

Falcon Heights City Council Workshop

**City Hall
2077 W Larpenteur Ave.
6:30 p.m.**

AGENDA

Wednesday, December 4, 2013

- 1) Tobacco Prevention Options- discussion continued from 11/6/13**
- 2) City Licensing Discussion**
- 3) Fire Truck Contract Update**
- 4) Discussion on Broad-Based, Regional Issues.**

If you have a disability and need accommodation in order to attend this meeting, please notify City Hall 48 hours in advance between the hours of 8:00 a.m. and 4:30 p.m. at 651-792-7600. We will be happy to help.



The City That Soars!

Council Workshop Staff Report

Meeting Date	December 4, 2013
Agenda Item	Workshop 1
Attachment	Tobacco Prevention City Ordinance
Submitted By	Michelle Tesser, Assistant to the City Administrator

Item	Tobacco Prevention Options (continued)
Description	Katie Engman with Ramsey County Tobacco Coalition a program of Association for Nonsmokers-MN will continue her discussion on tobacco prevention options with the council.
Budget Impact	N/A
Attachment(s)	City Ordinance Options, ANSR
Action(s) Requested	Discussion



Tobacco Prevention – City Ordinance Options

Local ordinances should include the following to be compatible with state and federal law:

- Prohibition of the sale of single cigarettes or “loosies”
- Prohibition of the sale of tobacco through vending machines or any other self-service method
- Prohibition of the sale of electronic cigarettes to youth
- Updated tobacco products definition to include those products that are dissolved, absorbed, inhaled, or ingested by any other means
- Ensure that local ordinances meet state minimum penalty structure for youth access violations
 - 1st violation: \$75
 - 2nd violation within 24 months: \$200
 - 3rd violation within 24 months: \$250 and a 7-day suspension of license

Local ordinances can include the following to strengthen your tobacco ordinance (listed in order of difficulty):

- Prohibit smoking (including electronic cigarettes) inside licensed tobacco retail stores
- Strengthen the penalty structure for youth access violations beyond state minimum
- Require vendor training*
- Increase the number of compliance checks required per year*
- Require the use of ID scanners at all tobacco vendors
- Require that tobacco sellers be 18 years or older
- Restrict the total allowed number of tobacco vendors
- Prohibit the sale of tobacco in certain facilities (pharmacies, etc.)
- Restrict tobacco advertising through time, place, and manner or through sign code changes
- Require a minimum pack size for non-premium cigars
- Limit the sale of flavored tobacco products
- Prohibit the redemption of tobacco coupons

**Tobacco licensing fees should be set to cover the city’s costs associated with enforcing the tobacco licensing ordinance, including the cost of conducting compliance checks. It should not be increased beyond the cost of enforcement.*

Ordinance options for smoke-free multi-unit housing:

- **Disclosure:** Require that managers make renters aware of smoking and nonsmoking policies before the renter signs a lease
- **Incentive:** Offer a financial incentive, waive or lower licensing or inspection fees for properties that are smoke-free
- **Mandate:** Require all of a certain percentage of units to be smoke-free at all multi-unit housing properties in a municipality

Ordinance Options for Indoor Workplaces:

- Prohibit the use of electronic delivery devices in indoor locations where smoking is prohibited.

Note: This list is intended as a general reference and is not a comprehensive listing of all options.

Point-of-Sale Tobacco Prevention Strategies in Order of Difficulty

<i>← Least Difficult</i>						<i>Most Difficult →</i>					
Require vendor training	Update local ordinance to meet new state and federal requirements	Increase tobacco license fees	Strengthen youth access penalty structure (above state minimum)	Increase the number of required compliance checks	Require the use of ID scanners at all tobacco vendors	Prohibit smoking in tobacco shops	Restrict age of tobacco seller	Prohibit the sale of single cigars (exempt premium)	Restrict tobacco advertising through 1) time, place, or manner or 2) content neutral restrictions (such as sign code regulation)	Prohibit or limit the sale of flavored "other tobacco products"	Prohibit the redemption of tobacco coupons



The City That Soars!

