.
- (c) *Service of notice of condemnation.* Service of notice of condemnation shall be as follows:
- (1) By delivery to the owner personally, or by leaving the notice at the usual place of abode of the owner with a person of suitable age and discretion;
 - (2) By sending the notice by registered mail addressed to the owner at the owner's last known address with postage prepaid thereon; or
 - (3) If the methods set forth in subsections (c)(1) and (c)(2) of this section have been unsuccessful, by posting and keeping posted for 24 hours a copy of such notice in placard form in a conspicuous place on the premises to be condemned.
- (d) *Duty to vacate.* Any rental dwelling or rental dwelling unit that is placarded as unfit for human habitation by the building official or designee or other governmental official with jurisdiction shall be vacated within a reasonable time as required by such officials, and it shall be unlawful for any owner or operator to let or allow any person to occupy such rental dwelling or rental dwelling unit. No person shall occupy any rental

dwelling or rental dwelling unit which has been condemned and placarded by any of such officials after the date set forth in the placard of condemnation. Such officials may allow a security or fire guard to occupy the condemned rental dwelling or rental dwelling unit when, in the opinion of such official, such action best serves public interest.

- (e) *Condemned rental dwellings or rental dwelling units not to be occupied.* No rental dwelling or rental dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from the building official or designee or other governmental official with jurisdiction.
- (f) *Defacing, removal of placard.* No person shall deface or remove the placard from any rental dwelling or rental dwelling unit which has been condemned and placarded. Such placard shall only be removed by the enforcing officer.
- (g) *Repeat offenders; certificate of code compliance.* When any owner of any rental dwelling or rental dwelling unit has violated the provisions of sections 8-156—8-161 on three or more separate occasions as to that dwelling within any one-year period, the owner shall be required to seek and be issued a certificate of code compliance.

(Code 1982, § 321:70)

Sec. 8-162. Compliance orders.

The building official or designee is authorized to issue compliance orders to the owner of any rental dwelling or rental dwelling unit that is found to be in violation of any provision of this article or other applicable statutes, ordinances, codes, or other law. The compliance order shall state the following:

- (1) The nature of each violation, including a citation to the specific provision of this article or other applicable law that has been violated.
- (2) The time within which each violation must be remedied. The time provided for compliance for each violation shall be determined by the official issuing the compliance order, in his sole discretion, based on the nature and severity of the violation and the magnitude of the risk it presents to the health, safety, and welfare of the tenant or any other person; provided, however, that the compliance period shall not exceed 30 days except in extraordinary circumstances upon a showing that a 30-day compliance period would create an undue hardship for the owner, operator, or resident agent and that a longer compliance period would not pose an unreasonable risk to the public health, safety, or welfare. In such cases, the compliance period shall be no longer than necessary to prevent the hardship that would otherwise be created.
- (3) The penalties provided in section 8-167 for failure to comply with a compliance order.
- (4) A description of the right of appeal and the procedures applicable to appeals, as provided in sections 8-164 and 8-165.

(Code 1982, § 321:71)

Sec. 8-163. Tenant requests for services.

- (a) The building official or designee shall be responsible for receiving and responding to all tenant requests for city inspection or enforcement services.
- (b) Upon request by a tenant, or as otherwise provided for under state law, the building official or designee shall cause to be inspected the rental dwelling or rental dwelling unit in which the tenant resides, as well as any

common areas and its premises, to determine if any provisions of this article or other applicable law are being violated. If the tenant's grounds for requesting an inspection present an immediate and severe threat to the health, safety, or welfare of the tenant or any other person, as determined by the building official or designee in his sole discretion, the inspection may be made as soon as practicable without a written request for service. In all other cases, tenant requests for service shall be made to the building official or designee, in writing, on a form to be provided by the city.

- (c) Upon receipt of a written tenant request for services, or an oral request for services as provided in subsection (b) of this section, the building official or designee shall cause an inspection to be made of the rental dwelling or rental dwelling unit and its premises within a reasonable time. If one or more violations of this article or other applicable law are found to exist, the building official or designee shall prepare and send appropriate compliance orders to the owner or operator of the rental dwelling or rental dwelling unit, and shall send a copy of same to the tenant who requested inspection or enforcement services and to any other tenant who requests a copy of the compliance orders.

(Code 1982, § 321:72)

Sec. 8-164. Right of appeal.

