

AGENDA AND ADDITIONS TO THE AGENDA
REGULAR COUNCIL MEETING
CITY OF CROSSLAKE
MONDAY, MARCH 14, 2022
7:00 P.M. – CITY HALL

Notice: Council Member Dave Schrupp will participate via Zoom from 752 Avenida Estancia, Unit J, Venice, Florida, 34292, which is open and accessible to the public, because he is in Florida.

A. CALL TO ORDER

1. Pledge of Allegiance
2. Approval of Additions to the Agenda

B. PUBLIC FORUM - Action may or may not be taken on any issues raised. If Council requires more information or time for consideration, the issues will be placed on the agenda of the next regular council meeting. Speaker must state their name and address. At the discretion of the Mayor, each speaker is given a three-minute time limit.

C. CONSENT CALENDAR – NOTICE TO THE PUBLIC – All items here listed are considered to be routine by the City Council and will be acted on by one **motion**. There will be no separate discussion on these items unless a Citizen or Councilmember so requests:

1. Regular Council Meeting Minutes of February 14, 2022
2. Unadjusted Draft: 02.28.2022 Month End Revenue Report
3. Unadjusted Draft: 02.28.2022 Month End Expenditures Report
4. Police Report for Crosslake – February 2022
5. Police Report for Mission Township – February 2022
6. Fire Department Report – February 2022
7. North Ambulance Run Report –February 2022
8. Public Safety Commission Meeting Minutes of February 2, 2022
9. Planning and Zoning Monthly Statistics
10. Public Works Commission Meeting Minutes of February 7, 2022
11. Waste Partners Recycling Reports for January 2022
12. Bills for Approval
13. **Additional Bills for Approval**

D. MAYOR’S AND COUNCIL MEMBERS’ REPORT

1. Letter dated February 24, 2022 from Crow Wing County Historical Society Re: Request for Support (**Council Action-Motion**)
2. Resolution Accepting Donations (**Council Action-Motion**)
3. Discussion Regarding Changing Banks
 - a. Copy of Request for Proposal for Banking Services
 - b. First Western Bank & Trust
 - c. First National Bank
 - d. Frandsen Bank & Trust
 - e. Riverwood Bank
4. **VRBO Discussion Re: Direction for Staff to Change to Budget and Ordinance**

E. CITY ADMINISTRATOR’S REPORT

1. Memo dated February 22, 2022 from City Clerk Re: 2022-2023 Fire Service Contracts (**Council Action-Motion**)

2. Resolution Re-Establishing Precincts and Polling Places (Council Action-Motion)
3. Memo dated February 25, 2022 from TJ Graumann Re: Park Dedication for Huss Lot Split (Council Action-Motion)
4. Construction Cost Share and Maintenance Agreement Between Crow Wing County and City of Crosslake for Sanitary Sewer Extension Project (Council Action-Motion)
5. Audit Update
 - a. Memo dated March 10, 2022 from City Administrator Re: Sewer Fund Cash Deficit at 12/31/2021 (Council Action-Motion)
 - b. Memo dated March 10, 2022 from City Administrator Re: Preliminary Final Fund Balances 12/31/2021 (Council Action-Motion)
6. Memo dated March 10, 2022 from City Administrator Re: Drug and Alcohol-Free Workplace and Testing Non-DOT (Council Action-Motion)
7. Loon Center Funding Update

F. COMMISSION REPORTS

1. PUBLIC SAFETY
 - a. Memo dated March 8, 2022 from Police Chief Erik Lee Re: Probationary Status of Officer Adam Casanova (Council Action-Motion)
 - b. Memo dated March 8, 2022 from Police Chief Erik Lee Re: Probationary Status of Sergeant Jake Maier (Council Action-Motion)
 - c. Memo dated March 8, 2022 from Police Chief Erik Lee Re: Resolution Supporting Sourcewell Impact Funding for Lexipol (Council Action-Motion)
2. PUBLIC WORKS/SEWER/CEMETERY
 - a. Memo dated 3/8/22 from Ted Strand Re: Engineering Service Fee Approval (Council Action-Motion)
 - b. Letter dated February 16, 2022 from Crow Wing County Highway Dept. Re: Annual Bridge Inspections (Council Information)
 - c. Letter dated March 7, 2022 from Crow Wing County Highway Dept. Re: Bridge Maintenance (Council Information)
 - d. Ted Strand – Update on Park Building

G. PUBLIC FORUM - Action may or may not be taken on any issues raised. If Council requires more information or time for consideration, the issues will be placed on the agenda of the next regular council meeting. Speaker must state their name and address. At the discretion of the Mayor, each speaker is given a three-minute time limit.

H. NEW BUSINESS

I. OLD BUSINESS

J. CITY ATTORNEY REPORT

1. Real Estate Agreement Between Randy Ness and the City of Crosslake for Purchase of 35205 Riverwood Trail (Council Action-Motion)
2. Closed Session Pursuant to State Statute 13D.05 subd. 3(c) to Discuss Land Negotiations/Settlement

K. ADJOURN

C.13.

ADDITIONAL BILLS FOR APPROVAL
March 14, 2022

VENDORS	DEPT		AMOUNT
AAA Equipment Center, blades, belt, oil, filters	PW		871.31
AW Research, water testing	Sewer		262.80
Crow Wing Power, electric services	ALL		8,930.89
Forum Communications, meeting notice of 3/25	PZ		26.65
Jefferson Fire & Safety, adapters	Fire		502.31
Lynn Lembcke Consulting, body worn camera audit	Police		750.00
Mastercard, Active911, subscription	Fire		507.00
Med Compass, medical exam	Fire		445.00
Metro Sales, copier lease	Police		46.23
MN/WI Playground, border	Park		6,415.00
Napa, dry oil	Fire		28.53
Northland Press, meeting notice of 3/25	PZ		67.50
Premier Auto, oil change	Police		68.45
TOTAL			18,921.67

What standards are required for short-term rentals?

When you apply for a new, or renewal, STR permit, you must submit an affidavit affirming compliance with city standards along with completing a city provided self-inspection checklist. The city may require an inspection to verify compliance with standards upon application, compliance or non-compliance, or in relation to other permit enforcement action. Following is a list of minimum standards:

- Bedroom windows shall be operable to allow for emergency egress in accordance with the most recent building and fire codes.
- Single or multiple-station smoke alarms shall be installed and maintained in accordance with manufacturers specification and an approved Fire Safety Plan.
- A carbon monoxide detector is required on each floor if there is a garage, solid fuel appliance, or gas appliance, and as otherwise required in an approved Fire Safety Plan.
- One 2A:10BC type fire extinguisher shall be equipped per floor and as otherwise required in an approved Fire Safety plan.
- Improved surface areas on the site shall be the minimum necessary to provide adequate parking for the occupancy.
- Access and ingress to the site shall maintain safe conditions for pedestrians and vehicles and shall be adequately sized and designed so that access to other properties is not impacted or unsafe conditions on public streets created.
- loud music, outdoor activities or any other source of noise that can be heard beyond the perimeter of the STR premises shall not be generated during the hours of 10:00 p.m. to 8 a.m. the following day.

- No exterior changes shall be made to the structures or site conditions that would eliminate its appearance or use as a dwelling unit for long-term residency.
- Each STR shall designate and list a local representative who resides within two (20) vehicular miles of the city limits.
- Fire Safety Plan, reviewed and approved by the Crosslake Fire Department
- STR permit and Fire Safety Plan shall be posted within the dwelling unit adjacent to the front door containing, at a minimum, the following:
 - name and phone number of local representative
 - name and phone number of permittee
 - website address and phone number of the City of Crosslake
 - maximum number of occupants permitted to stay in dwelling unit
 - solid waste and recycling collection day o city snowplowing and parking regulations
- STRs with proposed occupancy of 20 or more guests shall require a conditional use permit. High Occupancy STR permit shall have additional on-site permit posting requirements to further notify guests of the applicable conditions of approval that may be imposed in the conditional use permit process.