Council Workshop Staff Report

Meeting Date	December 4, 2013
Agenda Item	Workshop 2
Attachment	Falcon Heights Revised Rental License Ordinances Roseville Rental Licensing Ordinance Background Fee study
Submitted By	Michelle Tesser, Assistant to the City Administrator

Item	City Licensing
Description	Staff will discuss several options with the council to update licensing requirements in the following areas: 1. Rental Licensing 2. Driveway Licensing 3. Snow Plowing Licensing 4. Background Fees
Budget Impact	N/A
Attachment(s)	Falcon Heights Revised Rental License Ordinances Roseville Rental Licensing Ordinance Background Fee study
Action(s) Requested	Discussion

ARTICLE IV. - RENTAL HOUSING

Sec. 105-86. - Purpose.

Sec. 105-87. - Definitions.

Sec. 105-88. - License required.

Sec. 105-89. - Application for licenses.

Sec. 105-90. - License renewal.

Sec. 105-91. - License fees.

Sec. 105-92. - Furnish license.

Sec. 105-93. - City inspections.

Sec. 105-94. - Maintenance standards.

Sec. 105-95. - Crime free/criminal activity lease requirements.

Sec. 105-96. - Revocation or suspension.

Sec. 105-97. - Summary action.

Sec. 105-98. - Applicable laws.

Sec. 105-99. - Multiple suspensions.

Secs. 105-100—105-109. - Reserved.

Sec. 105-86. - Purpose.

It is the purpose of this article to protect the public health, safety and welfare of citizens of the city who have as their place of abode a living unit furnished to them for the payment of a rental charge to another by adopting licensing regulations for all rental dwellings in the city.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-87. - Definitions.

For the purposes of this article, the terms defined in this section shall have the meanings given them as follows:

Compliance official. As used in this article, the term "compliance official" shall mean the city administrator or his or her designee.

Operate. As used in this article, the term "operate" means to charge a rental charge or other form of compensation for the use of a unit in a rental dwelling.

Rental dwelling. As used in this article, the term "rental dwelling" shall mean any rental dwelling with one to four living units in which the units are rented for more than four months in any calendar year. "Rental dwelling" does not include hotels, motels, hospitals, or homes for the aged.

Comment [MT1]: Can we change to single family housing instead of 1-4 units. "units" is confusing. Also transition to multi family licensing would be easier.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-88. - License required.

No person, firm, partnership, corporation or other legal entity shall operate a rental dwelling in the city without first obtaining a license. The license is issued annually and is valid until the date of expiration.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-89. - Application for licenses.

Applications for licenses shall be made in writing on forms provided by the city and accompanied by the fee amounts as established in the City Code. Such application shall be submitted at least 60 days prior to the expiration date of the license, and shall specify the following:

(1)

~~Provisional license. Dwellings required to be licensed, which are existing and in operation prior to the effective date of this article, may continue to operate with a provisional license. A provisional license will be issued upon receipt of application and payment of fees. The provisional license shall be valid until a license is issued or it is determined that license requirements have not been met and the city will not issue a license.~~

(2)

Name and address of the owner of the rental dwelling.

(3)

Name and address of any operator or agent actively managing said rental dwelling.

(4)

Name and address of all partners if the registrant is a partnership.

(5)

Name and address of all officers of the corporation if the registrant is a corporation.

(6)

Name and address of the vendee if the rental dwelling is owned or being sold on a contract for deed.

(7)

Legal address of the rental dwelling.

(8)

Number and kind of units within the rental dwelling classified as dwelling units, tenement units, or rooming units or other.

(9)

Name and address of on site operating manager, if any.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-90. - License renewal.

Notwithstanding the application signature requirements, renewals of the license as required annually by this Code may be made by filling out the required renewal form furnished by the compliance official to the owner, operator or agent of a rental dwelling and mailing said form together with the required registration fee to the compliance official. **Failure to provide a completed application is a violation of this code.**

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-91. - License fees.

Such license fees shall be in the amount established in this Code. **Failure to provide a fee is a violation of this code.**

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-92. - Furnish license.

Every registrant and occupant of a rental dwelling shall be given a copy of the license. The license shall contain a statement that the tenant or tenants may contact the attorney general for information regarding the rights and obligations of owners and tenants under state law. The statement shall include the telephone number and address of the attorney general.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-93. - City inspections.

(a) Rental units shall be inspected in their entirety every other year. An application and payment is required annually on a continuous basis. Rental units that fail their first inspection will be subjected to additional inspections until an inspection certificate is given by the compliance official. Rental units that fail their first inspection will be subjected to an inspection the subsequent year.