When it is alleged by any person to whom a compliance order is directed that such compliance order is based upon erroneous interpretation of this article, such person may appeal the compliance order to the city council sitting as a board of appeals. Such appeals must be in writing, must specify the grounds for the appeal, must be accompanied by a filing fee as set forth per council resolution, in cash or cashier's check, and must be filed with the city manager within five business days after service of the compliance order. The filing of an appeal shall stay all proceedings in furtherance of the action appealed from unless, in the opinion of the official who issued the compliance orders, such a stay would cause imminent peril to life, health, or property.

(Code 1982, § 321:73)

Sec. 8-165. Board of appeals' decision.

Upon at least five business days' notice to the appellant of the time and place for hearing the appeal, and within 30 days after such appeal is filed, the board of appeals shall hold a hearing thereon, taking into consideration any advice and recommendation from the building official or designee or other governmental official with jurisdiction. The board of appeals may reverse, modify, or affirm, in whole or in part, the compliance order and may order return of all or part of the filing fee if the appeal is upheld.

(Code 1982, § 321:74)

Sec. 8-166. Restrictions on transfer of ownership.

It shall be unlawful for the owner of any rental dwelling or its portion upon whom a pending compliance order has been served concerning the rental dwelling to sell, transfer, mortgage, lease, or otherwise dispose to another person until the provisions of the tag and compliance order have been complied with, unless such owner shall furnish to the grantee, lessee, or mortgagee a true copy of any notice of violation or compliance order, and shall obtain and possess a receipt of acknowledgment. Anyone securing an interest in the rental dwelling or its portion who has received notice of the existence of a violation tag or compliance order shall be bound by the same without further service of notice and shall be liable to all penalties and procedures provided by this article.

(Code 1982, § 321:75)

Sec. 8-167. Penalties for failure to comply with order.

Any person who fails to comply with a compliance order after the right of appeal has expired, and any person who fails to comply with a modified or affirmed compliance order within the time set therein, upon conviction, shall be punished in accordance with section 1-13.

(Code 1982, § 321:76)

Sec. 8-168. Execution of compliance orders by public authority.

Upon failure to comply with a compliance order within the time set therein and no appeal having been taken, or upon failure to comply with a modified or affirmed compliance order within the time set therein, the criminal penalty established hereunder notwithstanding, the city council may, by resolution, following a hearing upon not less than ten days' notice to the landowner cause the cited deficiency to be remedied as set forth in the compliance order. The cost of such remedy shall be a lien against the subject real estate and may be levied and collected as a special assessment in the manner provided by Minn. Stats. ch. 429, but the assessment shall be payable in a single installment.

(Code 1982, § 321:77)

Sec. 8-169. Alternative sanctions.

Notwithstanding the availability of the foregoing compliance procedures and the penalties, whenever the building official or designee or other governmental official with jurisdiction determines that any rental dwelling or its portion, or the premises surrounding a rental dwelling, fails to meet the requirements set forth in this article, such official may issue a violation tag summoning the responsible person into court or request the issuance of a criminal complaint and arrest warrant.

(Code 1982, § 321:78)

Sec. 8-170. Penalties for violation of article.

Any person violating any of the provisions of this article by doing any act or omitting to do any act which constitutes a breach of any section of this article shall, upon conviction by lawful authority, be punished in accordance with section 1-13. No provision of this article designating the duties of any official or employee of the city shall be so construed as to make such official or employee liable for the penalty provided in this section because of failure to perform such duty, unless the intention of the city council to impose such penalty on such official or employee is specifically and clearly expressed in this section creating the duty.

(Code 1982, § 321:79)

Secs. 8-171—8-190. Reserved.

7/9/26

Waconia Planning Commission,

We are writing to acknowledge the concerns that have been raised regarding the unexpected, unfortunate, and certainly unacceptable event that occurred on our AirBnB property. We do consider ourselves responsible property owners that have a strong investment into our community, we just happen to be a location chosen by a group who broke many rules. We want to express our commitment to complying with all applicable city rules, regulations, and ordinances that come from these upcoming discussions. We understand the importance of maintaining standards that protect the character, safety, and well-being of the community and neighborhood.

As a local family with local business interests, we respectfully ask that you carefully consider the impact of any proposed short-term rental regulations on existing Airbnb and other vacation rental operators.

Reasonable regulations can help address neighborhood concerns while preserving the economic benefits that short-term rentals provide to homeowners, local businesses, and visitors. However, regulations that are so restrictive that they effectively prevent existing operators from continuing to operate could have significant unintended consequences.

