

**Section 915 – Single or Two Family Rental Housing Registration Code**

**915.01 Statement of Purpose.** The purpose of the Single or Two Family Rental Housing Registration Code is to promote the health, safety and welfare of the citizens of Big Lake by ensuring that landlords of single or two family units comply with City and State code.

**915.02 Landlord - Tenant Disputes.** With respect to disputes between landlords and tenants, and except as otherwise specified by terms of this Section, the City Council shall not intrude upon the accepted contractual relationships between landlords and tenants. The City Council shall not intervene as an advocate of either party, nor shall it act as an arbiter, nor shall it be receptive to complaints from landlords or tenants who are not specifically and clearly relevant to the provisions of the Single or Two Family Housing Registration Code. In the absence of such relevancy with regard to rental disputes, it is intended that the contracting parties exercise such legal sanctions as are available to them without the intervention of City government. In enacting this Single or Two Family Housing Registration Code, the Council does not intend to interfere or permit interference with legal rights to personal privacy.

**915.03 Scope of Applicability.** The Single or Two Family Housing Registration Code establishes a process by which the City of Big Lake can maintain a list of single family rental units. The Single or Two Family Housing Registration Code shall apply to all single family rental units as defined in this code.

**915.04 Definitions.** The following definitions shall apply in the interpretation and enforcement of this Multifamily Housing Registration Code:

**Subd. 1 Dwelling.** “Dwelling” shall mean a structure or portion thereof designed exclusively for residential occupancy, including boarding and lodging houses, a kitchen or cooking facility but not including hotels and motels except as otherwise expressly provided in this Section.

**Subd. 2 Dwelling, Single Family.** A building designed for and exclusively occupied exclusively by one (1) family.

**Subd. 3 Dwelling, Two Family.** A building designed exclusively for occupancy by two (2) families in separate dwelling units.

A. Duplex. A two-family dwelling with one unit above the other.

B. Twinhome. A two-family dwelling with two units side by side.

**Subd. 4 Family.** “Family” shall mean an individual, or two or more persons each related by blood, marriage, adoption, or foster children, living together as a single housekeeping unit; or a group of not more than six (6) persons not so related, maintaining a common household and using common cooking and kitchen facilities.

**Subd. 5 Occupant.** “Occupant” shall mean any person (including owner or operator) living within a dwelling unit.

**Subd. 6 Owner.** “Owner” shall mean any person, firm or corporation who, alone, jointly, or severally with others, shall be having charge, care control of any building within the City as title holder, employee or agent of the owner, or as trustee of guardian of the estate or person of the title holder. Also, any person, firm or corporation who has the right to determine who occupies a single family rental unit (even though that right may be subject to a lease or rental agreement), or a person, firm, corporation who shall have the power to rent or let such premises to another for purposes of this Code.

**Subd. 7 Person.** “Person” shall mean any individual, firm, partnership, association, corporation, company or a joint venture or organization of any kind.

**Subd. 8 Premises.** “Premises” shall mean a platted lot or part thereof or unplatted parcel of land, and adjacent right-of-way either occupied or unoccupied non-dwelling structure, including building accessory structures.

**Subd. 9 Single Family Rental Unit.** “Single Family Rental Unit” shall mean a single family dwelling leased to a non-owner of the property for any duration of time.

**Subd. 10 Two Family Rental Unit.** “Single Family Rental Unit” shall mean a two family dwelling leased to a non-owner of the property for any duration of time.

**Subd. 11 Unit.** “Unit” shall mean any dwelling unit as defined in this Section.

**915.05 Registration.**

**Subd. 1 Registration Required.** No person, firm or corporation shall operate a single or two family rental unit without first registering the single family rental unit with the City of Big Lake as provided in this section.