(b)

Pursuant to this section, the compliance official shall make inspections to determine the condition of rental dwellings located within the city for the purpose of enforcing the rental licensing standards. ~~All authorized inspectors have the authority to enter any rental dwelling or rental dwelling unit at all reasonable times. The city will notify the licensee to schedule the inspection; however it's the responsibility of the licensee to work with the city to ensure the inspection is scheduled and completed. The licensee is responsible for notifying any existing tenant of the inspection. The licensee must provide access to the requesting compliance official at the date and time of the scheduled inspection. Failure to provide access for any reason may result in a reinspection fee, in addition to any other sanctions imposed for noncompliance.~~ ~~The compliance official or designated representative may enter, examine and survey at all reasonable times all rental dwellings and premises after obtaining consent from an occupant of the premises. In the event that an occupant of the premises does not consent to entry by the compliance official or designated representative, and if there is probable cause to believe that an inspection is warranted, then application may be made to the court for an administrative or other search warrant for the purpose of inspecting the premises.~~

(c)

The owner's rental housing license may be suspended, revoked or denied renewal for failing to maintain the licensed building in compliance with the property maintenance code as set forth in chapter 105, article III of this Code or otherwise failing to comply with the requirements of the City Code or applicable state or federal law.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-94. - Maintenance standards.

(a) Every rental dwelling shall maintain the standards in chapter 105, article III, Housing Code and chapter 22, Blight, in addition to any other requirement of the ordinance of the city or special permits issued by the city, or the laws of the state.

(b) Any code violation noted by the city must be remedied in a timely fashion by the property owner and reinspected for compliance by the city.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-95. - Crime free/criminal activity lease requirements.

(a)

All tenant leases, except for state licensed residential facilities and subject to all preemptory state and federal laws, shall contain the following crime free/criminal activity language:

(1)

Drug-related activity.

a.

Resident, any members of the resident's household or a guest or other person affiliated with resident shall not engage in drug-related criminal activity, on or near the premises.

b.

Resident, any member of the resident's household or a guest or other person affiliated with resident shall not engage in any act intended to facilitate drug-related criminal activity on or near the premises.

c.

Resident or members of the household will not permit the dwelling unit to be used for, or to facilitate drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the household, or a guest.

d.

Resident, any member of the resident's household or a guest, or other person affiliated with the resident shall not engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance at any locations, whether on or near the premises or otherwise.

e.

Violation of the above provisions shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.

(2)

Criminal activity.

a.

Resident, members of the resident's household, guests, or other persons under the resident's control shall not engage in criminal activity, engage in any act intended to facilitate criminal activity, or permit the dwelling unit to be used for or facilitate criminal activity on or near the premises.

b.

Three criminal activity violations involving the same tenancy within a continuous 12-month period shall be a substantial and material violation of the lease and good cause for termination of the tenancy.

c.

Notwithstanding the above provision, criminal activity that jeopardizes the health, safety, and welfare of the landlord, his or her agent, other residents, neighbors or other third party, or involving imminent or actual serious property damage shall be a material and irreparable violation of the lease and good cause for immediate termination of tenancy.

(3)

Definitions.

a.

The term "criminal activity" means the violation of the following:

1.

Minn. Stats. §§ 609.75 through 609.76, which prohibit gambling;

2.

Minn. Stats. §§ 609.321 through 609.324, which prohibit prostitution and acts relating thereto;

3.

Minn. Stats. § 340A.401, which prohibit the unlawful sale of alcoholic beverages;

4.

Minn. Stats. §§ 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and § 930 of this code, which prohibit the unlawful possession, transportation, sale or use of a weapon;

5.

Minn. Stats. §§ 609.185, 609.19, 609.195, 609.20, and 609.205 which prohibit murder and manslaughter;

6.

Minn. Stats. §§ 609.221, 609.222, 609.223, and 609.2231 which prohibit assault;

7.

Minn. Stats. §§ 609.342, 609.343, 609.344, 609.345, and 609.3451 which prohibit criminal sexual conduct;

8.

Minn. Stats. §§ 609.52 which prohibit theft;

9.

Minn. Stats. §§ 609.561, 609.562, 609.563, 609.5631, and 609.5632 which prohibit arson;

10.

Minn. Stats. § 609.582 which prohibit burglary;

11.

Minn. Stats. § 609.595 which prohibit damage to property;

12.

Chapter 22, article III of this Code, which prohibits nuisances;

13.

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; and

14.

Section 30-3 of the Falcon Heights City Code which prohibits the discharge of a firearm.

b.