NEW SHORT TERM HOME RENTAL INITIAL INSPECTION REPORT

Initial Inspection Fee Paid: _____

Additional Inspection Fee: _____

Owner's Name: _____				Owner's Phone#: _____			
Operator's Name: _____				Operator's Phone#: _____			
Site Address: _____						STHR Type: A B C	
# Bedrooms/Sleeping Spaces: _____				# of Guests: _____		Occupancy Classification: R1 R3	
Inspectors' Names (Printed): _____						Initial Inspection Date: _____	
Building Inspector Signature: _____						Re-inspection Date: _____	
Fire Inspector Signature: _____						Final Approval Date: _____	
Yes No Corrected N/A							
1. Primary Exit							
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(a) At least one exit door with direct access to the outside, or to a protected corridor in the case of a condominium or apartment building, shall be provided for each short term rental unit						
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(b) The exit door shall be side-hinged and not less than 3' wide and 6'8" tall.						
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(c) A landing must be provided on each side of each exterior door. The landing width shall not be less than the width of the door and shall have a minimum dimension of 36" measured in the direction of travel.						
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(d) The exit door shall open from the inside without the use of a key, tool or special knowledge.						
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(e) Handrails shall be provided on at least one side of each continuous run of stairs.						
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(f) Stairs and decks must be properly constructed and maintained.						
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(g) Guards shall be installed along open-sided walking surfaces that are more than 30" above another floor or grade. Insect screening is not considered a guard. Guards shall be at least 36" high with spindle spacing less than 4" apart.						
Comments: _____							
Yes No Corrected N/A							
2. Emergency Escape and Rescue Openings							
<i>Homes built prior to the adoption of the 2012 International Residential Code are required to meet the standards in this section only as is practical and found satisfactory by inspector.</i>							
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(a) Window sill height shall be no higher than 44" above the finished floor.						
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(b) Minimum clear window opening of 5.7 square feet or 5 square feet it at ground level						
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	1. Minimum clear opening height of at least 24"						

Yes	No	Corrected	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Minimum clear opening width of at least 20"
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(c) Windows must be operational from the inside of the sleeping room without the use of keys, tools or special knowledge.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(d) Bars, grills and similar devices are not recommended over emergency escape openings. If present, they must open from the inside without use of keys, tools, special knowledge or greater force than what is required for normal operation of the window itself.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(e) Windows under decks must fully open and provides a path not less than 36" in height to public street, alley, yard or court.
Comments:				
Yes	No	Corrected	N/A	
3. Smoke & Carbon Monoxide Alarms				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Smoke alarms shall be listed and labeled as UL 217 compliant. Carbon monoxide alarms must be listed as complying with UL 2034.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Smoke alarms must be installed in each sleeping room, outside each sleeping area and on each additional story of the residence, including the basement.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(c) Carbon monoxide alarms must be installed outside of the sleeping rooms and not more than 10' from each separate sleeping area or bedroom.
Comments:				
Yes	No	Corrected	N/A	
4. Fire Extinguishers				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) A minimum of one portable, 5 pound type ABC fire extinguisher must be mounted <u>on each floor available to the rental guests</u> . Extinguishers must be maintained per manufacturer's directions, mounted no greater than 48" above the floor and in a visible spot, such as a hallway.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Main floor fire extinguishers must be mounted in the <u>kitchen, in a visible spot</u> .
Comments:				

Yes	No	Corrected	N/A	
5. Electrical Outlets				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) GFCI protected outlets are required within 2' of any sink, at all kitchen and bathroom countertops, all outdoor outlets, for any sauna or other wet locations
Comments:				
Yes	No	Corrected	N/A	
6. Hot Water				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) The maximum hot water temperature discharging from bathtub fillers shall not exceed 120°F by a temperature-limiting device in accordance with ASSE 1070/CSA B125.3. Water heater thermostats shall not be considered an acceptable control for meeting this provision.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Showers and tub-shower combinations must be provided with anti-scald valves.
Comments:				
Yes	No	Corrected	N/A	
7. Tempered Glass				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Glazing in walls, enclosures or fences within 5' vertically and/or horizontally of saunas, steam rooms, bathtub and showers.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Windows less than 36" above stairways, stairway landings, ramps and at the bottom of stairways.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(c) Glazing in doors and windows within a 24" arc of the door in a closed position
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(d) Guard and railings
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(e) Individual window panes that are over 9 square feet, bottom edge of glass is less than 18" above the floor, top edge of glass is more than 36" above the floor and has a walking surface within 36" horizontally from the window
Comments:				
Yes	No	Corrected	N/A	
8. Guard Rails				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Guards shall be installed along open-sided walking surfaces that are more than 30" above another floor or grade, such as decks, screen porches, balconies, lofted areas and stairs. Insect screening is not considered a guard

Comments:

Yes
No
Corrected
N/A

9. Roof-top use in Downtown District

☐ ☐ ☐ ☐

(a) The STHR is located in a sprinkled building.

☐ ☐ ☐ ☐

(b) Building code for fall protection and exiting are met.

☐ ☐ ☐ ☐

(c) Use Permit for property specifically allows the roof-top use.

Comments:

10. Corrections and notes

R-3 Category Inspection Requirements

<p>General Criteria</p>	<ul style="list-style-type: none"> - One Family Dwellings AND - One or more occupants are primarily permanent in nature. Full time residents, or at least one primary permanent full time resident AND - 5 or fewer guest rooms AND 10 or fewer total occupants, excluding permanent residents.
<p>Yes No Corrected N/A</p>	
	<p>1. Building Square Footage – Sprinkler Requirements</p>
	<p>(a) Total Building square footage _____ All floors including basement and occupied attics. Anything over 4,500 must be sprinkled.</p> <p>i. Basement _____</p> <p>ii. 1st floor _____</p> <p>iii. li. 2nd floor _____</p> <p>iv. Additional stories _____</p>
<p><input type="checkbox"/> <input type="checkbox"/></p>	<p>(b) Fire Sprinklers required?</p>
<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>(c) Fire sprinklers installed?</p>
	<p>2. Primary Residence</p>
<p><input type="checkbox"/> <input type="checkbox"/></p>	<p>(a) Is this property their primary residence? If no, this property falls under the R1 category.</p>
<p>Comments:</p>	

R-1 Category Inspection Requirements

General Criteria	
Yes No Corrected N/A	
	<ul style="list-style-type: none"> - No permanent resident OR - Greater than 5 guests rooms OR greater than 10 total occupants - Condo or mixed use building
	1. Building Square Footage – Sprinkler Requirements
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(a) Total Building square footage _____ All floors including basement and occupied attics. Anything over 4,500 must be sprinkled.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(b) Mixed Use Building? <div style="display: flex; justify-content: space-between;"> <div> Basement _____ 1st Floor _____ 2nd Floor _____ Additional Stories _____ </div> <div> Mixed Use Occupancy Classification (Building Use) Basement _____ 1st Floor _____ 2nd Floor _____ Additional Stories _____ </div> </div>
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(c) Fire Sprinklers required?
	2. Corridors must be fire rated corridors (floor and Ceiling)
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(a) Fire rated corridors must be verified through construction permits and previous inspections. Certified plans have been reviewed by Building Staff for compliance.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(b) Sound Transmission must be verified through construction permits and previous inspections. Certified plans have been reviewed by Building Staff for compliance.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(c) Fire rated floor and/or ceilings separating guest units.
	3. Accessibility
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(a) Must have a main level guest unit that is accessible. (Sleeping room, bathroom and kitchen per section 1107.4)
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(b) Accessible communication features
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(c) All public spaces must be accessible (party/gathering rooms)
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(d) Accessible on-site parking provided? i. Accessible route from parking to primary entrance door?
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(e) Accessible entrance door must be 36"
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(f) Accessible components per ANSI 117.1, Chapter 10.
Comments:	

Short-Term Home Rental Licensing Instructions- Initial License

Procedure Overview

1. Complete License Application and Background Check Authorization Form

- The owner completes the License Application, complies all the required attachments listed in section F of the form and submits it along with the appropriate fees to the Community Development Department. Materials can be submitted to the City of Stillwater via mail, drop off or submitted electronically to PlanningDept@ci.stillwater.mn.us.
- *Please note: If your property falls under the R1 Building Code category for Short Term Home Rentals, Certified Building Plans showing your compliance with the Short-Term Home Rental Building codes is **required**. For more information on the Building code categories see the STHR packet.
- The owner(s) and any other manager or operator, must complete the Background Check Authorization form and return it to the City with the other necessary materials. One form and check are required for each background check performed.

2. City Reviews License Application

- City staff will review the License Application. If the application is complete, including all required additional documents listed in section F, City Staff will email you letting you know you are eligible to schedule an inspection with the Building Department.
- City Staff will submit the background check form to the BCA.

3. Schedule Inspection

- The owner then contacts the Building Department (651-430-8825) to schedule a home inspection. A list of items that will be inspected are included in the attached inspection report form.