**Subd. 2 Registration Procedures.** Within 180 days of the passage of this ordinance, any person, firm or corporation operating a single or two family dwelling unit shall register it with the City of Big Lake in the following manner:

- A. Application shall be made by filling out forms provided by the City of Big Lake. The forms shall be submitted to the City of Big Lake with the fee that is outlined in the City’s fee schedule which may be updated periodically.
- B. Application forms shall at a minimum require the owner to provide contact information for the property owner including a mailing address and phone number, and single or two family rental unit property address.

After receiving completed registration forms and associated fee, the City’s Zoning Administrator or his/her designee shall review the forms and upon deeming them satisfactory, shall notify the applicant in writing that the application has been accepted.

**Subd. 3 Single or Two Family Rental License Renewal.** All Single or Two Family Rental Units shall be required to submit a registration form every two years unless there is a change in ownership or management. If there is a change in ownership or management of the Single or Two Family Rental Unit, the new owner or manager shall submit new forms to the City. The city shall serve a 30 day notice prior to the expiration of the license.

**Subd. 4 Suspension or Revocation.** A Single or Two Family Rental Unit Rental License issued or renewed under this Section may be revoked or suspended upon a finding of noncompliance with the provisions of this Chapter.

The City Administrator may suspend or revoke a rental registration pursuant to section 915.06 of this code. A notice to suspend or revoke the registration shall be sent to the owner of the single or two family rental unit 40 days prior to the effective date of the revocation or suspension.

The owner of the single or two family rental units may appeal a revocation or suspension to the City Council by submitting written notice of appeal within 30 days of receipt of the notice of revocation or suspension of the rental registration.

The owner of the single or two family rental unit shall receive 10 days’ notice of a hearing before the City Council for the appeal. At the hearing, the owner or his or her designee will be allowed to present evidence. After the hearing, the Council will determine to uphold, dismiss, or change the findings of the City Administrator. Within 30 days following the meeting, the City Council shall send written findings and decision from the hearing.

**915.06 Violations and Penalties.**

**Subd. 1 Prohibited Acts.** For the purposes of this Ordinance, any of the following shall constitute a violation:

- A. Violation of Section 500 of this code relating to public nuisances, offenses and other regulations.
- B. Violation of Minnesota State Statute 152.01 relating to the possession of controlled substances.
- C. Violation of Section 400 of this code relating to intoxicating liquor.
- D. Violation of Minnesota State Statute 609.72 relating to disorderly conduct.

- E. Violation of Minnesota State Statute 617.23-617.75 relating to obscenity.
- F. Violation of Minnesota State Statute 609.221-609.224 relating to assault.
- G. Violation of Minnesota State Statute 609.321-322 relating to prostitution, solicitation, inducement and sex trafficking.
- H. Violation of Minnesota State Statute 609.595 relating to damage to property
- I. Operating a single or two family rental unit without a single or two family rental license issued pursuant to this Section.
- J. Giving or submitting false information on a registration application or any renewal thereof.
- K. Occupying an unregistered single or two family rental unit if such unit is required to be registered under this Section.

The City Administrator and/or his or her designee shall be responsible for enforcing this section of the code.

If the City Administrator or his or her designee determines that a violation has occurred, written notice shall be sent to the owner of the single or two family rental unit. The first notice will outline the conduct in violation and steps to prevent future conduct.

If a second violation of this code occurs within 12 months of the first violation for which a notice was sent, the City Administrator or his or her designee shall notify the owner in violation. The notification shall also request a written explanation of the behavior and a plan from the owner to prevent future misconduct. Within 30 days of receipt of the written notice from the City Administrator or his or her designee, the owner shall submit to the City Administrator a written plan of how to prevent future misconduct.

If a third violation of this code occurs within 12 months of the second violation for which a notice was sent, the rental registration may be revoked or suspended pursuant to the procedures in section 915.05 Subd. 5 of this code.

**Subd. 2 Misdemeanor.** Any person, firm, or corporation who violates or refuses to comply with any of the provisions of this Section shall be guilty of a misdemeanor.

**915.07 Fees.** Fees for registration, inspection fees, re-inspection fees and violations shall be established by the City's fee schedule which will be reviewed annually by the City Council.