The term "drug related criminal activity" means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use of a controlled substance or any substance represented to be drugs in violation of Minn. Stats. §§ 152.01 through 152.025, and 152.027, subds. 1 and 2 and Section 102 of the Controlled Substance Act, 21 U.S.C. § 802).

(4)

Nonexclusive remedies. The crime free/criminal activity provisions are in addition to all other terms of the lease and do not limit or replace any other provisions.

(b)

These lease provisions shall be incorporated into every new lease for a tenancy beginning January 1, 2009 and all renewed leases thereafter.

(c)

Upon determination by the compliance official that a licensed premises or unit within a licensed premises was used in violation of the drug-related activity provision of subsection (a)(1) or criminal activity provision of subsection (a)(2)c., the city 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/criminal activity 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.

(d)

Upon determination by the compliance official that a licensed premises or unit within a licensed premises was used for criminal activity as set forth in subsection (a)(2) herein, the city 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 criminal activity violations.

(e)

If a second criminal activity violation occurs within a continuous 12-month period involving the same tenancy, the city 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 an action plan to prevent further criminal activity violations.

(f)

If a third criminal activity violation occurs within a continuous 12-month period involving the same tenancy, the city 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 violation of the crime free/criminal activity 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 property with an evicted tenant for a period of one year after the eviction.

(g)

The provisions of subsections (c), (d), (e), and (f) herein do not apply if the determination that the premises have been used in violation of the crime free/criminal activity 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 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.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-96. – License revocation, suspension, denial and nonrenewal.

(a)

~~Every license or permit issued under this article is subject to the right, which is hereby expressly reserved, to suspend or revoke the same should the license holder or their agents, employees, representatives or lessees directly or indirectly operate or maintain rental dwellings contrary to the provisions of this article or any other City Code provision, or any permit issued by the city or the laws of the state.~~

(b)

~~The license may be suspended or revoked by the city council after a written notice is sent to the license holder specifying the ordinance or law violations with which they are charged. This notice shall also specify the date for hearing before the city council, which shall not be less than ten days from the date of the notice.~~

(c)

~~At such hearing before the city council, the license holder or their attorneys may submit and present witnesses on their behalf.~~

(d)

~~After a hearing the city council may suspend or revoke the license if they deem it necessary to protect the public health, safety or general welfare.~~

(Ord. No. 08-04, § 1, 10-22-2008)

(a) Violations: The following actions by property owners or license holders are misdemeanors and are subject to civil penalties, may constitute the basis for revocation of licenses and/or may result in injunctive action by the city. The property owner shall be responsible for the conduct of its agents or employees while engaged in normal business activities on the licensed premises. Any violation of this chapter shall be considered an act of the property owner or license holder for purposes of imposing a civil penalty or license revocation. If a license is revoked it is unlawful for the owner to permit new occupancy of any vacant rental unit, or any units that become vacant during license injunction.

(b) Basis for Sanctions: The compliance official may revoke, suspend, deny or decline to renew any license issued under this chapter for part or all of a rental dwelling upon any of the following grounds:

1. Leasing Without a License: Leasing residential units without a license is subject to license suspension or revocation;
2. Violation of Codes: Violation of the city maintenance code, building code, or fire code;

3. Hazardous or Uninhabitable Units: Leasing units that are deemed hazardous or uninhabitable or units within a building that are deemed hazardous or uninhabitable;
4. Commission of a Felony: Commission of a felony related to the licensed activity by the property owner or manager;
5. Consideration of Suspension or Revocation: At any time during a license period, if a rental property does not meet or exceed the criteria established for the current license, the license may be brought forth to the city council for consideration of license suspension or revocation;
6. Updated Application Requirement: Failure to provide an updated application with current information within 30 days of application renewal request from the city;
7. False Statements: False statements on any application or other information or report required by this chapter to be given by the applicant or licensee;
8. Fees: Failure to pay any application, inspection, penalty, reinspection or reinstatement fee required either by this section or city council resolution. Fee amounts are subjected to change through the city fee schedule;
9. Correction of Deficiencies: Failure to correct dwelling deficiencies in the time specified in a compliance order;
10. Inspection: Failure to schedule an inspection within 90 days of application filed and/or allow an authorized inspection of a rental dwelling;
11. Violation of Statute: Violation of an owner's duties under Minnesota statutes sections 299C.66 to 299C.71 ("Kari Koskinen manager background check act");
13. Delinquent Taxes or Fines: Real estate or personal property taxes or municipal utilities have become delinquent or have unpaid fines;