4. Inspection

- Fire Department staff and/ or Building Department staff will inspect your property for safety items. If code compliant, they will sign off on the inspection report. If not, corrections must be made and a re-inspection scheduled. All additional inspections are \$150 paid prior to scheduling.

5. Type C License only – Conditional Use Permit Application Submittal (Type A's and B's can skip to step 6)

- If desired License type is a Type C, the owner must complete the Conditional use Permit form and submit that along with a check for \$525 to the City. City Staff will then place their case on the next available Planning Commission Agenda.

6. City Issues License

- The procedure for review of the application depends upon the type of STHR.
 - Type A license - If the application is complete and there is a passed inspection on file, City staff can issue the License.
 - Type B License – Once a Type B license application passes inspection, city staff will mail notices to neighbors. If no concerns are voiced in response to the notice, staff can issue a license. If concerns are voiced, then staff will schedule a hearing by the Planning Commission.
 - Type C License – Type C's need a Conditional Use Permit approved by the Planning Commission and a license issued by city staff. Once there is a passed inspection on file and an approved CUP, City Staff can issue the license.
 - The Conditional Use Permit will be scheduled for a public hearing by the Planning Commission. When approved, it is filed in chain of title for the property. This use permit only needs to be issued once.

Fees

Type A or Type B		Type C	
License Fee and Initial inspection (Any additional inspections are \$150 paid prior to scheduling.)	\$300 payable to the City of Stillwater	License Fee and Initial inspection (Any additional inspections are \$150 paid prior to scheduling.)	\$300 payable to the City of Stillwater
Background check fee	\$15 check payable to 'MNBCA' for <u>each</u> background check performed	Conditional Use Permit Application fee	\$525 payable to the City of Stillwater
		Background check fee	\$15 check payable to 'MNBCA' for <u>each</u> background check performed

Instructions for Completing License Application Form

The applicant is responsible for completing all sections A - G.

Section A

- Question 6 - Primary residence means that during a calendar year you live there six months plus one day.

Section D

- Question 3 - The maximum number of guests that may stay in a STHR is two times the number of bedrooms plus one.
- Question 4 - Guest vehicles must be accommodated on the property, not on the street.
 - One off-street parking space is required for a one to two bedroom/sleeping space STHR.
 - Two spaces are required for a three bedroom/sleeping space STHR.
 - Four and four plus bedroom/sleeping space STHR must have parking spaces equal to the number of bedrooms minus one.
 - Each of these off-street parking spaces must be either bituminous paved or concrete or in a garage.
 - The total impervious surface on the property, including the parking for the guests, must stay within the maximum amount of impervious surface allowed in the subject zoning district. The parking area and total square footage of impervious surface on the property has to be shown on the site plan that you attach to this application form.
- Question 5 - As with guest vehicles, any boats or trailers must be accommodated on the property. This will have to be shown in the site plan that you attach to the application form.

Section F contains a listing of all attachments that are required in order for the application to be considered complete. All licenses will be processed in the order that complete applications are received. If an attachment is missing or incomplete, the application cannot begin to be processed.

BCA Background Check ALL property owners, operators and managers must complete a "Kari Koskinen Background Check form" and submit a check for \$15 payable to 'MNBCA' for EACH background check performed.

Lodging Tax The owner is responsible for paying the City Lodging Tax on a quarterly basis. Attached is the Local Lodging Tax Return form and its instructions. If you have questions on that form, please contact Sarah Erenberg in the Finance Department at 651-430-8816 or accounting@ci.stillwater.mn.us

License Renewal

The license for Type A, B and C Short Term Home Rentals are valid for three years. Please begin the renewal process in plenty of time so that the license does not lapse. All owners must be re-inspected and receive a background check as part of the renewal process. Renewal fees are as follows:

License Fee and Initial inspection (Any additional inspections are \$150 paid prior to scheduling.)	\$300 payable to the City of Stillwater
Background check fee	\$15 check payable to 'MNBCA' for each background check performed

Ordinance Enforcement and License Revocation

1. In the event of a violation of the ordinance, the city is entitled to seek injunctive relief or proceedings to prevent, restrain, correct or abate the violations.
2. If three substantiated and relevant complaints are received from neighbors or guests within a 12-month period, the license shall be revoked. The revocation may be appealed to the city council. If a license is revoked, the owner is prohibited from making application for another license for any type of Short Term Home Rental for six months
3. In addition to penalty provisions above, the fine for the first substantiated and relevant complaint or violation shall be \$250. The fine for the second shall be \$1,000. The fine for the third shall be \$2,000 and will start the process of STHR license revocation.



Short Term Home Rental License Application

- ☐ License Application Fee: \$300
(fee includes initial inspection)
- ☐ Background check fee \$15
- ☐ If applicable, Conditional Use
Permit Application fee \$525

Date Paid: _____

Receipt No.: _____

Property Owner to complete sections A-G.

A. Property Owner's Information (To be completed by Property Owner)

1. Site Address of Short-Term Home Rental: _____
2. Property owner's name: _____
3. Property owner's Address (if not primary residence): _____

4. Property owner's phone number: _____ Public phone Number: _____
5. Property owner's email: _____
6. Type A's and B's only: Is this property your primary residence? Y or N
7. Have you Homesteaded the property with the County? Y or N
8. MN Sales Tax ID number OR SSN to be used for MN Department of revenue reporting (SSN kept confidential):
MN Sales Tax ID # _____ OR SSN [REDACTED]

B. Operators information (To be completed by Property Owner only if applicable)

1. Operator's name: _____
2. Operator's address: _____

3. Operator's phone number: _____ Public phone number: _____
4. Operator's email: _____

C. License Type (To be completed by Property owner)

1. Type of Short-Term Home Rental you are applying for? Circle one. Type A Type B Type C
2. Will the property owner be present during stay? Y or N
3. If not, address while away: _____
4. If not, average drive time between addresses: _____
5. I understand that If I am applying for a Type C license, OR if my property falls under the R1 Building Code requirements, I will be required to submit certified Building plans showing my compliance with the STHR Building Codes.
Y N N/A

D. Facility Information (To be completed by property owner)

1. Number of legal bedrooms? _____
2. Number of bedrooms to be offered to guests? _____
3. Maximum number of guests to be allowed by owner/operator: _____
4. Number of off-street parking spaces on the property for guests: _____
5. Are each of the off-street parking spaces either in a garage or on bituminous or concrete surfaces? Yes No
6. Building Square footage:
 - a. Total Building square footage _____ All floors including basement and occupied attics.
Anything over 4,500 must be sprinkled.
 - i. Basement _____
 - ii. 1st floor _____
 - iii. li. 2nd floor _____
 - iv. Additional stories _____
7. Per Ordinance 1093, I agree to keep a vehicle registration log of all guests' vehicles which includes, guests name, vehicle license plate number, make/ model, and provide it to the city within 48 hours if requested?
Yes No
8. Will guest boats and/or other trailers/RVs be allowed? Yes No
9. Have any exterior home alterations been done, or planned, to accommodate the Short-Term Home Rental (other than extra parking spaces for guests)? Yes No
If yes, please explain:

E. Listing Information: (To be completed by Property Owner)

1. On which websites will the Short-Term Home Rental be listed?

2. Will the Short-Term Home Rental be listed or advertised anywhere else? If so, please give specifics.

F. Required attachments: (To be completed by Property Owner)

- ☐ 1. Submitted background check authorization form and \$15 payment for EACH background check required.
- ☐ 2. Site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, or sauna.
- ☐ 3. Floor plans, drawn to scale, of the home identifying which rooms will be used as transient guest bedrooms.
- ☐ 4. Proof of suitable and sufficient insurance.
- ☐ 5. A copy of the Guest Disclosure, or "Welcome Letter" required by Ordinance 1093, Subd. 7 E.
- ☐ 6. Minnesota Sales Tax Account Number (7 digits) OR proof that Minnesota Tax Account Number has been applied for.
- ☐ 7. \$300 payment for license application and initial inspection. If Type C, and additional \$525 Conditional Use Permit Fee is required.
- ☐ ***If your property falls under the R1 Building Code category for Short Term Home Rentals, Certified Building Plans showing your compliance with the Short-Term Home Rental Building codes are **required**. For more information on the Building code categories see the STHR packet.

G. Signatures: (To be completed by Property Owner)

Property owner's name: _____

By signing this application form, I certify that to the best of my knowledge the property meets, and will be operated according to, the standards found in Ordinance 1093.