Many current hosts have invested substantial time and resources into their properties based on the existing regulatory environment. For many, short-term rental income helps cover mortgage payments, property maintenance, taxes, and other expenses. Visitors who stay in these accommodations also contribute to the local economy by supporting restaurants, shops, and attractions. Waconia in particular is lacking options to host family/ friend reunions and gatherings that allow this to happen to come enjoy everything that Waconia has to offer, especially the lake.

We encourage the planning commission and ultimately the city council to pursue a balanced approach that addresses legitimate community concerns—such as noise, parking, safety, and responsible property management—without imposing requirements that effectively eliminate existing, responsible short-term rental businesses - such as spacing requirement of Airbnbs within a certain distance. This requirement in particular would not only immediately affect us personally, but would affect nearby current and prospective property owners. Consideration could be given to grandfathering existing operators as well as providing reasonable transition periods for new requirements.

Due to schedule conflicts, we are unfortunately not able to attend the meeting this evening, however, thank you for your time, your service, and your careful consideration of this important issue.

Sincerely,

Greg and Bria James

July 18th, 2026

Subject: Feedback on Proposed Rules and Regulations of Short Term Rentals

Dear Members of the Planning Commission,

We are writing to express our appreciation for your hard work on the proposed rules and regulations of short term rentals. We were able to view the recorded session regarding short term rentals and agree clear guidelines are essential for the community.

However, we have concerns regarding the proposed capacity limits as well as fee structure. The current proposed limit is overly restrictive and presents several practical challenges. We respectfully ask the commission to consider the following points:

- **Daytime visitors:** Will this restriction also ban renters from hosting family, friends, or daytime guests on the property? We find our properties are great gathering spaces to host celebrations or family reunions. We would ask the commission to consider language that allows reasonable sized gatherings that remain within city ordinances, ie noise complaints, parking regulations, etc. We, ourselves, as well as neighbors down the shoreline host many large gatherings, and do not feel there should be a strict day time visiting restriction that would prohibit the renter, within reason, to allow additional family or friends on the property.
- **Impact on families:** Restrictive limits can unfairly penalize larger families or multi-generational gatherings. Our home is a great gathering space for families of all different sizes. Limits on number of people per bedroom does not account for the true size and space being rented, as well as, creative bedroom layouts such as bunk beds, Murphy beds, etc. We would ask the commission to consider limiting the occupancy based on house size or adults per bedroom with kids being excluded from the occupancy limit.

Additionally, while we fully agree with implementing a "two-to-three strike rule" for ongoing complaints to prevent chronic issues, the proposed financial penalties are concerning. Infractions caused by human behavior (ie having party when the listing and rules say "no parties") cannot always be prevented by property owners; instead, regulations should also focus on how responsibly an owner handles a situation once it arises. A proactive, responsive owner should not be financially ruined/ have rental license revoked by the unpredictable choices of a temporary guest.

Furthermore, we must address a commissioners comments suggesting that high fines are justified because operators are making money hand over fist. For our family, this is completely untrue and fee structure should not be based on this assumption. Our rates are carefully calculated based on yearly rental estimates simply to cover basic operational costs

for a year knowing there will be busy and slow times, including: mortgage payments, property taxes, utilities, and regular maintenance. It is to responsibly maintain a long-term asset in the community we have loved for many years. Levying extreme fines based on a misconception of rental revenue will only harm local, community-minded owners. We ask that the commission reconsider these penalties to reflect a fairer, compliance-based approach that does penalize irresponsible home owners, but also has consideration for swift, responsible management of infractions.

Thank you for your time.

Respectfully,

Bria and Greg James

From: [Stacy Nelson](#)
To: [Lane Braaten](#)
Subject: Planning mtg 7/9
Date: Wednesday, July 8, 2026 7:10:11 PM

[You don't often get email from stacyjnelson@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi Lane,

I am planning on coming to the Planning Commission Meeting tomorrow night. I would like to speak regarding the short term rental situation in town. I am interested in setting a limit so my neighborhood doesn't turn into rental properties.

Thank you,
Stacy Nelson

Sent from my iPhone



REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date: August 6, 2026	
Item Name: 6.1. Staff Update	
Originating Dept: Community Development	
Presented By: Lane Braaten	
Previous Council Action: None	
Item Type:	Regular Session
RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED:	
EXPLANATION OF AGENDA ITEM:	
Staff Update	
ATTACHMENTS:	
None	
FINANCIAL IMPLICATIONS:	ADVISORY BOARD RECOMMENDATIONS:
Funding Sources & Uses:	Planning Commission:
Budget Information:	Park Board:
_____ Budgeted	Personnel Committee:
_____ Non-Budgeted	Other: More sample text.
_____ Amendment Required	