Sec 105-97 – Penalties

(a) Penalties:

1. Revocation: Any violation of this chapter may be grounds to revoke a license. Any civil penalty, revocation or combination thereof under this section does not preclude criminal prosecution under this chapter or Minnesota statutes. All fines are cumulative and revocation periods will run consecutively.
2. Violation: Any person that maintains a rental dwelling without having a property registered or after the registration for the property has been revoked or suspended or who permits new occupancy in violation is guilty of a misdemeanor and upon conviction is subject to a fine and imprisonment as prescribed by state law.

3. Suspension: The city council may temporarily suspend a license pending a hearing on the suspension or revocation when, in its judgment, the public health, safety, and welfare is endangered by the continuance of the licensed activity.

4. Civil Fines: The city council may impose civil fines in addition to revocation or suspension for violations of any provision of this chapter as follows:

Within one calendar year	Fine Per Unit/Common Building
First violation	\$300 .00
Second violation	\$600 .00
Third or more within a 12 month period	\$800 .00
Renting without a license after 30 days' notice shall be subject to \$1,000.00 fine per unit and also be a misdemeanor offense	

Comment [MT2]: Does the city need to adopt Administrative charges in order to collect or can they be added to the Fee Schedule?

Sec. 105-97. - Summary action.

(a)

When the condition of the rental dwelling of any license holder or their agent, representative, employee or lessee is detrimental to the public health, safety and general welfare as to constitute a nuisance, fire hazard or other unsafe or dangerous condition and thus give rise to an emergency, the compliance official shall have the authority to summarily condemn or close off such area of the rental dwelling.

(b)

Any person aggrieved by a decision of the compliance official to cease business or revoke or suspend the license or permit shall be entitled to appeal to the city council immediately, by filing a notice of appeal. The administrator shall schedule a date for hearing before the city council and notify the aggrieved person of the date.

(c)

The hearing shall be conducted in the same manner as if the aggrieved person had not received summary action.

(d)

The decision of the compliance official shall not be voided by the filing of such appeal. Only after the city council has held its hearing will the decision of the compliance official be affected.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-98. - Applicable laws.

Licenses shall be subject to all of the ordinances of the city and the state relating to rental dwellings; and this article shall not be construed or interpreted to supersede or limit any other such applicable ordinance or law.

(Ord. No. 08-04, § 1, 10-22-2008)

Sec. 105-99. - Multiple suspensions.

If the license of more than one dwelling unit in a licensed premises is suspended within 12 months, the period of suspension for the second and subsequent dwelling units licensed that are suspended may be doubled for the suspension period specified in section 105-96.

(Ord. No. 08-04, § 1, 10-22-2008)

Secs. 105-100—105-109. - Reserved.

Comment [MT3]: Can this be deleted with the new added language?

**AN ORDINANCE AMENDING TITLE 9 BY ADDING CHAPTER 907 TO THE
CITY OF ROSEVILLE CITY CODE REGARDING REGISTRATION OF
RESIDENTIAL RENTAL PROPERTY OF 1 TO 4 UNITS**

THE CITY COUNCIL OF THE CITY OF ROSEVILLE ORDAINS:

Section 1. Chapter 907, hereby titled RESIDENTIAL RENTAL PROPERTY REGISTRATION is hereby created as follows:

907.01. Purpose. The City recognizes a need for an organized registration program of residential rental property with 1 to 4 units within the City in order to identify and quantify small rental units in the City and provide information and a method to enforce minimum standards to meet City and State safety, health, fire and zoning codes within the City and to provide a more efficient system to ensure that the stock of rental property within the City is properly maintained. The City recognizes that the most efficient system to provide information on the rental status of certain residential properties is through the creation of a program requiring the registration of all residential rental property with 1 to 4 units within the City.

907.02. Definitions.

1. The term “residential rental property” means any building, structure, room, enclosure, or mobile home with 1 to 4 units including the real property upon which it is located and which surrounds it, which is rented or offered for rent as living quarters. Residential rental property does not mean on-campus college housing, hospital units, nursing home units, multiple rental property over 4 units or hotels or motels with daily rental units, all of which shall be specifically exempt from registration under this Chapter.
2. The term “unit” means all or a portion of a residential rental property that is arranged, designed, used, or intended to be used as separate living quarters and which is leased to an individual or group.
3. The term “person” includes natural persons as well as business entities, whether one or more.
4. The term “City” means the City of Roseville, or the person or entity designated by the City to administer and enforce this Chapter.