Property owner's signature: _____ Date: _____

If applicable:

Operator's name: _____

By signing this application form, I certify that to the best of my knowledge the property meets, and will be operated according to, the standards found in Ordinance 1093.

Operator's signature: _____ Date: _____

H. City Checklist – (To be completed by City Staff)

1. Have they submitted the Background Check Authorization Form? Passed Y N
2. Is the listed property owner, the owner according to County records? _____
3. How is the property zoned? _____ Are STHR's allowed in this District? _____
4. Is there a license available for the type of STHR that is desired? [Total number of licenses allowed for the STHR type desired _____. Total number of valid licenses of this type already issued _____. Total remaining _____]
5. Parking:
 - a. How many off-street parking spaces are required? _____
 - b. How many are available using the 9x18 foot formula? _____
 - c. Are they all improved surfaces? _____
 - d. If downtown, do they require downtown parking mitigation? _____
6. If Type C, does the property have a CUP for STHR? _____ Have they included their application and fee with this form? _____
7. If Type A or B, is this the property owner's primary residence? _____
8. Does the property have a "Homestead Status" with the county? _____ If not, have they provided proof of homestead with this application? _____
9. Will the property owner be within the 30 minutes of the property while guests are staying? _____
10. Has the STHR fee been paid? _____
11. If applicable, has the CUP fee been paid? _____

- ☐ Property is eligible to apply for a STHR License or renewal
- ☐ Property is NOT eligible to apply for a STHR license or renewal

City Staff Comments:

Staff members Name (Printed):

Review Date:

Staff members signature:



Background Check

Property Owners/Operators/Managers:

As part of the Short-Term Home Rental license process, the City of Stillwater has the authority to conduct background checks on all property owners, operators and managers.

The form attached is a requirement of the Short Term Home Rental Licensing process.

Please complete the 'Kari Koskinen Manager Background Check Act' form for each property owner/operator/ manager, include a \$15 check payable to "MNBCA" for each background check form and submit it along with your STHR License application to begin the STHR licensing process.

If you have questions, feel free to contact the Community Development Department at 651-430-8820.

**Kari Koskinen Manager Background Check Act
299C.68.2**

Owner complete:

Owner or Company: *City of Stillwater*
216 4th St N
Stillwater, MN 55082
Jenn Sundberg
651-430-8820

☐ **We are requesting a federal check on this individual as well.**
(Owner please check this box if requesting a federal check and attach fingerprint card.)

Manager applicant complete:

A search of the Minnesota State Criminal Records Repository and/or the Federal Bureau of Investigation's Criminal Justice Information Criminal Files will be performed on you pursuant to Minnesota Statutes 299C.67 to 299C.71. By signing this form you are allowing the above company/individual to access any criminal data maintained in these files, and understand that your fingerprints may be used to check the criminal history records of the FBI.

I authorize this check to be done.

Signature of Applicant: _____

Date: _____

The expiration of this authorization shall be one year from the date of my signature.

Last Name of Applicant (please print): _____

First Name (please print): _____

Middle (full) (please print): _____

Maiden, Alias or Former (please print): _____

Date of Birth: _____
(Month/Day/Year)

Sex (M or F): _____

Social Security Number (optional): _____

I understand that I have the following rights:

- 1) the right to be informed that the owner will request a background check on the manager to determine whether the manager has been convicted of a crime specified in section 299C.67, subdivision 2,
- 2) the right to be informed by the owner of the superintendents response to the background check and to obtain from the owner a copy of the background check report,
- 3) the right to obtain from the superintendent any record that forms the basis for the report,
- 4) the right to challenge the accuracy and completeness of information contained in the report or record (procedures are set forth in Minnesota Statutes §13.04 and Title 28 CFR Section 16.34),
- 5) the right to be informed by the owner if the manager's application to be employed by the owner or to continue as an employee has been denied because of the result of the background check



Short Term Home Rental Guest Disclosure Sample

Ordinance 1093 requires specific information to be included in a 'guest disclosure' or 'welcome letter' to your guests. Please generate a welcome letter containing the required information below, and display it in a prominent place for your guests. The kitchen counter, or an entry way table are both examples. The welcome letter is also a great place to list any house rules you wish the guests to follow.

-Sample below-

"Welcome to our home in the historic city of Stillwater. We hope you enjoy your stay. As our guests and guests of the community, here is some helpful information and rules we ask you to follow:

Required information, at a minimum, includes:

- For Type B and C Short Term Home Rentals, you must list the name, phone number and address of the owner, operator or representative.
- The maximum number of guests allowed on the property.
- The maximum number of vehicles allowed at the property and where they are to be parked. Please mention to your guests that all cars should be parked on-site and not on the street.
- Property rules related to use of outdoor features, such as decks, patios, grills, recreational fires, saunas and other recreational facilities.
- City noise ordinances will be enforced by the Stillwater Police Department, including reduced noise levels between 10 PM and 8 AM.
- Events are not allowed on the premises. That means that no more than three unregistered guests can gather on the property.
- Useful phone numbers:
 - Property manager
 - Fire department (non-emergency) 651.351-4950
 - Police department (non-emergency) 651.351-4900
- Useful websites:
 - Stillwater Convention and Visitor's Bureau <http://www.discoverstillwater.com/>
 - Stillwater Independent Business Association <http://www.mainstreetstillwateriba.com/>
 - Stillwater Area Chamber of Commerce <http://greaterstillwaterchamber.com/>



City Building Code Classification - STHR

Recent changes in building code requirements have classified Short Term Home Rentals into two categories as noted below. Each category specifies certain criteria and code requirements. For further details on the classifications please contact the Building Department at 651-430-8825.

R-3 Category – Typically these are Type A and B STHR's*	
Criteria	Code Requirements:
-One family dwellings	<ul style="list-style-type: none"> A home greater than 4,500 sq. ft. must be sprinkled
-One or more occupants are primarily permanent in nature. Full time residents, or at least one primary permanent full time resident.	
-5 or fewer guest rooms AND 10 or fewer total occupants, excluding permanent residents.	

R-1 Category – Typically these are Type C STHR's*	
-R-1's must submit certified architectural plans prior to proceeding in the STHR process.	
Criteria	Code Requirements:
-No permanent resident OR	<ul style="list-style-type: none"> Corridors must be fire rated corridors (floor and ceiling) Sound transmission requirements An accessible guest unit required** Accessible communication features** All public spaces must be accessible** If on-site parking is provided, one accessible parking space required** An accessible route from the parking space** Home greater than 4,500 sq ft must be sprinkled (total building sq ft R-1 only)
-Greater than 5 guest rooms OR greater than 10 total occupants	
-Condo or mixed use building	

*All STHR's and any plans submitted must comply with the provisions of the 2020 Building Code or the 2020 Conservation code for existing homes.

**Accessible features must comply with the 2020 MN Accessibility Code.



NEW SHORT TERM HOME RENTAL INITIAL INSPECTION REPORT

Initial Inspection Fee Paid: _____

Additional Inspection Fee: _____

Owner's Name: _____				Owner's Phone#: _____			
Operator's Name: _____				Operator's Phone#: _____			
Site Address: _____						STHR Type: A B C	
# Bedrooms/Sleeping Spaces: _____				# of Guests: _____		Occupancy Classification: R1 R3	
Inspectors' Names (Printed): _____						Initial Inspection Date: _____	
Building Inspector Signature: _____						Re-inspection Date: _____	
Fire Inspector Signature: _____						Final Approval Date: _____	
Yes	No	Corrected	N/A				
1. Primary Exit							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) At least one exit door with direct access to the outside, or to a protected corridor in the case of a condominium or apartment building, shall be provided for each short term rental unit			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) The exit door shall be side-hinged and not less than 3' wide and 6'8" tall.			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(c) A landing must be provided on each side of each exterior door. The landing width shall not be less than the width of the door and shall have a minimum dimension of 36" measured in the direction of travel.			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(d) The exit door shall open from the inside without the use of a key, tool or special knowledge.			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(e) Handrails shall be provided on at least one side of each continuous run of stairs.			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(f) Stairs and decks must be properly constructed and maintained.			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(g) Guards shall be installed along open-sided walking surfaces that are more than 30" above another floor or grade. Insect screening is not considered a guard. Guards shall be at least 36" high with spindle spacing less than 4" apart.			
Comments: _____							
Yes	No	Corrected	N/A				
2. Emergency Escape and Rescue Openings							
<i>Homes built prior to the adoption of the 2012 International Residential Code are required to meet the standards in this section only as is practical and found satisfactory by inspector.</i>							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Window sill height shall be no higher than 44" above the finished floor.			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Minimum clear window opening of 5.7 square feet or 5 square feet it at ground level			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Minimum clear opening height of at least 24"			