907.03. Registration Requirements. Except as provided in Sections 907.05(1) and 907.06, it is unlawful for any person to hereafter occupy, allow to be occupied, advertise for occupancy, solicit occupants of, or let to another person for occupancy any residential rental property of 1 to 4 units within the City for which an application for registration has not been properly made and filed with the City or after the time that a registration is suspended or

revoked. Initial registration shall be made upon forms furnished for such purpose and shall specifically require the following minimum information:

1. Name, address and phone number of the property owner and, if owner is not a natural person, the name, address and phone number of a designated agent for the owner.
2. The name, phone number, and address of any person authorized to make or order made repairs or services for the property, if in violation of City or State Codes, if the person is different than the owner.
3. The street address of the rental property.
4. The number and types of units within the rental property (single family, duplex, triplex or fourplex).
5. If the rental unit is occupied by the property owner and rooms are rented to boarders, the number of boarders and bedrooms.
6. Number of bedrooms and bathrooms in the rental dwelling unit.

907.04. Fees. There shall be a registration fee. All fees shall be established annually by the City Council. All fees and fines shall be charged to and payable by the property owner.

907.05. Manner of Registration.

1. An owner of an existing rental property as defined by this Chapter must apply for registration pursuant to this Chapter no later than 60 days following the effective date of this Chapter.
2. An owner of a non-rental property that after the effective date of this Chapter wishes to convert the property into a rental property, shall apply for and register the property prior to its conversion.
3. If there is a change in the type of occupancy from the type stated on the registration statement, a new registration statement shall be filed within 30 days of the change.
4. When property is sold, the new owner shall register within 30 days of the sale.

907.06. Registration Exemptions.

1. The owner of a rental dwelling unit is exempted from the registration requirement of this Chapter if all renters residing in the rental property are related to the owner as a parent, child, sibling, grandparent, grandchild, step-parent, step-child, step-grandparent, or step-grandchild and the owner files a notarized affidavit with the City stating that each of the renters are one of these relations.

2. The owner of a rental dwelling unit is exempted from the registration requirement of this Chapter if the property is licensed by the State of Minnesota as a Group Home and used as such and the owner provides the current license number on the registration form.

3. In all cases, an owner must notify the City in writing within 30 days if an exemption, as described in this Chapter, is no longer applicable.

907.07. Registration Suspensions and Revocation. Property registration may be revoked or suspended at any time during the life of said registration for grounds including, but not limited to, the following:

1. False or misleading information given or provided in connection with a registration application.
2. Failure to maintain the rental property in a manner that meets pertinent provisions of City Code including, but not limited to, Code Chapters 407 and 906.
3. Violations committed or permitted by the owner or the owner's agent, or committed or permitted by the tenant or the tenant's guests or agents, of any rules, codes, statutes and ordinances relating to, pertaining to, or governing the premises including, but not limited to, the following:
 - A. Minn. Stat. 609.75 through 609.76, which prohibit gambling;
 - B. Minn. Stat. 609.321 through 609.324, which prohibit prostitution and acts relating thereto;
 - C. Minn. Stat. 152.01 through 152.025 and 152.027, subds. 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
 - D. Minn. Stat. 340A.401, which regulates the unlawful sale of alcoholic beverages;
 - E. Minn. Stat. 609.33, which prohibits owning, leasing, operating, managing, maintaining, or conducting a disorderly house, or inviting or attempting to invite others to visit or remain in a disorderly house;
 - F. Minn. Stat. 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716 and Chapter 103 of the City Code, which prohibit the unlawful possession, transportation, sale or use of weapon;
 - G. Minn. Stat. 609.72, which prohibits disorderly conduct;

H. Roseville City Code Section 407, prohibiting public nuisances, Section 405, noise control, Section 906, property maintenance, Sections 1004 and 1005, land use and Section 1018, parking; and

I. Minn. Stat. 609.221, 609.222, 609.223, 609.2231 and 609.224, regarding assaults in the first, second, third, fourth and fifth degree.

A suspended or revoked rental registration may be reinstated when the circumstances leading to the suspension or revocation have been remedied.