Yes	No	Corrected	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Minimum clear opening width of at least 20"
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(c) Windows must be operational from the inside of the sleeping room without the use of keys, tools or special knowledge.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(d) Bars, grills and similar devices are not recommended over emergency escape openings. If present, they must open from the inside without use of keys, tools, special knowledge or greater force than what is required for normal operation of the window itself.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(e) Windows under decks must fully open and provides a path not less than 36" in height to public street, alley, yard or court.
Comments:				
Yes	No	Corrected	N/A	
3. Smoke & Carbon Monoxide Alarms				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Smoke alarms shall be listed and labeled as UL 217 compliant. Carbon monoxide alarms must be listed as complying with UL 2034.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Smoke alarms must be installed in each sleeping room, outside each sleeping area and on each additional story of the residence, including the basement.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(c) Carbon monoxide alarms must be installed outside of the sleeping rooms and not more than 10' from each separate sleeping area or bedroom.
Comments:				
Yes	No	Corrected	N/A	
4. Fire Extinguishers				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) A minimum of one portable, 5 pound type ABC fire extinguisher must be mounted <u>on each floor available to the rental guests</u> . Extinguishers must be maintained per manufacturer's directions, mounted no greater than 48" above the floor and in a visible spot, such as a hallway.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Main floor fire extinguishers must be mounted in the <u>kitchen, in a visible spot</u> .
Comments:				

Yes No Corrected N/A	
	5. Electrical Outlets
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(a) GFCI protected outlets are required within 2' of any sink, at all kitchen and bathroom countertops, all outdoor outlets, for any sauna or other wet locations
Comments:	
Yes No Corrected N/A	
	6. Hot Water
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(a) The maximum hot water temperature discharging from bathtub fillers shall not exceed 120°F by a temperature-limiting device in accordance with ASSE 1070/CSA B125.3. Water heater thermostats shall not be considered an acceptable control for meeting this provision.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(b) Showers and tub-shower combinations must be provided with anti-scald valves.
Comments:	
Yes No Corrected N/A	
	7. Tempered Glass
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(a) Glazing in walls, enclosures or fences within 5' vertically and/or horizontally of saunas, steam rooms, bathtub and showers.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(b) Windows less than 36" above stairways, stairway landings, ramps and at the bottom of stairways.
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(c) Glazing in doors and windows within a 24" arc of the door in a closed position
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(d) Guard and railings
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(e) Individual window panes that are over 9 square feet, bottom edge of glass is less than 18" above the floor, top edge of glass is more than 36" above the floor and has a walking surface within 36" horizontally from the window
Comments:	
Yes No Corrected N/A	
	8. Guard Rails
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	(a) Guards shall be installed along open-sided walking surfaces that are more than 30" above another floor or grade, such as decks, screen porches, balconies, lofted areas and stairs. Insect screening is not considered a guard

Comments:

Yes	No	Corrected	N/A
-----	----	-----------	-----

9. Roof-top use in Downtown District

☐ ☐ ☐ ☐

(a) The STHR is located in a sprinkled building.

☐ ☐ ☐ ☐

(b) Building code for fall protection and exiting are met.

☐ ☐ ☐ ☐

(c) Use Permit for property specifically allows the roof-top use.

Comments:

10. Corrections and notes

R-3 Category Inspection Requirements

<p>General Criteria</p>	<ul style="list-style-type: none"> - One Family Dwellings AND - One or more occupants are primarily permanent in nature. Full time residents, or at least one primary permanent full time resident AND - 5 or fewer guest rooms AND 10 or fewer total occupants, excluding permanent residents.
<p>Yes No Corrected N/A</p>	
	<p>1. Building Square Footage – Sprinkler Requirements</p>
	<p>(a) Total Building square footage _____ All floors including basement and occupied attics. Anything over 4,500 must be sprinkled.</p> <p>i. Basement _____</p> <p>ii. 1st floor _____</p> <p>iii. li. 2nd floor _____</p> <p>iv. Additional stories _____</p>
<p><input type="checkbox"/> <input type="checkbox"/></p>	<p>(b) Fire Sprinklers required?</p>
<p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p>	<p>(c) Fire sprinklers installed?</p>
	<p>2. Primary Residence</p>
<p><input type="checkbox"/> <input type="checkbox"/></p>	<p>(a) Is this property their primary residence? If no, this property falls under the R1 category.</p>
<p>Comments:</p>	

R-1 Category Inspection Requirements

General Criteria		<ul style="list-style-type: none"> - No permanent resident OR - Greater than 5 guests rooms OR greater than 10 total occupants - Condo or mixed use building 			
Yes	No	Corrected	N/A		
1. Building Square Footage – Sprinkler Requirements					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>(a) Total Building square footage _____ All floors including basement and occupied attics. Anything over 4,500 must be sprinkled.</p>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>(b) Mixed Use Building?</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> Basement _____ 1st Floor _____ 2nd Floor _____ Additional Stories _____ </td> <td style="width: 50%; vertical-align: top;"> Mixed Use Occupancy Classification (Building Use) Basement _____ 1st Floor _____ 2nd Floor _____ Additional Stories _____ </td> </tr> </table>	Basement _____ 1 st Floor _____ 2 nd Floor _____ Additional Stories _____	Mixed Use Occupancy Classification (Building Use) Basement _____ 1 st Floor _____ 2 nd Floor _____ Additional Stories _____
Basement _____ 1 st Floor _____ 2 nd Floor _____ Additional Stories _____	Mixed Use Occupancy Classification (Building Use) Basement _____ 1 st Floor _____ 2 nd Floor _____ Additional Stories _____				
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(c) Fire Sprinklers required?		
2. Corridors must be fire rated corridors (floor and Ceiling)					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Fire rated corridors must be verified through construction permits and previous inspections. Certified plans have been reviewed by Building Staff for compliance.		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Sound Transmission must be verified through construction permits and previous inspections. Certified plans have been reviewed by Building Staff for compliance.		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(c) Fire rated floor and/or ceilings separating guest units.		
3. Accessibility					
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(a) Must have a main level guest unit that is accessible. (Sleeping room, bathroom and kitchen per section 1107.4)		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(b) Accessible communication features		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(c) All public spaces must be accessible (party/gathering rooms)		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(d) Accessible on-site parking provided? i. Accessible route from parking to primary entrance door?		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(e) Accessible entrance door must be 36"		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	(f) Accessible components per ANSI 117.1, Chapter 10.		
Comments:					

Only applicable for Type C's



216 4th Street North Stillwater MN 55082

651-430-8800

www.ci.stillwater.mn.us

PlanningDept@ci.stillwater.mn.us

CONDITIONAL/SPECIAL USE PERMIT: APPLICANT INSTRUCTIONS

Purpose. In each zoning district, permitted uses and specially/conditionally permitted uses are listed. Special and conditional uses require a Special Use Permit.

The purpose of the Conditional Use Permit (CUP) or Special Use Permit (SUP) is to allow special condition of uses that are not specifically permitted in the zoning district. Since the Zoning Ordinance cannot be drafted to deal with every circumstance, the CUP/SUP process is designed to provide the City sufficient flexibility to determine whether a specific land use on a certain site will be compatible with its surroundings, the Comprehensive Plan and the zoning on adjacent parcels. In approving the CUP/SUP, the Planning Commission must find that the proposed use will not be injurious to the neighborhood or otherwise detrimental to the public welfare and will be in harmony with the general purpose of the Zoning Ordinance.

Process:

Project Consideration: Early in the consideration of a potential project, a determination shall be made whether a CUP/SUP is needed.

Pre-application Conference: It is recommended the applicant make an appointment with Community Development Department (CDD) staff prior to submitting an application. The intent of this meeting is to discuss the applicable city code regulations, items that may be of concern, application submittal requirements, etc. In order for the meeting to be most effective, the future applicant should be prepared to discuss the proposed use and potential land alternation activities that may occur.

Filing the Application: A complete application, required attachments, and applicable fee(s) will be accepted by the CDD according to the established Development Review Schedule. Incomplete applications will not be accepted or may be returned to the applicant. Once the application has been determined to be complete, staff will place the item on the applicable Commission and Council agendas. Notice of any scheduled public hearings will be sent to all property owners within 350' of the subject property. Legal notice will be published in the Stillwater Gazette at least ten (10) days prior to the scheduled public hearing(s).

Staff Review: CDD staff will review and evaluate the project conformance to the Zoning Code, the Comprehensive Plan, relevant area plans, and all lawful regulations. Staff will develop a report which, in most cases, will include a recommendation for approval or denial. Recommendations for approval may be accompanied by staff recommended conditions of approval. Staff will distribute this report to the applicant in advance of the scheduled meeting(s) and hearing(s).

Commission and Council Review: Commission and Councilmembers will receive the staff report in advance of the scheduled public hearing, an informal meeting held in the Council Chambers of City Hall. At meeting(s), staff will explain the nature of the request. The applicant, who is required to be at these meeting(s), will be given the opportunity to present testimony giving reasons or need for the CUP/SUP. Members of the public will be invited to testify in support or against the request.

Once all testimony has been made, the respective appointed or elected members will discuss the request. After all discussion has occurred, the body will determine approval or denial of the application. They may, at their discretion, continue the hearing to a later meeting date. This happens when insufficient information has been submitted or additional information is needed to make a decision.

Appeals Period: There is a ten-day period in which the applicant, or any other individual aggrieved by the decision, may submit a request for reconsideration of the application. If the appeal is to a decision of a Commission, the City Council will hear the appeal in a scheduled public hearing.

Permitting. Once the City Council has approved an application, or once the ten day appeal period has ended, the applicant will receive an approved CUP/SUP indicating the approval and listing any conditions of approval. The applicant must execute the CUP/SUP form, acknowledging any conditions of approval will be met. The CUP/SUP is not issued until the permit form is signed and returned to the City.

Building Permits. If a building permit is required, the submittal of the building permit to the Building Department may occur any time after the meeting date, however, issuance will not occur until after the appeal period is over. Any permit submitted prior to the meeting date will not be reviewed. All work must be in accordance with the HPC/CPC approvals and follow all conditions of approval.

After the signed permit form is received and all charges are paid, the permit is recorded on the property with the Washington County Recorder.

Speaking to Planning Staff before submittal is always encouraged, 651-430-8820. Materials can be submitted to the City of Stillwater via mail, drop off or submitted electronically to PlanningDept@ci.stillwater.mn.us.



216 4th Street North Stillwater MN 55082
651-430-8800
www.ci.stillwater.mn.us
PlanningDept@ci.stillwater.mn.us

PLANNING APPLICATION

Planning Commission

Case No. _____ Base Fee: _____
Date Filed: _____ + County Recording fee
Receipt No.: _____ \$50 per document _____
+ Tech Fee: **\$25.00**
Total Fees: _____

ACTION REQUESTED

_____ Special/Conditional Use Permit
_____ Variance
_____ Resubdivision*
_____ Subdivision*
_____ Lot Line Adjustment*

_____ Comprehensive Plan Amendment*
_____ Zoning Amendment*
_____ Planning Unit Development *
_____ Certificate of Compliance

*An escrow fee is also required to offset the costs of attorney, engineering fees and recording fees.

Please read carefully:

- Only one copy of supporting materials is required. However, any documents larger than 11 x 17 must be submitted in paper and in pdf format.
- Review the 'Checklist to the Planning Administration Application Form' for the complete list of required items that must be submitted. Any incomplete application or supporting material will cause your application to be rejected by the City.
- Applications will be rejected without a legal description. A legal description is found on the deed to the property. Attach as an exhibit if necessary.

After Planning Commission approvals, there is a 10-day appeal period. Once the 10-day appeal period has ended, the applicant will receive a zoning use permit which must be signed and submitted to the City to obtain the required building permits.

PROPERTY IDENTIFICATION

Address of Project _____ Assessor's Parcel No. _____
(PIN Number)

Complete Property Legal Description _____

Zoning District _____ Description of Project _____



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APPLICATION SUBMITTAL DISCLOSURE

Please check each box to indicate you agree to the following statements:

- ☐ I understand that all information submitted for this application is subject to the Data Practices Act and that all data is presumed public data and can be made available to the public.
- ☐ I understand the City has the ultimate authority to determine what may be considered non-public data.
- ☐ I hereby state the foregoing statements and all data, information and evidence submitted herewith in, is to the best of my knowledge and belief, true and correct.
- ☐ I hereby state I will comply with the permit if it is granted and used.

Minn. Stat. §13.37 allows certain data to be considered non-public data because it contains a formula, pattern, compilation, program, device, method, technique or process (1) that was supplied by me or an organization contracted by me, (2) that is the subject of efforts that are reasonable under the circumstances to maintain its secrecy, and (3) that derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use.

Please list any materials you believe meet the criteria above and are therefore non-public data.

By signing I agree to the statements above.

Required

By signing I agree to the statements above.

Required (If other than property owner)

Property Owner _____

Mailing Address _____

City - State - Zip _____

Telephone No. _____

Email _____

Signature _____

(Signature is required)

Representative _____

Mailing Address _____

City - State - Zip _____

Telephone No. _____

Email _____

Signature _____

(Signature is required)

Checklist for Planning Applications

Planning Staff can help determine what materials are necessary. **Speaking to Planning Staff before submittal is always encouraged, 651-430-8820. Materials can be submitted to the City of Stillwater via mail, drop off or submitted electronically to PlanningDept@ci.stillwater.mn.us.**

Incomplete or unclear applications/plans will be returned to the applicant and may result in delay of application processing.

All Applications Must Include:

- The application form completed and signed by the property owner.
- A complete legal description of subject property. This is found on the property deed. Incomplete or abbreviated legal descriptions are not sufficient.
- Letter describing the proposed use in detail and indicating how this use will effect, or is compatible with adjacent uses or areas. If the request is for a variance, the narrative must address the 'practical difficulty' provision.
- Other information, such as a business plan, and photographs, to make the required findings for approval of the specific type of application.

Applications Involving New Construction or Exterior Improvements Must Also Include:

- ☐ Building plans clearly dimensioned and scaled.
- ☐ A site plan depicting the following.
 - o Exterior property lines, easements, lot width and depth and lot area.
 - o Location, elevation, size, height of building or addition, dimensions, materials and proposed use of all buildings and structures (including walls, fences, signs, lighting and hooding devices) existing and proposed for the site (if the site is in a Design Review District, additional design detail maybe required).
 - o Distances between all structures and from all property lines or easements to structures.
 - o Buildings on adjacent properties, together with distances from property lines.
 - o All adjacent streets or right of ways, with street names labeled.
 - o Pedestrian, vehicular and service points of ingress and egress; distances between driveways and street corners.
 - o All off-street parking spaces, driveways, loading docks and maneuvering areas with dimensions for driveway widths and parking space sizes.
 - o Existing significant natural features such as rock outcroppings or water courses (existing and proposed marked accordingly).
 - o All major existing trees on the site (4 inch caliper or greater), giving type, location, size and other site coverage conditions.

Applications Involving Changes in Grading or Landscaping Must Also Include:

- ☐ Existing and proposed grading plan showing direction and grade of drainage through and off the site; indicate any proposed drainage channels or containment facilities.
 - o Applications for new structures on slopes of 12 percent or greater must include an accurate topographic map. The map must contain contours of two-foot intervals for slopes of 12 percent or greater. Slopes over 24 percent shall be clearly marked.
- ☐ Landscape plan showing number of plants, location, varieties and container sizes (landscape plan).

ANY DOCUMENTS LARGER THAN 11 X 17 MUST BE SUBMITTED IN PAPER AND IN PDF FORMAT.
OVERSIZED PLANS (GREATER THAN 11X17) WILL NEED TO SUBMIT FIVE COPIES.



Lodging Taxes

The City of Stillwater lodging tax applies to the sales of transient lodging accommodations and related services for a period of fewer than 30 days at an establishment (such as but not limited to hotels, motels and bed & breakfasts) located within the City limits. (See the City's of Stillwater's Ordinance Number 990 for further details).

Listed below is the Lodging Tax instructions & form. If you have any questions, please contact Finance Department at 651-430-8800.