907.08. Violation. Except as provided in Sections 907.05(1) and 907.06, any person that maintains a rental dwelling unit without having the property registered, or after the registration for the property has been revoked or suspended, or who permits new occupancy in violation of Section 907 is guilty of a misdemeanor and, upon conviction, is subject to a fine and imprisonment as prescribed by state law. In addition to, or in lieu of, charging a misdemeanor, the City may impose administrative fees in an amount set in the City Fee Schedule. Upon the failure to pay an administrative fee, the City may post the dwelling unit as illegal for habitation. Thereafter, the dwelling unit may not be occupied by anyone other than the primary homestead owner and that person's immediate family until (a) the administrative fee has been paid; (b) a rental registration is obtained or the City is satisfied that the dwelling unit will not be used as a rental dwelling unit, and (c) completion of any abatement, written compliance order, legal action from a citation or action per City Code Sections 407.06, 407.07 and 407.08. Each day of each violation constitutes a separate offense.

907.09. Maintenance of Records. All records, files and documents pertaining to the Rental Registration Program shall be maintained in the office of the City and made available to the public as allowed or required by applicable laws, rules, codes, statutes or ordinances.

907.10. Authority. Nothing in this Chapter shall prevent the City from taking action under any applicable rule, standard, statute or ordinance for violations thereof and to seek either injunctive relief or criminal prosecution for such violations as therein provided. Nothing contained in this Chapter shall prevent the City from seeking injunctive relief against a property owner or designated agent who fails to comply with the terms and conditions of this Chapter on registration including an order prohibiting the occupancy of such rental units until violations of this Chapter have been remedied by the property owner or designated agent.

907.11. Applicable Laws. Residential Rental Property shall be subject to all applicable rules, standards, statutes and ordinances governing use, maintenance and occupancy of the dwelling or dwelling unit; and this Chapter shall not be construed or interpreted to supersede any other such applicable rules, standards, statutes or ordinances.

907.12. Notice to Tenant. The owner, or its agent, must provide each tenant with a Resident Maintenance Handbook provided by the City and Tenant Rights and Responsibilities Handbook provided by the Attorney General's office.

907.13. Rules, Policies and Procedures. The City Council may adopt from time to time, by resolution, rules, policies and procedures for the implementation of this Chapter. Violation of any such rule, policy or procedure by a property owner shall be considered a violation of this Ordinance.

907.14. No Warranty by the City. By enacting and undertaking to enforce this Ordinance, neither the City, its designees, the City Council, or its officers, agents or employees warrant or guarantee the safety, fitness or suitability of any dwelling in the City. Owners or occupants should take whatever steps they deem appropriate to protect their interests, health, safety and welfare. A warning in substantially the foregoing language shall be printed on the face of the rental registration.

907.15. Severability. If any provision of this Chapter or amendment thereto, or the application thereof to any person, entity or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, the remainder of this Chapter shall remain in full force and effect and the application thereof to other persons, entities or circumstances shall not be affected thereby.

Ordinance #1361 passed March 17, 2008

Ordinance #1426 (to update 907.06) passed June 18, 2012

Intoxicating On-Sale Liquor License Fee Survey					
	Population	On Sale Liquor License	Background Invest. Cost	Renewal Background	Other Info.
Apple Valley	49,084	\$4,400			Sales under \$275,000
		\$5,500			\$275,000-\$550,000
		\$6,600			Sales over \$550,000
Arden Hills	9,552	\$3,465			1999 sf or less
		\$4,620			2,000-2,999 sf
		\$5,775			3,000-3,999 sf
		\$6,930			4,000 sf or more
Brooklyn Park	75,781	\$7,500	\$500		
Cambridge	8,111	\$2,500	\$500		
Centerville	3,792	\$2,500	\$500	\$0	
Chanhassen	22,952	\$9,609	\$250	\$100	3000-6000 sq. ft. restaurant
		\$11,356			3000-6000 sq. ft. exclusive liq. Store
Circle Pines	4,918	\$5,000	\$1,000	\$0	
Columbia Heights	19,496	\$8,000	\$500	\$0	1st year
		\$6,500			if 60/40 split is proven
Elk River	22,974	\$5,000	\$400	\$0	
Forest Lake	18,375	\$3,000	\$500	\$0	
Golden Valley	20,371	\$8,000	\$3,000	\$100	Except \$500; everything else is returned depending on attorney fees
Inver Grove Heights	33,880	\$10,000	\$500	\$50	\$1M Gross liq sales bkgd for Corp.
		\$7,000	\$400		\$500,000-\$1M bkgd for partnership
		\$4,500	\$250		\$250,001-\$500,000 bkgd. For Individual
		\$3,500			\$0 - \$250,000