City of Stillwater Local Lodging Tax

The City of Stillwater lodging tax applies to the sales of transient lodging accommodations and related services for a period of fewer than 30 days at an establishment (such as but not limited to hotels, motels and bed & breakfasts) located within the City limits. (See the City's of Stillwater's Ordinance Number 990 for further details). The tax is separate and is in addition to the 6 ½% state sales tax. Amounts paid for transient lodging accommodations provided within the City limits are subject to the tax regardless of where the payments or reservations are made. Payments or reservations made in the City of Stillwater for lodging outside the City limits are **not** subject to the City's lodging tax.

A Local Lodging Tax Return form must be completed quarterly (calendar quarter) by each establishment providing transient lodging even if there were no sales during the period. The completed form and the payment of the lodging tax are due to the City no later than 30 days after the end of the quarter. See City of Stillwater's Ordinance Number 990 for failure to file.

Instructions for Lodging Tax Return

The following instructions are to assist preparers in completing the City of Stillwater Lodging Tax Return form:

Line 1 Gross Lodging Sales

List the total of all transient lodging sales that occurred during the period.

Line 2 Less: Exclusions

List all sales that are exempt from the lodging tax. See attached for a list of sales that are exempt from lodging tax during the period.

Line 3 Less: Lodging Bad Debts

List all lodging sales that were uncollectible during the period.

Line 4 Plus: Collected Bad Debts

List all lodging sales that were previously uncollectible and were then subsequently collected during the period.

Line 5 Total Taxable Lodging Sales

Line 1 (*Gross Lodging Sales*) less Line 2 (*Exclusions*), less Line 3 (*Lodging Bad Debts*) and add Line 4 (*Collected Bad Debts*).

Line 6 Lodging Tax Due

Multiply Line 5 (*Total Taxable Lodging Sales*) by 3% (City Lodging Tax).

Line 7 Penalty

If the payment is not made by the due date, multiply Line 6 (*Lodging Tax Due*) by 10%.

Line 8 Interest

If the payment is not made by the due date, add Line 6 (*Lodging Tax Due*) to Line 7 (*Penalty*), then multiply the result by 8%. The result is the yearly interest amount. Then divide the yearly interest amount by 365 (days of the year). This result is the daily interest amount. Then multiply the daily interest by the number of days the payment is late.

Line 9 Total Interest and Penalty Due

Add Line 7 (*Penalty*) and Line 8 (*Interest*)

Line 10 Total Amount Due

Add Line 6 (*Lodging Tax Due*) and Line 9 (*Total Penalty and Interest Due*)

If you need further assistance, please call Sarah in the City of Stillwater's Finance Department at 651-430-8816.

City of Stillwater Local Lodging Tax

Tax Exempt Revenues

1. Tax exempt revenues include lodging revenues received for lodging accommodations for a period of more than 30 days.
2. Amounts paid for the use of real property for purpose other than lodging (i.e. Lease of a meeting room).
3. Tax exempt revenues include lodging billed directly to and paid for by the federal (State and local governments **are** taxable) government and its agencies. Federal employees also may pay for their lodging directly through the use of a credit card. Sales charged on a federal employee's credit are not taxable if the bill is paid directly by the federal government. If the bill goes directly to the federal employee, the sale is taxable. In order to qualify for tax exempt status, it is not sufficient for a person to identify themselves as a federal employee, produce a business card, or present a tax exempt certificate.
4. Foreign Consular Officials

Supporting documentation (i.e. Copies of credit cards, credit card numbers, IDs etc.) evidencing tax exempt status should be retained for six years. This support must be produced during an audit performed by City staff to allow the exclusions.



Local Lodging Tax Return

This tax is mandated by the City of Stillwater Ordinance #990

Please make check payable to the 'City of Stillwater'

Mail this form along with a check for the amount due (Line 10) to the address below

Business Name		Establishment Address	
Business Mailing Address (Street):		Minnesota Sales Tax Account Number (7 Digits)	
City	State	Zip	

Name Associated with the MN Sales Tax Account Number

Mailing Address Associated with the MN Sales Tax Account Number (Street):

City State ZIP

Reporting Period From Due Date:

Reporting period is one of the calendar year quarters - Due Date is 30 days following the end of the quarter

Lodging Tax		
1 Gross Lodging Sales		
2 Less: Exclusions		
3 Lodging Bad Debts		
4 Collected Bad Debts		
5 Total Taxable Lodging Sales Line 1 - Line 2 - Line 3 + Line 4		
6 Lodging Tax Due Line 5 x 3%		

Penalty and Interest (If Applicable)		
7 Penalty If Payment is not made by the due date, Line 6 x10%		
8 Interest If payment is not made by due date (Line 6 + Line 7) x 8% + 365) x Days past due		
9 Total Penalty and Interest Due Line 7 + Line 8		

Total Lodging Tax, Penalty and Interest		
10 Total Amount Due Line 6 + Line 9		

I declare and certify under penalty of the law that I have examined this statement and that to the best of my knowledge and belief, it is true and complete

Signature Title

Name of preparer Date

Email Phone

Finance Department

City of Stillwater
Attn: Sarah Erenberg
216 North 4th Street
Stillwater, MN 55082

Phone: 651-430-8816
accounting@ci.stillwater.mn.us

Sec. 41-8. - Short term home rental regulations.

Subd. 1. *Purpose* . The purpose of this section 41-8 is to allow short term home rentals where appropriate while mitigating impacts upon surrounding properties by implementing balanced regulations to protect the integrity of the city's neighborhoods as well as protect the general public health, safety and welfare.

Subd. 2. *Definitions* . For the purposes of this section 41-8 the following terms, phrases, words and their derivations shall have the meanings as given here. When consistent with the context, words in the plural include the singular and words in the singular include the plural.

- (1) *Primary residence* , means the dwelling unit within which a person lives for six months plus a day during a calendar year.
- (2) *Primary resident* , means a person living on a property where the property is the person's primary residence.
- (3) *Short term home rental, Type A* (hosted short term rental), means a dwelling unit that is offered to transient guests for a period of less than 30 consecutive days, where a primary resident of the property is present while the transient guests are present.
- (4) *Short term home rental, Type B* (unhosted short term rental), means a dwelling unit that is offered to transient guests for a period of less than 30 consecutive days, where the property serves as a person's primary residence but a primary resident of the property is not present while the transient guests are present. This Type B also includes short term home rental of any accessory dwelling units, non-owner occupied duplexes or "mother-in-law" apartments.
- (5) *Short term home rental, Type C* (dedicated short term rental) means a dwelling unit that is offered to transient guests for a period of less than 30 consecutive days, where the property does not serve as a person's primary residence
- (6) *Short term home rental, Type D (bed & breakfast)* - see the definition of bed and breakfast in City Code section 31-101, paragraph 16.

Subd. 3. *License required* . No property may be used for Type A, B or C short term home rental unless a license is granted by the city. Type D short term rentals do not require a license but are subject to the provisions of City Code section 31-504.

- (1) *Term* . Licenses shall be valid for three years, unless it is revoked.
- (2) *Renewal* . A renewal license must be applied for every three years. The renewal license application may only be submitted after the property has passed a city inspection as required and appropriate fees have been paid.
- (3) *Non-Transferable* . Licenses are non-transferable and shall expire upon change of ownership of the property.

Subd. 4. *License application* . Any property owner desiring to undertake short term home rentals must apply to the community development department for a short term home rental license. A license must be approved prior to operating within the city. The license application request must be submitted on the form provided by the city and must include all the information requested on the application form. A criminal background check consistent with Minn. Stat. §299C will be conducted on managers (as defined by Minn. Stat. §299C.67, Sub. 4) as part of the license application review.

Subd. 5. *License fee* . The license application form must be accompanied by payment in full of the required license application fee. The license application fee will be determined by the city council in the city fee schedule.