Intoxicating On-Sale Liquor License Fee Survey					
	Population	On Sale Liquor License	Background Invest. Cost	Renewal Background	Other Info.
Little Canada	9,773	\$4,458	\$0		
Mahtomedi	7,676	\$2,100	\$500	\$0	
Mankato	39,309	\$6,250	\$500		New license
		\$3,750			>60% Sales of food
		\$5,000			40-59% food
Mendota Heights	11,071	\$10,000	\$500	\$100	min 2000 sq. ft. min 200 guests
		\$7,500			min. 1000 sq. ft. mn 50 guests
New Prague	7,321	\$2,700	\$100		Bkgd. On new license
Northfield	20,007	\$2,600	\$200	\$200	
North Oaks	4,469	\$1,000	\$0		Restaurants
		\$650			Golf Club
Owatonna	25,599	\$3,000	\$150	\$0	
Plymouth	70,576	\$8,240	\$500	\$0	
Robbinsdale	13,953	\$5,500	\$500	\$250	
Rochester	106,769	\$3,200	\$500		Corporation
			\$300		Partnership
			\$200		Individual
Rosemount	21,874	\$4,500	\$350	\$0	Class A - no food required \$1500 deposit returned if invest. Does not exceed \$350
		\$3,000			Class B - 51% Sale of food
St. Louis Park	45,250	\$8,500	\$500	\$0	\$500 for new manager bkgd.
St. Michael	16,399	\$2,400			
Savage	26,911	\$5,250	\$500	\$500	

Intoxicating On-Sale Liquor License Fee Survey					
	Population	On Sale Liquor License	Background Invest. Cost	Renewal Background	Other Info.
South St. Paul	20,160	\$2,600	\$100		Single - bkgd
			\$200		Partnership-bkgd
			\$300		Corporation-bkgd
Stillwater	18,225	\$2,888	\$300	\$150	
West St. Paul	19,605	\$7,000	\$1,400	\$100	
White Bear Lake	23,797	\$3,200	\$400	\$0	



The City That Soars!

Council Workshop Staff Report

Meeting Date	December 4, 2013
Agenda Item	Workshop 3
Attachment	Please see below
Submitted By	Bart Fischer, City Administrator

Item	Fire Truck Contract Update
Description	<p>The bids for the ladder fire truck were received through the HGAC Purchasing Consortium the City joined a few weeks back in anticipation of purchasing the truck. The initial cost of the truck came in at \$767,593.00 from Pierce Manufacturing. The Fire Chief has indicated that Pierce is a good company to work with. Also, the City Attorney has dealt with Pierce in other cities he represents and indicates they are a reputable company. The Attorney is working through a few minor details on the contract with Pierce.</p> <p>An option that Pierce has presented that Staff would like to talk to Council about is a full prepayment option. If the City were to pre pay for the truck, Pierce would provide a discount of \$29,658 bringing the total of the truck to \$737,935. Staff would like to discuss with Council the pros and cons of this option.</p> <p>The contract will be before the City Council for final approval at the 12/11/13 Council meeting.</p>
Budget Impact	Bonds have been sold to pay for the fire truck and payment of these bonds has been budgeted/accounted for in future budgets.
Attachment(s)	Due to the City Attorney working out some minor details on the draft fire truck contract, the contract was not available for this packet. It is anticipated that the draft contract will be available the evening of December 4 th . It will also be made available at City Hall for viewing and as part of the minutes for this workshop posted on the website.
Action(s) Requested	Discussion/ Review



The City That Soars!

Council Workshop Staff Report

Meeting Date	December 4, 2013
Agenda Item	Workshop 4
Attachment	N/A
Submitted By	Mayor Peter Lindstrom

Item	Discussion on Broad Based, Regional Issues.
Description	A few weeks ago after the last Council Workshop where representatives of Ramsey County and a Councilmember from Shoreview provided an update on Ramsey County Transit, Councilmember Harris and Mayor Lindstrom had a conversation regarding Falcon Heights Councilmembers becoming more involved with and informed of broad-based, regional issues. Mayor Lindstrom asked that this item be placed on the next Workshop agenda for discussion.
Budget Impact	N/A
Attachment(s)	N/A
Action(s) Requested	Discussion