Subd. 6. *License issuance* . The process for review and issuance of a license will vary depending upon the type of short term home rental as follows:



- (1) Type A - Hosted short term home rentals. Type A short term home rental licenses will be issued administratively if all the terms and conditions of section 41-8 are met.
- (2) Type B - Unhosted short term rental. Type B short term home rental licenses will be issued administratively if all the terms and conditions of section 41-8 are met, however, prior to issuing a Type B license, a neighborhood notification is required, as specified herein:
 - a. Notices must be mailed by the city to all surrounding property owners according to the following standards:
 - i. 150 feet of all applicant properties zoned RB, CCR, CR, TH, CTHR, RCL, RCM, RCH, CBD;
 - ii. 200 feet of all applicant properties zoned RA, LR, CTR, TR;
 - iii. 500 feet of all applicant properties zoned AP.
 - b. If there are no objections received by the city within 10 days after mailing the notices, then the license shall be issued.
 - c. If objections are received, then the license application must be considered by the planning commission as follows:
 - i. The planning commission must hold a hearing. Notices for the hearing will be mailed ten days prior to the hearing using the distance requirements in subd. 5(2)(a).
 - ii. After considering the license request and comments from the neighbors, the planning commission may either approve a one-year provisional license, with or without conditions, or deny the license request.
 - d. If the planning commission approves a one-year provisional license and there are no substantiated relevant complaints from neighbors or guests during the provisional year, the license will automatically extend two additional years.
- (3) Type C - Dedicated short term rental. Type C short term home rental licenses will be issued administratively if all the terms and conditions of section 41-8 are met and a conditional use permit is granted. The conditional use permit application will be reviewed according to the process established in City Code sections 31-204 and 31-207.
- (4) Type D - Bed & Breakfast. Type D short term home rentals are also known as bed and breakfasts and, in addition to the requirements herein, are regulated in City Code section 31-504.

Subd. 7. *Zoning district* . Short term home rentals shall only be allowed in specific zoning districts as identified in City Code section 31-315 (allowable uses for residential zoning districts) and section 31-325 (allowable uses for non-residential zoning districts).

Subd. 8. *Performance standards* . Type A, B and C short term home rentals shall be subject to the performance standards identified below. In addition to the relevant sections noted below, Type D short term home rentals shall also be subject to the standards found in City Code section 31-504. For Type D, if the terms of the section below and section 31-504 are in conflict, section 31-504 shall apply.

- (1) *Parking* .
 - a. In residential zoning districts, all guest parking must be accommodated on improved driveways and improved parking surfaces on the premises. No on-street parking is allowed for guests. At a minimum, parking shall be provided as follows:
 - i. Units with one to two bedrooms or sleeping areas, one space.
 - ii. Units with three-bedrooms or sleeping areas, two spaces.

- iii. Units with four or more bedrooms or sleeping areas, number of spaces equal to the number of bedrooms or sleeping areas, minus one.
 - b. In the CBD zoning district, guest parking must either be accommodated on the property of the short term home rental dwelling unit at the same minimum numbers specified above in (1)(a), or a parking mitigation plan must be approved by the parking commission.
- (2) *Length of guest stay* . The minimum length of stay is one day. The maximum length of stay is 30 days.
 - (3) *Number of guests* . The maximum number of guests will be limited to two times the number of bedrooms, or sleeping areas, plus one.
 - (4) *Guest records* . The licensee for Type B and C short term rentals must keep a guest record including the name, address, phone number, and vehicle license plate information for all guests and must provide a report to the city upon 48 hours' notice.
 - (5) *Manager information* . For Type B and C short term home rentals, the licensee must provide the name, phone number and address of the owner, operating lessee or managing agent/representative to all property owners within 150 of the property lines. The licensee shall provide any changes to this information to the community development department and to the neighboring properties within ten days of any such changes.
 - (6) *Guest disclosures* . The licensee must disclose in writing to their guests the following rules and regulations and must submit a copy of the disclosure to the city with the license application and renewal applications. In addition, the disclosures must be conspicuously displayed in the home. The disclosures must include the following:
 - a. For Type B and C short term home rentals, the name, phone number and address of the owner, operating lessee or managing agent/representative;
 - b. The maximum number of guests allowed at the property;
 - c. The maximum number of vehicles allowed at the property and the approved parking areas;
 - d. Property rules related to use of outdoor features, such as decks, patios, grills, recreational fires, saunas and other recreational facilities;
 - e. That City nuisance ordinances will be enforced by the Stillwater Police Department, including reduced noise levels between 10:00 p.m. and 8:00 a.m.;
 - f. That no events are allowed to be hosted by a guest on the premises.
 - (7) *Posting of license number* . The licensee must post the city license number at the property and on all print, poster or web advertisements.
 - (8) *Proximity of assistance* . For Type B and Type C short term home rentals, the property owner or a manager/representative must be located within 30 minutes travel time of the property.
 - (9) *Garbage* . As required by City Code Chapter 30-1, Subd. 5, all garbage must be kept in rubbish containers that are stored out of view of a public street.
 - (10) *Signage* . For Type A, B or C short term home rental no signage is allowed on the property. Type D is allowed to have signage as regulated in City Code section 31-504.
 - (11) *Events* . Events are not allowed to be hosted by guests on the premises. For purposes of this section 41-8, an event means a gathering on the premises of more than three un-registered guests. Events hosted by the property owner are allowed but must comply with all applicable city ordinances and policies, including the prohibition on renting out private residential property for events.



- (12) *Insurance* . The licensee must provide proof of sufficient and suitable property insurance with the license application and must be able to confirm that the coverage remains in place within 24 hours of a request by the city.
- (13) There shall be no change in the exterior appearance of the home or premises, or other visible evidence of the conduct of a short term home rental, except that additional on-site city code compliant parking may be provided.

Subd. 9. *Required health and safety inspections.*

- (1) *Type A, B and C short term home rentals.* Type A, B and C license applications will not be accepted without an approved inspection report signed by the city's fire department and building department. The inspection must have been completed no more than 60 days prior to submission of the license application. The list of health and safety items that will be inspected will be included in license application materials so that the licensee will know in advance what items will be inspected. If the inspection identifies items that must be corrected, all corrections must be completed and verified by the city before the license will be issued.
- (2) *Type D short term home rentals.* Type D short term home rentals are required to have inspections as regulated by City Code Section 31-504.

Subd. 10. *Site Plan and Floor Plan for Type A, B and C short term home rentals.*

- (1) The applicant must submit a site plan of the property drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, or sauna.
- (2) The applicant must submit a floor plan of the residence drawn to scale identifying which rooms are proposed to be used as guest bedrooms or sleeping areas.

Subd. 11. *Limit on number of licenses.*

- (1) Type A. No more than thirty-five (35) Type A licenses shall be issued at any one time.
- (2) Type B. No more than thirty-five (35) Type B licenses shall be issued at any one time.
- (3) Type C. No more than fifteen (15) Type C licenses shall be issued at any one time.

Subd. 12. *Lodging and Sales taxes.* In addition to state sales tax, Types A, B, C and D short term home rentals are required to pay the city lodging tax directly to the city on a quarterly basis. The property owner must provide information on a web-based booking service(s) used for the property. If no sales are made during a quarter, a report must be submitted to the city stating that no sales were made or lodging tax collected during that quarter.

Subd. 13. *Interchangeability of License Types.* A licensee may use the license to operate any short term home rental type equal to or less restrictive than the one for which the license was issued. For example, if an owner is issued a Type C license, the property is permitted to operate as a Type C, B or A. If a Type B license is issued, the property is permitted to operate as a Type B or A. However, a Type D owner may only operate as a bed and breakfast.

Subd. 14. *Enforcement* .

- (1) *Injunctive relief* . In the event of a violation or threatened violation of this ordinance, the city, in addition to other remedies, is entitled to seek injunctive relief or proceedings to prevent, restrain, correct or abate such violations or threatened violations.
- (2) *Misdemeanor* . The penalty for a violation of this ordinance shall be a misdemeanor.
- (3) *Fines* . In addition to penalty provisions in (1) and (2) above, the administrative fines for violations of this section 41-8 shall be as established by the city council in the annual fee schedule.



(4) *Suspension or revocation* . Any short term home rental license may be suspended or revoked for one or more of the following reasons:

- a. It is the third substantiated and relevant complaint or violation of the ordinance within a 12-month period.
- b. The licensee has failed to pay all of the appropriate fees related to the license, or is delinquent on any other city fees;
- c. The licensee has made fraudulent statements, misrepresentations, not fully disclosed information or made false statements in the application for or in the course of the licensee's business;
- d. The licensee has been convicted of any crime or offense in the previous five years involving or relating to the short term home rental business and the licensee has failed to show competent evidence of sufficient rehabilitation and present fitness to perform the duties of the business;
- e. The licensee has acted in an unauthorized manner or beyond the scope of the license granted.

In such cases, the license may be forwarded to a hearing officer for consideration of suspension or revocation. The hearing officer procedure is set forth in City Code Section 22-10, Subdivision 4. If the license is suspended, the length of suspension shall be stated in the hearing officer's decision. If a license is revoked, the owner is prohibited from making application for another license for any type of short-term home rental for a period of six months.

(Ord. No. 1124, § 2, 5-21-19)